
5. The ECI and the European Ombudsman

Emily O'Reilly

Emily O'Reilly, European Ombudsman, wants to ensure that the ECI functions in the most transparent and citizen-friendly way possible. In this article, she describes how her office can help ECI campaigns overcome procedural difficulties with EU institutions and outlines issues to be explored in her inquiry into the ECI's implementation.

Launched in April 2012, the European Citizens' Initiative (ECI) was supposed to help empower European citizens to shape policy in the European Union. But how close are we to achieving this goal?

When I took up my role in October 2013, it was clear to me that the EU faces not only an economic crisis but also a crisis of political legitimacy. Negativity and division are rising, the trust of citizens in European institutions is declining, and many feel their voice simply does not count. One of my proactive roles as Ombudsman is to highlight citizens' concerns and help bridge the wide gap between them and the EU institutions.

Given that context, the goal of the ECI to empower citizens is more important than ever.

We must ensure that this new form of European public participation is working in the most transparent and citizen-friendly way possible. If not, my office is available as an important redress mechanism for individuals and organisations that have complaints about maladministration in the Commission's handling of ECIs.

Complaints may be lodged if problems occur in the procedural stages, for example if there is a failure or delay in replying to organisations wishing to register an ECI, or lack of transparency. ECI organisers may challenge a Commission decision to register an ECI in a complaint to my office, as well as by going to court. My office could examine whether the Commission's conclusions are reasonable and thoroughly explained.

It is important to point out what I cannot do in this area. Specifically, I cannot examine the substantive follow-up which the Commission decides to give to ECIs. This is, rather, a political matter for the European Parliament to monitor.

Since the first public consultation on the ECI, my office has argued strongly that the registration of an ECI should not become a bureaucratic or political hurdle. We have called on the Commission to also deal with complaints against organisers which allege lack of transparency on such matters as funding issues, for example.

Given that the ECI has been in operation for nearly two years now, I recently announced the opening of an own-initiative inquiry into how the ECI procedure is being implemented. The objective is to encourage and support efforts to improve the ECI procedure.

As the first step, I am inviting and collecting feedback until the end of March 2014 from the organisers of open, closed and obsolete ECIs, as well as from other civil society organisations and interested persons. We are focusing on some of the following areas in our consultation:

- Is the ECI sufficiently well known among the general public so that citizens feel confident in signing ECIs? If not, what could be done to raise awareness?
- Views on the information and guidance the Commission provided to organisers of an ECI.
- Views on the functionality and usefulness of the Commission's software for collecting signatures online.
- Views on the functionality and usefulness of the paper form to be used for collecting handwritten signatures.
- Concerns or comments in relation to the treatment of personal data provided by citizens signing an ECI.
- Concerns or comments as regards the possibilities of tracking the number of signatures obtained throughout the collection period.
- Experiences as regards the contacts with different national authorities in relation to ECIs.
- Possible changes to the ECI Regulation which should be considered, if any.

We are now assessing the feedback to these questions and will subsequently give the European Commission the opportunity to respond. My ultimate aim is then, if necessary, to make recommendations to increase the effectiveness of the ECI process and to monitor and support the implementation of such recommendations.

The ECI was a key step forward in the democratic life of the Union. It can be a concrete example of bringing Europe closer to its citizens.

As European Ombudsman, I am ready to help ensure that the relevant procedures and citizens' rights are respected to help make sure citizens are actually empowered to shape EU policy.

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