

Contribution for 4th UBIE Meeting 21th May 2016 in Hamburg

Agenda Item 2.

Reports from UBIE projects,

Project **8. New ECI: (Klaus)**

How to go on in the long term? We should have a second ECI on UBI. Maybe something like the unofficial Citizens Initiative for the Stop TTIP campaign.

No decision is expected to be taken in this meeting. But for the meeting in Hamburg, we might start working on it with a working group. We have time but time is still running, so it is better to have it in the agenda already. Get in touch with Klaus Sambor (klaus.sambor@aon.at)

→ **adopted**

In our discussion (Round Table UBI – Austria) we have made at first some statements:

- Concerning a new ECI: Basically, we think it is right to start the discussion to launch another ECI, and 2017 or 2018 as time frame seems reasonable (perhaps before the next European selection.)
- We should wait for the improved regulations for an ECI (also based on our review and recommendations, see also "Material 4" below)
- Our next ECI has to be well-prepared. We need more capable and powerful organizations than last time when we start, or the existing ones have to be in a much better position. (We recommend each country to start collecting E-mail addresses.)
- Before launching a second ECI, we need to find larger alliances.
- Concerning timing we should look out for external events (e.g. UBI results in Switzerland, experiments in the Netherlands, Finland etc.).
- It is essential, that the ECI text has to be agreed on in UBIE consensually.

- The main point is, that we can give “aims” for all people, which are waiting to be able to do something for an EU taking care of secured material existence and solidarity in society. At least they can sign a proposal, which would be a great advantage for the society. We will urge all citizens to join us in supporting this initiative as an important step towards the creation of a Europe in which all have an equal opportunity to fulfil their potential.

Taking all these statement into account, we have copied some material, which could be considered as “material” for discussion for a second proposal:

Material 0: Not agreed ECI for registration

Title of the ECI

Unconditional Basic Income

Subject matter

Gain support for the introduction of an universal, individual, unconditional basic income to ensure a life in dignity and participation in society within all member states of the EU.

Objectives

The European Commission is requested by the signatories to use all its existing means and possibilities to speed up the introduction of an Unconditional Basic Income. It needs a legal rights act in order to achieve the aims of the EU, to combat social exclusion and discrimination, and to promote social justice and social protection, offering each person unconditionally secured material existence, together with full participation in society.

Material 1: Our last time registered ECI:

Title: Unconditional Basic Income (UBI) – Exploring a pathway towards emancipatory welfare conditions in the EU

Subject matter:

Asking the commission, to encourage cooperation between the Member States (according to Art 156 TFEU) aiming to explore the Unconditional Basic income (UBI) as a tool to improve their respective social security system.

Main objectives:

In the long run the objective is to offer each person in the EU the unconditional

right as an individual, to having his/her material needs met to ensure a life in dignity as stated by the EU treaties, such as “pilot-studies” (Art 156 TFEU) and examination of different models of UBI (EP resolution 2010/2039(INI)§44) should be promoted by the EU.

Material 2: Agreement reached already 2008 (After the congress in Berlin)

For us, aspects of basic income are:

1. It is an individual right.
2. Basic income is paid to all people. It is a human right under the perspective of global social rights. This includes: it is independent from citizenship and takes into account migrants and refugees.
3. The paid amount secures existence and enables economic, social, cultural, and political participation and is not means tested.
4. Basic income is paid without making demands in return, such as forced labour or coerced return services.
5. The amount of basic income is dynamic, it is based on the development of costs of living and costs of participation.

We see further criteria that make basic income an emancipatory measure:

6. Basic income results in redistribution from upper classes to lower classes, especially with the help of the taxation of capital, wealth, and upper incomes.
7. There are additional needs, special supports, and special needs for certain groups of persons in addition to basic income. This concerns for example single parents, pregnant women, the handicapped, people with chronicle illnesses, and people with high living costs.
8. Basic income is embedded into the extension, quality assurance, and democratization of social security systems.
9. Basic income is an aspect of the maintenance, extension, and the democratization of public infrastructures.
10. Basic income stands in the context of the perspective of gender equality that realizes a radical redistribution of socially necessary labour (paid and unpaid) between men and women. Further measures for realizing gender equality are necessary.
11. The concept of basic income is embedded into societal development towards sustainability and a concept of society that focuses on ecological sustainability.

12. Basic income is situated in the context of the perspective for the creation of a solitary, participatory, and co-operative society that is based on the democratization of economy and society.

13. The demand for basic income is coupled with further demands that concern employment laws, especially minimum wages and the radical reduction in working hours. Also compensations of wages and personnel must be discussed as accompanying measures.

Material 3: "Statement of support for the European Citizens' Initiative for an Unconditional Basic Income" (Nov. 2013):

We, the undersigned (34 MEPs), support the European Citizens' Initiative for an Unconditional Basic Income because we believe a new form of social security is urgently needed:

- 1) As a result of the economic crisis, an estimated 120 million people in the EU - one in four adults and over one in four children - are experiencing or are at risk of poverty, insecure job contracts are becoming more widespread and work conditions are worsening
- 2) As social security systems in individual countries become increasingly conditional and punitive, they undermine individual dignity, form barriers to civic participation and deepen divisions in European society both across and within national borders;
- 3) As austerity policies curtail government services in countries across Europe, the burden of unpaid labour needed to keep families and communities together falls heaviest on women - all should be able to make a positive choice to care for friends and relatives without fear of penury;
- 4) Unconditional Basic Income is a far simpler form of social security, than those currently in place. As required by the Charter of Fundamental Rights of the European Union, a basic income would maintain citizens' fundamental rights to personal dignity and privacy, while encouraging solidarity, civic participation and creativity;
- 5) Everywhere in Europe, the unconditional Basic Income would encourage further integration of people within and between nations, help balance income disparities and mitigate the social and racial tensions caused by economic migration;
- 6) Unconditional Basic Income could encourage ways of living which have less impact on the environment;
- 7) Unconditional Basic Income needs further study and experiments to prove its practicality and to explore different models of implementation.

Unconditional Basic Income would transform a compensatory system into an emancipatory system, one that trusts people to make their own decisions, and does not stigmatise them for their circumstances.

Unconditional Basic Income is universal, paid to each individual unconditionally and sufficient to ensure a dignified existence with full participation in society.

Material 4: Allow ECIs that require treaty amendments to implement.

Many topics important to citizens require changing EU treaties. The Commission may propose treaty changes on its own initiative. So ECIs should be able to ask it to do so. [Read our detailed proposal here.](#)

This is the second in a series of articles taking an in-depth look at each of The ECI Campaign's 12

recommendations for building "An ECI That Works!"

#2 Allow treaty amendment in ECIs

Perhaps the ECI's greatest value to the EU as a whole is to provide a public forum for discussion of important issues and an official tool for citizens to influence the future direction of the EU. For the ECI to fulfil this vital democratic function, it must be available for issues that require amending EU treaties. This is currently a "legal grey area" that needs formal clarification. We recommend that a clause be added to ECI Regulation 211/2011 specifying that an ECI can ask the Commission to propose a treaty amendment, as well as request an outcome that would require treaty amendment to implement. There are four reasons that ECIs should be allowed that might lead to treaty amendments.

First, it would strengthen the ECI's impact on EU democracy.

Second, it was the ECI's creators' intention.

Third, proposing treaty amendments is within the framework of the Commission's powers.

Fourth, the Commission has registered at least one ECI that would require treaty amendment to implement.

Let's look briefly at each of these.

1. It would strengthen the ECI's impact on EU democracy. It is important to remember that the ECI only invites the Commission to *consider* an issue. It requires no action. Its value is primarily as a tool for public dialogue and citizen involvement. Some of the most important and difficult challenges facing the EU will require treaty amendments to address. Allowing ECIs that propose solutions to these challenges could increase the number of ECIs, their levels of public support and total EU-related public debate.

2. It was the ECI creators' intention. The ECI was originally drafted by members of the Constitutional Convention and kept unchanged in the Treaty of Lisbon. There was no discussion that treaty amendment not be allowed. National citizens' initiatives that forbid changing primary law make this point explicit. The Treaties contain within them methods for their own revision.

Therefore, it is logical to assume that ECIs were meant to be used for the full range of EU legal acts — including proposing treaty amendments.

3. It is within the framework of the Commission's powers. As ECI Regulation 211/2011 is now written, an ECI can address any topic that does not "*manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties.*" Article Art 48(2) TEU gives the Commission the

power to propose treaty amendments. Therefore ECIs should logically be able to ask it to use this power.

4. The Commission has registered an ECI requiring treaty amendment to implement. In its ECI registration decisions, the Commission is setting legal precedents. It registered the *ECI Let Me Vote* which asked for the extension of national voting rights to residents who are citizens of other EU Member States. To implement, this ECI would require modifying article 20(2) TFEU by using the informal treaty amendment process from article 25, TFEU. It is unlikely that the Commission would respond to a successful ECI by proposing a treaty amendment to the Member States. However, that does not mean that a public discussion on such a topic has no value. Major governmental reforms take years of public debate to gather support and acceptance. The EU may not survive without treaty reform. Why not open up the ECI so citizens can also suggest amendments they think are important? For additional background, see ["The ECI Campaign's Position on Treaty Amendments"](#).

Material 5: Proposal (similar to the proposal / Workshop Berlin 2008 by Sepp Kusstatscher and Klaus Sambor), which requires treaty amendments.

"Unconditional Basic Income as a project of the European Union"

a) Rules / Allocation of competences

The current competence of the Member States for the area "social" will be transformed into a mixed competence between Union and Member States.

It is distinguished between "Common social rules of the EU" (new Articles S-5, S-6 and S-7) and "Social rules of the Member States" (new Article S-8).

b) Aims

Article S-1:

The **welfare state** (based on the Human Rights, the Charter of the Fundamental Rights of the European Union concerning the Social Rights and the European Social Charter) is besides **democracy** and **"state under the rule of law"** a basic value of the Union.

The welfare state has priority to commercial considerations.

For the realization of the welfare state remains at the Member States, among other things, a public sector (which is exempted from the rules of competition) as an independent form of organisation of the economy under political control.

Article S-2:

Free chosen labour with good working conditions, wages and salaries, which enable a **self determined live**. Democratic participation and compatibility of family and labour must be possible for women and men.

Article S-3:

Social welfare as guarantee, that nobody will be poor on income. Social security is given, so that all inhabitants have an unconditional right to material resources to have a life in dignity, and enables them to have economic, social, cultural and political participation.

Article S-4:

Social justice and equal chances without discrimination (without excessive inequality in income, property/fortune and access to public goods and services.)

c) Instruments

Common social rules of the EU

Article S-5:

New full employment is possible, when by reduction of working hours, so that new workplaces are created. Besides we should be aware that there exist different kinds of work, e.g.

- labour
- care work
- work of upbringing children
- work for the community
- artistic creations

Article S-6:

The **tax system** has to be reformed radically. Taxes have to run processes. Tax on labour should be lower, but more progressive. Value added tax should be progressive from products

for basic food up to luxury goods. Taxes for non renewable resources should be high. There should be tax on transaction and higher taxes on capital and profit will be necessary, also on machines (Wertschöpfungsabgabe) and everything which increases the fortune of individuals and private enterprises.

Article S-7:

Unconditional Basic Income (UBI)

- It is an individual right.
- Basic income is paid to all people. It is a human right under the perspective of global social rights. This includes: it is independent from citizenship and takes into account migrants and refugees.
- The paid amount secures existence and enables economic, social, cultural, and political participation and is not means tested.
- Basic income is paid without making demands in return, such as forced labour or coerced return services.
- The amount of basic income is dynamic, it is based on the development of costs of living and costs of participation.

The UBI is a widening of the welfare state. Access to common goods and providing for existence without preconditions is necessary. Financing the public infrastructure (education, health, care, nursery school, traffic, energy, housing, culture, free access to cultural goods etc.) is a task of the state.

Social rules of the Member States

Article S-8:

To bring into line social systems step by step

Because the social systems have developed historical differently, they should be brought in line taking into account the “Common social rules of the EU”. A harmonization should be aimed at step by step, at least in long term.