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

2007/2587(RSP) - 21/06/2007 - Text adopted by Parliament, topical subjects

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.