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*Plenary sitting*

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**A8-0404/2018**

27.11.2018

# **REPORT**

on the deliberations of the Committee on Petitions during the year 2017  
(2018/2104(INI))

Committee on Petitions

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the deliberations of the Committee on Petitions during the year 2017 (2018/2104(INI))

*The European Parliament,*

- having regard to its previous resolutions on the outcome of the Committee on Petitions' deliberations,
  - having regard to Articles 10 and 11 of the Treaty on European Union (TEU),
  - having regard to Articles 24 and 227 of the Treaty on the Functioning of the European Union (TFEU), which reflect the importance the Treaty attaches to the right of EU citizens and residents to bring their concerns to the attention of Parliament,
  - having regard to Article 228 of the TFEU,
  - having regard to Article 44 of the Charter of Fundamental Rights of the European Union concerning the right to petition the European Parliament,
  - having regard to the provisions of the TFEU relating to the infringement procedure and, in particular, to Articles 258 and 260 thereof,
  - having regard to Rules 52, 215 and 216 of its Rules of Procedure,
  - having regard to the report of the Committee on Petitions (A8-0404/2018),
- A. whereas 1 271 petitions were received in 2017 – compared to 1 569 in 2016 – of which 776 petitions (60.2 %) were considered admissible;
- B. whereas 15 540 users of Parliament's Petitions web portal supported one or more petitions in 2017, as compared to 902 users in 2015 and 6 132 users in 2016; whereas the total number of clicks in support of petitions was 21 955, as compared to 18 810 in 2016 and 1 329 in 2015; whereas this new form of public participation in petitions submitted is increasingly common and should be taken into account;
- C. whereas almost 250 identical or very similar petitions on three different subjects submitted in 2017 were treated together in groups per subject;
- D. whereas of the petitions submitted in 2017, 67 were co-signed by one or more citizens, 25 by more than 100 citizens, 10 by more than 10 000 citizens, and two by more than 100 000 citizens;
- E. whereas the number of petitions received was modest in relation to the total population of the EU; whereas this might indicate that a large portion of EU citizens and residents do not make use of the right to petition for lack of knowledge, taking into account the many potential concerns or expectations in different fields of activities of the Union; whereas more needs to be done to promote the right to petition the European

Parliament;

- F. whereas only a small number of EU citizens and residents are aware of the right to petition, confirming the need for greater efforts and appropriate measures to increase public awareness and achieve a substantial improvement regarding the exercise of this right;
- G. whereas the criteria for the admissibility of petitions pursuant to Article 227 of the TFEU and Rule 215 of Parliament's Rules of Procedure specify that petitions must satisfy the formal conditions governing admissibility, namely that a petitioner, who is an EU citizen or residing in the EU, is affected by a matter which falls within the European Union's fields of activity; whereas 495 petitions were declared inadmissible because they did not comply with the admissibility conditions;
- H. whereas the right to submit a petition to Parliament offers EU citizens and residents the means to address their directly elected representatives in a formal way; whereas the right to petition should constitute a crucial element of active participation of EU citizens and residents in the EU's fields of activity and should therefore be promoted in the best way possible; whereas full exercise of the right to petition is related to the need for the EU institutions and Member States to arrive at prompt and effective solutions to issues raised by petitioners, ensuring full protection of their fundamental rights;
- I. whereas Parliament has long been at the forefront of the development of the petitions process internationally and has the most open and transparent petitions process in Europe, allowing petitioners to participate fully in its activities;
- J. whereas active participation is only possible provided there is a democratic and transparent process that enables Parliament and the Committee on Petitions to render its work citizen-friendly and meaningful; whereas this requires an aim of continuous improvement in the interaction with petitioners, keeping track and taking advantage of, among other aspects, the implementation of new technological developments, as well as with other concerned citizens and residents, such as supporters of petitions through the Petitions web portal;
- K. whereas petitions are useful tools for detecting breaches of EU law, as well as shortcomings, inconsistencies and possible loopholes in this law, when it comes to ensuring the highest standards of social justice and full protection of the fundamental rights of all citizens; whereas petitions allow Parliament and other EU institutions to assess the transposition and application of EU law and the actual impact of its improper implementation on EU citizens and residents; whereas they can also provide insight into the absence of regulatory provisions in fields of activity where the EU could legislate;
- L. whereas petitions represent an extra guarantee for EU citizens and residents compared to complaints directly to the Commission, as they involve Parliament in the process and allow better scrutiny of the Commission's performance of its inquiry duties, as well as providing transparent debates on the matter, with the presence of petitioners, Members of the European Parliament and the Commission, as well as any other authority

concerned where appropriate;

- M. whereas petitions often provide useful information in various EU policy areas to other parliamentary committees, also in relation to their legislative activities; whereas in return the committees responsible for the subject matters pertaining to a petition are expected to provide their expertise, with the aim of due treatment of the petition allowing a meaningful response to it from Parliament itself; whereas it is Parliament's responsibility as a whole to fulfil the fundamental right to petition through an adequate treatment of petitions;
- N. whereas each petition should be carefully assessed and dealt with; whereas the petitioner has the right to receive information on the decision on admissibility taken by the Committee on Petitions and to have their issue addressed fully, both within a reasonable period of time;
- O. whereas a considerable number of petitions are discussed publicly in meetings of the Committee on Petitions; whereas petitioners have the right to present their petitions, and frequently take full part in the discussion, thereby contributing actively to the work of the committee; whereas in 2017, 248 petitions were discussed in committee meetings with 208 petitioners present, while 59 petitioners participated actively by taking the floor;
- P. whereas the information provided by citizens and residents in petitions and during committee meetings – complemented by expertise provided by the Commission, the Member States and other bodies – is pivotal to the work of the committee; whereas in order to avoid any socio-economic discrimination, petitioners whose petition is to be debated in a public committee meeting and who are willing to participate in the discussion, should be entitled to a reimbursement of the related costs, within reasonable limits;
- Q. whereas the main subjects of concern raised in petitions in 2017 pertained to environmental matters (notably issues concerning water and waste management, and preservation), fundamental rights (notably voting rights and rights of the child), the issue of stolen babies, free movement of persons, social affairs (working conditions), various forms of discrimination, and immigration, in addition to many other areas of activity;
- R. whereas the revision of Parliament's Rules of Procedure should lead to an improved petitions procedure and whereas the relevant rules should optimise the ability of the Committee on Petitions to investigate citizens' concerns, thereby ensuring full protection and more effective exercise of the right of petition;
- S. whereas 69.1 % of the petitions received (878 petitions) in 2017 were submitted via Parliament's Petitions web portal, as compared to 68 % (1 067 petitions) in 2016; whereas the predominance of this format and its expected increase over time could allow a quicker initial treatment of these petitions, provided they would be handled, from the beginning, by the Secretariat of the Committee on Petitions;

- T. whereas petition summaries can now be uploaded on the Portal sooner – approximately one week after the Committee on Petitions reaches a decision on admissibility; whereas the automatic uploading of meeting agendas, minutes and Commission replies relating to petitions was introduced at the end of 2017, which has made these documents publicly available and increased the transparency of the work of the Committee on Petitions; whereas all these features reflect Parliament’s commitment to the aim of providing a more interactive experience and real-time communication with petitioners; whereas the frequently asked questions (FAQs) and privacy statement features were revised to reflect changes in the confidentiality provisions of the Rules of Procedure; whereas there have also been technical improvements, including further improvements to the search function and the introduction of a ‘read first’ page before a petition can be submitted, which contains information and advice for petitioners; whereas a large number of individual support requests have been handled successfully;
- U. whereas the Committee on Petitions considers the European Citizens’ Initiative an important instrument of direct and participatory democracy that, if taken seriously, should enable citizens to become actively involved in the shaping of European policies and legislation;
- V. whereas 2017 saw four fact-finding visits, conducted pursuant to Rule 216a of the Rules of Procedure: one to Sweden on the difficulties encountered by EU citizens in obtaining the identification number required to access most of the services they needed when temporarily moving to Sweden; one to Spain on petitions addressing allegations concerning newborn babies stolen from hospitals during and after Franco’s dictatorship; one to Taranto (Italy) on the impact of a local steel plant and refinery on the environment and how they had been causing air, land and water pollution; and one to Larnaca (Cyprus) on the environmental and health impact of a newly-built industrial port in the city;
- W. whereas pursuant to the Rules of Procedure, the Committee on Petitions is responsible for relations with the European Ombudsman, who investigates complaints about maladministration within the institutions and bodies of the European Union; whereas the current European Ombudsman, Emily O’Reilly, presented her Annual Report for 2016 to the Committee on Petitions at its meeting of 30 May 2017, and the annual report of the Committee on Petitions is, in turn, partly based on the Ombudsman’s annual report, or on the Special Reports submitted to Parliament, the latest being on the transparency of the decision-making of the Council;
- X. whereas the Committee on Petitions is a member of the European Network of Ombudsmen, which also includes the European Ombudsman, national and regional ombudsmen and similar bodies of the EU Member States and candidate countries, and other European Economic Area countries, and which aims to promote the exchange of information about EU law and policy, and to share best practices;
1. Draws attention to the fundamental role of the Committee on Petitions as a bridge between EU citizens and residents and the EU institutions, through which EU citizens and residents can formally alert Parliament of cases of misapplication of EU law and bring their concerns and ideas to the attention of their elected representatives, thereby

allowing for the timely examination and resolution of petitioners' requests wherever possible; points out that the manner in which the concerns of petitioners are addressed has a major impact on citizens regarding effective respect for the right to petition as enshrined in EU law and on their opinions of the EU institutions; reminds the Commission that petitions offer a unique means to identify situations in which EU law is not upheld and to investigate such situations by means of the political scrutiny of the European Parliament;

2. Points out that petitions constitute both an opportunity and a challenge for Parliament and other EU institutions, since they allow a direct dialogue to be established with EU citizens and residents, particularly if they are affected by the application of EU law and seek an effective and efficient redress mechanism;
3. Stresses the importance of raising awareness through a continuous public debate and wider information about the actual competences of the EU, its functioning and its need for future improvements, in order to ensure that citizens and residents are well informed about the levels at which decisions are taken, so that they can be also involved in discussions about possible reforms and to prevent the 'blame Brussels' phenomenon used by some irresponsible Member States; considers that a broader public debate about the EU, as well as better information and education and rigorous media reporting would reduce the number of inadmissible petitions, as citizens and residents would be better aware of the competences of the EU; notes that the subject matter of an inadmissible petition can play a role in policy making even if it falls outside the scope of the committee;
4. Stresses the need for enhanced cooperation between the Commission and other EU institutions and Member States' national, regional and local authorities in ensuring the adoption and implementation of EU provisions intended to achieve the highest standards of social justice and full and effective protection of the economic, social and cultural rights of all citizens; underlines the need for more active cooperation with Member States' representatives at committee meetings and for swifter follow-up to requests sent from the committee; calls therefore for a strong commitment from all the authorities involved at national and European level in handling and resolving petitions as a matter of priority; notes once again that numerous petitions have received superficial replies from the Commission;
5. Urges the Commission to make proper use of its powers stemming from its role as guardian of the Treaties, as this role is of the utmost importance to the functioning of the EU with regard to citizens and European legislators; calls for a timely handling of infringement procedures in order to put an end, without delay, to situations where EU law is not respected;
6. Reiterates that cooperation with other parliamentary committees is essential for a comprehensive treatment of petitions; notes that in 2017, 18 petitions were sent to other parliamentary committees for opinion and 357 for information; welcomes the fact that 21 opinions on petitions were received from parliamentary committees; encourages dialogue between the various parliamentary committees to be promoted in order to give proper attention to the problems raised by EU citizens;

7. Points to the launch of the petitions network on 21 March 2017, attended by members from all parliamentary committees, at which the network's guidelines were presented and its purpose and the role of its members outlined; is convinced that, if taken seriously, the petitions network is a useful tool for a better follow-up of petitions in parliamentary and legislative work; emphasises the importance of the network in raising awareness among the members about citizens' concerns submitted to Parliament by means of a petition, and in discussing possible procedural improvements and sharing best practices; stresses that closer contact between the committees may improve efficiency in planning hearings and parliamentary studies on similar subjects; looks forward to the publication of the study by Parliament's Policy Department C on the current functioning of the cooperation of the different committees with the Committee on Petitions; underlines the fact that enhanced cooperation with parliamentary committees on issues raised by petitioners should enable Parliament to provide a better and individualised follow-up to petitions and respond much more swiftly and efficiently to citizens' concerns, delivering added value to the lives of EU citizens and residents, and to the activities of Parliament and Europe as a whole;
8. Underlines the important contributions of petitions submitted ahead of the Brexit negotiations by citizens and residents concerned; points to the joint public hearing held on 11 May 2017 by the Committee on Petitions and the Committees on Civil Liberties, Justice and Home Affairs (LIBE), Constitutional Affairs (AFCO) and Employment and Social Affairs (EMPL) on citizens' and residents' rights after Brexit, with a view to ensuring that these rights be made one of Parliament's main priorities in the Brexit negotiations;
9. Considers that, in order to ensure full consistency between the treatment of different petitions, the petitions received should be handled entirely by the Committee on Petitions, and that, to this effect, its Secretariat should be allocated more resources; underlines the fact that the committee's guidelines, adopted in January 2016, make the treatment of petitions and the decision-making process transparent and clear;
10. Strongly criticises the discretionary power arrogated by the Commission in individual cases when dealing with citizens' complaints; notes that refusal to investigate citizens' complaints, including individual cases, thoroughly and promptly in line with the Commission's approach in its 2016 communication entitled 'European Union Law: Better Results through Better Application'<sup>1</sup> may prevent a rapid understanding of possible serious systemic shortcomings, thereby perpetuating multiple rights infringements at the expense of numerous citizens, whereby it essentially leaves to the national courts the bulk of the responsibility to monitor possible breaches of EU legislation except in systemic breaches; finds too much ambiguity in the interpretation of this notion and considers particularly such an approach within the domain of environmental legislation to be harmful; considers it a regression from the previous approach to EU environmental legislation implementation and an overall inhibition from its duties of guardian of the Treaties;
11. Points out that consideration of petitions on precarious working conditions has revealed

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<sup>1</sup> OJ C 18, 19.1.2017, p. 10.



that, in certain Member States, many workers are the victims of inadmissible and discriminatory practices, reflecting a lack of effective preventive mechanisms and penalties in a number of cases; deplors the fact that the Commission has accumulated a substantial backlog of cases relating to breaches of EU labour law by certain Member States, thereby allowing infringements of workers' rights to continue for years;

12. Repeats its call on the Commission to inform the Committee on Petitions on a systematic basis about ongoing EU pilots and infringement procedures related to petitions and for access to the documents exchanged in the course of the procedures once these are closed in application of the jurisprudence of the Court of Justice of the European Union (CJEU), especially when they were fully or partly opened on the basis of petitions; welcomes the centralised platform created by the Commission in 2014 on which infringement decisions are published;
13. Expects the Commission to be always duly represented during the public debates within the Committee on Petitions, namely by high-ranked officials who can provide additional information and respond to the requests of petitioners and Members of the European Parliament, beyond the scope of the previously provided written reply if necessary;
14. Welcomes the increasing trend of the Committee on Petitions to raise issues to the plenary, by means of oral questions, resolutions or short motions for resolutions in accordance with Rule 216(2) of its Rules of Procedure; draws attention to its resolutions that were adopted following the publication of the Annual Report on the Committee on Petitions' activities in 2016<sup>2</sup>, the Annual Report on the European Ombudsman's work in 2016<sup>3</sup> and the EU Citizenship report 2017<sup>4</sup>; draws attention to its resolution of 15 March 2017 on obstacles to EU citizens' freedom to move and work in the internal market<sup>5</sup>;
15. Notes the hearings on multiple and diverse topics organised by the Committee on Petitions during 2017, alone or in cooperation with other committees, namely those on 'Fighting against discrimination and protecting minorities' of 4 May, on the 'Situation and rights of EU citizens in the UK' following Brexit of 11 May together with the LIBE and EMPL committees, on 'Restoring citizens' confidence and trust in the European Project' of 22 June, on 'Statelessness' of 29 June together with the LIBE committee, on the European Citizens' Initiative 'Ban glyphosate and protect people and the environment from toxic pesticides' of 20 November, and on the 'Protection of the rights of workers in temporary or precarious employment' of 22 November; also welcomes the fact that the yearly workshop on the Protection of the Rights of Persons with Disabilities took place on 12 October 2017;
16. Notes that the Committee on Petitions expressed its opinion on various issues raised in petitions in several contributions to parliamentary reports, such as those on the

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<sup>2</sup> OJ C 369, 11.10.2018, p. 105.

<sup>3</sup> OJ C 356, 4.10.2018, p. 77.

<sup>4</sup> OJ C 369, 11.10.2018, p. 11.

<sup>5</sup> OJ C 263, 25.7.2018, p. 98.

European Accessibility Act<sup>6</sup>, on the interpretation and implementation of the interinstitutional agreement on Better Law Making<sup>7</sup>, on the Brussels IIa Regulation<sup>8</sup>, on the Marrakesh Treaty<sup>9</sup>, on monitoring the application of EU law 2015<sup>10</sup>, on the use of energy from renewable sources<sup>11</sup>, on the European Disability Strategy<sup>12</sup>, on the Annual Report on the Situation of Fundamental Rights in the EU in 2016<sup>13</sup>, and on the Revision of Regulation (EU) No 211/2011 on the citizens' initiative<sup>14</sup>;

17. Notes that environmental issues were the main area of concern for petitioners in 2017; points to the special Eurobarometer 468 report published in November 2017<sup>15</sup>, which showed that the environment is one of European citizens' main concerns; stresses the importance of delivering on the expectations of EU citizens and residents concerning proper environmental legislation, and of implementing the rules and policies that have been adopted; regrets the fact that environmental rules are not always properly implemented in the Member States, as described in the petitions; urges the Commission, as the guardian of the Treaties, together with the Member States, to ensure the proper implementation of EU law;
18. Stresses the need for the Commission to ensure that accurate and comprehensive analyses of compliance with EU law are carried out in respect of environmental assessments by Member States for the authorisation of infrastructure projects about which petitioners have expressed concerns with respect to serious risks to human health and the environment;
19. Deeply regrets the fact that air quality problems flagged by petitioners in a number of Member States are being exacerbated by pollution from 43 million diesel vehicles that fail to comply with EU rules on the type-approval and emissions of passenger and light commercial vehicles;
20. Points to the work of the Committee on Petitions in connection with petitions relating to issues on disabilities; notes that there were fewer petitions on disability issues submitted in 2017; emphasises that access to transport and the built environment and discrimination, in particular in employment, are among the main challenges for persons with disabilities; notes that special attention was paid to discussions of petitions on disability issues, such as on support for family caregivers for persons with disabilities and on the swift ratification, implementation and application of the Marrakesh Treaty;
21. Emphasises the protective role of the Committee on Petitions within the EU framework

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<sup>6</sup> Opinion adopted on 24 January 2017.

<sup>7</sup> Opinion adopted on 24 January 2017.

<sup>8</sup> Opinion adopted on 25 April 2017.

<sup>9</sup> Opinions adopted on 24 January 2017.

<sup>10</sup> Opinion adopted on 22 March 2017.

<sup>11</sup> Opinion adopted on 7 September 2017.

<sup>12</sup> Opinion adopted on 7 September 2017.

<sup>13</sup> Opinion adopted on 22 November 2017.

<sup>14</sup> Opinion adopted on 7 September 2017.

<sup>15</sup> Special Eurobarometer 468 Report: Attitudes of European citizens towards the environment, November 2017: <http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/SPECIAL/surveyKy/2156>

of the UN Convention on the Rights of Persons with Disabilities; points to the workshop on the Protection of the Rights of Persons with Disabilities that took place at the committee meeting of 12 October 2017, which included the presentation of a study on inclusive education; calls for the EU institutions to lead by example on this subject and to ensure that national authorities are correctly implementing, without delay, the legislation adopted in this field;

22. Points to its resolution of 15 March 2017 on obstacles to EU citizens' freedom to move and work in the internal market; reiterates its call on the Commission to clarify, update and expand its guidance for better transposition and application of Directive 2004/38/EC in order to incorporate, in particular, the recent rulings of the CJEU (Cases C-456-12 and 457-12); recommends the use of the Transposition Implementation Plans (TIPS) for the purposes of ensuring complete and proper application; urges the Member States to respect Directive 2004/38/EC, as well as the existing case-law of the CJEU on the free movement of persons, as a failure to comply is a direct violation of a fundamental right of citizens of the Union;
23. Recognises the work done by the Committee on Petitions' Working Group on Child Welfare Issues, and takes note of its final report and recommendations adopted on 3 May 2017; firmly believes that the Commission, the Council and the Member States should give a consistent and effective follow-up to the recommendations of the Working Group's final report; calls on the EU institutions and the Member States to comply with European legislation and to effectively promote and improve cross-border cooperation on family matters, by providing training for judges and professionals, information on legal aid and bilingual lawyers;
24. Reiterates its opinion that a too narrow and incoherent interpretation of Article 51 of the Charter of Fundamental Rights alienates citizens from the EU; asks the Commission to come forward with measures that will ensure a coherent and extensive application of the scope of Article 51;
25. Encourages the Commission to urge the Member States to find solutions against the loss of voting rights and the disenfranchisement of EU citizens who freely move and reside within the European Union as well as the disenfranchisement of long-term residents; expresses disappointment that the draft Withdrawal Agreement between the European Union and the United Kingdom makes no reference to citizens' political rights;
26. Emphasises that the European Citizens' Initiative should be both transparent and effective in order to serve as an important instrument for active citizenship and public participation; regrets that this has not been the case in the past and that no tangible legislative outcome of previously successful initiatives has taken place; notes the Commission's proposal for the revision of Regulation (EU) No 211/2011 on the European citizens' initiative<sup>16</sup>, published on 13 September 2017; highlights the most recent successful citizens' initiative submitted, entitled 'Ban glyphosate and protect people and the environment from toxic pesticides'; points to the public hearing on this

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<sup>16</sup> OJ L 65, 11.3.2011, p. 1.

initiative in Parliament on 20 November 2017; expects a consequent reaction by the Commission in regard to its content; confirms the commitment of the Committee on Petitions to being proactively involved in organising public hearings for successful initiatives; undertakes to give priority, at institutional level, to the effectiveness of this participative process and to ensuring due legislative follow-up;

27. Stresses that, in connection with the public hearing on the European Citizens' Initiative entitled 'Ban glyphosate and protect people and the environment from toxic pesticides' and in considering petitions on the same subject, it has emerged that EU authorisation procedures for substances such as glyphosate, genetically modified organisms and pesticides are compromised by a lack of independence, insufficient transparency and inaccuracies regarding the compilation and and evaluation of scientific evidence;
28. Notes the large number of petitions on animal welfare; draws attention to the study 'Animal Welfare in the European Union' and its presentation at the committee meeting of 23 March 2017, followed by a discussion of a number of petitions on the matter; considers it vital to launch a new EU strategy to bridge all the existing gaps, harmonise legislation and ensure full and effective protection of animal welfare, including animal transport, through a clear and comprehensive legislative framework that fully meets the requirements of Article 13 of the TFEU;
29. Stresses the important role of the SOLVIT network, which provides a means for citizens and enterprises to address concerns about possible breaches of EU law by public authorities in other Member States; calls on the Commission, and on the Member States, to promote SOLVIT in order to make it more helpful and visible to citizens; welcomes, in this regard, the Action Plan to reinforce the SOLVIT network published by the Commission in May 2017; calls on the Commission to report back to the European Parliament on the results of this Action Plan;
30. Underlines the importance of further developing the Petitions portal and the need to make it a two-way communication gateway and an easily accessible interactive tool, providing citizens of all EU Member States with access to all basic information regarding petitions and their treatment, opening up channels of communication and creating thematic communities for exchanges of documentation and best practice; stresses the need to further minimise the administrative burden in how petitions are processed; stresses that the portal also serves the function of a public register of petitions; reiterates that the technical capacity of the Portal must be enhanced to achieve a smooth petition process; stresses the need to improve communication with petitioners by sending them notifications on the progress of their petition in their own language; considers that supporters who have endorsed or expressed an interest in a petition are entitled to receive the same feedback and information as the petitioner, particularly when it comes to debates in Parliament or replies by the Commission or other authorities; reiterates the importance of stepping up efforts to ensure that petitioners are present when their petitions are debated in committee;
31. Calls for a more focused and active press and communication service and a more active social media presence, making the work of the committee more responsive to public concerns;

32. Instructs its President to forward this resolution and the report of the Committee on Petitions to the Council, the Commission, the European Ombudsman, the governments and parliaments of the Member States, and to their committees on petitions, national ombudsmen or similar competent bodies.

## EXPLANATORY STATEMENT

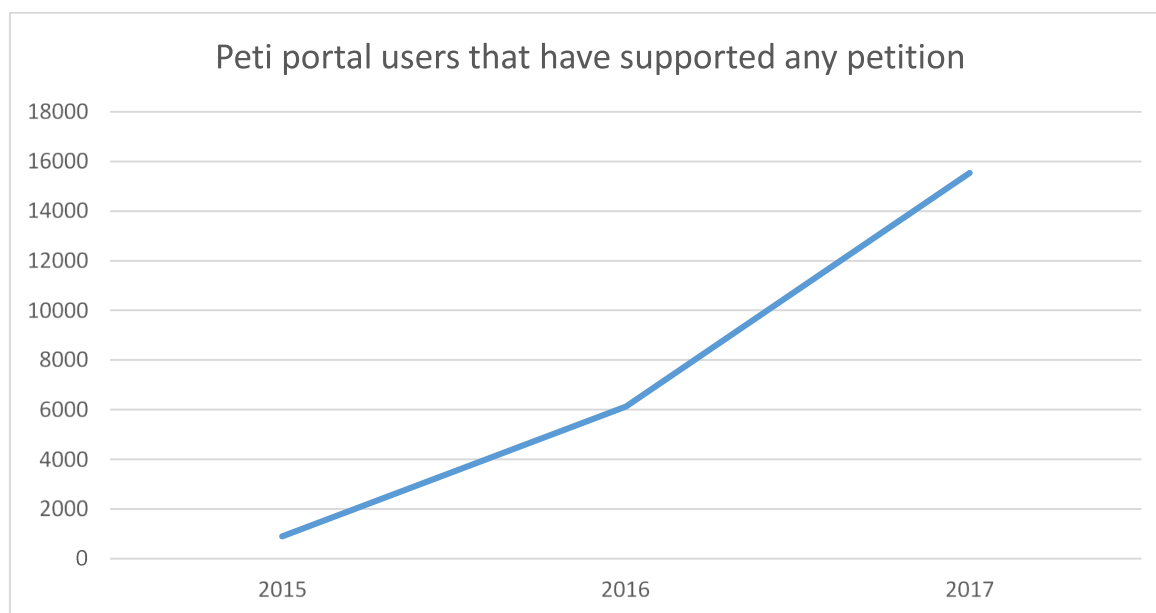
Pursuant to Rule 216 (7) of the Rules of Procedure of the European Parliament, the Committee on Petitions shall report annually on the outcome of its deliberations. The report gives an overview of the work of the committee in the year 2017.

The work of the Committee on Petitions generates mainly from the right to petition Parliament exercised by the citizens. The work of the committee is not directly attached to the legislative programme of the Commission.

### Statistical analysis of petitions received in 2017 compared to 2016

According to the statistics, the European Parliament received 1.271 petitions in 2017. This represents a decrease by 19 % compared to 2016 when Parliament received 1.569 petitions.

Users of the petitions web portal have the possibility to support petitions. In 2016, 6 132 users acted as supporters. In 2017, 15 540 users of the portal supported one or several petitions. These numbers show an increase by 153 %.



In 2017, 67 petitions submitted were supported by co-signature of one or more citizens, 25 out of these petitions were co-signed by more than 100 citizens, 10 out of them by more than 10 000 citizens, two out of them by more than 100 000 citizens.

Furthermore, the Committee on Petitions grouped a large number of identical or very similar petitions on the same subject. The Committee received approximately 100 identical petitions

on the abuse of fixed-term contracts in music and fine arts academies in Italy, almost 50 identical petitions on the alleged discrimination of teachers at semi-private schools in Italy and almost 100 similar petitions on the infringement of religious freedom for Jehovah's Witnesses in Russia. These groupings led to a decrease by almost 250 petitions of the total amount of registered petitions.

### Format of petitions

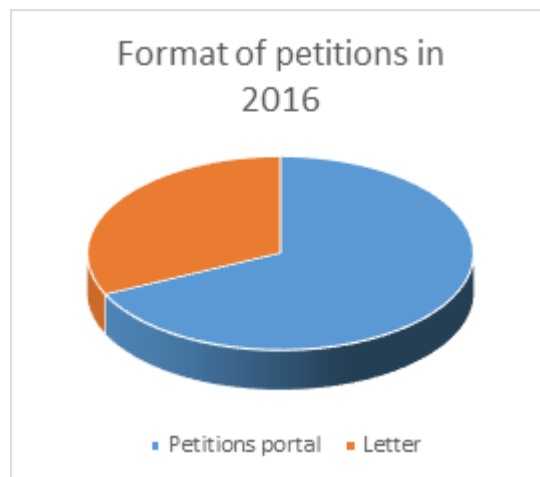
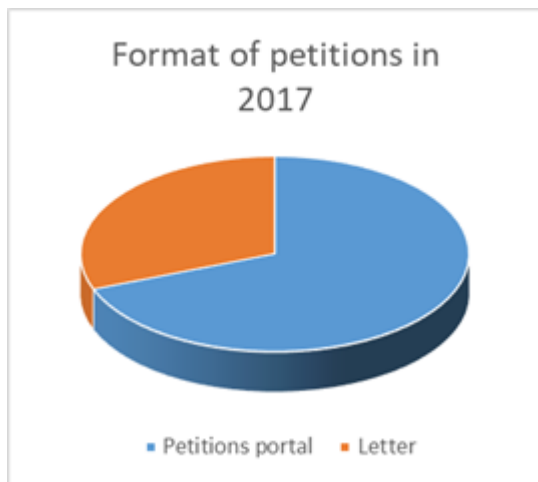
More than two thirds of the petitions in 2017 were submitted via the petitions portal. The figures in the two tables reveal that there was a small increase (1.1 percentage points) of petitions submitted via the portal.

2017

Petition Format	Number of petitions	%
Petitions portal	878	69.1
Letter	393	30.9

2016

Petition Format	Number of petitions	%
Petitions portal	878	69.1
Letter	393	30.9



### Status of petitions per calendar year

The following table shows the status of petitions from the years 2002 to 2017. It illustrates that the majority of petitions are closed within a year after being processed. Less than 1/10 of petitions remain open for more than four years and a few particular petitions remain open for more than ten years (six petitions from 2006, three petitions from 2005 and 2004). Most of these open petitions relate to environmental issues and ongoing infringement procedures before the Court of Justice or to issues that Members of the committee want to follow closely.

Status of petitions					
Year	Number of petitions	Open procedure		Closed procedure	
2017	1 271	393	30.9 %	878	69.1 %
2016	1 569	528	33.7 %	1 041	66.3 %
2015	1 431	211	14.7 %	1 220	85.3 %
2014	2 715	265	9.8 %	2 450	90.2 %
2013	2 891	337	11.7 %	2 554	88.3 %
2012	1 986	147	7.4 %	1 839	92.6 %
2011	1 414	76	5.4 %	1 338	94.6 %
2010	1 656	43	2.6 %	1 613	97.4 %
2009	1 924	14	0.7 %	1 910	99.3 %
2008	1 886	19	1.0 %	1 867	99.0 %
2007	1 506	26	1.7 %	1 480	98.3 %
2006	1 021	6	0.6 %	1 015	99.4 %
2005	1 016	3	0.3 %	1 013	99.7 %
2004	1 002	3	0.3 %	999	99.7 %
2003	1 315	0	0 %	1.315	100 %

## Outcome of petitions

2017

Outcome of petitions	Number	%
Admissible and Closed	372	29.2
Admissible and Open	393	31.0
Inadmissible	495	39.0
Withdrawn	11	0.8
Sent to EC for opinion	466	32.8
Sent for opinion to other bodies	38	2.7
Sent for information to other bodies	916	64.6

2016

Outcome of petitions	Number	%
Admissible and Closed	582	37.1
Admissible and Open	528	33.7
Inadmissible	450	28.7
Withdrawn	9	0.5
Sent to EC for opinion	676	46.3
Sent for opinion to other bodies	39	2.7
Sent for information to other bodies	746	51.1

In 2017, 39 % of the petitions received were declared inadmissible, compared to almost 29 % in 2016. The statistics show a clear difference in the decision taken by members of the Committee on Petitions between the years 2016 and 2017. In 2017, 29.2 % of admissible petitions, compared to 37.1 % in 2016, were closed at early stage of the procedure after the petitioner received information on the matters raised or after being referred to the Parliamentary committee(s) responsible for the matter. On the other hand, while in 2016, almost half of the admissible petitions were sent to the European Commission for opinion, in 2017, less than one third were treated the same way. The number of petitions sent to other bodies for opinion state



the same. Almost two thirds of the admissible petitions from 2017 were sent to other bodies for information, which is an increase of more than 10 percentage points.

### Number of petitions by country

The following two tables illustrate in total and in percentage terms changes of petitions by country from 2016 to 2017. The eight countries mostly concerned by petitions remained the same, but the order changed. There was an increase in the proportion of petitions with Spain as country concerned by 5.2 percentage points. There were also some changes in the bottom of the list. While in 2016, Luxembourg, Slovenia and Latvia were the least countries concerned; in 2017, it was Finland, Estonia and Luxembourg.

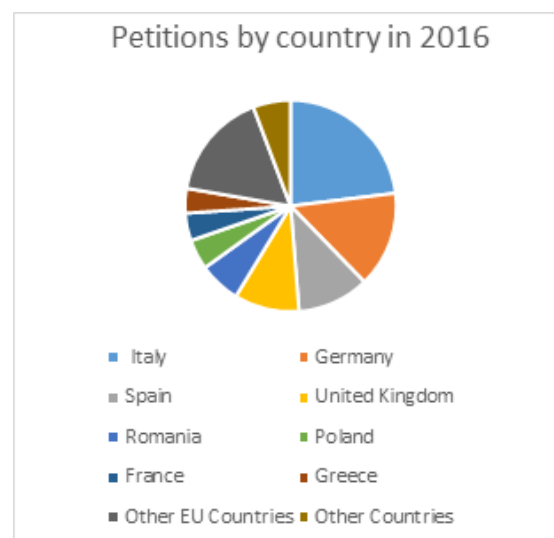
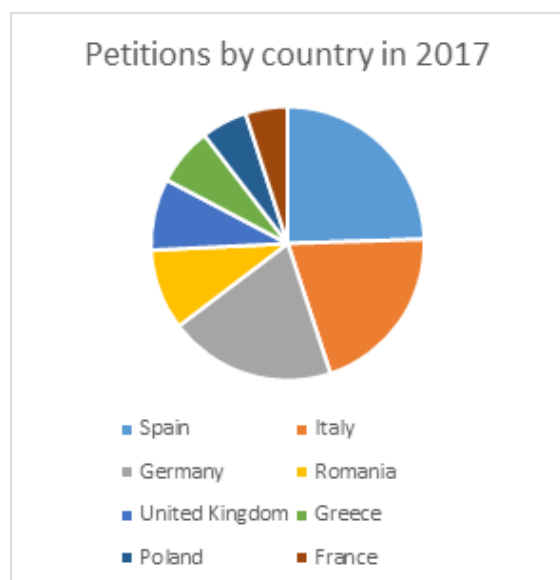
The proportion of petitions that concerned non-EU countries remained at the same level.

2017

Concerned Country	Petitions	%
Spain	211	13.4
Italy	176	11.2
Germany	170	10.8
Romania	82	5.2
United Kingdom	73	4.6
Greece	59	3.7
Poland	47	3.0
France	43	2.7
Other EU countries	203	12.9
Other countries	66	4.2

2016

Concerned Country	Petitions	%
Italy	329	17.1
Germany	209	10.9
Spain	157	8.2
United Kingdom	142	7.4
Romania	91	4.7
Poland	66	3.4
France	60	3.1
Greece	54	2.8
Other EU Countries	236	12.4
Other Countries	82	4.3



## Languages of petitions

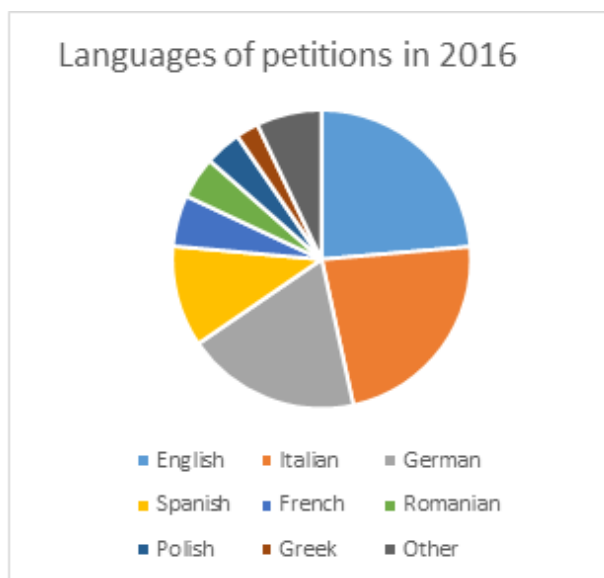
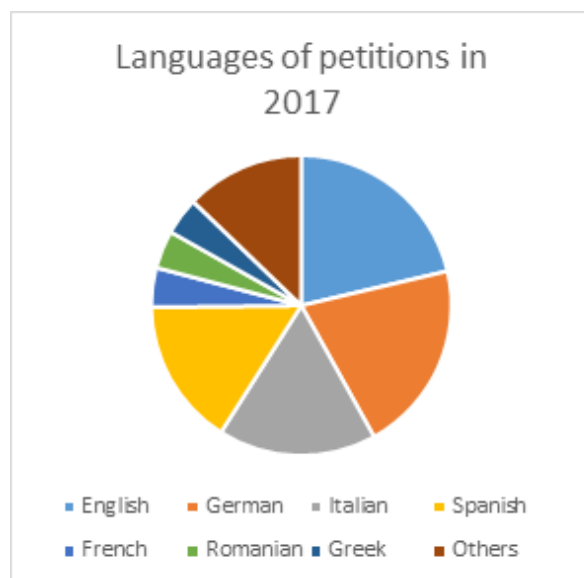
In 2017, as in the previous year, petitions were submitted in 22 of the official languages of the European Union. English was the most used language. English, German, Italian and Spanish languages accounted for almost three quarters (74.8 %) of the petitions received. Finnish, Slovenian and Estonian were the least used languages in 2017 while in 2016 it were all three Baltic languages.

2017

Petition Language	Number of petitions	%
English	271	21.3
German	262	20.6
Italian	217	17.1
Spanish	201	15.8
French	54	4.2
Romanian	52	4.1
Greek	51	4.0
Others	163	12.8

2016

Petition Language	Number of petitions	%
English	371	23.6
Italian	360	22.9
German	296	18.9
Spanish	172	11.0
French	87	5.5
Romanian	71	4.5
Polish	62	4.0
Greek	39	2.5
Other	111	7.1



## Nationality of petitioners

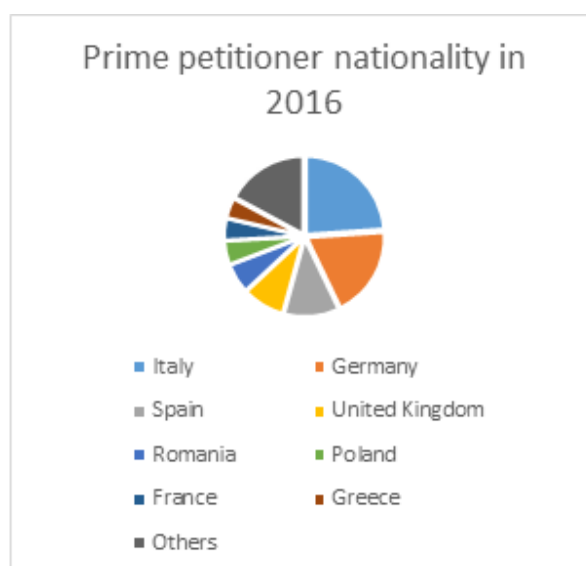
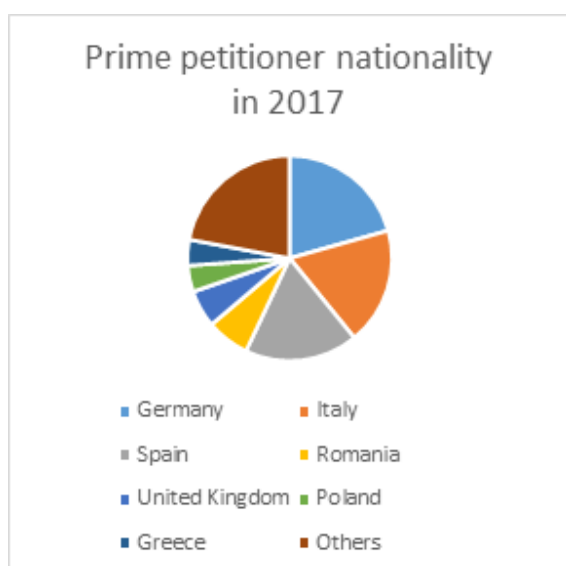
As regards nationality, the biggest increases from 2016 to 2017 can be seen in the number of petitions from Spain (plus 6.5 percentage points). By contrast, the number of petitioners from Italy and the United Kingdom decreased by (Italy minus 5.5 percentage points, UK minus 3.0 percentage points).

2017

Prime petitioner nationality	Number of petitions	%
Germany	264	20.6
Italy	236	18.4
Spain	229	17.9
Romania	87	6.8
United Kingdom	75	5.8
Poland	53	4.1
Greece	52	4.0
Others	282	22.0

2016

Prime petitioner nationality	Number of petitions	%
Italy	376	23.9
Germany	298	18.9
Spain	180	11.4
United Kingdom	138	8.8
Romania	97	6.2
Poland	77	4.9
France	71	4.5
Greece	66	4.2
Others	270	17.2



### Main subjects of petitions

Environmental issues were the main area of concern for petitioners in 2017 (increase by 3.8 percentage points) followed by Fundamental Rights and Justice that stayed more or less the same in percentage points. Petitions on internal market issues decreased by 5 percentage points.

2017

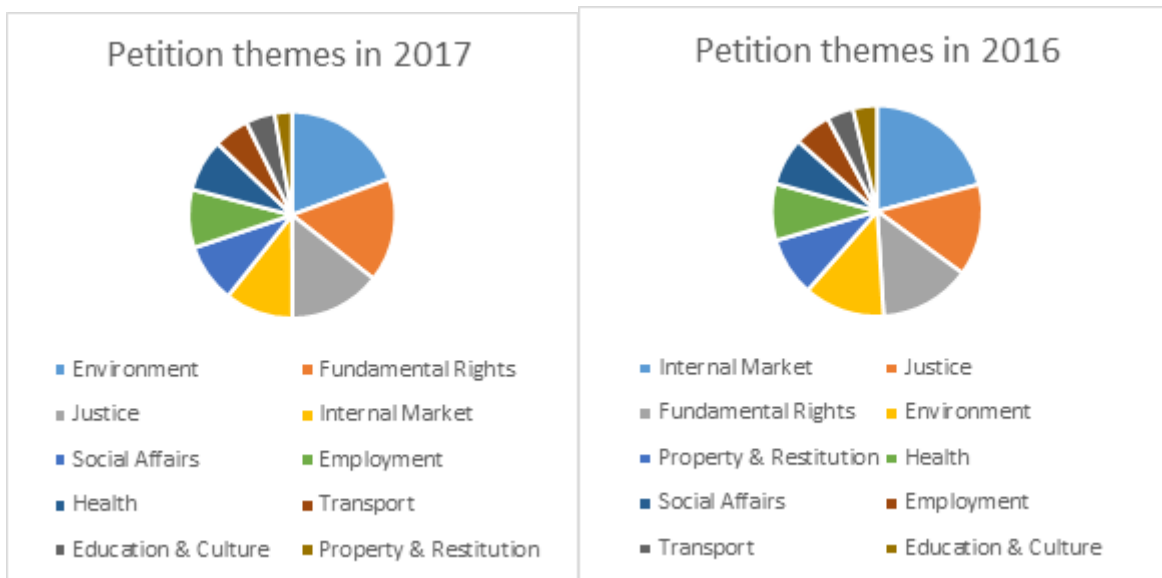
Petition themes	Number of petitions	%
Environment	199	10.0
Fundamental Rights	167	8.4

2016

Petition themes	Number of petitions	%
Internal Market	266	10.5

Justice	148	7.4
Internal Market	110	5.5
Social Affairs	95	4.8
Employment	94	4.7
Health	84	4.2
Transport	57	2.9
Education & Culture	47	2.4
Property & Restitution	28	1.4

Justice	179	7.1
Fundamental Rights	178	7.0
Environment	158	6.2
Property & Restitution	115	4.5
Health	111	4.4
Social Affairs	93	3.7
Employment	72	2.8
Transport	52	2.0
Education & Culture	47	1.9



### Petitions web portal

The Petitions web portal, established at the end of 2014, was further developed making it more user-friendly for both. Search functions have been improved. Since the end of 2017, documents such as meeting agendas, minutes and Commission communications related to petitions are being automatically uploaded. Hence, these documents become publicly available and increase transparency of the committee’s work.

### Relations with the Commission

The Commission remains the natural partner of the Committee on Petitions in processing petitions as the responsible EU institution for ensuring the application of and compliance with EU law. It can be confirmed that the relevant services of both institutions have established good working relations in the recent years. Although timeliness of responses by the Commission on petitions have been improved (three to four months on average), the committee sees the need for further progress of Commission replies. The committee iterates its request for regular updates on developments in infringement proceedings and for timely access to relevant Commission documents on infringements and EU pilot procedures that relate to existing petitions.

As part of the annual cycle of the structured dialogue first First Vice-President Timmermans, the Commissioner responsible for Inter-Institutional Relations, the Rule of Law, the Charter of Fundamental Rights and Better Regulation, attended a detailed exchange of views in the committee meeting on 25 April 2017. In the meeting, the Vice-President confirmed that petitions gave feedback to the Commission on citizens’ expectations and on remaining challenges. The committee reiterated its request on the Commission to identify means to enhance cooperation with Member States authorities.

On 28 November 2017, in a joint meeting of the Committee on Petitions with the Committee on Constitutional Affairs, First Vice- President Timmermans presented the new proposal for a

regulation on the Citizen`s initiative.

### **Relations with the Council**

The Committee on Petitions notes that the Council Secretariat is present in its committee meetings. However, the committee would welcome a more active cooperation with regard to unblocking those petitions where cooperation with Member States would make all the difference. Nevertheless, the committee notes the efforts by several Member States to actively contribute to the discussion on respective petitions in committee meetings.

### **Relations with the European Ombudsman**

The Committee on Petitions enjoys very good working relations with the office of the European Ombudsman. The Ombudsman, Emily O`Reilly, presented her Annual Report 2016 in the committee`s meeting on 30 May 2017.

The European Ombudsman gave an opening speech at the public hearing on 22 June 2017 on *Restoring citizens` confidence and trust in the European project*.

The European Ombudsman is, as is the Committee on Petitions, one of the members of the EU framework for the UN Convention on the Rights of Persons with Disabilities. Regular framework meetings are attended by both, the Committee on Petitions and the European Ombudsman`s office and contribute to a good working relation on disability issues. A representative actively participated in the discussion on *The international and European context: the UNCRPD and the EU* in the workshop on disability issues taking place at the committee meeting on 12 October 2017.

### **Fact-finding visits**

The Committee on Petitions has carried out four fact-finding visits in 2017.

- On 20 and 21 February 2017, a delegation of the Committee on Petitions went to Stockholm (Sweden) following the reception of several petitions on the difficulties faced by EU citizens wishing to live in Sweden for more than a few weeks to get a personal identification number. The delegation met representatives of the different ministerial services involved in the decisions contested by the petitioners.
- On 22 and 23 May 2017, a fact-finding visit to Madrid (Spain) took place in order to investigate several petitions on babies allegedly stolen at birth in hospitals in the country during and after the Franco dictatorship.
- From 17 to 19 July 2017 the fact- finding visit to Taranto (Italy), originally planned in 2016 but cancelled, took place. The delegation visited Europe`s largest steelworks, a refinery, and the site of the planned extension of the oil jetty. The purpose of the mission was to provide a follow-up to a series of petitions concerning heavy air-, soil, and water pollution. Among the petitions treated at the fact-finding visit very old petitions, dating back to the years 2007 and 2012.

- From 20 to 22 September 2017, the Committee on Petitions went to a fact-finding visit to Larnaca (Cyprus). The purpose of the visit was to provide a follow-up to a series of petitions by local residents concerning environmental and health concerns due to the creation of an industrial port in Larnaca and consequences of its operation to the broader area.

## Public Hearings

In 2017, the Committee on Petitions organised six public hearings, partly jointly with other parliamentary committees. The public hearings covered a wide range of subjects raised in petitions.

- On 4 May 2017, the Committee on Petitions organised a public hearing on *Fighting against discrimination of EU citizens in the Member States and protecting minorities* was organised. The Committee has received an important number of petitions alleging the violation of the citizens' right to equality and non-discrimination as stated in the EU Charter of Fundamental Rights. In the Charter, Article 21 plays a strategic role, as the principle of equality before the law would be inadequate to achieve its objective without the complementary principles of non-discrimination included in this article. In this context, the hearing aimed to deepen some aspects of discrimination addressed by Article 21, such as language, membership of a national minority and sexual orientation.
- On 11 May 2017, a joint public hearing took place by the committee together with the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Employment and Social Affairs on the *Situation and rights of EU citizens in the UK*. The hearing dealt inter alia with immense concerns of citizens expressed in petitions with regard to EU citizenship rights such as the right to free movement and access to the labour market after UK's withdrawal from the European Union.
- On 22 June 2017, the Committee on Petitions organised a hearing on *Restoring citizens' confidence and trust in the European project*. The purpose of the hearing was to shed light on current attitudes of EU citizens to the European Project, in the aftermath of the Brexit referendum and other political changes across the Union witnessed over the last year. Participants invited proposed ways of restoring and increasing civic trust in European integration in the long term.
- On 29 June 2017, a joint public hearing with the Committee on Civil Liberties, Justice and Home Affairs was held on the issue of *Statelessness*.
- On 20 November 2017, the Committee on Petitions participated as associated committee at a public hearing organised by the Committee on the Environment, Public Health and Food Safety on the *European Citizens' Initiative: "Ban Glyphosate and Protect People and the Environment from Toxic Pesticides"*.
- On 22 November 2017, the committee organised a public hearing on *Protection of the rights of workers in temporary or precarious employment, based on petitions received*. The Committee on Petitions has received a significant number of petitions signalling concerns of citizens employed on temporary basis or in precarious conditions. This hearing offered an

opportunity to reflect in a better way on the complexity of employment types and to clarify the situation of different categories of workers.

## Key issues

- *Disability issues*

The Committee on Petitions plays a broad protection role as regards compliance with the UN Convention on the Rights for Persons with Disabilities within the policymaking and legislative actions at EU-level. Within this responsibility, the committee deals with a number of petitions on disability issues. The number of submitted petitions on disability issues decreased by 0.5 percentage points from 0.7 % in 2016 to 0.2 % in 2017. Petitions show that main challenges for persons with disabilities are access to transport and the built environment and discrimination, in particular in employment. The committee held a workshop on *The Protection of the Rights of Persons with Disabilities* in the committee meeting on 12 October 2017. Two studies on disability were commissioned, the study *Inclusive education for learners with disabilities*, and the study *The protection role of the Committee on Petitions in the context of the Implementation of the UN Convention on the rights of persons with disabilities- Update 2017*.

- *Brexit*

The Committee on Petitions discussed the impact of Brexit on Citizen Rights raised in petitions at several occasions. The Committee participated in the joint public hearing on 11 May 2017. In the meeting on 21 June 2017, two studies on *The impact of Brexit in relation to the right to petition and on the competences, responsibilities and activities of the Committee on Petitions* and on *First phase priorities for the Brexit negotiations: Citizens' rights* were presented. Subsequently, a large number of petitions related to the impact of the referendum on several Citizen Rights and on the future development of the EU were discussed. As a follow-up of the meeting, the Committee sent a letter to the UK government highlighting the difficulties that the EU citizens face in the question of residency, including information on petitions received on the matter. The Committee on Petitions also contributed to various Parliament's resolutions on Brexit.

- *Environmental issues*

Environmental issues were the main area of concern for petitioners in 2017. Petitions on environmental issues were discussed in at least five of the committee meetings in 2017, very often in the presence of the petitioner. Subjects of discussion were the impact of mining activities on the environment, waste management, and water- und air pollution.

- *Animal welfare*

On 23 March 2017, the committee presented a study *Animal Welfare in the European Union*



and discussed a series of petitions related to animal welfare. As a follow-up, the Commission was asked for harmonisation efforts in the field.

## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	21.11.2018
<b>Result of final vote</b>	+: 25 -: 3 0: 0
<b>Members present for the final vote</b>	Margrete Auken, Beatriz Becerra Basterrechea, Andrea Cozzolino, Pál Csáky, Miriam Dalli, Rosa Estaràs Ferragut, Eleonora Evi, Takis Hadjigeorgiou, Peter Jahr, Rikke-Louise Karlsson, Svetoslav Hristov Malinov, Lukas Mandl, Notis Marias, Ana Miranda, Marlene Mizzi, Gabriele Preuß, Eleni Theoharous, Cecilia Wikström
<b>Substitutes present for the final vote</b>	Urszula Krupa, Kostadinka Kuneva, Demetris Papadakis, Julia Pitera, Igor Šoltes, Ángela Vallina, Rainer Wieland
<b>Substitutes under Rule 200(2) present for the final vote</b>	Asim Ademov, Rosa D'Amato, Adam Szejnfeld, Mihai Țurcanu

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

25	+
ALDE	Beatriz Becerra Basterrechea, Cecilia Wikström
EFDD	Eleonora Evi, Rosa D'Amato
GUE/NGL	Takis Hadjigeorgiou, Kostadinka Kuneva, Ángela Vallina
NI	Rikke-Louise Karlsson
PPE	Asim Ademov, Pál Csáky, Rosa Estaràs Ferragut, Peter Jahr; Svetoslav Hristov Malinov, Lukas Mandl Adam Szejnfeld, Mihai Țurcanu, Rainer Wieland
S&D	Andrea Cozzolino, Miriam Dalli, Marlene Mizzi, Demetris Papadakis, Gabriele Preuß
VERTS/ALE	Margrete Auken, Ana Miranda, Igor Šoltes

3	-
ECR	Urszula Krupa, Notis Marias, Eleni Theocharous

0	0

**Key to symbols:**

+ : in favour

- : against

0 : abstention