

European citizens' initiatives: Commission registers 3 new initiatives, and finds 1 inadmissible

Today the European Commission decided to register 3 new European citizens' initiatives: *'Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline'*, *'Actions on Climate Emergency'* and *'Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment.'* The Commission also decided not to register a proposed European citizens' initiative entitled *'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law'* as the actions requested manifestly fall outside the Commission's powers to act according to the EU Treaties.

At this stage in the process, the Commission has not analysed the substance of the initiatives, but only their legal admissibility. Should any of the 3 registered initiatives receive 1 million statements of support from at least 7 Member States within 1 year, the Commission will analyse and respond to the initiative. The Commission can decide either to follow the request or not and in both instances would be required to explain its reasoning.

1. 'Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline'

The organisers of the initiative call on the Commission to *'mandate a firm 10 year post accession deadline for an automatic moratorium on payments of structural and cohesion funds to a newly acceded country, until the monitoring mechanism is lifted from their judiciary.'* They state that *'the current EU legal code allows undue interpretation. Under certain conditions, the corruption among political elites in newly acceded countries may turn out to be beneficial to other countries in the Union, and the relative notion 'temporary' to be stretched out indefinitely. Setting a strict timeframe avoids direct and indirect motivation for corruption in EU Member States. [...]'*

Under the EU Treaties, the European Commission can take legal action when it comes to financial rules relating to the EU budget. The Commission therefore considers the initiative legally admissible and has decided to register it. The registration of this initiative will take place on 12 September 2019, starting a 1-year process of collection of signatures of support by its organisers.

2. 'Actions on Climate Emergency'

The organisers of the initiative call on the Commission *'to strengthen action on the climate emergency in line with the 1.5° warming limit. This means more ambitious climate goals and financial support for climate action'*. In particular, the initiative focuses on the need for the EU to *'adjust its*

goals (NDC) under the Paris Agreement to an 80% reduction of greenhouse gas emissions by 2030, to reach net-0 by 2035 and adjust European climate legislation accordingly.' The initiative also refers to the implementation of an EU Border Carbon Adjustment, free trade agreements with partner countries based on Climate Action Tracker and free educational materials on the effects of climate change.

Under the EU Treaties, the European Commission can take legal action with the aim of preserving, protecting and improving the quality of the environment as well as in the area of the common commercial policy. The Commission therefore considers the initiative legally admissible and has decided to register it. The registration of this initiative will take place on 23 September 2019, starting a 1-year process of collection of signatures of support by its organisers.

3. 'Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment'

The organisers of this initiative call on the Commission to '*propose legal acts to phase out synthetic pesticides by 2035, to restore biodiversity, and to support farmers in the transition*'. More specifically, the organisers want to '*phase out synthetic pesticides in EU agriculture by 80% by 2030, starting with the most hazardous, to become free of synthetic by 2035; restore natural ecosystems in agricultural areas so that farming becomes a vector of biodiversity recovery; reform agriculture by prioritising small scale, diverse and sustainable farming, supporting a rapid increase in agro-ecological and organic practice, and enabling independent farmer-based training and research into pesticide- and GMO-free farming.*'

Under the EU Treaties, the European Commission can take legal action in the area of the common agricultural policy and the internal market as well as measures in the veterinary and phytosanitary fields. The Commission therefore considers the initiative legally admissible and has decided to register it. The registration of this initiative will take place on 30 September 2019, starting a 1-year process of collection of signatures of support by its organisers.

4. 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law'

The Commission concluded today that the initiative: '*Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law*' is legally inadmissible because it manifestly falls outside the Commission's powers to act, as set out in the EU Treaties.

The initiative refers to '*regulating commercial transactions with Occupant's entities based or operating in occupied territories by withholding products originating from there from entering the EU market.*' The organisers call on the Commission to '*propose legal acts to prevent EU legal entities from both importing products originating in illegal settlements in occupied territories and exporting to such territories, in order to preserve the integrity of the internal market and to not aid or assist the maintenance of such unlawful*

situations.'

A legal act on this subject could only be adopted on the basis of Article 215 of the Treaty on the Functioning of the European Union, regarding restrictive measures. However, before such a legal act can be adopted by the Council, a decision is needed under the EU's Common Foreign and Security Policy to allow for the interruption or reduction of economic and financial relations with a third country. The Commission does not have the legal power to make a proposal for such a decision.

Since it does not meet the legal conditions for admissibility, the European Commission has decided it cannot register this initiative. Under the Regulation, a European citizens' initiative cannot be registered if it manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act.

Background

European citizens' initiatives were introduced with the Lisbon Treaty and launched in April 2012, upon the entry into force of the European citizens' initiative Regulation, which implements the Treaty provisions. In 2017, as part of President Juncker's State of the Union address, the European Commission tabled [reform proposals for the European citizens' initiative](#) to make it even more user-friendly. In [December 2018](#), the European Parliament and the Council agreed on the reform and the revised rules will start applying as of 1 January 2020.

In the meantime, the process has been simplified and a collaborative platform offers support to organisers. All this has contributed to 41% more registered initiatives (41 registrations under the Juncker Commission compared to 29 under the previous Commission) and 70% fewer refusals (only 6 citizens' initiatives were not registered under this Commission compared to 20 under the previous Commission).

Once formally registered, a European citizens' initiative allows 1 million citizens from at least 7 of the Member States to invite the European Commission to propose a legal act in areas where the Commission has the power to do so.

The conditions for admissibility are that the proposed action does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act, that it is not manifestly abusive, frivolous or vexatious and that it is not manifestly contrary to the values of the Union.

For More Information

Full text of the proposed European citizens' initiatives:

- Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline (available as of 12 September 2019)
- Actions on Climate Emergency (available as of 22 September 2019)

www.fridaysforfuture.org/ECI

- Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment (available as of 30 September 2019) www.savebeesandfarmers.eu
- 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law'

[ECIs currently collecting signatures](#)

[ECI website](#)

[ECI Regulation](#)