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REPORT

on the deliberations of the Committee on Petitions during the parliamentary
year 2006
(2007/2132(INI))

Committee on Petitions

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the deliberations of the Committee on Petitions during the parliamentary year 2006 (2007/2132(INI))

The European Parliament,

- having regard to its previous resolutions on the deliberations of the Committee on Petitions,
 - having regard to Articles 21 and 194 of the EC Treaty,
 - having regard to Rules 45 and 192(6) of its Rules of Procedure,
 - having regard to the report of the Committee on Petitions (A6-0392/2007),
- A. whereas the right to petition is a fundamental right inextricably linked to citizenship of the European Union,
- B. whereas the right to petition has been enshrined in the EC Treaty since 1992 and is confirmed in the Article 44 of the Charter of Fundamental Rights of the European Union and Rule 191 of the Rules of Procedure of the European Parliament,
- C. whereas Parliament, the Council and the Commission are all bound by the provisions in the Treaties on the right to petition and have agreed to guarantee the inter-institutional follow-up on petitions,
- D. whereas the exercise of that right significantly contributes to the efforts of the European Union to reconnect with its citizens and offer an insight into the expectations of the European public,
- E. whereas petitions constitute a means by which citizens can contribute to the monitoring of the transposition and implementation of European legislation by national, regional and local authorities,
- F. whereas petitions represent a tool for assessing the impact of European laws and policies on individuals and alerting the European Parliament as to the ambiguities and misapplications of those laws and policies which have a direct impact on their very goals,
- G. whereas the number of petitions declared inadmissible remained constant in 2006, at about one-third of the total, reflecting a continuous need to ensure that EU citizens are properly informed about the competencies of the European Union and those of its institutions,
- H. whereas it must be recorded that, naturally, not all admissible petitions received and investigated provide EU citizens with satisfaction but that a reasonable proportion of petitions do lead to the resolution of a particular problem, or highlight a particular concern, which may later serve Parliament when negotiating new Community legislation,

- I. whereas the examination of petitions has continued to reveal persistent weaknesses in the implementation by Member States of Community law, and whereas there appear to be structural problems related to the implementation of certain environmental norms, notably, Article 6 of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora¹ (the Habitats Directive) and Article 4 of Directive 85/337/EEC of 27 June 1985 on the assessment of the effects certain public and private projects on the environment², as amended by Council Directive 97/11/EC of 3 March 1997³,
- J. whereas the follow-up to petitions against certain major infrastructure projects have shown the need for greater consistency in the Commission's monitoring of Member States' compliance with the Habitats Directive, particularly in cases of failure to apply Article 6(4) of that directive and to safeguard protected areas when alternatives exist to projects which, according to the best available scientific advice, are likely to have significant negative effects on the integrity of a site protected by the Habitats Directive or by Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds⁴,
- K. whereas, in other cases, the steps taken by the Commission in carrying out its duties under Article 211 of the EC Treaty as 'guardian of the Treaties' – such as the prompt decision to initiate proceedings against Spain for infringement of the rules of Community law on public procurement and the timely action taken to prevent irreversible damage to the environment in Poland – have been commendable,
- L. whereas the cooperation between the Committee on Petitions and the Commission remains critical in dealing effectively with petitions and providing petitioners with the best redress to their problems,
- M. whereas the promptness of the redress in cases of misapplication of European legislation is highly important, and whereas the specific circumstances of each case should be taken into account when recommending solutions,
- N. whereas, under Article 230 of the EC Treaty, Parliament has the right to bring actions before the Court of Justice of the European Communities under the same conditions as the Council and the Commission, and whereas, pursuant to Article 201 of that Treaty, Parliament is empowered to exercise control over the activities of the Commission and thus has at its disposal both the legal and the political instruments needed to respond more effectively to citizens' legitimate concerns,
- O. whereas Parliament has nevertheless constantly promoted loyal cooperation, notably with the Commission as the guardian of the Treaties, as an effective means to remedy problems that have led citizens to seek its assistance,
- P. whereas Parliament has continued to receive petitions alleging persistent breaches by Member States of the petitioners' human and fundamental rights, whereas under Article

¹ OJ L 206, 22.7.1992, p. 7.

² OJ L 175, 5.7.1985, p. 40.

³ OJ L 73, 14.3.1997, p. 5.

⁴ OJ L 103, 25.4.1979, p. 1.

6(1) of the EU Treaty the Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, and whereas Article 7(1) of the EU Treaty gives Parliament the right to initiate a procedure to determine whether there is a clear risk of a serious breach by a Member State of principles mentioned in Article 6(1),

- Q. whereas Parliament recognises the sensitivity of certain cases and is determined to take all necessary steps to protect the rights of petitioners and the confidentiality of their personal data without undermining the transparency of the petitions process itself,
1. Emphasises the significance of the petitions process in ensuring that European citizens' individual concerns about respect for their rights under the Treaty and European legislation receive appropriate responses and solutions;
 2. Emphasises the major contribution made by the Committee on Petitions to the work of the European Parliament aimed at reconnecting with the citizens of the EU and reinforcing the legitimacy, transparency and accountability of the EU decision-making process;
 3. Believes that petitions offer an instrument with which to gauge what the European public expects from the European Union and the extent to which the European Union manages to deliver;
 4. Recalls the role of petitions as a tool to enable EU citizens both to signal loopholes in European legislation and to alert the European institutions about any infringement or misapplication thereof;
 5. Underlines the opportunity that petitions offer the European Parliament to assess and, where necessary, take action to surmount, ambiguities in the application and implementation of EC law at European, national, regional and local levels;
 6. Stresses the importance of cooperation with the Commission in finding appropriate solutions to matters of concern which European citizens bring to the attention of the Committee on Petitions, inasmuch as they reflect the direct impact of EC legislation, policies and activities on individuals;
 7. Regrets the widespread failure by Member States to implement Community environmental norms correctly, and considers that there is a need for improved consistency in the monitoring, notably, of respect for the rules of Community law on the protection of biodiversity and on the assessment of the impact of certain public and private projects and plans on the environment;
 8. Welcomes the Commission's 23rd Annual Report on monitoring the application of Community Law (COM(2006)0416), which acknowledges the role of the petitions procedure in identifying infringements;
 9. Once again requests the Commission to notify decisions on the opening of infringement proceedings as soon as it makes such a decision, and also relevant decisions by the Court of Justice, in particular when Parliament has been petitioned on the issue in question, and observes that the Commission has not followed up on repeated calls by the Committee on

Petitions in this area;

10. Calls on the Committee on Petitions to notify, in writing and within a short time, its decisions relating to petitions that it considers at its meetings, so as to avoid misunderstandings and false interpretations by the mass media and petitioners;
11. Reiterates the importance of coordination in dealing with issues that are subject to both a petition to Parliament and a complaint to the Commission, given that the right to petition is a fundamental right, safeguarded by the Treaty, that Parliament provides a transparent framework for debates, which is a prerequisite for enhanced public accountability, and that in this context primacy must be accorded to the petitions process;
12. Restates the Committee on Petitions' concern at the unjustified and excessive amount of time – often spanning several years – which the Commission takes to pursue and conclude infringement proceedings and its dissatisfaction with the frequent examples of non-compliance by Member States with decisions of the Court of Justice; considers that this undermines the credibility of the formulation and coherent application of EC law and that it serves to discredit the objectives of the EU;
13. Reaffirms the need for the Commission to make use of the possibility of bringing Member States before the Court of Justice under Article 228 of the EC Treaty, so that fines in the form of lump sums and penalty payments may be imposed whenever Member States delay the implementation of judgments of the Court of Justice in infringement proceedings;
14. Welcomes the constant dialogue between the Committee on Petitions and the European Ombudsman; points out that the Committee on Petitions supported the Special Reports on the European Schools and on the transparency of the Council's meetings, welcomes the successful resolution brought about by the Commission's handling of complaints alleging an infringement, and supports the Ombudsman's request for an increase in his budget;
15. Reiterates the wish of the Committee of Petitions to restart proceedings regarding the European Ombudsman's Special Report to the European Parliament following the draft recommendation to the European Anti-Fraud Office in complaint 2485/2004/GG;
16. Confirms the need for greater involvement on the part of the Council, as an institution, in the Committee's activities, and encourages its participation in meetings of the Committee at the appropriate level, as stated in the Interinstitutional Agreement on Better Law-Making¹, adopted on 16 December 2003 by the European Parliament, the Council and the Commission;
17. Reiterates the proposal that the Council designate a senior official to coordinate matters related to petitions, given that many petitions touch upon sensitive political issues concerning the transposition by Member States of Community legislation;
18. Emphasises once again the key role of the Member States in correctly implementing Community legislation, and underlines that the practical application thereof is decisive for the purposes of increasing the relevance of the European Union for its citizens; stresses

¹ OJ C 321, 31.12.2003, p. 1.

the need for enhanced participation by representatives of the Member States and their parliaments in the debates of the Committee on Petitions;

19. Welcomes the activity of the Temporary Committee of Inquiry into the Crisis of the Equitable Life Assurance Society and the contribution made by the members of the Committee on Petitions and its secretariat who have directly participated in its work; considers that the decision to set up that committee as a follow-up to petitions received has enhanced the efforts to ensure the correct application of Community law in all Member States;
20. Encourages the practice of sending fact-finding missions pursuant to Rule 192 of its Rules of Procedure to various Member States of the EU to investigate issues raised by petitioners as a way to facilitate effective and pragmatic solutions in the interests of the citizen;
21. Stresses the significance of those missions in the efforts to improve communication with citizens and to raise awareness in the Member States about the activities of the European Parliament, in general, and of the Committee on Petitions, in particular;
22. Emphasises that better understanding of the function of petitions as a tool enabling citizens to seek redress is closely connected to the quality of the information available to the general public in Europe about EC legislation, policies and objectives;
23. Notes that, during the second year since the enlargement of the EU to 25 Member States, the number of petitions received by Parliament has remained relatively constant; observes, however, that the accession of Romania and Bulgaria in January 2007 is likely to produce a considerable number of petitions from the citizens of those countries;
24. Welcomes the agreement within the Committee which has led to the increase in its membership to 40 full members, and considers that this is likely to ensure that European citizens and people residing in the territory of the EU obtain an even better understanding of their case in committee, thereby enabling Parliament to respond better to petitioners' expectations;
25. Underlines the need to strengthen the Committee's secretariat in order to cover the need for linguistic, legal and political expertise, so that response times may become shorter and investigations more effective, and so that the service which it provides may be equally available to all citizens of the EU;
26. Reiterates the need to find the necessary financial resources to continue the development of the E-petition software system, which functions both as a database and as a management tool providing information about the petitions workflow, thus reinforcing the transparency and efficiency of the Committee's activity;
27. Requests the Secretary-General to conduct an urgent review of the 'Citizens Portal' on the website of the European Parliament with the objective of enhancing the visibility of the portal relating to the right of petition, and upgrading its presentation in order to ensure its comparability and compatibility with the website of the European Ombudsman which, unlike the Petitions Committee, is concerned specifically with citizens' complaints

concerning allegations of maladministration within the EU institutions or bodies;

28. Recalls that, since 1998, the European Parliament has called for a review of the 1989 Interinstitutional Agreement on strengthening the right of petition¹; reiterates its urgent requests for the Council and the Commission to undertake that review with a view to establishing a more effective means of redress and defining a clear and coherent framework for essential cooperation between the institutions in the area concerned;
29. Welcomes the decision to conduct a review of the current rules governing the petitions procedure in order to provide clarification regarding the assessment of the admissibility of petitions and to reinforce procedures related to data protection and confidentiality without undermining the essential transparency of the petitions process itself;
30. Emphasises the importance of protecting the rights of petitioners, as a fundamental element of the petitions process, and welcomes the consensus within the Committee on handling the outstanding Lloyd's petitions, especially as regards conveying full support to Ms X, whose name has become public against her wish;
31. Stresses the importance of protecting the environment and welcomes the Petitions Committee's intense interest in the petitions concerning the environment that it considers at its meetings;
32. 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 and their committees on petitions and ombudsmen or similar competent bodies.

¹ OJ C 120, 12.4.1989, p. 90.

EXPLANATORY STATEMENT

Introduction

The current report covers the period from 1 January to 31 December 2006 and has been drawn up pursuant to Rule 192 of the Rules of Procedure requiring the Committee on Petitions to inform Parliament of the outcome of its deliberations.

As agreed in 2005, this report is the first one to cover the activity of the Committee on Petitions during a calendar year (2006) and not a parliamentary one as before. The Report will therefore be able to draw its conclusions on the basis of all the petitions received during the year, thus offering a more comprehensive image about their number, content and status (admissible or inadmissible).

Statistics shows that the number of petitions received during 2006 remained relatively constant (1032 in 2005 compared to 1016 in 2006), with about one third of them being declared inadmissible. The main areas of concerns for petitioners remain environment and free movement of goods, persons and capitals.

Cooperation with the Commission remains highly important in finding appropriate solutions to petitions. The Commission's 23rd annual report on monitoring the application of Community law (COM(2006)0416) acknowledges the role of the petitions procedure in identifying infringements. The report indeed indicates that between one quarter and one third of petitions received by the Committee in 2005 are linked to or have given rise to infringement proceedings, initiated by the Commission against Member States under article 226 of the EU Treaty. However, a considerable amount of time passes from the moment the petition is sent to the European Commission till the infringement procedure is initiated and concluded, thus postponing the moment when the petitioner would actually be in a position to obtain redress.

The Committee has continued its dialogue with the European Ombudsman and thoroughly considered the Special Reports on the European Schools, on the transparency of the Council meetings and on the way in which the Commission is handling complaints alleging an infringement. The Committee took note of an increase in the use of Special Reports as a means by which to finalise the European Ombudsman's inquiries into alleged maladministration by European institutions. Special attention was given to the follow up to the European Ombudsman's Special Report to the European Parliament following the draft recommendation to the European Anti-Fraud Office in complaint 2485/2004/GG. A special meeting was organised in May 2006, in Strasbourg. The Committee would request authorisation for a Report as soon as the Court of Justice renders its ruling.

Cooperation with the Member States and the Council still needs to be reinforced as their participation in the activity of the Committee on Petitions could be extremely helpful in facilitating solutions to petitions and providing a faster remedy in individual cases.

Ways in which to improve the quality of the petition process was, and still is, a constant matter of concern for the Committee and its Secretariat. Members manifested their full support for the increase in the Committee's membership as proposed in the Cashman Report

on the deliberations of the Committee on Petitions (A6-0178/2006). Despite some difficulties, the E-petition system aimed at improving the transparency and the timing related to the management of petitions continued to develop and looks like entering a new stage in 2007-2008. Last but not least, Members are in full agreement on the importance of conducting a review of the current rules governing the petitions procedure in order to provide clarification regarding the assessment of the admissibility of petitions, and to reinforce procedures related to data protection and confidentiality without undermining the essential transparency of the petitions process itself.

Right to table petitions

The right of petitions, as enshrined in the EC Treaty under articles 21 and 194, is a significant feature of the European citizenship as it enables any European Union citizen, any natural or legal person residing or having its registered office in a Member State to address the European Parliament on matters falling within the EU's fields of activity. Tabling petitions is free of any charge to the petitioner and can be done in writing, in any of the EU official languages via fax, regular mail and internet.

The Rules of Procedures of the European Parliament further emphasise this right, conceived as a link between citizens and their representatives at EU level as well as a guarantee of the possibility to shape and influence the political decision-making process. The substance of this guarantee is widely drawn up in Rule 191 which expressly states that to be admissible a petition must concern ***"a matter which comes within the European Union's fields of activity and which affects him, her or it (i.e. an association) directly"***.

The question of admissibility does not however prejudice the Committee's view on the substance of the petitions, nor does it prejudice the outcome of any deliberations on the matter. It does however open the way for the organisation of a debate on the points raised by the petition, or for any other alternative course of action which the Committee may decide, such as requesting the Commission to conduct a preliminary investigation into the matter, or forwarding to another competent committee for information or an opinion. As part of the work initiated in 2006 on the review of the Rules of procedures in order to simplify and clarify certain provisions on petitions, consideration will be given to the opportunity of detailing the way admissibility is assessed.

During 2006, Parliament received 1016 petitions, a slight decrease compared to 2005 when 1032 petitions were tabled. As in 2005, in 2006 around one third of the petitions received were declared inadmissible, as they fell outside the area of activity of the EU. Two years after EU enlargement to 25 members, the number of petitions seems to be stable, slightly above 1000 with German, British, Spanish, Greek, French, Italian and Polish nationals being the most active. EU enlargement to include Romania and Bulgaria in 2007 will probably result in the Committee receiving a considerable number of petitions from the two countries.

Petitions offer an important image about the application of the European legislation and the impact it has on individuals. Through their petitions, European citizens point out the shortcomings and difficulties of the transposition and application process and remain best placed to monitor the implementation of the EU legislation at national level.

Most of the petitions point to difficulties related to the implementation of EC legislation in the fields of environment, social security, recognition of diplomas, and other aspects related to the functioning of the internal market. The most concerned pieces of EU legislation were Directive 85/337/EEC as amended by 97/11/EC and 2003/35/EC on Environmental Impact Assessment and Directive 2003/4/EC on public access to environmental information.

The significant number of petitions received from United Kingdom, Germany and Ireland on major financial losses incurred following alleged mismanagement at Equitable Life resulted in the European Parliament setting up a temporary committee of inquiry to investigate "alleged contraventions or maladministration in the implementation of Community law" (Article 193 of the EC Treaty). Members of the Committee on Petitions will participate the work of the Committee of inquiries which will present a report on its findings in 2007.

A significant number of petitions refer to respect of fundamental rights in the Member States and express citizens' views or opinions about EU activities. Most of these petitioners are encouraged to avail themselves of the legal remedies existing at national level and after exhausting all ways of appeal to consider the possibility of bringing their case before the European Court of Human Rights in Strasbourg.

The proportion of inadmissible petitions indicates a continuous need to raise public awareness and better inform European citizens about EU legislation and policies, as well as about their legitimate right to petition the European Parliament. A concerted effort at both European and national level is required in order to reach this objective.

Relations with the Commission

Given the very substance of the activity of the Committee on Petitions as a vehicle allowing individual citizens to signal breaches of EC legislation directly affecting their interests and the role of the European Commission in monitoring the transposition and implementation of European law, the two remain natural partners in addressing such situations. The Committee on Petitions relies on the European Commission's expertise in investigating potential breaches of Community legislation brought to light via petitions. Commission's recommendations remain instrumental in defining the most appropriate answer to petitioners' problems. Nevertheless, the Committee kept encouraging the Commission to avoid standard and rather general answers based on a strict interpretation of its competencies and on the information provided by the Member States. The Committee on Petitions continued to emphasise the need for more problem-focussed assessments of the petitions and to ask the European Commission to carry out independent investigations which may allow for more a more coherent approach to specific issues.

Following a number of calls on the Commission to better acknowledge the importance of the petitions in revealing potential infringements, the Committee notes with satisfaction that its 23rd Annual report on monitoring the application of Community law, the Commission indicates that between one quarter and one third of petitions received by the Committee in 2005 are linked to or have given rise to infringement proceedings initiated against Member States under article 226 of the EU Treaty.

Such satisfaction is however strongly attenuated by two important considerations. The first is that to reach the stage of even opening an article 226 procedure an enormous amount of time has been taken up - usually counted in years or as the Commission says, 35 months on average. The second is that even when an infringement case is won - either by the voluntary compliance of the Member State to act in full conformity with a given Directive, or by means of a decision of the European Court of Justice, this is often of no direct benefit to the individual petitioner.¹

Moreover, the Commission is increasingly drawn towards using what it has called "horizontal" infringement proceedings against Member States. It does so in order to regroup several, sometimes dozens of infringement cases into a global package which it then discusses with the Member State concerned with a view to obtaining compliance. Although this is of course very convenient in administrative terms as it no doubt requires fewer personnel to negotiate such matters, for the petitioner who is awaiting a resolution of his problem such horizontal procedures exacerbate the matter by demonstrating the inability of Parliament to provide a solution and undermining his confidence in the EU's ability to be of any use whatsoever.

Considering all the above, in its dialogue with the European Commission, the Committee has relentlessly underlined the role of petitions in achieving the common goal of bringing Europe closer to citizens and insisted that, although fully aware of the many reasons delaying Commission's replies to petitions, further measures are necessary to improve the transparency of its assessments and the promptness of its answers to petitioners.

Committee on Petitions and the European Ombudsman

The Committee on Petitions and the European Ombudsman carried on a constructive relationship based on constant dialogue and mutual respect of each other competences and prerogatives. The Schwab Report on the Annual Report on the European Ombudsman's activities in 2005 (2006/2117(INI)) points out the role of the Ombudsman in enhancing openness and accountability in the decision-making processes and administration of the European Union and its contribution to the transparency of the work of the European institutions.

In 2006, the Ombudsman presented two new Special Reports to the Committee:

- Special Report from the European Ombudsman to the European Parliament following the draft recommendation to the Council of the European Union in complaint 1487/2005/GG the question as to the languages that should be used for the internet presentations of the Presidency of the EU - on which the Committee decided to draft a report (Rapporteur Rainer Wieland).
- Special Report from the European Ombudsman to the European Parliament following the draft recommendation to the European Commission in complaint 289/2005/(WP)GG on the way in which the Commission is handling complaints alleging an infringement.

¹ This has notably been the case for the Lloyd's Names' Petitioners and the Foreign Language lecturers "lettori" Petitioners, to cite but two examples mentioned in passing in the Commission's report.

On May 15 2006, in a follow up to the Special Report of the European Ombudsman on the Complaint 2485/2004/GG concerning recommendations to the European Anti-Fraud Office (OLAF), the Committee on Petitions held an extraordinary meeting with the participation of Nikiforos Diamandouros, the European Ombudsman, and Franz-Hermann Brüner. The Committee on Petitions intends to make a further request to the Conference of Presidents to prepare a report on the European Ombudsman's Special Report.

Relations with Council and the Member States.

By their very nature the petitions process brings to light a number of problems with the transposition or implementation of the European legislation by the Member States. Petitioners seek help and redress and in order to provide them with rapid solutions, the Committee should be able to rely on its cooperation with the Council and the Member States. Repeated calls for the Council to get more involved into the work of the Committee remain unanswered.

Relations between the Committee on Petitions and Member States have continued to develop. Nevertheless, more steps should be taken towards working together in a positive manner in order to provide citizens with the best solutions to their problems. Member States have participated in the activity of the Committee on case by case basis, but relations between the two are still perceived as rather conflictual. The very nature of the petitions - complaints about alleged failures of national or regional bodies in applying European legislation - explains this situation. However, it is important to emphasize that the main goal of the Committee on Petitions is not to criticize Member States, but to assist citizens in solving their problems. Co-operation rather than hindrance should result in many cases being solved faster and in the best interest of all parties.

E-petitions

Since 2002 the Committee on Petitions continuously required a trustworthy work-flow system and database in order to function effectively and manage the increasing demands made upon it; a system that enhances the transparency of the work of the Committee in the public interest. The improvement in the functions of the current e-petition system continued during the first half of 2006, with detailed preparatory work being carried out for several months on the second phase of the e-Petitions process. Priority was given to incorporate the functions of Geda in e-Petition, to improve and simplify the system.

During the summer of 2006, the Directorate of Information Technology (DIT) stopped the development of phase 2 of e-petition for two reasons. Firstly, the DIT decided to abandon the use of Documentum software, following a series of technical and licensing difficulties. Secondly, the budget for IT applications development had been virtually exhausted for the year.

The substitute for Documentum was validated by the end of 2006, so the analysis and the planning of the migration of e-petition (and the other 2 applications concerned) could only start at the beginning of 2007. The impact of the DIT decision for Committee on Petitions was that the additional functions which we previously asked for would be developed as part of the migration process and would be launched at the end of 2007, much later than planned.

Fact-finding visits

Availing itself of the possibility granted under Rule 192, the Committee on Petitions conducted in 2006 several fact-finding missions aiming to investigate some problematic petitions 'in situ'. The visits were organised once the issues had been properly debated in Committee and their objectives clearly defined. Such visits substantially enhance the committee's ability to understand the different aspects of the petitions and to seek solutions to complex problems in cooperation with all interested parties. At the same time, they occasion a direct contact with European citizens and national authorities contributing to the general effort to raise awareness about the activity of the Committee.

Four such fact-finding missions were organised: in Malta (9-11 May 2006), Spain (25-26 June 2006), Poland (11-14 July 2006) and United Kingdom (5-6 December 2006).

The object of the visit to Malta, which was undertaken by the Chairman of the Committee, was in part to introduce the work of the Committee to the Maltese authorities and to meet some of the citizens from the islands who have petitioned the Committee so far. The Chairman also held useful discussions on the activity of the Committee with the Maltese Ombudsman and members of the House of Representatives. The key part of the visit allowed an in-depth investigation into the allegations which have been made concerning the way in which the Directive on Birds is applied in relation to migratory bird species. The visit followed petitions submitted by several associations and persons claiming insufficient controls of hunting of protected birds and possible infringement of EU legislation as set out in the Birds and Habitats Directives.

In Spain, the Committee's delegation focussed on investigating the allegations made by a number of petitioners concerning the ongoing construction of the M30 motorway project in and around Madrid. Parliament did not question the right of the competent authorities in Madrid to develop a proper transport infrastructure which they considered to be necessary. However, the petitioners had indicated that European legislation regarding the environmental impact of the project, and on noise and atmospheric pollution, and possible public procurement, may not be fully respected. The European Commission, in a separate decision, opened infringement proceedings on April 4th. The members of the fact-finding visit met with public authorities, local residents affected by the project and other interested parties during the course of their visit.

The visit to Poland (Warsaw and Poznan) was intended to give Members an overview of the measures taken by the Polish government concerning European integration as well as the current state of affairs. Members of the delegation had the possibility to meet the new Chairmen of the Senate's and the Sejm's Committees on European Affairs, as well as the president (Marshal) of the Polish Parliament (Sejm). In Poznan Members took part in the Seminar on "European System of Human Rights Protection" in the Adam Mickiewicz University with the participation of the Rector, Prof. dr. hab. Stanislaw Lorenc, the European Ombudsman, Nikiforos Diamandouros, Prof. dr. hab. Pawel Bortkiewicz and Marcin Libicki, chairman. A meeting with petitioners, who had submitted petitions on respectively the transport corridor "Via Baltica", the Eastern Warsaw Ring Road, the cableway "Kuznice-Kasprowy Wierch" in the Nature 2000 site "Tatry" and the environmental impact of the Baltic

Sea gas pipeline took place during the stay in Warsaw.

The agenda of the visit to the United Kingdom had as main points a meeting in the European Parliament Office in London in order to explain the reasons which led the Committee on Petitions to close the Lloyd's petitions, consultations in the Petitions Unit of the Prime Minister's Office and discussion of the Multiple Sclerosis matters with petitioners. Given a number of new petitions related to Multiple Sclerosis and the importance to follow-up to the Committee's December 2003 Report, the Committee had re-discussed the issue in-depth during its November meeting with the participation of Parliament's former Rapporteur, Uma Aaltonen, of representatives of the European Multiple Sclerosis Platform as well as those of the Multiple Sclerosis societies from most EU countries. The Commission and the Finnish Presidency made statements on the progress toward a Code of Good Practice which Parliament called for in its resolution.

Conclusions

The current report offers an overview of the main elements characterizing the activity of the Committee on Petitions in 2006, pointing out its achievements and areas where further progress is needed. The work of the Committee focussed on providing petitioners with the most appropriate redress. In pursuing this objective the Committee has worked towards ensuring that petitions are managed in a transparent and effective way and that citizens do obtain comprehensive answers to the issues they raise. In doing so, relations with other European institutions and bodies and, in particular, the European Commission remains very important. Details of specific cases, Reports, Opinions and documents of the meetings of the Committee on Petitions are available on its website page.

ANNEX I: Petitions received by Parliament

<u>Year</u>	<u>Total number</u>	<u>Admissible</u>	<u>Inadmissible</u>
2004	1002	623	379
2005	1032	628	318
2006	1021	667	354

ANNEX II - Statistics of the petitions received in 2006 based on the language of the petitions

German	274
English	177
Spanish	127
French	69
Greek	68
Italian	68
Polish	56
Dutch	20
Portuguese	18
Swedish	11
Hungarian	7
Finnish	5
Slovak	4
Czech	4
Danish	3
Slovenian	2
Latvian	1
Estonian	1

ANNEX III: Correspondence received by the Committee

<u>Year</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Received letters	3148	2145	2415
Sent letters	2728	2788	2550

ANNEX IV: Petitions discussed in the Committee in 2006 (A points)

	<u>Open</u>	<u>Closed</u>	<u>Total</u>
Albania	0	1	1
Austria	2	3	5
Belgium	8	6	14
Czech Republic	3	0	3
Denmark	1	1	2
Finland	2	0	2
France	17	8	25
Germany	30	23	53
Greece	29	12	41
Hungary	4	2	6
Ireland	14	4	18
Italy	32	9	41
Kiribati	0	1	1
Malta	2	2	4
Netherlands	5	4	9
Poland	17	3	20
Portugal	12	3	15
Romania	0	1	1
Spain	36	30	66
Sweden	2	1	3
Togo	0	1	1
UK	37	12	49
TOTAL	253	127	380

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	3.10.2007
Result of final vote	+ : 21 - : 0 0 : 0
Members present for the final vote	Margrete Auken, Simon Busuttil, Carlos Carnero González, Michael Cashman, Proinsias De Rossa, Alexandra Dobolyi, Lidia Joanna Geringer de Oedenberg, David Hammerstein, Marian Harkin, Luis Herrero-Tejedor, Carlos José Iturgaiz Angulo, Lasse Lehtinen, Marcin Libicki, Mairead McGuinness, Miguel Angel Martínez Martínez, Maria Matsouka, Manolis Mavrommatis, Gay Mitchell, Marie Panayotopoulos-Cassiotou, Kathy Sinnott, Radu Țirle
Substitute(s) present for the final vote	
Substitute(s) under Rule 178(2) present for the final vote	