COMMISSION IMPLEMENTING DECISION (EU) 2022/171

of 2 February 2022

on the request for registration of the European citizens' initiative entitled 'Win It On The Pitch' pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council

(notified under document C(2022) 630)

(Only the English text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative ([1]), and in particular Article 6(2) and (3) thereof,

Whereas:

(1) A request for registration of a European citizens' initiative entitled 'Win It On The Pitch' was submitted to the Commission on 30 September 2021.

(2) The initiative had three objectives, namely the adoption of (1) a Council recommendation to protect the model of football in Europe based on values, solidarity, sustainability and open competitions, by providing an EU framework and guidelines for Member State action to protect the model of football in Europe; (2) Commission guidelines on the application of EU competition rules to sport; and (3) a Commission communication to 'build the strongest possible model of European sport for the future, including reference to what European fans and citizens expect from sport in Europe'.

(3) In accordance with Article 1 of Regulation (EU) 2019/788, initiatives can be registered when they invite the Commission to propose a legal act of the Union within the framework of its powers for the purpose of implementing the Treaties. While the Commission has the power under Article 165 of the Treaty on the Functioning of the European Union to adopt a proposal for a Council recommendation as indicated under objective 1 of the initiative, objectives 2 and 3, as initially drafted, did not call upon the Commission to adopt 'a proposal for a legal act of the Union'. They only asked the Commission to adopt guidelines and a Commission communication.

(4) On 27 October 2021, in accordance with Article 6(4) of Regulation (EU) 2019/788, the Commission informed the group of organisers of its assessment that the requirements for registration set out in Article 6(3), points (a), (d) and (e), of that Regulation were fulfilled and that the requirement set out in Article 6(3), point (b) was not applicable. However, the Commission also indicated that the text of the initiative as formulated in the request of 30 September 2021 did not allow it to conclude that it fulfilled the requirement set out in Article 6(3), point (c) of Regulation (EU) 2019/788.

(5) As a result, an amended version of the initiative was submitted to the Commission on 3 January 2022.

(6) The initiative invites the Commission to adopt a proposal for a Council recommendation providing an EU framework and guidelines for Member State action to protect the model of football in Europe, to recognise the social value of sport in European society and the specific nature of sport in the EU competition rules and to strengthen the EU vision and long-term policy on the future and governance of European sport.

(7) An annex provides further details on the subject matter, objectives and background to the initiative. The organisers have also provided further information on their initiative in an additional document.

([1]) OJ L 130, 17.5.2019, p. 55.

(8) Insofar as the initiative seeks the adoption of a Council recommendation aiming to achieve the objective that the Union contribute to the promotion of European sporting issues, while taking account of the specific nature of sport, its structures based on voluntary activity and its social and educational function, the Commission has the power to present a proposal for a legal act on the basis of Article 165 of the Treaty.

(9) For those reasons, none of the parts of the initiative manifestly falls 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.

(10) This conclusion is without prejudice to the assessment of whether the concrete factual and substantive conditions required for the Commission to act, including compliance with the principles of proportionality and subsidiarity and compatibility with fundamental rights, would be met in this case.

(11) The group of organisers has provided appropriate evidence that it fulfils the requirements laid down in Article 5(1) and (2) of Regulation (EU) 2019/788 and has designated the contact persons in accordance with Article 5(3), first subparagraph, of that Regulation.

(12) The initiative is not manifestly abusive, frivolous or vexatious, nor is it manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union and rights enshrined in the Charter of Fundamental Rights of the European Union.

(13) The initiative entitled 'Win It On The Pitch' should therefore be registered.

(14) The conclusion that the conditions for registration under Article 6(3) of Regulation (EU) 2019/788 are fulfilled does not imply that the Commission in any way confirms the factual correctness of the content of the initiative, which is the sole responsibility of the group of organisers of the initiative. The content of the initiative only expresses the views of the group of organisers, and can in no way be taken to reflect the views of the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The European citizens' initiative entitled 'Win It On The Pitch' shall be registered.

Article 2

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'Win It On The Pitch', represented by Mr Ronan EVAIN and Ms Martha MESTRE GENS VIDA DA CONCEIÇÃO acting as contact persons.

Done at Brussels, 2 February 2022.

For the Commission
Věra JOUROVÁ
Vice-President