



Procedure file

Basic information		
RSP - Resolutions on topical subjects	2007/2587(RSP)	Procedure completed
Resolution on the results of the fact-finding mission to the regions of Andalucia, Valencia and Madrid conducted on behalf of the Committee on Petitions		
Subject 1.10 Fundamental rights in the EU, Charter 8.50.01 Implementation of EU law		

Key players		
European Parliament		
European Commission	Commission DG Internal Market, Industry, Entrepreneurship and SMEs	Commissioner VERHEUGEN Günter

Key events			
19/06/2007	Debate in Parliament		Summary
21/06/2007	Results of vote in Parliament		
21/06/2007	Decision by Parliament	T6-0281/2007	Summary
21/06/2007	End of procedure in Parliament		

Technical information	
Procedure reference	2007/2587(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Debate or resolution on oral question/interpellation
Legal basis	Rules of Procedure EP 128-p5
Stage reached in procedure	Procedure completed

Documentation gateway					
Oral question/interpellation by Parliament		B6-0127/2007	18/06/2007	EP	
Oral question/interpellation by Parliament		B6-0128/2007	18/06/2007	EP	
Motion for a resolution		B6-0251/2007	19/06/2007	EP	
Text adopted by Parliament, topical subjects		T6-0281/2007	21/06/2007	EP	Summary
Commission response to text adopted in plenary		SP(2007)3798/2	18/07/2007	EC	

Resolution on the results of the fact-finding mission to the regions of Andalucia, Valencia and Madrid conducted on behalf of the Committee on Petitions

The House held a debate on Oral Questions O-0030/2007 and O-0031/2007 on the results of the fact-finding mission to the regions of Andalucia, Valencia and Madrid conducted on behalf of the Committee on Petitions.

The resolution winding up this debate was due to be put to the vote on 21 June 2007.

ORAL QUESTION (O-0030/2007) WITH DEBATE pursuant to Rule 108 of the Rules of Procedure by Marcin Libicki and Michael Cashman, on behalf of the Committee on Petitions to the Council

ORAL QUESTION (O-0031/2007) WITH DEBATE pursuant to Rule 108 of the Rules of Procedure by Marcin Libicki and Michael Cashman, on behalf of the Committee on Petitions to the Commission

Subject: Fact-finding mission to the regions of Andalusia, Valencia and Madrid

On 11 April, the Petitions Committee approved a report (PE 386.549) which resulted from a fact-finding mission to the regions of Andalusia, Valencia and Madrid concerning the extensive urbanisation projects in these autonomous regions of Spain about which many petitions have been received. The report was strongly critical of the fact that the basic rights of thousands of European citizens to their legitimately acquired property are being severely undermined by these massive urban development programmes. Furthermore, due to lack of transparent procedures, European directives on public procurement are not complied with, water supply and compliance with European directives on water management are threatened, and the directives on the protection of the environment and biodiversity are frequently being ignored. Parliament itself approved a resolution on this issue on 13 December 2005 by an overwhelming majority, concerning the Valencian region where the most serious cases are occurring. Both the report of the fact-finding visit and the resolution of Parliament have been transmitted to the Council Presidency and the European Commission.

What actions are being taken by the Council Presidency/the Commission to ensure the correct application of Community law and respect for the fundamental rights of European citizens, as contained in Article 6 of the Treaty on European Union?

Resolution on the results of the fact-finding mission to the regions of Andalucia, Valencia and Madrid conducted on behalf of the Committee on Petitions

The European Parliament adopted a joint resolution on the results of the fact-finding mission to the regions of Andalucia, Valencia and Madrid conducted on behalf of the Committee on Petitions. The resolution was adopted with 327 votes in favour, 222 against and 35 abstentions. MEPs considered that the obligation to cede legitimately acquired private property without due process and proper compensation, linked to the obligation to pay arbitrary costs for often unnecessary infrastructure development, was a violation of an individual's fundamental rights as determined by the European Convention and jurisprudence on Human Rights and as contained in the EU Treaty.

The House deeply regretted that such practices were widespread in various autonomous regions of Spain, in particular in the Valencia region and other parts of the Mediterranean coastal area, but also, for instance, in the Madrid region. The European Parliament expressed its severe condemnation of massive urbanisation projects initiated by construction companies and real-estate developers which bore no relation to the real requirements of the towns and villages affected, were environmentally unsustainable and have a disastrous impact on the historical and cultural identity of the areas affected.

MEPs condemned the tacit approval by some town halls for building developments which were subsequently declared illegal and which, as a result, lead to the destruction of property which had been bought in good faith by European citizens through regular commercial developers and sales agents. They recognised the Commission's efforts to ensure the compliance of Spain with the directives on public procurement, but considered that the Commission should pay special attention to the documented cases of infringements of directives on the environment, water and consumer policy issues. The House called upon the Spanish authorities and regional governments, in particular the Valencian Government, which were under an obligation to respect and apply the provisions of the EU Treaty and EU laws, to recognise the individual's legitimate right to his legally acquired property. They must establish more precisely defined criteria regarding the application of Article 33 of the Spanish Constitution concerning the public interest, in order to forbid the abuse of people's property rights by decisions of regional authorities.

The House called into question the methods of designation of, and frequently excessive powers given in practice to, urbanisers and property developers by certain local authorities at the expense of local communities and the citizens who have their homes and legally acquired property there. MEPs strongly condemned the covert practice of certain property developers of undermining the legitimate ownership of property by European citizens by interfering with land registration, and called upon local authorities to establish proper legal safeguards against this practice.

They called upon regional authorities to establish special administrative commissions involving local ombudsmen, which should have powers of arbitration in relation to disputes concerning urbanisation projects, and which should be accessible free of charge to those directly affected by urbanisation programmes, including those who are victims of illegal property deals concerning unauthorised urban development.

Lastly, Parliament called on the Commission to initiate an information campaign directed at European citizens buying real estate in a Member State other than their own.