

6a



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate A - Strategy, Better Regulation & Corporate Governance
The Director

Brussels.
SG.A.1.
sg.dsgl.a.1(2019)3871211

Personal data

**NOTE FOR THE ATTENTION OF
MR P. VAN NUFFEL, PRINCIPAL LEGAL ADVISER, LEGAL SERVICE**

Subject: Consultation on a request for registration of a proposed citizens' initiative (Ref.: REQ.ECI(2019)000013 – 'Grow scientific progress: crops matter!')

On 25 May 2019, the Commission received a request to register a proposed citizens' initiative entitled 'Grow scientific progress: crops matter!'

You will find enclosed the full text of the proposed initiative, as well as its annex and proposed draft legal act.

As you know, in accordance with Article 4(2) of Regulation (EU) No 211/2011 on the citizens' initiative, the Commission must confirm the registration of an initiative before the organisers can start to collect statements of support from signatories. According to the Regulation, the Commission is required to register a proposed initiative unless:

- It manifestly falls 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;
- It is manifestly abusive, frivolous or vexatious;
- It is manifestly contrary to the values of the Union as set out in Article 2 TEU.

The decision to register is therefore of a legal nature, i.e. it is based solely on the legal admissibility of the proposed initiative. Political considerations are not taken into account at this stage.

In analysing whether or not to register a proposed initiative, it is the central objectives that should be taken into account. Even if some aspects of the description provided by organisers are questionable in terms of legal admissibility, registration should be confirmed as long as the core of the initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act. For the Commission to refuse registration there must be no doubt that the core of the initiative falls clearly outside the framework of those powers i.e. there is no legal basis that the Commission could use to make a proposal related to the core of the initiative.

Taking into consideration the provisions of the Treaties suggested by the organisers (Article 114 TFEU), as well as any other possible legal bases, we would like to ask the opinion of the Legal Service on whether this proposed initiative falls manifestly outside the Commission's powers or not. If it does, we would be grateful to receive the legal reasoning behind this assessment and the arguments that should be included in the decision refusing registration.

We would be grateful to receive your reply to this consultation within 5 working days from the receipt of the present note.

Pascal Leardini

Enclosure: Content of the proposed initiative (including annex and proposed draft legal act)

Contacts SG.A.1: 

Personal data