



European citizens' initiative

latest developments

Expert Group on European citizens' initiative
Meeting of 16 November 2021 (by video conference)

Intro

- Latest statistics on ECI initiatives
- COVID situation - update
- Recent case law

Key figures (as at 16 November 2021)



110

requests
submitted



85

initiatives
registered



6

Valid
initiatives



11

initiatives
collecting signatures



± 13M

EU citizens supported
an initiative since 2012

3/4

Initiatives subject
to follow-up
action

New registered initiatives

Since October 2020:

- 10 new ECIs registered
- no request for registration has been refused (since application of new rules none registration request has been refused)
- Use of two-stage procedure in 3 cases
- 11 initiatives currently in process of collecting statements of support

New registered initiatives (since October 2020)

- Ban biometric mass surveillance practices
 - registered on 7 January 2021
 - collection started on 17 February 2021 – to end 1 August 2022 (1st extension granted)
- Civil Servant Exchange Program
 - registered on 21 April 2021
 - collection started on 4 October 2021 - to end on 4 October 2022
- Green Garden Roof tops
 - registered on 21 April 2021
 - collection started on 26 May 2021 - to end on 1 August 2022

New registered initiatives (since October 2020)

■ European EcoScore

- registered on 13 May 2021
- collection started on 23 July 2021 - to end on 23 July 2022

■ Ban fossil fuel Advertising

- registered on 16 June 2021
- collection started on 4 October 2021 - to end on 4 October 2022

■ Save Cruelty Free Cosmetics

- registered on 30 June 2021
- collection started on 31 August 2021 – to end 31 August 2022

New registered initiatives (since October 2020)

■ Return the Plastics

- registered on 13 August 2021 – collection to start 19 November

■ Ensuring Common Commercial Policy

- registered on 8 September 2021 – start date collection not yet known

■ Stop (((5G))) - Stay Connected but Protected

- registered on 7 October 2021 – collection to start 1 March 2022

■ Call to Action – environmental protection in all policies

- registered on 27 October 2021 – start date collection not yet known

Valid initiatives (since 01/01/2020)

■ Minority SafePack

[1 123 422 statements of support validated - thresholds reached in 11 Member States]

- Submitted to the Commission on 10 January 2020
- Meeting with the Commission on 5 February 2020
- EP public hearing on 15 October 2020
- Communication 14 January 2021, C(2021)0171

■ End the Cage Age

[1 397 113 statements of support validated – thresholds reached in 18 Member States]

- Submitted to the Commission on 2 October 2020
- Meeting with the Commission on 30 October 2020
- EP public hearing 15 April 2021
- Commission Communication 30 June 2021, C(2021)4747

ECIs in process of verification or to start

- Cohesion Policy
 - Verification process started in July 2021 and is about to close
- Save Bees and Farmers
 - Verification process to start soon

COVID-Regulation (EU) 2020/1042

- Adopted on 15 July 2020, applies since 18 July 2020
- Regulation applies until 31 December 2022

Extension of collection periods

- **Six months extension granted by Regulation** to initiatives the collection of which was ongoing on 11 March 2020, when WHO declared that COVID-19 had become a global pandemic
- **Commission can further extend** collection periods of initiatives of which collection was still ongoing on 11 September 2020, if then the conditions for extension would continue to apply
- After that, Commission can also extend (by three months) when there is a resurgence or new outbreak and the conditions for extension are fulfilled

=> Maximum total extension period is 12 months

Criteria for further extension of collection periods

- Member States apply measures in response to the COVID-19 pandemic which substantially hamper the ability of organisers to collect statements of support in paper form and to inform the public of their ongoing initiative
- Measures apply in at least one quarter of Member States (7 or more) or in a number of Member States representing more than 35% of the EU population

=> MS are obliged to provide the Commission with information on their applied measures to allow the Commission to make the assessment

Further extension of collection periods - Methodology

Three types of measures that can hamper substantially organisers in collection process and local campaigning:

- Citizens are prohibited from moving around freely within their country
- Public spaces are not or only partially open to the public
- Measures that limit possibility to organise/participate in gatherings or events

Containment measures, notably if they cover the whole territory, are by nature more intrusive than measures that limit access to public spaces and/or organising events/gatherings. This is reflected in the rating:

Containment measures	50%	0 - 10 points
Access to public spaces	25%	0 - 5 points
Restrictions on meetings/gatherings/events	25%	0 - 5 points

Current status

- Commission has granted already 3 three-months extensions:
 - COM Decision (EU) 2020/2200 of 17 December 2020 (OJ L 434, 23.12.2020)
 - COM Decision (EU) 2021/360 of 19 February 2021 (OJ L69, 26.2.2021)
 - COM Decision (EU) 2021/944 of 3 June 2021 (OJ L 210, 14.6.2021)

Current status – ECIs concerned

Since the adoption of the COVID-19 Regulation 10 ECIs have benefited from a full extension of 12 months, including ECI 'Cohesion Policy' which is now in the process of verification For one of these ECIs (Stop Finning) collection is still ongoing	No further extension possible
6 ECIs of which the collection is still ongoing have benefited from extensions of up to 10 months.	Extension still possible (actual length depending on extensions already granted)
Since the last extension granted in June, 4 new ECIs have started their collection period and 4 ECIs have been registered, but still to start their collection period. None of these ECIs have benefited so far from extension now	Eligible for three-months extension (up to total of 12 months)

COVID measures for examination stage

- Regulation 2019/788: Commission shall respond within six months after submission of a successful initiative to the organisers in form of Communication.
- Within that period:
 - Commission shall organise within one month a meeting with organisers
 - EP shall organise within three months a public hearing
- Regulation 2020/1042: Commission and European Parliament can decide to postpone the meeting or public hearing until the public health situation in the country concerned makes it possible to do so.
- In the case of 'Minority Safepack' and 'End the Cage Age' this provision has proven to have served its purpose. In both cases the public hearing was postponed. In the case of 'End the Cage Age' the meeting with the Commission took place online.

Overview recent case law

- T-789/19 - Tom Moerenhout v. Commission (Ensuring Common Commercial Policy)
 - General Court judgement 12 May 2021
- T-611/19 – Derecho de la Union
 - General Court judgement 9 June 2021
- T-495/19 - Romania v. Commission (Cohesion Policy)
 - General Court judgement 10 November 2021

Ongoing: T-158//21 - Minority SafePack v. Commission