



Facts, Figures, Analyses: Ten Things to Know about the European Citizens' Initiative

Factsheet to the Policy Brief 2/2018: More Initiative for Europe's Citizens

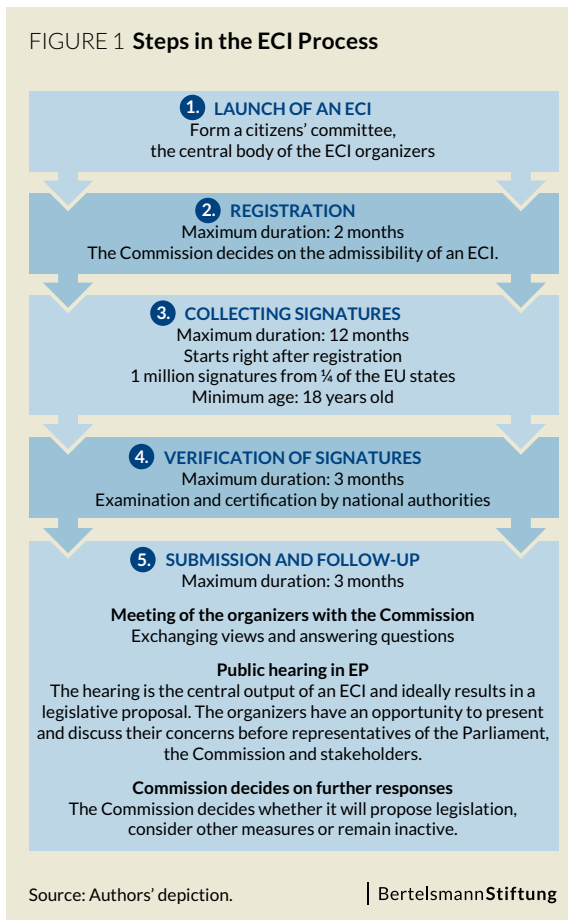
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1. The European Citizens' Initiative in Brief

A million signatures from European citizens are required to be heard.
But first the Commission decides who can even collect them.

The European citizens' initiative (ECI) – the world's first instrument of transnational citizens' participation – came into force on April 1, 2012. EU citizens can use it to invite the European Commission to propose a legislative act.

The Commission registers a planned citizens' initiative if it 1) does not manifestly fall outside the framework of the Commission's powers to submit a legislative proposal to implement the EU treaties; 2) is not manifestly abusive, frivolous or vexatious; and 3) is not manifestly contrary to the EU values as set out in the EU treaties.



The initiative must be registered on the Commission's website and published on the Commission's online register. As soon as this has happened, the organizers have one year's time to collect the necessary number of at least one million supporters from at least one-quarter of the EU member states (currently seven). On top of this, there are nation-state thresholds determined by the number of seats the respective country has in the European Parliament. One difficulty in all this is that the same criteria for collecting signatures do not apply in every EU country. Each member state can set its own criteria for what makes a signature valid. For example, while some countries require a personal ID number, others only require a place of residence. Greeks must even supply the name of their father for the signature to be valid.

If the signature-collecting is successful, the Commission must deal with the ECI's proposal. This includes a closed-door meeting of the organizers with the Commission. Then, an official public hearing takes place in the Parliament under the supervision of the responsible committees, with Commission representatives also present. Lastly, the Commission decides whether and to what degree it will take further action. In any case, it must sufficiently justify its decision.

The ECI starts off with a group of organizers. This group sets up a citizens' committee made up of seven eligible voters living in at least seven different EU states to serve as a point of contact. This committee submits an ECI text to the Commission.

BRIEF ANALYSIS

Ideally, an ECI leads to a legislative proposal. But the hurdles are high for an ECI to be successful: First of all, the Commission can decide for itself whether or not an ECI is admissible. If rejected, the organizers' only recourse is the European Court of Justice. On top of that, collecting signatures represents a major feat. In addition to surmounting bureaucratic hurdles, organizers must also meet various thresholds. The ultimate fate of any ECI is largely in the hands of the European Commission.

2. The European Citizens' Initiative: A One-of-a-Kind Instrument of Democracy

The ECI is an instrument with a direct-democratic appearance and a few dialogical elements. Precisely this hybrid form leads to problems.

FIGURE 2 **ECI Between Direct-Democratic and Dialogical Process**

TYPICAL ELEMENTS OF DIRECT DEMOCRACY PROCESSES	THE EUROPEAN CITIZENS' INITIATIVE	TYPICAL ELEMENTS OF DIALOGICAL PARTICIPATION
Defined number of signatures in a certain period of time	1 million signatures within 12 months	Thematic exchanges in small groups
Right of initiative and decision-making power for citizens	Agenda-setting: Appeal to the Commission to submit a legislative proposal	Non-binding consultation and involvement of various interests
Formal processes – quorums, time limits and political response anchored in the law	Formal processes anchored in EU regulation, Commission as guardian of the overall process	Informal processes, various methods conceivable
Is addressed to parliaments (legislative procedure)	Is mainly addressed to the Commission. Though the hearing takes place in the EP, no parliamentary debates are mandatory.	Is addressed to decision-makers in politics and public administration.
Binding referendums on substantive issues that lead to laws.	ECI creates indirect right of initiative, theoretically quite comparable with Parliament and Council.	No formal participation in legislative process

The ECI combines DIRECT-DEMOCRATIC and DIALOGICAL features.
 A number of dialogical elements exist on the EU level (online consultations, citizens' dialogues), but there are no direct-democratic processes. In terms of form, the ECI represents a hybrid of both forms of participation. Although it involves a lot of formal effect, its impact is uncertain. This can lead to expectations that cannot be fulfilled.

Source: Authors' depiction.

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The ECI combines high formal demands on the initiators with uncertain influence on policy. High formal hurdles and the mode of collecting signatures are basic components of direct-democratic processes. However, the output of the European citizens' initiative is less formally regulated. Granted, the Commission is obligated to issue an opinion and to

justify its decision. But it still has the monopoly on legislative initiative. Both the Commission and the Parliament are available to the organizers for dialogue. This is reminiscent of consultative dialogical participation processes. However, in contrast to the forms of dialogical democracy, these measures are not integrated into a larger, more binding process.

As an agenda-setting instrument, the ECI is a hybrid of direct-democratic and dialogical processes. The high requirements are inspired by core direct-democratic elements. But the expectations of having an impact on policy that often accompany this can only be satisfied with difficulty. With its proposal for legislation, the ECI is addressed to the Commission. It is only in a second and rather indirect step that it is addressed to the Parliament. As a result, the ECI's goal of creating European public awareness is harder to achieve.



3. The European Citizens' Initiative in Figures

An average of eight initiatives are registered per year. Only the fewest are able to collect enough signatures.

After being extolled as one of the more important new features of the Treaty of Lisbon, the ECI raised the hopes of many citizens and NGOs that there would be more citizens' participation. Today, six years later, many activists are disenchanted. Eight million citizens have supported one or more ECIs with their signature. Nevertheless, just four of the 48 registered initiatives have managed to collect the one million signatures required. The Commission has responded to all successful ECIs and addressed some issues. But, to date, not a single citizens' initiative has been directly transposed into a legislative act.

Overall, the issues of the launched initiatives can be roughly grouped into the following thematic blocks: health; protecting the environment, climate

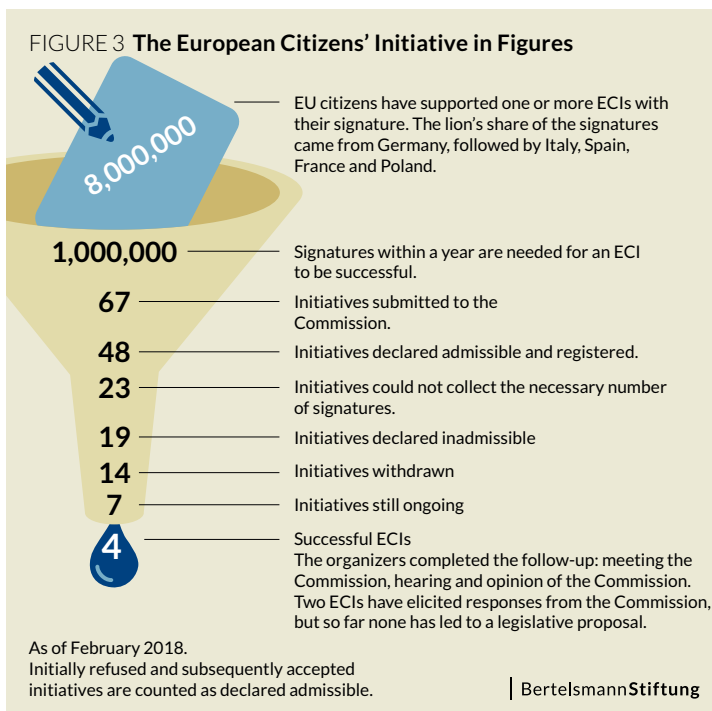
and nature; animal welfare; human rights; political/social issues; economy and transportation; education; media and communications; and EU issues.

Registration through the Commission represents an initial hurdle for ECIs. Nineteen initiatives have been rejected. In the Commission's opinion, these lay outside the framework of its powers to submit a legislative proposal to implement the EU treaties. Yet another hurdle is successfully collecting enough signatures. In total, 23 initiatives have failed in their signature-collecting efforts.

Forty-eight initiatives have been registered and collected signatures. The lion's share of the signatures were collected in Germany, followed by Italy, Spain, France and Poland.

If one looks at support per country in relations to population size, one sees that this is highest in Estonia, followed by Italy, Slovenia, Germany, Malta and Cyprus. The option of submitting a signature for an ECI online is used enthusiastically. While roughly 50,000 signatures for the "Right2Water" ECI came in on paper, the online figure was 1.2 million.

The numbers of ECIs registered and signatures collected were especially high in the year of the ECI's introduction (2012) and the year after that (2013). These figures dropped in subsequent years, though they slightly increased in 2017. In any case, the highest level, from the fall of 2013, has not been reached again.



BRIEF ANALYSIS

The hurdles for a successful ECI are very high. Many initiatives have been deemed inadmissible or voluntarily withdrawn. Even more citizens' initiatives have been ended due to a lack of the necessary signatures. On top of that, not a single ECI has led to a legislative proposal. Nevertheless, 8 million EU citizens have still given their signatures. Thus, the instrument has generated a resonance, and also still has a potential that can be increased. This is also shown by the number of signatures, which has been going back up in recent years.

4. The Four Successful Citizens' Initiatives

The initiatives cover a broad range of topics. Gathering one million signatures requires a clear strategy, a clever campaign and European networking.

FIGURE 4 Brief Descriptions of the Successful ECIs



RIGHT2WATER

Goal: Human right to water and basic sanitation; all EU citizens should have a right to clean drinking water and basic sanitation; water resources should not be privatized.

Registration date: May 10, 2012

Number of signatures: 1,659,543

Total sponsorship funds: 140,000 euros

Response of Commission: The Commission is drafting a new drinking water directive. In addition, it has committed to a series of activities, such as: improving transparency in the fields of urban wastewater and drinking water; reviewing the benchmarks for water quality; calling on EU member states to ensure access to clean water and basic sanitation.

Special aspect: Right2Water was the first successful ECI.



ONE OF US

Goal: Legal safeguarding of the dignity, right to life, and integrity of every human being from the moment of conception on.

Registration date: May 11, 2012

Number of signatures: 1,721,626

Total sponsorship funds: 159,219 euros

Response of Commission: Declined to take additional measures. Rationale: Human dignity, freedom, the right to life, and the right to individual integrity are already anchored in EU primary law.

Special aspect: Signatures were accepted until November 1, 2013 because most of the organizers experienced difficulties during the initial phase with setting up their online collection systems.



STOP VIVISECTION

Goal: Phase-out of research using animal experiments.

Registration date: June 22, 2012

Number of signatures: 1,173,130

Total sponsorship funds: 23,651 euros

Response of Commission: Declined to take additional measures. Rationale: Due to technical advances, the amount of animal testing in Europe is declining. A complete ban on animal research in the EU would be premature and would risk "chasing out" biomedical research to countries outside of Europe.

Special aspect: The citizens' initiative filed a complaint with the European Ombudsman, claiming that the Commission had given an "inadequate response." The European Ombudsman rejected the complaint and determined that the Commission had acted appropriately.



BAN GLYPHOSATE

Goal: A ban on glyphosate, a reform of the pesticide approval process, and mandatory reduction targets for pesticide use.

Registration date: January 25, 2017

Number of signatures: 1,070,865

Total sponsorship funds: 328,399 euros

Response of Commission: It will draft a legislative proposal aimed at improving the transparency, quality and independence of scientific assessments of herbicides. The rules on conducting related studies should also be enhanced. In addition, it renewed the license for glyphosate for 5 rather than the usual 15 years.

Special aspect: The signature-gathering phase was ended early because over 1 million signatures had already been collected after 6 months.

Source: The European citizens Initiative – official register; Authors' depiction.

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The successful ECIs treated the subjects of animal welfare or the environment, or were related to religious beliefs ("One of Us"). All these areas have a high degree of organization of potential supporters. Likewise, the not insignificant financial resources and campaigning skills of the organizations behind the ECI are also important criteria for its success. Small NGOs or citizens who are not organized into groups are not to be found among the successful organizers. So the question arises: Is the ECI an instrument for European citizens, or is it only for organized citizens – or, in other words, for organized civil society?

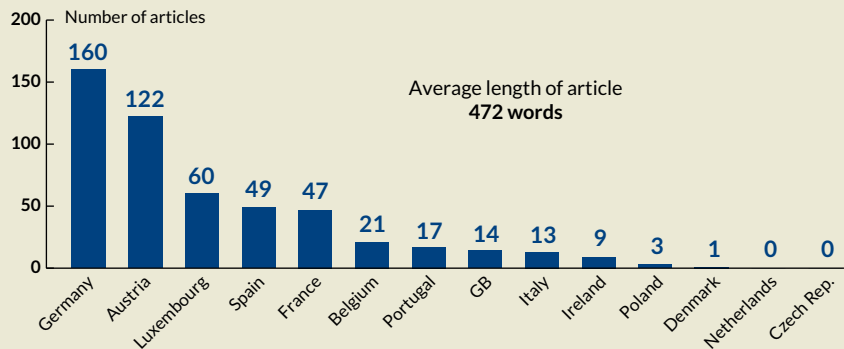
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5. Visibility of Citizen's Initiatives in European Media

European print and online media sources hardly write anything on the ECI. It is somewhat better in Germany, Austria and Luxembourg – but only on a low level.

The media analysis on the visibility of the ECIs examined a set of 84 media sources in 14 member states in the 2011–2017 period. We wanted to find out what reporting on the ECI was like and how much of it there was. The media sets of the individual countries are comparable in terms of their scope. More on the methodology is on page 12.

FIGURE 5 **Media Coverage by Country (2011–2017)**



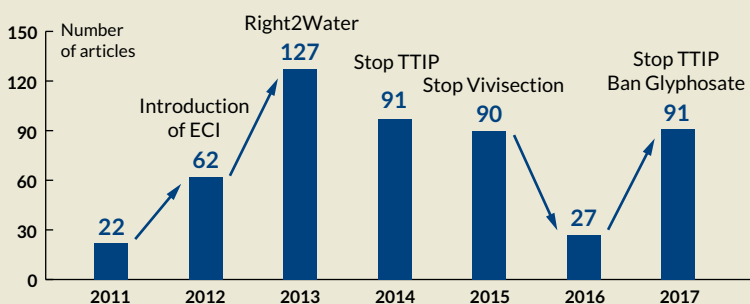
Basis: 84 print and online media sources from 14 EU member states, analysis period from 2011 to 2017.

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The following becomes clear in the country comparison: The highest amount of media coverage on the European citizens' initiative was in Germany, followed by Austria and Luxembourg. In contrast, the ECI had either no or only a little media resonance

in the Netherlands, the Czech Republic and Denmark. The top three countries (Germany, Austria, Luxembourg) together accounted for over 50 percent of all mentions in the media. In our analysis, a total of 516 articles made reference to the ECI.

FIGURE 6 **Media Coverage of the ECI (2011–2017)**



Basis: Country media sets comparable in terms of number and reach of media sources; 84 print and online media sources from 14 EU member states, analysis period from 2011 to 2017.

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Significant differences can be seen over time. After the introduction of the instrument in April 2012, media coverage on the European citizens' initiative initially picked up a bit of speed. In subsequent years, one can see that media coverage is closely linked with successful ECIs. "Right2Water" in 2013; "Stop TTIP" in 2014 (which was halted for formal reasons); "Stop Vivisection" in 2015; and the two initiatives "Stop TTIP" and "Ban Glyphosate" in 2017.

BRIEF ANALYSIS

The ECI is hardly mentioned at all in the print and online media sources of several EU member states. There has only been coverage of the ECI worth mentioning in Germany, Austria, Luxembourg, Spain and France. But, even here, it is only at a low level. One cannot say there is a European public awareness of the instrument or as a result of the ECI. But successful ECIs have definitely been leading to increased media attention. Here, there is potential for more European public awareness and discussions by means of topics that are relevant across borders.

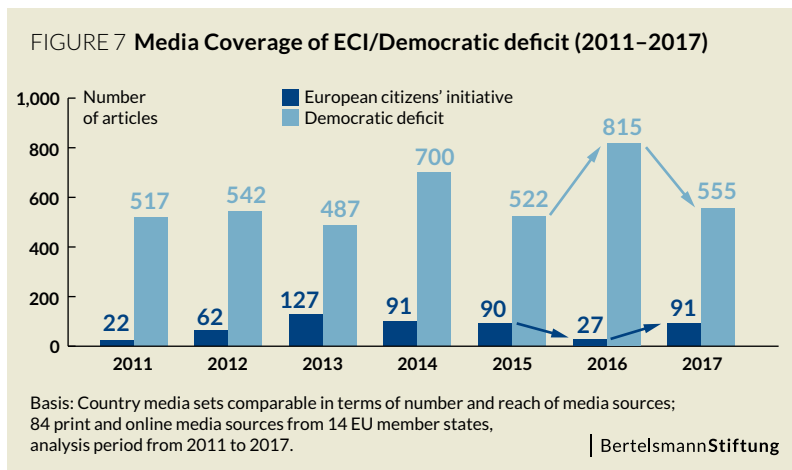
6. Media Visibility in Comparison with Commission and Parliament

The European Commission is 500 times more visible than the ECI.

The media write about the democratic deficit in the EU, but not about the ECI.

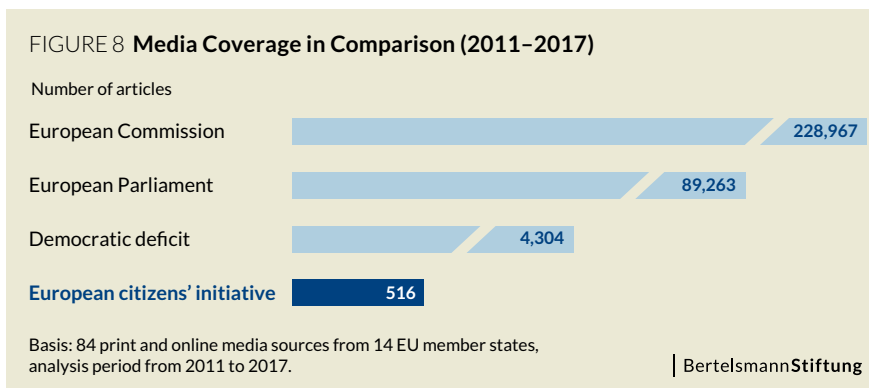
Compared to other European institutions, the ECI has generated relatively little interest in the media. The European Commission gets the most frequent reporting – and approximately 500 times as much as the ECI. But the Parliament gets over 170 times more reporting, too. Granted, it is obvious that institutions like the European Commission and the European Parliament will generate a lot more media attention than an instrument of citizens' participation like the European citizens' initiative.

Nevertheless, the comparison shows just how hard it is for the ECI to make its way through to citizens. For example, there have even been roughly 4,300 more articles on the democratic deficit of the EU than on the ECI – and this even though the ECI is intended to be an instrument precisely for counteracting this deficit.



One can also observe in the time span that democratic shortcomings within the EU were made the subject of discussion much more often than the ECI. In addition, upswings about mentioning a democratic deficit can be explained by national discourses rather than by increases in European media coverage.

For example, the upswing in 2014 can be attributed to the then-upcoming EU decision in the deficit procedure against Spain. In 2016 and 2017, the dominant issues related to European democracy were once again national in nature – with Brexit and the independence referendum in Catalonia. In these cases, the ECI did not play any role.



Media coverage of the European citizens' initiative is meager. The ECI can only be compared with the European Commission and the European Parliament to a limited degree. Nevertheless, the figures illustrate just how little citizens are able to perceive about the ECI even if they are intense, daily readers of media. As readers, they are much more likely to encounter coverage about the EU's democratic deficit, which is much more extensive. The public-awareness problem of the European citizens' initiative is therefore one of the EU, as well.



7. Individual Citizens' Initiatives and their Media Resonance

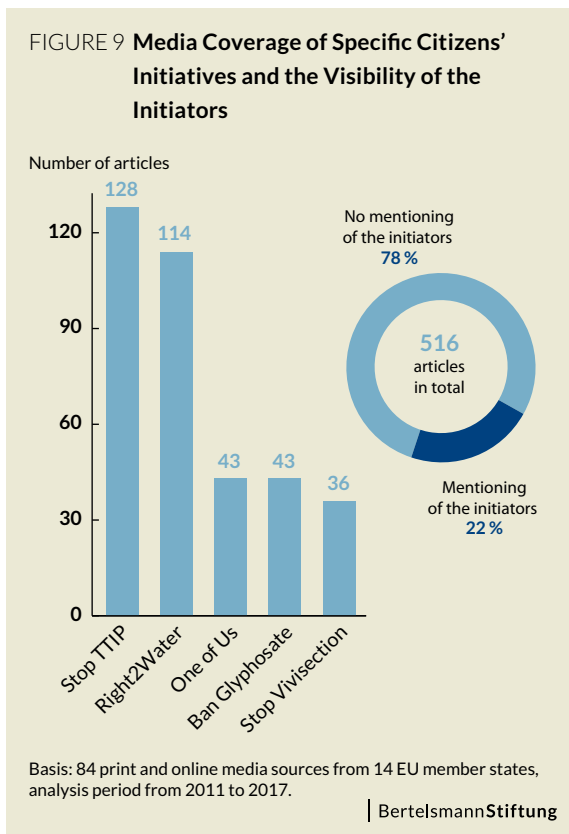
“Stop TTIP,” as an (unofficial) citizens’ initiative, has sparked more interest than the others. The initiators of ECIs are hardly mentioned at all in the media coverage.

If one compares the volume of media reporting on specific citizens’ initiatives, the initiatives that stand out are “Stop TTIP” (against the free trade agreement between the EU and the US as well as Canada) and “Right2Water” (for a right to clean water for everyone). That should come as no surprise, as they concerned heatedly debated issues. Other issues lag behind in the coverage. For example, although „Ban Glyphosate“ has been a hot media topic in Germany, it has received much less coverage in other European countries.

These dips in media coverage of individual topics in different countries are due to significant differences in what their respective media cover. In Germany, the consumer-centered initiatives – “Stop TTIP,” “Right2Water” and “Ban Glyphosate” – were particularly visible. In Spain, by contrast, the “One of Us” initiative (to protect human embryos) played a greater role due to the Roman Catholic Church’s support for the initiative and the discussion on tightening Spain’s abortion law.

What’s striking here is that the possible results of an ECI hardly play any role in the coverage. In fact, this was only mentioned in 13 percent of the articles. Instead, the main focus is on the opinion issued by the Commission, and possible legislative proposals are also discussed. In the already meager coverage, discussion of the hearing in the European Parliament only comes in third place. Thus, the hearing seems to generate close to no publicity at all.

The added value of media coverage is disappointing for the initiators of an initiative. They are practically invisible to the public eye. In only 22 percent of the articles are the initiators of an ECI mentioned by name. However, when they are named, they are also often quoted. In this way, they have been able to describe their concerns in greater detail as well as to give their citizens’ initiative a face.



BRIEF ANALYSIS

To effectively collect signatures Europe-wide and stimulate discussion, you need special topics. Otherwise, discourse and media coverage are confined to the national level. The results of an initiative are not the focus of the coverage. The hearing, in particular, fails to live up to expectations in terms of its impact on generating public awareness via the media. The added value for organizers is limited. They are hardly mentioned in the coverage at all. In some rare cases, they have been able to emphasize the features of and give a face to their initiative.

8. More Pain than Gain: The View of the Initiators

Many ECI initiators feel abandoned and not taken seriously. The main criticism focuses on the follow-up process to successful ECIs.

The ECI is thought to have the potential to influence European policymaking as well as to make it more citizen-centric. But this positive basic attitude is disappointed in practice. In reality, the initiators of ECIs see another kind of petition rather than genuine participation. Only half of the surveyed initiators believe the ECI is a successful participation instrument. It is becoming clear that the ECI raises expectations that are not met or that cannot be met.

Our survey of ECI initiators reveals the cause of this disenchantment. In addition to technical and procedure-specific hurdles, the criticism is mainly directed at the Commission's response to and attitude toward initiatives. Successful initiatives expect more from the follow-up process than it delivers; others feel they don't get enough assistance from the Commission.

It also becomes clear that the ECI isn't an instrument for the ordinary citizen. Initiators believe that, in order to have a successful ECI, the main requirements are the support of large organizations, successful campaigning and a clear strategy. At the same time, media coverage plays a key role. Thus, a successful ECI is also always a matter of resources.

In contrast, the initiators have a positive view of the fact that, via an ECI, one really can succeed in generating public awareness of a topic, even if not for the ECI itself. It becomes clear that connections to other stakeholders can be made by working in the European context. In it, one can form European networks that even persist beyond the duration of the respective ECI. The ECI thereby supports the first step toward a networked European civil society.

From the Commission's reform, the initiators are mainly hoping that European citizens' initiatives

FIGURE 10 What the Initiators of a European Citizens' Initiative Say



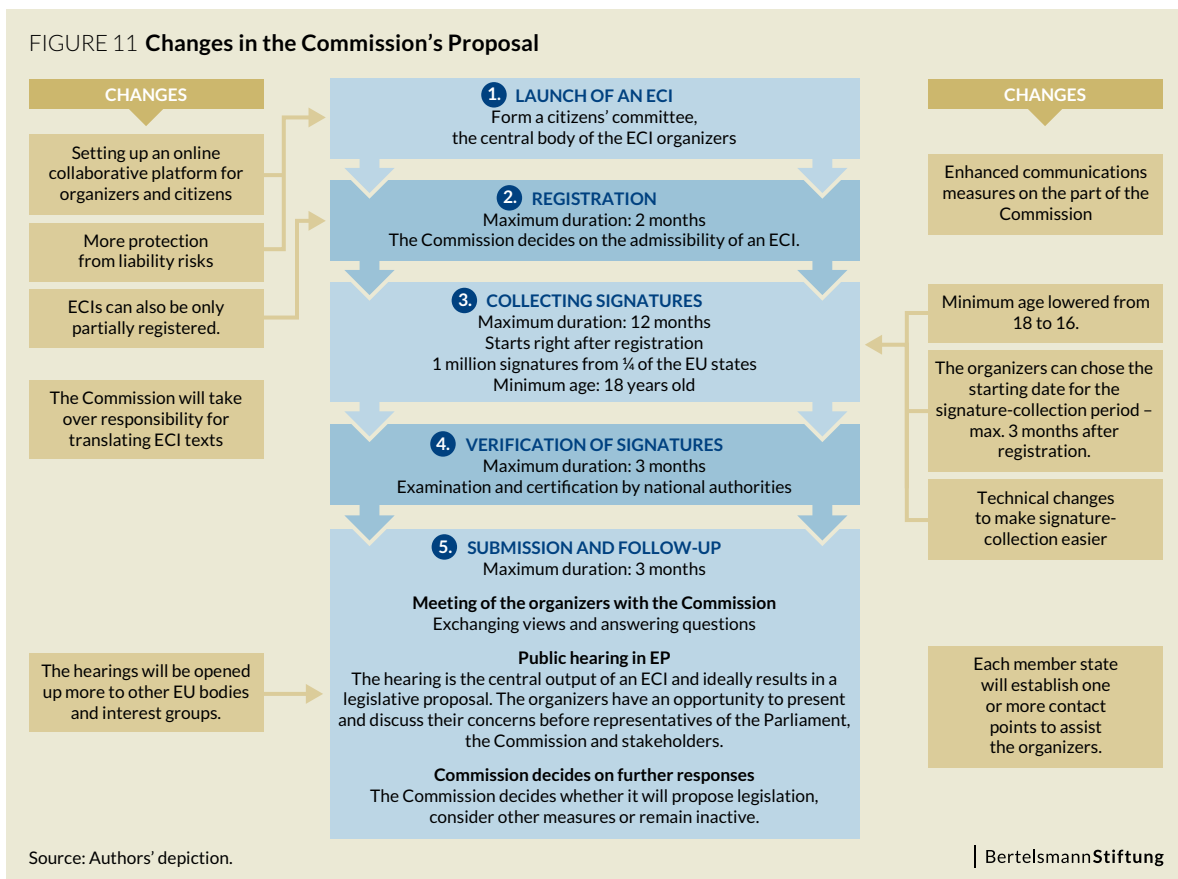
will be handled in an impact-oriented manner. This concerns an improved technical setup, such as in the form of a collaborative platform and a registration website free from defects. But, more than anything, it also concerns a new seriousness when it comes to dealing with successful initiatives. In addition to using concrete measures, this can also be achieved by having the European institutions offer more opportunities for dialogue in the preliminary stages. And the initiators also expect more support in the areas of financing and public outreach.

In essence, ECI initiators would like their initiative to have an impact on policy. In addition, they have high expectations for and high hopes in the instrument. It should make the EU more participatory. However, they seem disenchanted by the reality. It is questionable whether the ECI can fulfill these high expectations at all. In any case, the instrument does contribute to stronger European networking. In addition to technical improvements, the initiators would mainly like the reform to result in boosting the initiatives' potential to impact policymaking even if they do not lead to legislative proposals.

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9. What's on the table? The Commission's Proposal

The registration process is supposed to be simplified, and the collection system improved. But will it change anything in terms of political impact?



In the summer of 2017, the European Commission got under way with a reform of the ECI. It focuses on important technical and procedure-specific simplifications. With these moves, the Commission is largely responding to criticisms that have come from civil society, the Parliament and the consultative committees, such as on the requirements for certified signatures.

However, the follow-up will hardly change at all – even though this would be absolutely essential if there is to be an impact on policymaking. New efforts relating to improving public outreach remain vague, as does possible support from individual member states.

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The Commission's proposal responds to many of the technical suggestions and points of criticism that have been expressed for a long time. By lowering the age for possible supporters from 18 to 16 years, it has even succeeded in taking a very big step. However, the proposal leaves the key area of follow-ups largely untouched. It includes neither additional activities nor a significant upgrading of the hearing by the Commission or Parliament. Whether it will change the ECI's potential to impact policymaking remains an open question. Many ECI initiators and civil society organizations will be disappointed.

10. Reform Overview: Who's discussing what, and what's next.

The Commission forwarded a reform proposal which should be implemented by 2020. There is still disagreement in important issues.

The process of the European Commission to reform the ECI is under way since the summer of 2017. Several stakeholders expressed their views in detail during an extensive consultation process. The European Parliament, the Economic and Social Committee, the Committee of the Regions, the NGOs "ECI Campaign" and "Democracy International" are only some of the organizations and institutions that are influencing the discussion. The Parliament will present its own position for the Trialogue by May 2018. The new regulation should enter into force by 2020. Four major thematic blocks can be seen in the discussion about the reform:

Many initiators and NGOs are primarily calling for **technical and procedure-specific simplifications**. This stems from practical experiences with the ECI and the initial difficulties in the start-up phase. The key points of criticism are registering signatures, submitting statements of support online, and the bureaucratic hurdles, such as requirements for certified signatures. Other EU institutions and the Commission also share these appraisals.

The **roles of the Parliament and the Commission within the ECI-process** are controversial. The reform proposal hardly changes them at all. NGOs and initiators view the Commission as being too influential, and criticize its "double role" as both addressee and guardian of the process. Similar to how it is with

direct-democratic processes, organizers, committees and NGOs are calling for the Parliament to have a stronger role or for a legislative proposal via the Commission to become compulsory. The Parliament is more restrained, but it definitely does see itself as playing a more central role in the follow-up process than before.

When it comes to **the possible subject matters of an initiative and their consequences**, various positions are being discussed. While the Commission envisions hardly no changes on these issues, some of the organizers and NGOs believe that it is necessary to have a compulsory legislative initiative follow a successful ECI. In contrast, the Parliament is calling for a legislative initiative to become the norm and for a well-justified rejection to become the exception. Complementary dialogical formats as the output of an ECI are likewise under discussion, such as by the NGO "ECI Campaign".

The Commission's reform proposal envisions improvements related to **support for an ECI**. This is being favorably received. However, to many, these reform steps do not go far enough. The Parliament, for example, has consequently brought up for discussion the idea of having the ECIs have a dedicated budget for the ECI, which organizers could use for things such as getting assistance on legal matters.

FIGURE 12 Schedule for the Reform of the European Citizens' Initiative



Source: Authors' depiction.

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Even if there are similarities among the various appraisals of the potential effectiveness of a reform and the steps needed, it is becoming clear that the Commission, in particular, would instead prefer smaller reform steps with a focus on technical improvements. The draft report of the Parliament (Schöpflin Report) goes further and calls for dedicated EU financial resources for the ECIs, among other things. The Parliament and the committees are siding with the NGOs and organizers, and some parts of them are calling for significant changes in how successful ECIs are handled.

BRIEF ANALYSIS

Media Analysis

Time period: January 1, 2011 to October 31, 2017.

Examined countries: Verified and comparable media sets conducted by the Prime Research institute were available for Austria, Belgium, Czech Republic, Denmark, France, Germany, Italy, Luxembourg, the Netherlands, Poland, Portugal, Spain and United Kingdom.

Types of media: Print and online media sources

Media set: While selecting the media sources (4–8 per country), the sum of the reach of the individual media (= number of average recipients reached) was divided by the population of a country. The quotient from both values results in an approximate value of what percentage of the population was reached with the respective media set. This quotient lies between 10 and 15 percent for all media sets, as a result of which the media sets are comparable in terms of their reach.

Database research: The following search terms were used: European Commission, European Parliament, democratic deficit (in conjunction with the EU), European Ombudsman, European citizens' initiative, European citizens' initiative in the headline of the article or in the first paragraph, media coverage on the European citizens' initiative, "Ban Glyphosate" without naming the European citizens' initiative, ban on glyphosate. To this end, search terms in the respective languages of the analyzed countries were entered into the Factiva database and the respective numbers of hits for the specified time frame were recorded.

Content analysis: A total of 516 articles were analyzed. The analysis included: naming of the respective ECI; the degree of detail in the coverage of the ECI, incl. appraisal of the instrument and of individual initiatives; discussion of possible results of the initiatives; the possible naming and appraisal of the European Commission and European Parliament; treatment of the democracy deficit of the EU in conjunction with ECI, Commission or Parliament.

Survey of initiators

Survey using an online questionnaire: Between November 2017 and January 2018, 54 percent of the initiators for whom contact information was available filled out an anonymized online questionnaire written in English. There were a total of 23 questionnaires filled out by individuals who had played a significant role in an ECI effort. The questionnaire was made up of 27 closed and 10 open questions on participation, (positive and negative) experiences, challenges and suggestions related to the ECIs.

In-depth interviews: Between December 2017 and January 2018, 90-minute interviews were conducted with three stakeholder from three out of the four successful citizens' initiatives using a semi-standardized interview guideline.

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Imprint

© March 2018
Bertelsmann Stiftung

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