

PUBLIC CONSULTATION ON THE EUROPEAN CITIZENS' INITIATIVE FINLAND'S PRELIMINARY COMMENTS 16.8.2017

General

Finland values the public consultation organised by the Commission on the European citizens' initiative with a view to finding out how the initiative could be made more functional. In this, reinforcing participatory democracy and providing citizens and the civil society with more opportunities for exerting influence through the citizens' initiative is in a key role. A citizens' initiative may not only lead to a proposal for a legal act submitted by the Commission but also foster political debate on different topics in the EU. The procedures and preconditions of the citizens' initiative should be as clear and user-friendly as possible, and in correct proportion to the nature of the initiative.

1 Preparatory phase of a European citizens' initiative, citizens' committee

Finland considers it vital that the organisers of a European citizens' initiative can receive adequate information and assistance for organising the initiative from the Commission. The consultation documents show that advice and support provided in the registration phase, in particular, have already been reinforced. The Commission has established a point of contact which provides advice required under the Regulation on the citizens' initiative. The Commission has also created an informative citizens' initiative website and guide.

Regarding the organisers' responsibility for protecting the personal data provided by the signatories and management of data protection and funds, Finland deems clear rules and guidance offered to the organisers important. If the amount of personal data collected from the signatories were reduced, this would in turn reduce the amount of personal data for which the organisers are liable. However, Finland understands that because of their national systems, some Member States need to collect more personal data than others. The option of collecting data online directly on a platform provided by the Commission could limit the organisers' responsibility for the personal data and be an unambiguous solution for both the organisers and the signatories.

2 Registration phase

In Finland's view, checking that the contents of a European citizens' initiative do not fall outside the framework of the Commission's powers in the registration phase will also be justified in the future to ensure that statements of support are not collected needlessly. Finland also welcomes the fact that the Commission has allowed the partial registration of proposed citizens' initiatives in situations where some parts of the proposed initiative fall inside the Commission's powers. On the other hand, these situations could entail problems of interpretation, which would stress the importance of cooperation with the organisers. The option where the organisers of a citizens'

initiative redraft their proposed initiative after receiving advice from the Commission also appears well-founded.

It is also asked if, should the Commission find that a proposed citizens' initiative falls outside its powers, the organisers could nevertheless collect statements of support provided that the signatories were made aware of the fact that the proposed initiative is outside the Commission's powers. In this case, the signatories would give their support knowing that the initiative could not lead to a proposal for a legal act of the EU. This proposal apparently seeks to foster political debate. The goal of fostering debate merits support as such, but this matter should be investigated further. It is essential not to create false expectations among the citizens concerning the areas in which the Commission may submit a proposal for a legal act.

3 Collection phase

Finland supports the proposal on making permanent the arrangement where the Commission has hosted online collection systems on its servers. It would be justified to make this server available for the organisers as soon as the European citizens' initiative has been registered.

Finland welcomes the introduction of new electronic identification solutions (especially electronic identification, the eIDAS solution). Completing the support form online should continue to be possible. The possibility of submitting the statement of support in paper form should additionally be preserved. This would allow citizens who do not use electronic services to support the initiative.

Regarding the time limit for collecting statements of support, Finland initially supports the option of extending this period to 18 months from the date of registration of the initiative, or the option which would allow the organisers to choose the start date of their collection within a given time period, in which case the time limit for collecting statements of support could remain at 12 months.

Regarding the requirements for signatories, Finland supports preserving the current rule, under which a person has to be of age to vote in European Parliament elections in order to support a European citizens' initiative. On the other hand, Finland also understands the grounds for reducing the age limit to 16 years, and is prepared to reconsider the matter.

The signatories' personal data should be verified in as reliable a manner as possible. Considering the nature of the initiative, however, excessive requirements should not be set for supporting a citizens' initiative. The proposal of only requesting signatories to provide the personal data that is needed in a particular Member State to check the statements of support appears well-founded. Currently, an identity document or number is not required in Finland to support an initiative, and statements of support are checked on the basis of the signatory's name, date of birth, nationality and country of residence.

EU citizens residing outside the EU should also be allowed to support a citizens' initiative if they meet the general criteria for giving a statement of support (the regulation on the citizens' initiative currently requires the EU citizen to be of age to vote in European Parliament elections). This is already possible for those Finnish citizens who reside in a non-EU country.

4 Submission to the Commission and follow-up

Finland supports setting a time limit for submitting the citizens' initiative to the Commission after the statements of support have been collected. This would reduce uncertainty among the signatories. The time limit should not be too extended, however. Finland is initially prepared to support a time limit of no more than six months.

It is justified that the Commission hears stakeholders representing different views before responding to a citizens' initiative. The manner in which these hearings are conducted in practice should be assessed separately. The Commission should also have more time for preparing its response than the current three months to actually allow it to consult a broad range of stakeholders. On the other hand, at least in this phase Finland has reservations about the proposal under which the European Parliament and the Council should be invited to express their views of a citizens' initiative before the Commission makes a decision on further action.

5 Transparency and awareness-raising

Finland also supports the proposal on informing citizens better about the European citizens' initiative as far as possible. The means for this could include more efficient use of the Commission's citizens' initiative website and different campaigns. Where possible, the use of different national websites dedicated to direct participation of citizens in the awareness-raising could also be investigated. NGO activities also play an important part in this.