



# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2005/2135(INI)</a>	Procedure completed
Deliberations of the Committee on Petitions during the parliamentary year 2004-2005		
Subject 1.20.03 Right of petition 8.40.01.06 Committees, interparliamentary delegations		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PETI</b> Petitions	PSE <a href="#">CASHMAN Michael</a>	24/01/2006

Key events			
04/07/2005	Committee referral announced in Parliament		
03/05/2006	Vote in committee		Summary
10/05/2006	Committee report tabled for plenary	<a href="#">A6-0178/2006</a>	
12/06/2006	Debate in Parliament		
13/06/2006	Results of vote in Parliament		
13/06/2006	Decision by Parliament	<a href="#">T6-0255/2006</a>	Summary
13/06/2006	End of procedure in Parliament		

Technical information	
Procedure reference	2005/2135(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 227-p7
Stage reached in procedure	Procedure completed
Committee dossier	PETI/6/29216

Documentation gateway					
Committee draft report		<a href="#">PE370.312</a>	28/03/2006	EP	

Amendments tabled in committee		<a href="#">PE372.105</a>	07/04/2006	EP	
Committee report tabled for plenary, single reading		<a href="#">A6-0178/2006</a>	10/05/2006	EP	
Text adopted by Parliament, single reading		<a href="#">T6-0255/2006</a>	13/06/2006	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2006)3310</a>	12/07/2006	EC	

## Deliberations of the Committee on Petitions during the parliamentary year 2004-2005

The committee adopted the own-initiative report by Michael CASHMAN (PES, UK) on the work of the Petitions Committee during the parliamentary year March 2004 - December 2005.

The report highlighted the need to ensure that "response times ? become shorter, investigations even more effective and its service ? equally available to all citizens of the EU". With 1609 complaints received in 18 months, MEPs proposed that the committee's numbers be increased to 50 full Members, to enable Parliament "to better respond to the expectations of petitioners", particularly as citizens of the enlarged EU become better acquainted with the petition process. They said that the committee played a "vital role" in reconnecting with the citizens of the EU and contributed to a strengthening of democratic control over Community legislation and its implementation.

The report underlined the significant role played by the Commission in providing preliminary analyses of petitions, and called for further cooperation between Parliament, the Ombudsman and the Commission in order to fulfil their "common objectives" of improving European administration and developing better quality and "more citizen-inspired" legislation. There was also a need for the Council to be more involved in the activities of the Petitions Committee.

MEPs underlined the importance of nationally-led information campaigns to promote better understanding among the public "of the substance of EC legislation, policies and objectives", and said that this could also help to reduce the number of unfounded petitions (around a third of all petitions are declared inadmissible as they have nothing to do with the activities of the EU). They also called for measures to be taken at both EU and national level to increase EU citizens' awareness of their right to petition the European Parliament.

The committee expressed concern at the "unreasonable and excessive" amount of time which the Commission takes to pursue and conclude infringement proceedings. It also voiced dissatisfaction at the frequent examples of non-compliance by Member States with decisions of the Court of Justice. The report said that this situation "undermines the credibility of the formulation and coherent application of EC law, and that it brings discredit on the objectives of the EU". MEPs therefore supported a firmer policy towards the Member States aimed at bringing them before the Court of Justice so that "lump sums and penalty payments" can be imposed on them. In addition, they stressed Parliament's right to turn to the Court of Justice where serious infringements of Community law are revealed in the course of the examination of a petition. Lastly, the report encouraged the sending of fact-finding missions to the Member States to investigate issues raised by petitioners, saying that such missions "offer a clearer view of often complex problems on the ground" and can help raise awareness among the competent authorities and thereby "increase the pressure to find effective and pragmatic solutions in the interest of the citizens".

## Deliberations of the Committee on Petitions during the parliamentary year 2004-2005

The European Parliament adopted a resolution based on the own-initiative report drafted by Michael CASHMAN (PES, UK) on the work of the Petitions Committee during the parliamentary year March 2004 - December 2005. Parliament stated that the right to petition was a fundamental right inextricably linked with citizenship of the European Union. The exercise of this right was important for EU citizens in particular, but also for the European institutions, because it allowed them to benefit from a direct source of information regarding the concerns and difficulties encountered by ordinary citizens following the application of EU legislation.

Parliament reaffirmed the vital role of its Committee on Petitions in reconnecting with the citizens of the EU, and in reinforcing the democratic legitimacy and accountability of the EU decision-making process in the eyes of European public opinion. It noted that during the first year since the enlargement of the EU to 25 Member States, the number of petitions received by the Parliament had remained relatively constant, contrary to initial expectations. However, it was inevitable that the more closely the citizens of the new Member States became acquainted with the petitions process, the more frequently they would make use of their rights.

Parliament underlined the significant role played by the Commission in providing preliminary analyses of petitions which helped the Committee to find appropriate solutions to the concerns with which citizens are confronted during their everyday lives. Further cooperation between Parliament, the Ombudsman and the Commission was mutually beneficial in fulfilling their common objectives to improve EU administration and developing better quality and more citizen-inspired legislation.

Parliament expressed its concern and surprise that, in this context, the Commission's 22nd annual report on monitoring the application of Community law (2004) failed to recognise the important role of the petitions procedure in identifying infringements because there was no reference to petitions in the body of the report. The Commission should notify decisions on opening infringement proceedings before the service of a letter of formal notice, in particular when Parliament has been petitioned on the issue in question. Furthermore, whenever citizens file, on the same subject, both a petition to Parliament and a complaint to the Commission, both procedures should be properly coordinated when dealing with the issues raised.

Parliament also expressed its growing concern at the unreasonable and excessive amount of time - often spanning several years - which the Commission took to pursue and conclude infringement proceedings after they are eventually launched, and its dissatisfaction with the frequent examples of Member States' non-compliance with decisions of the Court of Justice. This unacceptable situation should be further investigated by the competent committees of Parliament with a view to recommendations being made about more distinct parliamentary involvement in

infringement proceedings and a more effective means of redress for citizens. The importance of nationally-led information campaigns to facilitate a better knowledge of the substance of EC legislation, policies and objectives by citizens was underlined. Almost one-third of the petitions received by Parliament are declared inadmissible.

Parliament went on to emphasise the frequent need for a greater involvement of the Council, as an institution, in the Committee's activities. It welcomed the steps made to strengthen the secretariat of the Committee in order to cover the need for linguistic, legal and political expertise and asked the Conference of Presidents to consider a substantial increase in the membership of the Committee of Petitions to 50 full members in order to ensure that EU citizens are able to obtain an even better understanding of their case in Committee.

Finally, Parliament noted that Article 230 of the Treaty enabled it to refer to the Court of Justice cases of violation of the Treaty or any other rule of law related to its application, and stressed the legitimate entitlement of Parliament to make use of its powers if this is necessary in order to bring to an end a serious infringement of Community law which has been revealed in the course of the examination of a petition.