



European Citizen Action Service

Bringing transnational participatory democracy to life

Tips for would-be organisers of an ECI



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Bringing Transnational Participatory Democracy to life: Tips for Would-be Organisers of a European Citizens' Initiative

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I. What is a European Citizens' Initiative?

On 1 April 2012, the European Union (EU) Regulation (No 211/2011) on the citizens' initiative entered into force, giving life to the world's first transnational participatory democracy instrument. The European Citizens' Initiative (ECI) allows citizens who collect 1 million signatures from at least seven of the 27 Member States of the EU to ask the European Commission to propose legislation.

The ECI gives greater opportunity for citizens to voice their concerns and place their issues on the EU's agenda. It is a positive contribution to the development of a more citizen-focused and –driven, inclusive, and united Europe. The ECI also promises to embrace an era of international digital, e-democracy and the use virtual social networks to facilitate active citizen participation in the EU's policy agenda. In the early stages of the ECI, contrary to the expectations of some, ECI campaigns have been genuine, value-driven grassroots initiatives that aim to build European solidarity, as opposed to protest ECIs or those being captured by powerful lobby groups to advance their interests.

Although it has great potential and it sounds relatively simple, organising a successful ECI is currently a complex and challenging task that requires coordinated efforts over an extended period of time before and after the 1 year allowed to collect signatures. Hence, the purpose of this Guide is to provide would-be organisers with information and tips about how to set up an efficient campaign while complying with the EU Regulation.

While many details about the implementation of the ECI are still being worked out, since its entry into force, we can draw more factual conclusions on the ECI based on the preliminary experience of the first campaigns and communication with the Commission.

The first section of the Guide discusses the extent of the power that the ECI truly gives to citizens and offers a brief overview of the ECI process. The second section goes through the process step by step and includes some experiences of current ECIs organisers. The third section provides some lessons from pre-ECI Regulation initiatives. The fourth section summarizes the future of the ECI. The Guide ends with a section providing ECI resources.

a. How Far Does the Right of the Citizens' Initiative Go?

The ECI is contained in the Treaty of Lisbon, which was signed in 2007 and entered into force on 1 December 2009. The right for citizens to present an initiative, however, was not granted right away, as the EU Institutions needed to agree on the details of its implementation.

The article regarding the ECI in the Treaty of Lisbon states:

“11.4. 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.¹”

Thus, the legislation does not give a direct right of legislative initiative to citizens since the Commission is not bound to act. Rather, the ECI is an agenda-setting mechanism and may influence the Commission to propose legislation. **Even if an ECI receives the required amount of signatures and complies with all relevant Regulations, the Commission can still reject the initiative.** Why is that so? It is possible to highlight three main reasons:

- **To preserve the Commission's right to initiate legislation, which it alone possesses, as a means of guaranteeing a balance of powers among the Institutions.** The ECI gives citizens a right to contribute to setting the political agenda for the EU, provided they can meet the conditions, similar to that of the European Parliament (EP) and the Council of the European Union (the Council): they can invite the Commission to initiate legislation without being able to force the Institution to do so.
- **The threshold to acquire 1 million signatures out of 502 million² citizens of the EU is, by comparison with equivalent national procedures, rather low (0,2% of the EU's population).**

¹ Treaty on the European Union, consolidated version.

² Provisional data as of 1 January 2011 reported by the countries of EU-27, Eurostat, http://epp.eurostat.ec.europa.eu/portal/page/portal/population/data/main_tables

- **Before submitting a legislative proposal, the Commission normally issues a “green” or “white paper” and launches consultation procedures and impact assessments.** There is therefore a gap between announcing a possible initiative and actually making a commitment to introduce legislation.

Thus, there are not yet answers or a clear way forward to reconcile direct democracy with preserving the balance among the initiating and legislative institutions of the EU. In this respect, article 11.4 makes it clear that the initiative is not binding on the Commission. The ECI is in the realm of participatory and deliberative democracy, not that of direct democracy.

Does this mean that the right of initiative is little more than a right of petition? **There are a number of grounds for being optimistic and considering that the Commission will respond positively to requests from citizens:**

- **It is the first transnational instrument in the world.** This new instrument will make a positive contribution to not only European democracy, but also to EU policy-making. Despite the possibility for an ECI to be rejected, it can influence the political agenda of the Institutions and create a truly political Europe.
- **The criteria for registration at the outset provides a relatively open invitation.** An initiative will be registered provided it is not “manifestly” outside the Commission’s powers to submit a proposal for a legal act, abusive, vexatious, frivolous or contrary to the values of the EU. The ECI is an innovative instrument of participatory democracy and, as with any new system, there may be a trial-and-error period. This does not mean there will be a high rate of rejections in the long-term.
- **The Commission is under a lot of pressure to act and is committed to carefully examine all initiatives that fall within its powers.** Since the ECI Regulation came into force, the Commission has been more inclined to register initiatives for signature collection than to reject them. The Commission’s record in registering initiatives may indicate how willing it will be to propose legislation on initiatives which meet all requirements. Out of twelve ECI proposals submitted to the Commission, the Institution registered 9 and rejected 3.³ However, as a word of caution, the total number of initiatives submitted to the Commission is not yet clear and the Institution has not been transparent on making this information publicly available. It is thus too early to draw conclusions on the willingness of the Commission to register and/or propose initiatives as legislation.
- **Too much political capital has been invested in the ECI for it to be dismissed as just another form of petition.** The process began with a campaign by European civil society

The ECI is in the realm of participatory and deliberative democracy, not that of direct democracy.

³ As of 17 July 2012 Information on open initiatives is available from: <http://ec.europa.eu/citizens-initiative/public/initiatives/ongoing>

organisations (CSOs) within the Convention on the Future of Europe in 2002 and 2003. The ECI also gathered support from members of both the European and National Parliaments. Those efforts led to an article in the failed constitutional Treaty which survived as article 11 of the Lisbon Treaty.

- **The European Parliament (EP) is a potential guarantor because of the role it played during the legislative process of the ECI Regulation.** There were 4 rapporteurs appointed to this issue⁴, which is unusual and highlights

The ECI must be seen for what it is: an agenda setting tool that enables citizens to focus not only the Commission's attention, but also that of the media and the general public's to a certain topic and to initiate, a European-wide debate and possibly, legislation on it.

the importance of the ECI for the EP. The Commission and most of the political groups in the EP held hearings. The EP has shown a true willingness to share its own right of initiative with citizens. Hence, organisers of ECIs should be able to rely on the MEPs to put pressure on the Commission so that it responds positively to the ECI. Were the Commission to respond negatively, the EP could even decide to make the initiative its own.

The ECI must be seen for what it is: an agenda setting tool that enables citizens to focus not only the Commission's attention, but also that of the media and the general public's to a certain topic and to initiate, a European-wide debate and possibly, legislation, on it. Organisers should also keep in mind that even if the Commission accepts to present a legislative proposal, it must go through the normal legislative process involving both the Council and the EP. As the proposal may be amended by the two Institutions, a gap may be created between the organisers' objective and the adopted legislation. Organisers of an ECI will therefore need to follow the legislative process even after a successful initiative has been presented.⁵

b. The Process in Brief

Below is a brief overview of the ECI process and requirements for would-be organisers. These points are developed in more detail in the next sections.

- a) **The initiative must be within the powers of the European Commission** to propose legislation under the Treaties and not manifestly frivolous or contrary to the EU's values.
- b) **Organisers must form a citizens' committee of at least 7 members from different Member States and designate one representative and one substitute as contact**

⁴Alain Lamassoure for the European People's Party, Zita Gurmai for the Progressive Alliance of Socialists & Democrats, Diana Wallis for the Alliance of Liberals and Democrats for Europe and Gerald Häfner for the Greens-European Free Alliance.

⁵See ECAS tips for the would-be European lobbyist.

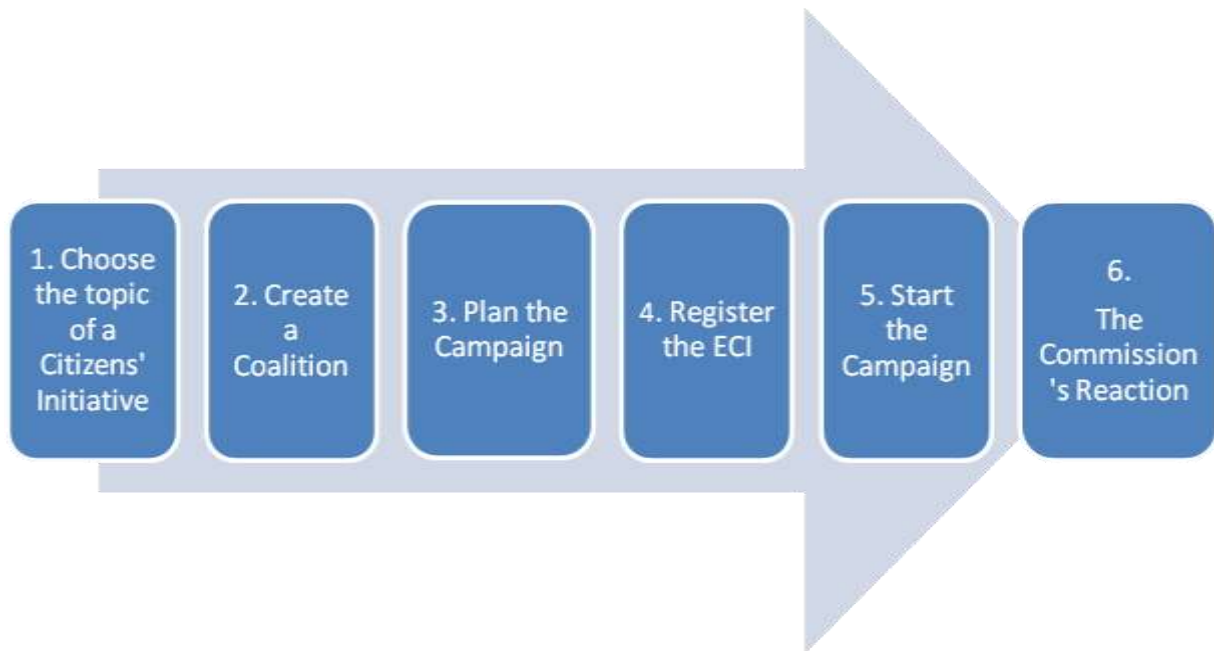
persons. They must, like the future signatories, be citizens of the EU and of the age to vote in elections to the EP.

- c) **Before collecting signatures (the Commission refers to these as “statements of support”), organisers must register their ECI with the Commission** using a standard form. If organisers wish to provide further justification and a legal text, they should place these in an annex.
- d) **Within two months, the Commission shall register or reject the initiative**, and, in case of the latter, inform the organisers of the reasons and of all possible judicial and extrajudicial remedies available to them.
- e) **A minimum number of signatures must be collected in at least 7 Member States.** For each country, the amount is equal to the number of European Parliament seats they hold multiplied by 750.
- f) Upon registration and throughout the process, **organisers must declare and ensure full transparency about their sources of funding.**
- g) **Organisers may collect online or handwritten signatures.** Organisers face different national data requirements for signature collection and procedures for certification of online collection systems and for signature verification.⁶ Of the 27 Member States, 18 require a personal identification number (e.g. an ID or passport number) with the signature, 9 do not.⁷
- h) **The timeframe for collecting signatures is limited to 12 months. Following signature collection, national authorities have 3 months to certify the signatures collected in each country before organisers can submit the initiative to the Commission.**
- i) **The citizens’ committee can present the initiative in person to the Commission “at an appropriate level” and there will be a hearing in the European Parliament.** Within 3 months, the Commission will publish a communication setting out its legal and political conclusions and reasons for or not acting.
- j) **ECI organisers and authorities are subject to data protection rules to ensure that personal data is only collected for the purpose of the initiative and destroyed thereafter.** The organisers are also liable to penalties for any other breach of the Regulation, such as fraudulent signatures.

⁶ For lists of national authorities responsible for certifying online collection systems and for coordinating the signature verification process and delivering the relevant certificate, see the Commission’s website: <http://ec.europa.eu/citizens-initiative/public/implementation-national-level>

⁷ For more information on the data requirements in each country, see the Commission’s website: <http://ec.europa.eu/citizens-initiative/public/how-it-works/collection>

II. Step by step tips for a successful European Citizens' Initiative



1. Choosing the topic of a Citizens' Initiative

For an ECI to get through both the signature collection campaign and the legislative process, it must meet three conditions: **it must fall under the Commission's competency; it must gather 1 million signatures in at least 7 Member States; and it must rally sufficient political support to be adopted.**

a. The Question of Legal Competence

The Regulation of the ECI indicates that, in order for an initiative to be registered at the Commission, it must fulfil four conditions (Article 4 (2)):

- 1) the citizens' committee has been formed and the contact persons have been designated in accordance with Article 3(2);
- 2) 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;
- 3) the proposed citizens' initiative is not manifestly abusive, frivolous or vexatious; and
- 4) the proposed citizens' initiative is not manifestly contrary to the values of the Union as set out in Article 2 TEU.

According to Article 2 of the Treaty on the European Union:

“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, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail”.

A potential ECI must be consistent with these values, which emphasize the principles enshrined in the EU's Charter of Fundamental Rights.

If the ECI meets the above 4 conditions, the door is relatively open with regard to the function and content of ECIs. Bruno Kaufmann of the Initiative and Referendum Institute Europe highlights the flexibility of ECIs and identifies⁸ 6 possible multifunctional capabilities:

1. a “Gas Pedal” initiative that aims to get the EU to do something new;
2. a “Brake” initiative that aims to stop the EU from doing something;
3. a “Valve” initiative that aims to improve current EU legislation;
4. a “Bargaining chip” that aims to use the ECI as an attempt to influence European policy making;
5. a “Catalyst” ECI that aims to use the ECI process to build broad alliances and networks across Europe; and,
6. a “Canvasser” ECI that aims to make yourself and/or your group better known in the public sphere.

Most ECIs will likely fall under one of the first three categories, such as a proposal for new legislation on animal welfare, a call to ban Genetically Modified Organisms or a proposal to

⁸Bruno Kaufmann, *The European Citizens' Initiative Pocket Guide*, Initiative and Referendum Institute and the Green European Foundation, March 2012, Brussels.

enhance Erasmus exchanges. At the topic selection stage, organisers should determine what type of initiative it will propose and then develop a strategy to achieve its campaign objectives.

In choosing the subject of an ECI, organisers must choose policy areas within the competences of the EU and those that the Commission can propose legislation on. The Commission will deem ineligible initiatives aimed at Treaty amendments or those in policy areas in which it has no competences. In cases where the Treaty basis is not clear or the legal competence is disputed, it is not yet clear how the Commission will act.

The policy areas where *the Commission* may legislate on are listed on its website: <http://ec.europa.eu/citizens-initiative/public/competences>

The following table lists the *competences of the EU*, as defined **under Title I in the Treaty on the Functioning of the European Union (TFEU)**.

Exclusive Competence	Shared Competence	Supplementary Competence
<ul style="list-style-type: none"> •“(a) customs union; •(b) the establishing of the competition rules necessary for the functioning of the internal market; •(c) monetary policy for the Member States whose currency is the euro; •(d) the conservation of marine biological resources under the common fisheries policy; •(e) common commercial policy.” 	<ul style="list-style-type: none"> •“(a) internal market; •(b) social policy, for the aspects defined in this Treaty; •(c) economic, social and territorial cohesion; •(d) agriculture and fisheries, excluding the conservation of marine biological resources; •(e) environment; •(f) consumer protection; •(g) transport; •(h) trans-European networks; •(i) energy; •(j) area of freedom, security and justice; •(k) common safety concerns in public health matters, for the aspects defined in this Treaty.” 	<ul style="list-style-type: none"> •“(a) protection and improvement of human health; •(b) industry; •(c) culture; •(d) tourism; •(e) education, vocational training, youth and sport; •(f) civil protection; •(g) administrative cooperation.”

AN ECI may not propose amendments to existing primary law or, treaties. In other words, an ECI may not increase or decrease the EU’s competences. AN ECI can only change or propose new legislation under the Union’s secondary law (EU Regulations, Directives, and Decisions).

There are also some areas where, although under the EU’s competence, are not under the Commission’s legislative power, including the European Security and Defence Policy; EU foreign policy; and the conclusion of international agreements under the Council’s prerogative (TFEU Article 216-218). They are thus excluded from the scope of a potential ECI. Thus, **in addition to ensuring that the ECI is within the EU’s competences, organisers must check corresponding Treaty articles to make sure that the Commission has the power to submit a proposal for a legal act in that policy area.**

For supplementary competences, the EU is limited to coordinating or providing complementary action to that of Member States. As supplementary competences are not part of the EU's primary field of action, most ECIs should fall under one of the two other categories, most likely under the shared competence field.

If the topic is not within the exclusive competence of the EU then the *principle of subsidiarity* must be met. The principle of subsidiarity can be found in Article 5 TEU:

"Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level."

In other words, EU decisions must be taken as closely to the citizens as possible, and apart from areas under its exclusive competence, the EU shall only take action where it will be more effective than at lower levels. The principle of subsidiarity is complemented by the *proportionality principle* whereby the EU must limit its action to that which is necessary to achieve the objectives set out in the Lisbon Treaty. These two principles must be considered by organisers as they may affect the legal admissibility of their ECI.

ECI Fraternité 2020 - Mobility. Progress. Europe. (<http://www.fraternite2020.eu/language.html>)

An example of an ECI - currently at the signature collection stage - is "Fraternité 2020" whose goal is achieve greater EU funding to "enhance EU exchange programmes – like Erasmus or the European Voluntary Service (EVS) – in order to contribute to a united Europe based on solidarity among citizens." As its legal base, organisers of F2020, refer to the following relevant Commission competences found in the TFEU: employment (Article 145), the Commission-administered European Social Fund (Article 162) and Structural Funds (Article 175), education, vocational training, youth and sport (Articles 165-167), economic, social, and territorial cohesion (Article 174-175), research and technological development (Article 180), the Multiannual Financial Framework (Article 312), and the production of statistics (Article 338). Thus while this ECI falls under shared and supplementary competences, the Commission registered it. **ECI organisers must therefore carefully select issues that fall under one or more of the 3 categories of legal competence.**

A clause (Article 352, TFEU) that allows the EU to act on a matter outside of its set competencies also exists. It states:

"If action by the Union should prove necessary, within the framework of the policies defined in the Treaties, to attain one of the objectives set out in the Treaties, and the Treaties have not provided the necessary powers, the Council,

acting unanimously on a proposal from the Commission and after obtaining the consent of the European Parliament, shall adopt the appropriate measures.”

It is still unclear whether or not the Commission would accept an ECI under article 352. Organisers should keep in mind that if the Commission proposes legislation under this article, this proposal will require unanimity to be adopted at the Council as opposed to the areas where that body decides by qualified majority voting.

Before submitting an initiative, it is strongly recommended that organisers seek legal advice from different sources in order to have multiple opinions on the likelihood that their initiative will be registered and hopefully, initiated as legislation by the Commission.

Advice should be obtained from someone with general expertise in EU law, and from someone who specializes in ECIs, since they will look at the question from a different perspective. For example, the Treaty makes clear that some aspects of public health fall within the legal competence of the Commission while others do not. It would be a good idea, perhaps using the access to documents system, to research ECI precedents and/or legislation in similar areas to compile a file of not only EU documents but also of opinions of Member States and lobbies. Even then, the advice of experts and politicians may differ. Some recommend presenting initiatives which are clearly under the competence of the Commission. Others argue that ECIs were originally conceived as a means to also propose limited Treaty revisions, and that this option could at least be tested with the Commission and, if rejected by the Commission, the European Court of Justice. The wording of the ECI must be chosen with caution: a slight modification of the wording might make the difference between falling within or outside of the Commission's competences.

b. Political Support

The amount of political support required for a Commission's legislative proposal to be accepted varies. In the EP, a simple majority is sufficient in the first reading of legislation. In the second reading, an absolute majority is necessary to reject the Council's amendments.

The Council, however, has, for most issues, a qualified majority voting system. A proposal currently requires the approval from a majority (sometimes even two thirds) of the 27 EU countries and at least 255 or 74% of the possible 345 votes (see table). The Treaty of Lisbon greatly extended the areas that could be decided using the qualified majority voting system, but a few policy areas still require unanimity, such as external affairs and defense, taxation, and social security harmonization. Proposals originating under Article 352 also require unanimity.

Seek legal advice from different sources, especially from those who specialise in ECI, in order to have multiple opinions

Member States	Vote Weight
Germany	29
United Kingdom	29
France	29
Italy	29
Spain	27
Poland	27
Romania	14
Netherlands	13
Greece	12
Czech Republic	12
Belgium	12
Hungary	12
Portugal	12
Sweden	10
Bulgaria	10
Austria	10
Slovakia	7
Denmark	7
Finland	7
Ireland	7
Lithuania	7
Latvia	4
Slovenia	4
Estonia	4
Cyprus	4
Luxembourg	4
Malta	3
TOTAL	345
Qualified Majority	255

On November 1, 2014, a new voting mechanism will enter into force. It will replace the vote weight system in the Council by a “double majority” system based directly on the population of the Member States: proposals will require the support of 55% of states representing 65% of the European population. This new mechanism will give significantly more weight to the more populated countries, especially Germany, and reduce the power of the smaller states.

Organisers of an ECI may seek insights from individuals familiar with past EU decisions in a particular field to assess the likelihood that their ECI will be accepted by the Council and the EP.

c. Think about Testing General Public Support and Piloting the Initiative

Test your ECI before registering it in order to find out if it has resonance within the population

In order to collect one million signatures in 12 months, **the topic of the ECI must have resonance with or relevance to the public.** Initiatives that are too abstract or have no direct impact on the lives of the citizens will likely fail to gather enough support to reach the target. In those cases, using tools other than an ECI, such as a regular petition to the EP or a complaint to the European Ombudsman could be an option.

Before launching an initiative, it would be prudent to evaluate the level of public support for it. Collecting 1 million signatures in one year is no easy task: it means maintaining an average of at least 2740 signatures collected per day! **Hence, before registering the ECI, try to test your initiative by soliciting input and collecting signatures for it, using both online and face to face methods.** Some free websites, such as www.petitionsonline.com and www.surveymonkey.com allow you to easily set up a petition and a survey, respectively.

When testing your initiative, try to ask for the same information from signatories as you would during a real campaign (recall that in some Member States personal ID numbers are required; see section 4 for more detail). This is important to underscore because people tend to be more reluctant to sign if asked to provide more personal information. ECAS conducted a basic survey which suggested that although two thirds of people would be prepared to give their date of birth and address when signing an initiative, only one third would be prepared to give an ID number.⁹ Therefore, if your test only includes collecting the name of the signatories, it will be easier to receive signatures than during the real campaign, and your results will not be comparable. Organisers will

⁹The survey is available at <http://www.ecas-citizens.eu/content/view/344/342/>

probably wish to do the testing phase after the coalition is built in order to obtain results from multiple countries.

d. Think about funding

AN ECI campaign has costs, and **organisers should ensure that they will be able to finance it before moving forward.**

The estimated amount of money to run a campaign to collect 1 million signatures varies widely. Among those who have run similar campaigns in the past, estimates range from 0,7 € per signature to as much as 2 € per signature. **The resources required is inversely proportional to how much resonance the subject matter has within the population.**

For example, the “One Seat Campaign”, whose goal is to put an end to the European Parliament commuting between Strasbourg and Brussels, provides a good example of a campaign with strong resonance with the public. Using only online tools and media attention, the campaign collected one million signatures in five months. The campaign did not, however, have to comply with the heavy Regulation of a true ECI and irregularities in the signatures were reported. Nonetheless, it shows that the right topic can gather significant support with minimal expenses.

On the other hand, an ECI tackling a less resonant and maybe more technical issue (e.g. banning the importation of a product because its fabrication process goes against the values of the Union) will force the organisers to invest energy and money in explaining why their proposition should be implemented. When spoken to directly in the streets, the citizens may accept to lend their support to the initiative, but chances are that they will not invite all of their Facebook friends to also support it. Hence, a potentially costly advertising campaign may be required.

Once organisers estimate the amount they will need for their campaign, the biggest challenge will be to actually find that money. Pre-Regulation initiatives demonstrate that **it is more effective and cost-efficient to retain fundraising volunteers in each country than by leading one centralized, transnational fundraising campaign.**

The uncertainty of the results of an ECI may also make it difficult for an ECI campaign to comply with the requirements of many foundations which finance CSOs’ projects. Asking for donations from citizens in person or placing a donation link on the website can help but it may not be sufficient. For

example, during the signature collection phase, **organisers may request for signatories to donate 1 or 2 € per signature towards the campaign.**

A key element in fundraising is to make the message clear and motivational. It should inspire and create a want in others to donate towards a cause they believe in. There is no shortage of actors, a “market of benevolence”, if you will, who may be willing to provide funding. To tap into this market, **organisers should consider creating a fundraising network of individuals and organisations who can devote time, energy and will towards the challenge.** They must be able to effectively convince others that the ECI has great importance for the future of Europe and the proposed measures may realistically be proposed by the Commission.

Despite the recommendations of some campaigners, the Commission will not provide funding for ECIs. Nonetheless, organisers may approach other levels of governments or agencies for funding. Organisers could also consider possible alternatives: corporate, non-governmental, private individual funding, and venture capitalists. In terms of methods, organisers may consider innovative means such as *crowdsourcing*: the outsourcing of work to an unspecified group of people, typically by making an online appeal to the general public. They may also consider co-financing solutions and partnerships.

Some may think that investing a large amount of money into an ECI whose results are uncertain is not worth it, but they should also consider that **even if an ECI is unable to bring about legislation, there are huge gains to be made in terms of visibility and advocacy for the cause.** A European Association could alternatively spend much more money lobbying for new European legislation while obtaining neither results nor the visibility benefits of an ECI. AN ECI with significant public support can create the necessary democratic legitimacy for a proposal to proceed to legislation.

Organisers must indicate all sources of support and funding received for the initiative, both at the moment of registering their initiative and when submitting the signatures to the Commission. To do so, they must follow the European political parties Regulation (EC No. 2004/2003), that is, they must “declare [their] sources of funding by providing a list specifying the donors and the donations received from each donor, with the exception of donations not exceeding EUR 500 per year and per donor.”

2. The Creation of a Coalition

a. Building a Coalition

Building a solid coalition is an essential step in the preparation of an ECI. Would-be organisers should look far beyond the minimal legal requirements when forming the organising committee.

There is a general consensus that it could be hard, but not impossible for ordinary citizens to initiate a successful ECI without the help of structured organizations such as non-governmental organisations or political parties.

Such organisations can provide funding for the campaign and may be able to count on a number of their members to help with soliciting and signature collection. Hence, organisers should seek to create a large coalition, with members coming from as many countries and organisations as possible: even though the minimum number of Member States to collect signatures in is seven, the task will become less onerous as the number of countries in which signatures are collected increases.



How about the University campus?

The University campus provides a great opportunity to find like-minded politically-motivated and technologically-savvy partners to help promote and implement an ECI campaign. For example, the ECI “Single Communication Tariff Act” which aims to end mobile phone roaming fees across Europe, built its organising committee and network of campaigners by leveraging a network of Erasmus and university students from across Europe.

b. Tools to Find Potential Allies

The transnational aspect of an ECI can make it difficult to find like-minded people. Different groups may be thinking about similar initiatives without being aware of each other’s ideas.

There are several tools on the internet to help people connect. ECAS has developed an online European Citizens’ House (www.citizenshouse.eu) whose goal is to create a one-stop shop for citizens who want to know and claim their rights within the EU using one of the multiple possibilities (a complaint to the Commission, obtaining access to documents, a petition to the Parliament, a request to the Ombudsman, or an ECI). The Citizen’s House focuses on three C’s: Citizens’ rights, Civil society, and Citizen participation. Would-be organisers can use the site’s forums to publicize their ideas and link with individuals or organizations who have similar plans.

Another website, Initiative.eu (<http://www.initiative.eu/>) provides an online community for potential initiators to debate and formulate ECI ideas and helps stakeholders across Europe to federate their initiatives.

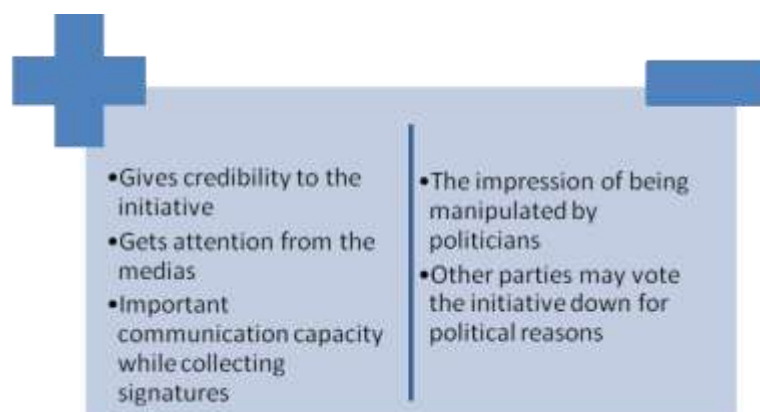
The political group of the Greens in the European Parliament also set up a website specifically on the ECI (www.eci-greens-efa.net/home/) where those who plan to create an initiative are invited to share their views.

See section V. Resources for a longer list of ECI-related websites and resources.

c. Should Organisers Seek the Formal Support of National or European-wide Political Parties or Politicians?

This is a delicate question. On the one hand, having the support of political parties and/or politicians will give an initiative credibility, especially if they are important parties, and it can be a good way to get media attention. Political parties are usually very structured organizations with important communication capacities. For these reasons, they can be a strong ally to mobilize forces for signature collection.

On the other hand, organisers who associate themselves too closely with political parties risk creating the impression that their ECI is not a genuine civil society initiative and that they are being manipulated by politicians. If the initiative makes it to the legislative process, the support from a European party may also backfire if the other parties see it as a “Green” or “Social Democrat” initiative rather than one of the citizens and thus decide to vote it down for political reasons.



Organisers may also seek the support of MEPs for their ECI - and even look for an MEP to champion their cause - to raise the public profile of the initiative and ensure that it will gather sufficient support within the Institutions to pass. While MEPs are not permitted to be on the citizens' committee, they

may in fact prove instrumental in ensuring that an ECI becomes EU law. AN ECI may be more likely to receive support from MEPs if it aligns with their objectives and political philosophy.

The best way to minimize possible negative effects is to **try and obtain the support of a variety of parties and MEPs, which would show not only that the initiative is well received across the political spectrum, but also that it is not being used for the political benefit of a single party or politician.**

d. Forming the Citizens' Committee

In order to make the ECI a genuine instrument of citizen participation, the EP insisted that organisations or legal entities could not submit initiatives: only committees made up of ordinary citizens may do so. This is a political request aimed at making the ECI a tool for active European citizenship, not to be captured by powerful lobbies. The Regulation establishes a few conditions for the formation of those committees:

-The committee must be composed of at least seven different persons coming from at least seven different Member States.

-The organisers must be citizens of the EU and must be of legal age to vote in a European election (18 years old everywhere except in Austria, where it is 16).

-MEPs cannot be counted as one of the organisers, but members of national parliaments can.

The Regulation also states that “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” (Article 3 (2)).

Minimum number of signatures	
Belgium	16 500
Bulgaria	12 750
Czech Republic	16 500
Denmark	9 750
Germany	74 250
Estonia	4 500
Ireland	9 000
Greece	16 500
Spain	37 500
France	54 000
Italy	54 000
Cyprus	4 500
Latvia	6 000
Lithuania	9 000
Luxembourg	4 500
Hungary	16 500
Malta	3 750
Netherlands	18 750
Austria	12 750
Poland	37 500
Portugal	16 500
Romania	24 750
Slovenia	5 250
Slovakia	9 750
Finland	9 750
Sweden	13 500
United Kingdom	54 000

3. Planning the Campaign

Even though, legally speaking, the next step should be to register the ECI with the Commission, **organisers would be well-advised to plan their signature collection campaign before seeking registration.** Once the Commission registers the initiative, the clock starts ticking and organisers must begin signature collection. Hence, the campaign strategy should be ready well before seeking registration. **The coalition building,**

fundraising, and planning stages will likely require at minimum 1 year of preparations in order to have a serious campaign in place.

In addition to initiating a European-wide debate on their topic, the organisers have a double objective to reach during their signature collecting campaign: they must reach the 1 million valid signatures target and they must reach the minimum amount of signatures in at least 7 Member States (see table). The latter, however, is probably not the biggest concern, as the number of signatures required is relatively low: even if organisers collect the minimum signatures in all 27 countries, they would still fall short of the 1 million target by more than 380 000 signatures! Therefore, as long as a campaign is truly pan-European, it would be surprising to see it reach 1 million signatures but failing to collect a sufficient amount of them in at least seven countries.

Source: REGULATION (EU)
No 211/2011 OF THE
EUROPEAN PARLIAMENT
AND OF THE COUNCIL

a. Select where you want to campaign...

Ironically, even though the ECI is a transnational tool, the Regulation forces organisers to set up specific provisions for each country: since each Member State is responsible for certifying the number of signatures collected, the information that needs to be collected varies from one country to another.

Therefore, the committee will have to decide in which countries it wants to campaign and to focus efforts. Of course, the larger the number of countries where the signatures are collected, the less signatures have to be obtained in each of them, provided the threshold level in each of those countries is met. The important point is that **the more countries involved, the greater chance that the ECI will be a success!**

Many factors may influence how easy or difficult it will be to collect signatures in a specific country, such as the resonance of the topic in that country, the amount of existing or potential for media attention, whether or not the signatories need to give an ID number, or whether or not the residents of that country are used to referendums or citizens' initiatives.

Sometimes, it may be easier to promote an initiative in countries which already have similar legislation at the national level than in the ones who do not. Organisers of European campaigns often face that paradox where an EU measure receives more support in the richest countries - which may have their own legislation on the topic - and less support where it is most needed.

The political aspect of signature collection should also be taken into consideration. If organisers expect a few Member States to oppose the proposed legislation, then gathering a lot of public support in those countries may be instrumental in convincing politicians to change their mind.

b. ... and divide the work

For a Committee, collecting an average of 2800 signatures a day across Europe is a major undertaking. If this task is divided between 10, 15 or 20 teams, each responsible for a national campaign, it will make complying with different national requirements easier and the objective more attainable. **Thus, an efficient campaign would be decentralized, whereby groups of citizens and CSOs, with the support of local or national political parties or politicians, run coordinated national campaigns tailored to national contexts.**

Because of the paradox mentioned earlier, it is likely that organisers will be able to gather more funding in countries where citizens are already well-informed about the topic of the initiative and therefore, where less money is required to gather signatures. In those circumstances, **an efficient allocation of financial resources would involve transferring some funds from the groups working in Member States where collecting signatures and donations is relatively easy to those where it requires more effort.** For example, ECI organisers may choose to focus more of resources it collects in some countries with good potential for signatures and/or to build networks with CSOs and local or regional actors in those countries.

c. Have your ECI translated

The ECI can be submitted to and subsequently registered by the Commission in any language; however, the Commission will not provide help for translations. The Commission will only make documents available on their website in more than one language if organisers provide translations. **Organisers must therefore consider budgeting for the translation of the ECI proposal, and perhaps, their communications and fundraising material and website, into the languages of the countries where signatures will be collected in order to maximize the number of signatures.**

d. Prepare your online visibility

The Commission developed free open-source software that is available to organisers to help them with signature collection. Organisers must find a host to provide a secure server to use with the Commission's software or their own provided that it complies with all requirements. The rest of the campaign is up to them.

In the early months of the ECI Regulation coming into effect, the online collection of signatures has proven to be a challenge for ECI organisers. They have been frustrated by the fact that, three months after the start of the ECIs on 1 April 2012, it was still impossible for them to collect online signatures due to the absence of a secure online system that complies with the Regulations' stringent security requirements. The free software provided by the Commission was neither user-friendly nor complete. In order to resolve this problem, the Commission will provide for the first ECIs a secure server for signature collection and storage. At this early stage it is unclear whether the Commission will maintain this server for future ECIs, upgrade its software to make it more user-friendly, or if ECI organisers will have to potentially, spend time and resources on finding a secure server of their own that meets all requirements.

Depending on the country in which the server to collect online signatures is hosted, organisers must certify their online collection system with the national authority responsible for that purpose. The list of national authorities can be found on the Commission website: <http://ec.europa.eu/citizens-initiative/public/implementation-national-level>

In addition to the ECI organisers' website, organisers should also consider integrating social media into their communications strategy. Tools such as Facebook, Twitter, LinkedIn, Flickr, YouTube, Google Plus, blogs, and e-collaborative tools offer cost-effective platforms to build public awareness, direct attention towards, and collaborate on the ECI campaign and process.

To be effective, ECI campaigns should communicate their message through a mix of social and conventional media. An example of an ECI carrying out such an approach is "Pour une gestion responsable des déchets, contre les incinérateurs" which aims to guarantee responsible waste management in all Member States of the EU. Organisers have a Facebook page and blog (Google-translated into different languages) to share information and updates on the ECI; an online contact point to answer questions; and directly promote the initiative through online mailing lists. They also have interest to communicate the ECI through the written press, radio, and television, but so far have only been able to gather interest from local press.

4. Registering the ECI

Organisers should only register their ECI when their campaign is ready, because once the Commission approves it, the clock starts ticking for signature collection.

When registering, organisers need to provide the following information to the Commission (found in Annex II of the Regulation):

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;
6. **All sources of support and funding** for the proposed citizens' initiative at the time of registration

Organisers may provide more detailed information on the subject, objectives, and background of the proposed ECI in an annex.

Organisers may also present the Commission with a draft legislative text for their ECI, an option that may prove to be a double-edged sword. If it is unclear whether or not the requested legislation falls under the competency of the Commission, then a well-thought draft may demonstrate how it could be implemented inside this limited margin for maneuver. On the other hand, a draft legislation may provide the Commission with more reason to reject the ECI than a 500 characters text would.

Once an ECI is submitted, the Commission has 2 months to declare if it accepts it or not.

If the Commission rejects the initiative, it "shall inform the organisers of the reasons for such refusal and of all possible judicial and extrajudicial remedies available to them".

As of July 2012, three ECIs were rejected by the Commission and have received non-registration refusal letters.¹⁰ The proposed ECI "My Voice Against Nuclear Power," (<http://www.my-voice.eu/en?country=en>) which aims to phase out the use of nuclear energy within the EU, is one such rejected initiative. The Commission argued that current EU treaties do not give the Commission the power to propose a legal act that modifies primary law, in this case referring to the Euratom Treaty, and that proposals contravening primary law are inadmissible. While the ECI is in its infancy, this case study demonstrates that the topic must be selected carefully and it must fall within the

¹⁰ For more on non-registered initiatives and access to the refusal letters see the Commission's website: <http://ec.europa.eu/citizens-initiative/public/initiatives/non-registered>

competency of and be within the power of the EU to propose legislation, or else it risks being rejected.

Appealing the Commission's refusal is probably not desirable. Since it is an administrative decision, it is futile to argue in Court that the decision itself is wrong: the court can only overrule the decision if it finds that the decision-making process was flawed or biased. Even if the Court does overrule the decision, the Commission will still be the Institution judging the ECI if the organisers successfully collect the signatures, and it would be surprising to see it propose legislation on a topic it rejected.

Organisers whose ECI is rejected because their request falls outside the competency of the Commission may consider two options. First, as nothing in the Regulation prevents them from presenting another initiative, they could simply change its focus and/or the wording of the ECI to make it acceptable and submit it again.

Alternatively, organisers may conclude that the ECI is not the right tool to promote their objective. Maybe other action such as a regular petition, demonstrations or lobbying activities at the national level will prove more effective, and may demand fewer resources.

If the Commission accepts the initiative, then the initiative will be made public by the Commission. Organisers then have one year to collect the 1 million required signatures.

5. The Campaign

The clock is ticking, so it is now time to start the signature collection campaign. **While collecting signatures, two elements should be monitored closely: compliance with the Regulation and the protection of personal data.**

a. Collecting proper statements of support

When one looks at the information that signatories must give to support an ECI, one understands why the Regulation calls it a “statement of support” rather than a signature. This information is found in the Regulation’s annexes.

In 9 Member States (Ireland, the Netherlands, the United Kingdom, Belgium, Denmark, Finland, Slovakia, Estonia and Germany), the statement of support form should look like the following (Annex III of Regulation):

FULL FIRST NAMES	FAMILY NAMES ⁽¹⁾	PERMANENT RESIDENCE (street, number, postal code, city, country) ⁽²⁾	DATE AND PLACE ⁽³⁾ OF BIRTH	NATIONALITY	DATE AND SIGNATURE ⁽⁴⁾

Source: ANNEX III of the REGULATION (EU) No 211/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

For every other country, another column containing the signatory's identification number and the type of document is also required. The ID that citizens must present varies from one country to another. For example, whereas in Latvia or Lithuania only the personal identification number is required, those who sign in France are allowed to provide a number coming from as many as 14 different documents!

Organisers can download, from their organiser account on the Commission’s website, pre-completed forms, which include the relevant information on their initiative and can be customised for each country where they intend to collect signatures. The software developed by the Commission also provides online forms adapted to each country; however, at the time of writing, collecting signatures online has not been feasible. To address shortcomings related to its non-user-friendly software and the stringent security, technical, and IT requirements for host servers, the Commission is looking into making available its own online collection system (server and software) to host signature collection.

The basic requirements for signatories to an ECI are the same as those demanded of the organising committee: they must be citizens of the EU and of legal age to vote in a European election. In addition, organisers must make sure that the signature of a citizen who currently lives outside of his country of origin is submitted to the proper national authority. As a general rule, citizens should sign in the country where they are officially residing. Belgium, Denmark, Germany, Estonia, Slovakia and Finland nationals can also sign in their country of origin even if they do not reside there. This makes it possible for some people to sign in two different countries, a problem that the Commission has acknowledged, but has not yet addressed.

To safeguard against the possibility that some signatures may be deemed invalid at the time of verification by national authorities - as

Set up the target to collect more than 1 million signatures, as some of them may turn out to be invalid

experience has shown on the national and regional level - **forward thinking organisers should set a target for signatures that is higher than 1 million.** In its guide to the ECI, the European Economic and Social Committee advises organisers to collect at least 10-20% additional signatures, in order to have a "safety margin" and not to fall short of one million by just a couple of signatures.¹¹ It would be frustrating for a committee to work on an ECI for more than a year, collecting over 1 million signatures, just to see it rejected because some of them are deemed invalid. In order to minimize the risks of this possibility, organisers may want to place a visible notice on their website to warn enthusiastic supporters that trying to sign multiple times will not be helpful and may in fact be detrimental to the initiative. They may also stress the importance of completely filling in all required fields.

When a sufficient number of signatures have been collected, the lists must be submitted to the relevant national authorities for signature verification and certification. Each Member State has different signature verification procedures in line with their requirements for signatures. Once a list has been submitted to a national authority for certification, Member States have 3 months to provide a certificate specifying the number of valid signatures. The 3 month delay is in addition to the twelve months permitted to collect the statements of support. For a list of national authorities responsible for the process of verification of signatures and for delivering the relevant certificate can be found on the Commission website: <http://ec.europa.eu/citizens-initiative/public/implementation-national-level>

Once all certificates are retrieved, organisers can submit all statements of support to the Commission. Annex VII of the Regulation details how to submit this information.

b. Managing data protection while remaining in contact with supporters

Collecting and storing the names, addresses, dates of birth and, for some countries, a personal identification number of 1 million citizens carries great responsibility, and the ECI Regulation makes it clear that the organisers are liable.

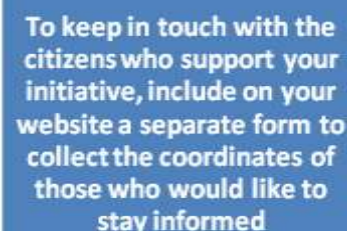
Directive 95/46/EC of the EU is the reference for data protection legislation in the Union. It describes a set of principles that any organisation processing personal data must follow. The specific implementation of those principles, however, is left to Member States. In all cases, the Regulation is technologically neutral, which means that the same rules apply whether the information has been collected on paper or online.

¹¹European Economic and Social Committee, "Your Guide to the European Citizens' Initiative," 2nd Edition, March 2012, 14.

For an overview of the Regulation in non-technical terms, organisers should consult the guide entitled “Data Protection in the European Union”, available in most EU languages.¹²

As many would-be organisers of an ECI have pointed out, one challenge they will face is to find a way to remain in contact with the citizens who supported the initiative. They may want to do so to keep them informed of the progress of the initiative, but also possibly to ask for their support again during a future campaign.

However, since the Regulation states that “data that identifies individuals must not be kept longer than necessary”, and since signatories are not required to provide their email addresses, organisers will not be able to use the list of signatures to contact their supporters. Hence, **they should include on their website a separate form or fill-in box to request and collect the coordinates of those who would like to stay informed of the progress of the ECI. When collecting statements of support in person, it is also possible to ask the signatories for their email address, while specifying that it is for the purpose of keeping them informed and that it is not mandatory.**



To keep in touch with the citizens who support your initiative, include on your website a separate form to collect the coordinates of those who would like to stay informed

Organisations that are not familiar with mass mailings should be aware that they need to respect a few principles when sending emails to their supporters. As with the data protection rules, those principles can be found in an EU directive (2002/58/EC, Article 13), but they have been implemented differently by Member States. Some of them have an “opt-in” system (e.g. one must agree to receive messages) whereas others have an “opt-out” system (e.g. those who do not want to receive messages should not receive any). In all cases, every message should include a clear mechanism for unsubscribing. For further information, organisers should refer to their national authorities.

6. The Commission's reaction

¹² The document can be found at this address: http://ec.europa.eu/justice/policies/privacy/index_en.htm

Even though the ECI is now in the hands of the Commission, the job of the organising committee is not yet over.

First, the Regulation states that the Commission should meet “at the appropriate level” with the organisers in order for them to explain the precise aim of their ECI.

Following this, a public hearing with the Commission hosted by the European Parliament will be held. The Regulation does not describe in detail who will be in the audience. It may be chaired by a MEP and given that it will take place in the EP, most political parties will likely take part. The Commission will also be represented, hopefully at the Commissioner level. The organisers will have the opportunity to explain their positions and to answer any questions that the representatives of the Institutions may have.

After the 1 million signatures have been handed to the Commission, the Commission has 3 months to publicly disclose its legal and political conclusions, as well as to describe the action or non-action it intends to take and why.

If the Commission decides to propose legislation, it must still go through the normal legislative process of the EU and obtain the support of both the Council and the EP before it can come into force. It is now time to mobilize supporters of the ECI to advocate the initiative to national governments and MEPs!

III. Learning from History: Lessons from pre-Regulation Initiatives

From 2005 up to the ECI Regulation's entry into force, at least 25 ECI pilots were launched in order to push decision makers to adopt the ECI provision in the treaty of Lisbon and to make civil society aware of the instrument.¹³ These initiatives took the form of petitions, and signatures were presented to the EP and some to the European Commission as well.

The pilot ECIs demonstrate the difficulty in gathering 1 million signatures: out of the twenty-five initiatives, only 4 were able to reach this threshold.¹⁴ It is important to note that as these initiatives were not fully compliant with many of the current ECI Regulation's requirements, such as online server compliance, signature collection information and identification requirements, they are not directly comparable or applicable to current ECI campaigns under the Regulation.

While there is no magic formula to run a successful ECI campaign, some important lessons may be drawn from pre-ECI Regulation campaign experiences:

The ECI is unleashing new actors and forces from civil society, not limited to the traditionally established, large NGOs, interests, and lobbies. The ECI pilots show that a large variety of groups and organisations, representing different sections of society are proposing initiatives on different topics. Some of the organisers include new coalitions and networks of citizens, human rights organisations, economic and labour organisations, and NGOs, countering the claim that the ECI would be captured by powerful interests.

Successful signature collection depends on the organisational structure. There should be a strong transnational organisational network and coalition and dedicated personnel and volunteers in place in Members States. For example, Action Eliant (www.eliant.eu), whose campaign promoted anthroposophy, was led by the European Alliance of Initiatives for Applied Antroposophy. It built a strong network of farmers, teachers, and health professionals across Europe, and succeeded in collecting over 1 million signatures in 2011.

¹³ Elisa Bruno, "The European Citizens' Initiative (ECI): entrusting civil society participation versus enhancing the democratic legitimacy of the EU institutions?," Masters Thesis, 2010-2011, College of Europe Bruges Campus, 28..

¹⁴ Ibid., 31.

Successful signature collection depends on content. The ECI's subject must have strong resonance in the public and its message must be appealing to achieve the required support, in addition to ensuring that it is within the Commission's competences. As mentioned, the first pre-ECI, the "Oneseat" campaign (www.oneseat.eu), organized and launched by MEPs, aiming to have only one seat for the EP in Brussels – was a topic with strong public interest. The campaign conducted its signature petition exclusively online on a multilingual website and managed to collect over 1 million online signatures in 5 months. Nonetheless, under the Regulation it would be rejected based on the absence of a verification process, it being legally outside of the Commission's competence, and it being organised by MEPs.

Successful signature collection depends on the culture of each Member State. In general, pre-ECIs were more successful in gathering support in Member States where citizens are used to signing petitions or referendums. The European Disability Forum's (EDF) *1million4disability* campaign (www.1million4disability.eu) campaigned in 27 Member States and succeeded in collecting over 1.3 million signatures in just 7 months in 2007.¹⁵ Its signature collection campaign shows some correlation between countries with citizens are used to signing petitions and higher numbers of signatures collected versus those countries where such forms of participatory democracy are not as common. For example, in Italy signing a petition is a common practice due to the Italian Constitutional provision on referenda, whereas in Sweden petitions are not common practise. In Italy, the EDF campaign gathered nearly 360.000 signatures, whereas in Sweden just under 7.000 signatures were collected. Moreover, organisers should keep in mind that, in some cases, people may be hesitant to disclose personal identification while signing up to support an initiative.¹⁶

Should organisers collect online and/or handwritten signatures? There is no clear lesson on this point as online and offline success rates differed from initiative to initiative. It depends on the culture of society (see above paragraph) and the topic choice of organisers. For example, the EDF found that although collecting online signatures appeared to be an easy solution, it was less efficient for them than handwritten signature thanks to the mobilization, commitment, and creativity of citizens and supporters spreading the word at local levels. Only 16% of the signatures EDF collected were online with the rest coming in handwritten form.¹⁷ For others, it may be more efficient and cheaper to focus more on online signature collection. Organisers should consider gathering online and handwritten signatures to maximize their campaign potential and reach. It is important to ensure that the information required in signatures, such as personal identification requirements for some countries, complies with the Regulation.

¹⁵ For more information, see the EDF's position paper: "1million4disability" campaign: Implementing the European Citizens' Initiative : Experience and Reflections on a future Guidance Framework", October 2008.

¹⁶ Bruno, "The European Citizens' Initiative (ECI): entrusting civil society participation versus enhancing the democratic legitimacy of the EU institutions?," 36.

¹⁷ Ibid.

IV. The Future of the ECI

Before 2015, the Commission may amend the part of the Regulation contained in the Annexes, so organisers should make sure that they have an up-to-date version of the Regulation when they consult it.

By April 2015, the Commission must present a report on the implementation of the ECI Regulation to the EP and the Council. This will provide opportunity for civil society to highlight problems with the ECI and make suggestions so that the instrument becomes easier to use. In order to do so, it would be useful for those who organise the first ECIs to try and keep track of the resources that were needed (funding, volunteering hours, material resources) as well as the technical obstacles encountered.

There are already some elements that civil society expressed concern with, including challenges related to technical and legal aspects of the Regulation, and campaigning.

Technical

- a growing need for an independent, not-for-profit HelpDesk to monitor and provide legal advice, provide support to prepare initiative and ensure that they meet the Regulation's requirements;
- a need for supportive infrastructure, including the operational need for a secure online collection system that is not cost-prohibitive for ECI organisers;
- difficulty with the restrictive 12 month period to collect signatures and the need to ask for personal identification numbers in some countries;
- challenge to stay in contact with signatories of an ECI due to data protection requirements; and,
- translation costs for the ECI proposal, website, and campaign material.

Legal

- the Commission should be more clear in its communications regarding the process of admissibility and areas it will register and initiate ECIs on, such as in matters of shared or supplementary competence of the EU; and,
- clarity on whether an ECI that proposes "light" Treaty revisions may be registered.

Campaigning

- the timeframe to collect signatures requires at least 1 year of advance preparations, meaning a significant amount of resources must go into an ECI for it to be successful;
- difficulty in finding funding for ECI organisers' communications campaigns;

- public awareness raising and information campaigns on the ECI and citizens' rights have not been sufficient; and,
- the need for an (online) ECI training course, modules, and/or tools for the general public, educators, and would-be organisers.

To address these challenges, the Commission and other EU institutions and bodies could do more than provide just a contact point for organisers. For example, financial assistance for preliminary investigations and networking, help with translations, a permanent online signature collection system, and ways to encourage cross-border tax relief for organisers and donors to support ECIs would be steps in the right direction.

At the same time not everything can or should be done by EU Institutions. Civil society will do well to bring together multiple organisations and to develop its own multi-disciplinary ECI Help-Desk. ECAS is working on this with several partner organisations as well as looking into the possibility of hosting an online collection system and in setting up an online ECI training course.

The future of the ECI will unfold against the backdrop of the upcoming 2013 Year of European Citizenship and the EP elections in 2014. These important events will provide great opportunity to provoke genuine EU debate and create public awareness on European issues. The ECI and other avenues have the potential to renew and enrich European participatory democracy, democratic debate, and EU citizenship and lead to a strengthened and more cohesive Union.

V. Resources

Several institutions, civil society organisations, and political parties have published 'how-to' guides, reports, and other resources on the ECI. Here are some examples.

Civil Society and Academia

The European Citizens' House is a one-stop shop to help EU Citizens' learn about and claim their European rights. There is a section on the website dedicated to ECIs:

<http://www.citizenhouse.eu/index.php>

The Initiative for the ECI provides news and status updates of current ECIs, an ECI Helpdesk, and a section on ECI academic research: <http://www.citizens-initiative.eu/>

INITIATIVE.EU is an online community that aims to empower (potential) initiators to debate and formulate ECI ideas online; help stakeholders across Europe to federate their initiatives; and improve the quality & effectiveness of ECI initiatives: <http://www.iniative.eu/>

General information about citizens' participation in Europe and the ECI is available from these organisations:

- Initiative and Referendum Institute Europe: <http://www.iri-europe.org/>
- Democracy International: <http://www.democracy-international.org/eci.html>
- Young European Federalists (JEF):

<http://jef.communicateeurope.co.uk/activities/campaigns/european-citizens-initiative/>

The company We Sign.it (www.wesign.it) develops personalised online petition platforms for ECI organisers.

The website www.policat.org provides highly customisable free and open source tools for online petitions.

European Institutions

The Commission's ECI webpage provides facts and background information on ECIs, steps on launching an ECI, and the status of open, closed, obsolete, and rejected ECIs: <http://ec.europa.eu/citizens-initiative/public/basic-facts>

The Commission produced a basic Guide on ECIs: <http://ec.europa.eu/citizens-initiative/public/guide>

The Europa Website has produced a useful FAQ, which answers basic questions on ECIs: <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/10/683&format=HTML&aged=0&language=EN&guiLanguage=en>

The European Economic and Social Committee (EESC) produced a comprehensive guide on how ECIs work and how one can begin their own ECI: <http://www.eesc.europa.eu/resources/docs/eesc-2011-23-en.pdf>

The European Parliament has a Questions & Answers web page with basic introductory information on ECIs and their procedure:

<http://www.europarl.europa.eu/news/en/pressroom/content/20101209BKG08308/html/Q-A>

EU Legislation

The text of Regulation No 211/2011 on the citizens' initiative may be found on the Commission website noted above or downloaded in English here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:065:0001:0022:EN:PDF>

The text of Regulation No 1179/2011 on technical specifications for online collection systems may be found here (in English):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:301:0003:0009:EN:PDF>

Political Parties and Groups

The Green Party in the European Parliament set up an ECI website and produced an ECI brochure that explains the basic use of the ECI: <http://www.eci-greens-efa.net/>

The Green European Foundation produced an ECI Pocket Guide, authored by Bruno Kaufmann, president of Initiative and Referendum Institute Europe. The Guide provides information on using an ECI, ECI requirements, and where one may find assistance for ECIs: <http://gef.eu/news/european-citizens-initiative-pocket-guide/>

Other party groups in the European Parliament, as well as individual Members of European Parliament, also plan to offer information on ECIs.



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