Your complaint has been submitted to the European Ombudsman. We will send you an acknowledgement of receipt within a few days.
NB - Please note that this e-mail was sent from a notification only e-mail address. If you wish to contact technical support, please use the link below:
Contact technical support

Complaint about maladministration

Part 1 - Contact information

Part 2 - Against which European Union (EU) institution or body do you wish to complain?

European Commission

Part 3 - What is the decision or matter about which you complain? When did you become aware of it? Add annexes if necessary.

The decision that the complaint is about is the response of the European Commission to the European Citizens Initiative "Stop Vivisection" issued June 3, 2015 and attached hereto, together with letters and communications that were sent later. Please see Annexes, attachments and the following links below:
Questions and Petitions on this subject: see example and querying of 2014 by the Hon mail. Castaldo and others - http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2014-006155+0+DOC+XML+V0//IT - and the Commissioner's reply Janez Potočnik on behalf of the Commission - http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2014-006155&language=IT) and, among others, the petition in 1833 / 2013, presented by Gisela Urban and Gabriele Menzel and associated response).

Part 4 - What do you consider that the EU institution or body has done wrong?

The European Commission did not comply with the spirit and logic of the rule which established the ECI (Regulation EU no. 211/2011 of the European Parliament and of the Council, of 16 February 2011, on the Citizens' Initiative) in responding to us (as well as probably to the only two other ECIs that have passed one million signatures).
We, the Stop Vivisection Initiative promoters, have demonstrated our desire to engage in a constructive dialogue with the European authorities through the development of a science-based document and requested the Commission to provide answers to our specific proposals. Not a single one of our legitimate proposals has been met.

Explanation of the alleged offenses:

The response is inadequate with respect to the provisions of the ECI Regulations.
The first recital of Regulation 211/2011 states that: "This procedure offers the possibility for citizens to apply directly to the Commission, submitting a request which invites it to submit a proposal for a Union legislative act, with the purpose of implementing the

Treaties , and similarly granting to the European Parliament the right under Article 225 of the Treaty on the functioning of the EU (TFEU) and to the Council in accordance with Article 241 TFEU. "
The initiative proposed amendments to existing legislation on animal experiments (Directive 2010/63 / EU) in order to replace the use of animals, considered to be misleading for the purposes of human health. The Commission has not proposed any changes to the Directive, whilst agreeing with the ECI proposal (on page 7 of the response it states: "The Commission shares the conviction behind the initiative of citizens, namely that the testing on animals should be phased out, and in fact this is the ultimate goal of the Union legislation"). To agree with a proposal and to then do nothing to achieve it is incongruous.
No importance whatsoever has thus been given to the huge effort of collecting over one million signatures (only three ECIs have so far achieved this goal !) and does not accord citizens a right similar to that conferred to the EP and the Council.

There is lack of response: In a Dossier (which we attach), delivered to the Commission on 11 May 2015, we have documented the unreliability of animal testing when the data is transferred to the human species, with serious danger to public health, to which the Precautionary Principle should be applied. The dossier concludes with 10 proposals, but in the Commission's response not only is there no mention at all of the documents we reported and no document is given to deny them, but the 10 proposals are either ignored or given inadequate answers.
The answer is lacking for the first 2 points (**1.** An EU Legislation to phase out animal experiments; **2.**The statement "the use of live animals continues to be necessary to protect human health" shall be removed from all EU legislation Regarding medical and toxicological research), stating that there is no need to change the current legislation, and that: "the Commission does not agree on the existence of scientific evidence that invalidates the animal model: despite the differences with humans, it is especially due to animal models that it has been possible to find almost all medical treatments and preventive measures we have available to deal with efficacy and safety in human and also animal diseases", but offers no documentation - only general statements - capable of disproving the many fully referenced bibliographic documents we listed in our 107 page dossier.
It reiterates instead only ethical and not scientific considerations: the contrary of what we stated in our ECI manifesto. This does not respect what has been stated in recital 20) of the ECI Regulation: "the Commission should explain in a clear, comprehensible and detailed manner the reasons for its intended action, and should likewise give its reasons for not envisaging taking any action. "

There was however a reply stating that European legislation implements the principle of the 3Rs (Replace, Reduce and Refine), that we challenged with extensive bibliographical documentation. The use of 3Rs is used to indefinitely postpone the goal of the abolition of animal experimentation, because, as we explained in our documents, every effort they have produced so far has been limited to the reduction and refinement of animal testing, neglecting the real goal which is the replacement of animal experiments.

Point 3 of our demands has been frustrated with the organization of a Conference, convened on 6 and 7 of December 2016, which deals with points that are very different from what we proposed, and with a very different agenda; in our opinion, discriminatory against us. This is the reason why we refused to participate (letter attached). See : http://www.stopvivisection.eu/sites/default/files/sv____no_to_the_ec_conference_0.pdf

Another statement, in response to another of our proposals (number 4), is that the methods without the use of animals which are validated are already compulsory (The majority of EU legislation for testing includes the obligation to use validated alternative methods), but this is not enforced (there is a legal obligation in the rules or "legal obligation") and by the facts, since a lot of research, often financed by Community funds, using animals, although there are alternative methods already validated.

There is no significant difference between an answer to a parliamentary question or a petition submitted by a single citizen to the Petitions Committee of the EP (with response from the European Commission) and the response given to our ECI (see the Annexes) answers to questions and petitions made in the past on this subject.
What is then the use to collect over one million signatures? It makes no sense to provide a new tool, trumpeted as an opportunity for public participation, in compliance with art. 11 of the Treaty, if by this instrument, which requires considerable hard work from hundreds or thousands of people in all countries of the Union for several years, the result is an evasive answer : the same as the one given to petitions or questions, without the possibility of appeal, nor audits of the reasons of those who collected the signatures.

There has been discrimination
For another ECI (which concerned the right to water "Right2water") there was a different conduct of the hearing, highlighting a difference in treatment between different ECIs. In this case, as described by JEV promoters (http://www.right2water.eu/it/node/470), in the European Parliament room with more than 400 present, in three and a half hours of audition, the initiators of "Right2water" alternated their speakers and several MEPs, without the presence of antagonistic positions, unlike what happened with "Stop Vivisection". In the case of the Stop Vivisection hearing, the representatives of the ECI received 34 minutes, collectively, in which to present their arguments during the three and a half hour hearing. The recording of the located at the following link: http://www.europarl.europa.eu/ep-live/en/committees/video?event=20140217-1500-COMMITTEE-ENVI-DEVE-IMCO-PETI

Part 5 - What, in your view, should the institution or body do to put things right?

Take into account issues raised in our ECI and respond to the questions in our dossier to assess how to adapt to this end the Community rules.

Part 6 - Have you already contacted the EU institution or body concerned in order to obtain redress?

Yes (please specify and submit copies of the relevant correspondence)

See point 3

Part 7 - If the complaint concerns work relationships with the EU institutions and bodies: have you used all the possibilities for internal administrative requests and complaints provided for in the Staff Regulations? If so, have the time limits for replies by the institutions already expired?
Not applicable

Part 8 - Has the object of your complaint already been settled by a court or is it pending before a court?
No

Part 9 - Please confirm that you have read the information below
You have read the information note on data processing and confidentiality

Part 10 - Do you agree that your complaint may be passed on to another institution or body (European or national), if the European Ombudsman decides that he is not entitled to deal with it?
Yes

+ 13 attachments