



Press and Information

General Court of the European Union

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Judgment in Case T-529/13

Balázs-Árpád Izsák and Attila Dabis v Commission

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**The General Court confirms that the proposed European citizens' initiative intended to promote the development of geographical areas populated by national minorities cannot be registered**

*The proposed initiative seeks to define regions that may benefit from the cohesion policy of the EU, without respecting the Member States' internal administrative borders*

Under the Treaty of the EU, not less than one million citizens who come from at least a quarter of the Member States may take the initiative of inviting the Commission, within the framework of its powers, to propose to the EU legislature that it adopt a legal act for the purpose of implementing the Treaties ('European citizens' initiative'). Before they can begin to collect the required number of signatures, the organisers of a European citizens' initiative must register it with the Commission, which examines in particular its subject matter and objectives. The Commission may refuse to register the initiative, in particular where its subject matter manifestly falls outside the Commission's powers to propose a legal act to the EU legislature.

Under those rules, Balázs-Árpád Izsák and Attila Dabis, together with five other persons, submitted to the Commission in June 2013 a proposed citizens' initiative entitled 'Cohesion policy for the equality of the regions and sustainability of the regional cultures'. The initiative has the aim that the cohesion policy of the EU should pay special attention to geographical areas whose ethnic, cultural, religious or linguistic characteristics are different from those of the surrounding areas ('national minority regions'). According to the initiative, national minority regions do not necessarily constitute an administrative unit entitled to benefit from that policy's funds, resources and programmes.

The main aim of the initiative is thus to enable national minority regions to have access to those advantages in order to prevent them from being disadvantaged economically compared with the surrounding regions.

By decision of 25 July 2013,<sup>1</sup> the Commission refused to register the proposed initiative, on the ground that it manifestly fell outside the Commission's powers to propose a legal act to the EU legislature. Mr Izsák and Mr Dabis then brought proceedings before the General Court for annulment of the Commission decision.

By today's judgment, the General Court holds that, in the context of the cohesion policy of the EU, **the political, administrative and institutional situation existing in the Member States must be respected when defining the concept of 'region'**. Consequently, **the European Union cannot adopt an act which, like the act proposed by the initiative, seeks to define national minority regions without taking account of that situation.**

The Court also observes that **preservation of the specific ethnic, cultural, religious or linguistic characteristics of certain territories is not an aim that could justify the adoption of an act under the cohesion policy of the European Union.** That policy is designed to promote

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<sup>1</sup> Commission Decision C(2013) 4975 final of 25 July 2013 rejecting the request for registration of the citizens' initiative 'Cohesion policy for the equality of the regions and sustainability of the regional cultures'.

the harmonious development of the European Union overall and, inter alia, to reduce the severe and permanent demographic handicaps from which some of its regions suffer.

Mr Izsák and Mr Dabis have not demonstrated that, generally, the specific ethnic, cultural, religious or linguistic characteristics of national minority regions may be regarded as constituting such a handicap, so that those regions are at a disadvantage compared with the surrounding regions.

Finally, the Court observes that the act proposed by the initiative is not suitable for protection of the cultural diversity represented by national minorities and, therefore, cannot be adopted under the cultural policy of the EU.

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**NOTE:** An appeal, limited to points of law only, may be brought before the Court of Justice against the decision of the General Court within two months of notification of the decision.

**NOTE:** An action for annulment seeks the annulment of acts of the institutions of the European Union that are contrary to European Union law. The Member States, the European institutions and individuals may, under certain conditions, bring an action for annulment before the Court of Justice or the General Court. If the action is well founded, the act is annulled. The institution concerned must fill any legal vacuum created by the annulment of the act.

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The [full text](#) of the judgment is published on the CURIA website on the day of delivery

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