# Deliberations of the Committee on Petitions during the parliamentary year 2004-2005

2005/2135(INI) - 13/06/2006 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Michael **CASHMAN** (PES, UK) on the work of the Petitions Committee during the parliamentary year March 2004 - December 2005. Parliament stated that the right to petition was a fundamental right inextricably linked with citizenship of the European Union. The exercise of this right was important for EU citizens in particular, but also for the European institutions, because it allowed them to benefit from a direct source of information regarding the concerns and difficulties encountered by ordinary citizens following the application of EU legislation.

Parliament reaffirmed the vital role of its Committee on Petitions in reconnecting with the citizens of the EU, and in reinforcing the democratic legitimacy and accountability of the EU decision-making process in the eyes of European public opinion. It noted that during the first year since the enlargement of the EU to 25 Member States, the number of petitions received by the Parliament had remained relatively constant, contrary to initial expectations. However, it was inevitable that the more closely the citizens of the new Member States became acquainted with the petitions process, the more frequently they would make use of their rights.

Parliament underlined the significant role played by the Commission in providing preliminary analyses of petitions which helped the Committee to find appropriate solutions to the concerns with which citizens are confronted during their everyday lives. Further cooperation between Parliament, the Ombudsman and the Commission was mutually beneficial in fulfilling their common objectives to improve EU administration and developing better quality and more citizen-inspired legislation.

Parliament expressed its concern and surprise that, in this context, the Commission's 22nd annual report on monitoring the application of Community law (2004) failed to recognise the important role of the petitions procedure in identifying infringements because there was no reference to petitions in the body of the report. The Commission should notify decisions on opening infringement proceedings before the service of a letter of formal notice, in particular when Parliament has been petitioned on the issue in question. Furthermore, whenever citizens file, on the same subject, both a petition to Parliament and a complaint to the Commission, both procedures should be properly coordinated when dealing with the issues raised.

Parliament also expressed its growing concern at the unreasonable and excessive amount of time - often spanning several years - which the Commission took to pursue and conclude infringement proceedings after they are eventually launched, and its dissatisfaction with the frequent examples of Member States' non-compliance with decisions of the Court of Justice. This unacceptable situation should be further investigated by the competent committees of Parliament with a view to recommendations being made about more distinct parliamentary involvement in infringement proceedings and a more effective means of redress for citizens. The importance of nationally-led information campaigns to facilitate a better knowledge of the substance of EC legislation, policies and objectives by citizens was underlined. Almost one-third of the petitions received by Parliament are declared inadmissible.

Parliament went on to emphasise the frequent need for a greater involvement of the Council, as an institution, in the Committee's activities. It welcomed the steps made to strengthen the secretariat of the Committee in order to cover the need for linguistic, legal and political expertise and asked the Conference of Presidents to consider a substantial increase in the membership of the Committee of Petitions to 50 full

members in order to ensure that EU citizens are able to obtain an even better understanding of their case in Committee.

Finally, Parliament noted that Article 230 of the Treaty enabled it to refer to the Court of Justice cases of violation of the Treaty or any other rule of law related to its application, and stressed the legitimate entitlement of Parliament to make use of its powers if this is necessary in order to bring to an end a serious infringement of Community law which has been revealed in the course of the examination of a petition.