

Evaluation of the European Union Agency for Fundamental Rights

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CASE STUDY

Optimicity worked with a wide range of stakeholders across Europe to propose a solution that would deliver the highest level of healthcare for patients and families.

THE CHALLENGE

A study of the challenges facing the European Citizen's Initiative's (ECI) adoption and development of potential changes to simplify its process.

The ECI is a petitioning tool that allows citizens to invite the European Commission to act on a subject proposed by the public. The initiative was designed to facilitate direct democracy within the European Union (EU) through the inclusion of citizens in agenda-setting at the EU level. At first, citizens were very enthusiastic about ECIs, but by the time of the project's initiation, only three initiatives had successfully collected the required number of signatures.

Each ECI requires one million signatures to make it to the Commission. That said, by the time the project was commissioned, the Commission had received fifty-six requests for ECIs, of which it registered thirty-six. Twenty of that number failed to fulfil the registration criteria. Additionally, there was a steep decline in the number of requests – and in new initiatives – only a few years after the ECI's introduction. Unfortunately, there was also a decline in the number of citizens who signed an ECI annually, with over 5.4 million signatures in 2013 and about 630,000 in 2014. All these factors led to calls for an overhaul and simplification of the ECI system – and that is where Optimicity came in.

The ECI's goals are to ensure that procedures and conditions were clear, simple, user-friendly and proportionate to the nature of the citizens' initiative, to encourage citizen participation; to ensure protection of personal data of the signees; and to avoid fraud.

From this, Optimicity focused on three key objectives:

1. To assess the scope and possible approaches for simplifying data requirements within the ECI's existing framework.
2. To research the possibility of streamlining the data security requirements for organisers, while ensuring the protection of these data is in accordance with the ECI's existing legal framework. Optimicity also kept in mind the protection of data in accordance with the framework.



3. To assess the provisions of the Regulation regarding data requirements for signatories and statement verification. Optimity also explored other instruments of direct and participatory democracy at national/regional level, and put forward alternative options should the Commission propose a revision of the ECI's framework.

HOW WE HELPED

Optimity Advisors analysed the ECI's underperformance and proposed solutions.

To fulfill the objectives, Optimity used three avenues of research:

1. An analysis of the ECI at the national level, which included investigating the data requirements needed to sign an initiative and the mechanisms used to verify these signatures. Optimity also identified best practices for collecting and verifying signatures, while still considering data sensitivity issues.
2. An assessment of data protection and data security risks in the ECI, using previous risk assessments as a foundation. From here, Optimity explored technical specifications for the ECI's online collection systems.
3. An analysis of instruments similar to the ECI. Researchers begun with what data is required for other initiatives and then compared that to the ECI's requirements. They also explored other mechanisms used by similar programs and how they dealt with sensitive data. Finally, Optimity identified best practices related to the digital collection and verification of signatures.

This was all achieved through a methodology that includes traditional research theory, qualitative and quantitative data, and expert opinion, including:

- Initial interviews with key stakeholders at the beginning of the study
- Desk-based research
- An in-depth interview programme with key stakeholders
- Country fiches on the implementation of and participation rates for ECIs and other instruments, attitudes on data security and other information
- Case studies

With the data gathered, the study applied analysis techniques, including:

- A descriptive analysis providing information and comparison ECIs, attitudes on data sensitivity and requirements in all EU Member States
- A comparative (legal) analysis evaluating the laws, implementation rules, data and information across Member States
- A statistical analysis on support for ECIs, other participatory instruments, and the level of support for each ECI
- A risk assessment covering possible data protection and data security risks
- The development of options to simplify data requirements for ECIs



RESULTS/IMPACT

Following the study, policy options for improving the ECI were developed.

These options were developed based on best practices discovered by Optimity Advisors' study. Many detailed options to improve the ECI were developed and grouped under 5 main option headings:

1. Option 0 - no verification of signatures
2. Option 1 - simplification and harmonisation of the data requirements for ECIs
3. Option 2 - introduction of two-step verification systems
4. Option 3 - exclusive reliance on paper collection for ECIs
5. Option 4 - involving the use of authenticated signatures of e-IDs

Following this project, as part of other technical studies analysing the ECI, the Commission undertook measures to improve the initiative under its current framework. Most importantly, the European Commission also proposed an amended legal framework for the ECI.



THANK YOU

There is always more to the story. For a more comprehensive discussion on this project or other Optimity Advisors' consulting services and solutions, please contact:

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