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COMMISSION IMPLEMENTING DECISION (EU) 2024/1824

of 19 June 2024

on the request for registration, pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council, of the European citizens' initiative entitled 'Stop Destroying Videogames'

(notified under document C(2024) 3860)

(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 'Stop Destroying Videogames' was submitted to the Commission on 4 May 2024.

(2) The aim of the initiative as expressed by the organisers is to 'require publishers that sell or license videogames to consumers in the European Union (or related features and assets sold for videogames they operate) to leave said videogames in a functional (playable) state. Specifically, the initiative seeks to prevent the remote disabling of videogames by the publishers, before providing reasonable means to continue functioning of said videogames' without the involvement of the publisher.

(3) An annex to the initiative provides further details on the subject matter, objectives and background to the initiative. It explains that 'publishers are selling videogames that are required to connect through the internet to the game publisher, or "phone home" to function' and that 'when support ends for these types of games, very often publishers simply sever the connection necessary for the game to function, proceed to destroy all working copies of the game, and implement extensive measures to prevent the customer from repairing the game'. The organisers consider that 'this practice is effectively robbing customers of their purchases' and is an 'affront on consumer rights', 'a creative loss for everyone involved' and that it 'challenges the concept of ownership itself' as the 'customer is left with nothing after "buying" a game'.

(4) As regards the aim of the initiative, the Commission could submit a proposal for a legal act aiming at the prevention of the remote disabling of videogames by publishers on the basis of Article 114 of the Treaty on the Functioning of the European Union.

(5) For this reason, the Commission considers that 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.

(6) That conclusion does not affect the assessment of whether the concrete 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.

(7) 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.

(8) 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 or to the rights enshrined in the Charter of Fundamental Rights of the European Union.

(9) The initiative entitled 'Stop Destroying Videogames' should therefore be registered.

([1]) OJ L 130, 17.5.2019, p. 55, ELI: http://data.europa.eu/eli/reg/2019/788/oj.

(10) 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 'Stop Destroying Videogames' shall be registered.

Article 2

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'Stop Destroying Videogames', represented by Daniel ONDRUSKA and Aleksej VJALICIN acting as contact persons.

Done at Brussels, 19 June 2024.

For the Commission
Věra JOUROVÁ
Vice-President