

# DECISIONS

## COMMISSION IMPLEMENTING DECISION (EU) 2022/1430

of 24 August 2022

**on the request for registration of the European citizens' initiative entitled 'Call to achieve a tobacco-free environment and the first European tobacco-free generation by 2030', pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council**

*(notified under document C(2022) 5968)*

**(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 <sup>(1)</sup> and in particular Article 6(2) and (3) thereof,

Whereas:

- (1) A request for registration of a European citizens' initiative entitled 'Call to achieve a tobacco-free environment and the first European tobacco-free generation by 2030' was submitted to the Commission on 29 June 2022.
- (2) The objectives of the initiative are expressed by the organisers as follows: 'tobacco pandemic is the first avoidable cause of death. Butts on beaches cause environmental damage to the ocean and its wildlife, in forests cause fires and contaminate soil and water. To save the new generations from falling into tobacco addiction, in addition to acting forcefully against the environmental dangers caused by cigarette butts and fighting against smoking, it is necessary to: (1) promote the first tobacco-free European generation by 2028, ending the sale of tobacco and nicotine products to citizens born since 2010; (2) create a European net of tobacco-free and butts-free beaches and riverbanks, making these spaces more healthy and environmentally sustainable; (3) establish a European net of tobacco-free and butts-free national parks making them more healthy and reducing contamination and risk of fires; (4) extend outdoor smoke and vapor free spaces, especially those frequented by minors (parks, swimming pools, sports events and centers, shows and restaurants terraces); (5) eliminate tobacco advertising and presence in audiovisual productions, social media, specially addressing covert advertising through influencers and product placement;(6) finance research and development (R & D) projects for diseases caused by tobacco use to improve their prognosis and make them curable.'
- (3) As regards the call for action to implement the first and fifth objectives of the initiative, to promote a tobacco-free generation by 2028 and to eliminate tobacco advertising and presence in audiovisual productions, the Commission has the power to present proposals for legal acts banning the sale and advertising of certain tobacco products on the basis of Article 114 of the Treaty.
- (4) As regards the call for action to implement the second, third and fourth objectives of the initiative, to create a European net of tobacco-free and butts-free beaches, to establish tobacco and butts-free national parks and to extend outdoor smoke and vapour-free spaces, the Commission has the power to present proposals for legal acts on the basis of Article 192 of the Treaty.

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<sup>(1)</sup> OJ L 130, 17.5.2019, p. 55.

- (5) As regards the call for action to implement the sixth objective of the initiative, to finance research and development (R & D) projects for diseases caused by tobacco use, the Mission on Cancer is a major component of the Union's investment in cancer research and innovation in the context of Horizon Europe Framework Programme for Research and innovation 2021-2027. <sup>(2)</sup>
- (6) For those reasons, none of the parts of the initiative 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.
- (7) That conclusion is without prejudice to 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.
- (8) 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.
- (9) 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.
- (10) The initiative entitled 'Call to achieve a tobacco-free environment and the first European tobacco-free generation by 2030' should therefore be registered.
- (11) 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 'Call to achieve a tobacco-free environment and the first European tobacco-free generation by 2030' shall be registered.

*Article 2*

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'Call to achieve a tobacco-free environment and the first European tobacco-free generation by 2030', represented by Ms Raquel FERNANDEZ MEGINA and Mr Francisco RODRIGUEZ LOZANO acting as contact persons.

Done at Brussels, 24 August 2022.

*For the Commission*  
Věra JOUROVÁ  
*Vice-President*

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<sup>(2)</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).