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REPORT

on the institution of the petition at the dawn of the 21st century
(2000/2026(INI))

Committee on Petitions

Rapporteurs: Roy James Perry and Margot Keßler

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PROCEDURAL PAGE

At the sitting of 17 March 2000 the President of Parliament announced that the Committee on Petitions had been authorised to draw up an own-initiative report, pursuant to Rule 163 of the Rules of Procedure, on the institution of the petition at the dawn of the 21st century.

The committee had appointed Roy Perry and Margot Keßler rapporteurs at its meeting of 24 January 2000.

It considered the draft report at its meetings of 29-30 January 2001 and 5-6 March 2001.

At the latter meeting it adopted the motion for a resolution unanimously.

The following were present for the vote: Vitaliano Gemelli, chairman; Roy Perry, vice-chairman and rapporteur; Margot Keßler, rapporteur; Mary Elizabeth Banotti (for Hans-Peter Mayer), Herbert Bösch, Felipe Camisón Asensio, Jonathan Evans, Janelly Fourtou, Laura González Álvarez, Jean Lambert, Ioannis Marinos, Véronique Mathieu and Eurig Wyn.

The report was tabled on 19 March 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

MOTION FOR A RESOLUTION

European Parliament resolution on the institution of the petition at the dawn of the 21st century (2000/2026(INI))

The European Parliament,

- having regard to Articles 21 and 194 of the EC Treaty establishing the right of petition,
 - having regard to its decision of 9 March 1994 on the regulations and general conditions governing the performance of the Ombudsman's activities,¹
 - having regard to the 1989 Interinstitutional Agreement on the right of petition,²
 - having regard to Article 10 of the EC Treaty on cooperation between the Community institutions and the Member States,
 - having regard to the judgment of the European Court of Justice of 30 March 1995 on interinstitutional cooperation between the European Parliament and the European Council (Case C-65/93),³
 - having regard to the Opinion of Parliament's Legal Service of 23 November 2000 on proposals by the Committee on Petitions aimed at improving its working methods,⁴
 - having regard to Annex VI to the European Parliament's Rules establishing the powers and responsibilities of standing committees,
 - having regard to the Charter of Fundamental Rights of the European Union,⁵
 - having regard to Rule 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Petitions (A5-0088/2001),
- A. whereas the Treaty on European Union grants all European citizens and any natural or legal person residing or having its registered office in a Member State, either individually or collectively, the right to address a petition to the European Parliament on a matter which comes within the Community's field of activity and which affects him, her or it directly,
- B. whereas every European citizen also has the right to bring a complaint before the European Ombudsman against any case of maladministration,

¹ OJ L 113, 4.5.1994, p. 15.

² OJ C 120/1990, 16.5.1989.

³ ECR 1995, p. I-0643.

⁴ SJ-197/2000, 23.11.2000.

⁵ 7.12.2000

- C. whereas this right must be made easier and quicker to exercise and more effective and direct in its outcome, in accordance with the values of pluralist, participative, citizen-centred democracy which must inform its actions and those of its Member States and the other institutions and bodies of the Union,
- D. whereas petitions received by Parliament and complaints to the Commission and the Ombudsman make a significant contribution to monitoring the implementation of Community law whenever they report violations of, or failures to comply with, Community law or bad or slow administration at either Community or national level,
- E. whereas its Committee on Petitions, aware of the responsibilities incumbent upon it, wishes, in agreement and synergy with the bodies concerned, to shorten the time spent on, and the deadlines set for, processing petitions, thus making the procedure and its outcome quicker, more transparent and more participatory,
- F. wishing to make full use of the chances and opportunities offered by the new information technologies in the interest, first and foremost, of petitioners and also of all the other bodies and people involved,
- G. whereas over the last decade the practice of interinstitutional cooperation has significantly increased, including in the field of dealing with complaints and petitions submitted to Parliament, the Commission and the Ombudsman,
 - 1. Draws attention to the particular importance it attaches to the institution of the petition and to the role of the European Ombudsman, which it has always worked for, which enable it to remain attentive to European public opinion and its expectations and to deepen its parliamentary scrutiny of the shortcomings and inadequacies of existing regulations and discretionary measures taken without the slightest concern for the citizen;
 - 2. Takes the view that the exercise of the European citizen's right to petition Parliament and the Ombudsman constitutes an instrument with which to exercise control after the event over the application of Community law to specific cases, making it possible to condemn cases of failure to apply Community law, including violations of the principle of non-discrimination;
 - 3. Takes the view that Article 21 of the Charter of Fundamental Rights should be taken into consideration in determining when the principle of non-discrimination has been violated;
 - 4. Takes the view that the duty of the European Parliament to take action on petitions received, which correlates with European citizens' right of petition, can be exercised all the more effectively if it is accompanied and served by clear, precise, transparent legal and administrative rules, which define, *inter alia*, the cooperation that Parliament is entitled to require from the Council and Commission and, through their mediation, from the Member States and national governments;

5. Calls on the Council and Commission in consequence to review the 1989 Interinstitutional Agreement linking them to the European Parliament in order to shorten the time taken to deal with petitions and define a binding, clear, and coherent framework for the cooperation with Parliament which is essential in this area;
6. Stresses the need for the bodies administering petitions and complaints to the European Ombudsman to equip themselves in the long term with a codified set of administrative and procedural rules applicable throughout the Union, so that procedures are made quicker and more transparent, and the petitions process can be completed more effectively while adhering to the law and the principle of legal safety; this does not exclude the need to have recourse in future to new legal instruments based on the general principles applicable in the Member States;
7. Stresses that the petition, as an entitlement of European citizens, enshrined in the Treaties, whose full use Parliament must ensure, concerns, in different degrees, many bodies and internal services of the Union,, which must all play their part within the limits of their competences to address the grievances raised by the petitioners with Parliament;
8. Stresses that the powers and responsibilities of the Petitions Committee, as defined in Annex VI to Parliament's Rules, shall be adapted in the light of the revised Interinstitutional Agreement on the right of petition; calls on its Secretary-General to submit proposals which will facilitate optimum synergy among the services concerned in order to ensure that the right of petition is as effective as possible;
9. Expresses a preference for the setting up, in accordance with the procedures in force, of: (a) a European network linking its petitions committee with those of its national counterparts, the European Ombudsman and the national and local ombudsmen; (b) a meeting of these bodies once during every legislature; (c) an annual seminar to assess cooperation between the European Parliament, the Council and the Commission on the basis of the new Interinstitutional Agreement;
10. Regards as unacceptable the delays that sometimes occur and the obstructiveness of some authorities as regards making available information and clarification on the content of petitions to the Committee on Petitions and the European Ombudsman; this being the case, the Committee on Petitions can, in urgent cases, make this obstructive behaviour public, having given the offending authorities sufficient warning, before the procedure to refer the matter to the European judicial authorities begins.
11. Considers that there must be no delay in making optimum use of the new information technologies in the interests of petitioners and of all those using these essential data-processing tools in their various capacities, in particular through better access and monitoring of petitions by means of databases, while fully complying with the rules on the protection of private life and confidential information;
12. Stresses the need for a rigorous assessment of the human resources necessary for the efficient consideration of petitions presented to Parliament;

13. Stresses also that the processing of petitions by the various services must be speeded up, which, together with measures adopted earlier, should make it possible for the committee better to focus its efforts;
14. Stresses the importance of further consideration of the question of the language regime in the Committee on Petitions, inter alia in the light of enlargement;
15. Instructs its President to forward this resolution to the Commission and Council.

EXPLANATORY STATEMENT

I. Preliminary remarks

A. Aim and limits of this report

The aim of this report is to review a number of measures likely to make the processing of petitions submitted to the European Parliament quicker and more effective, transparent and participatory. In a spirit of pragmatism, it will concentrate on the organisation of the procedures currently in force, or the introduction of new ones. There may be a later need for amendment of the Rules of Procedure. This report will make only one ‘trip into the future’, when it recommends the adoption of a Code of Administrative Law which would apply throughout the Union or, failing that, of a set of General Principles of Administrative Law.

B. The petition: a developing tool

1. The institution of the petition is relatively recent. The practice of the petition within Parliament dates back further, but was sanctioned by the Treaty of Maastricht in 1992, and retained by the Amsterdam Treaty in 1997. Its content will probably undergo considerable change in order to keep step with the rapid social, economic, legal and cultural change in our societies within an enlarged Union. Society is shot through with new tensions, new influences and new fault lines which the triumphant advance of global information technologies is uncovering or, at least in part, foreshadowing.

2. The petition is a powerful indicator of the emergence of that new socio-political category – the *European citizenry*, or rather the *European citizen* – which is shaping itself in a rapidly integrating Europe. Globalisation, as it gradually erodes the powers, and the very idea, of the nation state, is making space for a ‘civic’ area of political action where citizens take on dignity as individuals, and can claim their status as holders of rights, interests and expectations, which it is the duty of the Union to honour.

3. The management – the guardianship – of these rights, often in the face of a State authority or of local administrations, is perceived by the ‘new citizens’ as essential and of primary importance: *their* rights follow them wherever they choose to live in the Union; rights that are often of a new kind, and that are enshrined in that invisible, but palpable, European *Constitution* which is taking shape and texture with every passing day and with each individual event – each European Council meeting, each part-session of Parliament.

4. We are talking here about newly acquired fundamental rights and new freedoms or, to put it another way, a new way of experiencing in everyday life the rights that have been acquired, rights which the Union must allow citizens to exercise in their capacity as *voters*, *savers*, *employees* or *users of the judicial system* – as citizens, in fact, who demand ‘the right to know’ what is happening in the other countries in the name of the principle of non-discrimination.

5. For, after all, what we are looking at here is not so much an ancient institution, under which suppliants throw themselves upon ‘the mercy of the Prince’, but a new way of conceiving of democracy and the role of its protagonists. The petition is situated at the

interface between the Elector and the Elected, the Governor and the Governed, the Administrator and the Administered.

C. The petition: a right of European citizens that is enshrined in the Treaties

A petition to Parliament is, first and foremost and essentially, a right – vis-à-vis the European Parliament – that the Treaty grants to any natural or legal person resident in the Union: *a right, which is enshrined in the Treaties* and which is both a constituent element and a consequence of European citizenship in the sense of an area of democracy and freedom founded in law, of which Parliament must make full use in order to respond to the grievances that petitioners bring before it. It enables the petitioner to exert an influence over both the implementation and the repercussions of Community law, and to expose shortcomings and violations of this law, thus contributing to that deepening of the Union which should take place in cooperation with its citizens.

D. And an instrument of parliamentary control

The petition, which was introduced at Parliament's instigation through the regulatory procedures, is, together with the European Ombudsman, a powerful instrument of parliamentary control over the daily activities of the EU, as well as over the national governments. Hence the importance of the Committee on Petitions, whose remit it is to deal with these petitions. While it is not the responsibility of the Committee to establish broad political guidelines, it oversees the transparency of Community law and exercises *a posteriori* controls over its application to individual cases. It can thus call on the other specialised committees to provide it with information on which to base its decisions, as well as offering them 'in return' a more comprehensive and relevant overview of the application 'on the ground' of the laws in force and the problems encountered by individual citizens. The Committee on Petitions is, after all, in a position to form an accurate picture and to offer the whole of Parliament an overview of the shortcomings of European and national administrations, the measures taken by them without particular concern for citizens, the existing bureaucratic obstacles, unsuitable, outdated discretionary measures and, finally, violations of Community law and failures to abide by this law. Petitions, by highlighting the shortcomings and inadequacies of existing regulations, enables citizens to play a part in the development and deepening of the Union, in such a way that a stimulus is given to continuing the search for new, sometimes bold, solutions to new problems.

E. *A posteriori* controls on Community law: the petition and actions before the Court of Justice for failure to act

Dealing with petitions often brings to light serious failures on the part of the Member States to comply with Community law, ranging from delays in the transposition of Community directives into national law to violations of the letter or the spirit of Community law. The Committee on Petitions requests the Commission to acquire all the necessary information and, where appropriate, to initiate proceedings for failure to act before the Court of Justice. **The fact that the Nice Treaty gives the European Parliament a similar right of recourse to the Court of Justice opens up new possibilities of a strengthened, direct role for the Committee on Petitions in initiating this procedure.** It is all the more important, therefore, that Commission should inform Parliament of petitions that relate directly or indirectly to the violation procedure, *inter alia* in the Annual Report on control of the implementation of Community law. Over the past two years, for example, the number of petitions connected

directly or indirectly to this procedure amounted to about 500. This figure shows that petitions play an essential role in updating and dealing with violations of the Treaty. This function as a monitoring instrument and a stimulus to judicial action strengthens us in our conviction that petitions are an essential link between EU citizens and the administration of the European Union.

F. Petitions, the principle of non-discrimination and the EU Charter of fundamental rights

A very large number of petitions deal with cases of discrimination, often based on nationality, suffered by European citizens. A tendency has emerged very recently to place the emphasis on discrimination based on sex, race, language, sexual orientation, etc. The whole question of fundamental rights, recently 'sanctioned' by the European Union Charter of Fundamental Rights, which received broad media coverage, is not unconnected with this tendency. Apart from the difficulty of establishing in any given case whether such discrimination has in fact taken place, there is the further difficulty of knowing what the legal status of the Charter is, and to what extent citizens can evoke it in their petitions. This matter should be clarified, and no doubt will be - such is the wish of your rapporteurs -, in the process of drafting a *Constitution of the Union*, a task which the future Intergovernmental Conference must address.

The Committee on Petitions takes the view that Article 21 of the Charter of Fundamental Rights should henceforth be taken into account in determining where the principle of non-discrimination has been violated.

II. Changes needed to establish a citizen-based treatment of petitions

1. Despite the importance of the right of petition for EU citizens in terms of access to, and participation in, the construction of Europe, as shown also by the growing number of petitions sent to the European Parliament (in the 1984-1989 legislature 1792 petitions were received by the European Parliament; their number increased to 4236 during the period from 1989 to 1994 and to about 6500 in the 1994-1999 legislature), major delays have unfortunately built up in the processing of petitions, and between the registration of a petition and its initial consideration there can now be a time lapse of up to one year.

2. If Parliament wishes to make the treatment of petitions by its parliamentary committee quicker, more flexible and more transparent, therefore, it will have to make adjustments or changes to the existing procedures, such as electronic submission of petitions. The Committee on Petitions has already come out in favour of this idea, which has also been agreed to by the Committee on Constitutional Affairs. Some procedural changes can be brought about by better internal organisation of work, others require cooperation from other institutions, bodies and services working in close synergy.

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These questions will be looked at one at a time in an order which corresponds roughly to the chronological treatment of petitions.

A. Annual timetable of the Committee on Petitions

The way in which MEPs work in the committee is dependent first and foremost on the agenda for meetings of the Committee on Petitions. We shall therefore start with this.

The Committee on Petitions, being a neutral committee, must ensure that Members of the European Parliament, despite their membership of other committees, can take an active part in the work of the Committee on Petitions. The annual planning of meeting dates for all Parliament's committees therefore needs to avoid clashes between the meetings of the Committee on Petitions and those of committees dealing with related topics (Committees on the Environment, Social Affairs, Youth, Internal Affairs and Justice). Furthermore, the idea might be considered of using a 'block' system at the beginning of each legislative period, to allow Members to choose their membership of committees.

B. Registration of petitions and admissibility

At present it is the job of the *Activities of Members Division* to register petitions, i.e. to enter them in Parliament's register with an identification number after the formal requirements set out in Rule 174 of the Rules of Procedure (particularly: name, title and nationality of the petitioner, signature, agreement to consideration in public, etc.) have been checked. The status of petition depends not only on compliance with the rules and on the use of the word *petition*, but also on the content. A 'petition' might in fact simply be a request for literature or information, or perhaps a personal statement of opinion such as one might read every day in the newspaper in the 'Letters to the Editor' (which would, of course, fall within the remit of the Directorate for Relations with Citizens and Organisations of European Interest (administered by DG III).

Your rapporteurs would suggest that **within a period not exceeding 3 months** petitions received by Parliament should be registered with DG I and checked for content and admissibility and given a registration number not only by the 'Division for Citizens' Issues' (DG III), but also by the Committee on Petitions (DG II); an initial processing time of three months must be counted for this purpose; in this context an in-depth study of the working methods of the European Parliament services responsible for petitions is desirable, as well as a regrouping of human resources with a view to more efficient treatment of petitions.

As far as the **admissibility of the petition** is concerned, i.e. whether it concerns a subject '*on a matter which comes within the Community's field of activity*' (Rule 174 of the Rules of Procedure), there can be no doubt that any decision taken on this matter has a direct impact on the very essence of the right of petition, since it 'filters' the petitions which can be considered and those which, on the grounds of their subject matter, cannot and will therefore simply be 'filed'. The admissibility decision has some political aspects, in a context of developing Community competences, but also, and sometimes exclusively, legal ones. In some cases it may prove essential for the Committee on Petitions to request the opinion of the Legal Service.

The Committee on Petitions, on the basis of an opinion of the Legal Service, has made it a general rule to suspend consideration of a petition while the issue it deals with is *sub judice* with a national or Community court.

C. General Rapporteurs

It is of the greatest importance that detailed consideration of petitions should be a matter engaging the thought, intelligence and suggestions of the greatest possible number of members of the committee, representing all the political groupings involved. The appointment of General Rapporteurs would meet this need, while at the same time helping to reduce the current excessively long processing times by means of rapid, considered decisions at each important stage in the procedure. The oral information supplied by the Commission, in addition to written information, could be cut down in this way, so that the Commission could concentrate more on the questions put orally by Members. The General Rapporteurs, appointed in accordance with the criteria applied by the parliamentary committees, would take responsibility for petitions relating to the major areas of activity (e.g. environmental and consumer protection; free movement of persons, social questions; recognition of diplomas, etc.). They would present petitions to their colleagues by subject area **in a time set aside for the purpose at every committee meeting.**

They could authorise in advance the presence of the petitioner at the discussion in committee, particularly where such presence was requested by a Member, the petitioner himself, the Bureau or the committee coordinators. Increasingly, petitioners want to see more possibilities for dealing with their petitions, including violation procedures, and to have their cases heard in this context, with the possibility, where this is justified, of assistance which will enable them to plead their cause themselves.

D. Cooperation with the 'specialised' parliamentary committees. Annual thematic reports.

In addition to the Commission, the 'specialised' parliamentary committees are important sources of information and expert opinion for the Committee on Petitions. It is essential, therefore, that these committees, at the request of the Committee on Petitions, consider carefully and promptly the petitions forwarded to them, and that they allow the necessary measures to be taken; this cooperation, introduced on the basis of the guidelines adopted at the end of the previous legislature, is worth clarifying and developing in the light of experience, with a view to improved efficiency and without excessive formalism.

Committees responsible can also profit from being made aware of problems relating to their spheres of competence raised by petitions. *Inter alia*, the opinions of committees make it easier to consider comparable petitions, just as the opinions on their work delivered to them by the Committee on Petitions can prove extremely useful.

E. Revision of the 1989 Interinstitutional Agreement

The Committee on Petitions obviously does not have the resources to conduct an investigation into every petition; the Commission, on the other hand, can do this, and do it better, with the help of its many services. This is why the Commission has undertaken to supply written and oral information on petitions at the request of Parliament's Committee on Petitions. The cooperation agreement between Parliament, the Council and Commission was the subject of a correspondence published in the Official Journal (OJ C 120/90). The agreement works perfectly between Parliament and the Commission, but shows unfortunate shortcomings in the case of the Council, despite the repeated urgings and requests addressed to that institution in a number of resolutions adopted by the European Parliament.

The Agreement needs to be reviewed and deepened and its provisions made more binding with a view to reducing the delays in dealing with petitions and to defining a clear, coherent, binding framework for the essential cooperation with Parliament in this area.

As far as the Commission is concerned, the agreement – in the form that we would recommend – would set a **maximum of three months** for the information requested to be supplied.

Where the Commission in its turn makes a request to an authority or a national government to provide information essential to the consideration of a given petition the three-month time limit could be extended, but only on condition that this did not prejudice the rights of the petitioner.

Here we are faced with the problem - and we are not yet in a position to offer a solution to it - of defining the legal consequences of failure by the administration to respond to a precise challenge (e.g. violation of a Community directive). Can the failure to respond be interpreted as recognition of the truth of the facts? And, at a secondary level, what are the practical and legal consequences of a political opinion of the Committee on Petitions to the effect that the petitioner's individual rights have been violated, or a Community directive disregarded?

As to the Council, we consider it essential that it should give an undertaking to send an official at least to those meetings where petitions concerning serious violations of Community law are discussed. We are also entitled to require some feedback from the Council to requests presented to it by the Permanent Representation of the Member State holding the Presidency on important questions raised by the Committee on Petitions.

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It is encouraging that President Prodi, in response to a request from the President of Parliament, has already signalled in writing **the European Commission's complete willingness to review the Interinstitutional Agreement**, while a similar commitment from the Council has yet to be obtained.

This new Interinstitutional Agreement could be subject to annual assessment in the framework of the *seminar to evaluate* cooperation to be held by Parliament and the other institutions, which we shall be discussing below.

The Committee on Petitions regards as unacceptable the delays that sometimes occur and the obstructiveness of some authorities as regards making available information and clarification on the content of petitions to the Committee on Petitions and the European Ombudsman; this being the case, the Committee on Petitions can, in urgent cases, **make this obstructive behaviour public**, having given the offending authorities sufficient warning, before the procedure to refer the matter to the European judicial authorities begins.

F. Changes in the remit of the Committee on Petitions and amendment of Parliament's Rules of Procedure

Benefiting from the experience acquired and the changes that have taken place in the processing of petitions, it would seem desirable to change the remit of the Committee on

Petitions, as defined in Annex VI of Parliament's Rules of Procedure, among other things in order to bring them into line with the revised Interinstitutional Agreement on strengthening the right of petition. This is the task of the Committee on Constitutional Affairs in its capacity as the committee responsible for the Rules of Procedure, and the Committee on Petitions would also like to make a direct contribution. The change must also take account of the cooperation established between the Committee on Petitions and the other standing committees, with a view to strengthening and deepening it.

III. Appropriate budgetary resources for a policy of information to citizens

European citizens are either ill informed, or not informed at all, about their right to petition the European Parliament, the conditions for the exercise of this right, the procedures, time limits, outcome, etc. Remedying this lack of information is a huge task, the accomplishment of which will help to ensure normal functioning of the institution of the petition and access to it for a greater number of citizens.

Your rapporteurs recommend an information campaign using all the instruments available:

- (a) **information for the general public** through the media (television, newspapers, Internet);
- (b) **publication of brochures** in all the languages;
- (c) as much information as possible for **groups of visitors to Parliament** and visits to meetings of the Committee on Petitions;
- (d) introduction of **telephone help lines** at the representations of the European Parliament and the Commission (where citizens can obtain advice on the admissibility of petitions).

Your rapporteurs urge the Commission, in close collaboration with the Committee on Petitions, to practise a real policy of information for European citizens on their right to petition the European Parliament and complain to the European Ombudsman. Appropriate budgetary resources must be made available in the forthcoming financial years. In this context we must ensure, *inter alia*, that the public are informed of real cases submitted to Parliament where the petitioners have won their case and obtained their rights. The central and extended information services of the Commission and Parliament should be used to help with this, as should Parliament's *research* services.

A. The European Parliament's Committee on Petitions and its counterparts: establishment of a network. A meeting during each legislature

Better mutual knowledge of the instruments available to European citizens and the activities of the bodies that administer them, at Community, national and local level, will be ensured by the establishment of an information network among the petition committees of the European Parliament, its counterparts in the national parliaments, the European Ombudsman and the national and local ombudsmen. We consider that an exchange of information of this kind would further and facilitate the treatment of petitions at the European level. One meeting at least per legislature of the abovementioned bodies should be held, with participation by the Commission.

B. Annual seminar to evaluate cooperation between Parliament, the Commission

and the Ombudsman

When the Committee's annual activities report is considered, a seminar should be organised with a view to evaluating cooperation between Parliament and the other institutions (particularly the cooperation established with the Commission on the basis of the new Interinstitutional Agreement).

IV. Use of new technologies: availability of documents on Intranet and Internet

Everybody concerned with a petition must be given the opportunity to use the new information technologies more, and in a more user-friendly form. The availability of comprehensive information on the Intranet or Internet – depending on cases and circumstances – must allow Members, their staff and assistants, the political groups and, of course, petitioners, as well as researchers and the general public, to find out any fact about a given petition, including its admissibility, the stage reached in the procedure and the final decision. It must also include references to the formalities marking the different phases in the procedure (e.g. letters, acknowledgements, notification of documents, requests for information, appeals to the Court of Justice of the European Communities, etc.). This would also allow clear statistics to be drawn up on the origins and treatment of petitions and the procedures relating to them, which would, in addition, facilitate signing of an existing general petition by any citizen using the facilities offered by the opening of a website on petitions to Parliament.

This electronic 'publication' of the facts relating to a petition must be made compatible with technological capabilities and **must protect privacy and the confidentiality of the information** concerned.

V. Raising staffing levels and optimum synergy of services. The linguistic arrangements

Processing complaints to the European Ombudsman and considering petitions to the European Parliament are skilled tasks requiring a thorough knowledge of the law, special listening skills, etc. And these activities are made all the more delicate by their possible impact on the image of the European Parliament and the other institutions, which are exposed to possibly sharp criticism. In order to perform these tasks better and to cut down the delays and the time spent, these bodies must have a competent, well-prepared, flexible, open-minded, multilingual staff. The growing number of complaints and petitions, the development of these institutions, *inter alia* with the enlargement of the Community and the linguistic complications this will bring, make it essential that the quality and quantity of the staff available should be stepped up without delay. The European Ombudsman has already stressed the need for higher staffing levels if he is to carry out his task; your rapporteurs wish to do likewise for the European Parliament, since *charity begins at home*. **There should be optimum synergy among the various services concerned** with petitions, not only in order to make the right of petition more effective but also in order to give greater focus to the work of the Committee on Petitions. The latter has already suggested a number of directions in which this synergy could operate. **It calls on the Secretary-General of the European Parliament to take the necessary short-term measures and to envisage and propose other, more long-term, measures.** We cannot stress enough the importance of logistical support as the tasks to be accomplished increase in number and become more complex.

Against this background, the existing liaison office (*antenne*) in Brussels must be permanently retained, and even reinforced, in order to maintain contact with Members and the Commission, as well as for specific tasks (for example, the preparation of meetings of the political group coordinators). It would, however, be desirable for all members of the secretariat to be brought under one roof in Brussels in the course of the next parliamentary term.

Petitions from the 15 existing Member States are written in all 11 official languages, a fact which must be borne in mind not only in the time taken to process them, but also in the staffing of the Petitions Committee secretariat. Hence the importance for the latter of **continuing its internal consideration of the linguistic arrangements, particularly in the context of enlargement.**

VI. Working towards a European Code of Administrative Law. An administrative code of practice

The Committee on Petitions has already raised in other documents the issue of ensuring legal certainty within the Union as an entity founded on law, whence the necessity in the interests of European citizens for the activities of the Community institutions and bodies, as well as the Member States, to be structured within a set of clear, precise substantive and procedural rules which would be applied equally in all the Member States.

In the future it might also be necessary to seek new legal instruments of a kind most suited to ensuring that at the end of the procedure acknowledging that a petitioner has suffered damage he or she is compensated. In this context it would also be worth ensuring greater legal validity within the European Union of such a decision taken by the Committee on Petitions.

Pending a European Code of Administrative Law, it would be possible to identify the general principles of administrative law applying throughout the Union. Drafting an *Administrative Code of Practice* applicable to all Community bodies and institutions would probably be a first step in this direction, if only because of the positive spin-off it would have for European citizens in their dealings with the European administration. The Committee on Petitions will return to this subject in detail when it reports to Parliament on the European Ombudsman's special report to follow the inquiry conducted on his initiative.