



ECI in the context of COVID-19

Expert Group on European citizens' initiative
Meeting of 30 April 2020 (by video conference)

Today's meeting

- Presentation of the main elements of the proposal for amendment on implementation of timelines in the ECI Regulation in the context of COVID-19 measures
- Exchange of views on the basis of four questions in the note
- Conclusions and next steps

Proposal for amendment of ECI Regulation

Three main elements:

- Extension of collection period (4+3 months, with possibility for further extension in case conditions continue to be fulfilled)
- Extension of verification period in specific, exceptional circumstances
- Extension of examination period in specific, exceptional circumstances

Collection period

Three elements:

- 1. Specific provision in ECI Regulation to extend collection period of initiatives ongoing on 11 March 2020 with four months**

=> assumption that at least from 11 March (WHO announced that COVID-19 outbreak had become pandemic) until 11 July confinement measures in majority of Member States (representing at least 65% of the EU population) are in place

Proportionate extension for initiatives that start their collection after 11 March 2020 but before amendment becomes applicable

Collection period - continued

2. Implementing powers in ECI Regulation for Commission to extend the collection period with another three months (thus making a total extension of 4 + 3) if confinement measures in response to pandemic are prolonged. Possibility for further prolongation if situation remains unchanged.

⇒ Definition of confinement measures: free circulation of citizens affected

3. Implementing powers in ECI Regulation for Commission to extend the collection period (each time with three months) in the event of a resurging or new outbreak that would affect the collection process of initiatives ongoing at that moment to the same extent.

Verification stage

- Three months verification period for Member States
- Regulation does not provide for derogation in case of exceptional circumstances
- Proposal to introduce a specific derogation in the Regulation in case confinement measures impact the functioning of national administrations in such a way that they prevent Member States to perform verification within the timeline of three months.

Examination stage

- Examination stage: six months (Commission to organise within one month a meeting with organisers, EP to organise within three months a public hearing)
- Regulation does not provide for a derogation from this timeline in case confinement measures do not allow EU institutions to organise (external) events, including public hearings
- Proposal for a similar derogation as for verification stage that caters for the possibility to extend examination stage in such exceptional cases

Other elements of amendment

- Retention period: in case collection period, verification period and/or examination period is extended, the retention period should be extended accordingly
- Retro-activity clause to cover the initiatives that were collecting statements of support before date of application of amendment
- Amendment limited in time: e.g. until end 2022

Proposed scope of the amendment

Do you agree that an amendment of the ECI Regulation should be limited to counter the negative effects of the confinement measures taken by the Member States in response to the ongoing pandemic?

COMMENTS RECEIVED:

- General agreement for an amendment of the ECI Regulation to be limited to the COVID-19 pandemic.

Commission empowerment: existence of confinement measures in majority of Member States

Considering the unpredictability of the developments related to the COVID-19 pandemic, a Commission empowerment is proposed for a further extension of the collection period of affected initiatives subject to specific conditions, including the existence of confinement measures in a large majority of Member States. We welcome your views on our proposed definition of such measures, tailored to the specific context of ECI.

COMMENTS RECEIVED:

- General agreement on a Commission empowerment for a possible further extension.

Commission empowerment: existence of confinement measures in majority of Member States (cont.)

COMMENTS RECEIVED (cont.):

- Criteria for implementing powers to be clear and specific
- Further assessment on how campaigns are and continue to be affected
- Total of successive extensions to be limited in time (1 year?)
- Importance of communication between MS and COM on state-of-play of confinement measures
- Etc.

Verification process: impact of COVID-19 measures on Member States' administrative capabilities

Could you inform us if your administration has encountered or is encountering difficulties in verifying statements of support since the outbreak of COVID-19, which may prevent it from carrying out the verification process within the set period of three months?

COMMENTS RECEIVED:

- No specific issue now in relation to verification - almost no activity underway (but could potentially become an issue if pandemic continues)

Need for COVID-19 derogation for verification and examination stage?

Do you consider a COVID-19 derogation appropriate for the verification stage and the examination stage? And if so, what criteria would you consider appropriate?

COMMENTS RECEIVED:

- Mixed feedback: some MS support an extension of the verification period (majority), some do not see the need for an extension
- Possible issues related to: lack of relevant staff due to confinement (work in shifts, working from home and additional tasks in administrations to address effect of pandemic in other areas of public life; difficulty in handling statements of support on paper (especially if in high numbers); etc.

Thank you



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