

“European Citizens’ Initiative: Challenges and Prospects”

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Theoretical considerations

- Democratic legitimacy of the EU political system: the input dimension
- Principle of participatory democracy as complementary to the principle of representative democracy
- The establishment of European demos: shared values or common actions?

Lisbon Treaty: Enhancing the input dimension

TITLE II PROVISIONS ON DEMOCRATIC PRINCIPLES

Article 8 The principle of democratic equality

Article 8a The principle of representative democracy

Article 8b The principle of participatory democracy

1. Institutions to provide citizens with the opportunity to exchange their views in all areas of Union action
 2. Open dialogue with civil society
 3. Commission consultations with parties concerned
 4. **European citizens initiative**

European citizens' initiative (ECI)

Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the 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 Article [I-47(4)](last sentence) of the Treaty on the Functioning of the Union:

European laws shall determine the provisions for the procedures and conditions required for such a citizens' initiative, including the minimum number of Member States from which such citizens must come

Innovative agenda-initiative tool?

- **an indirect device:** no automatic initiation of the legislative process; prior examination by the Commission before the definitive submission to the legislative process
- **Discrepancy with the national citizens initiatives:** the later are always sent to the legislator and the correct submission of the initiative to Parliament initiates per se (automatically) the law-making process

Innovative citizens consultation tool?

- **Popular proposals directed to the Commission must suggest the adoption of some European legal act:** the text does not present a list of issues excluded from the popular request;
- **Limitations:** the initiative will not be able to promote constitutional amendments, review laws in force, or demand the popular approval of enacted laws; will not be able to promote policies beyond the boundaries of the European competences

Innovative supranational tool?

- **the number of required signatures:** a fixed number of signatures, one million, which could in principle be increased by the future European law on ECI
- **the geographic distribution of the signatures:** support for the ECI must come from several member states, should be specified by the future European law (an additional important point to be determined will be the number of signatures required in each country for it to be included in the list of the “significant number of Member States”)

ECI: major challenges

The future European law - making ECI effective through formal rules on:

- Time limits
- Number of countries in support
- Number of signatures by country
- Verification of signatures
- Formal requirements for the proposal
- Legal status of initiative committee

ECI: perspectives

- **Collective actors** in place
- **Institutional environment** in place
(Commission, EP)
- **Similar experience** at national level