

# European Citizens' Initiative

## 10 fundamentals for a citizen-friendly law

### fundamentals

The draft Treaty of Lisbon opens up the possibility for citizens to submit a proposal to the European Commission. At least one million EU citizens have to sign the initiative. But the wording of the article is quite open to interpretation. Now the European Parliament is already preparing a report for the implementation of the ECI. An international group of experts and activists have worked out ten basic elements for fair implementation – based on the best practice in Europe.

#### 1. Citizens can also call for constitutional amendments

The implementing law should make it clear that constitutional amendments can be proposed. The European Constitution regulates much more specific policy content than national constitutions. It enables both the Commission and the EU Parliament to propose amendments to the Constitution.

#### 2. No more than one million citizens

The collection of one million signatures in a significant number of member states is a sufficient hurdle.

#### 3. Four member states counts as ,significant'

An initiative should not be required to collect signatures in more than four member states.

#### 4. Minimum number of signatures: 0.1 %

The required minimum number of signatures coming from each country (see Point 3) should be 0.1% of the citizens entitled to vote.

#### 5. Time period: 18 months

Initiatives should have enough time for collection of the signatures. A short time period would disadvantage smaller groups.

#### 6. Free form of the initiative

The initiative can choose between two options:

- a) a general proposal mentioning the specific goal(s) of the legislation and the main measures to be introduced (or changed), or
- b) a draft legal act.

#### 7. Role of the Commission

The Commission has to check whether the formal conditions of the ECI have been fulfilled and that no conflict with European law exists. The Commission has to give its reasons in case of rejection. There should be strict time limits for the subsequent treatment of the subject by the EU institutions.

#### 8. Five Rights of the Initiative

- a) Right of advice from the Commission before gathering the signatures.
- b) The right to be heard by the respective institutions (Commission, Parliament, Council).
- c) The right that the text of the ECI is published without delay in the Official Journal of the EU and the Official Gazet-tes of the member states.
- d) The right to challenge a rejection before the competent European Courts.
- e) A reimbursement in part of the costs.

#### 9. Verification by member states

This question should be decided by the member states according to their national electoral laws.

#### 10. Free collection of signatures

It should be specified that the signatures can be gathered freely (by circulation/ downloading of lists to be filled in and signed) and not only in government registration offices.

#### European Citizens' Initiative

“Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.

The procedures and conditions required for such a citizens' initiative shall be determined in accordance with the first paragraph of Article 21 of the Treaty on the Functioning of the European Union.”

Art. 11 (4) draft Treaty on European Union (amended by Treaty of Lisbon)

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