

COMPROMISE AMENDMENTS ON ECI II

COMP A:

Ams 2, 3, 4, 5, 6, 7

Recital A

A. whereas the European Citizens' Initiative is ***a new political right for citizens (am. 4) as well as a unique and innovative agenda setting tool (am. 3)*** for participatory democracy in the European Union, ***allowing citizens to be an active part in projects and decisional processes which concern them (am. 7)***, whose potential must ***absolutely (am. 5)*** be exploited fully and enhanced ***significantly (am. 4)*** in order to achieve the best results and ***to encourage as many citizens of the Union as possible to participate in the further development of the European integration process (am. 6); whereas it must be one of the priority objectives of the European Union to strengthen the democratic legitimacy of its institutions (am. 2);***

COMP B:

Ams 11, 12

Recital C:

C. ***whereas experience has highlighted (am. 12) that*** the majority of organisers of European Citizens' Initiatives (ECIs) have encountered a number of difficulties in setting up an ECI, in relation to both practical and legal aspects, and whereas the organisers of several rejected ECIs have consequently submitted complaints to the Court of Justice ***and the European Ombudsman (am. 11)*** against the Commission's decision ***not to register their ECIs (am. 11)***, ***therefore the rules must be designed to make them as accessible as possible to citizens and organisers (am. 12);***

COMP C:

Ams 14, 16

Recital D

D. whereas a number of institutions, NGOs, think tanks and civil society groups have considered the various deficiencies ***in the implementation of the Regulation on the Citizens' Initiative and (am. 14)*** and in the organisation of ECIs and have ***both*** proposed

many (am. 14) improvements and expressed in many occasions what was necessary and urgent to be reformed in Regulation 211/2011 (am. 16);

COMP D:

Ams 20, 21, 22, 23, 26, 29

Paragraph 1

1. Stresses that the Citizens' Initiative is an exceptional opportunity for citizens to identify and articulate their aspirations and to ask for EU action, and that it must be encouraged and supported **by all available means (am 22); however, recognises that there are significant deficits which need to be tackled and solved in order to make the ECI more effective (am 20); stresses that all further assessment of the instrument should be aimed at attaining its maximal user-friendliness, given that it is a primary means of linking the citizens of Europe to the EU (am. 23);** further stresses that the use of one's mother tongue is a civic right and that all activities connected with an ECI may therefore be undertaken in ones' s mother tongue, **as the possibility to use the latter encourages citizen participation (part am. 21); points out the importance of public awareness of the ECI while regretting the low knowledge of this tool among European citizens (part am. 29); to this end, calls on the EU to organise publicity and promotion campaigns to give the European Citizens' Initiative a higher profile in the media and among the public (am. 26);**

COMP E:

Ams 27, 28

Paragraph 1a (new)

1a. Stresses further that youth civic engagement is fundamental for the future of all democracies (am. 28) and calls on the Commission to draw lessons from national experiences of genuinely successful citizens' initiatives (am. 27);

COMP F

Ams 26, 29, 116

Paragraph 1b (new)

1b. Points out the importance of public awareness of the ECI in order to be an effective tool of democratic participation; regrets the low knowledge of this tool among European citizens (am. 29); in this connection, urges the Commission and the Member States to maximise the communication of the instrument, in order to bring its existence to the attention of citizens in as wide a measure as possible (am. 116), to encourage active participation in it and to organise publicity and promotion campaigns to give the European Citizens' Initiative a higher profile in the media and among the public (am. 26);

COMP G:

Ams 32, 33, 34, 37

Paragraph 2

2. Calls on the Commission to provide **appropriate (am. 32) and comprehensive (am. 33) guidance as early (am. 32)** as possible to organisers of ECIs in the Europe Direct Contact Centre - especially of a legal nature - so that organisers are aware of their possibilities and will not fail in proposing an ECI that is **manifestly (am. 33)** outside the Commission's powers **and does not comply with the legal admissibility criteria (am. 34); calls for exploring the possibility to establish** another independent company or body **having the task of giving advice**, to avoid a possible conflict of interest within the Commission itself; notes, however, that under the Treaty of Lisbon the issues raised by ECIs may not correspond entirely to the Commission's jurisdiction; takes the view, furthermore, that the Commission should consider setting up a dedicated ECI office **at its representations (am. 33)** in each Member State, **to provide all the necessary information, advice and support for citizens' initiatives (am. 37);**

COMP H

Ams 41, 42, 43

Paragraph 3

3. **Calls for the provision of (am. 41)** more detailed guidelines on the interpretation of legal bases and more information on data protection obligations in each Member State in which the organisers run their campaigns, **so as to provide them with legal security (am. 42)**, and on the possibility for organisers to take out **affordable insurances;**

COMP I

Ams 44, 45

Paragraph 3 a (new)

3a. Supports further the active participation of EU citizens to use this instrument appropriately for agenda setting (am. 44); expresses its concerns with the potential conflict of interests within the fact that the Commission itself has the exclusive responsibility to carry out the initial legal check and asks for this situation to be addressed properly in the future (am. 45); notes, however, that transparency and accountability should be an objective for all stakeholders in order to preserve the clarity of citizens' activities (am. 44);

COMP J

Ams 49, 50, 51, 52, 53

Paragraph 4

4. Stresses that under the terms of Article 4 of Regulation 211/2011, in the event of a refusal by the Commission to register an ECI, 'the Commission shall inform the organisers of the reasons or such refusal and all possible judicial and extrajudicial remedies available to them'; acknowledges, in this connection, the many complaints from organisers about not receiving detailed and exhaustive reasons for the rejection of their ECIs; **invites the Commission to explain in detail (am. 49) the reasons for rejection of an ECI if in its view an ECI which has been submitted is 'manifestly outside the Commission's powers' and at the same time to inform (am. 49) the organisers in writing (am. 51) and in a manner to facilitate their work (am. 53) of the relevant legal considerations (am. 49) - that should be made fully public in the name of transparency - (am. 51) in order that the validity and complete objectivity of those elements can be subject to legal scrutiny (am. 50), that the Commission' power of discretion as judge and party in the assessment of an initiative's admissibility can be reduced as much as possible (am. 52), and that organisers can decide whether to revise their ECI and resubmit it in a modified form (am. 49);**

COMP K

Ams 55, 56, 57, 65

Paragraph 5

5. Invites the Commission to consider the possibility of registering only part of an initiative in the event that the entire ECI does not fall within the Commission's powers; to give the

organisers, at the time of registration, an indication as to which part they could register, **by recognising that dialogue and engagement with ECI organisers is essential throughout the process (am. 57) and to inform the European Parliament about its decision concerning the registration (am. 55); invites the Commission also to explore ways to confer initiatives or those parts of initiatives that do not fall within the framework of the Commission's powers to the competent authority, be it at national or at regional level (am. 56);**

COMP L

Ams 59, 60, 61, 62, 63

Paragraph 6

6. **Points out the importance of technology as a tool to encourage citizens' participation (am. 63);** calls on the Commission to improve the user-friendly character of its software for the online collection of signatures, **to make it accessible to people with disabilities (ams. 59, 60 and 61);** to offer its servers for the storage of online signatures for free on a permanent basis **using existing EU budgets (am. 59) and to modify the OCS so that email addresses can be collected on a non-mandatory basis on the same screen as the support form, but stored in a separate database (am. 62);**

COMP M

Am 64

Paragraph 7

7. Invites the Commission to reconsider **the automatic link between the registration of an ECI and the beginning of the 12-month period within which expressions of support can be collected, so that the organisers of an ECI themselves can decide when they wish to start to collect expressions of support (am. 64);**

COMP N

Am 68

Paragraph 8

8. Welcomes **warmly (am. 68) the European Economic and Social Committee for offering** free translations of ECI texts so as to reduce the cost of organising an ECI;

COMP O

Ams 70, 71, 72, 73, 74, 75

Paragraph 9

9. Deems it too complicated for organisers to provide different personal data in support of ECIs in the 28 Member States, as laid down in Regulation 211/2011 on the basis of the various national provisions and ***calls for the introduction of a uniform procedure for making statements of support (am. 71) by amending Annex III to Regulation (EU) No 211/2011 in order to standardise the nature of the data collected in the Member States (am. 73); encourages the Commission to further negotiate with Member States in order to (am. 74) reduce the number of data requirements (am. 70) and to make them more user-friendly, by reminding that an ECI is about participation and agenda-setting instead of binding proposals (am. 74);*** suggests that consideration be given to establishing an EU digital citizenship ***and recommends providing an interim solution until this EU digital citizenship is established, with a view to resolving the current problems caused by multiple registration (am. 72);*** calls on the Commission, therefore, to explore this issue in its digital agenda ***as a matter of urgency (am. 75);***

COMP P

Ams 28, 76, 77, 78

Paragraph 9a (new)

9a. Calls on the Commission to recommend to the Member States lowering the age of ECI support from 18 years to 16 years, as it is currently legally realised in one Member State, for it not to be tied to the right to vote in elections to the European Parliament and thus giving young people, in particular, the possibility of becoming actively involved in taking the European project forward;

COMP Q

Ams 80, 81, 82

Paragraph 10

10. Acknowledges the delicate problem of organisers' personal liability with regard to data protection when collecting signatories' personal data, and proposes that the range of data

required be reduced and that the wording of Article 13 of Regulation 211/2011, on liability, be changed to make it clear that personal liability is not unlimited; proposes, to this end, **that citizens' committees should be able to acquire legal personality and (am. 81)** that inspiration be drawn from Article 3 of Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law, with a view to establishing that organisers are responsible for acts which are 'unlawful and committed intentionally or with at least serious negligence';

COMP R

Ams 85, 86, 87, 91, 92

Paragraph 12

12. Encourages the Commission and the Member States to achieve more user-friendly and harmonised requirements in data collection (am. 87); calls on the competent national authorities to inform the national parliaments' European affairs committees on a periodic basis about ECIs in progress which have already gathered a significant number of signatures (am. 91); urges the Commission to propose a revision of Regulation 211/2011 aiming at guaranteeing citizens to sign an ECI in their country of residence too (am. 92);

COMP S

Ams 94, 95, 97, 99, 100, 101, 102

Paragraph 13

13. Calls on the Commission to revise the wording of Article 10(c) of Regulation 211/2011 to allow proper follow-up to a successful ECI, including, if necessary (am. 100), a parliamentary debate in plenary followed by a vote on the ECI; takes the view that a legal act on successful ECIs must be undertaken by the Commission (am. 95) within 12 months of their submission; calls for action to be taken to enhance the viability of citizens' initiatives that have not achieved the threshold of 1 million signatures, but whose proposals have received support from a quarter of the Member States (am. 101); considers that, in case the Commission fails to provide a legislative proposal within this period, the competent committee of the European Parliament could propose an own-initiative report for which the selected rapporteur shall consult the ECI organisers in another hearing (am. 94);

COMP T

Ams 104, 105

Paragraph 14

14. Takes the view that, in order to emphasise the political dimension of ECIs, a public hearing under the terms of Article 11 of Regulation 211/2011 should be structured in such a way as to allow organisers to engage in a dialogue with Members of the European Parliament **and relevant Commission officials (am. 105)**; stresses that hearings on ECIs should be organised **under the auspices of a 'neutral' (am. 104)** committee that does not have the main responsibility for their subject-matter **in terms of content, and that external experts should furthermore be involved at all times (am. 104)**;

COMP U

Ams 112, 113, 114, 115

Paragraph 15

15. Invites the Commission to explore the possibility of **providing financial support for (am. 113)** ECIs through **existing EU budgets (am. 112)**, via European programmes such as the Europe for Citizens programme and the Rights, Equality and Citizenship programme, **including the possibility of financing promotional radio and television programmes (am. 115), mindful (am. 112) that equality between citizens must be guaranteed and (am. 114) that** there is a real need for financial support for the organisation of ECIs and that numerous amendments to the EU budget have been submitted to this end;

COMP V

Ams 122,124

Paragraph 16

16. Welcomes the Commission's report of **31st March (am. 122)** 2015 on the ECI **and the European Ombudsman decision OI/9/2013/TN (am. 122)**, and calls on **the Commission (am. 122)** to ensure that, in its revision of this instrument, all the appropriate legal measures are implemented **in order to provide a proper follow-up (am. 124)** when an ECI is deemed to have been completed successfully;