



QUAKER COUNCIL FOR EUROPEAN AFFAIRS, aisbl
Square Ambiorix 50, B-1000 Brussels
Tel: +32-2-230 49 35 • Fax: +32-2-230 63 70

Moniteur belge no. 11 732/80 - Numéro d'entreprise 420.346.728
e-mail : info@qcea.org - <http://www.quaker.org/qcea>

**Response by the
Quaker Council for European Affairs
to the EC Consultation on a
Green Paper on a European Citizens' Initiative**



Introduction

The Quaker Council for European Affairs (QCEA) was founded in 1979 to promote the values of the Religious Society of Friends (Quakers) in the European context. QCEA, based in Brussels, is an international, not-for-profit organisation under Belgian law. As members of the Religious Society of Friends (Quakers), one of the peace churches, we believe in that of God in everyone. We believe in non-violent approaches to conflict resolution, in the intrinsic equality of all people everywhere, and in a sustainable way of life for everyone that the one earth we share can support.

On the basis of these fundamental beliefs, QCEA makes representations on behalf of European Quakers to those in decision-making roles on issues relating to peace, human rights, economic justice, sustainable energy security, and democratic governance.

In the context of our commitment to democratic governance, QCEA calls upon the Institutions and Member States to become more transparent, accountable and responsive to their own citizens by ensuring that information is readily accessible. This would enable citizens to find out about the actions and policies of the Institutions and to participate in the decision-making process.

QCEA therefore welcomes the proposed citizens' initiative enshrined in the Lisbon Treaty. This is one of the provisions of this Treaty which QCEA has considered an important step in a positive direction ever since it saw the light of day in the Draft Treaty Establishing a Constitution for the European Union in 2003. QCEA is therefore pleased that this provision from that Draft Treaty was retained in the Lisbon Treaty.

QCEA also welcomes the fact that the European Commission is taking early steps to implement this provision and that these steps begin with a public consultation on the modalities for implementation.

Responses to specific question raised in the Green Paper

Minimum Number of Member States

The Treaty requires that citizens signing a citizens' initiative must come from a significant number of Member States. The Green Paper offers three options for quantifying the term significant for this purpose: half the Member States, one third of the Member States, and one quarter of the Member States. The Green Paper goes on to propose that the threshold should be set at one third.

QCEA supports the attempt to define in quantitative terms what the word 'significant' in this Article of the Treaty means. We agree that the threshold should not be set too high and we agree that half of the Member States is a very high proportion. Given the very low level of interest in European issues among citizens at present, QCEA favours a threshold which is lower even than one third. We would favour the threshold being set at one quarter of Member States (with a provision that deals with situations where the number of Member States is not divisible by 4 that the necessary number is rounded up to the nearest number: i.e. with 27 MS, one quarter would be 7 but at 29 we would suggest it should go up to 8). It might be worth including in the legal instrument a provision for reviewing this threshold in light of experience after, say 3 or 4 years. If it is evident at that point that this low threshold is leading to such high numbers of initiatives that they become unmanageable, or, that the bulk of initiatives do not reflect a sufficiently European perspective, it might then be more justifiable to increase the threshold.

Minimum Number of Signatures per Member State

The Treaty does not require that a threshold be set for this but, as the Green Paper sets out, it is reasonable to do so and it is reasonable to clarify what the threshold is in quantitative terms.

The Green Paper sets out a number of different approaches. It offers 0.2% of citizens in any one Member State as a reasonable level. This is the proportion of all EU citizens that 1 million citizens represent. Given that it is unlikely that citizens from all Member States would participate in any one initiative (though this is possible), then the de facto proportion in each of the participating Member States would in any event have to be higher than 0.2% to reach one million.

QCEA therefore supports the threshold of 0.2% as a minimum.

Eligibility to support a citizens' initiative - minimum age

The Green Paper suggests that this should be linked to the age at which citizens gain the right to vote. This is 18 in almost all Member States and 16 in Austria. This approach has the benefit of administrative convenience if voting registers were to be used for verifying eligibility. However, this would mean that citizens in one country could participate at a younger age than in the other countries. This implies a degree of inequality.

Moreover, and given that the citizens' initiative offers an opportunity for active engagement with the European policy process and that the engagement of younger citizens especially needs to be fostered, it would seem a more suitable approach to ensure that the age at which someone can participate in such an initiative is as low as is possible. Administrative convenience should not dictate the approach here.

QCEA therefore supports setting the minimum age at 16.

Form and wording of citizens' initiatives

In order to make the citizens' initiative a vibrant and effective way for citizens to engage with the European Union, any requirements for the form and wording of such an initiative should be kept to the absolute minimum needed. Thus, a text which clearly sets out what is proposed and what the purpose of the proposal is, should be sufficient. By requiring any more the Commission would be introducing unnecessary obstacles to participation.

QCEA therefore supports the proposal to require only that an initiative clearly states the subject matter and objectives.

Requirements for the collection, verification and authentication of signatures

In line with our general view that citizens' initiatives should be an effective tool for citizens' participation in EU policy development, QCEA favours any approach that is light on burdensome administrative requirements. Generally speaking, on-line procedures which could involve an initial registration by the citizens providing her or him with a unique password would seem the simplest option. However, and until such time as all citizens have access to on-line services and are ready to use them for purposes such as these, other options also need to be in place.

With regard to the question of different approaches to collection, verification and authentication in different Member States, the question of subsidiarity and proportionality should be the starting point. For an initial phase, it would make sense to ask Member States to set up their own systems or use systems they already have in place; if, on review after an initial period it becomes apparent that the regulations in some Member States militate against participation, then it might become necessary to make EU wide regulations.

QCEA therefore supports giving priority to establishing an on-line system for signing citizens' initiatives with personal registration of users as the main approach to ensuring ease of use. For other systems, Member States should be charged with developing their own systems with a requirement to make signing as simple as possible.

With regard to the position of EU citizens who do not reside in the country of residence, they should have the choice of participating on-line in their country of citizenship or by any available mechanism in their country of residence. However, they would have to certify that they have only supported an initiative in one of the two countries concerned.

Time limits for collecting signatures

Clearly, organising the collection of one million signatures across potentially up to 27 Member States is a complex undertaking. Tight time limits will not help to make such initiatives attractive as a form of citizens' participation.

The question of urgency will depend on the initiative and the initiators of such an initiative will have their own view on that. It therefore does not seem necessary to set a time limit. For some initiatives, the fact that not enough signatures have been collected within a certain time-frame will make them obsolete; for others, even if it takes a considerable amount of time, it may still be relevant when the target number of signatures has been achieved.

QCEA therefore does not support imposing a time limit on citizens' initiatives.

Registration of a proposed initiative

The question of registration, though more critical if there is a time limit, also applies if there is no time limit. It is useful for initiatives, once launched, to be available to citizens in an accessible form where both the form of the proposal, the background to it, information about the sponsoring organisations, and some indication on progress against the target number of signatures can be clearly seen. This is not about deciding a priori whether an initiative is admissible. The Commission could simply provide a web-portal where such initiatives can be logged. Once they have gone on-line there, they could be considered 'registered'.

QCEA therefore supports the creation of the specific website for the purpose of registering initiatives. This is not dependent, as we have said, on whether or not there are time-limits for signing but where there are time-limits set (by the Commission or the originators), these would also need to be clearly stated there.

Requirements for organisers - Transparency and Funding

Transparency is an important aspect of ensuring that citizens who sign initiatives know what and who they support.

QCEA supports a requirement of initiators of any citizens' initiative to declare:

- Details of the organisation(s) or individual(s) who initiate the initiative
- Details of any organisation(s) or individual(s) who support the initiative financially (and the extent of that support).

Where an initiative is funded by business, trade unions or political parties this should also be transparent.

Examination of citizens' initiative by the Commission

The formulation of the heading of this section is in some ways misleading. The issue is not a time frame within which the Commission should examine the initiative but a time frame within which the Commission should respond to it.

Our comments are thus based on the latter perception of the question.

QCEA would support a time limit within which the Commission must respond to the initiative once it has reached the one million signatures. QCEA would support a 6 months time limit for this.

However, and in addition to a time limit, QCEA would support some relatively clear and simple criteria for the content of such a response such as:

- If the Commission is proposing to act on the initiative, a clear indication of what it intends to do and the timescale for legislative proposals on the issue
- If the Commission is proposing not to act on the initiative, clear reasons for not acting.

Initiatives on the same issue

Given that the Commission is, in the context of the relevant article of the Lisbon Treaty, under no obligation to act on a citizens' initiative, there would seem no reason to prevent successive presentations of citizens' initiatives on the same issue. Why should citizens not have the right to continue campaigning on something they feel strongly about? Clearly, if the Commission adopts the principle of making public clear reasons for not acting, then citizens' initiatives, if the organisers want to persevere, would take account of such reasoning and attempt to reframe an initiative in such a way as to take account of them.

The question that arises is whether there should be additional signatures required to re-present an initiative on the same issue.

As stated above, QCEA supports any form of active citizen participation at EU level. Therefore, we do not support any unnecessary obstacles to making citizens' initiatives a useful tool for such participation.

QCEA therefore would support a proposal that allows initiatives to be re-presented at any time after the Commission has made a negative response to it. If such a re-presented initiative is unchanged from the original, QCEA would not oppose the requirement for additional signatures - though that should be considerably less than the original 1 million); if it is altered, then a new collection of 1 million signatures would, presumably, be necessary in any event.

Additional Considerations

There are two issues not raised in the Green Paper to which we would like to draw attention.

Long term residents who are citizens of third countries

There are a number of people living in EU Member States who are citizens of third countries but who have resided in the EU for a number of years. It would be worth considering whether, subject to a minimum number of years of residence, such citizens of third countries should be given the opportunity to participate in citizens' initiatives.

Language - funding

Whilst it is understood that the Commission cannot provide funding to support the costs of organising citizens' initiatives, the fact that the EU operates in 23 official languages makes it expensive for citizens' initiatives to be promoted EU wide. In order to ensure that citizens' initiatives are accessible to EU citizens in all EU Member States, the Commission should give consideration to some assistance with the cost of translation of the formulation of the initiative and some basic background information. This could be limited to a certain number of words or pages per citizens' initiative.