

EUROPEAN PARLIAMENT

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2009

Committee on Petitions

2008/2063(INI)

29.5.2008

OPINION

of the Committee on Petitions

for the Committee on Constitutional Affairs

on Parliament's new role and responsibilities implementing the Treaty of
Lisbon
(2008/2063(INI))

Draftsman (*): Carlos Carnero González

(*) Procedure with associated committees - Rule 47 of the Rules of Procedure

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SUGGESTIONS

The Committee on Petitions calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Emphasises that, in addition to the significant institutional improvements contained within the new treaties, there are distinct advantages for EU citizens resulting from the reinforcement of democratic oversight and control of the Union's policies, on the one hand, and the enhancement of the rights of EU citizens, on the other;
2. Draws attention to the fact that the petitions process, retained in the new Treaty, provides an important facility enabling the people of Europe to become actively involved – either individually or through voluntary associations – with the development of the Union; points out that such involvement can include drawing Parliament's attention to situations where Member States are not properly implementing EU law, alerting Parliament to weaknesses in existing EU legislation, and protesting about possible failures to respect the fundamental rights of EU citizens or residents of the Union;
3. Underlines the role and responsibilities of the Petitions Committee in this respect and the importance of obtaining the full and effective cooperation of all EU institutions and bodies, and of all Member States and regional and local authorities, in providing a response and a solution to the concerns of EU citizens, in the spirit of the Lisbon Treaty;
4. Notes the new opportunities afforded to EU citizens under Article 11 of the Treaty on European Union, as amended by the Lisbon Treaty, regarding the so-called "citizens' initiative", which allows not less than one million citizens drawn from several Member States to invite the Commission to draw up a new legislative act required for the purpose of implementing the Treaties;
5. Resolves to ensure that the regulation to be adopted for the implementation of the "citizens' initiative" lays down clear, simple and user-friendly conditions for the exercise of this citizens' right; considers that the Committee on Petitions should be closely involved in citizens' initiatives and could act as a platform for promoting individual initiatives and the initiative right itself, whilst recognising that the Commission is the sole addressee of citizens' initiatives; considers that mechanisms should be provided for in the implementing regulation enabling Parliament to adopt a position on, and if appropriate champion, such initiatives;
6. Notes that it is already open to citizens to request in a petition that Parliament exercise its right under Article 192 of the EC Treaty to call for a legislative initiative and that nothing would prevent citizens, if they chose to do so, from addressing the same call for an European act both to the European Commission, as a citizens' initiative, and to the European Parliament, as a petition;
7. Considers that Parliament needs to examine how it could devise appropriate procedures for following and supporting citizens' initiatives, and believes that the Committee on Petitions, which already has broad experience of working with citizens on issues of concern to them, should play a key role in such procedures;

8. Welcomes the proclamation of the Charter of Fundamental Rights and the recognition of the rights, freedoms and principles set out in it for all EU citizens, notably the various rights pertaining to life, human dignity, equality, justice, liberty and private property; is resolved to clarify with the other institutions that the direct applicability of the Charter as regards actions by the Member States is not unduly restricted by a wide interpretation of the limitations laid down in this respect in the horizontal articles of the Charter, notably Article 51 thereof, which requires the Member States to apply the Charter only when they are implementing EU law;
9. Notes that the reinforced status of the Charter of Fundamental Rights, as well as the broadening of the scope of the activities which may be the subject of infringement proceedings, notably in the field of justice and home affairs, will have a direct effect on the work of the Committee on Petitions when that Committee is exercising parliamentary control on behalf of citizens;
10. Notes that the introduction in Article 298 of the TFEU of a legal basis for good administration and the adoption of regulations implementing that article will answer a long-standing call by the European Ombudsman and the European Parliament for a common system of administrative law governing the European administration, and calls for the Committee on Petitions to be fully involved in the procedure for the adoption of the regulations in question.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	27.5.2008
Result of final vote	+: 23 -: 1 0: 2
Members present for the final vote	Sir Robert Atkins, Margrete Auken, Inés Ayala Sender, Victor Boştinaru, Michael Cashman, Alexandra Dobolyi, Lidia Joanna Geringer de Oedenberg, David Hammerstein, Marian Harkin, Carlos José Iturgaiz Angulo, Lasse Lehtinen, Marcin Libicki, Miguel Angel Martínez Martínez, Manolis Mavrommatis, Willy Meyer Pleite, Marie Panayotopoulos-Cassiotou, Frank Vanhecke, Diana Wallis, Rainer Wieland
Substitute(s) present for the final vote	Marie-Hélène Descamps, Henrik Lax, Grażyna Staniszevska, Margie Sudre
Substitute(s) under Rule 178(2) present for the final vote	Christopher Beazley, Tunne Kelam, Vytautas Landsbergis