Basic information

2002/2148(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Application of Community law: relations with the complainant in respect of infringements **Subject** 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PETI Petitions	FOURTOU Janelly (PPE-DE)	20/06/2002

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	The committee decided not to give an opinion.	
JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Secretariat-General	

Key events

Date	Event	Reference	Summary
20/03/2002	Non-legislative basic document published	COM(2002)0141	Summary
01/07/2002	Committee referral announced in Parliament		
30/04/2003	Vote in committee		Summary
30/04/2003	Committee report tabled for plenary	A5-0157/2003	
05/06/2003	Decision by Parliament	T5-0274/2003	Summary
05/06/2003	Debate in Parliament		
05/06/2003	End of procedure in Parliament		

18/03/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2002/2148(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	PETI/5/16364

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0157/2003	30/04/2003	
Text adopted by Parliament, single reading		T5-0274/2003 OJ C 068 18.03.2004, p. 0341-0623 E	05/06/2003	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2002)0141	20/03/2002	Summary

Application of Community law: relations with the complainant in respect of infringements

2002/2148(COS) - 05/06/2003 - Text adopted by Parliament, single reading

The European Parliament adopted the resolution drafted by Janelly FOURTOU (EPP-ED, France) on relations with the complainant in infringements of Community law. Parliament welcomed the Commission communication and commended the provision of information to citizens about the stage reached in the processing of their complaints. The on-year delay is a reasonable one, within which the Commission must reach a decision and notify the complainants. Parliament did note that the procedures for considering the various complaints lodged by European citizens are the responsibility of different services, between which there is no coordination. The separate nature of these procedures causes particular difficulties in the case of complainants lodging a complaint with the Commission, and a petition with the European Parliament, concerning the same grievances. Also, there is a need to clarify the procedure to be followed in cases of manifest disagreement between the institutions regarding the substance of a complaint. This includes the situation where Parliament has endorsed a recommendation by the Ombudsman, which has not been recognised as valid by another institution. An interinstitutional agreement is required which would make it possible to achieve this essential coordination between all the Community bodies and institutions in relation to complaints and petitions, in the interests of Europe's citizens and with a view to ensuring efficient cooperation between Community institutions.

Application of Community law: relations with the complainant in respect of infringements

2002/2148(COS) - 20/03/2002 - Non-legislative basic document

PURPOSE : Communication on relations with the complainant in respect of infringements of community law. CONTENT : The Commission sets out in the Annex to this communication the administrative measures for the benefit of the complainant with which it undertakes to comply when handling the complaint and assessing the infringement in question. These measures do not, however, alter the bilateral nature of the infringement procedure laid down by Article 226 of the EC Treaty and Article 141 of the EAEC Treaty. In this respect, the commission must point out that, in accordance with the case law of the European court of Justice, it enjoys a discretionary power in deciding whether or not to bring infringement proceedings and to refer a case to the Court. In the area of infringement proceedings, the Commission applies the rules on access to documents in Regulation 1049/2001/EC, as implemented by the provisions set out in the Annex to Commission Decision 937/2001/EC. The measures describe the following: -definitions and scope. -general principles. It should be noted that complainants do not have to demonstrate a formal interest in bringing proceedings, nor do they have to prove that they are directly concerned by the infringement complained of. The Commission may decide whether further action should be taken on a complaint. -recording of complaints. Correspondence will not be investigated under specified circumstances, for instance, if it is anonymous or denounces a private person or body, or fails to refer to a Member State. -acknowledgement of receipt. -methods of submitting a compliant. The Commission will provide a standard form, but complainants are not obliged to use it. -protection of the complainant and personal data. -communication with complainant. -time limit for investigating complaints. In general this is no more than one year from the date of registration. -outcome of the investigation of complaints -closure of the case -simplified procedure for closing cases -publicising infringement decisions -access to documents on infringements cases -complaint to the European Ombudsman.