



# THE EUROPEAN CITIZENS' INITIATIVE

## GUIDELINES AND RECOMMENDATIONS FOR PRACTICAL IMPLEMENTATION

22 February 2024

The present guidelines and recommendations on the implementation of [Regulation \(EU\) No 2019/788 on the European citizens' initiative](#) (hereafter: 'the Regulation') are intended as a concise reference document for the Member States' competent authorities (and have been prepared partly at their request). They cover various stages of the citizens' initiative procedure, in particular those related to the transfer and to the verification of statements of support. As such, on many points they will also be helpful to organisers.

To a large extent, these guidelines and recommendations clarify or update advice that the Commission has previously provided, either in non-papers, in written correspondence, or at meetings of the Member States' Expert Group on the citizens' initiative. They may need to be revised over time, taking into account the experiences of the Member States' authorities and the Commission with their implementation.

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## 1. INFORMATION EXCHANGE

- **Registration.** The Commission informs the Member States' authorities via email of requests for the registration of proposed citizens' initiatives that it has accepted or refused.
- **Start collection period.** Once the organisers have informed the Commission about the starting date of the collection period, the Commission informs the Member States' authorities via email about that date. The Commission will also indicate the start and end date of the collection in the public register.
- **Verification of statements of support.** In case the organisers submit a verification request for the statements of support on paper without using the Commission file exchange service, a Member State's authority receiving that request should immediately inform the Commission. The Commission will then share this information with the other Member States' authorities. In case the organisers use transfer services (the file exchange service) provided by the Commission, the specific procedure including notification as defined under Section 4 below applies.
- **Legal or administrative proceedings.** Member States must inform the Commission without delay of any legal or administrative proceedings by organisers ongoing in their country as regards the process or outcome of the verification of statements of support. In the case of such proceedings the destruction of the data in the central online collection system is postponed.

Communication between the Commission and the Member States' authorities can take place by email by using the Commission functional mailbox: [SG-ECI-EXPERT-GROUP@ec.europa.eu](mailto:SG-ECI-EXPERT-GROUP@ec.europa.eu).

## 2. STATEMENT OF SUPPORT FORMS

Organisers are free to use either the forms made available to them in their organiser account on the Commission website, or forms that they prepare themselves based on the models set out in the Regulation. The Member States' authorities may also make such forms available to organisers, but they cannot make their use mandatory.

In all cases, the forms used for the collection of statements of support on paper, which can be in any of the official EU languages, must comply with the model in Annex III of the Regulation, include the data required for each respective Member State pursuant to Annex III (Part A or Part B), and provide the key information required on the initiative as published in the European citizens' initiative register.

Although forms prepared by the organisers should be in full conformity with the model provided in Annex III, they could be amended to add a logo or image of the initiative.

The form should be on one sheet (it may be double-sided), as this would provide some assurance that signatories see the totality of the form and the information on it. Furthermore, it should be clear to signatories before they sign the form to which Member State it will be sent. It must be the Member State of their nationality or one of their nationalities.

The forms must reflect the scope of the initiative as registered (both in case of a full or partial registration). The forms made available to organisers in their account on the Commission website include the relevant information.

The forms used by the organisers for paper collection shall comply with the models set out in Annex III of the Regulation (see Article 9(2) first subparagraph of the Regulation). A Member State's authority cannot 'approve' new forms designed by the organisers. In case of doubt concerning conformity with the model provided in Annex III, Member States' authorities may, if necessary, contact the Commission to perform this check.

The forms do not apply to support given online through the central online collection system, using eID (see Article 9(2) last subparagraph of the Regulation).

### **3. SIGNATORIES**

According to Article 2 of the Regulation, signatories, who must be citizens of the Union, must be of the age to be entitled to vote in elections to the European Parliament or at least 16 years old depending on the decision of the Member State concerned. Having the right or being registered to vote in elections to the European Parliament cannot be a requirement to support a citizens' initiative. Member States must only verify whether the signatory is old enough. Member States must verify statements of support of their citizens/nationals, regardless of their place of residence.

When a Member State decides to lower the minimum age for supporting a citizens' initiative or if it decides to lower the minimum age to vote in the European elections (resulting in a lowering of the minimum age for supporting a citizens' initiative), it must notify this change to the Commission including its date of application. Such notification should preferably be made three months beforehand to allow the Commission and the organisers to introduce the change in the relevant forms.

For information on data requirements, see: [https://citizens-initiative.europa.eu/data-requirements\\_en](https://citizens-initiative.europa.eu/data-requirements_en)

### **4. TRANSFER OF STATEMENTS OF SUPPORT FOR VERIFICATION**

#### **4.1. General**

Organisers can submit to each Member State authority only one request for the verification of statements of support per initiative. They are only allowed to do so, when they have collected the minimum numbers of statements of support under the Regulation. At the same time, it is not necessary that they have reached a minimum threshold in a specific Member State for that Member State to carry out the verification.

The Commission publishes the end date of the collection period in the register (12 months from the date set by the organisers to start their collection). Although the collection period runs for 12 months, organisers may decide to close the collection earlier (Article 8(1)). Organisers must then submit their verification requests to the national authorities within three months of that date.

Statements of support collected through the central online collection system are submitted by the Commission to the Member State authorities through the file exchange system (S-CircaBC).

Statements of support collected on paper must be submitted separately in paper form or in electronic format (e.g. scanned as PDF or JPEG). Organisers may choose to submit these via the file exchange service.

Statements of support collected online must be submitted in the above-mentioned [electronic format](#).

Organisers are not required to attribute a number to each statement of support, but they may choose to do so.

#### 4.2. Use of the Commission file exchange service (operated using S-CircaBC system)

When organisers use the file exchange service, the 3-month deadline for submitting the verification request applies. Note that once the submission is initiated by the organisers, it can take up to five working days for the Commission to complete the transfer. The date of the verification request should be considered as the date when the organisers asked for submission.

As soon as the Commission has completed the transfer and the files are available in S-CircaBC, Member States must verify if the files are in a readable format and confirm to the organisers and the Commission that the files have been received in good order. An acknowledgement of receipt and any subsequent correspondence with organisers shall take place outside the file exchange service.

It cannot be excluded that organisers that make use of -S-CircaBC for the submission of their paper statements submit their files to the wrong Member State folder in S-CircaBC. As the Commission does not have access to the data therein, it will not be able to check this. If the files are encrypted with the public key of the Member State to which the statements of support were deemed to be submitted, the Member State receiving those files by error will not be able to read them. The erroneously approached Member State authority will only be able to access the files if in addition the files are erroneously encrypted with the public key of this erroneously approached Member State,. In both cases, the Member State's authority must notify as soon as possible the organisers and the Commission and delete the files in agreement with the organisers.

Member States can consult the practical instructions on how to handle the verification process using the file exchange service in a secure dedicated space [in S-CircaBC](#).

Member States' authorities are reminded that:

- they need to have in place a key management for accessing the files on S-CircaBC (including assigning who is authorised to access and use the keys, version management) to ensure that all keys are protected from unauthorised access;
- they engage in the tests of the S-CircaBC procedures, to be organised by the Commission twice a year, including the tests on the validity of the keys (and their versions) to be used for accessing the files uploaded by the Commission or organisers;

- they will receive an automatic notification from S-CircaBC as soon as the files are made available for download. They must then make sure they carry out the verification process within the timeline prescribed in the Regulation.

## 5. VERIFICATION OF STATEMENTS OF SUPPORT

The Member States' authorities must, within three months of receiving the statements of support, verify them by carrying out appropriate checks, in accordance with national law and practice (Article 12(4)). It is on this basis that they determine and certify the number of valid statements of support. The certificate must be issued free of charge.

Member States' authorities must accept the statements of support in any of the official EU languages. However, the content of the initiative indicated on the form must correspond to the text published in the European citizens' initiative register in the corresponding language.

Member States' authorities are not required to check the authenticity of the signatures collected in paper form, but only the coherence of the personal data provided.

Given that the verification exercise has legal implications, which could be contested before the courts, it is important that certain safeguards are in place, in particular when random sampling is the method used:

- **Sample size.** Member States' authorities should ensure that they choose a statistically valid random sample, i.e. a sample that is sufficiently large and representative and, where appropriate, takes account of different levels of risk (e.g. a higher risk among statements of support collected through a certain channel). In order to do so, they should opt for a margin of error and a confidence level that ensure that the results will be sufficiently accurate. They should also assess whether there is a need to stratify the population, for example as regards possible ways of collecting, prior to sampling, particularly if there is a suspicion that certain batches of statements of support are less reliable.
- **False errors.** Certain minor mistakes or changes should not invalidate the statements of support where there is no indication or suspicion of fraud (e.g. the signatory has made a genuine error<sup>1</sup> or omitted minor information<sup>2</sup> which does not cast doubt on the authenticity of the statement of support or prevent the authorities from identifying the signatory), or the signatory has changed residence since signing the initiative. It is possible to account for such mistakes or changes by considering that a certain percentage of invalidated statements of support are in fact valid. If verification is automated, it may be necessary to double-check the rejected statements of support manually in order to detect such false errors.
- **Benefit of the doubt.** When extrapolating the results of the sample to the whole population, the Member States' authorities should give the benefit of the doubt to the organisers in particular by choosing the lower threshold in the confidence level (i.e. the interval obtained by adding and subtracting the margin of error from the result).

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<sup>1</sup> For example, the signatory indicated a number corresponding to an identification document that is different from the one required (e.g. passport number instead of ID number).

<sup>2</sup> For example, the street number or the postcode when the address is required.

It may be anticipated that during the verification a certain number of statements of support will be invalidated. Organisers are therefore recommended to collect significantly more statements of support than the one million required.

If multiple statements of support from the same signatory are detected, one of them should be considered as valid, rather than all of them being invalidated.

The Regulation only requires the Member States to check the coherence of the data provided by signatories and not the will of signatories to support an initiative. This means that it should in general be sufficient for a citizen to fill in, on paper or electronically, a statement of support form, and that the citizen should not be called upon to act a second time by, for example, replying to letters or emails. However, if a competent authority has reasonable doubts about possible fraud because of inconsistency in the data provided that would invalidate statements of support, the authority can undertake additional checks, including sending of electronic messages or letters to the persons concerned, to verify whether the statements of support were actually submitted by the persons concerned or by an unauthorised third party. A positive reply in such case can ‘sanitise’ the otherwise invalid statement of support. A negative reply is a sufficient reason to invalidate the statement of support. If the signatory does not respond, the statement of support must be invalidated, based on the original assessment of the data inconsistency.

Member States must follow the template in Annex VI (certificate confirming the number of statements of support collected). Member States are also advised to provide **additional information** about the verification method used and the results. This additional information (for example, reasons for the non-validation of some statements of support and available remedies) must be provided in a separate document. If the verification process results in a disproportionately high number of invalid statements of support, the Member States’ authorities are encouraged to indicate, if available, the issues or irregularities that they have detected in Annex VI or in an additional document (e.g. multiple statements of support from the same signatory, lack of identity details or other mistakes that prevent authorities from identifying the signatory, inconsistent personal data provided in the form, unreadable paper statements, issues of fraud) and, where appropriate, the extra checks carried out. Member States are also encouraged to inform the Commission when they encounter such issues to facilitate the sharing of good practices and future revisions to these guidelines.

## 6. CONTACT POINTS AT NATIONAL LEVEL

Each Member State must establish one or more contact points to provide information and support to groups of organisers on the legal framework and the practicalities about the European citizens’ initiative, including:

- Information and guidance on certification and verification procedures;
- Providing information or referring to authorities that can provide information on the applicable national law, including on the creation of legal entities;
- Providing information or referring to authorities that can provide information on data protection.

Contact points are also expected to contribute to raising awareness about the European citizens' initiative, in cooperation with the Commission and its representations. Contact points are invited to make use of the material made available by the Commission in all official EU languages on the European citizens' initiative website ([https://citizens-initiative.europa.eu/spread-word/communication-material\\_en](https://citizens-initiative.europa.eu/spread-word/communication-material_en)).