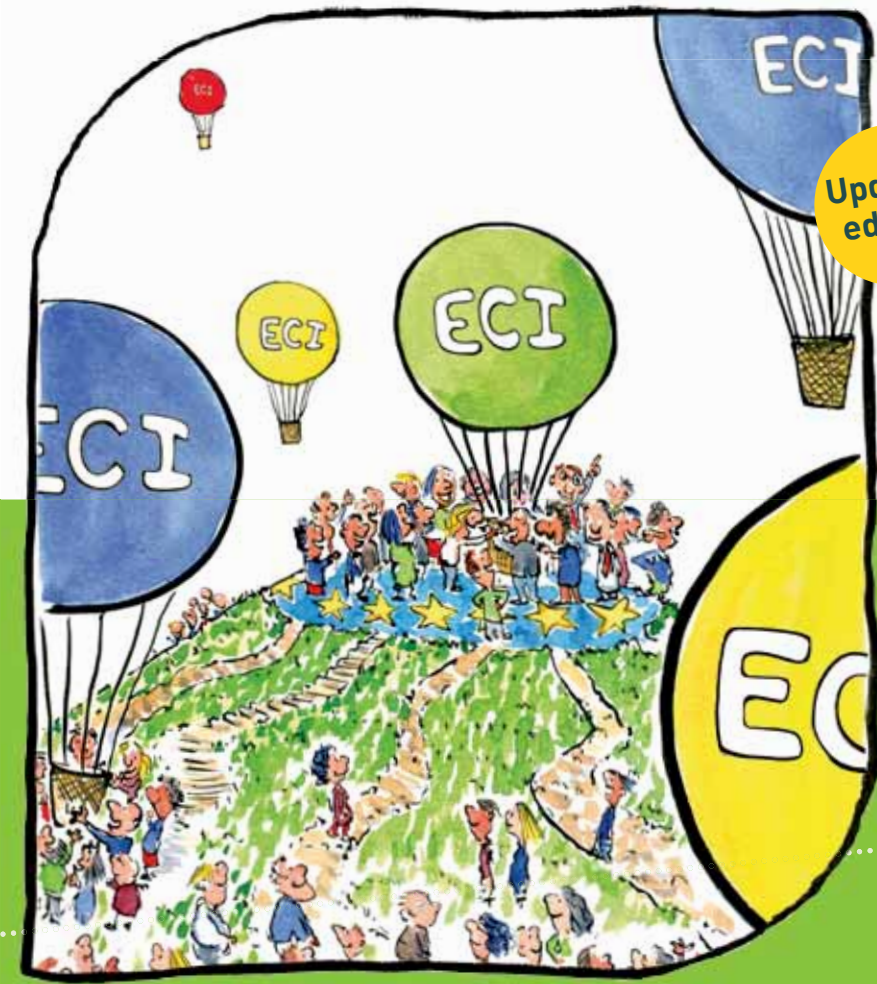


# The European Citizens' Initiative Pocket Guide

By Bruno Kaufmann



Updated edition



The Green European Foundation is a European-level political foundation whose mission is to contribute to a lively European sphere of debate and to foster greater involvement by citizens in European politics. GEF strives to mainstream discussions on European policies and politics both within and beyond the Green political family. The foundation acts as a laboratory for new ideas, offers cross-border political education and a platform for cooperation and exchange at the European level.

Printed in Belgium, November 2012  
Updated edition, published by GEF for the Greens/EFA Group  
in the European Parliament

©2012, Initiative and Referendum Institute Europe  
and the Green European Foundation asbl  
All rights reserved

Author: Bruno Kaufmann  
Illustrations: Frits Ahlefeldt  
Text editing and coordination:  
Marina Barbalata and Leonore Gewessler  
Language editing: Paul Carline  
Production: Micheline Gutman

Printed on 100% recycled paper

The views expressed in this publication are those of the author's alone.  
They do not necessarily reflect the views of the Green European Foundation.



This publication has been realised with the financial support of the European Parliament.  
The European Parliament is not responsible for the content of this project.

This publication can be ordered at:  
The Green European Foundation – Brussels Office:  
15 Rue d'Arlon – B-1050 Brussels – Belgium  
Tel: +32 2 234 65 70 | Fax: +32 2 234 65 79  
E-mail: [info@gef.eu](mailto:info@gef.eu) | Web: [www.gef.eu](http://www.gef.eu)

Green European Foundation asbl  
1 Rue du Fort Elisabeth – 1463 Luxembourg

# The European Citizens' Initiative Pocket Guide

## A User Manual to the First Transnational Tool of Modern Direct Democracy

By Bruno Kaufmann



**GREEN EUROPEAN  
FOUNDATION**

Published by GEF for:



**The Greens | European Free Alliance**  
in the European Parliament

Produced in cooperation  
with the Initiative and  
Referendum Institute Europe

**IRI** *Initiative and  
Referendum  
Institute Europe*

## TABLE OF CONTENTS

<b>Words from the publisher</b>	5
<b>Acknowledgments</b>	5
<b>Foreword</b>	6
<b>Introduction</b>	9
<b>1. Keychain: iDemocracy – much more than you may have thought</b>	11
1.1 The Beginnings	12
1.2 The ECI – a tool with many faces	14
Basic Mode: The three main ECI functions	14
A. Into new territory – when the ECI becomes a gas pedal	14
B. Stop!! Using the ECI as a brake	17
C. Fixing the deficits. How to use the ECI as a valve	19
Advanced Mode: Three other ECI functions	20
D. Let's negotiate – and bringing in an ECI as a bargaining chip	20
E. Brothers in Arms. The ECI as a catalyst for coalition-building	21
F. Me.com – or how you could use the ECI as your personal or collective canvasser	22
<b>2. Pathfinder: Mind the Gaps – and become an ECI Professional</b>	24
2.1 Organiser Pathfinder: A very hard piece of work	26
Step 1: Idea	27
Step 2: Knowledge	30
Step 3: Goals	31
Step 4: Design	33
Step 5: Registration	37
Step 6: Signature gathering	44
Step 7: Dialogue	47
Step 8: Thresholds	48
Step 9: Communication	51
Step 10: Lessons learnt	52
2.2 Supporter Pathfinder: A Direct, Transnational and Digital Powerhouse	53
2.3 Observer Pathfinder: Instrument, Regulation and Communication	58
<b>3. Resource Centre: ECI Essentials – the rules of the game</b>	60
3.1 Lisbon Treaty, Art. 11.4. The Transnational Participatory Principle	60
3.2 Regulation EU211/2011. The European Citizens' Initiative Law	61
3.3 ECI links	75
3.4 ECIs in the making	77
3.5 National Authorities	79
3.6 Literature	81
About the Initiative and Referendum Institute and the Pocket Guide Author	82

## Words from the publisher

Political foundations at the European level were created to help achieve a challenging goal: create a European public sphere of debate and Europeanise national political discussions. For the Green European Foundation, implementing this mission means working on key European policy issues by arranging studies and debates on the topic at the local, national and European level. The European Citizens' Initiative is clearly such a key policy issue. The ECI instrument offers a platform for citizens to engage directly with EU politics, to set the institutional agenda and to do so in a manner that involves and facilitates transnational cooperation and a common vision for European politics beyond the strictly national level.

The European Citizens' Initiative has an enormous potential of successfully knitting networks of EU citizens around topics of common European concern and it can set the foundations of a strong European public sphere. However, it will need

close monitoring to make sure it lives up to these expectations. Until 2015, when the European Commission is due to review the ECI regulation, the Greens will continue to work towards further strengthening the instrument. This Guide already suggests many ways of improving the pitfalls and overcoming the barriers to the "ECI 1.0".

For the Green European Foundation, the ECI represents a promising instrument to contribute to its mission of Europeanising political debates. This Pocket Guide which follows the successful GEF ECI Handbook provides new insights into the instrument. It also portrays some of the first ECI's in the making that you're likely to hear of in the upcoming months. It is a most complete manual that we hope will assist citizens in their ECI journeys.

*Pierre Jonckheer*  
Co-President Green European Foundation

## Acknowledgments

More than twenty years or almost half my life! This is the time I have spent – together with a steadily growing number of colleagues, friends and critics – in suggesting, promoting, encouraging, designing, developing, safeguarding and educating the idea, the proposals, the concepts and the implementation of the European Citizens' Initiative. Back in 1991, most people thought our idea of a European Citizens' Initiative was "pure science fiction", while ten years later critics called the first very concrete discussion during the EU Convention a "possible coup d'état against indirect democracy". And today, more than two decades after a group of Europeans, who called their network "eurotopia", met in Rostock/Germany and developed the first proposals for a European Citizens' Initiative tool, it is time to start – in

practice! This is remarkable, and it feels like a enormous privilege to have been part of this journey. Nevertheless, this is just the very, very modest beginning of a new era of modern democracy, which is more direct, more transnational and more digital than anything we have experienced until now. A big "thank you" to all the good, encouraging, and even sceptical forces, which have made this small step possible. With this new 2013 edition of the Pocket Guide I hope to share with all of you a little of our common practical experience in making nice ideas like the European Citizens' Initiative a living proof that more democracy not only makes sense, but will also make a difference!

*Bruno Kaufmann, Autumn 2012*

## Foreword

by Gerald Häfner

### The European Citizens' Initiative: A significant step towards a Europe of the Citizens

The development of true democracy is a key issue of our times, because it comprises the key to all other questions and decisions.

Power, money or the pursuit of short-term economic interests that turn a blind eye to the future still determine too many decisions in our world. As a result, considerations of the common good often fall by the wayside. People feel reduced to powerlessness, like an audience in a movie of which they are mere spectators while it is always others who determine the dramaturgy.

But democracy aspires to something different. Democracy banks on discussion, on the competition of arguments – and on the best argument winning out. Democracy discusses the question of power. Not the rich and the powerful decide, but all citizens have an equal opportunity to have their say, to make suggestions, to weigh the options; every vote has the same weight. This makes better politics possible – politics in the name and in the interest of the citizens, by the citizens, through the citizens, and for the citizens.

Admittedly, this is an ideal image of democracy. In the real world we do not always achieve it. And, specifically in the European Union, we are today still a long way from achieving this ideal image. This is because, to begin with, the great struggles for democracy occurred in the nation states. They generated more or less functioning democratic communities. So far however, democracy in the transnational arena has seen no strong players or functioning role models.

The EU is an eminently important project. Nevertheless, many citizens find it remote and bureaucratic. To a large extent, the Europe of the Citizens remains a distant dream. If we do not succeed in drawing closer to this dream, the increasing Europeanisation of politics will result simultaneously in its progressing democratisation. This would be fatal!

A Europe that is closer to its citizens and more democratic is possible – and urgently necessary. A common Europe cannot be achieved without the strong and effective influence of its citizens. The sovereign (*i.e.* the people) must be able to intervene, to have a say and to be able to participate in decision-making – for better politics for the benefit of the people. It is precisely the greatest challenges, such as climate change, the financial crisis or the world's growing social, economic and political division, that call for transnational answers based on democratic discussion and legitimisation. This is where the European Union has a crucial role to play.

Green politics is committed to this ideal and it will do anything to contribute to its achievement. Therefore, it may not limit itself merely to the various contents of European politics, but must address primarily the central concern of citizens when it comes to Europe: **the issue of democracy.**



Since 1 April 2012, the European Citizens' Initiative (ECI) has provided citizens with the first-time ever opportunity to intervene in EU politics and to co-determine the political agenda. With their signatures, one million EU citizens can call upon the European Commission to address their concerns, suggest a solution and, if necessary, to enact legislation.

The ECI didn't just appear from nowhere. It was developed by committed initiatives such as eu-rotopia, the *Initiative and Referendum Institute (IRI Europe)*, and *Mehr Demokratie e.V.* and suggested to the European Constitutional Convention. Thanks to the persistent advocacy efforts of these people and the support of numerous members of the Convention, it was included in the Draft Constitutional Treaty and subsequently in the Treaty of Lisbon.

Yet many major points of detail had remained unresolved. In June 2010, three representatives of the Constitutional Affairs Committee and of the Petitions' Committee of the European Parliament and I were commissioned first with the preparation of a draft Regulation and subsequently as well with the negotiations with the European Council and the Commission regarding the design of the Regulation for the European citizens' new power of initiative. That was not easy, because fear of too much citizen participation was particularly strong in the Council and the Commission. Nevertheless, and despite strong resistance, we succeeded in averting even greater bureaucratic obstacles and limitations. It was the common goal of the Parliament's chief negotiators to design this innovative, transnational participatory right in a practical and user-friendly manner that was in the interest of the citizens. Looking back we can recognise we were able to achieve this in many central points.

The Commission and the Council had wanted to complicate the European Citizens' Initiative with unnecessary obstacles and limit the citizens' influence. For example, originally 300,000 signatures were going to be required before an ECI concern was officially reviewed to establish whether it was even admissible. What madness! Countless voluntary workers were going to have to collect signatures in several Member States for weeks or perhaps even months, investing considerable amounts of time and energy, only to hear, if worst came to worst, that all their toil had been in vain. We

succeeded in averting this and established instead that an initial review will be carried out following the submission of only 7 signatures – *i.e.* before the actual collection of signatures begins. Even more important was the question: what happens when an initiative has succeeded in collecting a quorum of 1 million signatures? The Commission stated it would then look into the issue and inform the initiative of its position on their concerns by e-mail. That was absolutely insufficient and would have completely devalued the instrument. Therefore, I suggested inviting the organisers of a successful ECI to explain their suggestions, reasons and arguments in a hearing in the European Parliament before the Commission, the Parliament and the public. After this, the Commission decides whether and how it will address the citizens' concerns and enact legislation. Only a hearing procedure regulated as clearly and on such a high level as this will get the Citizens' Initiative the attention it deserves and lend the issue the necessary weight. Fortunately, we were able to push this through.

I will not dwell on the remaining points of dispute at this time. The discerning and attentive reader can read up on them elsewhere. It is, however, important to understand, that the current Regulation is a compromise between those wishing to strengthen citizen participation comprehensively and those who mainly harbour anxieties and excesses of fear.

In some points, I would have liked to achieve more liberal provisions. For example with regard to the participation of young people, who are unfortunately barred from signing for an ECI in most Member States today. We were, however, successful in establishing efficient and citizen-friendly provisions in numerous major points of detail.



Democracy must extend and be practiced far beyond the borders of a given state. And the EU

has a leading role to play in this. Its decisions have an ever greater impact on large parts of our lives and, even more so, of our futures. If this development is not to lead to a loss of democracy, the participation of citizens on the EU level will need to be significantly strengthened. It is a matter of bringing the citizens closer to Europe and Europe closer to the citizens.

The European Citizens' Initiative is a first essential step in this direction. It contributes significantly to the creation of a European public sphere. For there are still hardly any European debates. Instead, there are mainly separate national debates. But what we need is a European debate! European politics need transnational European debates like we humans need air to breathe or fish need water to swim. Without European democracy, Europe-wide debates and interventions by citizens, a common Europe will not succeed.

We must communicate, understand, and convince each other across national borders. ECIs are a transnational necessity. They begin at the "bottom", with the citizens – and address their representatives and institutions "at the top". They open a new channel of European politics that was thus far closed. Until now, citizens have experienced the EU only as an event organised from top down. From now on, we expect to see the inverse process more often: with citizens calling upon politicians to address specific concerns. Contributing ideas and suggestions to politics that would otherwise go unheard. Confronting politicians with both their worries and anxieties as well as their desires and ideals. Carrying them to the hunt and reminding them of their democratic obligations.

This can only be beneficial to Europe. It is a process that will strengthen the citizens' European identity and fortify the EU's democratic character. Thus, with the experience of many initiatives and interventions, a European civil society will gradually take shape. And along with it, the experience that we are Europe! Europe is not only the business of the states, governments, and parliaments. Europe is mainly the citizen's business: our business!

It is yet a long road to a comprehensively democratic Europe, a veritable "Europe of the Citizens". But the ECI is a first and important step on this long road. It is the first instrument of participatory democracy on the European Union level and the first transnational instrument of citizen participation worldwide. This is a great, historic breakthrough! More are to and must follow. For example, in the long-term we will need not only participatory democracy in Europe, not only a power of initiative, but also a referendum right for EU citizens. But every long road has to be taken step by step. The long-awaited, long fought-over and now possible European move toward more democracy and participation of Europe's citizens is the ECI, the power of initiative and right of proposal of European citizens in relation to their institutions. Let us make use of this instrument! Let us show what ideas and potential European civil society has to offer! Let us make it one of the great success stories of citizen participation in an increasingly important Europe!

*Gerald Häfner, Member of the European Parliament, Greens/EFA Group, Spring 2012*



## INTRODUCTION



### Welcome to the European Citizens' Initiative – welcome to the future of participatory democracy

Dear Reader,

It has been called “the biggest innovation of transnational democracy” since the introduction of direct elections to the European Parliament 33 years ago. On April 1, 2012 a new participatory tool was born: the European Citizens' Initiative. Since then, we – the citizens of the European Union – have the same right as a majority in the European Parliament and the Member States: to contribute to setting the political agenda for a whole continent. To be sure, under the new rules established by the EU's latest “constitutional” foundation, the Lisbon Treaty, the formal right to initiate pan-European legislation remains with the European Commission alone. So in formal terms, the European Citizens' Initiative (ECI) is just a pre-legislative right to initiate EU law. However, the new instrument (Art. 11.4. of the Lisbon Treaty) means more agenda-setting power for the citizens than at any time before. Even more, the ECI is an entry door to the

future of participatory politics: it's more direct, more transnational and more digital than anything before.

### Roles, steps and goals

However, this Pocket Guide was not written to explain to you how and why the ECI was invented and incorporated into EU law. The Guide is instead a tool to enable you to make effective use of the ECI. It is a user manual for the first truly transnational instrument of modern direct democracy.

This Guide aims to give you a basic idea about the different roles you can play in the ECI process – as organiser, supporter or observer. Step-by-step you will be guided through the making of an ECI according to the rules which have been established over the last several years. For what type of political issue can and should you use this new process? What has to be considered in preparing to collect “signatures” electronically? What kinds of support are available – and where do you go to get them? These and many other questions are answered in the “Pathfinder” part of the Pocket Guide.

Thus it is not important only to know exactly how to organise, support or observe a European Citizens' Initiative. It is at least as crucial to understand for what reasons and in what way you are planning to launch an ECI: Do you have a new idea for solving a specific pan-European problem? Or are you intending to use the ECI in protest against a decision made at the EU level? Maybe you even want to start an ECI with the intention of preparing a candidacy for the next EU elections? It is up to you, but it is important to understand that the ECI can be used in many different ways for many different purposes – and that the means and the purpose will be very relevant when it comes to choosing the strategy for getting an ECI onto the European agenda. This multifunctionality of the ECI process is explored in the initial "Keychain" section of the Guide.

In addition to both main sections, this Pocket Guide also offers you a "Resource Centre" featuring the relevant laws and regulations governing the ECI process. Without this knowledge you run the risk of being disqualified even as you try your best to convince at least one million EU citizens to support you. Here you will also find links to additional provisions and the addresses of key official players in the process, including the competent national authorities which organisers in particular will have to deal with when initiating an e-collection or when asking for "statement of support" certificates.

### Promises and perils ahead

"You can set the agenda!" promises the EU Commission in its official guide to the European Citizens' Initiative. And the responsible EU Commission Vice-President Maroš Šefčovič has expressed his explicit hope that "the EU citizens and especially young people will seize the opportunity and embrace

this new right". Thus the dual aim is clearly set: the "new right for EU citizens" is to be effective in respect of both output ("agenda-setting") and input ("opportunity-seizing"). With this 2013 Edition of the ECI Pocket Guide by the Green European Foundation and the Initiative and Referendum Institute we hope to contribute towards making these promises come true, while at the same time also wishing to contribute to overcoming the practical, procedural and administrative perils involved in such a wide-ranging participatory process as the European Citizens' Initiative.

Last but not least: what has been in preparation for decades and was finally born on April 1, 2012 is not – as some critics are arguing – just another form of petition right. It is much more – a first step towards genuine participation at the transnational level. What we have now is just the first version of the European Citizens' Initiative – ECI 1.0. During the first year of operation we could see that this procedure is far from perfect. Many bugs and inconsistencies have been discovered – when it comes to the Online Collection system or the various implementation regimes in the Member States. For this reason it has already been decided that an ECI 2.0 "upgrade" will be proposed by the EU Commission after the ECI has been in use for three years. To make this next version of the world's first instrument of modern direct democracy better than the original one, we need to energetically use and monitor the ECI. This Pocket Guide will be your Keychain, Pathfinder and Resource Centre. Welcome to the European Citizens' Initiative! Welcome to the future of participatory democracy!



*Bruno Kaufmann  
Pocket Guide author  
President, Initiative and  
Referendum Institute Europe*

## 1. KEYCHAIN: iDEMOCRACY – MUCH MORE THAN YOU MAY HAVE THOUGHT



At first sight the European Citizens' Initiative seems to be a straightforward process for setting the political agenda. But there is much more to it than that: the ECI can be a gas pedal or a brake or a valve – or a bargaining chip or...

**IN BRIEF:** The “Keychain” section of the Pocket Guide offers you a methodical approach to the European Citizens' Initiative. It describes the multifunctional usability of the new tool and takes you through the various functions and potential goals of such a commitment.

New gadgets are fascinating. Some launch events bring out billions of people across the globe, especially if the new device has an ‘i’ in front of its name. Coolness is one key element, of course. But functionality is just as important a key to success. And if many different functions are available in one new tool, the thing becomes really interesting.

The European Citizens' Initiative (ECI) is such a new thing: a new generation of democracy tool. It's more direct than anything we have at the EU level; it's more transnational than any participatory procedure before it; and it's more digital than any comparable process known today. In other words: the ECI seems to be the perfect iDemocracy tool for the twenty-first century.

Quite rightly, the ECI was subjected to considerable scrutiny long before the first real initiatives were launched in April 2012. “With this we will simply get more democracy”, EU Commission President Jose Manuel Barroso announced back in 2005. It took another seven years for the ECI to actually get off the starting blocks. And now, when we finally have an operating system in place, we need to look into the possible functions of the process.



In order to understand this varied functionality a little better, just consider a completely different tool, which has little if anything to do with our new ECI – but whose multifunctionality offers a methodological approach worth reflecting on. Let us present to you the famous Swiss (Army) Knife.

More than a hundred years ago, Europe was a very different place to live in. The whole continent was almost permanently at war with itself. Millions and millions of Europeans lost their lives in armed conflicts between nation states. They were recruited to fight based on new laws of conscription, making military training and participation in war a duty – at least for the male half of the population! But this was just one part of the story; the other part is that in most countries military con-

scription was linked to the introduction of universal voting rights, progressively to both males and females.



It was during this period of change in Europe that a Swiss-born knife maker, Karl Elsener, had the idea of creating a new type of knife: a tool for eating and getting into over-wrapped packages; also a device for opening a can, dismantling and reassembling your rifle, or drilling a hole. In fact, Karl Elsener engineered a pocket-sized tool which was a knife, a can opener, a screwdriver and a reamer – all at the same time.

It was a timely innovation back then, and Mr. Elsener's company still makes the famous "Swiss Army Knife" – now with more than a hundred different tool combinations. In addition, there are many other manufacturers who began to design their own multifunctional toolkits, helping citizens across Europe and the world – and not only army conscripts – to solve very practical everyday problems.

What made the Swiss Knife so successful was its one-tool approach to many different problem-solving functions. And that's precisely where we can begin our methodological approach to the still very fresh European Citizens' Initiative. In order to make the ECI our own tool for solving very different kinds of problems, we obviously first need to know some of the basics: we need to start with a simple ABC of the ECI. And as with every good user manual, we then need to be taught about its various functionalities, both in a "beginners" and in an "advanced" mode. This is exactly what this initial section of the ECI Pocket Guide aims to deliver.

## 1.1 The beginnings

A relatively few people have been in the know for quite some time already, including those politicians, legal experts, some journalists and civil society activists who were involved in the long evolution of the ECI from the first proposals back in 1991 to the entry into force of the ECI regulation twenty years later.



### Interested in the history of the making of the ECI?

Then we recommend that you read our comprehensive backgrounder “The European Citizens’ Initiative Handbook” available in English, French, Spanish, German, Polish and Greek for download at [www.gef.eu](http://www.gef.eu). In addition, a detailed study of the early days of the creation of the ECI can be found in “Transnational Democracy in the Making” (IRI/2004, [www.iri-europe.org](http://www.iri-europe.org)) and in a new volume published by Palgrave/Macmillan: “Citizens’ Initiatives in Europe – Procedures and Consequences of Agenda-Setting by Citizens”.

But most people simply knew nothing about it; and still don’t – as yet. When polled by Eurobarometer researchers in spring 2011, only 4% of EU citizens said they were “very likely” to use the European Citizens’ Initiative. More than two-thirds of all respondents didn’t even know it existed. (Source: *Eurobarometer 75, August 2011*).

While political activists, visionary politicians and open-minded scholars have acknowledged this “revolutionary” development towards a state-of-the-art democratic process at the transnational level, there are still many lessons to be learnt, misunderstandings to avoid, and hurdles to remove, before the new participatory process will be able to fully develop its radical democratising potential as forecast by Mr. Barroso back in 2005.

While the Lisbon Treaty acknowledged the principle of modern representative democracy, based on equally on indirect (parliamentary) and direct (participatory) democracy, Art. 11.4. set out the outlines of the new tool. This was then followed by a wide-ranging political process with the aim of establishing the procedural rules which are critical when it comes to the use of the tool. In the next section of this Pocket Guide, the PATHFINDER, you will be

guided through the process of signing and/or organising a European Citizens’ Initiative step by step. Later on in the concluding RESOURCE CENTRE section you will find the full text of the regulation, its implementing provisions and many other useful resources.

Dealing with the basics of the European Citizens’ Initiative means to underline its direct-democratic dimension as well. Modern direct democracy can be defined as a procedure of popular votes on substantive issues – in contrast to elections, which are about selecting people (or parties). What distinguishes a direct-democratic process from a merely participatory procedure – such as deliberative polls or public consultation exercises – is the legal impact. This is the reason why the ECI is not just another petition right, but is more of an everyday voting right on the next issues to be put on the agenda of the European institutions. This latter aspect is underlined by the fact that statements of support for ECIs are not simply counted but are also verified by competent authorities (in the Member States) and that the names of the supporters themselves may not be disclosed either by the organisers or by the national or European authorities.

Such a description captures a little of the historic and unique character of this radically new instrument. But it is at the same time a description which is of rather limited interest to most Europeans in their everyday lives. What is interesting to most of us, however, is how the new participatory instrument could become a useful tool for pinpointing important problems and, even more, for solving those problems. And when it comes to the ECI we are of course talking about European problems and solutions: from farming and food processing to consumer protection to health-care to renewable energy to film production to military defence to criminal justice!

## 1.2 The ECI – a tool with many faces



Do you want to propose something new to Europe? Or is your idea to remove and abolish a certain EU policy? Many things, however, are not simply either black or white, good or bad: they may just need a fix. So you could be mostly interested in changing parts of a law in the EU as well? These are important questions you have to ask yourself before starting the truly cumbersome process of conducting an ECI, as the answers will give you many hints about the work ahead, the communication needed and ultimately the very nature of your initiative: a gas pedal? a brake? or a finetuning tool?

And that's not all. Because there are more potential functionalities to consider. Do you want to use your ECI as a bargaining chip to back up an already ongoing legislative process? Or do you see your forthcoming ECI campaign as a catalyst for creating a broad transnational network or alliance? Or are you after all just interested in creating some real PR for your issue or organisation by using the ECI as a canvassing tool? The choice is yours, but you need to choose consciously in order to avoid major mistakes and disappointments. That's why we should have a closer look at each of these six possible functionalities of our iDemocracy tool.

### Basic Mode: The three main ECI functions

#### A. INTO NEW TERRITORY – when the ECI becomes a gas pedal

This is what you and most of us always thought a citizens' initiative was about, namely a proposal for something new! Regardless of whether you want to introduce a new political right at the transnational level, a ban on bad behaviour in public, or the possibility for young people to serve the community more, the initiative as a process becomes your vehicle for making up your mind, communicating with other people and finally setting the agenda. In other words: you are putting your foot on the gas pedal of lawmaking at the EU-level!

This sounds quite easy and straightforward, but it isn't. Before you start to drive a car and use the gas pedal, you need to learn how to do it, and you need a licence. If you're not careful and smart enough, you won't reach your destination; you might get a fine or even crash. When it comes to the European Citizens' Initiative you need to make up your mind on the issue (which must fit within the EU competencies) before you start. Then you need to make your way through the whole procedure – as described in our following PATHFINDER section – and learn to communicate and network with other people: during the setting-up of the initiative committee, registering the ECI with the institutions, and above all when getting out to gather the required number of statements of support. If you succeed in surmounting all the procedural hurdles, you will finally be in a position to set the agenda during the concluding hearings and discussions with the EU Commission. And keep in mind: at every moment you have to be very aware of how hard you need to press the gas pedal.

Two things have to be said at this stage. First ... yes, the European Citizens' Initiative was invented and introduced for such cases – when people come up with new ideas for a better European community, offering solutions for

common problems. And yes, the communicative dimensions of the ECI are at the very heart of the whole concept, making people more proactive than reactive in the EU legislative process. But as you will see further down, the ECI can also be used in many other ways. Second, it has to be emphasised again and again: what differentiates the European Citizens' Initiative procedure from most similarly named citizens' initiative procedures at the national or subnational level is the fact that there will be no general popular vote at the end of the process, *i.e.* a "public referendum", as some would call it. Embedded in the specific political decision-making system of the EU, the ECI is the equivalent to the European Parliament's and the Member States' right to "invite" the Commission to initiate a legislative process. Although it does not have the powerful link between a citizens' initiative and a popular vote, the ECI hosts a series of other innovative dimensions, featuring a direct link between EU citizens and the institutions, being the first transnational initiative tool in the world, and introducing new forms of e-collection of individual statements of support.

So starting an ECI under the default functionality of the gas pedal means above all that the task of reaching out rests mainly with your own initiative. It will be you and your colleagues and supporters who will have to do the job of convincing both the EU Commission – that there is a legal basis for your new idea – and at least one million EU citizens from a minimum of seven countries – that they should support this "noble" cause. We can have a look at an example of such a "gas pedal ECI" as there have been many initiative ideas around even before April 1, 2012, the official launch day of the new political right.

Since mid-2011 a website called *peticiongay.com* has been preparing the ground for an ECI on "legalising gay marriage throughout the European Union". Like many other basic rights, the right to marry has been continu-



ously developed and spread across the world in recent years. Where direct and participatory democratic tools were available, this both fundamental (in terms of basic human rights) and moral issue became a hot topic in initiative and referendum processes. At the very heart of Europe, Swiss voters clearly approved a new law – taking a step towards full same-sex marriage rights – at the ballot box as far back as 2005. In many US states gay marriage was also voted into law by the people, for example in Vermont, New Hampshire and Massachusetts. In other words, an initiative process to bring the issue of gay marriage onto the agenda and into the consciousness of most people seems to be a smart strategy.

During this preparatory phase, the people behind *peticiongay.com* explored a range of different ways of promoting their proposal. They emphasised the novelty of the initiative (aiming to "legalise ... throughout the EU"), explored the extent to which they might elicit a supportive reaction by stressing the initiative's anti-discriminatory aim ("asking the EU to stop the discrimination"), and even appealed to a status-quo mindset within the European citizenry ("same rights for all"). This kind of exploration of possible messages and functionalities of an ECI makes sense: not everyone you hope will support your initiative will do so from the same perspective, reasoning or motivation. But in order not to confuse both yourselves and others about the main purpose of an ECI you will have to decide at the outset

on the priority functionality of the initiative: in the case of the “same-sex marriage” ECI it will be the gas pedal – using it to bring something new into European affairs.

The main challenges of such initiatives are **a)** to satisfy the legal requirements within the existing EU Treaties and laws i.e. to ensure that the ECI is admissible; **b)** to find the energy and resources to reach out to a wide pan-European public during the signature gathering period; and **c)** to sustain the effort in the concluding agenda-setting work *vis-à-vis* the EU institutions.

It seems that at an early stage the organising forces behind *peticiongay.com* understood their main challenge to be the one referred to in a) above. The need for new legislation was argued by reference to existing incompatibilities between Art. 20 in the EU “Bill of Fundamental Rights”, which guarantees “equality for all EU citizens” without “discrimination due to sexual orientation...” and Art. 9 in the same document, which opens the door to exactly such discrimination by linking the “the right to marry” to “national laws”. So the pre-ECI text read as follows:

*“We request a proposal for the European Directive which regulates marriage in the European Union without discrimination for sexual orientation, allowing the union and marriages of sex same couples with the same rights as different sex marriages.”*

Obviously this was not yet a fully elaborated and legally precise initiative text, but it presented a clear direction. For gas pedal initiative types it is very important to know whether the ECI should merely indicate a new principle as such (as in the envisaged gay-marriage ECI) or whether it sets out a fully developed legislative proposal from the very beginning. There are good arguments for and against both types: while the formulation of



a general principle may be a powerful agenda-setting tool it leaves a lot of room for political horse-trading to those who have to interpret and implement the principle. It can even happen that everyone publicly applauds your principle, but then blocks its implementation behind the scenes. In contrast, a fully formulated law proposal has the advantage of being a strong reference point in all future debates, negotiations and decisions. The downside is that such a precisely worded text could become an obstacle – perhaps presenting problems with existing laws or having unforeseen consequences for certain groups.



Interestingly, *peticiongay.com* also acknowledged the strong outreach challenge (‘b’ above) by setting up its campaign website in many of the official EU languages and offering smart navigation solutions depending on the jurisdiction under which a potential supporter would give his or her statement of support. The website already featured customised “statement of support” forms which simply asked for the relevant information from each potential supporter. While, for example, a Finnish supporter just had to fill in his or her name, email, address and date of birth, a supporter under French jurisdiction was also able to register the number of their passport, national ID card, or even driver’s licence. In the *peticiongay.com* case, people were invited to support the pre-initiative in order for them to be contacted again during the formal process, while the ID number requirements were merely included as a test run.

Finally, a typical feature of a gas pedal ECI is that the organisers normally have to continue their efforts even after the submission of the proposal and the concluding formal deliberations. Why? Gas pedal initiatives are in most cases minority proposals inviting or requiring an authority to discuss the issue and to give an answer. If this authority, however, is not so interested in doing so, the organisers will have (or want to have) the continuing task of observing and monitoring the (non-)implementation of their proposal. A good example of such work is the *1million4disability.eu* pre-ECI. Launched and run by the European Disability Forum (EDF), this initiative also addressed a discrimination issue from the point of view of a basic principle – that of equal rights for people with disabilities in all life situations, including education, work, social services and public transportation. Almost 1.3 million statements of support were collected in 2006/2007 and then submitted to the EU Commission. Here the group behind the initiative, the EDF, chose to use the initiative-website as a follow-up tool, for example by showing the running total of days, hours, minutes and seconds that

have passed “without a formal answer” since the signatures were officially handed over to the EU Commission. “The clock is still ticking”, the website declares.

To summarise, if you primarily want to propose something genuinely new to the EU, the ECI is a very appropriate tool for you. But it is a very long shot and you need lots of energy, patience and strategic cleverness to get as much out of the ECI as possible. Don’t forget to press the gas pedal with care at all times!

### ECI Type 1: Gas Pedal – Check List:

- Your goal: get the EU to do something new
- Be patient, it will take a long time to see this kind of ECI through to the end
- Find an appropriate and workable legal basis first, otherwise the whole effort could become a judicial nightmare
- Remember: it’s an agenda-setting tool, you can get a new issue onto the table and maybe even get parts of it implemented

## B. STOP! Using the ECI as a brake

There is, of course, not just a long-term and proactive function in politics, but also a more short-term reactive one. This is certainly true of the world of indirect democracy, where citizens delegate their agenda-setting and decision-making powers to elected officials. There are long-term proactive function is mainly linked to the establishment and membership of political parties (with their longer-term manifestos and agendas), while the reactive dimension is expressed in taking part in – or choosing to abstain from – casting ones vote to elect a party or a candidate on election day.

Something similar happens in the direct-democratic participatory sphere of policymaking: a ‘gas pedal’ initiative, as described above, triggers the long-term pro-active characteristics. But you can also use a tool like the ECI in a reactive way – namely by proposing to abol-



ish an existing law, or to introduce a new law to ban something. Many such ECIs have already been considered and tested in recent years – including an ECI to ban genetically modified crops (GMOs). This proposal, launched by the environmental organisation Greenpeace, gathered more than one million statements of support during 2009. When it was submitted to the Commission in December 2009 – a few days after the formal entry into force of the Lisbon Treaty establishing the ECI right – the organisers referred to this initiative as “the first ever European Citizens’ Initiative”, overlooking the fact that not only had they begun the process of launching and conducting the initiative before the Lisbon Treaty entered into force, but that no formal procedure for any ECI – including their “GMO Initiative” – had yet been agreed and implemented.

Nonetheless, this pre-ECI offered insights into the reactive type of initiative, which is meant to work as a brake. In contrast to ‘gas pedal’

initiatives, ‘braking’ proposals are generally somewhat easier to put together and conduct, as the issue targeted is very often acknowledged as a problem by very many people. In national and subnational polities, many GMO-related citizens’ initiatives have even been successful at the ballot box, proving that the issue does preoccupy many people and that such campaigns can give these preoccupied citizens a voice. Another pilot ECI which had the character of a ‘braking’ proposal was the rather famous “oneseat” initiative launched by current EU Commissioner Cecilia Malmström. This initiative aimed to have the official seat of the European Parliament changed from Strasbourg to Brussels. Despite gathering well over a million signatures, the initiative was declared to be inadmissible, as this was an issue on which the Commission, as sole initiator of legislation, has no competence at all. Nevertheless, when it comes to numbers of signatures, well-timed and cleverly organised ‘braking’ initiatives generally require far less effort of persuasion than the ‘gas pedal’ ones. Naming a recognised problem and saying “no” to it is somewhat easier to communicate than outlining a new issue and proposing your own proactive solution to it.

In other words: it is often easier to collectively identify and agree on what we don’t want, than to get wide agreement on something new which only some of us would like to promote and introduce.

Thus, organising a ‘braking’ initiative means clearly defining and labeling the addressed issue, challenge or threat and then going ahead with planning for an ECI which will tend to progress rather quickly in terms of gathering the necessary support. In such cases it will also be much easier to assemble well-established partners and sponsors for your initiative than in the ‘gas pedal’ type of initiative.

### ECI Type 2: Brake – Check List:

- Your goal: Stop the EU from doing something
- Be very attentive to timing, as you need to find the right moment to raise your concerns so as to achieve the maximum effect and support
- Prepare for a quick collection of signatures, as long as the targeted problem remains on the agenda
- Do not overestimate your possible success! A “no” to a certain problem is not necessarily a “yes” to an alternative

### C. FIXING THE DEFICITS. How to use the ECI as a valve



More is not always better. Pushing our driving metaphor a little further, different tyre pressures are sometimes needed for different road conditions. You achieve that by putting either more or less air in the tyres – through a valve. The same idea can apply to many legislative solutions at all political levels.

This understanding introduces a third main type of participatory process, the ‘valve ECI’. With this kind of initiative you are neither proposing a completely new law nor just trying to get a legal veto or ban on something. Hence it is an initiative which tries to carefully assess the advantages of a certain solution while not being blind to weaker parts in the same law

which should be removed. A ‘valve ECI’ is not a start-up (like the ‘gas pedal ECI’) nor a veto action (as in a ‘brake ECI’) – it’s an attempt to fix something.

Among the first registered ECI proposals there are several which seek to improve and/or correct existing EU legislation. One example is the “European Initiative for Media Pluralism” ([www.mediainitiative.eu](http://www.mediainitiative.eu)), which asks for the existing, rather weak, EU legislation on media freedom to be strengthened by specific measures – such as a more efficient Media Pluralism Monitor and/or clearer antitrust legislation in relation to media ownership. Another such ‘valve ECI’ is the proposal to make the European school system available to far more people than today ([www.EuroEdTrust.eu](http://www.EuroEdTrust.eu)).

Both of these ECIs make it clear that there are considerable hurdles when it comes to a ‘valve ECI’. Firstly, you will need solid legal expertise, both to clearly identify the legislative ‘home’ of your concern, and then to develop smart and acceptable amendments to the relevant law or laws. Secondly, mobilising your networks will be far more complicated than with the first two types. You will be entering the troubled waters of an initiative process, which may well be just the right thing to do politically, but where you will face enormous difficulties in being fully understood and hence in getting the attention and support you will need to reach harbour again – with the one million statements of support from at least seven Member States.

Having said that it seems obvious that the various types of initiative are more or less suited to different types of organising groups. While a ‘gas pedal’ initiative can be used by very different kinds of initiators, a ‘brake’ initiative may bring together unusual ad-hoc networks – including so called “unholy alliances”. Because of its procedural and strategic complexity, a ‘valve’ ECI requires a rather well-established political background. In other words, it may be difficult for an inexperienced group to use this type of fine-tuned approach, balancing

between existing and desirable forms of legislation. On the other hand, if you are ready for the long haul of preparing a carefully researched and professionally presented ECI, you may find that you have undergone a learning process which finally delivers ... precisely a valve ECI.

The chances of success for such a highly complex initiative are obviously very hard to predict in theory. Much will depend on how well and how quickly you can familiarise yourself with – and then use – the machinery of European politics and on your skill in dealing with various stakeholders. Typically, valve initiatives are used on the national and subnational levels by political parties and their allies. So do not forget the professionals in the Brussels machine when resorting to this fundamental type of ECI.

### ECI Type 3: Valve – Check List:

- Your goal: make current EU legislation better
- More or less? You first need to know in what way you want to fix a certain problem by changing specific legislation
- Keep it simple! Valve ECIs tend to be over-complex and hard to communicate, so do everything you can to stick to the essence
- Be ambitious and remain humble at the same time. As you wish to deliver real results you need to have high ambitions, while always knowing that success will be extremely hard work

### Advanced Mode: three other ECI functions

In addition to the three main types of ECIs, the process offers some extra functionalities which it is important to be aware of as additional options. These functionalities can be thought of as secondary ones, available to assist your work in achieving concrete policy goals as described above:

## D. LET'S NEGOTIATE – and bringing in an ECI as a bargaining chip



The European Citizens' Initiative has sometimes been characterised as a fresh new entry portal for all those EU citizens who until now have not had, or felt they had, any opportunity to become an active citizen at the EU level. Clearly we will see attempts to establish worthwhile and valid ECIs "from the grassroots". Most of them will tend to be of the 'brake' type of ECI, allowing different sectors of society to express their discontent and seeking to impose controls on the political establishment. We will also see a few cases of genuine 'gas pedal' ECIs from across Europe – perhaps minority issues gathering momentum in a pan-European movement for equal rights?

More often, however, we are likely to see ECIs launched by rather well-established groups including social movements, lobby organisations, and even political parties. For all of these, the ECI is an additional avenue, not only for setting the agenda, but also for having a bargaining chip in a negotiation process. That could be, for example, an ECI to decommission nuclear energy across Europe and to create incentives for the production and use of more renewable energy sources.

Some examples: among the first ECIs, several organisers have clearly used the very announce-

ment of their initiative as a bargaining chip *vis-à-vis* the institutions, in the hope of getting action – even without a real ECI. The proposal for an ECI on “fair roaming charges for mobile phones” was launched, among others, by the International Telecommunications User Group (INTUG), which was at the same time negotiating with the Commission on proposals to further improve common EU-wide rules for the mobile phone market and roaming prices. The support committee for the initiative includes several prominent MEPs, who are themselves involved in the negotiations.

The bargaining chip function of ECIs is not at all a new phenomenon if we consider citizens’ initiatives at the national or subnational level. In Switzerland, many citizens’ initiatives are withdrawn before they reach the referendum stage, if the organisers feel that they have achieved at least some of their goals, or if the authorities have significantly shifted their policy-making direction. Here we are talking about the indirect consequences of modern direct democracy. This means that it will also be possible to withdraw an ECI that has already been registered and is in the phase of collecting statements of support. One must only be aware that it is formally much easier to withdraw an initiative than to launch and register one. Once officially withdrawn, the status of your ECI will immediately change from “in process” to “obsolete”, and you will not be able to restart the same initiative or to reuse the already gathered statements of support.

If you wish to use your ECI primarily as a bargaining chip, that’s fine, but of course you should make this clear in some way to all those you invite to join your alliance and later to sign your initiative. Otherwise there would be a risk of disappointing many supporters, who might feel that they had been exploited to satisfy your more limited goals. It is important, therefore, to understand and communicate the collaborative character of your ECI, which is a collaboration not only with the organising network but also with the EU institutions.

Having made this clear, you will also be able to play the withdrawal card – if this should become appropriate.

Bargaining chip ECIs are a truly modern way to use the new participatory right at the European level. You just have to do it wisely!

#### ECI Type 4: Bargaining Chip – Check List:

- Your goal: to use the ECI as an additional element in an attempt to influence European policy making
- Assess your influence and political power independently of the ECI process at first and check the possible additional benefits
- Be aware of the withdrawal option of an ECI and its timely use
- Do not deceive your supporters when using the bargaining chip function of the ECI, otherwise they may feel instrumentalised

#### E. BROTHERS IN ARMS. The ECI as a catalyst for coalition-building



Truly good ideas are in most cases not the product of the reflections of one individual or one group. Regardless of whether it is about the need for renewable forms of energy or proposals to further democratise the European Union, many creative and constructive minds are normally active at the same time – quite often in parallel and sometimes without knowing about each other. The same can be said of protest movements and ideas for reactive initiatives. In a modern democracy no one

should have a monopoly on good ideas – participation is the key word which makes for better information, dialogue and influence.

From this perspective the ECI obviously offers very good opportunities for strengthening such participation. By establishing online platforms for potential and concerned initiative groups, the EU Commission and non-governmental groups like *initiative.eu* are creating informational and collaborative platforms for stakeholders which give them options for getting in touch with each other – and potentially avoiding unnecessary duplication.

For sure, there is likely to be some competition between individuals and groups when it comes to using the new ECI. This could be especially true for the first period until 2015, when the new direct-democratic instrument itself and its first users are likely to receive a lot of media attention. This may create an incentive to concentrate on other functionalities of the ECI first. But many potential ECI organisers will soon realise that their initiative will only be successful to the extent that they manage to use their work as a catalyst for building broad coalitions behind a proposal. This may be easier with reactive ‘brake’ ECIs than with pro-active ‘gas pedal’ ECIs, or even fine-tuning ‘valve ECIs’.

It is also possible that the ECI will be used primarily as a catalyst to build an alliance, for example to prepare for an election or even ahead of important national and subnational decisions at the ballot box. But how does that work? There are different stages of the process when such a catalyst effect will function. At the beginning of an ECI, when you have to make the crucial decisions, coalition-building will be an absolute necessity for laying the foundations for a successful ECI.

A healthy environment, sustainable economies and stronger democracies: these fundamental issues are all likely subjects of future ECIs; and all of those future initiatives will also have to play the role of catalysts, bringing together

people in a structured, supported and closely monitored way.

#### ECI Type 5: Catalyst – Check List:

- Your goal: to use the ECI process to build broad alliances and networks across Europe
- Consider first which main function your initiative will choose, as this may influence your ability to use your ECI as a catalyst
- If you see your initiative as an element of a much longer strategy to bring people across Europe together and/or to prepare a European election campaign, the catalyst functionality may be the best track for you

#### F. ME.COM – or how you could use the ECI as your personal or collective canvasser



Just two years to go and another big democratic exercise will be on our doorstep – the European Parliament Elections in June 2014. Already many parties and individuals are planning their campaigns, defining strategies and discussing concepts. But other kinds of individuals and collective groups are also very often in urgent need of becoming better known, of being heard, and ultimately of being experts in communication strategies.

This is where another potential functionality of the ECI enters our stage: the canvasser function. The idea behind this is that the ECI process creates certain obligations – but also opportunities – for all those involved. The

ECI is a constitutionally and transnationally established right to make your voice heard – including yourself as a person and/or a group. Whilst being chairperson of an organising committee would clearly be a useful role for a personal ECI canvasser, the more collective and ECI-linked activities would offer a group of individuals the chance to get in some canvassing ahead of an election.

As with other functionalities of the ECI you should obviously not exaggerate such a role, as this may be seen as a selfish instrumentalisation and potential misuse of statements of support. So it pays to keep it low-key and remain very transparent when it comes to the structure and strategy of your ECI, which should always be issue-focused – even if there are also personal interests and there is a need for a strong personal or collective canvasser.

The ECI and its whole setup can also be seen as part of an infrastructure which allows individuals and groups to gain communicative power. Before the ECI was officially launched in spring 2012 no obvious canvasser initiatives had been proposed and launched. But going by all the available records from the national and the subnational levels, such an instrumental functionality becomes extremely popular with candidates and/or parties ahead of elections. Although it will be hard to measure the effectiveness of such ECIs, some media attention and a good feeling are sometimes sufficient payback for a lot of work. Or maybe not?

#### ECI Type 6: Canvasser – Check List:

- Your goal: to make yourself and/or your group better known in the public sphere
- Find a suitable and easily communicable substantive issue for your ECI
- Do not deceive potential supporters, but be open about your goals and your ambition to use the initiative as a canvassing tool

It's all about your own understanding when it comes to assessing the options and limits of your very own or others' European Citizens' Initiative(s). In becoming aware of the multifunctional capabilities of the new transnational and participatory process you will learn to develop realistic expectations and thereby a realistic approach to your strategy and behavior.



We are very much looking forward to hearing about your personal story in approaching and using the ECI as **gas pedal, brake, valve, bargaining chip, catalyst, canvasser** – or ...? You may even discover yet another functionality. Please let us know. You can send your comments to the author of this Pocket Guide at [kaufmann@iri-europe.org](mailto:kaufmann@iri-europe.org). Thank you very much indeed.

## 2. PATHFINDER: MIND THE GAPS – AND BECOME AN ECI PROFESSIONAL



Irrespective of whether you are just an observer, thinking of signing an initiative, or actually planning to be an organiser, this section is essential reading for you.

**IN BRIEF:** The “pathfinder” section covers all the practical steps of a European Citizens’ Initiative, based on your role in the process. The step-by-step user manual refers to all the relevant official documents, such as regulations, online tools and guides, and adds some critical information which can make all the difference when it comes to the successful use of this new participatory tool.

Have you already seen them? Those people with their tablet computers asking us to support their European Citizens’ Initiative? Not yet? You’ll soon be meeting one of them outside your favourite coffee shop or on the way to work; and you’ll get emails with links to the online collection website of one of the initial European Citizens’ Initiatives. What to do about it? And what if your friend in Helsinki or Palermo suddenly invites you to become a member of her very own organising committee? Let’s have an in-depth look at all the practicalities you should know about when

approaching the big new world of European Citizens’ Initiatives.

The bottom line of all this is, of course, that for the very first time in world history citizens themselves now have the fundamental right to share in setting the political agenda of a supranational political body, the European Union. This principle has been enshrined – as [Art. 11.4] – in the latest update to the EU operating system, the so-called “Lisbon Treaty”:



“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”.

*[Lisbon Treaty, TITLE II, PROVISIONS ON DEMOCRATIC PRINCIPLES, Article 11]*

In order to make this new principle of transnational direct democracy a practical reality the EU has adopted a series of regulations, setting



out everything from the exact numbers of signatures you have to gather in order to qualify your initiative, through the way verification is carried out, to the specifications for data security and online collection software. This set of legal provisions and the online registration and collection tools are the constitutive framework for the ECI.

**Key legal texts and official tools on the ECI (for full texts and references please visit the “Resource Centre” section)**

**Legal Documents** (see Resources section for full text)

1. March 30, 2010: “Lisbon Treaty”, Title II, Provisions on Democratic Principles, Art. 11.4
2. February 16, 2011: “European Citizens’ Initiative Law”, REGULATION (EU) No 211/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
3. February 7, 2011: “Support Declaration”, Interinstitutional file: 2010/0074 (COD)
4. November 18, 2011: “E-collection Regulation”, COMMISSION IMPLEMENTING REGULATION (EU) No 1179/2011

**Manuals**

1. December 22, 2011: “ECI Guide”: A New Right for EU Citizens – You can set the agenda
2. December 31, 2011: “E-Collection Technical Manual” – USER MANUAL – Online Collection Software for European Citizens’ Initiatives

*Website: [ec.europa.eu/citizens-initiative](http://ec.europa.eu/citizens-initiative)*

This Pocket Guide aims to be essential reading for everyone dealing with the ECI, as this is the first annotated guide to be produced after the publication of all the relevant official information. In other words: this is the most up-to-date assistant available to you at the time when the European Citizens’ Initiative really takes off in 2013. In order to make your life as an EU citizen in relation to the new tool even easier, this chapter is structured according to the three possible roles you may take, in order of intensity and responsibility:

- as an organiser, entering the new centre stage of European politics by preparing, directing and following up a specific political solution;
- as a supporter of a particular ECI who needs some basic knowledge to help you exercise your new right to become a transnational agendasetter;
- as an ECI observer, aiming to better understand the new right and its potential.

## 2.1 Organiser Pathfinder: A Very Hard Piece of Work

As organiser(s) you will be at the heart of the new participatory process, as you will be in charge of all the steps provided by the ECI regulations and will be the person(s) who take(s) on the burden of responsibility *vis-à-vis* the institutions, your supporters and the whole of Europe. What you will need is a great deal of careful consideration, patience, commitment and intensive communication and public relations work.

Whether you have been a political organiser previously in your community, your country, at the European level, or not, becoming an ECI organiser is something really new. Never before have citizens had any similar possibility to formally become agendasetters at the transnational EU level. To be sure, there have been many campaigns and much work for transnational political goals. From environmental groups to human rights organisations, networks of faith communities and trade unions – many have tried to influence the making of European policies. However, what is really new is the process as such and its governing principles. So let's examine this process step-by-step. This makes sense because the fundamental decision to prepare and launch an ECI will have enormous consequences for your life. The new initiative right for one million citizens from at least seven Member States is no quick-fix for an old problem or fast-track to a new solution. It is a cumbersome, lengthy process, but one which can be very rewarding to both you as an organiser and Europe as a whole – when your proposed solution makes it to the very end: a fully implemented new and (in your eyes, and in the eyes of all your supporters, of course) much better solution.

This Pocket Guide offers you a procedural User Manual structured in ten substantive steps. Each step includes one or more considerations and/or activities which need to be foreseen and planned for. In short: every ECI comprises

a number of informal, open-ended phases and formal milestones linked to the legal regulation and based primarily on the electronic tools provided by the EU Commission at [ec.europa.eu/citizens-initiative](http://ec.europa.eu/citizens-initiative)

Certification of e-collection systems and the verification of statements of support are the responsibility of the Member States, which will use their own separate (and varying) tools.

Below is an overview of the main steps:

### Step 1: Idea

Your (great) idea for the solution of a (big) problem in Europe.

### Step 2: Knowledge

Inform yourself about the practical options available to you to promote your idea and about the rules and regulations of the European Citizens' Initiative.

### Step 3: Goals

Define the aim, scope and specific functionality of your initiative. Refer to the KEYCHAIN section in this Pocket Guide!

### Step 4: Design

The wording and explanation of your initial proposal must be comprehensible in many different languages and even more political cultures across Europe. If you want to use an online collection system – it is time to set it up now.

### Step 5: Registration

Prepare for registration by avoiding any formal and legal checkpoint traps and by being prepared for the eventuality of non-registration/non-admissibility.

**Step 6: Signature Gathering**

Your best time is now, when you have to convince more than one million Europeans in at least seven different countries within less than a year.

**Step 7: Dialogue**

Without communication, no supporters; dialogue with all possible friends and even sceptics will be critical for the lasting success of your initiative.

**Step 8: Thresholds**

Dozens of requirements and hurdles have to be dealt with before you can finally submit your initiative with all the required certifications to the EU Commission.

**Step 9: Communication**

Submitting your ECI is just the beginning of another important chapter: the communication around an official EU subject-matter, which will bring you onto the political centre stage.

**Step 10: Lesson learnt**

The end of an exhausting, but hopefully empowering exercise. Do not forget to do the back-office work, the documentation and evaluation – in order to learn (and share) the important lessons.

**Step 1: The Idea**

You may have had your “big idea” for a very long time, or it may have been only yesterday that it came to you in a moment of inspiration. Or your interest in the EU legislative process may have been aroused after hearing of some measure already agreed by the EU which has triggered in you a strong feeling of protest.

What is crucial when it comes to starting to consider and prepare an ECI is whether the issue you want to address is one which falls within the powers of the European Commission. If, for ob-



vious reasons, this is not the case it will be very difficult from the outset to get your initiative registered. There is, of course, a grey area between admissibility and non-admissibility and a lot will depend on your own ability to formulate an admissible proposal.

In its online guide the Commission goes to some trouble to try to inform citizens about the nature of its own powers to propose legislation. It recommends you to:

- **firstly**, check if your idea fits one of the policy areas within the competences of the European Commission listed at: [ec.europa.eu/citizens-initiative/public/competences](http://ec.europa.eu/citizens-initiative/public/competences)
- **secondly**, find out if there is any corresponding Treaty article which confirms the power of the Commission to submit a law proposal (in a few cases the Treaty mentions the EP or the Member States as initiator);
- **thirdly**, you can also check what type of competences the Commission has; there are exclusive competences (such as fishery policy) where only the European Union has the right to adopt legislation; shared competences (like environment or transportation policies), where legislation is adopted both by the EU and the Member States; and finally just supporting competences in areas such as education policy, which are basically under national jurisdiction, but where the EU can, for example, offer some support funding or complementary programmes.

If you have an idea for a solution to a problem which falls within the EU policy areas, is a legislative procedure initiated by the Commission, and relates to an exclusive policy area, then you are on the best road to a formally more than acceptable ECI! But if, on the other hand, you are thinking of launching an initiative which falls within a policy area for which there is merely a supporting competence, then you have to be rather innovative in the way you formulate your proposal for it finally to be able to make a difference.

Anyone interested in using the European Citizens' Initiative tool should first check the existence of a legal basis for such an initiative at the EU level. The acid test is a positive answer to the question: is the EU Commission at all eligible to propose new legislation on the proposed issue? Having answered this question, it will further be important to assess the possible impact of an ECI by checking the type of EU competency the proposed new legislation falls under: exclusive, shared, or simply supportive, coordinative and complementary.



If, for example, you wish to propose an initiative to increase customs duties on Georgian vodka imports into the European Union, you should have no problem finding the relevant legislative basis and being sure of its potential scope, since the Customs Union is an exclusive EU competence. But if you want to propose the legalisation of marijuana across Europe, you will have obvious problems finding any such legal basis – plus the fact that any related legislative action taken by the EU Commission will fall

short of a major impact, as drug policy remains a key competence of the Member States.

**In brief:** there are many ways to approach your ECI by closely checking out the various legal foundations and lawmaking competencies of the Commission. While initiatives with a clear legal basis and where the Commission's law-making powers are clear give you more room for manoeuvre within your own legislative proposal, in other cases, when those foundations are more uncertain, you need to be very careful and well-prepared so as to avoid the risk of having your ECI shot down simply because of formal mistakes or misinterpretations. Here you can obviously learn from the experiences with initiatives and referendums at the national level: in Switzerland, for instance, military budgets cannot be put to popular referendum; you can, however, launch a constitutional initiative to block the purchase of new fighter planes, for example. In Sweden the question of the hunting of wolves is not an admissible local issue, but you can make a popular initiative for a vote on a decision as to whether the municipality should take up the issue with the national government.

In the first year of operation the Commission has rejected several proposed ECIs (<http://ec.europa.eu/citizens-initiative/public/initiatives/non-registered>). In spite of this, the author of this Pocket Guide is fairly confident that if you follow these guidelines, basically any European issue can become the subject of an ECI – including proposals that are intended not just to implement, but to upgrade the EU Treaties.

There is one more important consideration to be weighed at this very early stage. Is the ECI really the most appropriate tool for your idea for change? Or might there be other – and better – participatory ways of taking your issue forward? This is worth serious reflection, as the ECI package comes with a lot of costs and hurdles: pursuing an ECI demands much time,

money and physical and mental energy over a lengthy period of time. It may be smarter and more efficient to assess other channels and tools, as outlined below:

### Alternative ways of making your voice heard at the EU level

**Complaint:** launching a complaint about an EU-related action to the European Ombudsman, who also offers an online complaint form in the 23 official treaty languages <http://www.ombudsman.europa.eu/home.faces>

**Problem solving:** approaching the so-called SOLVIT, which is an online problem solving network. SOLVIT only handles problems with a cross-border element that occurred due to the bad application of EU law by public authorities within the EU Member States [http://ec.europa.eu/solvit/site/index\\_en.htm](http://ec.europa.eu/solvit/site/index_en.htm)

**Consumer Power:** using the European Consumer Service Network to address issues of faulty products or services in any of 29 countries (EU27 plus Norway and Iceland) [http://ec.europa.eu/consumers/ecc/index\\_en.htm](http://ec.europa.eu/consumers/ecc/index_en.htm), or the special service for people looking for employment or study in another EU country, EURES <http://ec.europa.eu/eures/>

**Debating:** participating in EU-wide debates on the Commission website “Your Voice in Europe” <http://ec.europa.eu/yourvoice/>, where different forms of participation are described and online forms are available.

**Petition:** petitioning the European Parliament through an online form <https://www.secure.europarl.europa.eu/parliament/public/petition/secured/submit.do?language=EN> or by letter.

## Step 2: Knowledge

Once such a promising, solution-oriented Initiative idea is in place, the time has come to inform yourself: about the chosen subject-matter, of course, but also about the European Union's options and limits for addressing this particular issue; and of course about the new instrument at hand – the European Citizens' Initiative. It is very important that you are clear about what this new instrument can achieve – a legislative input to the EU Commission on an equal footing with the EU Parliament and the European Council – and what it can't: such as, for example, trigger a pan-European popular referendum vote on the proposed initiative.

So, be careful. The ECI is just an agenda-setting tool, not more – but also not less. That makes an important difference.

Yet, as an organiser of a pan-European initiative it will not be enough to just put forward the right questions. After all, you are expected to propose a legislative innovation, which no-one within the rather well-developed and well-equipped political institutions has come up with yet. And as these institutions will ultimately have the sole right to make the decisions, the impression you make as a competent person/team/organisation/network will be critical.

That is the reason why you should allow enough time for this early phase in a European Citizens' Initiative process. Not just days and weeks, but months and possibly years. Because when at some point in the future you press the famous "Send" button on the registration website of the European Union, things will happen very fast and you will have to go through a series of official checks:

- a)** the initial check at the time of registration,
- b)** the certification check of your online collection system by a competent authority chosen by a Member State

- c)** the verification check of your gathered statements of support by the various national authorities
- d)** the legal check by the EU Commission after the submission of one million certified statements of support
- e)** finally the political assessment by the EU institutions

For each of these checks you will have to anticipate the specific requirements, which will be explained below in detail. At this early stage it is highly recommended to study not only this publication but also the official ECI Guide by the EU Commission in the language of your choice.



Also consider at this preparatory stage the option of consulting experts in the field – in order to avoid unwelcome surprises during the process – or of joining one of the available independent collaboration platforms. You will find a list of contact points and links in the Resource Centre section of the Pocket Guide.

### Step 3: Goals



An initiative is an initiative, but at the same time it can also be many other things. As already mentioned in the initial KEYCHAIN section, you may just be going for a big innovation with your ECI, or you can opt to use it as a stop sign. It is critical to be acutely aware of exactly what you would like to achieve with this huge effort, as dedicating several years of your life, lots of brainpower and possibly also financial resources to a transnational initiative project is quite something. You should be aware of the level of commitment at this still early stage, after having established the basic initiative idea and after having become a real expert on the issue and the process.

Are you just curious about how to go about registering an initiative? Or do you seriously believe in the possibility of convincing more than one million people to support your proposal? Maybe you and your organisation see the launch of a European Citizens' Initiative

just as a means of self-promotion, or as a way of mobilising support ahead of an upcoming election or, or, or ...?

There may be many different motivations, goals and ambitions for your European Citizens' Initiative project. It can be absolutely legitimate to register an initiative without any realistic chance of really securing the required signatures – to test your capabilities as an organiser and the process as such, for instance. However, you need to be clear about your own goals before you can reach out to others in a credible and effective way. False promises or wrong assessments will otherwise backfire on you, your group and your initiative.



Whatever you want to achieve with your initiative, try to figure it out before you start the big adventure of launching a European Citizens' Initiative – together with as many other partners as possible. Also, as the regulation on the European Citizens' Initiative requires you to declare your funders/sponsors and possibly also

indicate your envisaged expenditure, it is highly recommended to start drawing up factsheets on these elements right from the start.

In order to help you prepare properly, several independent organisations and websites are offering free information, guidance and collaboration. The Initiative and Referendum Institute Europe has launched an ECI Information Centre at [www.europeancitizensinitiative.eu](http://www.europeancitizensinitiative.eu), where you will find the most up-to-date links and will be able to download all the relevant background literature on the new tool.

Beyond such contextual information and knowledge you can also start to collaborate with others, exchange ideas or build up your network at dedicated pre-ECI websites and platforms – like EURACTIVE's stakeholder website at [www.initiative.eu](http://www.initiative.eu):

This website offers to embed your ECI into **a)** an alliance building phase; **b)** the formal process with the EU; and then **c)** a policy response phase after the end of the official process. The website also offers you a series of additional and possibly useful tools, such as a polling instrument to gauge possible interest in your ECI idea and a watchdog functionality, giving you an elegant and smooth way to observe other ECIs in the making. There are many more useful tools available online, including the ECI website of the Greens/EFA group in the European Parliament at [www.eci-greens-efa.net](http://www.eci-greens-efa.net), and the online ECI Information Centre by the Initiative and Referendum Institute Europe at [www.europeancitizensinitiative.eu](http://www.europeancitizensinitiative.eu). A full list of contacts, websites and services by governmental and non-governmental actors relevant to present and future ECI organisers can be found at the very end of this Pocket Guide in the RESOURCE CENTRE section.

The screenshot shows the Initiative.eu website interface. The header features the logo "INITIATIVE EU" and the tagline "Federating Stakeholders for European Citizens' Initiatives (ECI)". Below the header is a navigation menu with links for HOME, INITIATIVE.EU, ECI PAGE, ABOUT US, ON SOCIAL MEDIA, PARTNERS, and BLOG. The main content area is divided into several sections: a "Log in" section on the left with fields for email and password; a central "Information" section with four callout boxes: "I am a stakeholder & want to follow the ECI of my choice", "I'm an ECI initiator & want to create a group to grow my ECI & gather support", "Want to meet to discuss? Schedule an idea", and "Just wondering around? Be our guest!"; and a "Have your say" section with buttons for "Create a profile & participate in ECI polls, surveys & much more!". On the right, there is a "Join this community" section with a description of the initiative's goals, a "187 members" badge, and a "18 conversations" badge. At the bottom, there is a "1million4isability" banner and a "2 members" badge.



## Step 4: Design

Language is a key tool of communication. In politics, communication is critical. And now you are about to launch a political project which will have to be communicated in up to 23 official languages of the European Union: in Estonian, in Portuguese, even in Greek with its non-Roman script. Obviously, you and your partners in this initiative are not total polyglots, nor do you have the resources to produce all those translations from the very beginning. But do not despair, what is important at this stage is to

- a)** explore all the formal requirements for an ECI, such as setting up a committee;
- b)** begin organising the online collection system;
- c)** try to maximise the chances for admissibility of your ECI by careful attention to both content and structure;
- d)** prepare yourself for the demanding signature gathering period by carefully planning your campaign.

You may ask yourself why there should be so much work to be done already, even before formally filing your registration request at the official register at [ec.europa.eu/citizens-initiative/](http://ec.europa.eu/citizens-initiative/). The answer is simple. As soon as you have pressed that famous “Send” button, time will become your biggest challenge and even enemy. When you eventually receive an email with your unique registration number, the 365 days countdown will have started. So our strong recommendation is: do as much as you can in your ECI campaign work **before** you request your registration number!

- a)** Let’s start with the formal requirements.

The ECI Law gives some clear indications here. You must:

- establish a “citizens’ committee of at least seven persons who are residents of at least seven different Member states” [ECILAW, Art. 3.2].

When it comes to the design of the committee you will have to pay attention to the fact that each of the core committee members – the members who will be registered officially on the “official register” (see [Step 5](#)) – must **a)** have the minimum eligibility age for EU Parliament elections (18 with the exception of Austria, where this age is 16), and **b)** be a resident of a different Member State (but can have the same national citizenship). You should also bear in mind that core committee members are not allowed to be elected to the European Parliament. While two core committee members must be designated as the official “representative” and “substitute” [ECILAW, Art. 3.2] – these will be the official liaison persons between the committee and the EU Commission – you are free to add as many individuals as you wish to your initiative committee, including MEPs, underaged persons and even non-EU citizens.

When you are designing and composing your organising committee you should not only fulfill the formal requirements but also take into account the communicative benefit of having a wider variety of persons on board your own ECI “train”. In other words: the composition of your committee can, and even should, fulfill different functions. It must, of course, meet the formal requirements, but it should also mirror the pan-European nature of your cause, creating an efficient representation of organisations in your alliance and obviously involving bright, positive and useful people in your network. It will also be important to carefully choose the “official representative” and his/her “substitute”, as these people should not only be able to deal with public and media relations but will also be your primary liaison people with the EU institutions.

■ prepare all the texts and information required to register an ECI proposal in just one official language.

Designing your ECI text is a tricky and very important affair. Good work here is not only a precondition for getting your registration “paperwork” done efficiently, but will also be a key to success during the rest of the process.

At the initial stage you have to do all of this in only one of the official languages. In fact, you are only allowed to register in one language, – but you should also prepare other language versions at this time so as to be ready with additional uploads as soon as you receive the registration number. This will be described in more detail in the next step.

Just one thing before entering the fascinating, difficult and somewhat “techy” world of your very own Online Collection System (OCS). In order to be able to certify that system with a national authority you will need to know the exact title of your initiative (max. 100 characters) and the internet address of your website for the collection system. Those two pieces of information must be exactly identical when you ask for a registration number with an OCS certificate.

**b)** At this stage, before formal registration, you need to begin setting up your own initiative website, which has to link up with your online signature collection system which has been certified in one of the EU member states [ECILAW, Art.6].

The ECI regulation opens the window to a basically free collection of “signatures” – in the ECI context always called “statements of support”. You have to come up with a smart and efficient way of providing ECI collection forms both on paper and electronically. To assist in this, the EU Commission is providing user-friendly tools for registered committees (to be described in **Step 6** below). However, a challenging feature of the whole process of

electronically gathered “statements of support” is the software for doing so – software which has to fulfill all the demanding requirements set out in the ECI LAW under Article 6. The EU has opted to go for very high common data security rules, designed to ensure the safety and privacy of each signatory. At the same time, many Member States have indicated that they need much more information from each signatory than just their name and residential address in order to positively verify a signature. This tendency in some countries to opt for high verification requirements, resulting in the lack of a common, user-friendly, EU-wide standard, has complicated the development of online collection software systems, presenting added difficulties for ECI organisers.

And indeed, during the first year of the ECI most organisers had a very hard time to certify and start their own online collection. The EU Commission appreciated this and started in late 2012 a revision of their support policy, adding free servers in Luxembourg and postponing the collection period schedule. The first ECI which managed to get its system working was the “Right to Water” ECI in October 2012 (<http://www.right2water.eu>). The EU Commission provides comprehensive online guidance to assist you in using this OCS. The best entry point for this can be found on the Official Register at: <http://ec.europa.eu/citizens-initiative/public/software?lg=en>. Another entrypoint to the software is <https://joinup.ec.europa.eu/software/ocs/home>

You are not obliged to use this open source software when collecting signatures online, but your online collection system (OCS) needs to be in line with the “implementing regulation No 1179/2011”, which sets out the technical specifications for OCS. Your OCS has to be certified by one of the national authorities competent to do so in the EU [ECILAW Art. 6.2]. A list of such authorities can be found in the RESOURCE CENTRE section of this POCKET GUIDE or (in a continuously updated version) at:

The screenshot shows the 'Joinup' website interface. At the top, there is a navigation bar with links for 'HOME', 'COMMUNITIES', 'SEMANTIC ASSETS', 'SOFTWARE', 'NEWS', 'EVENTS', 'LIBRARY', and 'PEOPLE'. Below this, a search bar is visible. The main content area features a blue header for 'OnLine Collection Software for ECI' with a star rating and keywords: 'citizens-portal, other, web' and 'Domains: Information Society'. A sidebar on the left contains a 'Software' section with various sub-links like 'Welcome', 'Description', 'Members list', etc. The main content area displays the software details for 'ocs 1.0.0', including a submission date of December 22, 2011, and a rating of 0/5. A table lists several software components for download:

Download	Size	md5 hash
<a href="#">oc-soo-server-portal.zip</a>	6.06 KB	2e5c52aed7e3187d50e05d1c33d4d86
<a href="#">oc-db-portal.zip</a>	8.3 KB	3c5ea57c694b33fe0474d52a3432152
<a href="#">oc-db-mysql.zip</a>	4.81 KB	7bd08728e657d57414663069a7318
<a href="#">oc-portal-xml3.zip</a>	12.92 MB	ee1c3c01203eda0d62a4a74c032910
<a href="#">oc-portal-linux.zip</a>	12.92 MB	572b1220a173e63d183140350ef1130c
<a href="#">oc-ocs-1.0.0_ser.zip</a>	21.17 MB	97a72c7502f1ca21b58655e14497d9

Below the table, there is a text box stating: 'The Online Collection Software is now available! The first release of the Online Collection Software has been launched today. This software has been developed by the European Commission in application of Regulation (EU) No 211/2011 on the citizens' initiative. It has therefore been designed for organisers of European Citizens' Initiatives in order to help them build their online system to collect signatures. It will also facilitate the certification of their system by the competent national authority as it already complies with the relevant requirements of Regulation (EU) No 1179/2011 laying down technical specifications for online collection systems.'

<http://ec.europa.eu/citizens-initiative/public/authorities-online-systems>

To repeat: you need to certify your initiative in just one of the 27 Member States. This is the same country where you have registered your secure server for the collected “statements of support” data. To be sure, you can have a server in every Member State if you wish (and have the necessary cash!), but then you must ask for a certificate in all those Member States. There are no other formal requirements when it comes to choosing your country of “ECI residence”. Obviously there may be other criteria to consider, such as the relative citizen-friendliness of the various competent authorities, including their readiness to welcome certi-

fication requests at a time when you have no clear date for going forward to your ECI registration as yet. As there is no expiration date on your OCS certificate you just need to ensure that the title of the initiative and the indicated URL for the OCS website are identical when you later ask for a registration number from the Commission. Another question which may arise in relation to the link between an OCS certificate in a certain Member State and the later collection of signatures is whether you have to gather statements of support in only that country. The answer is no: the two processes of obtaining an OCS certificate and collecting electronic statements of support are totally separate!



When it comes to choosing an electronic “ECI residence” in one of the Member States, language may play a decisive role. You may want to choose a national authority with which you can communicate in your native language. After you request a certificate, your chosen authority must issue the required “electronic stamp” – without which no electronic gathering of signatures will be possible at all – within 30 days.

This certificate you will have to upload during the setup of your OCS in the System Status section as shown here

**But there is another important issue to consider:** you are not allowed to collect email addresses for campaign or information purposes on the official signature forms (online and paper). Instead, you need to ask people separately whether they wish to receive more information and stay in touch with you and your campaign.

There are two more things to examine at this preparatory stage:

**c)** try to maximise the chances for the **admissibility** of your ECI in terms of both content and structure by carefully studying every step required at the moment of registration, which we will detail in [Step 5](#); and

**d)** prepare yourself for the demanding signature gathering period by carefully planning your campaign.

■ While the formal admissibility issue challenges your legal expertise, the campaign strategy element addresses your political ability to deliver a clear message, formulate a strategic plan and build a comprehensive network of supporters. To kick-start your campaign we recommend that you try to get as many signatures as possible, as quickly as possible, in at least 3-4 big Member States. Such a strategy can minimize the risk of failing in the second of the signature gathering campaigns and maximize the dynamic of your ECI. In other words, you need your campaign strategy to be in place before you request your registration number. You should also try to have your OCS certificate ready at this point in time.

■ If you need more assistance or support during this preparatory phase, the Commission provides an ECI hotline through Europe Direct (*Tel. number: 0080067891011*). However, this personal phone service is very limited in the extent to which it can give you expert insights, so you may wish to contact the relevant staff at the EU Commission directly, or consult with third-party experts. For a full list of contacts please check out our **RESOURCE CENTRE** section at the end of the **POCKET GUIDE**.

**Commission answers within 2 months**

**Register your initiative on the Commission's website**

Before you can start collecting statements of support from citizens, you have to register your initiative on the Commission's citizens' initiative website:

<http://ec.europa.eu/citizens-initiative/registration>

THE EUROPEAN CITIZENS' INITIATIVE  
Official register

## Step 5: Registration

With all these preparations complete you are now ready to register your very own European Citizens' Initiative on the EU website, called the "Official Register" at:

<http://ec.europa.eu/citizens-initiative/public/welcome>

The Register is the central hub for everything to do with organising an ECI. It provides step-by-step guidance as well as the necessary interfaces for registering and managing your initiative. The latter are only available to formally registered initiatives, but they are introduced and explained in this POCKET GUIDE below.

Having prepared yourself and your initiative according to the initial four steps outlined above, registering your initiative online should now be fairly straightforward:

### A. First you need to register the seven members of the citizens' committee by:

- 1) Selecting the member type: representative (1), substitute (1), member (5)

- 2) First Name(s)
- 3) Family Name(s)
- 4) Address
- 5) City
- 6) Postal Code
- 7) Country of Residence
- 8) Email address
- 9) Nationality
- 10) Date of Birth

You have to fill in this information for each member of the committee.

### B. Proposed citizens' initiative

11) Choose your initial language for registration; you can already prepare further language versions, but at this stage only one is allowed. Other versions can be added (and will then be checked by the Commission) after you have received your registration number.

12) The **title of the proposed ECI** in a maximum of 100 characters

e.g. "European Citizens' Initiative for FreshAirPorts" (53 characters).

### 13) Subject-matter

The subject-matter of your proposal in no more than 200 characters

e.g. “We propose to make smoking at airports illegal, limit the share of airport transfer services using fossil fuels to 50%, and offer landing fee incentives to less damaging aircraft.” (185 characters).

### 14) Objectives of the proposed initiative (no more than 500 characters).

This free text field is there for you to set out the key arguments for your initiative. What you write here should be (and will be) seen as the blueprint for the campaign as such.

Eg. “Airports produce tremendous amounts of pollution – at the same time as they are engines of economic progress. Airports are the central stations of today. Their importance will grow as the number of passengers and aircraft grows. For this reason our FreshAirPorts initiative proposes to introduce comprehensive EU legislation to make our airports healthier, friendlier to the local environment and climate-smarter by promoting newer generations of aircraft” (463 characters).

As you can see, 500 characters are not a lot! Being able to present your key message in a concise form is thus a huge asset.

### 15) Indicate the relevant provision in the Treaties for your initiative

This piece of information is both important when it comes to the admissibility of your ECI as well as when it comes to the probability of success. However, the latter is in the end a political issue and will be decided on the basis of the amount of popular support for your ECI, among other things.

Here you need to pair your policy area with the relevant Treaty provision. This is less

of a headache than you may believe as the Commission provides a user-friendly list (see next page) at [ec.europa.eu/citizens-initiative/public/competences](http://ec.europa.eu/citizens-initiative/public/competences)

### 16) [Optional] Your website URL

### 17) [Optional] Additional materials, explanations (you can upload documents)

The extra documentation is intended to make your case stronger, for example by uploading pieces which refer to scientific studies or journalistic reports explaining the issue in greater detail. Ideally the documentation complements the material you are uploading onto your own website, making it the subject of the official register – in effect creating semi-official documents. But please choose them with care – as it will not be possible to change this part of the register from the moment your initiative is formally registered. Another aspect to consider is the potential need or wish to translate your documentation into other EU languages; so keep this section as brief and light as possible, and as comprehensive as necessary. Nevertheless, documentation is highly recommended in all ECI cases.

### 18) [Optional] You can also add/upload a fully formulated draft legal act

This is another very tricky issue. National experience teaches us that a well-balanced and professionally drafted legal proposal is most useful in cases where the final decision is made at the ballot box (in a referendum). As the ECI, however, is an agenda-setting procedure only, the picture is somewhat different. Recalling the KEYCHAIN section in this POCKET GUIDE and its different ECI functionalities, ‘gas pedal’ and ‘brake’ ECIs can be very effective without having a fully drafted legal proposal. They are merely aiming to launch a new issue or stop an old one. But if you are using an ECI as a valve or bargaining chip, it is more important to have a precise draft proposal in mind, as the precise

Policy area	Treaty articles (TFEU*, unless provided otherwise)
<a href="#">Agriculture and fisheries</a>	<a href="#">Articles 38 - 44</a>
<a href="#">Budget</a>	<a href="#">Articles 310 - 324</a>
<a href="#">Civil protection</a>	<a href="#">Article 196</a>
<a href="#">Competition</a>	<a href="#">Articles 101 - 109</a>
<a href="#">Consumer protection</a>	<a href="#">Article 169</a>
<a href="#">Culture</a>	<a href="#">Article 167</a>
<a href="#">Customs</a>	<a href="#">Articles 30 - 33</a>
<a href="#">Development and cooperation</a>	<a href="#">Articles 208 - 213</a>
<a href="#">Economic and monetary policies</a>	<a href="#">Articles 119 - 144</a>
<a href="#">Education, training, youth and sport</a>	<a href="#">Articles 165 - 166</a>
<a href="#">Employment and social affairs</a>	<a href="#">Articles 145 - 161</a>
<a href="#">Energy</a>	<a href="#">Article 194</a>
<a href="#">Enlargement</a>	<a href="#">TEU* - Article 49</a> <a href="#">Article 212</a>
<a href="#">Environment and climate action</a>	<a href="#">Articles 191 - 193</a>
<a href="#">External trade</a>	<a href="#">Articles 206 - 207</a>
<a href="#">Fight against fraud</a>	<a href="#">Articles 325</a>
<a href="#">Food safety</a>	<a href="#">Articles 43, 168 - 169</a>
<a href="#">Free movement:</a>	
<ul style="list-style-type: none"> <li>• <a href="#">Persons</a></li> <li>• <a href="#">Services</a></li> <li>• <a href="#">Capital</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Articles 45 - 55</a></li> <li>• <a href="#">Articles 56 - 62</a></li> <li>• <a href="#">Articles 63 - 66</a></li> </ul>
<a href="#">Humanitarian aid</a>	<a href="#">Article 214</a>
<a href="#">Industry and enterprise</a>	<a href="#">Article 173</a>
<a href="#">Information society</a>	<a href="#">Articles 179 - 190</a>
<a href="#">Internal market and free movement of goods</a>	<a href="#">Articles 26 - 29, 114, 115</a>
<a href="#">Justice, freedom and security</a>	<a href="#">Articles 67 - 89</a>
<ul style="list-style-type: none"> <li>• <a href="#">Policies on border checks, asylum and immigration</a></li> <li>• <a href="#">Judicial cooperation</a></li> <li>• <a href="#">Police cooperation</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Articles 77 - 80</a></li> <li>• <a href="#">Articles 81 - 86</a></li> <li>• <a href="#">Articles 87 - 89</a></li> </ul>
<a href="#">Non-discrimination and citizenship</a>	<a href="#">Articles 18 - 25</a>
<a href="#">Public health</a>	<a href="#">Article 168</a>
<a href="#">Regional policy - Economic, social and territorial cohesion</a>	<a href="#">Articles 174 - 178, Articles 162 - 164</a>
<a href="#">Research and innovation</a>	<a href="#">Articles 179 - 190</a>
<a href="#">Taxation</a>	<a href="#">Articles 110 - 113</a>
<a href="#">Tourism</a>	<a href="#">Article 195</a>
<a href="#">Transport</a>	<a href="#">Articles 90 - 100</a>
<p>NB: This list covers the broad policy areas set out in the EU Treaties and may not be exhaustive. Please consult the full text of the <a href="#">Treaties</a> for more information.</p>	

details of a possible change will be at the heart of your ECI. For ‘catalyst’ or ‘cannasser’ ECIs, finally, a fully drafted legal proposal may not be critical, as you will be trying to instrumentalise the new participatory tool for your own interests and/or campaign.

Please pay attention to the fact that it will only be possible to register ECIs online at [ec.europa.eu/citizens-initiative](http://ec.europa.eu/citizens-initiative) and not, for example, by submitting a paper registration.

The ECI LAW has added two more restrictions to a possible ECI: the language of the initiative text must not be “manifestly abusive, frivolous or vexatious” [ECILAW Art. 4.2c.]; and the ECI must be compatible with the “EU values set out in article 2 of the Treaty of the European Union” (TEU). What does this mean? While the first restriction will make an ECI which accuses a certain individual of misbehaviour non-registrable, any proposal which seeks to limit the rights of a specific minority within the EU will be clearly judged as being contrary to the common values set out in Art. 2 of the TEU:

*“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, nondiscrimination, tolerance, justice, solidarity and equality between women and men prevail.”*

### C. Sources of support and funding

The ECI LAW [Art. 4.1.] requires all organising committees to fully disclose any sponsor (individual or organisational) who contributes more than €500 per year. This includes not just direct financial contributions but also so-called “in-kind” contributions. So if, for example, a partner organisation supports your initiative with pro bono work for

the website, you will need to estimate the value of this work in Euros and state it here. After having registered your initiative, you will have to continuously update the list of such sponsors via your password-protected “organiser’s account” (see [Steps 6-8](#)). Regarding the sponsor section on the registration form you have the following options:

19) Click at the bottom to state that you have “no sources of (external) support and funding” at this moment

20) Fill in the name, date and amount in EUR per sponsor

21) You can even upload more documents as evidence of “sources of support”; this may make sense even if these supports are not beyond the €500 per year threshold, because they provide proof of the potentially broad alliance you have built up at this stage.

### D. Acceptance /Reconfirmation section

After having filled in all this info, a so-called “acceptance of policy and privacy statement” will appear, with the names of the committee representative and substitute plus three different boxes in which you have to reconfirm your role and the correctness of the information provided. After that you have to indicate your acceptance of the fact that you can be held liable and be subject to fines (even prison may be an option in certain countries) if you infringe the ECI LAW. Finally you have to confirm that you have read the privacy statement, which defines the “data protection” provisions in the ECI LAW (which are based on a separate EU Directive [95/46/EC]).

This is more than a bureaucratic hurdle to the ECI but the consequence of universal data security principles, grounded in human rights, aimed at protecting the privacy of each individual. Those principles include Confidentiality, Integrity, Availability and Authenticity. In rela-



tion to the ECI process, where you and other organising committees and related authorities will handle millions of individual “statements of support”, only the numbers of statements collected can be disclosed publicly. All the individual data – such as names, addresses and ID numbers – must be kept secret and have to be destroyed (one month after submission or 18 months after registration, whichever is the sooner) after the process is concluded (see also [Step 8](#) “thresholds”).

The last piece of information you are required to provide on the registration form is to indicate the language in which you wish to receive notifications from the EU Commission throughout the whole process. This is also an important choice, as you will not be able to subsequently change the language of communication with the Commission.

### E. Review and confirmation section

Now you are able to review your whole registration form. If anything is wrong you can click “back” and correct it. Be careful, as this is your last opportunity to do so before going “official” and also later on – after the Commission has checked your initiative with-

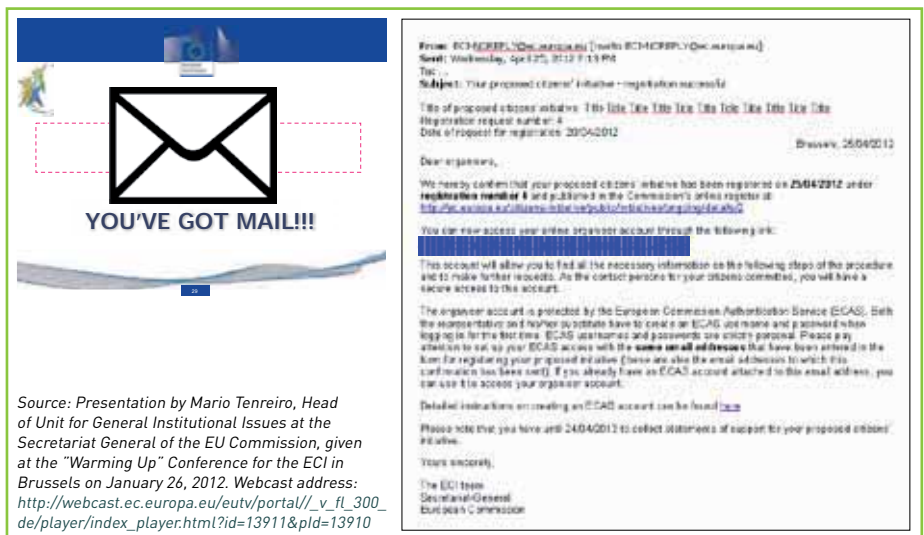
in a maximum of two months and given you a registration number – when you “go public” for the 12-month signature collection period.

Once you are happy with the displayed info you have to repeat the acceptance procedure (under C above) before you can finally confirm your registration.

### F. And now?

There are two possible scenarios: one, your initiative is registered and gets its unique number; or, two, your initiative is not registered and the Commission gives you the reason for that.

While conducting the registration process step-by-step and adapting to all the requirements you should never forget the bigger picture of your ECI, which is about bringing forward, stopping or amending a specific legislative solution package to a European problem. So, in parallel with the formal procedures, use the 2-month registration time to prepare for the important starting phase of the signature collection period. You have to be ready when the email arrives from the ECI team at the Commission.



**YOU'VE GOT MAIL!!!**

Source: Presentation by Mario Tenreiro, Head of Unit for General Institutional Issues at the Secretariat General of the EU Commission, given at the “Warming Up” Conference for the ECI in Brussels on January 26, 2012. Webcast address: [http://webcast.ec.europa.eu/eutv/portal//\\_v\\_fl\\_300\\_de/player/index\\_player.html?id=13911&pid=13910](http://webcast.ec.europa.eu/eutv/portal//_v_fl_300_de/player/index_player.html?id=13911&pid=13910)

**From:** ECI-ECRPA/OfficeManagement [mailto:ECI-MOFRPA@ec.europa.eu]  
**Sent:** Wednesday, April 27, 2011 7:13 PM  
**To:** ...  
**Subject:** Your proposed citizens' initiative - registration successful

Title of proposed citizens' initiative: Title title title title title title title title  
 Registration request number: 4  
 Date of request for registration: 2010/02/02 Brussels, 26/04/2012

Dear organisers,

We hereby confirm that your proposed citizens' initiative has been registered on **25/04/2012** under **registration number 4** and published in the Commission's official register at [http://ec.europa.eu/eutv/portal//\\_v\\_fl\\_300\\_de/player/index\\_player.html?id=13911&pid=13910](http://ec.europa.eu/eutv/portal//_v_fl_300_de/player/index_player.html?id=13911&pid=13910)

You can now access your online signature account through the following link:  
 [Redacted link]

This account will allow you to find all the necessary information on the following steps of the procedure and to make further requests. As the contact persons for your citizens' committee, you will have a secure access to this account.

The organiser account is provided by the European Commission Authentication Service (ECAS). Both the organisers and further signatories have to create an ECAS user name and password when logging in for the first time. ECAS usernames and passwords are strictly personal. Please pay attention to not to use your ECAS access with the **same email addresses** that have been entered in the form for registering your proposed initiative (there are also the email addresses to which this confirmation has been sent). If you already have an ECAS account attached to the email address, you can use it to access your organiser account.

Detailed instructions on creating an ECAS account can be found [here](#).

Please note that you have until 24/04/2012 to collect statements of support for your proposed citizens' initiative.

Yours sincerely,  
 The ECI team  
 Secretariat-General  
 European Commission

## The European Citizens' Initiative at a glance

### Ten steps which may change your life – and the future of Europe!

#### Preparation phase – Time frame: undefined

**Step 1: Idea.** The beginning! You have a great idea for the solution of a big problem in Europe, or just a collective need to protest against an unjust decision. Check if your idea is compatible with EU legislation and in case it is, see if you can find supporters in other EU Member States.

**Step 2: Knowledge.** Inform yourself about the practical options available to promote your idea. Even if your issue is genuinely European, other forms of action may be better equipped for dealing with it (e.g. submitting a petition to the EU Parliament or approaching the EU Ombudsman). Before you go for an ECI, learn everything you can about this new process!

**Step 3: Goals.** Finally, before going formal and beginning the process at the ECI registry ([ec.europa.eu/citizens-initiative](http://ec.europa.eu/citizens-initiative)), clearly define your aims, the scope and the specific functionality of your initiative! It will make a big difference whether you go for a 'gas pedal', a 'brake' or a 'valve' ECI for instance. The initial section of this Pocket Guide offers you a KEYCHAIN to this part of the work.

#### Initialisation phase – Time frame: 2-6 months

**Step 4: Design.** The wording and explanation of your initial proposal must be comprehensible in many different languages and political cultures across Europe. If you want to use an online signature collection system you should set it up now. Check which

Member States are most citizen-friendly and register your online collection system there before officially registering your ECI with the Commission. Contact governmental and non-governmental experts on the ECI process in order to ensure a proper regulatory approach. Finally, be innovative and show flexibility when it comes to the admissibility criteria for your initiative. Sure, this is a bottleneck, but you can find a way through it!

**Step 5: Registration.** Filling in all the necessary information about your initiative is only a formality as long as you prepared yourself carefully and patiently beforehand. This includes setting up an organising committee, consisting of at least seven persons, residents of at least seven different EU Member States. Transnationality is one foundation of the ECI process; the more you aim at it, the more successful your initiative will be in transnational agenda-setting. After registering your initiative, you will get a response from the Commission within two months. A go ahead – or a "no", if your initiative "manifestly" is outside the Commission's competencies.

#### Signature gathering phase – Time frame: 12 months

**Step 6: Signature Gathering.** This is when you have to convince more than one million Europeans from at least seven different countries and in less than a year to sign your initiative. As organiser, you are in charge of preparing a convincing campaign; your strategies, capabilities and resources will have to make the difference. Always keep the formal requirements in mind! This is

not a (e-)petition but a citizens' initiative, where people have to formalise their support by supplying personal information that will later be verified by national authorities. You need a competent team to coordinate and facilitate all this, as well as a strategy to obtain most of the necessary statements of support as soon as possible. A piece of advice: try to collect at least 1.2 million statements to make sure the minimum of 1 million pass the verification hurdle.

**Step 7: Dialogue.** This is about democracy: the method for solving problems by dialogue instead of monologue, order or force. Without communication, you will not have supporters; dialogue with all possible friends and even skeptics will be critical for the lasting success of your initiative. Your ability to build networks and alliances in advance will be crucial. The process of gathering signatures across Europe will also bring in a lot of new contacts on which you can build in the future.

#### **Concluding phase – Time frame: 6-10 months**

**Step 8: Thresholds.** Dozens of requirements and hurdles have to be dealt with before you can finally submit your completed initiative to the EU Commission. Here the Member States play a key role, as you will have to provide them with the names and personal data of all your supporters. The security of the individual data collected is fundamental. Both you as an organiser, as well as the competent authorities in the Member States as verifiers will have to destroy the list of signatures after they have been submitted to the EU Commission or 18 months after the formal registration of the initiative.

**Step 9: Communication.** Submitting your ECI is the beginning of another important chapter: the pan-European communication around an official EU subject-matter, which will bring you onto the political centre stage. The media will certainly start covering your initiative as soon as more than one million signatures from at least seven Member States have been formally submitted and acknowledged. At this moment, the entire EU will have to deal with your new proposal. You will be invited to explain your initiative both privately and publicly in Brussels – the latter at a grand hearing in the EU Parliament. Finally, the EU Commission will give you an answer: whether and how new legislation will be initiated; or why your initiative will not trigger such action. If you are not happy with the result – start a new European Citizens' Initiative!

#### **The 'day after' phase – Time frame: indefinite**

**Step 10: Lessons learnt.** The end of an exhausting, but hopefully empowering exercise is reached. Never forget to do the back-office work, the documentation and evaluation – in order to learn and share the important lessons. At this point it is wise to assess and evaluate your work: what could be done differently next time? What are your recommendations to other organisers? How could the ECI process become even more citizen-friendly? The new participatory tool will be reviewed and hopefully improved as soon as 2015 – so let everyone know how transnational agenda-setting by the citizens can be further democratised!

But: In the event of non-registration?

It can also happen that the Commission will not register your initiative formally. Reasons for this are outlined in the ECI LAW (Art. 4.2 a-d). This relates mainly to the use of offensive language or if the proposed action is manifestly outside the Commission's competence to legislate. (<http://ec.europa.eu/citizens-initiative/public/initiatives/non-registered>)

If the Commission should refuse to register your initiative you have several options:

**1)** to restart the registration process with an amended and updated ECI;

**2)** to file an online complaint with the European Ombudsman at: [www.ombudsman.europa.eu/atyourservice/interactiveguide.faces](http://www.ombudsman.europa.eu/atyourservice/interactiveguide.faces)

**3)** to appeal to the Court of Justice of the EU, which is of course a difficult way to proceed and must therefore be considered very carefully.

## Step 6: Signature Gathering

This is the moment you've been waiting for – you can start collecting. The signature gathering phase has two dimensions: the formal procedures you'll have to follow (detailed below) and the communication aspects of your campaign (detailed in [Step 7: Dialogue](#)).

The confirmation email from the Commission opens the door to many new levels of activity. In practical terms you now get access to your protected "organisers' account" within the official register, which will assist you in managing your ECI. With this account you can do many things including:

- review the contact information on your committee (cannot be changed after registration);
- review the backend of your proposed initiative (cannot be changed after registration)
- manage your initiative (see below);
- view the list of notifications from the Commission (this is a form of official inbox);
- use an interactive free text field for official contacts with the Commission (replacing email and other forms of interaction).



The management part is the key part of this protected account, which offers you many very useful options and can be extremely supportive when it comes to producing customised signature collection forms, for example.

As you can see on the screenshot above, the “manage your initiative” tool offers you the following possibilities:

### 1) Adding language versions

Here you can upload additional language versions which are consistent with the original submitted version at least when it comes to the title, the subject-matter and the objectives. The other materials are not mandatory but should certainly also be added in order to make the ECI in all uploaded versions as informative as possible.

As an organiser you are responsible for providing accurate translations. Once uploaded, the EU language services will check this and let you know if they find any inconsistency. In that case you have the possibility to repeat the process until the new language version is accepted and becomes accessible to European citizens and potential signatories. As of today, machine translation services are not accurate enough to be used in formal environments, so you will need to find people among your supporters, pro bono people across Europe, or professional Commission translators to do the job. It is unclear how formalistic and/or helpful the EU translation services will be in supporting you to create consistent language versions. Please check also with the official and non-official third parties listed in the RESOURCE CENTRE section of this ECI POCKET GUIDE. Some of them may choose to assist you in ensuring accurate and new language versions of your initiative.

There are two main reasons why you should strive to add as many language versions as possible:

**firstly**, additional language versions will open your initiative to more people across Europe and make your proposal more genuinely transnational;

**secondly**, only language versions which have been officially accepted can be used to customise your signature collection forms as described below under [Step 6](#)).

### 2) Updating information on support and funding

Having supplied some initial information about any support and funding worth more than €500 per year per sponsor when you registered your initiative, you are obliged to keep this information updated. You do this by adding any new sponsorship information to your organiser account. This information will be displayed in the public part of the register site with the other information about your ECI. You also have to link the register display to your own website. It is, however, unclear what kind of sanction failure to fulfill the requirement to update the support and funding information will incur and what authority will be in charge of imposing the sanctions. The requirement must therefore be seen mainly as a general requirement for fairness and transparency and should be beneficial to the communicative capacity of your ECI.

### 3) Setting-up your online collection system

This functionality covers all elements of the technical and procedural information about setting up, certifying and using your “Online Collection System” (OCS). The setup and certification can be done even before formal registration is underway and here you can now download the customised XML Files for your initiative in all the uploaded and available languages.

For the OCS there are two options for adapting to the requirements in Annex III (which details the specific requirements

each Member State has for the signature gathering). Either you have to integrate the country-relevant information fields into your system, or you can use the open source software developed by the Commission, which will automatically adapt the forms in all requested cases online (see also Supporter pathfinder below).

#### 4) Designing the forms of statements of support

Your management tool also offers good services when it comes to guiding you through the process, including when you need to produce customised signature collection forms containing all the required information, with fields for the various Member States. As there is no unified system for verifying the statements of support, each country has established its own criteria for verifying the statements. All of this has already been in-

corporated into the “organisers account”, allowing you to download and print the versions of the paper collection forms you need, as well as being integrated into the OCS.

In fact, this tool offers you all possible combinations. If you want to download a paper collection form for residents and/or nationals from Ireland you can choose the language of the form separately. However, if you have not yet uploaded a version of your initiative in the local language you may opt to have this text in another language – in the case above, in English. This tool enables all the required information as set out in the ECI LAW [Annex III] to be inserted on the form.

The “manage your initiative” tool in the “organisers account” will also let you manage the certification of your “signatures” as well the “submission” of the ECI. Both moves are described below.

The screenshot displays a web interface with the following sections:

- Collecting on paper**
  - To collect on paper, you can:
    - either use the forms in Annex III of the Regulation on the Citizens' Initiative, making sure you follow the data requirements given there for each member state
    - or download customised and pre-completed forms below, for which you can choose:
      - the member state for which you want to collect statements
      - the language for the field names, among the official EU languages
      - the language for the information on your proposed initiative, among the languages in which your proposed initiative is published on this site
  - Download customised forms**
    - member state: [Ireland]
    - Language for the field names: [Dutch]
    - Language for the information on your proposed initiative: [English]
- Collecting online**
  - To collect online:
    - You still need to get your online collection system certified
    - You can adapt the forms to Annex III of the Regulation on the Citizens' Initiative provided that their content is not modified
    - The open source software developed by the Commission and available free of charge contains forms adapted for all cases
    - For further information: Set up your online collection system!
- Data protection**

during the whole procedure, you must comply with the legislation in force resulting from Article 16(1)(c) as regards data protection. This means in particular that before collecting statements of support, you may be required to notify the data protection authority(ies) in the member state(s) where the data will be processed.

In addition, you must comply with the provisions on data protection set out in the Regulation on the Citizens' Initiative (Article 11). You must:

  - implement appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorized disclosure or access, in particular where the processing involves the transmission of data over a network, and against all other unlawful forms of processing
  - ensure that personal data collected are not used for any purpose other than supporting your specific initiative
  - destroy all statements of support and any copies no later than 1 month after submitting your initiative to the Commission or 18 months after the date of registration of the initiative, whichever is the earlier.

Please note that you are liable and subject to prosecution if you do not comply with the provisions of the Regulation on the Citizens' Initiative, in particular in case of fraudulent use of data.

\*The terms of support may be retained beyond these deadlines if necessary for the purpose of legal or administrative proceedings relating to the initiative. In this event, you must destroy all statements of support and copies no later than 1 year after the date of conclusion of such proceedings by a final decision.

## 5) Withdrawing of an initiative

Last but not least, you can opt to withdraw your initiative online. But why should you do that?

Well, an ECI is not just a rather onerous procedure involving many strategic choices and a lot of work. Depending on the specific goals of your initiative (which may correspond with one of the functionalities described in the KEYCHAIN section of this ECI POCKET GUIDE) you may see these goals as already having been attained simply by launching the initiative, or by having developed a certain public pressure on the EU. In such cases – but also if your ECI should turn out to be a surprising failure – you may opt to finish the efforts before the signature gathering period has expired or the one million statements goal has been reached. In such cases you may click the “Withdraw” button in the organisers’ account.

It is possible to withdraw an initiative at any time before you have sent the first statements of support to be verified by a national authority. If you select “Withdraw” you will get a confirmation email which you have to respond to in order to complete the process. In this case the ECI status will be changed from “open” to “withdrawn”, an irreversible step which nullifies all the collected signatures. A first such initiative was in 2012 the “Happy Cow” ECI (<http://ec.europa.eu/citizens-initiative/public/initiatives/obsolete>). They argued that conducting an ECI under the current circumstances would be “too risky” when it comes liabilities.

## Step 7: Dialogue

A European Citizens’ Initiative is more than a marketing campaign. It is far from enough merely to have enough money to employ an expensive PR company to set up a campaign, an online-gathering platform and key events like press conferences across the European Union. If the initiative issue does not interest

or affect people, or is not seen as a real problem (for which the EU institutions and/or the Member States have not been able to come up with a reasonable solution), then it will be very, very hard to gather one million signatures from across the EU. One example: as early as 2005 a pre-initiative campaign was launched for a common European Emergency Number Initiative. This well-funded and EU-sponsored attempt to establish a truly citizen-friendly tool – a unified emergency phone number across the EU – only managed to get around 15,000 signatures in four years. This shows that even genuine pan-European and positive issues may have great difficulty in gaining support from enough citizens in enough Member States.

According to the ECI LAW [Annex I] you need to gather a specified minimum number of statements of support in at least seven Member States, while the minimum total number must come to one million signatures.

MINIMUM NUMBER OF SIGNATORIES PER COUNTRY

Austria	14 250
Belgium	16 500
Bulgaria	13 500
Cyprus	4 500
Czech Republic	16 500
Denmark	9 750
Estonia	4 500
Finland	9 750
France	55 500
Germany	74 250
Greece	16 500
Hungary	16 500
Ireland	9 000
Italy	54 750
Latvia	6 750
Lithuania	9 000
Luxembourg	4 500
Malta	4 500
Netherlands	19 500
Poland	38 250
Portugal	16 500
Romania	24 750
Slovakia	9 750
Slovenia	6 000
Spain	40 500
Sweden	15 000
United Kingdom	54 750

Note: these numbers are related to the available European Parliament seats per Member

*State multiplied by 750 and will change whenever the composition of the EP changes. This will happen in 2013 when Croatia is expected to become a member (on July 1) and in 2014 after the next EP elections, when the new rules for the EP introduced by the Lisbon Treaty will enter into force.*

How and where should you collect your statements of support? The answer to this question depends, of course, also on your issue. If, for instance, you are proposing a new transportation scheme through the Alps, the countries of this mountain region (FR, IT, AT, SL) would obviously be the first candidates for heavy campaigning from the very beginning. Secondly, much will depend on your network and resources. To gather signatures in Latvia, for instance, requires both people on the ground and materials in the Latvian language. Thirdly, it depends on whether you mainly want to use the e-collection system or rather opt for a traditional street campaign. In all cases you will have to target much higher numbers of people and signatures than required just to be on the safe side. National experience shows that you may need to approach at least 10 people in order to get one signature. Half of the people approached may not agree with the issue or are just not interested. Of the remaining half, half again may not agree on the solution proposed by your ECI. And there may be concerns about giving you all that personal info required for “signing” an ECI. Last but not least, be prepared for a fair share of your “signatures” to not be validated in the end – so you need to get as many statements as possible, as soon as possible in the process.

The Green European Foundation’s online handbook on campaigning (<http://campaignhandbook.gef.eu>) is a good tool in helping you plan your collection campaign. Apart from detailing how to set up a communication campaign, it also contains examples of previous initiatives and how they faced signature collection challenges.

## Step 8: Thresholds



Standing in the middle of a possibly rather successful European Citizens’ Initiative project it may feel as if it will be easy to jump over the remaining hurdles. But be aware of the procedural and political obstacles still facing you.

Two big hurdles have to be surmounted during and just after the conclusion of the signature gathering period, for which you are allowed a maximum of 365 days: the certification of your “signatures” and the “submission” of your ECI to the EU Commission.

In both cases we will return to the “organisers’ account” as an instrument for managing your initiative:

### Getting statements of support certified

In contrast to many national or subnational initiatives it will not be possible to continuously send your gathered signatures to the relevant national authority and get them verified one by one. You only have one shot: as soon as you feel or are certain that enough statements have been gathered in one country you have to send these signatures to the competent national authority for certification. But we recommend you not to be impatient, as you will actually be starting to finalise your ECI when you begin requesting these certificates. What makes sense is to assess the various countries and their





plans for verifying “signatures”: individually (as in Austria) or by random sampling (as in Denmark). A list of all the relevant national authorities can be found in the RESOURCE CENTRE section of this ECI POCKET GUIDE or online at: <http://ec.europa.eu/citizens-initiative/public/authorities-verification>

Within the “organisers’ account” you will also find a function which allows you to produce the correct forms for the various authorities. You need to separate paper and online statements as they have to be checked separately.

A Member State authority has to verify and certify your signatures within two months. The same authority must destroy those files one month later and is not allowed to disclose them.

This is different from certain national initiative procedures. In the case, for example, of the new Finnish citizens’ initiative procedure (<http://vrk.fi/default.aspx?docid=5903&site=4&id=706>) all the supporting names become public once the initiative has been delivered to the national parliament.

### Submit your initiative

There are three key questions which you must answer before submitting your initiative to the EU Commission:

- a) Have you collected at least 1 million statements of support, which means: do the numbers of statements of support certified by the Member States add up to at least one million?
- b) Do you have certificates from at least 7 Member States indicating a number of valid statements of support equal to or greater than the minimum number of signatories required in each of those countries?
- c) Is the information on support and funding up-to-date?

Having answered “yes” to all three questions you are ready for the big moment, namely to click the button shown at the top of the next page.

Now you will have to do some very careful (and mainly electronic) paperwork!

**First**, you need to check the minimum requirements by filling in the numbers of certified signatories state by state. The system will then answer “fail” (if the requirements are not met) or “pass” (if everything is ok).



**Secondly**, you can download the pre-completed submission form, which the representative of the ECI has to sign, scan in again and upload into the “organisers’ account”.

**Thirdly**, you will have to upload all the relevant certificates from the Member States.

Finally it is time to click on “Submit”!

1. Title of citizens' initiative: Title-1 Title-1 Title-1
2. Commission registration number: 1
3. Date of registration: 25/01/2012
4. Number of eligible statements of support received: 1030304
5. Number of signatories certified by Member States:

	AT	BE	BG	CY	CZ	DK	EE	FI	FR	DE
Number of signatories	36580	0	0	45283	0	0	163654	0	75000	120658
	EL	HU	IE	IT	LV	LT	LU	MT	NL	PL
Number of signatories	16546	104639	15745	90563	0	0	9523	0	0	90568
	PT	RO	SK	SI	ES	SE	UK	TOTAL		
Number of signatories	15454	930	75065	0	170096	0	0	1030304		

6. Full name, postal address and e-mail address of the contact persons<sup>1</sup>.
 

Name-1 LASTNAME-1 123 Street-1 1234 City-1 United Kingdom mail1@eci-test.eu	Name-2 LASTNAME-2 321 Street-2 4567 City-2 Belgium mail2@eci-test.eu
---	--
- 6a. Indicate all sources of funding and support received for the initiative, including the amount of financial support at the time of submission<sup>1</sup>:

Name of the sponsor	Date	Amount in Euro
Sponsor-1	10/12/2011	5,000
Sponsor-2	20/11/2011	2,000

Total validated funding amount: EUR7,000

7. We hereby declare that the information provided in this form is correct.  
Date and signature of the contact persons:
8. Annexes:  
Include all certificates

## Step 9: Communication



What happens now? After a few days, the Commission will send you a letter acknowledging the submission and will also post your ECI as “submitted” in the official register. This starts the final three official months of your ECI during which:

- you will be invited by the Commission to an official meeting you can explain your proposal in detail;
- you will be invited by the European Parliament to present and discuss your ECI at a public hearing in the EP;
- you will finally receive a formal response adopted by the College of the Commission.

The three months after the submission of your ECI is a time of harvesting the fruits of your efforts. This is still very hard work as it is now that you can make the full influence of your pan-European support of more than a million voters work for you! It is the time for media attention and also focused lobbying. But above all it is also the time to enter the centre-stage of European politics.

The platforms given to you by the institutions at this moment are instruments for media attention and outreach to broader groups within Europe.

The formal answer by the Commission can come in different forms:

- it may be that the Commission returns to the admissibility issue and informs you that after a careful examination of your proposal, it is not able after all to act on the issue. There are in fact grey areas in terms of admissibility: One such potential problem area relates to any proposal to change the Treaties: this is something which both the Parliament and the Commission may initiate, but where the power of ECIs still has to be explored;
- the Commission may fully accept your ECI as an admissible proposal but still opt not to act on it because there may be other/similar or even contradictory initiatives in the pipeline, or because the Commission simply does not think that action is required here;
- a third option may be a positive response from the Commission to your ECI, but with the message that there is a need for it to explore

the matter further before a legislative proposal can be made;

■ lastly, your ECI may achieve total success, with the Commission following it up by making your proposal part of a legislative initiative to be dealt with through the normal process of bringing forward a new EU law, by passing it to both the EP and the Council. Whether it will ultimately ever get through this decision-making phase is another question!

For you as an organiser, the formal ECI process ends here – but not the work.

### Step 10: Lessons learnt

This may be your first and last initiative, but it might also be just the first test case in a series of European Citizens' Initiatives. Irrespective of that, however, it will be important to include a reflective, self-critical approach in all your activities. You and others can certainly learn from the practical experience, both when it comes to mistakes (like being too fast and superficial in setting up an initiative) or to real achievements (like the possibility of creating a pan-European network of supporters).

So from the very beginning archive all documents, minutes and media stories about your initiative. And do it both in electronic and paper-based form: the one or the other may disappear at some moment. Try to find a professor or a post-doc academic who is interested in cooperating with you on a scientific monitoring of your initiative. Try also to find internet professionals who are willing on a pro bono basis to set up a database and communication website. On the other hand, also check out what others have already done or what assistance you may get from supportive institutions and organisations around the European Citizens' Initiative.

In the concluding RESOURCE CENTRE section you will find helpful web-links and contact information for useful organisations and institutions.

Your initiative is a unique enterprise; it will never be done again in exactly the same way, so contribute to making it possible for future generations to study and learn from experience (including yours). This approach also contributes to endowing an initiative with greater credibility and makes it easier for new supporters to join on the way to the one million signatures.

## 2.2 Supporter Pathfinder: A Direct, Transnational and Digital Powerhouse



As a supporter of an ECI you will be asked to share a certain European cause as one of at least one million others in not less than seven Member States. Your main role: to become a signatory of an ECI, which means that you will fill in a “statement of support” on paper or electronically. Please make sure you are signing a validated and formally registered ECI!

You will doubtless be asked to do so. At some point in the near future unknown people on the street (or via-email) will approach you and invite you to give a statement of support for a specific “European Citizens’ Initiative”. For some among us, this is a very familiar situation as we are already living in national and/or subnational polities offering such citizens’ initiative rights and procedures. Others have possibly never before had the chance to sign such an initiative and are unfamiliar with the rights and duties of becoming a formal citizens’ initiative supporter. Others again have had the opportunity to sign initiatives, but only in official venues under the supervision of state representatives, for instance.

So, after all, the right to support an ECI is a new democratic feature for all of us. For the very first time in world history our agenda-setting voice will be heard beyond the borders of our home nation. This is also the very first time that we are entitled to support a citizens’ initiative formally online. So who can become a formal supporter of an ECI; who is eligible to sign?

Two basic conditions have to be fulfilled.

You need **a)** to be a national citizen of an EU member country and **b)** have reached the age at which you can participate in the EU elections. Currently this means that you need to be at least 18 years old in all EU member states, with the exception of Austria, where you have to be at least 16 years old at the moment you sign an ECI [ECI Law Art. 3.4]. When you sign an ECI, you are making a “statement of support”.

The signing itself is relatively easy to understand and carry out. Things become more complicated later when it comes to verifying your statement of support. This is where the Member States come into the picture, together with a lot of bureaucratic hurdles and inconsistencies. For instance, will your statement of support not be counted if you are a Briton living in Finland but are signing on a UK form? If you are a permanent resident in Finland and sign on a Finnish form then it is ok. As a Finnish EU citizen, on the other hand, it will be possible to sign on the Finnish form wherever you are in the world, as long as your name is registered at home. It becomes even more complicated if you want to sign as an Austrian citizen on a Austrian form, but do not have a passport. According to the Austrian authorities, your statement will not be verified and counted, as Austria requires a passport number on its form.

### What does all this mean? That it will be highly important that you:

- 1) only sign on a form (either paper-based or electronically) of your home nation or country of residence; and
- 2) enter all the required information in order to validate your statement of support.

Before getting back to the central signing-up act, let us take a step-by-step approach to a hypothetical ECI which you may be interested in supporting.

### What can you give your signature to and when?

If you are interested in knowing what issues are the subject of ongoing initiatives, check

the relevant pages on the official ECI register at [ec.europa.eu/citizens-initiative/public/initiatives/ongoing](http://ec.europa.eu/citizens-initiative/public/initiatives/ongoing)

As a potential supporter you need to know and check if an ECI is ready for your signature or not. This can be done by checking the “signature gathering form” to see if it has a “European Commission registration number” (paper and online), a “conformity certificate” (online only) and a “privacy statement” (paper and online).

The first page of any registered and certified ECI online collection system must contain the following information:

The screenshot displays the 'Title-6 Title-6 Title-6 Online Collection System' interface. At the top, there is a navigation bar with links for 'Home', 'view conformity certificate', and 'view privacy statement', along with a language selector set to 'English (en)'. The main content area is titled 'Proposed European Citizens' Initiative: Title-6 Title-6 Title-6'. Below this, the form fields are as follows:

- Subject matter: Subject-6 Subject-6 Subject-6
- Main objectives: Description-6 Description-6 Description-6
- Information on this proposed initiative is available in the following languages: [Deutsch](#) [español](#) [português](#)
- European Commission registration number: 6
- Date of registration: 25/04/2012
- Web address of this proposed initiative on the European Commission register: <http://ec.europa.eu/citizens-initiative/public/initiatives/ongoing/details/6/es>
- Names of organizers: Lastname-4 Name-4, Lastname-1 Name-1, Lastname-6 Name-6, Lastname-7 Name-7, Lastname-2 Name-2, Lastname-3 Name-3, Lastname-5 Name-5
- Names of contact persons: Lastname-1 Name-1, Lastname-2 Name-2
- E-mail addresses of contact persons: mail1@eci-test.eu, mail2@eci-test.eu
- Website of this proposed citizens' initiative (if any): <http://www.eci-test-6.eu>

At the bottom, there is a disclaimer: 'To support a European Citizens' Initiative, you must be an EU citizen (national of an EU member state) and be old enough to vote in European Parliament elections (18 except Austria where the voting age is 16). For more information on the rules and conditions for the European Citizens' initiative: <http://ec.europa.eu/citizens-initiative>'. A 'Support »' button is located in the bottom right corner.

### How can I sign up?

The ECI procedure provides for two different ways of signing: on paper or digitally online.



### Signing on paper

When you sign on paper you need first to choose the jurisdiction under which you are

giving your verifiable statement of support. This can be the country you are a national of and/or the country you are permanently resident in. In all cases you are only allowed to sign an ECI once.

When it comes to signing a paper “statement of support” form each Member State requires some information which will allow the respective competent authority to verify that you are who you claim to be. In Finland, for instance, a default form will look like this (see below) and just require you to indicate your full name, your country of permanent residence (which can be outside Finland), your date of birth, your nationality, the date on which you are signing, and your signature. This means, for example, that a Bulgarian with permanent residence in Oulu (Finland) can use this form and does not need to give a personal identification number. **IMPORTANT:** on the day you sign you have to be at least 18 years old.

## FINLAND

### STATEMENT OF SUPPORT FORM FOR THE EUROPEAN CITIZENS' INITIATIVE:

1. All signatories on this form are permanent residents in or citizens of: **FINLAND**

2. European Commission registration number:

3. Date of registration:

4. Web address of this proposed citizens' initiative on the European Commission register:

5. Title of this proposed citizens' initiative:

6. Subject matter:

7. Main objectives:

8. Names of organisers:

9. Names and e-mail addresses of contact persons:

10. Website of this proposed citizens' initiative (if any):

To be completed by organisers

**TO BE COMPLETED BY THE SIGNATORIES - All fields on this form are mandatory and must be completed**

<sup>1</sup> hereby certify that the information that I have provided in this form is correct and that I have only supported this proposed citizens' initiative once.

FULL FIRST NAMES	FAMILY NAMES	COUNTRY OF PERMANENT RESIDENCE	DATE OF BIRTH	NATIONALITY	DATE AND SIGNATURE <sup>1</sup>

To be completed by signatories

<sup>1</sup> Signature not mandatory when form is submitted electronically without electronic signature

**Privacy statement:** in accordance with Article 10 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, the personal data provided on this form will only be made available to the competent authorities for the purpose of verification and certification of the number of valid statements of support received for this proposed citizens' initiative (see Article 8 of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative) and, if necessary, further processed for the purpose of administrative or legal proceedings relating to this proposed citizen's initiative (see Article 12 of Regulation (EU) No 211/2011). The data may not be used for any other purpose. Data subjects are entitled to obtain access to their personal data. All statements of support will be destroyed at the latest 8 months after the date of registration of the proposed citizens' initiative, or, in the case of administrative or legal proceedings, at the latest one week after the date of conclusion of the said proceedings.

## AUSTRIA

## STATEMENT OF SUPPORT FORM FOR THE EUROPEAN CITIZENS' INITIATIVE:

1. All signatories on this form hold personal identification numbers/personal identification document numbers of: **AUSTRIA**  
*See Part C of Annex III of Regulation (EU) No 211/2011 for personal identification numbers/personal identification document numbers one of which must be provided*

2. European Commission registration number: \_\_\_\_\_

3. Date of registration: \_\_\_\_\_

4. Web address of this proposed citizens' initiative on the European Commission register: \_\_\_\_\_

5. Title of this proposed citizens' initiative: \_\_\_\_\_

6. Subject matter: \_\_\_\_\_

7. Main objectives: \_\_\_\_\_

8. Names of organisers: \_\_\_\_\_

9. Names and e-mail addresses of contact persons: \_\_\_\_\_

10. Website of this proposed citizens' initiative (if any): \_\_\_\_\_

To be completed  
by organisers

**TO BE COMPLETED BY THE SIGNATORIES - All fields on this form are mandatory and must be completed**

'I hereby certify that the information that I have provided in this form is correct and that I have only supported this proposed citizens' initiative once'.

FULL FIRST NAMES	FAMILY NAMES	PERMANENT RESIDENCE (street, number, postal code, city, country)	DATE AND PLACE OF BIRTH	NATIONALITY	PERSONAL IDENTIFICATION NUMBER/IDENTIFICATION DOCUMENT TYPE AND NUMBER	DATE AND SIGNATURE*

To be completed  
by signatories

\* Signature not mandatory when form is submitted electronically without electronic signature

**Privacy statement:** in accordance with Article 10 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, the personal data provided on this form will only be made available to the competent authorities for the purpose of verification and certification of the number of valid statements of support received for this proposed citizens' initiative (see Article 8 of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative) and, if necessary, further processed for the purpose of administrative or legal proceedings relating to this proposed citizen's initiative (see Article 12 of Regulation (EU) No 211/2011). The data may not be used for any other purpose. Data subjects are entitled to obtain access to their personal data. All statements of support will be destroyed at the latest 18 months after the date of registration of the proposed citizens' initiative, or, in the case of administrative or legal proceedings, at the latest one week after the date of conclusion of the said proceedings.

Other countries' forms can, however – depending on the national requirements – look somewhat different; like the Austrian form, for example. Here you need to give much more information, such as the full address of your place of residence, the name of the place where you were born, as well as the type of ID you are quoting (passport, ID card), together with your personal ID number from this document.

How is it that EU citizens have to provide differing amounts of information about themselves when it comes to the signing process? This has first of all to do with the fact that there is no transnational registry of eligible EU citizens; and secondly that there are very different cultures and traditions around signature gathering in Europe. While, for instance, Austria has had a citizens' agenda initiative for more than 90 years (but only as an officially supervised process within nominated state venues), in Finland no such verifiable process has

existed up to now. Interestingly, a national initiative process (also featuring an agenda initiative process) was introduced in Finland just one month ahead of the ECI.

With the submission of all the required information you have fulfilled your 'work' as a signatory and it is now the responsibility of the organiser(s) to take the next steps.

**NOTE:** the privacy statement printed on the form confirms the obligation of the organisers not to publish your name (and other personal information) or to use your contact details for other purposes than the ECI. This means, that no email addresses can be gathered on the official signature forms (online and paper) and that you need to ask people separately, if they wish to get more information and stay in touch with and your campaign.

Additionally, the organisers have to destroy your statement of support no later than one month after the submission of the ECI to the



EU, or no later than 18 months after the initial registration date of the ECI [ECI Law Art. 12.3]. This provision of course also applies to online signatures. As already said above, also the national authorities checking your signatures must destroy the files one month after certification.

### Signing online

After having checked the basics about the validity of the ECI and the online collection system, you come to the online statement of support form, where you first have to choose your country (nationality and/or residency).

**N.B.** At this moment you will also see whether you are really able to sign or if you

are one of those unlucky ten million EU citizens who are currently not yet able to support an ECI due to the various specific national regulations and requirements. Currently it is estimated that around ten million EU citizens will fall out of the ECI scheme. This exclusion includes Britons living abroad, for example, as the UK system only registers voters within a local community in Britain. If you are an Austrian not possessing an ID or passport (which is not mandatory) your statement will not be counted as valid either. We strongly recommend you, however, to forward such cases to the European Ombudsman in order to secure early consideration of how to improve and update the regulations on valid statements of support.

The screenshot shows a web browser window with the following content:

- Page title: Title-6 Title-6 Title-6 Online Collection System
- Navigation bar: Home, View conformity certificate, View privacy statement, English (en)
- Main heading: Support the proposed European Citizens' Initiative: Title-6 Title-6 Title-6
- Section: Statement of support form
- Text: Please select your country, complete the required information and submit.
- Text: You should select the member state you come from. The data you will be asked to fill in will depend on the country you select.
- Text: The requirements for each country can be found here: <http://ec.europa.eu/citizens-initiative/files/requirements-en.pdf>
- Text: For further information on signing up to a European Citizens' Initiative go to: <http://ec.europa.eu/citizens-initiative/public/how-to-signup>
- Form: Please select country (dropdown menu)
- Dropdown menu options: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

In most cases, however, you should now be able to reach the correct statement of support form, where you have to fill in all the required information for your jurisdiction. As with paper signature, you are not allowed to sign an ECI twice; in the case of online collection of signatures, this will not be possible in any event, because the system automatically rejects duplicates.

After having submitted your statement of support, you will then get an automatic notification that the form has been successfully submitted. In addition, you will also get a message with a unique code, which you can print out as a receipt for your successful signing of the ECI.

### 2.3 Observer Pathfinder: Instrument, Regulation and Communication



As an observer you will be curious to see what the ECI is about, want to understand it and possibly be able to offer interesting insights and comments to organisers, media, researchers and the EU.

The European Citizens' Initiative is a new type of political right at the transnational level. It is what we can call an instrument of "modern direct democracy", in the sense that a certain number of citizens together have the power to place a substantive issue on the political agenda. Until now, this right has been the exclusive privilege of elected

institutions like the European Parliament and the European Council.

The instrument of the citizens' initiative is, however, not a new phenomenon at the national and subnational levels. Here some European citizens have even more powerful instruments – such as the possibility not only to place an issue on the agenda of a certain polity, but also to trigger a final decision-making process through a popular vote (referendum). For this reason the European Citizens' Initiative can be described as an "agenda-setting" initiative right without decision-making powers. At the EU level, those powers remain with the Parliament and the Council – or the Council alone. The Commission has the exclusive right to formally trigger the formal decision-making process.

While the direct influence of the citizens on the full legislative process is obviously limited, the ECI offers two new "firsts" in world history: a direct-democratic process which bursts through national boundaries, extending to the supranational level; and a legal signature gathering process which can be conducted electronically. Both in principle and procedurally, the ECI thus symbolises a major advance in relation to "modern direct democracy".

In practice, it remains to be seen what dynamics and knock-on effects the first wave of registered, organised and successfully submitted ECIs will have on the EU and its democratic life. As an observer it makes sense to be aware of the (agenda-setting) options and (decision-making) limits of the new instrument and to focus both on the functioning of the regulatory framework and the communicative achievements possible through an ECI.

Why is it important to closely observe the functioning of the regulatory framework? With the ECI we enter new democratic territory, uncharted fields of direct participation at the transnational level and through digital

means. It is absolutely possible that some aspects of the regulatory framework will not work as envisaged or forecast, so that they will have to be revised. This has in fact already been anticipated in the “ECI Law”, which – in Art. 23 – states that: “By 1 April 2015, and every three years thereafter, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.” For this reason close monitoring absolutely makes a lot of sense.

The second recommended focus for observers are the communicative achievements possible through an ECI. They will be decisive for the democratising dynamics of the new instrument. Depending on the possibilities for real agenda-setting and on the people/organisations behind those first ECIs, many more people/organisations/political parties will consider using the new tool themselves; or, if the entire ECI procedure should prove to be a failure, stay away from the whole business from the very start. It will be especially interesting to follow and monitor the communicative efforts, strategies and results of the organisers, the media and the EU institutions. If all of them do well and

succeed in getting a lot of important issues discussed, the ECI will obviously be appreciated as a positive contribution to greater transparency, better understanding and an increased legitimacy of EU democracy.

Essential information for observers can be found at both official and non-official websites, including the EU Commission’s so-called Registry [*ec.europa.eu/citizens-initiative*], where you can find information on and links to all the registered, ongoing, obsolete and finalised ECIs, as well as entry points to all the official resources mentioned above. More independent web resources, featuring all the materials in this Pocket Guide, relevant news and updates are offered by the Initiative and Referendum Institute’s ECI Information Center [*europencitizensinitiative.eu*].

In sum, ECI observers should **1)** be aware of the options and limitations of the instrument as such; **2)** pay attention to the functioning of the regulatory framework in practice; and **3)** closely monitor the communicative in- and outputs of the various actors in the process.

## 3. RESOURCE CENTRE: ECI ESSENTIALS – THE RULES OF THE GAME

A “must read” – the fundamental provisions set out in the Lisbon Treaty, the ECI regulations and the implementing directives. You will find them here.

Much of the basic strength and importance of the European Citizens’ Initiative is linked to its fundamental and regulatory framework. In addition, there is a series of relevant authorities involved in managing the ECI. This section documents the essentials – not to be missed!.

### 3.1 Lisbon Treaty

**“Lisbon Treaty” Title II, Provisions on Democratic Principles, Art. 11.4. in Consolidated versions of the Treaty on European Union.**

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 24 of the Treaty on the Functioning of the European Union.



## 3.2 European Citizens' Initiative Law

### REGULATION (EU) No 211/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 February 2011 on the citizens' initiative

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first paragraph of Article 24 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,

Having regard to the opinion of the Committee of the Regions<sup>2</sup>,

Acting in accordance with the ordinary legislative procedure<sup>3</sup>,

Whereas:

- (1) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative. That procedure affords citizens the possibility of directly approaching the Commission with a request inviting it to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties similar to the right conferred on the European Parliament under Article 225 of the Treaty on the Functioning of the European Union (TFEU) and on the Council under Article 241 TFEU.
- (2) The procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible. They should strike a judicious balance between rights and obligations.

- (3) They should also ensure that citizens of the Union are subject to similar conditions for supporting a citizens' initiative regardless of the Member State from which they come.

- (4) The Commission should, upon request, provide citizens with information and informal advice about citizens' initiatives, notably as regards the registration criteria.

- (5) It is necessary to establish the minimum number of Member States from which citizens must come. In order to ensure that a citizens' initiative is representative of a Union interest, while ensuring that the instrument remains easy to use, that number should be set at one quarter of Member States.

- (6) For that purpose, it is also appropriate to establish the minimum number of signatories coming from each of those Member States. In order to ensure similar conditions for citizens to support a citizens' initiative, those minimum numbers should be progressively proportional. For the purpose of clarity, those minimum numbers should be set out for each Member State in an annex to this Regulation. The minimum number of signatories required in each Member State should correspond to the number of Members of the European Parliament elected in each Member State, multiplied by 750. The Commission should be empowered to amend that annex in order to reflect any modification in the composition of the European Parliament.

- (7) It is appropriate to fix a minimum age for supporting a citizens' initiative. That should be set as the age at which citizens are entitled to vote in elections to the European Parliament.

- (8) A minimum organised structure is needed in order to successfully carry through a citizens' initiative. That should take the form of a citizens' committee, composed of natural persons (organisers) coming from at least seven different Member States, in order to encourage the emergence of European-wide issues and to foster reflection on those issues. For the sake of transparency and smooth and efficient communication, the citizens' committee should designate representatives to liaise between the citizens' committee and the institutions of the Union throughout the procedure.

1 OJ C 44, 11.2.2011, p. 182.

2 OJ C 267, 1.10.2010, p. 57.

3 Position of the European Parliament of 15 December 2010 (not yet published in the Official Journal) and decision of the Council of 14 February 2011.

- (9) Entities, notably organisations which under the Treaties contribute to forming European political awareness and to expressing the will of citizens of the Union, should be able to promote a citizens' initiative, provided that they do so with full transparency.
- (10) In order to ensure coherence and transparency in relation to proposed citizens' initiatives and to avoid a situation where signatures are being collected for a proposed citizens' initiative which does not comply with the conditions laid down in this Regulation, it should be mandatory to register such initiatives on a website made available by the Commission prior to collecting the necessary statements of support from citizens. All proposed citizens' initiatives that comply with the conditions laid down in this Regulation should be registered by the Commission. The Commission should deal with registration in accordance with the general principles of good administration.
- (11) Once a proposed citizens' initiative is registered, statements of support from citizens may be collected by the organisers.
- (12) It is appropriate to set out the form for the statement of support in an annex to this Regulation, specifying the data required for the purposes of verification by the Member States. The Commission should be empowered to amend that annex in accordance with Article 290 TFEU, taking into account information forwarded to it by Member States.
- (13) With due respect for the principle that personal data must be adequate, relevant and not excessive in relation to the purposes for which they are collected, the provision of personal data, including, where applicable, a personal identification number or a personal identification document number by signatories of a proposed citizens' initiative is required as far as may be necessary in order to allow for the verification of statements of support by Member States, in accordance with national law and practice.
- (14) In order to put modern technology to good use as a tool of participatory democracy, it is appropriate to provide for statements of support to be collected online as well as in paper form. Online collection systems should have adequate security features in place in order to ensure, inter alia, that the data are securely collected and stored. For that purpose, the Commission should set out detailed technical specifications for online collection systems.
- (15) It is appropriate for Member States to verify the conformity of online collection systems with the requirements of this Regulation before statements of support are collected.
- (16) The Commission should make available an open-source software incorporating the relevant technical and security features necessary in order to comply with the provisions of this Regulation as regards online collection systems.
- (17) It is appropriate to ensure that statements of support for a citizens' initiative are collected within a specific time limit. In order to ensure that proposed citizens' initiatives remain relevant, whilst taking account of the complexity of collecting statements of support across the Union, that time limit should not be longer than 12 months from the date of registration of the proposed citizens' initiative.
- (18) It is appropriate to provide that, where a citizens' initiative has received the necessary statements of support from signatories, each Member State should be responsible for the verification and certification of statements of support collected from signatories coming from that Member State. Taking account of the need to limit the administrative burden for Member States, they should, within a period of three months from receipt of a request for certification, carry out such verifications on the basis of appropriate checks, which may be based on random sampling, and should issue a document certifying the number of valid statements of support received.
- (19) Organisers should ensure that all the relevant conditions set out in this Regulation are met prior to submitting a citizens' initiative to the Commission.
- (20) The Commission should examine a citizens' initiative and set out its legal and political conclusions separately. It should also set out the action it intends to take in response to it, within a period of three months. In order to demonstrate that a citizens' initiative supported by at least one million Union citizens and its possible follow-up are carefully examined, the Commission should explain in a clear, comprehensible and detailed manner the reasons for its intended action, and should likewise give its reasons if it does not intend to take any action. When the Commission has received a citizens' initiative supported by the requisite number of signatories which fulfils the other requirements of this Regulation, the organisers should be entitled to present that initiative at a public hearing at Union level.

- (21) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data<sup>4</sup> is fully applicable to the processing of personal data carried out in application of this Regulation. In this respect, for the sake of legal certainty, it is appropriate to clarify that the organisers of a citizens' initiative and the competent authorities of the Member States are the data controllers within the meaning of Directive 95/46/EC and to specify the maximum period within which the personal data collected for the purposes of a citizens' initiative may be retained. In their capacity as data controllers, organisers need to take all the appropriate measures to comply with the obligations imposed by Directive 95/46/EC, in particular those relating to the lawfulness of the processing, the security of the processing activities, the provision of information and the rights of data subjects to have access to their personal data, as well as to procure the correction and erasure of their personal data.
- (22) The provisions of Chapter III of Directive 95/46/EC on judicial remedies, liability and sanctions are fully applicable as regards the data processing carried out in application of this Regulation. Organisers of a citizens' initiative should be liable in accordance with applicable national law for any damage that they cause. In addition, Member States should ensure that organisers are subject to appropriate penalties for infringements of this Regulation.
- (23) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>5</sup> is fully applicable to the processing of personal data carried out by the Commission in application of this Regulation.
- (24) In order to address future adaptation needs, the Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU for the purpose of amending the Annexes to this Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.
- (25) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>6</sup>.
- (26) This Regulation respects fundamental rights and observes the principles enshrined in the Charter of Fundamental Rights of the European Union, in particular Article 8 thereof, which states that everyone has the right to the protection of personal data concerning him or her.
- (27) The European Data Protection Supervisor was consulted and adopted an opinion<sup>7</sup>,

## HAVE ADOPTED THIS REGULATION:

### Article 1

#### Subject matter

This Regulation establishes the procedures and conditions required for a citizens' initiative as provided for in Article 11 TEU and Article 24 TFEU.

### Article 2

#### Definitions

For the purpose of this Regulation the following definitions shall apply:

1. 'citizens' initiative' means an initiative submitted to the Commission in accordance with this Regulation, inviting the 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, which has received the support of at least one million eligible signatories coming from at least one quarter of all Member States;
2. 'signatories' means citizens of the Union who have supported a given citizens' initiative by completing a statement of support form for that initiative;
3. 'organisers' means natural persons forming a citizens' committee responsible for the preparation of a citizens' initiative and its submission to the Commission.

4 OJ L 281, 23.11.1995, p. 31.

5 OJ L 8, 12.1.2001, p. 1.

6 OJ L 184, 17.7.1999, p. 23.

7 OJ C 323, 30.11.2010, p. 1.

### Article 3

#### Requirements for organisers and for signatories

1. The organisers shall be citizens of the Union and be of the age to be entitled to vote in elections to the European Parliament.
2. The organisers shall form a citizens' committee of at least seven persons who are residents of at least seven different Member States.

The organisers shall designate one representative and one substitute ('the contact persons'), who shall liaise between the citizens' committee and the institutions of the Union throughout the procedure and who shall be mandated to speak and act on behalf of the citizens' committee.

Organisers who are Members of the European Parliament shall not be counted for the purposes of reaching the minimum number required to form a citizens' committee.

For the purpose of registering a proposed citizens' initiative in accordance with Article 4, only the information concerning the seven members of the citizens' committee who are needed in order to comply with the requirements laid down in paragraph 1 of this Article and in this paragraph shall be considered by the Commission.

3. The Commission may request the organisers to provide appropriate proof that the requirements laid down in paragraphs 1 and 2 are fulfilled.
4. In order to be eligible to support a proposed citizens' initiative, signatories shall be citizens of the Union and shall be of the age to be entitled to vote in elections to the European Parliament.

### Article 4

#### Registration of a proposed citizens' initiative

1. Prior to initiating the collection of statements of support from signatories for a proposed citizens' initiative, the organisers shall be required to register it with the Commission, providing the information set out in Annex II, in particular on the subject matter and objectives of the proposed citizens' initiative.

That information shall be provided in one of the official languages of the Union, in an online register made available for that purpose by the Commission ('the register').

The organisers shall provide, for the register and where appropriate on their website, regularly updated information on the sources of support and funding for the proposed citizens' initiative.

After the registration is confirmed in accordance with paragraph 2, the organisers may provide the proposed citizens' initiative in other official languages of the Union for inclusion in the register. The translation of the proposed citizens' initiative into other official languages of the Union shall be the responsibility of the organisers. The Commission shall establish a point of contact which provides information and assistance.

2. Within two months from the receipt of the information set out in Annex II, the Commission shall register a proposed citizens' initiative under a unique registration number and send a confirmation to the organisers, provided that the following conditions are fulfilled:

- (a) the citizens' committee has been formed and the contact persons have been designated in accordance with Article 3(2);
- (b) the proposed citizens' initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties;
- (c) the proposed citizens' initiative is not manifestly abusive, frivolous or vexatious; and
- (d) the proposed citizens' initiative is not manifestly contrary to the values of the Union as set out in Article 2 TEU.

3. The Commission shall refuse the registration if the conditions laid down in paragraph 2 are not met.

Where it refuses to register a proposed citizens' initiative, the Commission shall inform the organisers of the reasons for such refusal and of all possible judicial and extrajudicial remedies available to them.

4. A proposed citizens' initiative that has been registered shall be made public in the register. Without prejudice to their rights under Regulation (EC) No 45/2001, data subjects shall be entitled to request the removal of their personal data from the register after the expiry of a period of two years from the date of registration of a proposed citizens' initiative.

5. At any time before the submission of statements of support in accordance with Article 8, the organisers may withdraw a proposed citizens' initiative that has been registered. In that case, an indication to that effect shall be entered in the register.



*Article 5***Procedures and conditions for the collection of statements of support**

1. The organisers shall be responsible for the collection of the statements of support from signatories for a proposed citizens' initiative which has been registered in accordance with Article 4.

Only forms which comply with the models set out in Annex III and which are in one of the language versions included in the register for that proposed citizens' initiative may be used for the collection of statements of support. The organisers shall complete the forms as indicated in Annex III prior to initiating the collection of statements of support from signatories. The information given in the forms shall correspond to the information contained in the register.

2. The organisers may collect statements of support in paper form or electronically. Where statements of support are collected online, Article 6 shall apply.

For the purpose of this Regulation, statements of support which are electronically signed using an advanced electronic signature, within the meaning of Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures<sup>8</sup>, shall be treated in the same way as statements of support in paper form.

3. Signatories shall be required to complete statement of support forms made available by the organisers. They shall indicate only the personal data that are required for the purposes of verification by the Member States, as set out in Annex III.

Signatories may only support a given proposed citizens' initiative once.

4. Member States shall forward to the Commission any changes to the information set out in Annex III. Taking into account those changes, the Commission may adopt, by means of delegated acts, in accordance with Article 17 and subject to the conditions of Articles 18 and 19, amendments to Annex III.

5. All statements of support shall be collected after the date of registration of the proposed citizens' initiative and within a period not exceeding 12 months.

At the end of that period, the register shall indicate that the period has expired and, where appropriate, that the required number of statements of support was not collected.

*Article 6***Online collection systems**

1. Where statements of support are collected online, the data obtained through the online collection system shall be stored in the territory of a Member State.

The online collection system shall be certified in accordance with paragraph 3 in the Member State in which the data collected through the online collection system will be stored. The organisers may use one online collection system for the purpose of collecting statements of support in several or all Member States.

The models for the statement of support forms may be adapted for the purpose of the online collection.

2. The organisers shall ensure that the online collection system used for the collection of statements of support complies with paragraph 4.

Prior to initiating the collection of statements of support, the organisers shall request the competent authority of the relevant Member State to certify that the online collection system used for that purpose complies with paragraph 4.

The organisers may only start collecting statements of support through the online collection system once they have obtained the certificate referred to in paragraph 3. The organisers shall make a copy of that certificate publicly available on the website used for the online collection system.

By 1 January 2012, the Commission shall set up and thereafter shall maintain open-source software incorporating the relevant technical and security features necessary for compliance with the provisions of this Regulation regarding the online collection systems. The software shall be made available free of charge.

3. Where the online collection system complies with paragraph 4, the relevant competent authority shall within one month issue a certificate to that effect in accordance with the model set out in Annex IV.

Member States shall recognise the certificates issued by the competent authorities of other Member States.

4. Online collection systems shall have adequate security and technical features in place in order to ensure that:

(a) only natural persons may submit a statement of support form online;

(b) the data provided online are securely collected and stored, in order to ensure, inter alia, that they may not be modified or used for any purpose other than their indicated support of the given citizens' initiative and to protect personal data against accidental or unlawful destruction or accidental loss, alteration or unauthorised disclosure or access;

(c) the system can generate statements of support in a form complying with the models set out in Annex III, in order to allow for the verification by the Member States in accordance with Article 8(2).

5. By 1 January 2012, the Commission shall adopt technical specifications for the implementation of paragraph 4, in accordance with the regulatory procedure referred to in Article 20(2).

#### Article 7

##### Minimum number of signatories per Member State

1. The signatories of a citizens' initiative shall come from at least one quarter of Member States.

2. In at least one quarter of Member States, signatories shall comprise at least the minimum number of citizens set out, at the time of registration of the proposed citizens' initiative, in Annex I. Those minimum numbers shall correspond to the number of the Members of the European Parliament elected in each Member State, multiplied by 750.

3. The Commission shall adopt, by means of delegated acts, in accordance with Article 17 and subject to the conditions of Articles 18 and 19, appropriate adjustments to Annex I in order to reflect any modification in the composition of the European Parliament.

4. Signatories shall be considered as coming from the Member State which is responsible for the verification of their statement of support in accordance with the second subparagraph of Article 8(1).

#### Article 8

##### Verification and certification by Member States of statements of support

1. After collecting the necessary statements of support from signatories in accordance with Articles 5 and 7, the organisers shall submit the statements of support, in paper or electronic form, to the relevant competent authorities referred to in Article 15 for verification and certification. For that purpose the organisers shall use the form set out in Annex V and shall separate those statements of support collected in paper form, those which were

electronically signed using an advanced electronic signature and those collected through an online collection system. The organisers shall submit statements of support to the relevant Member State as follows:

(a) to the Member State of residence or of nationality of the signatory, as specified in point 1 of Part C of Annex III, or

(b) to the Member State that issued the personal identification number or the personal identification document indicated in the statement of support, as specified in point 2 of Part C of Annex III.

2. The competent authorities shall, within a period not exceeding three months from receipt of the request, verify the statements of support submitted on the basis of appropriate checks, in accordance with national law and practice, as appropriate. On that basis they shall deliver to the organisers a certificate in accordance with the model set out in Annex VI, certifying the number of valid statements of support for the Member State concerned.

For the purpose of the verification of statements of support, the authentication of signatures shall not be required.

3. The certificate provided for in paragraph 2 shall be issued free of charge.

#### Article 9

##### Submission of a citizens' initiative to the Commission

After obtaining the certificates provided for in Article 8(2), and provided that all relevant procedures and conditions set out in this Regulation have been complied with, the organisers may submit the citizens' initiative to the Commission, accompanied by information regarding any support and funding received for that initiative. That information shall be published in the register.

The amount of support and funding received from any source in excess of which information is to be provided shall be identical to that set out in Regulation (EC) No 2004/2003 of the European Parliament and of the Council of 4 November 2003 on the regulations governing political parties at European level and the rules regarding their funding<sup>9</sup>.

For the purpose of this Article, the organisers shall make use of the form set out in Annex VII and shall submit the completed form together with copies, in paper or electronic form, of the certificates provided for in Article 8(2).

<sup>9</sup> OJ L 297, 15.11.2003, p. 1.

### Article 10

Procedure for the examination of a citizens' initiative by the Commission

1. Where the Commission receives a citizens' initiative in accordance with Article 9 it shall:

- (a) publish the citizens' initiative without delay in the register;
- (b) receive the organisers at an appropriate level to allow them to explain in detail the matters raised by the citizens' initiative;
- (c) within three months, set out in a communication its legal and political conclusions on the citizens' initiative, the action it intends to take, if any, and its reasons for taking or not taking that action.

2. The communication referred to in paragraph 1(c) shall be notified to the organisers as well as to the European Parliament and the Council and shall be made public.

### Article 11

#### Public hearing

Where the conditions of Article 10(1)(a) and (b) are fulfilled, and within the deadline laid down in Article 10(1)(c), the organisers shall be given the opportunity to present the citizens' initiative at a public hearing. The Commission and the European Parliament shall ensure that this hearing is organised at the European Parliament, if appropriate together with such other institutions and bodies of the Union as may wish to participate, and that the Commission is represented at an appropriate level.

### Article 12

#### Protection of personal data

1. In processing personal data pursuant to this Regulation, the organisers of a citizens' initiative and the competent authorities of the Member State shall comply with Directive 95/46/EC and the national provisions adopted pursuant thereto.

2. For the purposes of their respective processing of personal data, the organisers of a citizens' initiative and the competent authorities designated in accordance with Article 15(2) shall be considered as data controllers in accordance with Article 2(d) of Directive 95/46/EC.

3. The organisers shall ensure that personal data collected for a given citizen's initiative are not used for any purpose other than their indicated support for that initiative, and shall destroy all statements of support received for that initiative and any copies thereof

at the latest one month after submitting that initiative to the Commission in accordance with Article 9 or 18 months after the date of registration of the proposed citizens' initiative, whichever is the earlier.

4. The competent authority shall use the personal data it receives for a given citizens' initiative only for the purpose of verifying the statements of support in accordance with Article 8(2), and shall destroy all statements of support and copies thereof at the latest one month after issuing the certificate referred to in that Article.

5. Statements of support for a given citizens' initiative and copies thereof may be retained beyond the time limits laid down in paragraphs 3 and 4 if necessary for the purpose of legal or administrative proceedings relating to a proposed citizen's initiative. The organisers and the competent authority shall destroy all statements of support and copies thereof at the latest one week after the date of conclusion of the said proceedings by a final decision.

6. The organisers shall implement appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the processing involves the transmission of data over a network, and against all other unlawful forms of processing.

### Article 13

#### Liability

Organisers shall be liable for any damage they cause in the organisation of a citizens' initiative in accordance with applicable national law.

### Article 14

#### Penalties

1. Member States shall ensure that organisers are subject to appropriate penalties for infringements of this Regulation and in particular for:

- (a) false declarations made by organisers;
- (b) the fraudulent use of data.

2. The penalties referred to in paragraph 1 shall be effective, proportionate and dissuasive.

### Article 15

#### Competent authorities within the Member States

1. For the purpose of the implementation of Article 6(3), Member States shall designate competent authorities responsible for issuing the certificate provided for therein.

2. For the purpose of the implementation of Article 8(2), each Member State shall designate one competent authority responsible for coordinating the process of verification of statements of support and for delivering the certificates provided for therein.

3. Not later than 1 March 2012, Member States shall forward the names and addresses of the competent authorities to the Commission.

4. The Commission shall make the list of competent authorities publicly available.

#### *Article 16*

#### **Amendment of the Annexes**

The Commission may adopt, by means of delegated acts in accordance with Article 17 and subject to the conditions of Articles 18 and 19, amendments to the Annexes to this Regulation within the scope of the relevant provisions of this Regulation.

#### *Article 17*

#### **Exercise of the delegation**

1. The power to adopt the delegated acts referred to in Article 16 shall be conferred on the Commission for an indeterminate period of time.

2. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

3. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in Articles 18 and 19.

#### *Article 18*

#### **Revocation of the delegation**

1. The delegation of power referred to in Article 16 may be revoked at any time by the European Parliament or by the Council.

2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.

3. The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the Official Journal of the European Union.

#### *Article 19*

#### **Objections to delegated acts**

1. The European Parliament or the Council may object to the delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by two months.

2. If, on expiry of the period referred to in paragraph 1, neither the European Parliament nor the Council has objected to the delegated act it shall be published in the Official Journal of the European Union and shall enter into force on the date stated therein. The delegated act may be published in the Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

3. If either the European Parliament or the Council objects to a delegated act within the period referred to in paragraph 1, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

#### *Article 20*

#### **Committee**

1. For the purpose of the implementation of Article 6(5), the Commission shall be assisted by a committee.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

#### *Article 21*

#### **Notification of national provisions**

Each Member State shall notify to the Commission the specific provisions it adopts in order to implement this Regulation.

The Commission shall inform the other Member States thereof.

#### *Article 22*

#### **Review**

By 1 April 2015, and every three years thereafter, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.

*Article 23***Entry into force and application**

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 April 2012.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg, 16 February 2011.

*For the European Parliament*  
The President  
J. BUZEK

*For the Council*  
The President  
MARTONYI J.

**ANNEX I**

MINIMUM NUMBER OF SIGNATORIES PER MEMBER STATE*	
Belgium	16 500
Bulgaria	13 500
Czech Republic	16 500
Denmark	9 750
Germany	74 250
Estonia	4 500
Ireland	9 000
Greece	16 500
Spain	40 500
France	55 500
Italy	54 750
Cyprus	4 500
Latvia	6 750
Lithuania	9 000
Luxembourg	4 500
Hungary	16 500
Malta	4 500
Netherlands	19 500
Austria	14 250
Poland	38 250
Portugal	16 500
Romania	24 750
Slovenia	6 000
Slovakia	9 750
Finland	9 750
Sweden	15 000
United Kingdom	54 750

\*Numbers valid as of 25 January 2012

**ANNEX II****REQUIRED INFORMATION FOR REGISTERING  
A PROPOSED CITIZENS' INITIATIVE**

The following information shall be provided in order to register a proposed citizens' initiative on the Commission's online register:

1. The title of the proposed citizens' initiative, in no more than 100 characters;
2. The subject matter, in no more than 200 characters;
3. A description of the objectives of the proposed citizens' initiative on which the Commission is invited to act, in no more than 500 characters;
4. The provisions of the Treaties considered relevant by the organisers for the proposed action;
5. The full names, postal addresses, nationalities and dates of birth of the seven members of the citizens' committee, indicating specifically the representative and the substitute as well as their e-mail addresses<sup>10</sup>;
6. All sources of support and funding for the proposed citizens' initiative at the time of registration<sup>10</sup>.

Organisers may provide more detailed information on the subject, objectives and background to the proposed citizens' initiative in an annex. They may also, if they wish, submit a draft legal act.

<sup>10</sup> Privacy statement: in accordance with Article 11 of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, data subjects are informed that these personal data are compiled by the Commission for the purpose of the procedure in respect of the proposed citizens' initiative. Only the full names of the organisers, the e-mail addresses of the contact persons and information relating to the sources of support and funding will be made available to the public on the Commission's online register. Data subjects are entitled to object to the publication of their personal data on compelling legitimate grounds relating to their particular situation, and to request the rectification of that data at any time and its removal from the Commission's online register after the expiry of a period of two years from the date of registration of the proposed citizens' initiative.

## ANNEX III

### STATEMENTS OF SUPPORT FORM – PART A

(for Member States which do not require the provision of a personal identification number/personal identification document number)

TO BE COMPLETED BY THE ORGANISERS

All fields on this form are mandatory and must be completed

1. All signatories on this form are

Please mark only one Member State per list

Permanent residents in:	IE	NL	UK
-------------------------	----	----	----

Permanent residents in or citizens of:	EE	FI	SK
Permanent residents in or citizens of (citizens living abroad only if they have informed their national authorities about their place of residence):	BE	DK	DE

2. Commission registration number .....
3. Date of registration .....
4. Web address of this proposed citizens' initiative on the Commission register .....
5. Title of this proposed citizens' initiative .....
6. Subject matter .....
7. Main objectives .....
8. Name of organisers .....
9. Names and e-mail addresses of contact persons .....
10. Website of this proposed citizens' initiative (if any) .....

TO BE COMPLETED BY THE SIGNATORIES

"I hereby certify that the information that I have provided in this form is correct and that I have only supported this proposed citizens' initiative once."

FULL FIRST NAMES	FAMILY NAMES <sup>11</sup>	PERMANENT RESIDENCE (street, number, code, city, country) <sup>12</sup>

DATE AND PLACE <sup>13</sup> OF BIRTH	NATIONALITY	DATE AND SIGNATURE <sup>14</sup>

11 For the Netherlands and Slovakia, please state also the name at birth.

12 For Finland, please state only the country of permanent residence.

13 For Finland and the United Kingdom, please state only the date of birth.

14 Signature not mandatory when form is submitted without electronic signature.

Privacy statement: in accordance with Article 10 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, the personal data provided on this form will only be made available to the competent authorities for the purpose of verification and certification of the number of valid statements of support received for this proposed citizens' initiative (see Article 8 of Regulation (EU) No 211/2011 of the European Parliament and the Council of 16 February 2011 on the citizens' initiative) and if necessary, further processed for the purpose of administrative or legal proceedings relating to this proposed citizens' initiative (see Article 12 of Regulation (EU) No 211/2011). The data may not be used for any other purpose. Data subjects are entitled to obtain access to their personal data. All statements of support will be destroyed at the latest 18 months after the date of registration of the proposed citizens' initiative, or, in the case of administrative or legal proceedings, at the latest one week after the date of conclusion of the said proceedings.

### STATEMENT OF SUPPORT FORM – PART B

(for Member States which require the provision of a personal identification number/personal identification document number)

TO BE COMPLETED BY THE ORGANISERS

All fields on this form are mandatory and must be completed

1. All signatories on this form are

Please mark only one Member State per list

BG	CZ	EL	ES	FR	IT	CY	LV	LT	LU	HU	MT	AT	PL	PT	RO	SI	SE
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

See Part C for personal identification numbers/personal document numbers one of which must be provided.

2. Commission registration number.....
3. Date of registration.....
4. Web address of this proposed citizens' initiative on the Commission register.....
5. Title of this proposed citizens' initiative.....
6. Subject matter.....
7. Main objectives.....
8. Name of organisers.....
9. Names and e-mail addresses of contact persons.....
10. Website of this proposed citizens' initiative (if any).....

TO BE COMPLETED BY THE SIGNATORIES

"I hereby certify that the information that I have provided in this form is correct and that I have only supported this proposed citizens' initiative once."

FULL FIRST NAMES	FAMILY NAMES <sup>15</sup>	PERMANENT RESIDENCE (street, number, code, city, country) <sup>16</sup>

15 For Bulgaria and Greece, please state also father's name; for Greece and Latvia, please state also the name at birth.

16 Only for Spain, France, Italy, Austria, Poland and Romania.

DATE AND PLACE <sup>17</sup> OF BIRTH	NATIONALITY	PERSONAL IDENTIFICATION, NUMBER/IDENTIFICATION, DOCUMENT TYPE AND NUMBER <sup>18</sup>	DATE AND SIGNATURE <sup>19</sup>

Privacy statement: in accordance with Article 10 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, the personal data provided on this form will only be made available to the competent authorities for the purpose of verification and certification of the number of valid statements of support received for this proposed citizens' initiative (see Article 8 of Regulation (EU) No 211/2011 of the European Parliament and the Council of 16 February 2011 on the citizens' initiative) and if necessary, further processed for the purpose of administrative or legal proceedings relating to this proposed citizens' initiative (see Article 12 of Regulation (EU) No 211/2011). The data may not be used for any other purpose. Data subjects are entitled to obtain access to their personal data. All statements of support will be destroyed at the latest 18 months after the date of registration of the proposed citizens' initiative, or, in the case of administrative or legal proceedings, at the latest one week after the date of conclusion of the said proceedings.

## PART C

### 1. List of Member States which do not require the provision of a personal identification number/ personal identification document number (statement of support form – Part A):

Member State	Signatories whose statement of support is to be submitted to the Member State concerned
Belgium	<ul style="list-style-type: none"> <li>■ residents in Belgium</li> <li>■ Belgian nationals residing outside the country if they have informed their national authorities of their place of residence</li> </ul>
Denmark	<ul style="list-style-type: none"> <li>■ residents in Denmark</li> <li>■ Danish nationals residing outside the country if they have informed their national authorities of their place of residence</li> </ul>
Germany	<ul style="list-style-type: none"> <li>■ residents in Germany</li> <li>■ German nationals residing outside the country if they have informed their national authorities of their place of residence</li> </ul>
Estonia	<ul style="list-style-type: none"> <li>■ residents in Estonia</li> <li>■ Estonian nationals residing outside the country</li> </ul>
Ireland	<ul style="list-style-type: none"> <li>■ residents in Ireland</li> </ul>
Netherlands	<ul style="list-style-type: none"> <li>■ residents in the Netherlands</li> </ul>
Slovakia	<ul style="list-style-type: none"> <li>■ residents in Slovakia</li> <li>■ Slovak nationals residing outside the country</li> </ul>
Finland	<ul style="list-style-type: none"> <li>■ residents in Finland</li> <li>■ Finnish nationals residing outside the country</li> </ul>
United Kingdom	<ul style="list-style-type: none"> <li>■ residents in the United Kingdom</li> </ul>

17 For Greece, France, Malta, Portugal and Romania, please state only the date of birth; for Luxembourg, please state only the place of birth; for Italy, Latvia, Austria, Slovenia and Sweden, please state both the date and place of birth.

18 For Italian identification documents, please state also the issuing authority.

19 Signature not mandatory when form is submitted electronically without electronic signature.



## 2. List of Member States which require the provision of one of the personal identification numbers/personal identification document numbers, as specified below, in the statement of support form – Part B:

### BULGARIA

- Единен граждански номер (personal number)

### CZECH REPUBLIC

- Občanský průkaz (national identity card)
- Cestovní pas (passport)

### GREECE

- Δελτίο Αστυνομικής Ταυτότητας (identity card)
- Διαβατήριο (passport)
- Βεβαίωση Εγγραφής Πολιτών Ε.Ε./Εγγραφο πιστοποίησης μόνιμης διαμονής πολίτη Ε.Ε. (residence certificate/permanent residence certificate)

### SPAIN

- Documento Nacional de Identidad (identity card)
- Pasaporte (passport)

### FRANCE

- Passeport (passport)
- Carte nationale d'identité (national identity card)
- Titre de séjour (residence permit)
- Permis de conduire (driving licence)
- Autre (other)
- Carte d'identité de parlementaire avec photographie, délivrée par le président d'une assemblée parlementaire (parliamentarian's identity card with photo, issued by the president of a parliamentary assembly)
- Carte d'identité d'élu local avec photographie, délivrée par le représentant de l'État (elected local official's identity card with photo, issued by the State representative)
- Carte du combattant de couleur chamois ou tricolore (war veteran's card, buff-coloured or tricoloured)
- Carte d'invalidité civile ou militaire avec photographie (civilian or military invalidity card with photo)
- Carte d'identité de fonctionnaire de l'État avec photographie (State civil servant's identity card with photo)
- Carte d'identité ou carte de circulation avec photographie, délivrée par les autorités militaires (identity card or free movement permit with photo, issued by the military authorities)
- Permis de chasser avec photographie, délivré par le représentant de l'État (hunting permit with photo, issued by the State representative),
- Livret ou carnet de circulation, délivré par le préfet en application de la loi n° 69-3 du 3 janvier 1969 (traveller's movement permit, issued by the Prefect pursuant to Law No 69-3 of 3 January 1969)

- Récépissé valant justification de l'identité, délivré en échange des pièces d'identité en cas de contrôle judiciaire, en application du neuvième alinéa (7 o) de l'article 138 du code de procédure pénale (receipt counting as proof of identity, issued in exchange for identity documentation in cases of judicial supervision pursuant to the ninth paragraph (numbered paragraph 7) of Article 138 of the Code of Criminal Procedure)
- Attestation de dépôt d'une demande de carte nationale d'identité ou de passeport, délivrée depuis moins de trois mois par une commune et comportant une photographie d'identité du demandeur authentifiée par un cachet de la commune (certificate of lodgement of an application for a national identity card or passport, issued not more than three months previously by a municipality and bearing a photo of the applicant authenticated by a municipal stamp)

### ITALY

- Passaporto (passport), inclusa l'indicazione dell'autorità di rilascio (including issuing authority)
- Carta di identità (identity card), inclusa l'indicazione dell'autorità di rilascio (including issuing authority)

### CYPRUS

- Δελτίο Ταυτότητας (identity card of national or resident)
- Διαβατήριο (passport)

### LATVIA

- Personas kods (personal identification number)

### LITHUANIA

- Asmens kodas (personal number)

### LUXEMBOURG

- Numéro d'identification national (numéro inscrit sur la carte d'identification de la Sécurité sociale) (national identification number appearing on the social security identity card)

### HUNGARY

- személyazonosító igazolvány (identity card)
- útlevél (passport)
- személyi azonosító szám (személyi szám) (personal identification number)

### MALTA

- Karta tal-Identità (identity card)

**AUSTRIA**

- Reisepass (passport)
- Personalausweis (identity card)

**POLAND**

- Numer ewidencyjny PESEL (PESEL identification number)

**PORTUGAL**

- Bilhete de identidade (identity card)
- Passaporte (passport)
- Cartão de Cidadão (citizen's card)

**ROMANIA**

- carte de identitate (identity card)
- pasaport (passport)
- certificat de inregistrare (registration certificate)
- cartea de rezidenta permanenta pentru cetatenii UE (permanent residence card for EU citizens)
- Cod Numeric Personal (personal identification number)

**SLOVENIA**

- Osebná izkaznica (identity card)
- Potni list (passport)

**SWEDEN**

- Personnummer (personal identification number) in identity card
- Personnummer (personal identification number) in passport

**ANNEX IV**

CERTIFICATE CONFIRMING THE CONFORMITY OF AN ONLINE COLLECTION SYSTEM WITH REGULATION (EU) No 211/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 16 FEBRUARY 2011 ON THE CITIZENS' INITIATIVE

... (name of competent authority) of ... (name of Member State) hereby certifies that the online collection system ... (website address) used for the collection of statements of support for ... (title of proposed citizens' initiative) complies with the relevant provisions of Regulation (EU) No 211/2011.

Date, signature and official stamp of the competent authority:

**ANNEX V**

FORM FOR THE SUBMISSION OF STATEMENTS OF SUPPORT TO THE MEMBER STATES' COMPETENT AUTHORITIES

1. Full names, postal addresses and e-mail addresses of the contact persons

2. Title of proposed citizens' initiative

3. Commission registration number

4. Date of registration

5. Number of signatories coming from (name of Member State)

6. Annexes:

(Include all statements of support from signatories to be verified by the relevant Member State)

If applicable, include the relevant certificate(s) of conformity of the online collection system with Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative.)

7. Date and signature of the contact persons

**ANNEX VI**

CERTIFICATE CONFIRMING THE NUMBER OF VALID STATEMENTS OF SUPPORT COLLECTED FOR ... (NAME OF MEMBER STATE)

... (name of competent authority) of ... (name of Member State), having made the necessary verifications required by Article 8 of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative, hereby certifies that ... statements of support for the proposed citizens' initiative having the registration number ... are valid in accordance with the provisions of that Regulation.

Date, signature and official stamp of the competent authority.

**ANNEX VII**

FORM FOR THE SUBMISSION OF A CITIZENS' INITIATIVE TO THE COMMISSION

1. Title of citizens' initiative

2. Commission registration number

3. Date of registration

4. Number of valid statements of support received (must be at least one million)

## 5. Number of signatories certified by Member States

	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	IT	CY	LV	LT	LU
Number of signatories															
	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	TOTAL		
Number of signatories															

6. Full names, postal addresses and e-mail addresses of the contact persons<sup>20</sup>

8. We hereby declare that the information provided in this form is correct

7. Indicate all sources of support and funding received for the initiative, including the amount of financial support at the time of submission<sup>20</sup>

Date and signature of the contact persons

9. Annexes:  
(Include all certificates)



### 3.3. ECI Links

#### OFFICIAL LINKS

##### Other Official Materials and Links

The European Citizens' Initiative is backed by a comprehensive legislative framework including the documented primary (Treaty provision) and secondary legislation (ECI Law). Other legal acts at the EU level include:

- the "Support Declaration": Interinstitutional File 2010/0074 (COD)
- the "E-collection Regulation" Commission Implementing Regulation No. 1179/2011 (Nov 17, 2011)

Additionally there are two European bodies to support the Commission in the implementation and review of the ECI.

- the "Citizens' initiative committee":  
for information on the meetings of the committee and draft measures discussed by the committee, go to the Commission Comitology Register: [ec.europa.eu/transparency/regcomitology/index.cfm?do=home.home](http://ec.europa.eu/transparency/regcomitology/index.cfm?do=home.home)

- the "Expert group on the European citizens' initiative":  
this expert group, which is composed of Member States' authorities, has been set up by the Commission in order to exchange views and facilitate the coordination amongst Member States in relation to the implementation of the Regulation on the citizens' initiative.

<sup>20</sup> Privacy statement: in accordance with Article 11 of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, data subjects are informed that these personal data are compiled by the Commission for the purpose of the procedure in respect of the citizens' initiative. Only the full names of the organisers, the e-mail addresses of the contact persons and information relating to the sources of support and funding will be made available to the public on the Commission's online register. Data subjects are entitled to object to the publication of their personal data on compelling legitimate grounds relating to their particular situation, and to request the rectification of that data at any time and its removal from the Commission's online register after the expiry of a period of two years from the date of registration of the proposed citizens' initiative.

## Governmental Contact Points

- The central official website for the ECI at the EU level is:  
*ec.europa.eu/citizens-initiative*
- Another central information entry point is offered by the "Europe Direct" service at:  
Phone number: 00 800 6 7 8 9 10 11  
E-mail: *europa.eu/europedirect/write\_to\_us/mailbox/index\_en.htm*  
Chat: *europa.eu/europedirect/web-assistance/index\_en.htm*
- The European Parliament also offers a website with ECI-related guidance and information at  
*http://www.europarl.europa.eu/aboutparliament/en/001eb38200/Inicjatywa-obywatelska.html*
- As an alternative channel for information and support the European Economic and Social Committee has also established a contact point at: *eesc.europa.eu/eci*

## INDEPENDENT LINKS

### Non-Governmental Contact Points

- *europencitizensinitiative.eu* – the independent online information centre.

Up-to-date and comprehensive links to publications, activities and research resources can be found at the Initiative and Referendum Institute Europe's ECI section. IRI (*www.iri-europe.org*) is Europe's global direct democracy think-tank and acts on a non-profit and non-partisan basis, bringing together experts from politics, administration, academia, business, civil society and media.

Link: *europencitizensinitiative.eu*

- GEF – Green European Foundation

The publisher of this Pocket Guide is a Europe-wide political foundation with the mission to engage citizens in the political process, for example through the European Citizens' Initiative tool. GEF is very active in offering materials, including this publication, and organising seminars and workshops on the ECI.

Link: *www.gef.eu*

- ECAS – European Citizen Action Service

This well-established Brussel-based NGO has launched a comprehensive work around the ECI support and conducts a series of related projects.

Link: *http://www.ecas-citizens.eu/content/view/416/381/*

#### ■ DI – Democracy International

Founded in 2011 DI is an international activist network which has worked for many years with and for the development of the ECI. Now its experienced staff and experts are assisting activist organisations and groups to prepare and conduct their own European Citizens' Initiatives. Link: [www.democracy-international.org](http://www.democracy-international.org)

#### ■ INITIATIVE.EU – a stakeholder platform

The multilingual online media provider Euractive.com offers interested stakeholders in the ECI process a collaborative website to prepare the whole process and to find partners. Link: [www.initiative.eu](http://www.initiative.eu)

### 3.4 ECIs in the making

#### European Citizens' Initiatives in the Making

As of April 1, 2012 it is possible to file European Citizens' Initiatives in the official registry of the European Commission (<http://ec.europa.eu/citizens-initiative/public/registration/>). In the first six months, 25 such initiatives were filed. Based on the requirements set out in the regulation governing the ECI, the Commission registered 14 initiatives, while seven were rejected and one was withdrawn. The remainder were under examination when this new edition of the Pocket Guide went to press.

However, only one out of the 14 registered ECIs managed in the first phase to establish a functioning Online Collection System. All the others were still trying to find the ways and means of creating a viable system. For this reason the EU Commission decided to extend further support to ECI organisers by offering free servers in Luxembourg and by resetting the clocks for the 12-month collection period. As a result, the real use of the ECI began only in late 2012, as the new and innovative e-collection method first had to be better customised to the limited resources of organising committees and the authorities needed to improve both the free OCS software in particular and the supportive infrastructure in general.

By the end of 2012 "open Initiatives" included:

#### ■ RIGHT TO WATER INITIATIVE

In spring 2012, the European Federation of Public Service Unions launched an ECI under the title "European Water and sanitation are a human right! Water is a public good, not a commodity!" and made an initial investment of EUR 100,000 in this public move to guarantee all citizens sufficient clean drinking water and sanitation. With their solid organisational background the Unions were able to start collecting, both on paper and electronically – the first ECI in history to do so.

Link: [www.right2water.eu](http://www.right2water.eu)

### ■ FRATERNITÉ 2020 INITIATIVE

Young people and students discussing the need for better exchange programs across Europe established an ECI committee to file the ECI “Fraternité 2020 – Mobility. Progress. Europe.” They received a lot of attention as the EU Commission decided to register this proposal for measures to increase mobility as ECI #1 on Europe Day 2012. However, as the organisers started with no financial resources at all, no paper signature gathering was launched and the initiative had to restart in late 2012.

Link: [www.fraternite2020.eu](http://www.fraternite2020.eu)

### ■ EUROPEAN PRO LIFE INITIATIVE

Issues related to assisted conception and abortions occur very frequently in North American citizens’ initiative processes. In Europe, a group of Italian conservatives used the new ECI opportunity to launch a related proposal at the transnational level. Under the title “One of Us” this ECI proposes to “ban and end the financing of activities which presuppose the destruction of human embryos, in particular in the areas of research, development aid and public health.” The “New Life Foundation” initially invested EUR 50,000 in this project, which had not started signature gathering when this edition of the Pocket Guide went to press.

Link: <http://www.oneofus.eu/>

### ■ EUROPEAN SCHOOL INITIATIVE

Make schooling an EU core competence. This one of the goals of the ECI with the title “High Quality European Education for All”, organised and launched by an ad-hoc group of citizens and organisations mainly from the Benelux Countries and France. The proposal suggests a means whereby “parents, teachers, students, social partners and educators” can “propose, debate and formulate a European policy for a quality, pluralistic and EU 2020-oriented educational model.” Financial sponsors included a series of small donors, so called pledge partners, who promise 1000 EUR each.

Link: [www.euroedtrust.eu](http://www.euroedtrust.eu)

### ■ SAFE AND CLEAN ENERGY FOR EUROPE

An interesting path was taken by the initiative launched by European environmentalists during the first year of the ECI process. On the very first day of the new right, a group led by the Austrian NGO “Global 2000” filed an ECI with the title “My voice against nuclear power.” Exactly two months later, on May 30, this ECI was rejected by the EU Commission ([ec.europa.eu/citizens-initiative/public/initiatives/non-registered](http://ec.europa.eu/citizens-initiative/public/initiatives/non-registered)). But the organisers did not give up and filed another almost identical ECI with the new title “Citizens’ Initiative for safe and clean energy for Europe’s environment.” This new proposal was first given an informal check by the Commission and is planned to be refiled and registered in late 2012.

Link: [www.global2000.at](http://www.global2000.at)

A full list of all ECIs which are open, closed, obsolete and refused can be found (far down) on the front page of the ECI registry at [ec.europa.eu/citizens-initiative](http://ec.europa.eu/citizens-initiative).

A first pre-review is expected to take place in spring 2013 (report at [www.ecas-citizens.eu/content/view/416/381/](http://www.ecas-citizens.eu/content/view/416/381/)), while the formal review foreseen in the ECI legislation is scheduled to take place in 2015. The initial ECI experience underlines the further need for more care and time during preparation – as highlighted in this publication – as well as for far greater resources provided by the authorities in terms of information, education and support around the new participatory right at the transnational level.

### 3.5 National Authorities

#### NATIONAL GOVERNMENTAL CONTACT POINTS AND LINKS

Several aspects of the ECI process are managed by the Member States, where the so-called “competent authorities” are in charge of certifying the online software at the beginning of an ECI, and others (in some countries the same ones) are responsible for verifying the statements of support. Please find a list of published contact points and links below.

For an updated list of authorities (including contact email addresses) please check here:  
[ec.europa.eu/citizens-initiative/public/authorities-online-systems](http://ec.europa.eu/citizens-initiative/public/authorities-online-systems)  
[ec.europa.eu/citizens-initiative/public/authorities-verification](http://ec.europa.eu/citizens-initiative/public/authorities-verification)

Country	Competent national authorities that certify online collection systems	Competent national authorities that certify statements of support
Austria	Ministry of Interior <a href="http://www.bmi.gv.at/cms/BMI_wahlen/eu_buergeriniti/start.aspx">http://www.bmi.gv.at/cms/BMI_wahlen/eu_buergeriniti/start.aspx</a>	same
Belgium	National Population Registry <a href="http://www.ibz.rrn.fgov.be">www.ibz.rrn.fgov.be</a>	Ministry of the Interior <a href="http://www.ibz.fgov.be">www.ibz.fgov.be</a>
Bulgaria	Ministry of Transport, Information Technology and Communications <a href="http://mtitc.government.bg">mtitc.government.bg</a>	Ministry of Regional Development and Public Works <a href="http://www.mrrb.government.bg">www.mrrb.government.bg</a>
Cyprus	Ministry of Interior <a href="http://moi.gov.cy">moi.gov.cy</a>	same
Czech Republic	Ministry of Interior <a href="http://www.mvcr.cz">www.mvcr.cz</a>	same
Denmark	Danish Agency for Digitisation <a href="http://www.digst.dk">www.digst.dk</a>	Ministry of Economic Affairs and the Interior <a href="http://www.im.dk">www.im.dk</a>
Estonia	Data Protection Inspectorate <a href="http://www.aki.ee">www.aki.ee</a>	Estonian Ministry of the Interior <a href="http://siseministeerium.ee">siseministeerium.ee</a>
Finland	Finnish Communications Regulatory Authority <a href="http://www.ficora.fi">www.ficora.fi</a>	Population Register Centre <a href="http://www.vrk.fi">www.vrk.fi</a>

Country	Competent national authorities that certify online collection systems	Competent national authorities that certify statements of support
France	Ministry of the Interior <a href="http://www.open-groupe.com">www.open-groupe.com</a> <a href="http://www.territoires.gouv.fr">www.territoires.gouv.fr</a>	same
Germany	Federal Office for Information Security <a href="http://www.bsi.bund.de/DE/Themen/weitereThemen/EBI/EBI_node.html">www.bsi.bund.de/DE/Themen/weitereThemen/EBI/EBI_node.html</a>	Federal Office of Administration <a href="http://www.bva.bund.de/cln_235/nn_2314364/DE/Aufgaben/Abt_II/EuropaeischeBuergerinitiative/europaeische_buergerinitiative_node.html?__nnn=true">http://www.bva.bund.de/cln_235/nn_2314364/DE/Aufgaben/Abt_II/EuropaeischeBuergerinitiative/europaeische_buergerinitiative_node.html?__nnn=true</a>
Greece	Greek Ministry of Interior <a href="http://www.ypes.gr">www.ypes.gr</a>	same
Hungary	National Election Committee <a href="http://valasztas.hu">valasztas.hu</a>	same
Ireland	Department of the Environment, Community and Local Government <a href="http://environ.ie">environ.ie</a>	same
Italy	Ente Nazionale per la Digitalizzazione della Pubblica Amministrazione <a href="http://digitpa.gov.it">digitpa.gov.it</a>	Ministry of the Interior <a href="http://www.interno.it">www.interno.it</a>
Latvia	Information Technology Security Incident Response Institution <a href="http://Cert.lv">Cert.lv</a>	same
Lithuania	Central Election Commission <a href="http://vrk.lt">vrk.lt</a>	same
Luxembourg	Centre des technologies de l'information de l'Etat <a href="http://www.ctie.etat.lu">www.ctie.etat.lu</a>	same
Malta	The Electoral Commission – <a href="http://gov.mt">gov.mt</a>	same
Netherlands	Ministry of the Interior <a href="http://www.minbzk.nl">www.minbzk.nl</a>	same
Poland	Ministry of Interior – <a href="http://msw.gov.pl">msw.gov.pl</a>	same
Portugal	National Security Office <a href="http://www.gns.gov.pt">www.gns.gov.pt</a>	The Registry and Notary Institute <a href="http://irn.mj.pt">irn.mj.pt</a>
Romania	National Centre „Digital Romania <a href="http://www.mcsi.ro">www.mcsi.ro</a>	Directorate for Persons Record and Databases Management <a href="http://depabd.mai.gov.ro">depabd.mai.gov.ro</a>
Slovakia	Ministry of Finance – <a href="http://finance.gov.sk">finance.gov.sk</a>	Ministry of Interior – <a href="http://minv.sk">minv.sk</a>
Slovenia	Ministry of Public Administration <a href="http://mju.gov.si">mju.gov.si</a>	Ministry of Interior <a href="http://vlada.si">vlada.si</a>
Spain	Electoral Census Office – <a href="http://lne.se">lne.se</a>	same
Sweden	Swedish Data Protection Authority <a href="http://datainspektionen.se">datainspektionen.se</a>	Election Authority <a href="http://val.se">val.se</a> [ <a href="mailto:valet@val.se">valet@val.se</a> ]
United Kingdom	National Technical Authority for Information Assurance <a href="http://cesg.gsi.gov.uk">cesg.gsi.gov.uk</a>	Electoral Commission <a href="http://electoralcommission.org.uk">electoralcommission.org.uk</a>



## 3.6 Literature

### Reference Reading

The number of publications dealing with the ECI directly or indirectly is growing fast. This list offers you an overview of English language publications by the author of this Pocket Guide covering the whole developing process of the ECI. For updates and new references please visit: [europeancitizensinitiative.eu](http://europeancitizensinitiative.eu)

- **Perspectives on European Politics and Society** (2012). Special Issue: The European Citizens' Initiative: a First for Participatory Democracy? Edited by Justin Greenwood, Routledge.
- **Transnational "Babystep"** (2012), the European Citizens' Initiative, by Bruno Kaufmann in "Citizens' Initiatives in Europe", edited by Maja Setälä and Theo Schiller. Palgrave, Macmillan.
- **Transnational Citizens' Initiative** (2012) – how modern direct democracy can make the European Union a better place for minorities, by Bruno Kaufmann in "Direct Democracy and Minorities", edited by Wilfried Marxer. Springer VS.
- **The Next Big Thing** (2011), Making Europe ready for the Citizens' Initiative. Edited by Bruno Kaufmann and Johannes Pichler. Wissenschaftsverlag.
- **The European Citizens' Initiatives** (2010), Into new democratic territory. Edited by Bruno Kaufmann and Johannes Pichler. Wissenschaftsverlag, Berlin.
- **The European Citizens' Initiative** (2010), Your Guide to the First Transnational Direct Democratic Tool in World History. By Bruno Kaufmann, with an introduction by Gerald Häfner. Green European Foundation, Brussels.
- **Guidebook to Modern Direct Democracy** (2010) in Switzerland and Beyond. Edited by Bruno Kaufmann, Rolf Büchi and Nadja Braun. Presence Switzerland, Bern.
- **Initiative for Europe Handbook** (2008), The guide to transnational democracy in Europe. Edited by Carsten Berg, Paul Carline, Bruno Kaufmann, Jo Leinen and Diana Wallis. IRI Europe.
- **Initiative for Europe** (2006), a roadmap to Transnational Democracy. Edited by Bruno Kaufmann, Diana Wallis, Jo Leinen, Carsten Berg and Paul Carline. IRI Europe.
- **The European Constitution** (2004), Bringing in the People. The options and limits of direct democracy in the European integration process. IRI Europe.
- **Transnational Democracy in The Making** (2003): the New Challenge of European Initiative & Referendum after the Convention. Edited by Bruno Kaufmann, Alain Lamassoure and Jürgen Meyer. IRI Europe.



## ABOUT IRI EUROPE

**IRI, Europe's Global Direct Democracy Think-Tank**, is a transnational research and education institute dealing with the procedures and practices of modern direct democracy. IRI Europe is a non-partisan, non-profit association with headquarters in Marburg/Germany, and brings together some of the top experts and practitioners of the initiative and referendum process across Europe and the world. IRI Europe is one of the key non-governmental organisations which have been assisting Europe to secure the European Citizens' Initiative and will continue to closely monitor, review and support the development and use of this first participatory tool at the transnational level. For more information on our publications, events and programmes check out our Web services at: [www.iri-europe.org](http://www.iri-europe.org) and/or contact us by writing to [info@iri-europe.org](mailto:info@iri-europe.org)

## ABOUT THE AUTHOR

**Bruno Kaufmann** is President of the Initiative and Referendum Institute Europe and a broadcast journalist covering international affairs. He has worked with democracy, conflict and development issues since the mid-1980s and serves as an expert consultant for the European Union, the German Parliament, the Council of Europe, The European Social and Economic Committee, International IDEA, UNDP and democracy-supporting organizations across Asia. Kaufmann has authored and edited numerous books on modern direct democracy, including the European Citizens' Initiative Handbook (published in six languages). Kaufmann is also a member of the City Government in Falun/Sweden ([falun.se/democracy](http://falun.se/democracy)), as well as Co-President of the Global Forum on Modern Direct Democracy ([2012globalforum.com](http://2012globalforum.com)). Contact: [kaufmann@iri-europe.org](mailto:kaufmann@iri-europe.org)



## The European Citizens' Initiative

### A multifunctional participatory tool for the 21st century

The new European Citizens' Initiative gives citizens the right to set the agenda of the European Union and establishes a truly multifunctional means of providing checks and balances for what is going on in the EU. This Pocket Guide offers you the knowledge and insights necessary to make effective use of this new instrument, in three separate sections:

The **ECI KEYCHAIN** helps you identify the best approach to your ECI. Decide whether your ECI will bring new policy solutions, protest against a decision already taken at EU level or maybe help you build coalitions around specific issues.

The **ECI PATHFINDER** will help you find your way through the often lengthy and sometimes cumbersome procedure of an ECI: either as an organiser, a supporter or a mere observer.

The **ECI RESOURCE CENTRE** provides you with a detailed list of the constitutional foundations, legal statutes and procedural regulations of the ECI. It is important that you know all about the rules and their design, as knowledge is power!

Enjoy the ECI Journey!



**GREEN EUROPEAN  
FOUNDATION**

1 Rue du Fort Elisabeth, 1463 Luxembourg

Brussels office:  
T +32 (2) 234 65 70 F +32 (2) 234 65 79  
info@gef.eu www.gef.eu