

# Procedure file

Basic information	
INI - Own-initiative procedure	2008/2028(INI)
Procedure completed	
Report on the deliberations of the Committee on Petitions - Citizens' petitions during the year 2007	
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		25/02/2008
		Verts/ALE <a href="#">HAMMERSTEIN David</a>	
European Commission	Commission DG	Commissioner	
	<a href="#">Secretariat-General</a>	WALLSTRÖM Margot	

Key events			
21/02/2008	Committee referral announced in Parliament		
01/09/2008	Vote in committee		Summary
10/09/2008	Committee report tabled for plenary	<a href="#">A6-0336/2008</a>	
22/09/2008	Debate in Parliament		
23/09/2008	Results of vote in Parliament		
23/09/2008	Decision by Parliament	<a href="#">T6-0437/2008</a>	Summary
23/09/2008	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2028(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 227-p7
Stage reached in procedure	Procedure completed
Committee dossier	PETI/6/59276

Documentation gateway					
Committee draft report		<a href="#">PE405.974</a>	11/06/2008	EP	
Amendments tabled in committee		<a href="#">PE409.508</a>	07/07/2008	EP	
Committee report tabled for plenary, single reading		<a href="#">A6-0336/2008</a>	10/09/2008	EP	
Text adopted by Parliament, single reading		<a href="#">T6-0437/2008</a>	23/09/2008	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2008)6073</a>	17/10/2008	EC	
Commission response to text adopted in plenary		<a href="#">SP(2008)6487</a>	29/01/2009	EC	

## Report on the deliberations of the Committee on Petitions - Citizens' petitions during the year 2007

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The Committee on Petitions adopted an own initiative report by David HAMMERSTEIN (Greens/EFA, ES) on the deliberations of the Committee on Petitions during the parliamentary year 2007.

While welcoming the close collaboration between the Committee on Petitions and the services of the Commission and the Ombudsman, MEPs are, nevertheless, convinced that the Committee on Petitions itself should be offered the possibility to further enhance its own independent investigatory facilities, notably through the reinforcement of its secretariat and its legal expertise.

MEPs consider that the current procedure for registration of petitions unduly delays their examination. They support the formalisation of a procedure whereby petitions in the field of the internal market are transferred to the SOLVIT network with a view to significantly shortening the petitions process in the field of internal market issues (such as car taxes, recognition of professional qualifications, residence permits, border controls and access to education). They reiterate their requests to the Secretary-General to conduct an urgent review of the "Citizens Portal" on Parliament's website with the objective of enhancing the visibility of the portal as regards the right of petition. In this context, they call for the introduction of an IT facility for online tracking aimed at petitioners.

The report calls for the initiation of negotiations between Parliament and the Commission with a view to better coordinating their work on complaints in a way that facilitates, simplifies and streamlines the complaint procedures and makes them more transparent and expeditious. MEPs also reiterate the need for greater involvement on the part of Council and the Member States' Permanent Representations in the activities of the Committee on Petitions.

The Commission is called upon to take full account of the recommendations of the Committee on Petitions when reaching decisions regarding the initiation of infringement proceedings against Member States. In this respect, the Committee on Petitions should be directly and officially notified by the Commission when an infringement procedure is launched which is related to a petition under consideration by the committee.

In general, the Committee on Petitions expresses concern about the excessive length of time taken to conclude infringement cases by the Commission services and the Court of Justice. It therefore calls for the introduction of more stringent timescales. It also expresses its doubts about the efficiency of the so-called 'horizontal infringement procedures', which take longer to conclude and calls for a review of the infringement procedure aimed at ensuring greater respect for the application of EU legislative acts.

The Commission is called upon, when dealing with petitions and complaints related to environmental policy ? which is one of the predominant concerns of petitioners in the EU ?, to be more ready to act to prevent breaches of Community law.

The committee also expresses its concern at reports by petitioners that, even when they have obtained the support of the Committee on Petitions on the substance of their petition, they too often experience great difficulty in obtaining any compensation from the authorities and national courts involved. It considers that such systemic weaknesses need to be further investigated, notably in so far as they apply to the financial services sector.

The report notes that a growing number of petitions received, notably from citizens from the new Member States, concern the question of the restitution of property, even though this subject remains essentially one of national competence. MEPs call on the Member States concerned to ensure that their laws on property rights resulting from regime change are fully in accordance with Treaty requirements and the provisions of the European Convention on Human Rights. MEPs also note the growing number of petitions and letters received by the Committee on Petitions concerning the most sensitive matter of child custody, on which it is extremely difficult to take action.

Lastly, the report resolves to review the name of the Committee on Petitions for the next legislative term, so as to underline the element of participatory democracy in the right of petition. MEPs suggest that the term "Committee on Citizens' Petitions" may be more easily understandable.

## Report on the deliberations of the Committee on Petitions - Citizens' petitions during the year 2007

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The European Parliament adopted by 603 votes to 17, with 25 abstentions, a resolution on the deliberations of the Committee on Petitions during the parliamentary year 2007.

The own initiative report had been tabled in plenary by David HAMMERSTEIN (Greens/EFA, ES) on behalf of the Committee on Petitions.

Reinforcing investigation methods: while welcoming the close collaboration between the Committee on Petitions and the services of the

Commission and the Ombudsman, MEPs are, nevertheless, convinced that the Committee on Petitions itself should be offered the possibility to further enhance its own independent investigatory facilities, notably through the reinforcement of its secretariat and its legal expertise.

**Improve the examination procedure:** Parliament considers that the current procedure for registration of petitions unduly delays their examination and it is concerned that this may be perceived as displaying a certain lack of sensitivity towards petitioners. It calls for the initiation of negotiations between Parliament and the Commission with a view to better coordinating their work on complaints in a way that facilitates, simplifies and streamlines the complaint procedures and makes them more transparent and expeditious. MEPs support the formalisation of a procedure whereby petitions in the field of the internal market are transferred to the SOLVIT network with a view to significantly shortening the petitions process in the field of internal market issues (such as car taxes, recognition of professional qualifications, residence permits, border controls and access to education).

**Increase visibility:** Parliament reiterates its requests to its Secretary-General to conduct an urgent review of the "Citizens Portal" on Parliament's website with the objective of enhancing the visibility of the portal as regards the right of petition and to ensure that citizens are provided with the means to append their signatures electronically in support of petitions. It urges that the Citizen's Portal must ensure web-browsing software interoperability in order to provide citizens with equal rights of access in this respect. In the context of development of the e-Petition system, the introduction of an IT facility for online tracking aimed at petitioners would help to create a more transparent and efficient process by means of, inter alia, regular status updates and calls for additional information; notes that such a measure would better meet the expectations of EU citizens while also fostering improved performance of the institutional responsibilities incumbent on Parliament and on its Committee on Petitions.

**Infringement procedures:** in general, the Parliament expresses concern about the excessive length of time taken to conclude infringement cases by the Commission services and the Court of Justice. It therefore calls for the introduction of more stringent timescales. It also expresses its doubts about the efficiency of the so-called 'horizontal infringement procedures', which take longer to conclude and calls for a review of the infringement procedure aimed at ensuring greater respect for the application of EU legislative acts. The Commission is invited to take full account of the recommendations of the Committee on Petitions when reaching decisions regarding the initiation of infringement proceedings against Member States, and reiterates its demand that the Committee on Petitions be directly and officially notified by the Commission when an infringement procedure is launched which is related to a petition under consideration by the Committee.

**Respect for environmental legislation:** the Commission is called upon, when dealing with petitions and complaints related to environmental policy, which is one of the predominant concerns of petitioners in the EU, to be more ready to act to prevent breaches of Community law. Parliament notes also the criticisms raised by the Committee on Petitions following its fact-finding visit to the Loiret, in France, in 2007, and in particular requests the French authorities to act decisively to ensure compliance with EU directives which risk being infringed should certain planned projects for the construction of bridges over the River Loire be allowed to go ahead. It also notes the report on the fact-finding visit to Poland which made recommendations concerning the protection of the Rospuda Valley and the last primeval forest in Europe. MEPs express their ongoing concern about the lack of implementation of the provisions of the Drinking Water Directive in Ireland.

**Fundamental Rights:** the resolution notes that a growing number of petitions received, notably from citizens from the new Member States, concern the question of the restitution of property, even though this subject remains essentially one of national competence. MEPs urge the Member States involved to ensure that their laws concerning property rights resulting from regime change are fully in accordance with Treaty requirements and the provisions of the European Convention on Human Rights. Parliament reaffirms its commitment to uphold the recognition of rights of EU citizens to their private property which has been legally obtained, and condemns all attempts to divest families of their property without due process, proper compensation or respect for their personal integrity. MEPs note the growing number of petitions and letters received by the Committee on Petitions concerning the most sensitive matter of child custody, on which it is extremely difficult to take action. Parliament expresses its concern and dismay at reports by petitioners that, even when they have obtained the support of the Committee on Petitions on the substance of their petition, they too often experience great difficulty in obtaining any compensation from the authorities and national courts involved. It believes that such systemic weaknesses need to be further investigated, notably in so far as they apply to the financial services sector.

**A single seat for the European Parliament:** among the petitions considered by the Committee on Petitions in 2007 included the so-called "One Seat" petition, which was supported by 1.25 million EU citizens and which called for a single seat for the European Parliament, to be located in Brussels. In October 2007 the President referred the petition back to the committee, which subsequently called for Parliament to give its opinion on this question, bearing in mind that the seat of the institution is governed by the provisions of the Treaty and that the Member States have the responsibility for taking a decision on this matter.

Lastly, MEPs resolve to review the name of the Committee on Petitions for the next legislative term, so as to underline the element of participatory democracy in the right of petition. They suggest that the term "Committee on Citizens' Petitions" may be more easily understandable.