

EUROPEAN COMMISSION

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Mr Seán Ó Riain

[personal data deleted
following the consultation
of the organisers]

Subject: Your request for registration of a proposed citizens' initiative

Title of proposed citizens' initiative: *Recommend singing the European Anthem in Esperanto*

Date of request for registration: 01/04/2012

Dear Organisers,

I refer to your request of 1 April 2012 for registration of a proposed citizens' initiative entitled "*Recommend singing the European Anthem in Esperanto*".

As stated in Article 4(2) of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative, the Commission shall register a proposed citizens' initiative within two months from the receipt of the relevant information, provided that the following conditions are fulfilled:

- (a) the citizens' committee has been formed and the contact persons have been designated in accordance with Article 3(2) of Regulation (EU) No 211/2011;
- (b) the proposed citizens' initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties;

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- (c) the proposed citizens' initiative is not manifestly abusive, frivolous or vexatious; and
- (d) the proposed citizens' initiative is not manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union.

The Commission has examined your proposed citizens' initiative to make sure that it meets these conditions laid down in the above-mentioned Regulation.

I regret to inform you that, further to this examination, the Commission hereby refuses the registration of this proposed initiative on the grounds that it falls manifestly outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties.

The in-depth examination of the provisions of the Treaties that you suggested and of all other possible legal bases has led to this conclusion.

The Commission considers that there is no legal basis which would permit a proposal for a legal act in the terms of your initiative, namely the establishment and singing of the European anthem in Esperanto. In particular, in regard to a legal basis under the title of the Treaty relating to culture, its overall objective is to contribute to the flowering of the cultures of the Member States. Up to the present, it would appear that no Member State has made the promotion of Esperanto part of its cultural heritage policies nor can it be considered to be part of a common cultural heritage.

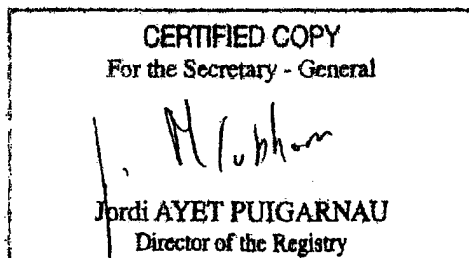
Consequently, the EU Treaties do not confer the power to the Commission to propose the legal act requested. Should you wish to appeal against this decision, we would like to draw your attention to the means of redress available.

You may either:

- bring proceedings before the General Court under the conditions specified in Article 263 of the Treaty on the Functioning of the European Union (TFEU);
- or, if you wish to complain about maladministration, file a complaint with the European Ombudsman under the conditions specified in Article 228 of the TFEU.

Please note that this letter will be published on the Commission's website for the citizens' initiative in order to inform the public of this decision in a transparent way.

Yours faithfully,



Catherine Day
Secretary General