

European Conference  
**The European Union and the Promise of Democracy:  
What can Citizenship Education and Civil Society contribute?**

14-16 November 2013  
The Hague, the Netherlands

**Input**

**Workshop 1**  
**Creating a bottom-up Europe: Can citizenship education  
interact or co-operate with civil society movements?**

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**The European Citizens' Initiative – A Genuine Chance for  
Citizenship Education in Europe**

In the framework of the NECE Conference 2013 workshop on „Creating a bottom-up Europe: Can citizenship education interact or co-operate with civil society movements?“ I have been asked to moderate and give a presentation on the European Citizens' Initiative (ECI) – the world's first legal instrument of transnational participatory and digital democracy. Content and conclusions of the workshop are summarized as follows.

**The Legal Nature of ECI**

After a short introduction into the historical background of the ECI it turned out that most participants have been already familiar with the concept of the new democracy instrument in general. When however it came to the precise legal nature several participants confused the basic idea of the ECI with similar instruments of political participation. It was thus necessary to clarify that the ECI is not a) a popular initiative right triggering a referendum, like for example in Switzerland, nor b) a European petition right, which already exists since 1993 directed to the European Parliament. Instead the ECI is an agenda-initiative which - according to Art. 11.4 TFEU - gives one million EU citizens from at least seven member states the right to call directly on the European Commission to propose legislation of interest to them in an area of EU competence. This right to request the Commission to initiate a legislative proposal puts citizens on the same footing as the European Parliament and the Council, who enjoy this right according to Art.225 and 241 TFEU, respectively. It was important to highlight that the ECI is not a decision-making instrument; instead it gives a minority the right to put an issue on the political agenda for public debate across borders.

**The ECI in Practice – State of the Art**

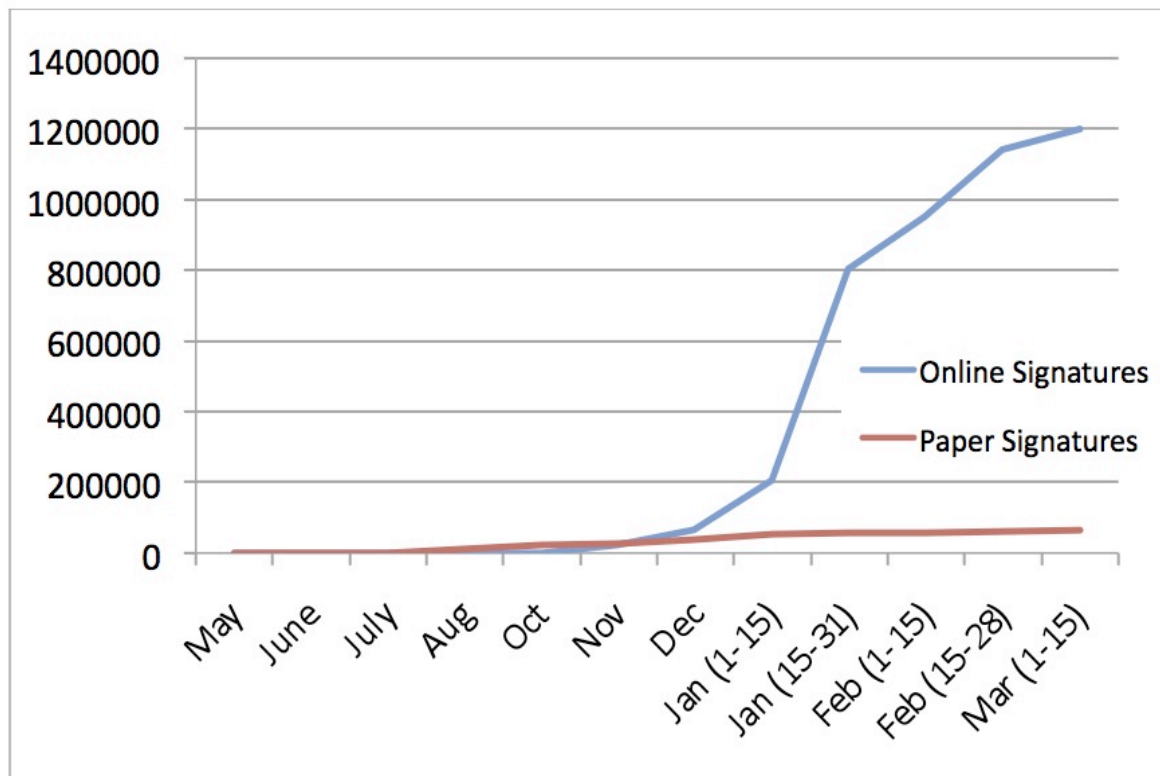
Ever since the ECI came into force in April 2012, 40 ECIs have been filed, 25 were declared as admissible, six withdrawn and 15 declared as inadmissible. 19 ECIs have officially started to collect signatures on very diverse issues (for an overview see Annex I below). All in all more than 5.000.000 statements of support have been collected based on the ECI framework, thousands of conversations took place and hundreds of ECI-events were organized across Europe. Three ECIs have reached the magic hurdle of one million. The first successful ECI in history is the ECI „Right2Water“ which has finalized its signature collection campaign in September 2013. It asks for securing water as a public good and is supported by 1.880.457 European citizens. A few weeks later the ECI „One of Us“ has turned in

1.896.852 signatures with the EU Commission and asks the EU to end the financing of activities, which presuppose the destruction of human embryos. Finally ECI „Stop Vivisection“ which aims at phasing out animal experiments has turned in 1.126.005 supporters beginning of November 2013. All other on-going ECIs remain at a significant lower number of signatures. It becomes clear that so far only large-scale movements and organisations have organized a successful ECI, while purely volunteer based ECIs still meet too difficult conditions.

### The Case of ECI Right2Water

Participants showed a particular interest in the successful case of ECI “Right2Water”, an ECI that has already led to concrete policy impact. With explicit reference ECI “Right2Water” EU Commissioner Michel Barnier has decided to remove water from the scope of the so-called concessions directive ([full statement here](#)). Several factors explain the success of this ECI. The most important one is that the campaign has been very well prepared, fundraised (140.000 EUR) and organized with sufficient time. It has been crucial that it transformed into a broad alliance that goes far beyond the initiating public service unions to include thousands of volunteers and groups such as environmental and health organizations as well political parties. This ECI would not be as successful as it is if it had not been covered by the mass media in January 2013 (in particular public TV in Germany (see ARD [here](#) + [here](#) as well ZDF [here](#))) which as lead to a massive increase of support in exactly these weeks of reporting in January, see diagram below. The conclusion is that an ECI takes off if it is connected with current issues that have a national impact and that are covered by the national mass media. Last but not least, this ECI has profited from the online collection system even so the official software does not properly work yet and has led to hundreds of extra working hours for ECIs and the loss of many thousands of supporters.

ECI Right2Water - Online and Paper Signatures



### **ECI instrument still not properly working**

At the same time it has been explored that the formal and informal rules, which govern the ECI, are still designed in a too restrictive way, which makes it difficult for ordinary European citizens to make use of the ECI.

The instrument needs to be changed in the following ways:

#### 1. Lengthen the signature collection time to 18-24 months

A longer collection period would allow small organisations to sponsor ECIs, as well as encourage ECIs on important topics that are not yet widely known. Even large organizations sponsoring ECIs on popular topics have difficulty meeting the 12 months deadline.

#### 2. Remove ID requirements to support an ECI

More citizens *throughout* the EU would likely use the ECI if personal data requirements were limited to name, address, and perhaps date of birth. Although the European Data Protection Supervisor determined that ID card numbers are not necessary for the ECI, 18 member states still require them. This has raised serious privacy concerns and deterred many citizens from supporting an ECI.

#### 3. Ensure that all EU citizens can support an ECI — regardless of where they live

The ECI is a legal right of EU citizenship. Yet million of the EU citizens who live outside their home country are denied this right – e.g., Irish and British outside the EU, EU nationals in Austria, EU nationals in Luxembourg not registered with the national social security system. National regulations must be changed or a new method created so these EU citizens may support an ECI.

#### 4. Improve the online signature collection system

Since 80-90% of the signatures are collected online, the ECI online signature collection system must meet the needs of both campaigners and national administrations. The ideal system would include a single centralized online collection platform hosted on Commission servers.

#### 5. Allow ECIs calling for treaty amendments

ECIs on many of the topics of greatest interest to EU citizens require treaty amendments. Registering these ECIs is vital to engaging more citizens in the EU. Since the Commission itself may propose amendments to treaties, ECIs should also be allowed to propose treaty amendments.

#### 6. Provide a neutral ECI platform and a “help desk infrastructure”

A neutral ECI platform would help European citizens to meet and prepare an ECI. At the same time it would indicate on the status quo of the on-going ECIs. Moreover an ECI support infrastructure offering practical and legal advice, logistical assistance, and translation services would allow small citizen groups to use the ECI.

### **The ECI and Citizenship Education**

Participants largely agreed that citizenship education has not started yet to educate and inform sufficiently on the ECI, which has contributed to the little awareness and knowledge on the ECI in the general public. Citizenship education organisations could promote active citizenship building through the ECI instrument in various ways:

\* Citizenship education organisations could and should provide a neutral online platform on which

a) citizens could inform themselves on all on-going ECIs

b) it could serve a virtual meeting place where citizens willing to organize an ECI and would

meet and prepare the launch of an ECI.

\*The ECI could be taught in high school civic classes and at universities. Reported example: the public institute of Science Politique in Paris encourages students to conduct and support an ECI on a topic in which they believe in (in fact ECI Nr 15 and Nr 18 have been launched by Science Po Paris professors and students, see overview below). This also helps to make the EU more real to them and may eventually help with EP voter turnout.

\* Research has shown that involving students in civic debates brings those topics into their families and communities. So perhaps youth could help spread the word about the ECI to adults.

\* Research shows how important a young person's first political experience is to their future political behaviour. This usually applies to voting, but perhaps might also involve something like the ECI. For this reason, there was an agreement to lower the minimum age for participating in an ECI from 18 to 16 (as it is the case in Austria only so far).

### Conclusion

The European Citizens' Initiative (ECI) instrument is for more than one and a half years in place, however participants agreed that the ECI has not unfolded its potential for the democratization process of the European Union, yet. This is due of various reasons. On one hand, awareness and knowledge on the ECI in the general public are quite low. Citizenship education has not started yet to facilitate, educate and inform about this new instrument of democratic participation, even so the ECI is generally seen as one of the most important innovations in the Treaty of Lisbon. On the other hand, the legal rules, which govern the ECI, still are designed in a too restrictive way. Given the fact that the ECI rules will be officially reviewed early 2015 by the EU institutions, there is hope for an improved implementation of the ECI instrument. Participants agreed on the need to involve ECI in citizenship education, as it is a new – and for many citizens still unknown – instrument that in many ways is still in its infancy.

Carsten Berg is a political scientist and holds a master in education. He has contributed to the inclusion of the ECI into primary law in 2003 in the European Constitutional Convention and since then works for the promotion and successful implementation of the ECI, see here: [www.citizens-initiative.eu](http://www.citizens-initiative.eu).

## ANNEX I

Ongoing and Closed European Citizens' Initiatives (December 2013)

- 1) **Fraternité 2020** wants to enhance EU exchange programmes – like Erasmus or the European Voluntary Service (EVS) (**70.412 supporters**). Closed.
- 2) **Right to water** - asks for securing water as a public good (**1.880.457 supporters**). Closed.
- 3) **One of Us** asks the EU to end the financing of activities which presuppose the destruction of human embryos (**1.896.852 supporters**). Closed.
- 4) **Stop vivisection** aims at phasing out animal experiments (**1.126.005 supporters**). Closed.
- 5) **High Quality Education for All** for an improved and unified school model in Europe. Closed.
- 6) **Pour une gestion responsable des déchets, contre les incinérateurs** For a better waste-management system (**427 supporters**). Closed.
- 7) **Suspension of the EU Climate & Energy Package**, (no published numbers). closed.
- 8) **For Central ECI Online Collection System**, (no published numbers), closed.
- 9) „**30 km/h – making the streets liveable!**” **Calls for a 30km/h (20mph) EU-wide default speed limit for urban/residential areas, (44.200 supporters) Closed.**
- 10) **Single Communication Tariff Act** One unique all-inclusive, monthly flat-rate communication tariff within the EU, (no published numbers) Closed.
- 11) **For a Unconditional Basic Income (152.305 supporters)**
- 12) **End Ecocide in Europe: A Citizens' Initiative to give the Earth Rights** against the destruction of eco-systems (**76.578 supporters**)
- 13) **Let Me Vote**, granting EU citizens residing in another Member State the right to vote in all political elections, (no published numbers)
- 14) **Do not count education spending as part of the deficit! Education is an investment!**, , (no published numbers)
- 15) **Teach for Youth** – Upgrade to Erasmus 2.0 (no published numbers)
- 16) **ACT 4 Growth**, aims at developing female entrepreneurship as a strategy for sustainable economic growth in Europe. (no published numbers)
- 17) **European Initiative for Media Pluralism** Protecting media pluralism through partial harmonisation of national rules on media ownership and transparency. (**11.706 supporters**).
- 18) **Weed like to talk**, on legalizing cannabis. (no published numbers)
- 19) **European Free Vaping Initiative**, for free use of vaporizers or electronic cigarettes.