



I.M.P.A.C.T. - YOUR GUIDE TO BEING AN ACTIVE EUROPEAN CITIZEN

ECIT Foundation (European Citizens' Rights, Involvement and Trust) was established as a public foundation under Belgian law on 2015. In the world of European think-tanks, it fills a gap being the only one to concentrate solely on **European Citizenship**. ECIT is becoming a resource of know-how, research, and contacts, but also one of support for civil society organisations, academics and policy makers when they work on this theme. So far, the Foundation has to its credit a book: Piecing together Europe's citizenship, published in English and French.

Although 60% of people recognise that they are both national and European in some sense, the concept of European Citizenship itself remains elusive. By bringing together its scattered elements in the ECIT Statute, we aim to improve an understanding of what it is and what it could become. This matters because the European Union is crisis-ridden, torn apart by centrifugal forces over the management of the **Euro**, **asylum** and **immigration**, **free movement** within the EU and the rise of extreme nationalism and xenophobia. What else but a stronger transnational citizenship can hold the EU together? The dilemma is that European Citizenship as a shared concept. It will take a generation to build. However, there is no option but to start.

This awareness led to the desire to develop this **I.M.P.A.C.T. Resource**. The **EU Institutions** are still perceived as a **distant bureaucracy**. Yet, they offer more **access points** and **channels of communication** than any other European or international organisation. Often though it is not clear where to start. What is needed is a **one-stop shop** to make **access better known and easier**.

This practical guide should help you find what you're looking for in the EU's vast Europa website maze! Once you know where to begin, it's easy, but it gets harder later on, if you have to pursue your claim. One tip is to use a combination of the different channels . So after describing I. M. P. A. C. T, we end with a particular example to show how.



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INITIATE PROPOSALS

An ECI is an instrument that can put on the **Commission's agenda a demand for a European law**. For it to be successful, it has to reach **1 million signatures within 12 months** by EU citizens from **at least 7 of the 27 EU countries**. Then the Commission has to decide to follow it up – even if it is not obliged to do it. To see how an ECI works more in depth, [click here](#). Citizens don't have to wait for the EU to take action, but they we can also set the agenda using this unique transnational participatory democracy instrument.

Before initiating a proposal you should make sure that **you study ECIs already put forward**. In order to check that, you have to [click here](#) and you can search for keywords in order to get the most relevant results. Be aware that out of just over 100 ECIs attempted only about 6% have reached the threshold, even though some that don't can be influential.

If your idea for the proposal might be worth trying, you need to [click here](#) in order to **start your ECI**. You can launch your ECI **individually** or as a **group**, but keep in mind that the **higher** the number of **citizens involved**, the **more effective** the ECI is. You need a combination of enthusiasm, an eye-catching theme, a European campaign, a **strong coalition** of national civil society coordinators, a **professional communication strategy** and **funding**. The real cost is about 1 euro per signature.

Nonetheless, you're not alone and if you have any **doubt**, [click here](#). It's a forum you can consult in order to get practical information, advice and to discuss any topics related to the ECIs.



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MAKE A COMPLAINT

If you feel that your **rights** under Union law have **not** been **respected by the national authorities** of a EU Member State, you should try firstly to take up the issue with them, since it's often the quickest and most effective way to resolve it. The main **obstacle** here is that every Member State has a different system, and so there could be different ways in which you could submit your file, for example you could send it to the **National or Regional Ombudsmen**, or bring the matter to the **national court** of the country in which the problem occurred. If you have some problems or you don't know your country's system, here you have a link to find out more about **national judicial systems** or going to court ([European e-Justice Portal](#)).

Be aware that some things can only be **done by national courts**, for example the annulment of a national decision or the reimbursement of individuals for losses they've suffered due to a breach of European Union law. Nonetheless, there is always the option of **addressing** your problem at the **EU-level**. Complaints about violations of EU laws should be sent to the **European Commission** since it is the Institution responsible for the correct enforcement of EU law - also known as "the guardian of the Treaties". The Commission can take up your complaint only if it is about a breach of Union law by **authorities** in a **EU country**, and **not** if you complain about the action of a **private individual** or **body** - unless you can show that national authorities are somehow involved; this is the link to the online complaint form [online Complaint Form for breach of EU law](#).

When **writing** the complaint, you need to **put forward** the **facts** of the case backed up with **written evidence** and, where possible, a **link** to a **misuse** of **EU funds**. The **obstacle** here is that the form you have to fill in requires you to write exactly which Union law has been breached, and if you're not an expert in Union law, you can find it difficult to find it out. Therefore, you can ask for quick and informal **advice**, in your own language, from the **Your Europe Advice service**.



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When you send your complaint to the European Commission, you have to know **what to expect next**:

- The European Commission will **confirm** to you that it **received** your **complaint** within **15 working days**;
- The institution will invite you to **resubmit** your complaint if you did **not** use the **standard complaint form**;
- Within the **following 12 months**, the European Commission will **assess your complaint** and aim to decide whether to initiate a formal infringement procedure against the country in question;
- If the **issue** that you raise is **especially complicated**, or if the European Commission needs to ask for more information or details, it may **take longer** than 12 months to reach a decision, but you will be informed of that;
- If the European Commission decides that your **complaint** is **founded** and initiates a **formal infringement procedure** against the country in question, it will inform you and let you know how the case progresses;
- Should the Commission **contact the authorities** of the country against which you have made your complaint, it will **not disclose your identity** unless you have given your express permission to do so;
- If the European Commission thinks that your problem could be **solved more effectively** by any of the available informal or **out-of-court problem-solving services**, it may propose to you that **your file** be **transferred** to those services;
- If the Commission decides your problem does **not involve a breach** of Union law, it will inform you by **letter before** it **closes your file**;
- **At any time**, you may give the European Commission **additional material** about your complaint or **ask to meet representatives** of the European Commission.

If you consider that the European Commission has not correctly dealt with your request, you can contact the **European Ombudsman** [here](#), which investigates complaints from individuals, businesses and organisations about maladministration by EU institutions, bodies and agencies.

Instead, if you want to report a **fraud** involving EU funding or EU staff, you can report it to [OLAF](#), which is the **European Anti-Fraud Office**.

If you want to complain about the **application** of EU law, in this case you have to address the **European Parliament**, not with a Complaint, but with a **Petition**; we will look deeper into them in the next point.



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PETITION THE EUROPEAN PARLIAMENT

As a European citizen, you have the **right to petition**. This means that you are given a fairly simple tool in order to:

- Appeal the **European Parliament** against a **violation of individual European rights**;
- Raising a **more general concern** with the **Committee on Petitions** (PETI Committee) having a petition preferably with a significant number of **signatures** (hundreds or thousands).

Your **petition** must **concern** one of the EU's policy areas and it can be submitted **individually**, as a **group**, or as an **organisation** – even if, as for the ECIs, the **higher** the number of **citizens involved**, the **more effective** the petition is – but it differs from the ECI because a **minimum number of signatures** is **not required** for petitions. But the two tools are really **linked**, and this is why some **ECIs** that couldn't find success, are either “**transformed**” into **Petitions**, or, sometimes, the **PETI Committee** give a **hearing** to the **organisers** of the ECI in question. Moreover, **petitions** can be used to **back up** a **complaint** since, as we saw, the **Commission** has **no obligation** to act.

As for the ECIs, it's better if you check the existing Petitions before submitting your own. If your petition is different from the others, you can start your own.

As you can see, the **process** for petitions is not as legally strict as the one for the ECIs, but the selective part comes now, with the PETI Committee which is responsible for **considering** and possibly **following up** on **petitions**. This Committee receives a lot of different petitions and **not every one** of them can be **discussed**, so the **members** choose to **take decisions** on them by means of a regular system of **political scrutiny**.

Nonetheless, the chosen petitions are **discussed** very **openly** and **transparently** since the meeting has the **active participation** of the **petitioners**. Moreover, these meetings are **broadcast** live or are available on demand, and the petitioners receive a **letter** from the **chairman** with the **outcome** at every **stage** of the **process**. Here, the **problem** is that a petition can **lead**, at best, to a **non-binding resolution** of the European Parliament which does not lead to **action**.



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ACCESS DOCUMENTS

In order to build a **strong background** for your tool, you need to **consult documents**, such as past activity in a certain field, studies, policy recommendations about a specific article or similar. Now, every Institution has a page for documents and publications, where you can find some more recent **documents** published by that particular **Institution**:

- The **European Commission** has two useful websites for searching through all the **publications** and the documents;
- The **European Parliament** has one page for everything but you can still insert keywords;
- The **European Council** has a very clear website where everything is divided into main groups in which you can search by keyword or filter by topic.

If you did not find the document – or the type of document – you are looking for, you can request it to the various **Institutions**:

1. The **European Commission** has a step-by-step guide on how to use its portal.
 - The Commission has to **reply** to your request **within 15 working days** – excluding public holidays – but when the **request** is more **complicated** (length of the document to identify and analyse, whether a translation is needed, or if there's a need to consult a third party concerning the disclosure of their documents) the **time-limit** can be **extended** to an **additional 15 working days**.
 - If the **request** is **not clear**, the **Commission** will write to you **asking** for a **clarification**, and the 15 working days' **time-limit start** running only **once** you have **clarified** the **scope** of your **request**.
2. The **European Parliament** has an online form where you can request a document.
 - After considering your request, the Parliament will send a reasoned **reply within 15 working days** (as for the Commission). Moreover, where **disclosure** is **granted** the **document** is **published** on the register.
3. The **European Council** has a website where you can find a cool infographic on how to find Council documents.
 - The Council will reply to you within 15 working days (as for the Commission and the Parliament). In exceptional cases, this time can be extended by a further 15 working days.



When you get the response from the Institution, you should **classify** your **request** to show if you are happy with the answer they gave you, if there was some information missing, or if the information you requested was denied. That's called a **confirmatory application** to which you can **submit** an **appeal**. This is very easy to do, because you just have to **reply** to the **final response** you got from the Institution **within 15 working days** (check the official decision letter from the EU Institution in order to determine the date from which you will need to send your appeal). In your response, you just have to **state clearly** that you are filing a confirmatory application in response to the answer you were given.

If you need any **help** do not hesitate to contact "AsktheEU" at this [link](#).

If you are still **not happy** with the outcome of your **confirmatory application**, you have two options for **further appeal**:

- You can appeal a confirmatory application decision to the **European Ombudsman** but the final decision is not binding upon the EU institutions;
- You can choose to follow an appeal to the **European Union Court of Justice**, whose final decision is binding, but it is a riskier, more complicated and more costly choice, since it's not free and it comes at the cost of carrying out a court case that may be further appealed and may take several years to complete ([LEGAL AID FORM](#)).



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CONTRIBUTE TO THE DEBATE

Increasing the **participation** of citizens and stakeholders in the law and **policymaking** is an important goal of the Commission's better regulation agenda.

If you want to contribute to EU law-making in all its process (from the preparation phase to proposals of new laws and evaluation of how existing laws are performing), you can contribute to **public consultations** and various **feedback** mechanisms existing throughout the policy cycle. In order to do that you can search consultations as well as **feedback opportunities** in the *Have your say* page.

Moreover, you can **sign up** at this page in order to **receive email** notifications to **stay informed** of any new consultations. You will also be informed if your organisation is on the joint transparency register of the Commission and European Parliament

You can also suggest **your views** on how to make EU laws more effective and efficient at this link where you can share your ideas and make **suggestions**.



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A REAL-LIFE CASE

In this last point we will go through every point of I.M.P.A.C.T. following a **real-life case**: a group of young people are getting together to persuade the EU to give a **right to every child to enjoy the democratic freedom of Europe**. The group is conscious that through their education they do have such a privilege, but that the majority does not. They perceive a gap between EU rhetoric and declarations in favour of European citizenship education and what happens in schools and other activities for young people, where Europe hardly gets a mention. They want to propose a European law to close this gap and use a European citizens' initiative (**ECI**) for this purpose.

1. INITIATE PROPOSALS

The case-study from our ECI proposal "*Making European Citizens*" – *Guarantee the freedom of Europe for every child* is particularly challenging because, in order to register the ECI, its **topic** has to be in the **legal competence** of the **Commission** - and education is not. Thanks to the citizen-led Conference on the Future of Europe (CoFoE) the group discovered that they had to achieve a **Treaty change** in order to make **education** a **shared competence** between the Member States and the Commission. Thanks to the ECI forum, the group found a **Directive** from 1977 on teaching migrant workers' children, which could be **revised**. A **European Citizenship education clause** could be added to **existing** European legislation.

There could also be a new law on European citizenship thanks to Article 25 TFEU which allows for new rights to be added to EU citizenship.

The **next step** for the group is to form a **citizens' committee** and request registration of the ECI.



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2. MAKE A COMPLAINT

To back up the case for a European right to citizenship education, it is worth keeping an eye on citizenship education initiatives by euro-sceptical governments, which run counter to European values and send a formal complaint to the Commission. The group found a Polish educational law which was controversial and subsequently withdrawn; as we know now it is easy to make a complaint to the Commission against a Member State for failing to apply a European law or violating European rights.

3. PETITION THE EUROPEAN PARLIAMENT

The question that the group asked itself was: “Should our proposed ECI on a right for every child to European citizenship education become a petition, especially since the Commission may argue that it is not within its legal competence?”. Moreover, as we already highlighted, petitions have other advantages like anyone can sign a petition, including children and third country nationals, which is not the case for ECIs; or the Petitions Committee invites a number of petitioners to be heard in person and the debate that follows is a good way to get the support of MEPs on the follow-up.

4. ACCESS DOCUMENTS

There is a debate about whether or not the EU needs to revise the Treaties to adopt laws in the educational area; our ECI *“Making European Citizens” – Guarantee the freedom of Europe for every child*, hence, is a controversial proposal. ECIs cannot demand Treaty reform, so the citizens’ committee based their proposal on Article 25 TFEU which requires the Commission to report every 3 years on activities related to Union citizenship and if necessary to propose to add new rights. Such a proposal from the Commission requires the assent of the European Parliament meaning it has no power to make changes and then has to be adopted unanimously by the Council with the possibility for Member States to submit the proposal to follow-up ratification procedures. It’s enough for one country to veto, but who could be against children's rights? The Commission has duly reported tri-annually on past activity but has not made any such proposal.



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For the ECI organisers there is therefore a strong case for sending access to documents requests to all three Institutions to find out if there is any study or policy recommendations about an article they have never used to expand the list of rights attached to Union citizenship

5. CONTRIBUTE TO THE DEBATE

It is important to participate in a public consultation, while running an ECI. The consultation process is often complex and technical, geared more to stakeholders than ordinary citizens. If you are part of an organisation which has declared its interest in participating in EU affairs, you should enter your details and a declaration of funds spent on advocacy towards the EU each year on the transparency register. You will then receive notifications of several opportunities to participate in a public consultation in your field and normally have 12 weeks to respond.

This is why the citizen-lead conference on the future of Europe (CoFoE) recommended that more is needed to involve ordinary people than the technical consultation processes. The CoFoE showed that participatory democracy works at the European level.

OUR TIP: Try these instruments for engagement with the EU in combination

To sum up, let's revise three fundamental tips shown in this guide:

1. Combining different ways of communicating your views towards the EU can strengthen your voice and be more effective.
2. We have also shown that although the different means of access and channels of communication towards the EU are all very easy to engage with at the start, it does become much more complicated and demanding in terms of time and expertise if you decide to pursue your claim.
3. The individual citizen would do well to join forces, if possible with people across borders and get the support of civil society organisations which are familiar with the workings of the EU.



WEBSITES ON WHICH YOU CAN FIND HELP

- Access Info Europe: [Access Info Europe - The Right to Ask ... The Right to Know \(access-info.org\)](#).
- The Good Lobby: [Home \(thegoodlobby.eu\)](#).
- Europe Direct offices: [Meet us \(europa.eu\)](#).
- Your Europe Advice: [Your Europe Advice \(europa.eu\)](#).
- [Help and advice for EU nationals and their family - Your Europe \(europa.eu\)](#).

OTHER HELPFUL LINKS

- Transparency portal where you can find out about the recipients of EU funds: [Funding recipients | European Commission \(europa.eu\)](#).
- Transparency registers where you can see who is lobbying about what: [Lobby groups and transparency \(europa.eu\)](#).

