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Committee on Petitions

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**MINUTES**

Interparliamentary Committee Meeting  
in cooperation with the European network of ombudsmen

**EMPOWERING PARLIAMENTS AND ENFORCING CITIZENS RIGHTS  
IN THE IMPLEMENTATION AND APPLICATION OF UNION LAW**

Meeting of 27 November 2018, 9.00-12.30 and 14.30-18.30  
BRUSSELS

The meeting opened at 9.36 on Tuesday, 27 November 2018 chaired by

*Mady Delvaux, Vice-Chair of the Committee on Legal Affairs*  
*Pál Csáky, Vice-Chair of the Committee on Petitions*

**Welcome words by both Chairs**

**at 9.40**

**Introductory words by:**

*Céline Gauer, Deputy Secretary-General of the European Commission*  
*Emily O'Reilly, European Ombudsman*

## TRANSPOSITION, IMPLEMENTATION AND APPLICATION OF UNION LAW: ANALYSES OF CASE STUDIES

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at 10.00

*Chaired by Mady Delvaux, Vice-Chair of the Committee on Legal Affairs*

**Introductory words by:**

*Mady Delvaux, Vice-Chair of the Committee on Legal Affairs, European Parliament*  
*Maria Jose Martinez Iglesias, Director for Legislative Affairs, Legal Service, European Parliament*

**Transposition and implementation of the 2008 Directive on mediation in civil and commercial matters**

*Giuseppe De Palo, Professor of Alternative Dispute Resolution Law and Practice at Mitchell Hamline School of Law, St Paul, U.S.A.*

**Debate**

Speakers: Maria Jose Martinez Iglesias, Giuseppe De Palo

The meeting adjourned at 10.35 and resumed at 10.45

*Chaired by Pál Csáky, Vice-Chair of the Committee on Petitions, European Parliament*

**Transposition and implementation of the 2014 Directive on the assessment of the effects of certain public and private projects on environment**

*Marta Ballesteros, Associate Principal Legal and Policy Advisor, Milieu, Law and Policy Consulting, Brussels, Belgium*

at 11.15

**Debate**

Speakers: David Lowe, former Head of Unit of the Committee on Petitions, Simon Busuttill, Member of the Maltese House of Representatives, Emanuela Rossini, Member of the EU Committee Policies, Italian Chamber of Deputies

at 11.35

**Transposition and implementation of the 2004 Regulation on air passengers rights**

*Sara Drake, Senior lecturer in European Union Law, Cardiff School of Law and Politics, Cardiff University, United Kingdom.*

The meeting adjourned at 11.55 and resumed at 14.30

## TRANSPOSITION AND IMPLEMENTATION OF EU LAW AT NATIONAL LEVEL: CHALLENGES AND NATIONAL PARLIAMENTS' POINT OF VIEW

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*Chaired by Laura Ferrara, Vice-Chair of the Committee on Legal Affairs*

**Introductory words by:**

*Wolfgang Gerstl, Vice-Chair of the Constitution Committee of the National Council of Austria*

*Laura Ferrara, Vice-Chair of the Committee on Legal Affairs, European Parliament*

**at 14.40**

**Transposition of EU legislation into domestic law: challenges faced by National Parliaments**

*Wim Voermans, Professor of Constitutional and Administrative Law, Leiden University*

**at 14.55**

**Challenges in the implementation of EU Law at national level**

*Melanie Smith, Reader in Law, Cardiff School of Law and Politics, Cardiff University*

**at 15.10**

**Interventions by Members of National Parliaments**

*Emanuela Rossini, Member of the EU policies Committee, Italian Chamber of Deputies, Italy*

*Ioannis Sarakiotis, Member of the Special Standing Committee on European Affairs, Hellenic Parliament, Greece*

*Stephan Brandner, Chair of the Committee on Legal Affairs and Consumer Protection of the German Bundestag, Germany*

**at 15.40**

**Debate**

Speakers: Rainer Wieland, Simon Busuttil, Member of the Maltese House of Representatives, Emanuela Rossini, Member of the EU Committee Policies, Italian Chamber of Deputies

## THE ROLE OF COMPLAINTS TO OMBUDSMEN AND PETITIONS TO PARLIAMENTS AS INSTRUMENTS TO DETECT BREACHES OF UNION LAW

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at 16.19

*Chaired by Pál Csáky, Vice-Chair of the Committee on Petitions*

**Introductory words by:**

*Emily O'Reilly, European Ombudsman*

*Pál Csáky, Vice-Chair of the Committee on Petitions, European Parliament*

at 16.25

**The role of ombudsmen and petitions committees in detecting breaches of EU law**

*Tiago Tibúrcio, researcher at (ISCTE-IUL), University of Lisbon, Portugal*

at 16.40

**Interventions by:**

*Sylwia Spurek, Deputy Commissioner for Human Rights, Poland*

*Mária Patakyová, Public Defender of Rights, Slovakia*

*Maija Sakslin, Deputy Parliamentary Ombudsman, Finland*

*Teresa Anjinho, Deputy Ombudsman, Portugal*

at 17.20

**Debate**

Speakers: Robert Mamatow, Chair of the Committee on Human Rights, Rule of Law and Petitions of the Polish Senate, Notis Marias, Joseba Andoni Agirretxea Urresti, Chair of the Joint Committee for Relations with the Ombudsman of the Spanish Congress of Deputies, Jarosław Walesa, Gilles Lebreton.

**Closing remarks by:**

*Pál Csáky, Vice-Chair of the Committee on Petitions, European Parliament*

The meeting was closed at 17.57.

ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/  
 ANWESENHEITSLISTE/ΚΟΗΛΟΛΙΓΑΤΕ ΝΙΜΕΚΙΡΙ/ΚΑΤΑΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD OF ATTENDANCE/  
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Pál Csáky (VP)
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Μέλη/Members/Députés/Zastupnici/Deputati/Deputāti/Nariai/ Kérviseelők/Membri/Leden/Posłowie/Deputados/Deputați/Jäsenet/Ledamöter
Jarosław Wałęsa, Notis Marias
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Zamjenici/ Supplenti/Aizstājēji/Pavaduojantysnariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleanți/Náhradníci/ Namestniki/Varajäsenet/Suppleanter
László Tökés, Rainer Wieland

200 (2)
206 (3)
Laura Ferrara (VP, JURI), Mady Delvaux (VP, JURI), Tadeusz Zwiefka, Gilles Lebreton
53 (8) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/ Päevakorra punkt/Ημερήσια Διάταξη Σημείο/Agenda item/Point OJ/Τοčka dnevnog reda/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkēs punktas/Napirendi pont/Punt Agenda/Agendapunt/Punkt porządku dziennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/Točka UL/Esityslistan kohta/Föredragningslista punkt)

Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Promatrači/Osservatori/Novērotāji/Stebėtojai/Megfigyelők/Osservatori/Waarnemers/Obszatorzy/Observadores/Observatori/Pozorovatelia/Opazovalci/Tarkkailijat/Observatörer

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des Vorsitzenden/Εσίμηηε κητςελ/Με πρόσκληση του Προέδρου/At the invitation of the Chair(wo)man/Sur l'invitation du président/Na poziv predsjednika/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/Fuq stedina taċ-'Chairman'/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitația președintelui/Na pozwanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan

Съвет/Consejo/Rada/Rådet/Rat/Nōukogu/Συμβούλιο/Council/Conseil/Vijeće/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (\*)

Комисия/Comisión/Komise/Kommissionen/Kommission/Euroopa Komisjon/Επιτροπή/Commission/Komisija/Commissione/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisia/Komissio/Kommissionen (\*)

Céline Gauer

Други институции/Otras instituciones/Ostatní orgány a instituce/Andre institutioner/Andere Organe/Muud institutsioonid/Άλλα θεσμικά όργανα/Other institutions/Autres institutions/Druge institucije/Altre istituzioni/Citas iestādes/Kitos institucijos/Más intézmények/Istituzjonijiet oħra/Andere instellingen/Inne instytucje/Outras Instituições/Alte instituții/Iné inštitúcie/Muut toimielimet/Andra institutioner/organ

European Ombudsman

Emily O'Reilly

National Parliaments

Frédéric Janssens, František Kopřiva, Simon Busuttil, Emanuela Rossini, Wolfgang Gerstl, Stephan Brandner, Andoni Agirretxea Urresti, Rosa María López Alonso, Asunción Sánchez Zaplana, Rasa Budbergytė, Jan Dziędziczak, Robert Mamołow, Andrzej Mioduszewski, Ioan Cristina, Ioannis Sarakiotis, Tim De Bondt, Eva Tetourová, Terezie Písarova, Dennis Holm Knudsen, Søren Koushede, Henning Stuhr, Cait Hayes, Carmen Sánchez-Abarca Gornals, Tanja Babić, Csaba Huszár, Beatrice Gianani, Maria Schinina', Per S Nestande, Laura Heller, Christian Huetterer, Cristina Correia, Izabella Moldovan, Zvonko Bergant, Tiia Takalo, Eleni Sianna, Maria Sotiriou Georgiou, Simon Roemen, Rodianne Spiteri, Magdalena Skrzyńska, Anastasia Frangkou

Други учасници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης Παρόντες/Other participants/Autres participants/Drugi sudionici/Altri partecipanti/Citi klātesošie/Kiti dalyviai/Más résztvevők/Partecipanti oħra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Inți účastnici/Drugi udeleženci/Muut osallistujat/Övriga deltagare

Giuseppe De Palo, Marta Ballesteros, Sara Drake, Wim Voermans, Melanie Smith, Tiago Tibúrcio, Sylwia Spurek, Mária Patakyová, Maija Sakslin, Teresa Anjinho, David Lowe

<p>Секретариат на политическите групи/Secretaría de los Grupos políticos/Sekretariát politických skupin/Gruppenes sekretariat/Sekretariat der Fraktionen/Fraktsioonide sekretariaat/Γραμματεία των Πολιτικών Ομάδων/Secretariats of political groups/Secrétariat des groupes politiques/Tajništva klubova zastupnika/Segreteria gruppi politici/Politisko grupu sekretariāts/Frakciju sekretoriai/Képviseletcsoportok titkársága/Sekretarjat gruppi politici/Fractiesecretariaten/Sekretariat Grup Politycznych/Secr. dos grupos políticos/Secretariate grupuri politice/Sekretariát politických skupin/Sekretariat političnih skupin/Poliittisten ryhmien sihteeristö/Gruppenas sekretariat</p>	
PPE	Radu Negrea
S&D	Mohamed Yacine El Laoui
ECR	Glykeria Bismpa
ALDE	
Verts/ALE	Simon Fjordvang Brenøe-Jensen
GUE/NGL	
EFDD	Carlo Diana
ENF	
NI	

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<p>Кабинет на генералния секретар/Gabinete del Secretario General/Kancelář generálního tajemníka/Generalsekretærens Kabinet/Kabinett des Generalsekretärs/Peasekretäri büroo/Γραφείο Γενικού Γραμματέα/Secretary-General's Office/Cabinet du Secrétaire général/Ured glavnog tajnika/Gabinetto del Segretario generale/Generalsekretāra kabinets/Generalinio sekretoriaus kabinetas/Főtitkári hivatal/Kabinett tas-Segretarju Generali/Kabinet van de secretaris-generaal/Gabinet Sekretarza Generalnego/Gabinete do Secretário-Geral/Cabinet Secretar General/Kancelária generálneho tajomníka/Urad generalnega sekretarja/Pääsihteerin kabinetti/Generalsekreterarens kansli</p>	
<p>Генерална дирекция/Dirección General/Generální ředitelství/Generaldirektorat/Generaldirektion/Peadirektoraat/Γενική Διεύθυνση/Directorate-General/Direction générale/Glavna uprava/Direzione generale/Generāldirektorāts/Generalinis direktoratas/Főigazgatóság/Direktorat Generali/Direktoraten-generaal/Dyrekcja Generalna/Direcção-Geral/Direcții Generale/Generálne riaditeľstvo/Generalni direktorat/Pääosasto/Generaldirektorat</p>	
DG PRES	Monika Moens de Fernig
DG IPOL	Jos Heezen, Roberta Panizza, Valeria Ghilardi
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DG EPRS	
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DG PERS	
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DG LINC	
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<p>Maria Jose Martinez Iglesias</p>
<p>Секретариат на комисията/Secretaría de la comisión/Sekretariát výboru/Udvalgssekretariatet/Ausschusssekretariat/Komisjoni sekretariaat/Γραμματεία επιτροπής/Committee secretariat/Secrétariat de la commission/Tajništvo odbora/Segreteria della commissione/Komitejas sekretariāts/Komiteto sekretoriatas/A bizottság titkársága/Sekretarjat tal-kumitat/Commissiesecretariaat/Sekretariat komisji/Secretariado da comissão/Sekretariat comisie/Sekretariat odbora/Valiokunnan sihteeristö/Utskottssekretariatet</p>
<p>Virpi Köykkä, Jesús Ramos Garcia, Carolina Lecocq, Katja Vatter, Marija Skundric</p>
<p>Сътрудник/Asistente/Asistent/Assistent/Assistenz/Βοηθός/Assistant/Assistente/Palīgs/Padējējas/Asszisztens/Asyistent/Pomočnik/Avustaja/Assisterter</p>
<p>Sybille Pecsteen de Buystwerve</p>

- \* (P) = Председател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chair(wo)man/Président/Predsjednik/Priekšsēdētājs/Pirmininkas/Elnök/Chairman/Voorzitter/Przewodniczący/Preşedinte/Predseda/Predsednik/Puheenjohtaja/Ordförande
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