



Press pack: European citizens' initiative *One of us*

Registered by the European Commission on 11 May 2012, this petition is still the largest citizens' initiative in the history of the European Union (EU). Dozens of associations and thousands of volunteers worked to officially collect 1,721,626 signatures across Europe, from its registration to its closure, on 1 November 2013. This initiative called for a ban of European funding for programs involving the destruction of human embryos and fetuses.

Presented as an instrument to democratize the EU, the objective of the European Citizens' Initiative (ECI) was to bring the Union closer to the citizens by sharing the power of legal initiative of the Commission with European citizens. It was introduced by the Lisbon Treaty in 2007 and Regulation No. 211/2011 of the European Parliament and the Council.

On 28 May 2014, the Commission published its *Communication*, refusing to follow up on the initiative. Making itself the judge of the political opportunity of the legal proposition of *One of Us*, the Commission purely and solely refused to transmit the citizen's initiative to the European Parliament to be debated. Yet, prior to launching its campaign, the *One of Us* ECI was examined and approved by the Commission.

This arbitrarily decision to let thousands of volunteers work and gather almost two million signatures to merely dismiss the ECI's proposal was the worst message the Commission could give to the European citizens.

Concerned to promote both democracy in general and its initiative in particular, *One of Us* has challenged this decision with the General Court. A hearing was held on 16 June 2017 and a first judgment was pronounced on Monday, April 23, 2018 (T 561/14).

On the institutional aspect of the appeal, the Court ruled in favour of *One of Us* in deciding that the act by which the Commission refused to comply with the Citizens' Initiative produces legal effects and that it was therefore opened to challenge before the General Court of the European Union (§ 77).

Nevertheless, the General Court limited the scope of its review by finding that "*the Commission has a broad discretion to decide whether to act upon the ECI*" (§§ 145 and 169) and that the Commission's decision "*will be subject to limited review by the Court*".

One of us decided to appeal against this decision to the Grand Chamber of the Court of Justice of the European Union to challenge this administrative discretion of the Commission not to share its power of initiative. The hearing will take place in Luxembourg on 25 March 2019 at 2:30 p.m.

This final decision will be very important because the Court of Justice holds the future of the mechanism of the European Citizens' Initiative and can endorse an ineffective mechanism or make it effective.

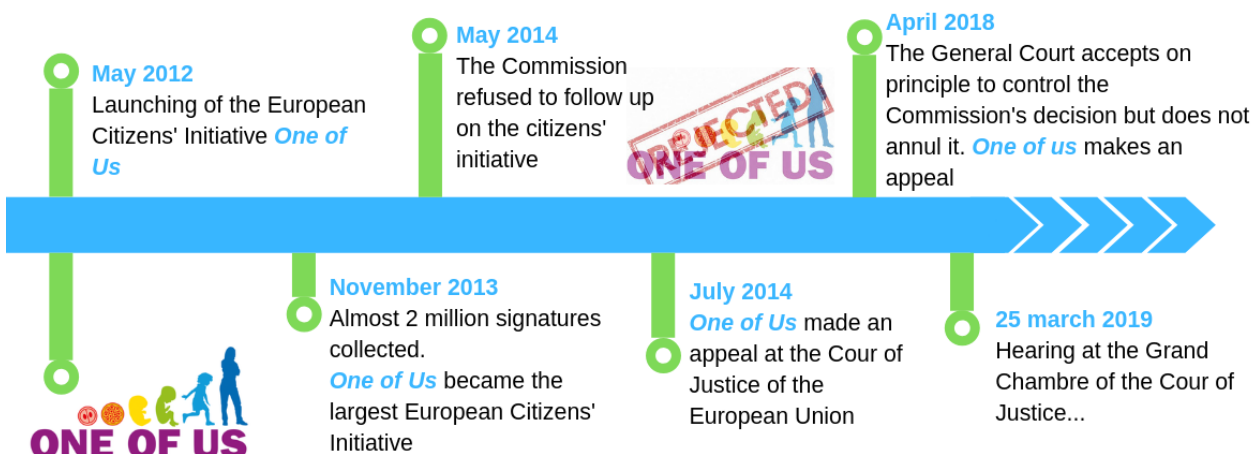


ONE OF US

❖ Links to useful documents:

- **Official Register of the European Citizens' Initiative *One of us*** (Draft legal act of *One of us*, Communication from the Commission, dates and procedures):
<http://ec.europa.eu/citizens-initiative/public/initiatives/successful/details/2012/000005/fr?lg=en>
- **Judgment of the General Court of 23 April 2018** (T-561/14):
<http://curia.europa.eu/juris/liste.jsf?oqp=&for=&mat=or&lgrec=fr&jge=&td=%3BALL&jur=C%2CT%2CF&num=T-561%252F14&page=1&dates=&pcs=Oor&lg=&pro=&nat=or&cit=none%252CC%252CCJ%252CR%252C2008E%252C%252C%252C%252C%252C%252C%252C%252C%252Ctrue%252Cfalse%252Cfalse&language=en&avg=&cid=3512627>
- **Pleas in law and main arguments** in the appeal brought on 26 June 2018 by *One of us* against the judgment of the General Court: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:62018CN0418:EN:HTML>

❖ Explanatory chronology (free of rights):




RESPECT LIFE!
 1,721,626 SIGNATURES COLLECTED THROUGHOUT EUROPE

DEMANDING THE EUROPEAN UNION STOP FOUNDING PROGRAMS DESTROYING HUMAN EMBRYOS.

- ❖ **Press contact:** Grégor Puppincq, Director of the *European Centre for Law and Justice* and first applicant: +33 3 88 24 94 40 / secretariat@eclj.org