

Newsletter November 2017



Petition on the application of EU public procurement legislation in Finland and its impact on special services for the disabled (1394/2015)

At its meeting of 28 November 2017, the Committee heard a petition concerning the impact of Finnish public procurement legislation on special services for the disabled, such as housing. Petitioners claim that they were not consulted during the tender process for such services and that in some cases the low cost offered by service providers was the only criterion for their selection by Finnish authorities. According to the petitioners,

this periodic change of carers often results in distress and suffering for people with disabilities as well as leading to unsatisfactory provision of services.

In its reply to the petitioners, the Commission highlighted the fact that the Finnish authorities are free to tender out such contracts but are obliged to respect the fundamental rights of the beneficiaries and where possible, to consult them about their needs. Furthermore, EU legislation in no way prescribes the award of contracts on the basis of the lowest cost only, but the assessment related to the choice and weighting of the award criteria is left to the contracting authorities. The Commission clarified that recently adopted Finnish legislation puts emphasis on the quality and content of services procured as well as on the consultation of the recipients of the services.

PETI members decided to address a letter to the Finnish authorities to remind them of their obligation to comply with EU legislation on public procurement and on the rights of the disabled, to forward the petition to the Disability Intergroup of the EP and the European Disability Forum, and to inform the Members participating in the European Parliament for Disabilities on 6 December 2017.

Documents adopted in PETI:

- Report on the Deliberations of the Committee on Petitions, Rule 216(7)
- EU Citizenship Report
- Fact-finding Visit to Madrid, Spain (May 2017)

Petition on the Madrid-Murcia railway project (2582/2014)

The Committee heard a group of petitioners from Spain calling for the Madrid-Murcia railway project to be rendered compliant with EU law and objecting to a change in the project which would result in an over ground train line dividing the city of Murcia. The

petitioners condemned the allegedly passive stance taken by the Spanish Government in response to citizen protests against the project, which would negatively impact the most vulnerable parts of the population. Upon hearing the replies from the Commission that recent changes to the long-standing project would require a new impact assessment under EU law, the Committee decided to keep the petitions open and to address the issue to the Spanish Ministry of Development.





Presentation of the Study “Monitoring the Implementation of EU law: Tools and Challenges”

This study of the Policy Department for Citizens’ Rights and Constitutional Affairs presents the evolution of EU enforcement policy in the EU. It provides information on the main actors responsible for the implementation and enforcement of EU law and trends related to the transposition and application of European legislative acts according to the latest information available.

The study also examines the different measures within EU enforcement policy, including recent developments regarding the use of the EU Pilot tool.

The challenges of implementation and enforcement of EU law is a frequent topic in the daily activities of the PETI Committee. Proper implementation of EU law is essential to deliver the EU policy goals defined in the Treaties. Non-implementation affects the efficiency of the internal market and a lack of enforcement affects the credibility of the Union.

PETI/AFCO - Commission presents new legislative proposal on the European Citizen’s Initiative

On 28 November 2017, PETI and AFCO met with Commission First Vice President Frans Timmermans, who presented the new legislative proposal on the revision of Regulation No 211/2011 on the European Citizens’ Initiative.

Members welcomed the many improvements introduced by the new proposal, in particular relating to procedural simplification geared towards making the ECI instrument more user-



friendly and rendering the overall ECI legal framework more citizen-oriented. The PETI Chair remarked that many of the newly introduced provisions would align well with the views expressed by PETI members earlier this autumn when the Committee adopted an opinion to the AFCO legislative own-initiative report on the revision of the ECI Regulation, which was subsequently withdrawn.

In particular, the Committee was in favour of the envisaged changes relating to the possibility for partial registration of initiatives, the creation of a Commission-run online ECI platform and a helpdesk service for ECI organisers, and reduction of the minimum age of participants to 16 – all of which contribute to achieving the full potential of the ECI as an effective tool for participatory democracy.

Next PETI meeting: - 22-23 January 2018

See [agenda](#), [documents](#) and [live broadcast](#)

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