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## **Strengthening the European Citizens' Initiative**

### **Improving Your Power to influence the EU**

The European Citizens' Initiative (ECI) is the EU's most important tool for participatory democracy. Historically championed by the Greens/EFA Group, which has pushed to ensure that citizens have stronger powers to influence EU decision-making, the ECI allows citizens from different EU Member States to propose legal acts to the EU Commission.

However, it has not been a smooth ride. First of all, it has been notoriously difficult for organisers to actually gather the correct number of signatures. Secondly, and most importantly, even the ECIs that did gather one million signatures did not result in the legal acts that the organisers were calling for.

Based on these disappointing experiences, we pushed the European Commission to reform the regulation and eventually managed to overcome their insistence that it was 'too early' to improve the rights of citizens. This in itself was an achievement.

Today, the European Parliament finally approved the reform of the EU Citizens' Initiative with a very large majority (535 votes in favour, 90 against and 41 abstentions). The outcome is mixed, but there are several improvements that make it worthwhile.

To start with the negatives, our main goal of obliging the European Commission to propose legal acts in response to successful ECIs was not possible to achieve, for legal reasons linked to the EU Treaties. We tried several other methods to get the Commission to take ECIs more seriously, but all were rejected by the Commission and Council.

In addition, the open source software that citizen groups were using to collect signatures, which was coded to overcome the insufficiencies in the European Commission software, will need to be phased out from 2023 onwards. This is a blow for organisations who wanted to have control over their own software and be able to introduce improvements quickly, in line with the needs of users.

On the other hand, however, a number of important improvements were made. Most importantly, since the European Commission would not agree to proposing legal acts in response to successful ECIs we made sure that the European Parliament would take a stronger role in ensuring a proper follow-up of Citizens' Initiatives.

So, from now on, every successful ECI will trigger a debate in the European Parliament, which opens the opportunity for the Parliament to make recommendations to the Commission on how it should follow up on the ECI. Plus, after the Commission decides on how it wants to follow up, the European Parliament will assess the Commission's response and then it can use its powers to pressure the Commission to deal properly with citizens' concerns (for example through a debate or resolution or a legislative initiative report).

In addition:

- The European Commission won't find it so easy to dismiss ECI's completely for not being legally feasible. If there is a mix between legally feasible and unfeasible demands then at least the feasible ones should be registered.
- It's easier now for citizens to sign: they have to give less personal data than they did before. Plus, you can sign an ECI now no matter where you live. Plus, you can get more of the detailed demands of the ECI translated into your language for free.
- Organisers will now be able to choose when they want to start the 12 month countdown for collecting signatures, giving them more flexibility to plan their campaigns. Organisers can now also keep the email addresses of people that signed in order to keep them informed about the campaign, although they must delete this personal data after 3 years.
- Citizens that are cooperating across borders will now be able to create a European legal entity in order to shield themselves for personal liability related to the ECI, which has a chilling effect on normal people (imagine having to pay a huge fine all by yourself!)
- EU governments can decide to allow people over 16 (instead of only people over 18) to sign an ECI.

So, although we were not entirely satisfied with the outcome of the reform because we wanted more real commitments from the European Commission and we wanted NGOs to have the freedom to use their own software, there are actually several changes that improve the situation for ECI organisers and active citizens, which is why we voted in favour of the reform.

One thing is for certain: Experience has proved that it won't be an easy task, but we won't stop trying to improve the ECI until it delivers real power to the people.

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### **Contact person**



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