



---

*Plenary sitting*

---

**A8-0361/2015**

10.12.2015

# REPORT

on the activities of the Committee on Petitions 2014  
(2014/2218(INI))

Committee on Petitions

Rapporteur: Lidia Joanna Geringer de Oedenberg

## CONTENTS

	<b>Page</b>
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION .....	3
EXPLANATORY STATEMENT.....	17
RESULT OF FINAL VOTE IN COMMITTEE RESPONSIBLE.....	30
FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE.....	31

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the activities of the Committee on Petitions 2014 (2014/2218 (INI))

*The European Parliament,*

- having regard to its previous resolutions on the outcome of the Committee on Petitions' deliberations,
  - having regard to Articles 10 and 11 of the Treaty on European Union (TEU),
  - having regard to the significance of the right to petition and the importance for Parliament of being immediately aware of the specific concerns of European Union citizens or residents, as provided for in Articles 24 and 227 of the Treaty on the Functioning of the European Union (TFEU),
  - having regard to Article 228 TFEU,
  - having regard to Article 44 of the Charter of Fundamental Rights of the European Union concerning the right to petition the European Parliament,
  - having regard to the provisions of the Treaty on the Functioning of the European Union relating to the infringement procedure and in particular Articles 258 and 260 thereof,
  - having regard to Rules 52, 215, 216(8), 217 and 218 of its Rules of Procedure,
  - having regard to the report of the Committee on Petitions (A8-0361/2015),
- A. whereas 2 714 petitions were received in 2014, which is almost 6 % down on the figure for 2013 when 2 885 petitions were lodged with Parliament; whereas 790 petitions were considered admissible and followed up; whereas 1070 petitions were considered inadmissible; whereas 817 petitions were admissible and have been closed; whereas 37 petitions had their recommendation challenged; whereas these figures amount to nearly twice as many petitions as were received in 2009; whereas there has not been an commensurate increase in the number of civil servants tasked with processing these petitions;
- B. whereas the purpose of the annual report on the activities of the Committee on Petitions is to present an analysis of the petitions received in 2014 as well as to discuss possible improvements in procedures and in relations with other institutions;
- C. whereas the number of petitions received is modest when compared to the EU's total population, which indicates that the vast majority of EU citizens are not yet aware of the right to petition, or of its possible usefulness as a means of drawing the attention of the EU institutions and the Member States to matters which affect them and about which they are concerned; whereas even though some EU citizens are aware of the petition process, there is still widespread confusion about the EU's field of activity, as is shown by the high number of inadmissible petitions received (39.4 %);

- D. whereas a proper treatment of petitions throughout the whole process is crucial to ensuring recognition that the right to petition is respected; whereas petitioners tend to be citizens engaged in the improvement, and the future wellbeing, of our societies; whereas the experience of these citizens with regard to how their petitions are treated could determine their future opinion on the European project;
- E. whereas 1 887 petitions, of which 1 070 petitions were inadmissible, were closed in 2014; whereas this amounts to an increase of almost 10 % relative to the figure for 2013, when 1 723 petitions were closed;
- F. whereas the citizens of the EU are represented by the only EU institution directly elected by them, namely the European Parliament; whereas the right to petition gives them the means to draw the attention of their elected representatives;
- G. whereas the citizens of the EU, and the culture of service on their behalf, should always have priority in the work of Parliament, and, in particular, of the Committee on Petitions, before any other considerations or efficiency criteria; whereas the current level of human resources available within the petitions unit puts at risk the accomplishment of these fundamental principles;
- H. whereas, if fully respected in its essence, the right to petition may strengthen Parliament's responsiveness to EU citizens and residents, if there is an open, democratic, inclusive and transparent mechanism at all stages of the petitions procedure, with the aim of resolving problems relating primarily to the application of EU legislation;
- I. whereas the right of petition is a crucial element of participatory democracy;
- J. whereas the right to petition aims, along with the European Ombudsman, at dealing with maladministration on the part of EU institutions, or national institutions, when implementing EU law;
- K. whereas petitions provide valuable feedback to legislators and executive bodies both at EU and national level, particularly on possible loopholes in the implementation of EU legislation; whereas petitions can be an early warning for Member States lagging in implementing EU law;
- L. whereas petitions which have been addressed to the Committee on Petitions have often provided other Parliament committees with useful and direct input for their legislative work in their respective fields;
- M. whereas ensuring due respect for the fundamental right to petition is not solely the responsibility of the Committee on Petitions, but should rather be a shared endeavour of all Parliament committees, as well as of the other EU institutions; whereas no petition should be closed while awaiting feedback from other parliamentary committees;
- N. whereas the Committee on Petitions should endeavour to make a greater use of its prerogatives, and its general and specific committee tools, such as oral questions and short resolutions, so as to give visibility, on the basis of the petitions received, to the different issues of concern to EU citizens and residents, bringing them forward to the

plenary of this Parliament;

- O. Whereas each petition must carefully, efficiently, promptly, transparently and individually be assessed and dealt with in a manner that preserves the participatory rights of the Members of the Committee on Petitions; whereas each petitioner must receive a reply, within a short period of time, indicating either the grounds for closing the petition or the follow up, execution and monitoring measures undertaken; whereas better institutional coordination with institutions at EU, national and regional level is essential if the issues raised by petitions are to be addressed in a prompt manner;
- P. whereas efficient and prompt processing of petitions must be guaranteed, including during the transition between legislative terms and the subsequent changes in personnel;
- Q. whereas it is primarily in the interest of admissible and well-founded petitions that the work of the Committee on Petitions is not burdened with unduly lengthy dealings with inadmissible or unfounded petitions.
- R. whereas a petitioner must be duly informed about the grounds for declaring a petition inadmissible;
- S. whereas petitions are discussed in meetings of the Committee on Petitions, and whereas petitioners may take part in these discussion, and have the right to present their petitions along with more detailed information, and may thus actively contribute to the work of the Committee, providing its members, the Commission and any representatives of the Member States who may be present with additional information; whereas in 2014, 127 petitioners attended, and were involved in, the Committee's deliberations; whereas this ratio of direct involvement remains relatively low and should be increased, including through the use of remote communication means, and through scheduling, to enable petitioners to organise their coming before the committee better;
- T. whereas, on many occasions following public debate in committee meetings, the petitions are left open, further follow-up is foreseen and feedback is expected, namely additional inquiries from the Commission or from parliamentary committees, or concrete exchange with the national or regional authorities concerned;
- U. whereas in order to allow a broad range of topics to be discussed, and to ensure the quality of each debate, more meeting time is needed; whereas meetings of political group coordinators are crucial for ensuring smooth planning and running of the Committee's work, and enough time should therefore be given to allow for democratic decision making;
- V. whereas the Committee on Petitions bases its activities on written information provided by petitioners, and by their oral and audiovisual input during meetings, supplemented by expertise from the Commission, the Member States, the Ombudsman and other political representative bodies;
- W. whereas petitioners' concerns should duly be addressed in a thorough manner throughout the petition process; whereas this process may require different stages, including several rounds of feedback from the petitioner and from the European institutions and national authorities concerned;

- X. whereas the criteria established for the admissibility of petitions, pursuant to the Treaty and Parliament's own Rules of Procedure, state that petitions shall satisfy the formal conditions governing admissibility (Rule 215 of the Rules of Procedure), namely that a petition must concern a matter which comes within the European Union's fields of activity and directly affect the petitioner, who must be a citizen of the European Union or reside there; whereas as a result of this a proportion of petitions received are declared inadmissible because they do not comply with these official criteria; whereas the decision on admissibility corresponds rather to such legal and technical criteria, and should not be determined by political decisions; whereas the petitions web portal should be an effective tool in providing the necessary information and guidance to petitioners with regard to the admissibility criteria;
- Y. whereas a specific way of handling petitions relating to children has now been adopted, in recognition of the fact that any delay in these cases constitutes a particularly serious injury to those involved;
- Z. whereas through y use of petitions the EU's citizens can monitor the drawing up and application of EU law; whereas this allows EU citizens to act as a useful source of information on requests with regard to, and breaches of, EU law, the latter of particular relevance to matters concerning the environment, the internal market, the recognition of vocational qualifications, consumer protection and the financial services sector;
- AA. whereas a petition is often filed at the same time as a complaint to the Commission, which may lead to infringement proceedings being initiated or to an action for failure to act; whereas statistics show (see the 23<sup>rd</sup> Report from the Commission on monitoring the application of EU law (COM/2006/0416)) that one quarter – or even one third – of the petitions and complaints processed in 2014 were linked to infringement procedures or gave rise to such procedures; whereas the involvement of Parliament in these petition procedures for extra scrutiny of the investigative work of the competent EU institutions; whereas no petitions should be closed while it is being investigated by the Commission;
- AB. whereas the key issues of concern raised in petitions pertain to a wide range of issues, such as environmental legislation (in particular with regard to water and waste management, hydrocarbon prospection and extraction, and major infrastructure and development projects), fundamental rights (in particular the rights of the child and of persons with disabilities, of particular relevance given that up to one quarter of the EU electorate claims some degree of impairment or disability), the free movement of persons, discrimination, immigration, employment, negotiation on the Transatlantic Trade and Investment Partnership (TTIP), animal welfare, the application of justice, and the social inclusion of persons with disabilities;
- AC. whereas the web portal of the Committee on Petitions was launched on 19 November 2014, with a year's delay, to replace the electronic platform for filing petitions previously available on the Europarl portal, and was conceived in order to promote the right to petition and enhance citizens' active participation in the life of the EU; whereas this portal, not yet fully operational, has been designed to provide an integrated solution covering the specific needs of the petition process, giving EU citizens wishing to file a petition an internet tool better suited to their needs, with a real time follow-up of the various stages of their petitions; whereas several shortcoming have been identified,

especially with regard to the search function, that undermine the role of the portal as a public register of petitions, and whereas the second phase, aimed at resolving all the existing loopholes, should have already been concluded; whereas the portal can help improve the service and its visibility for citizens and Committee members, and will act as an electronic register (planned in Rule 216(4) of the Rules of Procedure) allowing citizens to file and keep track of petitions, and to affix their electronic signature to their own petitions; whereas the new portal is intended to make the petition procedure more transparent and interactive, and administrative aspects more efficient, in the interest of petitioners, Members and the general public; whereas the web portal should be the tool by which means transparency in the petition process can be increased, petitioners' access to information enhanced and citizens sensitized to the capacity and possibilities of the Committee on Petitions to help them to redress their situation; emphasises that the use of new information and communication technology should be increased and further stimulated in order to bring the Committee's work closer to the citizens;

- AD. whereas the European Citizens' Initiative (ECI) is an important tool for enabling citizens to participate in the EU political decision-making process, and its potential must be exploited fully; whereas, in order to achieve the best results in terms of citizen's participation, this instrument should be improved further, its levels of representation – and the practical aspects thereof – enhanced, and it should be fully respected and implemented by the European institutions (the Commission in particular);
- AE. whereas the Committee on Petitions continues to maintain an active interest in the implementation of the Regulation on the European Citizens' Initiative, and is mindful of the need for a new regulation in order to eliminate its many deficiencies, obstacles and weaknesses, and the cumbersome nature of the existing legal framework and the required mechanisms to launch and follow-up on an ECI, particularly in terms of the actual collection of signatures;
- AF. whereas the Committee on Petitions is of the opinion that, three years after the entry into force on 1 April 2012 of Regulation No 211/2011, its implementation should be assessed in order to identify weaknesses and propose viable solutions for its swift revision, so that its implementation can be improved;
- AG. whereas the public hearings organised for successful initiatives have been a success, and whereas the involvement and participation of the Committee on Petitions, as the committee associated in ECI hearings, has been greatly appreciated by the Members and by civil society; whereas the Committee on Petitions supports this process and places its long experience of working with citizens at the service of this objective; whereas a concrete follow-up, with concrete proposals, would be expected from the Commission for any successful ECIs;
- AH. whereas it should be noted that, owing to the workload of the Committee on Petition and the need to increase human resources at the Secretariat of the Committee on Petitions, no fact-finding visits took place for petitions for which an inquiry was ongoing during 2014; whereas fact-finding visits in conjunction with appropriate petitions will be carried out in the future;
- AI. whereas the normal amount of fact-finding visits should be resumed in 2016, given that they are specific prerogative of the Committee and a fundamental part of its work,

which entails interacting with citizens and authorities in the Member States concerned; whereas members of such delegations take part in all related activities, including reporting, on an equal footing;

- AJ. whereas the Committee on Petitions has responsibilities with regard to the Office of the European Ombudsman, which is responsible for investigating complaints from EU citizens about possible maladministration within the EU institutions and bodies, and about which the Committee also produces an Annual Report, based on the European Ombudsman's own Annual Report; whereas in 2014 the Committee played an active and direct role in the organisation of the election of the European Ombudsman under Rule 204 of the Rules of Procedure; whereas Ms Emily O'Reilly was returned to the office of Ombudsman for a five-year term in an election in December 2014 that was conducted in an efficient and transparent manner;
- AK. whereas the Committee on Petitions is a member of the European Network of Ombudsmen, to which, where they exist, petitions committees from the national parliaments also belong, and whereas it is important that the parliaments of the Member States appoint petitions committees, and strengthen them where they already exist, and that cooperation between them be improved;
1. Stresses the work to be undertaken by the Committee on Petitions, allowing EU citizens and residents some involvement in defending and promoting their rights and in monitoring correct application of Union regulations, as their petitions ensure that citizens' concerns are known so that their legitimate grievances can be resolved within a reasonable timeframe; reiterates that better institutional coordination with institutions at EU, national and regional level, as well as with other bodies, is essential if the issues raised by petitions are to be addressed promptly;
  2. Stresses that the Committee on Petitions (as the contact point for citizens), the European Ombudsman and the ECI together constitute a set of basic tools for greater political involvement for citizens, for whom transparent, appropriate access to, and smooth running of, must be ensured; underlines the responsibility that these have in promoting European citizenship and strengthening the visibility and credibility of the EU institutions; calls for the EU institutions to take greater account of the work carried out by the European Ombudsman; calls for additional mechanisms to ensure the direct involvement of citizens in the decision-making processes of the European institutions;
  3. Stresses that increased cooperation with national, regional and local authorities on matters linked to the application of EU law is essential to the aim of working towards reconnecting with EU citizens and reinforcing the democratic legitimacy of, and accountability in, Parliament's decision-making process; notes that cooperation is enhanced by proactive exchange of information, at all institutional levels, and that this is key to addressing issues raised by petitioners; regrets that, in certain cases, national, regional and local authorities do not respond to the Committee on Petitions' requests;
  4. Warns about the persisting backlog in the treatment of petitions, which is due to the constraint in the human resources available within the Committee's Secretariat, which in turn has a clear impact on the time available to process petitions and, in particular, to determine their admissibility; considers that such delays are not acceptable if the aim is to ensure service excellence, and that they not only undermine the effective right to



petition, but also harm the credibility of the European institutions in the eyes of concerned citizens; exhorts the responsible political and administrative instances of Parliament, in cooperation with the Committee on Budgets, to find an appropriate solution to ensure that the work of the Committee on Petitions can live up to the spirit of the Treaties;

5. Considers as well that Parliament has a particular obligation to ensure that inadmissible or unfounded petitions are not declared inadmissible, or are not closed, for an unjustifiably long period of time; emphasises, in this context, the requirement that the inadmissibility or closure of a petition on account of it being unfounded must be carefully justified vis-à-vis the petitioner;
6. Calls on the Committee on Petitions and, if necessary, the Parliament committees responsible for amending the Rules of Procedure, to structure more clearly the distinction between the criteria for determining whether a petition is well-founded and the rules for determining its admissibility, and between keeping a petition open or closing it, and also to make this structure apparent to potential petitioners;
7. Stresses the Commission's significant role in assisting with cases raised by petitioners, and calls on it to monitor, in a proactive and timely fashion, certain projects reported by petitioners in which EU law has been, or will in the future be, breached through the implementation of official planning; calls on the Commission, as guardian of the Treaties, to remedy such instances of incorrect transposition of EU law, or of failure to transpose EU law, as have been reported in a large number of petitions filed with Parliament; calls as well on the Commission to be less hesitant in making use of the initiation of infringement proceedings in this regard; emphasises that the impression that greater account is taken of larger Member States when infringement proceedings are initiated must be counteracted; calls on the Commission to keep the Committee on Petitions informed, on a regular basis, of developments in, and of the concrete outcome of, infringement proceedings directly linked to any given petition;
8. Calls on the Commission to engage fully in the process of petitions, in particular by conducting thorough inquiries of the admissible cases submitted to it, and, ultimately, to provide accurate and updated answers to the petitioners in writing; expects these replies to be developed further in the oral debates on these issues in the public meetings of the Committee on Petitions; considers that, for the purpose of institutional credibility, the Commission should be represented in such debates by an official with appropriate rank;
9. Requests that, for the sake of transparency and in the spirit of faithful cooperation between the different EU institutions, the Commission facilitate access to documents with all relevant information related to EU Pilot procedures, particularly with regard to petitions received, including exchanges of questions and answers between the Commission and the Member States concerned, at least when the procedures are concluded;
10. Stresses the importance of proactive monitoring, and timely preventive action, by the Commission where there is well-founded evidence that certain planned and published projects may breach EU legislation; is worried by the current trend within the Commission to inhibit inquiries into the substance of many petitions by imposing restrictions on procedural grounds; disagrees with the repeated suggestions to close

many files pertaining to specific petitions without waiting for the outcomes of the examinations of the issues they raise, and believes that this is not in line with the spirit of the Commission's ultimate role as guardian of the Treaties; calls for even more scrupulous attention, and for consequent action, in particular in cases presented by petitioners involving possible breaches of EU legislation by the Commission itself, for instance in the field of public access to documents, as guaranteed by the Aarhus Convention;

11. Points out the importance of ensuring that the Commission responds to all petitions in a detailed and proactive manner, and as promptly as possible;
12. Requests that, in light of the special nature of this Committee and the significant workload associated with its contact with the thousands of citizens and residents who file petitions every year, the human resources available to its Secretariat be increased;
13. Stresses the need to improve correspondence with citizens with the aim of processing their demands;
14. Considers it essential that cooperation with the national parliaments, and their relevant committees, and with the governments of the Member States be strengthened, and that Member State authorities be encouraged to be fully transparent in transposing and applying EU law; stresses the importance of collaboration with the Commission and the Member States with the aim of defending the rights of citizens in a more effective and more transparent manner, and encourages the presence of representatives of Member States at meetings; highlights the need for Council and Commission representatives of the highest possible rank to be present at Committee meetings and hearings where the content of the issues discussed require the implication of the aforementioned institutions; reiterates the call of the report on the activities of the Committee on Petitions 2013 (2014/2008 (INI)) for launching an enhanced structured dialogue with Member States, namely by holding regular meetings with members from national committees on petitions or other competent authorities;
15. Calls on the Member States to standardise in law the obligation to create well-functioning petition committees in national parliaments, which would increase the effectiveness of the cooperation between the Committee on Petitions and the national parliaments;
16. Considers it essential that the Committee strengthens its cooperation with other committees of Parliament by means of asking their opinion on petitions, inviting their members to attend debates in their respective areas of responsibility, and participating more in their work as committee for the opinion on certain reports, in particular reports on the proper transposition and implementation of EU law in the Member States; requests that the competent committees give the petitions forwarded to them due consideration and that they provide feedback needed for the correct treatment of petitions;
17. Underlines the growing importance of the Committee on Petitions as a scrutiny committee that should be a point of reference for the transposition and implementation of the European legislation at the administrative level in the Member states; reiterates the call for more political debates during the plenary sessions, and for a more vivid

communication on the petitions of European citizens, expressed in its resolution on the activities of the Committee on Petitions 2013<sup>1</sup>;

18. Regrets that more petitioners cannot directly present their cases to the Committee on Petitions, partly because of the lack of meeting time and of human resources at the Committee Secretariat; calls for the time periods within which petitioners are informed of the handling of their petitions, and of their passage before the committee, to be improved; supports the increased use of videoconferencing, or of any other means enabling petitioners to become actively involved in the work of the Committee on Petitions, even when they cannot be physically present;
19. Calls for the prompt establishment of an informal petitions network within Parliament, with the participation of Members representing every committee of Parliament in order to ensure smooth and effective coordination of work in relation to petitions, which will improve the exercise of the right to petition;
20. Points out the important role that other committees of Parliament have to play, including their handling in meetings of matters set forth in petitions pertaining to their respective areas of responsibility, and, when relevant, their use of petitions received as a source of information for legislative processes;
21. Deplores the fact that the Charter of Fundamental Rights has not been adopted in all Member States, and that many people have found its implementation to be unclear and, to some extent, disappointing; deplores as well the fact that the European Convention on Human Rights has not yet been adopted by the EU as such within the meaning of Article 6(2) TEU, and that European citizens do not have access to sufficient information concerning the procedures in place in this regard; deplores the strict way in which the Commission has interpreted Article 51 of the Charter of Fundamental Rights, with its stipulation that the provisions of the Charter be addressed to the institutions, bodies, offices and agencies of the Union with due regard for the principle of subsidiarity and to the Member States only when they are implementing Union law; recalls that the Commission has often said it is unable to act in the area of fundamental rights, when the Committee has so requested, citing Article 51 of the Charter; stresses the fact that the expectations of citizens often go beyond what the Charter's strictly legal provisions allow for; calls on the Commission to do more to meet citizens' expectations and to find a new approach to the interpretation of Article 51;
22. Points to the important work carried out by the Committee on Petitions in the context of the implementation of the UN Convention on the Rights of Persons with Disabilities; takes due note, in this regard, of the concluding observations by the UN Committee on the Rights of Persons with Disabilities on the initial report of the European Union<sup>2</sup>; highlights that the European Union Framework should be adequately resourced, in line with the requirements of the Convention; calls, in this respect, for the capacity of the Committee on Petitions and its Secretariat to be enhanced, enabling the Committee properly to fulfil its protection role; calls for the establishment of a designated officer

---

<sup>1</sup> Texts adopted, P7\_TA(2014)0204.

<sup>2</sup> Adopted by the UN Committee at its fourteenth session (17 August-4 September 2015); see: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1&Lang=en)

responsible for the processing of disabilities-related issues; emphasises the Committee's willingness to work closely with other legislative committees involved in Parliament's network on disabilities; notes the need for further efforts and action on behalf of the Committee in the protection of people with disabilities, such as actions directed to promote the swift ratification of the Marrakesh Treaty;

23. Stresses citizens' concern regarding, and rejection of, the Transatlantic Trade and Investment Partnership (TTIP), and the opaque negotiations in which the Commission is participating, as highlighted in numerous petitions received in 2014; points to the importance of the Commission urgently implementing the recommendations made by the European Ombudsman in this regard;
24. Points to the opinion issued by the Committee regarding the recommendations of the Commission on the negotiations for the TTIP, in which, as highlighted in numerous petitions received, it rejects the arbitration instrument known as investor-state dispute settlement (ISDS) and regrets that the ECI against the TTIP was rejected;
25. Regrets that some Member States have not yet ratified the United Nations Convention on the Rights of Persons with Disabilities, and calls on them to sign and ratify it as soon as possible;
26. Calls for the EU and the Member States to sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities;
27. Calls on the Member States to sign and ratify the Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities without further delay;
28. Notes the particular attention paid to certain petitions concerning the plan to explore for, and exploit, possible oil reserves in the Canary Islands; acknowledges that petitioners who opposed the plan on environmental grounds have contributed significantly to clarifying the debate; recognises that environmental issues remain a priority for petitioners, thus highlighting where Member States fall short in this area; notes that a number of these petitions deal with waste management, the safety of water supply, nuclear energy, fracking and the protection of animal species;
29. Stresses the high number of petitions received that reject the use of hydraulic fracturing for the extraction of gas and oil from the subsoil, and that highlight the harmful environmental, economic and social consequences linked to the use of this technique;
30. Denounces in particular the practice of 'slicing up' files, used repeatedly with regard to major infrastructure or drilling projects that form the basis of numerous petitions on environmental issues;
31. Notes the concerns of petitioners regarding alleged instances of injustice that have occurred in the course of administrative and judicial procedures for the separation or divorce of parents in which issues concerning the custody of young children and forced adoptions are raised; notes, in this context, that in some Member States, in the case of bi-national couples, discrimination on grounds of nationality may occur in favour of the parent from the Member State in which the proceedings take place and against the non-

national of that state, with severe and often very dramatic repercussions on the rights of the child; stresses that it has been notified of cases involving several Member States (Germany (notably with reference to the work of the Child and Youth Welfare Office), France, the Netherlands, Slovakia, Denmark) and Norway, and welcomes, in this regard, the upcoming revision in 2016 of Regulation Brussels IIa; stresses that in 2015 a new working group, charged with providing a quick and coherent response to these concerns, was created within the Committee on Petitions, and it has undertaken a fact-finding visit to investigate complaints of this nature in situ;

32. Points out the large number of petitions received that fiercely criticise, and warn of the consequences of, the EU's migration, trade and external policies in terms of their compliance with provisions to ensure the human rights of migrants; points out the obligation of all EU agencies, bodies and institutions, including Frontex, to ensure, at all times, respect for human rights, and compliance with the Charter of Fundamental Rights, in their respective fields of activity;
33. Welcomes the social dialogue 'European Forum on the Rights of the Child', organised annually at the Commission's initiative since 2007, the aim of which is to support children's rights as part of EU internal and external measures; notes that the participants in this dialogue are representatives of the Member States, children's rights representatives, the Committee of the Regions, the European Economic and Social Committee, the Council of Europe, UNICEF and a number of NGOs;
34. Stresses the wide range of the subjects raised in the petitions filed by citizens, such as fundamental rights, human rights, the rights of persons with disabilities, the internal market, environmental law, labour relations, migration policies, trade agreements, public health issues, child welfare, transport, animal rights and discrimination; calls on the Committee on Petitions to specialise its work further by nominating internal rapporteurs on the major policies to which petitioners refer; requests that, in order for the Committee to be able to deal with all this intensive and extensive range of petitions, more resources be allocated to its Secretariat;
35. Believes that the organisation of public hearings is an important way of examining problems raised by petitioners; wishes to draw attention to the public hearings organised with the Committee on the Environment in response to the ECI on 'Water is a Human Right', and with the Committee on Legal Affairs for the ECI entitled 'One of Us'; believes that the ECI is an instrument that promotes transnational, participatory and representative democracy that, once a new regulation is approved, may enable citizens to be more directly involved in the framing, raising and prioritising of EU policies and legislation issues that need to be addressed; reaffirms its commitment to being involved, proactively, in organising public hearings for successful initiatives; undertakes to give priority, at institutional level, to the effectiveness of this participative process and to ensuring due legislative follow-up where appropriate; welcomes the use in hearings of accessibility features for persons with disabilities, such as the text-to-speech screen;
36. Deplores the Commission's reply to the few successful ECIs and regrets, that there has been little follow up to the only instrument of transnational democracy in the EU;
37. Draws attention to several resolutions adopted in 2014 in the form of reports, such as its

resolution of 12 March 2014 on the EU Citizenship Report 2013, ‘EU Citizens: your rights, your future’<sup>1</sup>, which has led to debates on the harmonisation of pension rights and on citizens’ right to vote and stand for election; draws attention to its annual report on the Committee’s activities 2013<sup>2</sup>, and to its resolution of 15 January 2015 on the annual report on the activities of the European Ombudsman 2013<sup>3</sup>, particularly as regards the TTIP agreement;

38. Welcomes the Commission’s decision to continue activities initiated in 2013 under the banner of the ‘European Year of Citizens’ in 2014 by focusing more on the European elections (held between 22 and 25 May 2014); welcomes the Commission’s readiness to inform citizens about the tools placed at their disposal so that they can participate in the EU’s decision-making process, as well as its readiness, at that point in time, to provide EU citizens with information and advice on their rights and on the democratic instruments available for defending them; stresses that further efforts should be made in order to raise awareness about the European elections, given the turn-out to the 2014 elections fell short of 50% in many Member States;
39. Stresses the importance of ensuring that the Committee on Petitions has a fully operational internet portal through which petitioners may effectively register, submit their petition, upload supporting documents, support admissible petitions and receive information about, as well as automatic e-mail alerts about changes to the status of, their petitions, and through which they can contact EU officials directly in order to obtain clear, straightforward information concerning progress on the issues raised in their petitions; regrets that the expected implementation timeframe has not been accomplished, and that many of the expected features remain incomplete; urges the responsible administrative bodies to speed-up the necessary steps to conclude the implementation of the remaining phases of the project and correct any existing shortcoming; stresses that further steps should be taken to enhance the transparency of the petition process;
40. Calls for a common approach by Parliament, national parliaments and authorities at lower levels in the Member States, with appropriate appeal bodies, in order to make it transparently clear to citizens which level, and which instance, can be addressed by their petitions;
41. Calls for an effective assessment of the Petitions Secretariat staff, focused on ensuring adequacy in a qualitative and quantitative terms, in recognition of the large accumulation of petitions and the ongoing delays in their processing; believes that adequate treatment and consideration of approved petitions, along with the delivery of fair feedback to petitioners, is key to strengthening the bonds between European civil society and the European institutions;
42. Stresses the need to ensure more constructive information for citizens via the Committee on Petitions web portal through the organisation of training seminars in the Member States.

---

<sup>1</sup> Texts adopted, P7\_TA(2014)0233.

<sup>2</sup> Texts adopted, P7\_TA(2014)0204.

<sup>3</sup> Texts adopted, P8\_TA(2015)0009.

43. Emphasises the important role of the SOLVIT network, which regularly uncovers and resolves problems associated with the implementation of internal market legislation; urges the Commission to upgrade this tool, to allow members of the Committee on Petitions to have access to all information available through SOLVIT, and to keep them informed in cases pertaining to filed petitions;
44. Highlights the need for the Committee on Petitions to step up its collaboration with other EU institutions and bodies, and with the national authorities in the Member States; considers enhanced dialogues and systematic cooperation with Member States, especially with the petitions committees of the national parliaments, to be essential; recommends that all Member States parliaments that have not yet done so form petitions committees; considers the visit to the Committee on 2 December 2014 by a delegation of the petitions committee of the Scottish Parliament to be an example of such collaboration, and that partnerships of this kind will make it possible to share best practices, pool experiences gained and bring to fruition an efficacious and systematic procedure for forwarding petitions to the bodies responsible;
45. Stresses that close cooperation with the Member States is essential for the work of the Committee on Petitions; encourages the Member States to play a proactive role in responding to petitions pertaining to the implementation and enforcement of EU law, and considers the presence and the active cooperation of Member State representatives at meetings of the Committee on Petitions to be of great importance; points to the presence of representatives of the Greek Government at the meeting of 10 February 2014, at which the report on the fact-finding visit to Greece concerning waste management (18-20 September 2013) was presented;
46. Recalls that fact-finding visits are one of the most important investigation tools that the Committee on Petitions has, as foreseen in the rules, even though there were none in 2014; considers it essential that the follow up of petitions under investigation during the fact-finding visits does not come to a standstill, including between European elections and the reconstitution of Parliament, and calls on the committees of Parliament to make appropriate arrangements; stresses the need for fact-finding visits to result in clear recommendations focused on the resolution of petitioners' problems; expects the regular activity of the Committee on Petitions, in terms of fact-finding visits, to be resumed as of 2016;
47. Calls on Greece to take note of the recommendations made in the report on the fact-finding visit on waste collection and the siting of landfills in Greece, which was adopted by the Committee in February 2014; calls on the Commission to monitor carefully the use made of funds allocated to waste collection; calls on the Member States to comply with the EU directives on recycling waste;
48. Attaches great importance to the presence and active cooperation of representatives of the Member States during meetings of the Committee on Petitions; welcomes and encourages the presence of representatives from the public authorities of the Member State concerned, their participation and their active cooperation; encourages all Member States to participate actively in the petition process;
49. Stresses the importance of cooperation with the European Ombudsman, as well as of the involvement of Parliament in the European Network of Ombudsmen; applauds the

excellent relations in the institutional framework between the Ombudsman and the Committee on Petitions; appreciates especially the Ombudsman's regular contributions to the work of the Committee on Petitions throughout the year;

50. Looks forward to enhancing the cooperation with the petitions committees of national and regional parliaments of the different Member States, where these exist; is committed to providing guidance in setting up such committees in those remaining Member States that are willing to do so;
51. Instructs its President to forward this resolution, and the report of the Committee on Petitions, to the Council, the Commission, the European Ombudsman and the governments and parliaments of the Member States, their committees on petitions and their national ombudsmen or similar competent bodies.



## **EXPLANATORY STATEMENT**

The 2014 Annual Report is intended to give an overview of the work of the Committee on Petitions. The Committee's work programme is not tied in to the Commission's legislative programme, being established by citizens as they exercise their right to petition Parliament and share their concerns over various EU policies and legislation.

The Annual Report aims to give a precise and full view of the work done by the Committee on Petitions. It provides statistics on the number of petitions received and closed or dealt with by the Committee, the countries concerned and the matters raised. These statistics are an important quantitative tool in assessing the Committee's work. Other aspects of the Committee's work are also covered, such as relations with other EU institutions and with national and regional authorities.

In 2014, a 'European Year of Citizens', there was a strong focus on the European elections on 22-25 May 2014. The Committee on Petitions was constituted on 17 July 2014: Ms Cecilia Wikström was elected as Chair, Ms Rosa Estaràs Ferragut as First Vice-Chair, Ms Roberta Metsola as Second Vice-Chair, Ms Marlene Mizzi as Third Vice-Chair and Mr Pál Csáky as Fourth Vice-Chair.

### **The right to petition the European Parliament: a cornerstone of European citizenship**

The entry into force of the Treaty of Lisbon confirmed the right to petition the European Parliament as one of the cornerstones of European Union citizenship and as a fundamental right under Article 227 of the Treaty, which provides that citizens or residents of the European Union, whether natural or legal persons, individually or in association with other citizens or persons, have the right to address a petition to the European Parliament on a matter which comes within the European Union's fields of activity and which affects them directly. This tool allows citizens to bring before Parliament their concerns about the impact of various EU policies and legislation on their everyday lives.

The annual statistics show that most citizens turn to Parliament for assistance with matters relating to justice, the environment, the internal market or fundamental rights. Other petitioners seek a hearing for their proposals on how EU policies should be developed, and, finally, some citizens appeal to Parliament in order to object to decisions made by national authorities or to complain about decisions by national legal bodies. Others complain about the incorrect application of EU legislation, either due to the legislation being poorly transposed or because of a failure to apply EU legislation, or breaches thereof.

According to the statistics, in 2014 Parliament received 2 714 petitions, which represents a drop of 6% compared to the 2 891 petitions submitted in 2013. It may be that the number of petitions peaked in 2013 and 2014 but the slight fall in 2014 reflects a new trend after the constant rise in the number of petitions received during the last legislative term.

### **Statistical analysis of petitions received in 2014 compared to 2013**

#### **Outcome of petitions**

Outcome of petitions	Number of petitions	%	Number of petitions	%
	<b>2014</b>		<b>2013</b>	
Admissible and followed up	790	29.1	1168	40.4
Inadmissible	1070	39.4	1046	36.2
Admissible and closed	817	30.1	677	23.4
Recommendations challenged	37	1.4	0	0
Total number of petitions registered	<b>2714</b>	100	<b>2891</b>	100.0
Admissible and referred to other bodies for opinion	77	9.7	156	13.3
Admissible and referred to other bodies for information	380	48.1	404	34.5
Admissible and referred to the Commission for opinion	688	87.0	1123	95.8

Around 59.6% of the petitions received in 2013, i.e. 1 723, were closed at early stages of the procedure, either because they were deemed inadmissible (36.2%) or because, although admissible, they were closed immediately after the petitioner had been sent information on the matters raised or after being referred for information to another EP committee within whose remit they fell (23.4%). The number declared admissible was 1 168 (40.4%), 95.6% of which were sent for opinion to the Commission (1 119).

<b>2013</b>		
Outcome	Number of petitions	Percentage
Admissible	1844	63.8
Inadmissible	1047	36.2
Total number	<b>2891</b>	100

<b>2014</b>		
Outcome	Number of petitions	Percentage
Admissible	1607	59.2
Inadmissible	1070	39.4
Pending	37	1.4
Total number	<b>2714</b>	100

In 2014, 69.5% of the petitions received, i.e. 1 887, were closed at early stages of the procedure, either because they were deemed inadmissible (39.4%) or because, although admissible, they were closed immediately after the petitioner had been sent information on the matters raised or after being referred for information to another EP committee within whose remit they fell (30.1%). Although the percentage of inadmissible petitions remains relatively stable (with a slight rise of 3.2% in 2014), as does the percentage of admissible petitions (with a slight fall of 4.6 % in 2014), there is a clear difference in the decisions taken by members of the Committee on Petitions during these two years (2013 and 2014): there was a definite rise compared to 2013 (11.3%) in the number of decisions to send information to petitioners and close the petition at an early stage of the procedure. As for the action taken on petitions, here the number of petitions forwarded for information rose (by 13.6%), while there was a fall in both the number of petitions forwarded to other EP committees for an opinion (down 3.6%) and requests to the Commission for an opinion (down 8.8%).

### **Number of petitions by country**

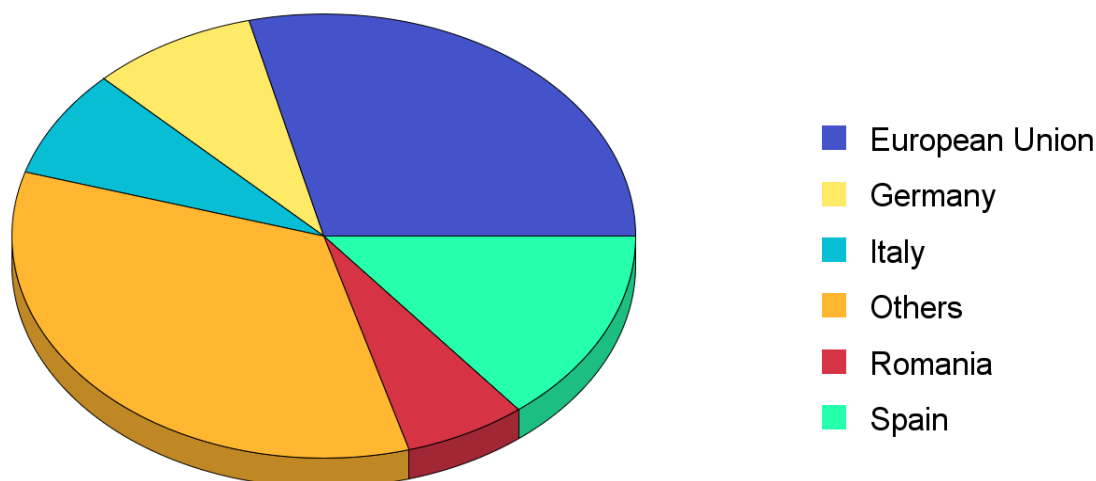
There were some changes, compared to 2013, in the list of countries from which petitions originated. Spain still headed the list in 2014, followed by Germany, Italy and Romania, and then the United Kingdom (in 2013 France was in 5th place).

Estonia came at the bottom of the list, behind Luxembourg, as in the previous year.

2013		
Country	Number of petitions	%
European Union	751	23.5
Spain	453	14.2
Germany	362	11.3
Italy	278	8.7
Romania	223	7.0
France	129	4.0
Other	1003	31.4

2014		
Country	Number of petitions	%
European Union	908	28.9
Spain	449	14.3
Germany	271	8.6
Italy	248	7.9
Romania	199	6.3
United Kingdom	109	3.5
Other	1071	34.0

### **Number of petitions in 2014 by country**



### **Main subjects of petitions**

As mentioned already, justice remained the chief area of petitioners' concern in 2014, followed by the environment, the working of the internal market, fundamental rights and health. It should be noted that the number of petitions on property restitution fell significantly by comparison with previous years.

2013		
Subject matter	Number of petitions	Percentage
Justice	387	10.5
Environment	361	9.8
Fundamental rights	268	7.2
Internal market	223	6.0
Social affairs	199	5.4
Education and culture	141	3.8
Health	137	3.7
Employment	117	3.2
Transport	107	2.9
Property and restitution	91	2.5
Other	1 669	45.1

2014		
Subject matter	Number of petitions	Percentage
Justice	300	8.3
Environment	284	7.8
Internal market	266	7.3
Fundamental rights	208	5.7
Health	173	4.8
Social affairs	158	4.4
Transport	117	3.2
Education and culture	113	3.1
Employment	108	3.0
Property and restitution	55	1.5
Other	1 844	50.9

### **Language of petitioners**

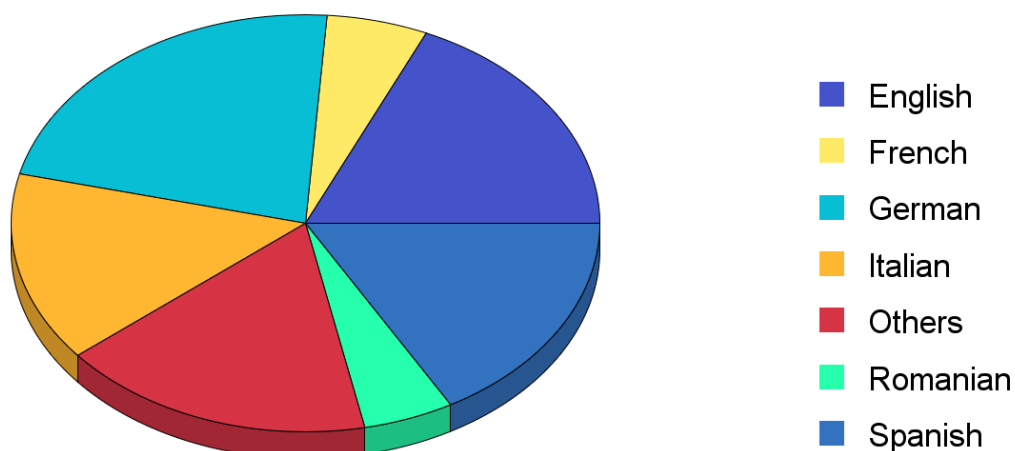
Slight changes can also be seen in the breakdown of petitions by language: in 2014, as in 2013, German and English were the two main languages used by petitioners. Spanish and Italian were in third and fourth places and their share is growing both proportionately and numerically. These four languages (DE, EN, ES and IT) accounted for 72% of the petitions.

Maltese and Estonian were the two least used languages (one petition was received in each).

2013		
Language	Number of petitions	Percentage
German	701	24.2
English	525	18.2
Spanish	442	15.3
Italian	316	10.9
French	203	7.0
Romanian	166	5.7
Polish	131	4.5
Other	276	9.0

2014		
Language	Number of petitions	Percentage
German	607	22.4
English	496	18.3
Spanish	456	16.8
Italian	400	14.7
French	151	5.6
Romanian	135	5.0
Polish	105	3.9
Greek	92	3.4
Other	273	10

## Number of petitions in 2014 by language



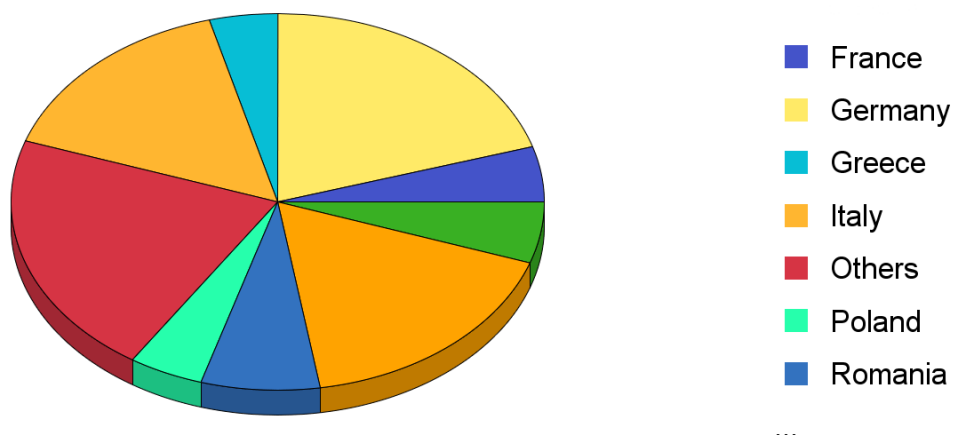
## Nationality of petitioners

As regards nationality, Germans remain the most active petitioners, followed by Spaniards and Italians, as in 2013. Romanian, British and French petitioners come next in the ranking. Estonian and Luxembourg citizens come last, as together they submitted only eight petitions in 2014.

2013		
Nationality of main petitioner	Number of petitions	Percentage
Germany	649	22.4
Spain	456	15.8
Italy	344	11.9
Romania	213	7.4
France	152	5.3
Poland	143	4.9
United Kingdom	138	4.8
Greece	113	3.9
Other	800	23.6

2014		
Nationality of main petitioner	Number of petitions	Percentage
Germany	551	20.2
Spain	468	17.1
Italy	425	15.6
Romania	196	7.2
United Kingdom	143	5.2
France	129	4.7
Poland	123	4.5
Greece	113	4.1
Other	574	21.9

## Number of petitions in 2014 by nationality



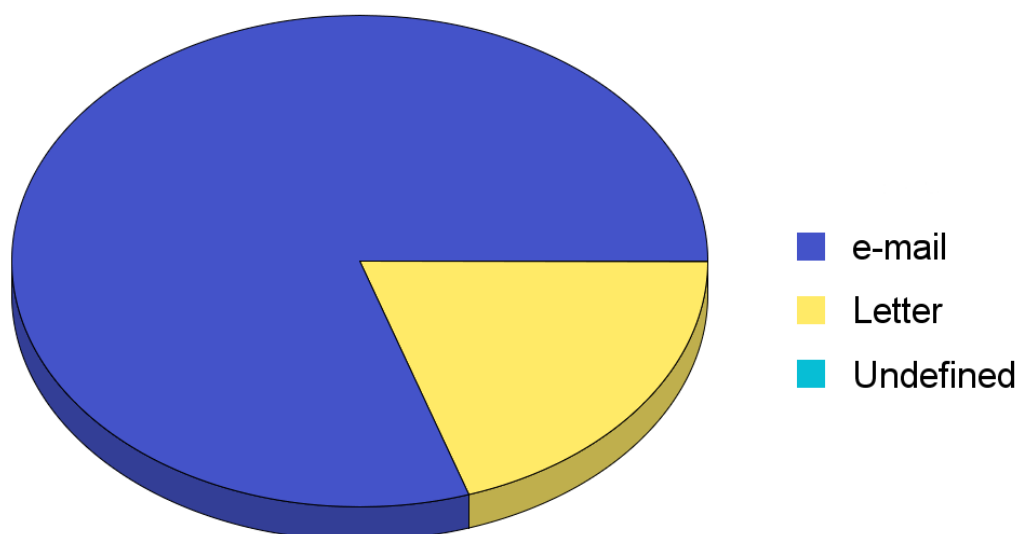
## Format of petitions

With regard to the format of petitions, the trend seen in 2013 has continued: petitioners are increasingly submitting their petitions via the internet, rather than by traditional letter (80% of petitions received in 2014 were sent by e-mail, compared to 75.2% in 2013).

2013		
Format of petition	Number of petitions	%
e-mail	2173	75.2
Letter	718	24.8

2014		
Format of petition	Number of petitions	%
e-mail	2174	80
Letter	540	20

## Format of petitions in 2014



## Status of petitions

As regards the status of petitions, the vast majority (80%) are closed within a year of being submitted and recognised as admissible. It is fair to say that only a few petitions remain open for more than four years. Most of these relate to matters which are the subject of infringement proceedings before the Court of Justice, or are petitions the signatories of which have sought more detailed follow-up. (At the start of the current 8th parliamentary term, MEPs called for a special ‘sweep’ to reassess all petitions which had been open for a number of parliamentary terms.)

Status of petitions				
Year	Open		Closed	
2014	763	28.1%	1 925	70.9%
2013	531	18.4%	2 360	81.6%
2012	213	10.7%	1 773	89.3%
2011	120	8.5%	1 294	91.5%
2010	66	4.0%	1 590	96.0%
2009	27	1.4%	1 897	98.6%
2008	35	1.9%	1 848	98.1%
2007	32	2.1%	1 474	97.9%
2006	10	1.0%	1 011	99.0%
2005	4	0.4%	1 012	99.6%
2004	5	0.5 %	997	99.5%
2003	0	0%	1 315	100%
2001	0	0%	1 132	100%
2000	0	0%	908	100%

Analysis of the statistics shows that the main reasons why petitions are declared inadmissible

are that petitioners continue to confuse EU and national competences, and that they confuse the EU institutions and those of the Council of Europe, in particular the European Court of Human Rights. This shows that efforts must be stepped up to inform citizens more effectively of what the right of petition is all about and what can be achieved when submitting a petition to Parliament.

The new Petitions web portal, which went live in November 2014, is an improvement on the former system based on the Petitions webpage on Parliament's Europarl site. Citizens who submit petitions online via the new portal have all the information they need about Parliament's areas of competence, and they can register, submit their petition, upload supporting documents, support admissible petitions, and check – and receive automatic e-mail alerts about changes in – the status of their petition. Petitioners can also find information there about the work of the Committee on Petitions and about potentially swifter avenues of recourse through other EU or national networks (i.e. SOLVIT, EU Pilot, the European Consumer Centres Network, the European Ombudsman, national ombudsmen and the petitions committees of the national parliaments).

This report seeks to highlight the need for an EU-level one-stop shop to guide citizens in seeking solutions if they think that their rights have been violated. This remains a very important objective. The Commission's initiative to group the formal and informal mechanisms of complaint on a 'Your Rights' page on the [www.europa.eu](http://www.europa.eu) website may represent a significant step forward. However, the distinction between formal mechanisms (complaints to the Commission, petitions to Parliament, complaints to the European Ombudsman) and informal mechanisms (SOLVIT, ECC-Net, FIN-Net, etc.) ought to be better explained and clarified. Citizens need to know where they can find the information they are seeking. The Commission's efforts in this respect should be applauded, as it has improved access, information and assistance on citizens' rights by developing the 'Your Europe' portal.

While the opening of Parliament's new Petitions web portal on 19 November 2014 certainly represents progress in a similar direction, the portal is four levels of navigation away from the Europarl home page: users have to click through the 'Parliament and you' and 'Be heard' pages to reach the Petitions page, from which they can access the specific site for submitting their petition, <http://www.petiport.europarl.europa.eu/petitions/en/main>

## **Relations with the Commission**

The Commission remains the Petitions Committee's natural partner in dealing with petitions, since the Commission is responsible for ensuring the application of and compliance with EU law. While there is good working relationship between the two bodies, the time taken to respond to requests for investigation – currently four months on average – ought to be reduced. As good practice in its cooperation with Parliament, the Commission should, moreover, keep the Petitions Committee informed of developments in infringement proceedings directly linked to petitions.

The hearing of Commission Vice-President Frans Timmermans on 7 October 2014 was significant. In his replies to the questionnaire he had to complete and during his hearing before the Conference of Presidents, Mr Timmermans, as the Commissioner-designate with responsibility for inter-institutional relations and administration, made a number of undertakings on the European Citizens' Initiative (ECI) and agreed to look into the difficulties



and restrictions affecting petitions as a result of Article 51 of the Charter of Fundamental Rights. The Committee on Petitions also participated on 1 October 2014 in the hearing of Commissioner Navracsics (designated as the Commissioner responsible for education, culture, youth and citizenship).

The Committee appreciated the presentation, at its meeting in September 2014, by Mr Pascal Leardini, Head of Directorate F in the Commission's Secretariat-General. He noted that the petitions sent to the Commission for an opinion were concerned chiefly with four areas: the environment, fundamental rights, freedom of movement for citizens and workers, and the economic and social crisis. He identified the main problems affecting the process of cooperation here, namely the need to double-check the admissibility of petitions sent to the Commission, the necessary involvement of Member States and national authorities, attendance by Commission officials at preparation meetings and, last but not least, the large number of open petitions, which considerably added to the workload.

With a view to improving the already close cooperation, the Commission proposed some solutions in these problem areas: inter alia, that Member State authorities be invited to attend relevant meetings and that better use be made of the available tools for resolving issues.

### **Relations with the Council**

While the Committee on Petitions welcomes the fact that the Council is represented at its meetings, it is sorry that this does not result in more active cooperation on unblocking those petitions in relation to which cooperation with Member States would make all the difference. At the same time it applauds the efforts made by certain Member States, such as Italy, Greece and Spain, which assiduously follow its meetings.

### **Relations with the European Ombudsman – appearances of the Ombudsman**

Ms Emily O'Reilly – who was elected European Ombudsman for the first time in July 2013 and re-elected for a new five-year term in December 2014 – has performed her duties during the period covered by this report in an active and equitable manner, both in terms of considering and processing complaints and with regard to maintaining a constructive relationship with the other EU institutions and bodies and encouraging citizens to exercise their rights vis-à-vis those institutions and bodies.

The Committee on Petitions has an excellent interinstitutional relationship with the European Ombudsman, who appeared before it several times during the year, including on 24 September 2014 to present her 2013 annual report. The information she provided on that occasion included details of the number of citizens her office had assisted in 2013, the number of inquiries opened and closed in that year, the institutions concerned in the inquiries opened, the results of the inquiries, the percentage rate of compliance with the Ombudsman's decisions, and also country-by-country statistics on complaints received and inquiries opened. She mentioned the main subject areas that her work addressed (transparency, ethical questions, citizens' participation, EU-financed projects, fundamental rights and a service culture) and described her future priorities, including the main thrust of her activities (impact, relevance, visibility), as well as the ongoing strategic investigations.

Ms O'Reilly addressed the Committee on 2 December 2014 for her hearing as Ombudsman-

designate. Subsequently, following her election during Parliament's December part-session, she made a speech in plenary which was warmly welcomed by the Members.

### **Cooperation with Parliament's Legal Service**

In September 2014, Mr Antonio Caiola, Head of Unit in Parliament's Legal Service, gave a brief outline of how his service cooperates with the Committee on Petitions. The Legal Service represents Parliament in all jurisdictions and provides legal opinions to all Parliament bodies. Mr Caiola made extensive reference to judgments of the General Court of the EU concerning petitions and their processing. The cases in question were in two categories:

- The first involved cases in which petitions were considered inadmissible – case T-308/07 (Ingo-Jens Tegebauer v European Parliament) being the most prominent. It was stipulated in the ruling in this case that for any decision on admissibility taken by the Committee there needed to be a full and clear justification. The same principle was reiterated in subsequent judgments, such as those in cases T-280/09 (José Carlos Morte Navarro v European Parliament) and T-160/10 (J v European Parliament).
- The second category comprised cases pertaining to decisions by the Committee to close a petition, the first case on this being T-186/11 (Peter Schönberger v European Parliament). The Committee had found a petition to be admissible, then subsequently the Secretariat had closed the petition and forwarded the matter to DG Personnel: the petitioner had contested this decision by the Secretariat, and the Court found that the action taken ought to be annulled, as there could be no redress against it. This view was repeated in other cases, such as case T-650/13 (Zoltán Lomnici v European Parliament).
- Another important opinion came in the Schönberger case (No C-261/13), in which Advocate General Jääskinen had interpreted the provisions on the right to petition in a new light, indicating that the Committee could decide to dismiss a petition as inadmissible without the petitioner having any redress against this decision, thus overturning the Tegebauer ruling completely. It remained to be seen whether the Court would adopt the Advocate General's view in future judgments.

### **Fact-finding missions in 2014 and visits from other institutions**

- In December 2014, the Committee on Petitions welcomed a visiting delegation from the Scottish Parliament's Petitions Committee. Mr David Stewart, Chair of the Scottish Parliament's Petitions Committee, gave a presentation on its work. The Petitions Committee had been established in 1999 as a permanent committee of the Scottish Parliament. In 2004, the introduction of an online system had made it easier for citizens to submit petitions. The Scottish Parliament had been the first parliament in the world to put such a system in place. The development of the online system had been crucial for the proper functioning of the petitions procedure, ensuring that it was accessible to people and providing step-by-step guidance.
- There were no fact-finding missions in 2014 because of the workload that the Committee on Petitions faced, but some were planned for 2015 (visits to the Ebro river

basin and in connection with child protection issues in the UK).

### **Public hearings on the first European citizens' initiatives**

- On 17 February 2014, the Committee on the Environment, Public Health and Food Safety held a hearing on the 'Right2Water', the subject of the first European citizens' initiative. The Committee on Petitions and two other committees were associated with the hearing. The Committee on Petitions sees the European Citizens' Initiative as a new tool for ensuring that certain issues are opened up to public debate, and as a new instrument of participatory democracy at EU level. Its aim is to provide citizens with a means to be heard by enabling them to refer various issues of interest to the European institutions. Another objective of the European Citizens' Initiative is to encourage cross-border debate. The Committee believes that the European Parliament can help to achieve these objectives by using all available means to support citizens' initiatives, in particular by organising public hearings. The Committee supports this process and offers citizens the benefit of its long experience in order to achieve these objectives.
- On 10 April 2014, the Committee on Legal Affairs – again in association with the Committee on Petitions – held a public hearing on the second successfully launched European citizens' initiative, entitled 'One of Us'.
- At the request of the Committee on Petitions and the Committee on Constitutional Affairs, a study was commissioned, entitled 'European Citizens' Initiative – First lessons of implementation', to identify the problems that organisers of European citizens' initiatives encounter in launching and running them. The study considered possible solutions and proposed recommendations to improve the European Citizens' Initiative as an effective tool for participatory democracy in the EU. It proposed to simplify the procedure and to make it less costly and burdensome for EU citizens. The ultimate goal is to define specific measures for empowering EU citizens to participate actively in shaping the future of Europe. The study aims to identify the barriers that organisers run up against in launching and managing a European citizens' initiative, to explore possible ways round them and to propose recommendations for improving the functioning of the European Citizens' Initiative. Its main conclusions concern the following issues: the online certification system; the registration of a European citizens' initiative by the Commission; the online collection system; the collection of signatures by citizens; the verification of signatures by Member States; and the submission of a European citizens' initiative to the Commission. Its practical recommendations concern the Commission making available IT infrastructure (hardware and software), revision of the relevant regulation and Treaty articles, and the translation requirement.
- The organisers of an unsuccessful European citizens' initiative entitled 'End Ecocide in Europe: a citizens' initiative to give the Earth rights' sought to bring the initiative to the attention of the Committee of Petitions at a meeting organised in accordance with Rule 218. The initiative in question was examined, in the same way as a normal petition, at a meeting of the Committee.

## Key issues in 2014

Since the entry into force of the Lisbon Treaty on 1 December 2009, the Charter of Fundamental Rights of the European Union has been a legally binding instrument. It is clear from the petitions received that the rights enshrined in the Charter are, along with justice-related issues, at the top of the list of petitioners' concerns. However, it should be stressed that the incorporation of the Charter of Fundamental Rights into primary EU law, on the basis of the principle of subsidiarity, means that the Member States are responsible for ensuring that the principles of the Charter are respected. The Charter has created new responsibilities for the decision-making and implementing institutions as well as for Member States whenever they are implementing EU legislation domestically, with the result that the Charter's provisions are now protected directly under the EU and the national judicial systems. The Committee on Petitions believes it is important that the method of application of the Charter should be set out in greater detail.

### Justice and fundamental rights

- In February 2014, the Committee discussed some 30 petitions about discrimination experienced by certain citizens in Denmark. The Commission informed the Committee, at a meeting on the subject, that due to the Danish opt-out from the EU Area of Justice and from tools potentially applicable in such cases (specifically the Brussels IIA regulation) these provisions could not be applied to Denmark. The Regulation on Recognition of Judicial Decisions (Rome III Regulation) did not apply to the substance of individual cases. The Commission had undertaken a number of initiatives including a pilot project on the right to information – an awareness-raising project about particular situations in Member States – and a study mapping the various procedures in place in the Member States. It was also preparing guidelines on child protection systems.
- In March 2014, the Committee discussed petitions on the subject of discrimination, on the basis of ethnicity, religion and language, practised by authorities in the United Kingdom and the violation of the European Convention on Human Rights. The petitioners described practices by child protection authorities in the UK and in the Netherlands which had taken their children into care, separating them from their cultural and linguistic background and reducing child-parent contact to a minimum. The members of the Committee had asked the Commission to review and improve the law on free movement in the Union, given that most of the cases in question concerned European citizens who had moved with their families to live and work in another Member State. Because no EU legislation is being implemented in these cases, the Charter of Fundamental Rights is not applicable. According to Article 51 of the Charter, it applies to Member States only when they are implementing EU law. Committee members suggested that a fact-finding mission to the UK be organised with a view to inquiring into the petitioners' allegations and that a public hearing on the issues raised be held during the next parliamentary term. It was agreed that the fact-finding mission would take place in autumn 2015, and a study on adoption without parental consent, examining the law and practice in England and Wales and comparing it with that of other EU countries, was submitted to the Committee in July 2015. The study also described the procedures followed by English courts in child protection cases concerning children who have a link with an EU Member State other

than the UK, and it made recommendations on inter-state cooperation in future cases.

#### The environment

- Illustrative of the type of petitions discussed by the Committee in this area were those on the subjects of environment and energy in relation to exploratory drilling for oil off Fuerteventura and Lanzarote (Canary Islands). The petitioners argued that the drilling, in deep waters, is fraught with risk as a potential cause of both earth tremors and oil spills – the Canary Islands, with their huge importance as a tourist destination, being particularly vulnerable to marine oil pollution. The Commission took the view that it is incumbent on the national authorities to implement and obey EU law and to prevent the risks associated with such activity. The drilling projects in question were the subject of an environmental impact assessment, addressing their direct and indirect effects on the environment, and the Commission undertook to monitor them closely to ensure that all the relevant requirements of Union law are observed.

#### Animal welfare

- In April 2014, the Committee discussed a petition about the docking of piglets' tails in Denmark, and the members asked the relevant policy department to conduct a comparative study of the practice in Denmark, Sweden, the UK, Germany, the Netherlands and Belgium. In November 2014, the study was submitted covering the questions raised in Petition No 0336/2012; the law in relation to the protection of pigs; the level of implementation, on the basis of the information available, of the EU Directive for the Protection of Pigs; and current and potential measures to ensure the directive's proper application.

#### Disability

- Numerous petitions bear witness to the difficulties encountered by persons with disabilities and to the fact that they do not enjoy the fundamental freedoms and rights laid out in the UN Convention on the Rights of Persons with Disabilities. The members of the Committee on Petitions therefore take their responsibility very seriously with regard to the establishment of a legal framework for the convention's implementation. In 2014, the Committee on Employment and Social Affairs decided to give the Committee on Petitions a role in its framework meetings on Parliament's participation in the UN Convention.

#### Conclusion

The Commission declared 2014 a 'European Year of Citizens', putting considerable focus on the European elections on 22-25 May. Parliament and its Committee on Petitions have been fostering dialogue among the various levels of authority and civil society as well as representative, participative democracy. The Committee on Petitions is a major instrument available to citizens enabling them to be involved more effectively in the democratic process at EU level, it encourages debate, and it informs and supports citizens in relation to their rights. The Committee seeks to provide citizens with a direct link to the institutions, ensuring that they will find a listening ear there with regard to specific problems.

## RESULT OF FINAL VOTE IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	3.12.2015						
<b>Result of final vote</b>	<table><tr><td>+: </td><td>17</td></tr><tr><td>–: </td><td>10</td></tr><tr><td>0: </td><td>0</td></tr></table>	+:	17	–:	10	0:	0
+:	17						
–:	10						
0:	0						
<b>Members present for the final vote</b>	Beatriz Becerra Basterrechea, Heinz K. Becker, Miriam Dalli, Eleonora Evi, Lidia Joanna Geringer de Oedenberg, Peter Jahr, Jude Kirton-Darling, Svetoslav Hristov Malinov, Notis Marias, Edouard Martin, Roberta Metsola, Marlene Mizzi, Julia Pitera, Gabriele Preuß, Yana Toom, Bodil Valero, Jarosław Wałęsa, Tatjana Ždanoka						
<b>Substitutes present for the final vote</b>	Marco Affronte, Jérôme Lavrilleux, Sven Schulze, Josep-Maria Terricabras, Janusz Wojciechowski						
<b>Substitutes under Rule 200(2) present for the final vote</b>	Clara Eugenia Aguilera García, Lynn Boylan, Jens Gieseke, Csaba Sógor						

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

17	+
ALDE	Beatriz Becerra Basterrechea, Yana Toom
ECR	Notis Marias, Janusz Wojciechowski
EFDD	Marco Affronte, Eleonora Evi
GUE/NGL	Lynn Boylan,
S & D	Clara Eugenia Aguilera García, Miriam Dalli, Lidia Joanna Geringer de Oedenberg, Jude Kirton-Darling, Edouard Martin, Marlene Mizzi, Gabriele Preuß
Verts/ALE	Josep-Maria Terricabras, Bodil Valero, Tatjana Ždanoka

10	-
EPP	Heinz K. Becker, Jens Gieseke , Peter Jahr, Jérôme Lavrilleux, Svetoslav Hristov Malinov, Roberta Metsola, Julia Pitera, Sven Schulze, Csaba Sógor, Jarosław Wałęsa,

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention