

Report on the deliberations of the Committee on Petitions during the year 2006

2007/2132(INI) - 14/11/2007 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Carlos José **ITURGAIZ ANGULO** (EPP-ED, ES) on the deliberations of the Committee on Petitions during the parliamentary year 2006, and emphasised the significance of the petitions process in ensuring that European citizens' individual concerns about respect for their rights under the Treaty and Community legislation received appropriate responses and solutions. It felt that petitions offered an instrument with which to gauge what the European public expected from the EU and the extent to which the EU managed to deliver. Parliament recalled the role of petitions as a tool to enable EU citizens both to signal loopholes in Community legislation and to alert the European institutions about any infringement or misapplication.

It stressed the importance of **cooperation with the Commission** in finding appropriate solutions to matters of concern which European citizens bring to the attention of the Committee on Petitions. Once again it requested the Commission to notify decisions on the opening of **infringement proceedings** as soon as it made such a decision, and also relevant decisions by the Court of Justice, in particular when Parliament has been petitioned on the issue in question. It called on the Committee on Petitions to notify, in writing and within a short time, its decisions relating to petitions that it considered at its meetings, so as to avoid misunderstandings and false interpretations by the mass media and petitioners.

Members restated the Petitions Committee's concern at the unjustified and excessive amount of time – often spanning several years – which the Commission took to pursue infringement proceedings and its dissatisfaction with the frequent examples of non-compliance by Member States with decisions of the Court of Justice. This undermined the credibility of the formulation and coherent application of Community law and it served to discredit the objectives of the EU. Parliament reaffirmed the need for the Commission to make use of the possibility of bringing Member States before the Court of Justice under Article 228 of the EC Treaty, so that fines in the form of lump sums and penalty payments might be imposed whenever Member States delayed the implementation of judgments of the Court of Justice in infringement proceedings. Firm action must be taken by the Commission against infringements of Community law, at least in nationally important cases which set a precedent for national jurisprudence. Such action could significantly reduce any subsequent need for citizens to complain to the Commission and petition Parliament on analogous issues.

Parliament welcomed the constant dialogue between the Committee on Petitions and the European Ombudsman. It confirmed the need for greater involvement on the part of the Council, as an institution, in the Committee's activities. The Council should designate a **senior official** to coordinate matters related to petitions, given that many petitions touch upon sensitive political issues concerning the transposition by Member States of Community legislation. It also emphasised once again the key role of the Member States in correctly implementing Community legislation.

Parliament also welcomed the activity of the Temporary Committee of Inquiry into the Crisis of the Equitable Life Assurance Society and the contribution made by the members of the Committee on Petitions. It encouraged the practice of sending fact-finding missions to various Member States of the EU to investigate issues raised by petitioners as a way to facilitate effective and pragmatic solutions in the interests of the citizen, stressing the significance of those missions in the efforts to improve communication with citizens and to raise awareness in the Member States about the activities of the European Parliament.

Members welcomed the agreement within the Committee which had led to the increase in its membership to 40 full members, and underlined the need to strengthen the Committee's secretariat in order to cover the need for linguistic, legal and political expertise. They reiterated the need to find the necessary **financial resources** to continue the development of the E-petition software system, which functioned both as a database and as a management tool providing information about the petitions workflow, thus reinforcing the transparency and efficiency of the Committee's activity.

Parliament asked the Secretary-General to conduct an urgent review of the 'Citizens Portal' on the website of the European Parliament with the objective of enhancing the visibility of the portal relating to the right of petition, and upgrading its presentation in order to ensure its comparability and compatibility with the website of the European Ombudsman which, unlike the Committee on Petitions, was concerned specifically with citizens' complaints concerning allegations of maladministration within the EU institutions or bodies. It recalled that, since 1998, Parliament asked for a **review of the 1989 Interinstitutional Agreement on strengthening the right of petition**. The Council and the Commission must undertake that review with a view to establishing a more effective means of redress and defining a clear framework for essential cooperation between the institutions in the area concerned. Parliament welcomed the decision to conduct a review of the current rules governing the petitions procedure in order to provide clarification regarding the assessment of the admissibility of petitions and to reinforce procedures related to data protection and confidentiality without undermining the essential transparency of the petitions process itself.

It emphasised the importance of protecting the rights of petitioners, as a fundamental element of the petitions process, and welcomed the consensus within the Committee on handling the outstanding Lloyd's petitions, especially as regards conveying full support to Ms X, whose name had become public against her wish.

Lastly, Parliament stressed the importance of protecting the environment and welcomes the Committee's intense interest in the petitions concerning the environment that it considers at its meetings.