



Press and Information

General Court of the European Union  
**PRESS RELEASE No 120/19**  
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Judgment in Case T-391/17  
Romania v Commission

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**The General Court confirms the Commission's decision to register the proposed European citizens' initiative 'Minority SafePack – one million signatures for diversity in Europe'**

*The proposal falls within the competence of the Commission which provided sufficient reasons for its decision*

Under the EU Treaty, a group of not less than one million EU citizens who are nationals of one quarter of the Member States may, in the context of a European Citizens' Initiative ('ECI'), take the initiative of inviting the Commission to make a proposal to the EU legislature for the adoption of a legal act for the purpose of implementing the Treaties. Before beginning to collect the required number of signatures, the organisers of the ECI must have it registered with the Commission which assesses its subject matter and objectives. The Commission may refuse to register the ECI, inter alia where the subject matter of the ECI manifestly does not fall within its competence.

On 15 July 2013, a citizens' committee submitted to the Commission a proposed ECI entitled 'Minority SafePack – one million signatures for diversity in Europe'. This initiative called on the EU to improve the protection of persons belonging to national and linguistic minorities and to strengthen cultural and linguistic diversity in the EU through the adoption of a series of legal acts.

By decision of 13 September 2013,<sup>1</sup> the Commission refused to register the proposed ECI on the ground that it fell manifestly outside its competence.

The organisers of the European citizens' initiative contested the Commission's decision before the General Court, which, by its judgment of 3 February 2017,<sup>2</sup> annulled that decision on the ground that the Commission had failed to comply with its obligation to state reasons.

Following the General Court's judgment, the Commission partially registered that ECI by its decision of 29 March 2017<sup>3</sup> ('the contested decision').

Romania brought proceedings before the General Court seeking the annulment of the Commission's decision. Romania claimed, inter alia, that the Commission made an error of assessment in concluding that the proposals for legal acts did 'not fall manifestly outside' the framework of the Commission's powers to submit a proposal for a legal act, and that the reasoning given for the Commission's decision was inadequate.

By today's judgment, **the General Court dismisses Romania's action against the Commission.**

First, as regards the framework of the Commission's powers, the General Court recalls that the ECI's objectives are, inter alia, to encourage participation by citizens in the democratic life of the EU and to make the EU more accessible. Therefore, it is only if a proposed ECI falls, in its subject

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<sup>1</sup> Commission Decision C(2013) 5969 final of 13 September 2013 refusing the request for registration of the proposed European citizens' initiative entitled 'Minority SafePack – one million signatures for diversity in Europe'.

<sup>2</sup> Case: [T-646/13](#) Minority SafePack – one million signatures for diversity in Europe v Commission see also Press Release No. [10/17](#).

<sup>3</sup> Commission Decision (EU) 2017/652 of 29 March 2017 on the proposed citizens' initiative entitled 'Minority SafePack – one million signatures for diversity in Europe'. (OJ 2017, L92, p.100)

matter and its objectives, manifestly outside the framework of the Commission's powers to submit a proposal for an EU legal act that the Commission is entitled to refuse to register the proposal.

In that context, the Commission must carry out an initial review of the information available to it in order to assess whether the proposed ECI does not manifestly fall within the framework of its powers. Then, if the proposal is registered, it carries out a more comprehensive review.

The General Court observes that the legal acts referred to in the proposed ECI are deemed to contribute both to ensuring respect for the rights of persons belonging to minorities, which is an EU value, and to respecting and promoting cultural and linguistic diversity in the EU, which is an EU objective. In that respect, the General Court finds that, contrary to Romania's claims, the Commission, in the contested decision, is not conceding that the EU has general competence in these areas, but only that these EU values and objectives referred to in the EU Treaty must be taken into account in EU actions in the areas covered by the proposed ECI.

The General Court adds that, while in the areas for which the EU is competent the Commission is entitled to submit proposals for legal acts which take account of the values and objectives addressed by the proposed ECI, nothing must prevent it from submitting proposals for specific acts which, as in the present case, are deemed to supplement EU action in the areas for which it is competent in order to ensure respect for the values in the EU Treaty.

The General Court also considers that, contrary to Romania's claims, the various legislative proposals at issue are designed to contribute to the attainment of the objectives laid down for EU action in the relevant area of competence.

In these circumstances, **the General Court finds that the proposed ECI did 'not fall manifestly outside' the framework of the Commission's powers.**

Secondly, concerning the Commission's obligation to state reasons, the General Court finds that in the contested decision, the Commission referred to the points which led to its adopting the decision and that Romania was in a position to examine the reasons on which the contested decision was based.

Finally, the General Court notes that the reasons on which the Commission based its decision to partially register the proposed ECI were adequately explained, namely encouraging participation by citizens in the democratic life of the EU and making the EU more accessible.

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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 and ten days 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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