



# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2011/2317(INI)</a>	Procedure completed
Annual report of the activities of the Committee on Petitions 2011		
Subject 1.20.03 Right of petition		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PETI</b> Petitions		12/01/2012
		ECR <a href="#">CHICHESTER Giles</a>	
		Shadow rapporteur	
		PPE <a href="#">PREDA Cristian Dan</a>	
		S&D <a href="#">BOŞTINARU Victor</a>	
		ALDE <a href="#">MCMILLAN-SCOTT Edward</a>	
		Verts/ALE <a href="#">AUKEN Margrete</a>	
		EFD <a href="#">SALAVRAKOS Nikolaos</a>	

Key events			
19/01/2012	Committee referral announced in Parliament		
12/07/2012	Vote in committee		
17/07/2012	Committee report tabled for plenary	<a href="#">A7-0240/2012</a>	Summary
20/11/2012	Debate in Parliament		
21/11/2012	Results of vote in Parliament		
21/11/2012	Decision by Parliament	<a href="#">T7-0445/2012</a>	Summary
21/11/2012	End of procedure in Parliament		

Technical information	
Procedure reference	2011/2317(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Annual report
Legal basis	Rules of Procedure EP 227-p7
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	PETI/7/08206

Documentation gateway					
Committee draft report		<a href="#">PE483.811</a>	29/03/2012	EP	
Amendments tabled in committee		<a href="#">PE489.586</a>	24/05/2012	EP	
Committee report tabled for plenary, single reading		<a href="#">A7-0240/2012</a>	17/07/2012	EP	Summary
Text adopted by Parliament, single reading		<a href="#">T7-0445/2012</a>	21/11/2012	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2013)110</a>	02/04/2013	EC	

## Annual report of the activities of the Committee on Petitions 2011

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The Committee on Petitions adopted the initiative report by Giles CHICHESTER (ECR, UK) on the activities of the Committee on Petitions 2011.

Petitions in 2011: the report notes that the petitions received in 2011 continued to focus on alleged breaches of EU law in the fields of the environment, justice and the internal market. It also notes the increasing number of petitions and other submissions from citizens seeking legal and financial redress on issues that fall outside the EUs area of competence, such as, for example, requests to review the calculation of national pensions, overrule decisions by national courts, support proposals to re-draw Europes frontiers, force a bank to grant a personal loan, etc.

The report fully supports the action taken by Parliaments responsible Directorates-General to find a solution for dealing with these submissions from citizens while taking into account Parliaments obligations with regard to its correspondence with citizens.

Transparency and responsibility: Members believe that the role and responsibilities of the Petitions Committee would be best performed, and its visibility, efficiency, accountability and transparency best enhanced, if its means of being able to bring issues of importance to European citizens to plenary were improved, and if its abilities to call witnesses, conduct investigations and organise on-site hearings were enhanced.

The report welcomes Parliaments decision to develop a much more practical and visible petitions portal on its website, which will facilitate access for citizens to the petitions process.

Political influence: Members want Parliament to confirm its determination to continue to promote and defend citizens fundamental rights and freedoms by making use of its political influence regarding such admissible cases as may be raised with the Committee, in close cooperation with the Commission and relevant authorities within the Member States of the Union.

The report:

- calls on the Committee on Petitions to examine the effects of the Equal Rights Trust case law on the reliability of petitions, and to investigate the question of what actual obstacles lie in the way for EU citizens applying for a preliminary ruling from the European Court of Justice in order to obtain reliable interpretations of central issues under European legislation in cases before the national courts;
- considers it important to enhance cooperation with Member States parliaments and governments, based on reciprocity, and, where necessary, to encourage Member States authorities to transpose and apply EU legislation in full transparency;
- stresses the importance of the Commission cooperating with the Member States, and deplores the negligence of some Member States with regard to transposing and enforcing European environmental legislation;
- considers that the petitions procedure should not be exploited and used to achieve objectives on the political agenda in Member States, but should be carried out objectively, reflecting the position of the European Parliament.

Compliance with legislation: Members consider the correct implementation of the Waste Framework Directive in all Member States to be of the utmost importance, and ask, therefore, Member States with waste management trouble spots to act decisively and swiftly. They reiterate their numerous calls on the Member States to comply with their obligations under the Free Movement Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the EU.

They also support wholeheartedly the underlying objective of the Ley de Costas, namely that the environment of the Spanish coast be protected from overdevelopment so as to preserve it for wildlife and for future generations.

They call on the Commission, furthermore, to ensure implementation and enforcement of the Habitats and Birds Directives by the Member States.

In summary, Members are determined to make the petition procedure more efficient, transparent, and impartial, while preserving the participatory rights of the Members of the Committee on Petitions, so that the handling of petitions will stand up to judicial review even at a procedural level.

## Annual report of the activities of the Committee on Petitions 2011

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The European Parliament adopted a resolution on the activities of the Committee on Petitions in 2011.

Petitions in 2011: Parliament notes that the petitions received in 2011 continued to focus on alleged breaches of EU law in the fields of the environment, justice and the internal market. It also notes the increasing number of petitions and other submissions from citizens seeking legal and financial redress on issues that fall outside the EUs area of competence, such as, for example, requests to review the calculation of

national pensions, overrule decisions by national courts, support proposals to re-draw Europes frontiers, force a bank to grant a personal loan, etc.

The resolution fully supports the action taken by Parliaments responsible Directorates-General to find a solution for dealing with these submissions from citizens while taking into account Parliaments obligations with regard to its correspondence with citizens.

Transparency and responsibility: the resolution welcomes Parliaments to develop a practical and visible petitions portal on its website, which will facilitate access for citizens to the petitions process.

Parliament believes, nevertheless, that the role and responsibilities of the Petitions Committee would be best performed, and its visibility, efficiency, accountability and transparency best enhanced, if its means of being able to bring issues of importance to European citizens to plenary were improved, and if its abilities to call witnesses, conduct investigations and organise on-site hearings were enhanced.

Political influence: Members want Parliament to confirm its determination to continue to promote and defend citizens fundamental rights and freedoms by making use of its political influence regarding such admissible cases as may be raised with the Committee, in close cooperation with the Commission and relevant authorities within the Member States of the Union.

With this in mind, the resolution:

- calls on the Committee on Petitions to examine the effects of the Equal Rights Trust case law on the reliability of petitions, and to investigate the question of what actual obstacles lie in the way for EU citizens applying for a preliminary ruling from the European Court of Justice in order to obtain reliable interpretations of central issues under European legislation in cases before the national courts;
- considers it important to enhance cooperation with Member States parliaments and governments, based on reciprocity, and, where necessary, to encourage Member States authorities to transpose and apply EU legislation in full transparency;
- stresses the importance of the Commission cooperating with the Member States, and deplores the negligence of some Member States with regard to transposing and enforcing European environmental legislation;
- considers that the petitions procedure should not be exploited and used to achieve objectives on the political agenda in Member States, but should be carried out objectively, reflecting the position of the European Parliament.

Compliance with legislation: Parliament stresses the importance of the Waste Framework Directive being correctly implemented in all Member States. It also calls on the Member States to comply with their obligations under the Free Movement Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the EU. It reminds Member States of their obligation to facilitate entry and residence without any discrimination, including for same-sex couples and their children, Roma people, and other minority groups.

Parliament also supports wholeheartedly the underlying objective of the Ley de Costas, namely that the environment of the Spanish coast be protected from overdevelopment so as to preserve it for wildlife and for future generations. It recalls that Parliament has held that the Ley de Costas has had a disproportionate impact on individual property owners while at the same time having insufficient impact on the real perpetrators of coastal destruction.

Parliament calls on the Commission, furthermore, to ensure implementation and enforcement of the Habitats and Birds Directives by the Member States.

In summary, Members are determined to make the petition procedure more efficient, transparent, and impartial, while preserving the participatory rights of the Members of the Committee on Petitions, so that the handling of petitions will stand up to judicial review even at a procedural level.