



Brussels, 3 September 2009

Dear friends of ECI!

It is more than four years ago now that the Swiss student Anna Zuber from the European Students' Forum (AEGEE) had the idea to start the "initiative for the European citizens' initiative". More than a hundred NGOs joined the campaign, thousands of people signed on paper for ECI and still we don't have brought ECI into being. But we got a little step further these weeks and months. The European Parliament has voted on the European Citizens' Initiative -- in favour. How did this happen and what exactly was at stake?

1. ECI in Parliament

After we had turned in the ECI-signatures in January 2008, see: <http://www.citizens-initiative.eu/> , the Vice-presidents of the European Parliament (EP) rejected our call for the immediate introduction of ECI. But we could persuade them to deliver "a resolution on the implementation of the ECI", which is addressed to the EU-Commission. This call is what the EP has promised to us, and this is what the EP has adopted now at it's very last plenary session before the elections on May 7, see: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0389+0+DOC+XML+V0//EN>

At the top of this site, the document is translated in 22 EU-languages, which might be helpful, when you are working on the issue in your native country.

On another link you can see, how the representatives from your country have voted on ECI: http://www.votewatch.eu/cx_vote_details.php?id_act=6197&lang=en

For example most votes for ECI come from Italian and German MEPs.

In general there is large consensus in the European Parliament about the necessity of ECI. A large majority agrees on the principal idea to give half a billion Europeans the same right to launch pan-European law-making processes as the European Parliament (EP) and the European Council already enjoy. However, this new European Citizen Initiative (in the new treaty it would be Art. 11.4 TEU-ToLisbon), must first be equipped with a supportive and citizen-friendly implementation law. It is exactly these kind of implementation guide-lines what the resolution of the EP is all about. It outlines very important details about how future European Citizens' Initiative must be conducted in order to be legally acceptable. For example: how can

signatures be collected - online or only on paper, in the streets or only in city halls? From how many countries do the one million signatures need to come from? What kind of support elements (legal advice, translation and reimbursement) for ECIs are secured? These questions are fundamentally vital and crucial in order to bring ECI ever into real being.

2. So how does the EP's proposal look in detail?

Unfortunately the European Parliament's proposal is not citizen-friendly yet . It still is too cumbersome and bureaucratic. Many aspects remain vague and need to be improved. For example the proposed mode for collecting signatures needs to be simplified and the short timeline should be extended. The number of Member States from where the signatures have to come from should be reduced as well as the distribution quorum. Supportive elements such as the right to receive legal advice, translation of the signature text and reimbursement in part of the costs are also still missing.

If you want go into the issue in more detail, I recommend 2 sources from civil society: <http://www.democracy-international.org/fileadmin/di/pdf/eci/eci-fundamentals.pdf> and secondly the article "The European Citizens' Initiative Process", which is published in the ECI-Handbook2008, see page 56 of the E-book: http://www.iri-europe.org/fileadmin/user_upload/media/IRI-Handbook2008.pdf

In this article I have tried to incorporate all learning processes and conclusions to which we have come so far during and after our signature collection in the ECI-campaign, but also in other campaigns like oneseat.eu, 112 or eliant.eu.

In this ECI-Handbook2008, which is entirely online on the above mentioned link, you can find many more articles on ECI, from people of ECI-campaign, members of the European Parliament and the EU-Commission.

Moreover "thank you" to Professor Pichler, head of the Austrian Institute for European Law and Policy, who has organized new publications and conferences on ECI, see: <http://www.legalpolicy.eu/>

I am carefully optimistic, that in this new legislative period (2009-2014) we still can get a citizen-friendly design for ECI. About half of the European Parliamentarians were recently exchanged with new elected ones. Among them are new MEPs, who have been actively engaged in ECI, such as Heidi Hautala, Ska Keller, Jan Philip Albrecht and Gerald Häfner from Democracy International. At the same time we could already develop a support network with re-elected MEPs who are coming from all political groups. Most of them have understood, that a European Citizens' Initiative right to be workable, needs to be designed in a citizens-friendly way. Last but not least there is strong support within the EU-Commission. See the report of Margot Wallström, who calls this week for a specific "Commissioner for Citizens" dealing with future ECIs: <http://euobserver.com/9/28598/?rk=1>

In informal conversations these weeks, the EU-Commission has signalled that they tend to present a much more citizens-friendly proposal than the European Parliament has. Not however before October 2nd , when the Irish citizens vote on the Lisbon treaty.

3. ECI in a broader context of democracy-building in the EU

As it looks like, everything depends now on the ratification process, whether ECI will be born soon. It is this specific broader context of ratification where the question of democracy and ECI is discussed. This is not only for Ireland the case. Also Germany for example has not ratified the Lisbon Treaty yet. Its highest court on 30 June decided that the Lisbon treaty can only be ratified in Germany, if the national parliament's role is first strengthened with more participatory rights with regards to EU-politics. The 148 pages long verdict includes an interesting analysis of the Lisbon Treaty and the democratic deficit, under which the EU continues to suffer. With regard to ECI the verdict is saying:

"the provisions of the Treaty of Lisbon, such as the elements of participative, associative and direct democracy (ECI in Art. 11 TEU Lisbon) ... cannot compensate the deficit of European public governance that exists when measured against requirements on democracy in states, but can nevertheless increase the level of legitimisation of the European Union."

See more on: <http://www.bundesverfassungsgericht.de/pressemitteilungen/bvg09-072en.html>

A similar analysis of the Lisbon Treaty as the verdict of the German court was presented by Democracy International. However it goes a step further (see Part 2) and makes concrete proposals, how the EU's democratic deficit can genuinely be healed. A proper European Citizens' Initiative right plays a crucial role in that. See: www.democracy-international.org/fileadmin/pdfarchiv/bund/book-europe-not-without-the-people.pdf

By the way a question often raised from researchers is: "how did ECI-campaign succeed to get people and NGOs on board from both groups, the pro-Lisbon and anti-Lisbon group together in one Campaign?" From my observation this has to do with the phenomenon that there are people in all groups within civil society and the political class, who share a common democratic awareness, an awareness of the intrinsic value of democracy. Apparently only a few people possess this awareness yet. But it is beautiful to see it growing

Thank you very much again for everyone's engagement for ECI within the last years. Let's go patiently on our way for a more vibrant, free and essentially more democratic Europe -- it's needed especially in these months to come, where the implementation rules for ECI are prepared.

With kind regards,

Carsten Berg

berg@democracy-international.org

<http://www.citizens-initiative.eu/>