To:

President of the European Commission Ursula von der Leyen,

Executive Vice-President for Prosperity and Industrial Strategy Stéphane Séjourné

President of the European Parliament Roberta Metsola

12 November 2026

Subject: Consternation over the decision to put the European Cross-Border Association (ECBA) Directive back in the withdrawal list

Dear President of the Commission, dear Executive Vice-President of the Commission, dear President of the European Parliament,

I am writing to you on behalf of Civil Society Europe, the coordination of 29 European networks of civil society organisations, on the subject of the European Cross-Border Associations (ECBA) Directive.

When last year the Commission included the Directive among the list of withdrawals, more than 250 civil society organisations, non-profit organisations, philanthropic organisations and actors, federations of actors of the non-profit sector, federations of non-profit social services, and actors of the social economy signed a joint letter addressed to President von der Leyen and vice-President Séjourné calling the Commission to reverse its decision.

In addition, the European Parliament formally expressed its opposition to the withdrawal of the Directive, and at least three Member States sent official letters supporting the Directive. We know that President von der Leyen wrote to President Metsola on 30th July 2026 announcing that the Directive was going to be taken off the withdrawal list. This announcement was realised only on 29th October 2026, with the publication of the list of withdrawn proposals in the EU Official Journal.

To our surprise, and as far as we understand without the knowledge of the Parliament, and even of the Commission services in charge of the ECBA, we saw that, less than seven days later, the Commission put the proposal back on the withdrawal list of the 2027 Work Programme, with the following motivation:

"The file has been pending with co-legislators for more than three years. ***Despite maintaining the file upon the Parliament's request, the Commission notes the continued opposition by several Member States and absence of discussions in Council under several successive Presidencies.*** *It is unlikely to secure an agreement between the European Parliament and the Council within a reasonable timeframe."*

We don't understand how the Commission could expect co-legislators to be able to move the proposal further in such a short time especially in a moment where the Council Working Group on Company Law, in charge of it, has been focusing on the EU Inc. Regulation. We express our consternation towards such a decision, which goes against any principles of institutional predictability to the detriment of citizens, and raises questions about democratic accountability.

We stand firm in the position expressed in our joint letter of last year, and urge you to keep the commitment taken with the European Parliament and to not withdraw the Directive.

Kind regards,

Gabriella Civico

President of Civil Society Europe