



PRESS RELEASE No 34/24

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Judgment of the Court in Case C-54/22 P | Romania v Commission

The decision to register partially the European Citizens' Initiative (ECI) 'Cohesion policy for the equality of the regions and sustainability of the regional cultures' is upheld following the dismissal of Romania's appeal

The Commission may partially register an ECI in order to encourage citizen participation in the democratic life of the European Union

On 18 June 2013, the proposal for a European citizens' initiative (ECI) entitled 'Cohesion policy for the equality of the regions and sustainability of the regional cultures' was submitted to the European Commission ¹. That proposal aimed to ensure that, through the European Union's cohesion policy, special attention would be paid to regions with ethnic, cultural, religious or linguistic characteristics that are different from those of the surrounding regions. It claimed, inter alia, that those regions should have equal opportunities in terms of access to various EU funds.

By decision of 25 July 2013 ², the Commission refused to register the proposed ECI on the ground that it fell manifestly outside the framework of its powers to submit a proposal for a legal act of the Union. The action for annulment brought before the General Court by the organisers of that ECI was dismissed ³. On appeal, the Court of Justice set aside the judgment of the General Court and annulled the Commission's decision ⁴.

On 30 April 2019, the Commission adopted a fresh decision partially registering ⁵ the proposed ECI. The General Court dismissed Romania's action against that decision by judgment handed down in 2021 ⁶. Romania now seeks to have that judgment set aside by the Court of Justice. It submits that the General Court misinterpreted the Commission's discretion in the registration of proposed ECIs.

The Court dismisses Romania's appeal and thereby upholds the partial registration of the proposed ECI.

Contrary to Romania's submissions, the General Court did not require that the Commission examine whether the proposed ECI has a basis in any one of the Treaty provisions, including in those to which the organisers did not make explicit reference. In any event, the Commission justified the registration of the proposal by basing its decision on the provisions specified therein.

The Court finds that while the regulation on the ECI, in the version applicable when the proposed ECI concerned was registered ⁷, does not expressly provide for the possibility, for the Commission, to proceed with such a partial registration of a proposed ECI, it aims to encourage participation by citizens in the democratic life of the European Union and make the European Union more accessible, with the result that the Commission is required to ensure easy accessibility of ECIs. Consequently, **it may proceed with a partial registration of a proposed ECI, as it did in the present case.**

NOTE: An appeal, on a point or points of law only, may be brought before the Court of Justice against a judgment or order of the General Court. In principle, the appeal does not have suspensive effect. If the appeal is admissible and

well founded, the Court of Justice sets aside the judgment of the General Court. Where the state of the proceedings so permits, the Court of Justice may itself give final judgment in the case. Otherwise, it refers the case back to the General Court, which is bound by the decision given by the Court of Justice on the appeal.

Unofficial document for media use, not binding on the Court of Justice.

The [full text and, as the case may be, an abstract](#) of the judgment is published on the CURIA website on the day of delivery.

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¹ Proposal submitted in accordance with Article 11(4) TEU and [Regulation \(EU\) No 211/2011](#) of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative.

² Commission Decision C(2013) 4975 final of 25 July 2013 concerning the application for registration of the European citizens' initiative 'Cohesion policy for the equality of the regions and sustainability of the regional cultures'.

³ Judgment of 10 May 2016, *Izsák and Dabis v Commission*, [T-529/13](#) (see [Press Release No 50/16](#)).

⁴ Judgment of 7 March 2019, *Izsák and Dabis v Commission*, [C-420/16 P](#) (see [Press Release No 24/19](#)).

⁵ Commission Decision [\(EU\) 2019/721](#) of 30 April 2019 on the proposed citizens' initiative entitled 'Cohesion policy for the equality of the regions and sustainability of the regional cultures'.

⁶ Judgment of 10 November 2021, *Romania v Commission*, [T-495/19](#) (see [Press Release No 199/21](#)).

⁷ Article 4(2)(b) of Regulation No 211/2011.