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## 2. Fulfilling the promise of the ECI, learning from the *Right2Water* experience

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*Sandrine Bélier is a Green Party MEP representing Eastern France. In this article, she outlines some of the weaknesses in the ECI implementing regulation and suggests changes supported by the European Green Party. She focuses especially on the Commission's response to the ECI Right2Water and advocates binding the Commission to offer a clear legislative proposal to successful ECIs.*

The only real way to tackle the growing crisis of confidence that dominates European politics is a more democratic Europe and a stronger involvement of citizens at all levels. The possibility to influence the EU's political agenda should encourage citizens to engage and lead to more European discussions and debates. These debates among citizens as well as between citizens and political institutions can pave the way to the badly needed emergence of a European public space.

The feeling of their own disempowerment among EU citizens clearly has to be tackled if the gap between them and their institutions is to be overcome. It is with this purpose – to bring citizens and EU institutions closer together and thus renew the EU's legitimacy – that the European Citizens' Initiative (ECI) was included in the Lisbon Treaty and implemented by the *Regulation 211/2011*. Thereby the first transnational instrument of participatory democracy was created in the EU in order to enable citizens to be politically more active within the European framework with a potential to influence the political agenda of the EU.

Two months ahead of the European elections, the Commission finally presented its response to the first successful ECI on the universal right to water (*Right2Water*), which managed to mobilise over 1.6 million European citizens. However, the answer remains remarkably vague and unsatisfactory in terms of potential changes in EU law, despite a successful European campaign. This raises again the issue of how can people power be made more effective.

### **A challenge for networking, fundraising and promotional capacities of any organiser**

When we were designing the implementation rules of the ECI in the European Parliament, we tried to make it as citizen-friendly as possible. Nonetheless, organizing an initiative in at least seven member states and collecting one million signatures remains a challenge for networking, fundraising and promotional capacities of any organiser. In this regard, the first official response from the Commission to the *Right2Water* initiative was a vindication of the excellent campaign carried out by those defending the universal right to access water.

In 2013, when celebrating the first year of the ECI and the European Year of Citizens, the Greens started to collect and analyse the feedback from NGOs and citizens in view of the revision foreseen in 2015. On the one hand, EU institutions failed to publicize this pioneering tool, which remains unknown by many citizens as not a single cent was actually spent on promotion. On the other hand, organisers of ECIs are facing difficulties such as strict and bureaucratic technical and procedural requirements for the online collection system – not to mention the fact that it did not work initially, causing delays and the spending of extra financial resources. Therefore the revision must address both issues by informing citizens and removing the barriers that still hinder the effective use of the ECI.

Drawing lessons from those experiences, we will also have the opportunity to bring back to the table some of the proposals of the Greens. Three years ago, and despite our work in the Constitutional Affairs Committee of the European Parliament, we did not succeed in securing a longer period for the collection of signatures. We had called for 18 months, given the complexity of setting up the required structures Europe-wide, but the Council and Commission insisted on no longer than 12 months. In my opinion, much more can be done for the improvement of the ECI with the help of the European Parliament.

### **The readiness of decision makers to embrace citizens' participation**

The main question concerns the attitude of the European institutions towards this new participatory instrument. The readiness of decision makers and bureaucracies to embrace citizens' participation as a chance for a more legitimate process of policy formulation, rather than as a threat to their position in the power structure, is still surprisingly low. The response of the European Commission to the *Right2Water* initiative illustrates today the main weakness of the ECI in that a successful initiative is not binding on the Commission. It is all the more outrageous in light of the unanimous support of the members of the European Parliament expressed during a preliminary hearing a month ago.

Yes, the Commission has committed to ensure that all future EU activities contribute to the maintenance and improvement of water quality, upholding the necessary environmental standards, affordability of water supply and transparency in the award and exercise of appropriate services, both within the EU and internationally. Faced with the pressure of millions of citizens, EU Commissioner Michel Barnier had already removed water from the scope of the concessions directive. An appropriate reaction should have given a clear timeframe and commitment to ensure that the forthcoming review of the *Water Framework Directive* delivers a substantive response towards guaranteeing the right to water. It should also have given an unequivocal commitment to refrain from pushing for the privatisation of water services, either directly or indirectly, as has been the case in the context of the Troika's involvement in crisis countries. European citizens also deserve more clarity on how the EU intends to ensure the protection of water supply in the course of EU-US trade negotiations (TTIP).

The Commission's response is vague and must be swiftly followed by concrete proposals to ensure that the objective of the *Right2Water* initiative will be truly delivered. The Greens, who have strongly supported this initiative, therefore call on the Commission to present concrete proposals in order to ensure the initiative will be delivered as European citizens have the right to expect.

### **Fulfilling the promise**

It is undeniable that the ECI allows citizens to raise and bring crucial issues into the emerging European public space. But if their proposals die away without any real impact, the ECI will fail and foster frustration instead of dedication. Between the technocratic way of policymaking that strives to exclude transparency and participation, and a populist, nationalist rollback, there is just a narrow path that will allow us to protect and develop our economic, social and cultural achievements in the context of globalisation. It is the way of democracy. Thus it is really up to the European institutions to fulfil the promise that has been given to them.

As the regulation provides for a revision of the rules in 2015, the newly elected members of the European Parliament should immediately engage with this revision in the wake of the May elections. European citizens and their representatives are also entitled to expect that the Commissioners nominated this summer will commit to improving public awareness of this tool and upgrading its effectiveness.

In view of the difficulties met by the first ECIs, in order to improve this democratic tool to truly empower citizens, and in view of the revision foreseen in 2015, the Greens propose:

- That a real budget should be granted to the ECI in order to make a strong promotion of this tool and to give the Commission the keys to help the ECIs in their campaigns.
- To give the citizens' committees the choice of the starting date of signature collection.
- To extend the period of signature collection from 12 to 18 months.
- A harmonisation and a simplification of the member states' requirements for signature collection.
- To bind the Commission to a clear legislation proposal in the case of successful ECIs.

Over and above those considerations on the European Citizens' Initiative, the challenge is to turn European integration from a project of elites into a project of all the citizens. We need to generate more participation and democratic legitimacy for decision-making on the European level. In the long run, we will either have a Europe of the citizens – or no common Europe.

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