

The newsletter of the PETITION Committee at the European Parliament



CHAIRMAN'S INTRODUCTION

During the May meeting of the **Petitions Committee** we will welcome the **European Ombudsman**, Mr. **Diamandouros**, for the presentation of his **Annual Report 2010**. The Petitions Committee works in tight collaboration with the Offices of the Ombudsman: they both play the fundamental role of linkage between the European citizens and the Institutions. While our Committee's duty is to receive any request, complaint or observation concerning the application of EU law, the European Ombudsman investigates alleged cases of maladministration by the institutions and bodies of the **European Union**.

A deep assessment of the activity of our Committee will also take place in the occasion of the consideration of the draft **Annual Report 2010**, prepared by **Willy Meyer** MEP, in which both a statistical and analytical evaluation of the use of the right of petition by European citizens is expected. The **MEPs** will also be called to adopt two important **opinions**. The first one is addressed to the employment and social affairs committee and concerns the **mobility and inclusion of people with disabilities**.



The Committee on Petitions' Chair: Ms. Erminia Mazzoni

"It is time for Europe to adopt the 'Anti-discrimination' directive"

During the past years we have often been dealing with petitions concerning this delicate issue and in autumn 2010 a wide discussion on this took place, during which a specific reference to the "**Anti-discrimination Directive**" was made. It has been blocked for several years at the **European Council** and for this I addressed an official letter to the **Spanish Presidency** on behalf of the Committee.

The other opinion that will be voted concerns the **27th Report** on the application of **Community law 2009**: petitions play a key role for the assessment of the application of EU law in the member states. A revision of the infringement procedure mechanism appears in my opinion necessary, in order to make it more efficient and less bureaucratic and therefore more in line with the concerns expressed by the European citizens, who are the final addressee of EU law.

Erminia Mazzoni

THE PULSE

The petitions process, which permits and encourages the involvement of **European citizens** and residents in the work of the **Parliament**, is one which requires time and continuity. The multilingual environment and the need for all members to be made aware of incoming petitions, whatever the country of origin, imposes specific tasks on the Committee secretariat and on the translation services of the institution in order that members receive the summary of each petition in a language they understand. This analysis and processing period, which follows the registration of a petition, can take about two months.



Head of Petitions' Committee secretariat: David Lowe

On this basis members are able to take a decision on the admissibility of petitions received. The full text of **all petitions** and accompanying documents in their original version are housed in the Committee's data-base, obviously called **ePeti**, to which Committee members and their assistants have direct access. By their nature, petitions are varied in their substance and their **complexity**, and this conditions to a large extent the amount of time which is needed to respond specifically to **petitioners' concerns**. Petitioners are nevertheless informed by letter at each stage of the procedure.

The time taken to deal with a petition from its registration until closure therefore can vary from about six months to more than one year, and the secretariat does its best to ensure that cases are managed efficiently and as quickly as possible. Many petitions however require further assessment and may be debated several times in Committee before they reach a conclusion. When **infringement** proceedings are decided upon by the **Commission**, related to individual petitions, this can extend the closure date of a petition by **several years**. The Committee will then assess the extent to which the infringement procedure has responded to the concerns expressed by European citizens.

David Lowe

Download contents of **lecture** at New York State University (**SUNY**) Conference:

"The challenge of European Citizenship - Empowerment & Participation" 📄 (<http://bit.ly/jl2vRT>)

About the Committee's Activities

The Committee on Petitions is an investigative committee, not a legislative committee; it tries to ensure non-judicial remedies are possible for citizens when their claims are substantiated. It can organise fact-finding visits and report to plenary thus playing a vital role in reconnecting with European citizens and in reinforcing the democratic legitimacy and accountability of the EU decision-making process. The right to petition, contained in the Treaty on European Union, is a fundamental right inextricably linked to its citizenship. It is an important and often effective way for people to be directly involved in the Parliament's activity and to have their concerns, proposals or complaints specifically addressed by the Committee members (M.E.P.s).

The Committee often responds to petitions from EU citizens by working to resolve possible infringements of citizens' rights under the Treaty and by cooperating with national, regional and local authorities on issues related to the application of European laws on such subjects as the environment, social affairs, human rights, freedom of movement and so on. The Petition Committee (often amicably referred to as PETI Committee) besides being responsible for the Petitions does also liaise with the office of the European Ombudsman, currently Mr. P. Nikiforos Diamandouros, based in Strasbourg.

This newsletter, and its sister web-site, is where you will find updated contacts and current information about the work and activities of the Committee.

Next Committee's Meeting

The Petition Committee's **next** meetings will take place on:

Monday, 23 May, 15h00 - 18h30
Tuesday, 24 May, 9h00 - 12h30

Both meetings will be held in room **P4B001** (4th Floor) of the "Paul-Henri Spaak" (PHS) building.

Highlights from the April Meeting

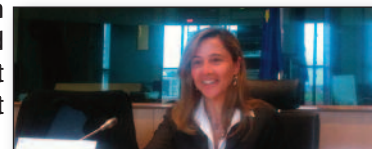


a view of the room of the meeting - P4B001

The **Committee on Petitions** met on **April 13 and 14** to discuss the many petitions on the agenda while, in turn, raising sensitive issues and stimulating much debate. The meeting started with the Chairwoman addressing the fellow-members of the Committee to both update them on last-minute adaptations of the agenda and officially **approve** the minutes of the previous meeting (**March 15-16 2011**). After these first points on the Agenda, the Committee moved right along and started debating the first petition of the evening. Starting with this issue the secretariat will adopt the same macro-categorization used within the **Agenda of the Meeting** itself. As a matter of fact, there might be instances where eventual exceptions might be granted but, mostly, the **secretariat** and the **Presidency of the Committee** (with the much needed imprimatur of the **Coordinators** of the political groups) allow for the agenda to flow in a rather logical way thus permitting some sort of theme-categorization which will be reflected in our newsletter as well.

FUNDAMENTAL RIGHTS

Petition 1594/2010 (point **5** on the **Agenda of the Meeting**) on maintaining crucifixes in Italian schools proved a very poignant one to start with. It was not the first time this petition had the floor but it was on the Agenda due to the fact that the **Court of Human Rights** in **Strasbourg** had reversed the one's own ruling from 2009 when stating that crucifixes are acceptable in the continent's state school classrooms, describing them as an "essentially passive symbol" with no obvious religious influence. The court found that while the crucifix remains "above all a religious symbol" there was no evidence that its display on classroom walls might have an influence on pupils. The ruling of the Court went therefore acknowledged and the petition was closed on the basis of it.



Committee's Chairwoman: Ms. Mazzoni

The following petition (point **6** on the **Agenda**), 901/2008 by David Skinner, on behalf of the Christian Business Owners Interest Association touched upon the **fundamental right to "freedom of non-association"**. In practical terms Mr. Skinner stated that some members of the "**Swedish Christian Union of Business Owners**" are being threatened and intimidated because they decline to subscribe to collective agreements by the Swedish trade unions. The debate moved from the agreed consideration that one of Europe's fundamental rights is the freedom of association which would seem to imply a correlative right to the "freedom of non-association". At the end of the lively discussion, introduced by the petitioner himself, the **Committee** considered it fitting to plan on an Oral-Question (**OQ**), to investigate the matter further, although the details and the final decision, will be discussed by the Coordinators at the next meeting.

In a nutshell

Speakers: Ms. **Mazzoni**, Mr. **Helmer**, Ms. **Auken**, Mr. **Jahr**, Mr. **McMillan-Scott**
Responsible Administrator: Mr. **Heezen**
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REPORTS AND OPINIONS

Under the heading "Reports and Opinions", the secretariat files all the activities related to both the finalization of the Committee's own annual-reports and the Opinions requested to the **PETI Committee** by other **Committees**. Point **7** on the **Agenda of the Meeting** dealt with the **2010 Annual Report** on the **activity** of the **Committee on Petitions**. The discussion is at the "3rd exchange of views" stage and a timetable to vote on it by July was agreed upon.

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Highlights ... continued

In a nutshell

Speakers: Ms. Mazzoni, Mr. Meyer, Mr. McMillan-Scott, Mr. Jahr
Rapporteur: Mr. Meyer
Responsible Administrator: Ms. Lecocq-Perez
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ENVIRONMENT

The following points (8 and 9 on the **Agenda**) dealt with two **Opinions**. The Opinion on **Mobility and inclusion of people with disabilities** found Mr. Chichester, who is also the Rapporteur, pondering upon the disadvantaged life of the disabled citizens and why, and how, is the duty of the EU, and more in general of people with no disabilities, to ease the life of the disadvantaged ones. The **Opinion on the Application of the Community Law** referenced the relevant role of the Committee on Petitions and stated clearly that while, on principle, it would primarily be the duty of Member States' judicial systems to act on infringements of EU law, it would be refreshing for the citizens to rely on clear and transparent rules on infringement procedures. The PETI Committee also welcomed the JURI Committee's decision to include one of our files, petition 1028/2009, in the program of the Working group it has set up on Article 298 of the TFEU. For both Opinions, the **Adoption in Committee** is scheduled for **May 24, 2011**.

In a nutshell

Speakers: Ms. Mazzoni, Mr Chichester, Ms Auken
Rapporteur: Mr. Chichester (point 8 of Agenda)
Responsible Administrator: Ms. Chioti
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Speakers: Ms. Mazzoni, Ms. Auken, Ms. Bănescu
Rapporteur: Ms. Auken (point 9 of Agenda)
Responsible Administrator: Mr. Mussa
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Environmental-based petitions are still, by and large, one of the areas where there seems to be endless room, and solid grounds if you pardon the pun, for complaints. Petition **1110/2008** by **Mrs. Mary O'Leary**, **1296/2008** by **Ms. Josephine Mary Mackey** and **1037/2010** by **Ms. Amy Cullen** were supported by **M.E.P. Sean Kelly** (all of them being discussed as the **point 12** on the **Agenda**) dealt with proper application and enforcement of EU law in the Cork area in **Ireland**. After a heartfelt testimony by both the petitioners and Mr. Kelly himself, the Committee, largely empathetic to the issue, decided on the **petition** to remain **open**. The actions taken would be to address a letter to the Irish government urging it to act, in order to cease the grievances, and for the **European Commission** to report on progress on the matter within an agreed timeframe of three months.



l to r: Mrs. O'Leary, Ms. Mackey, Mr. Kelly

In a nutshell

Speakers: Ms. Mazzoni, Mr. Kelly, Ms. McCarthy, Mr. Boștinaru, Ms. Auken, Mr. Higgins, Ms. Harkin
Responsible Administrator: Ms. Leffler-Roth
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Point 13 of the **Agenda of the Meeting** also dealt with Irish-based environmental issues (petitions **872/2010**, **883/2010** and **902/2010**) and the discussion saw once again the **Irish M.E.P. Mr. Kelly**, step in to offer his informed points of view on the matters at hand, to the esteemed colleagues on the **Committee**. Another **Irish M.E.P. Mr. Jim Higgins** joined the discussion to witness the sense of urgency of the issue at hand. The decision reached was to keep the petitions open while writing a letter to the **local Irish authorities** and to the **Irish Permanent Representative** asking what measures were being taken to remedy the denounced situation. Also, a letter would be addressed to the **Irish Ombudsman** requesting an investigation into possible maladministration by the local authorities in the building permit procedure.



M.E.P. Mr. Jim Higgins

Highlights ... continued

At the end of the first day of meetings the **Coordinators** of the political groups went “*in camera*” for their meeting while the discussion of the remaining points on the agenda, just as originally planned, was adjourned to the following morning.

FISHERIES

The committee reconvened on **April 14, 2011** at **9am**. The President, Ms. Mazzoni, due to conflicting schedules left the chair for the seating to **Ms. Chrysoula Paliadeli** and before moving right ahead to the many others environmental petitions on the agenda, the Committee dealt carefully with an issue (point **16** on the **Agenda of the Meeting**) that, besides being environmental at large, tackled the delicate area of fishing and fisheries. Mr. Sandro Mizzi, from Malta, in his petition **773/2009** on behalf of the **Harpoon Fishing Association** voiced the problem of a small, albeit significant nonetheless, enclave of fishermen that earn theirs, and their families, livelihood through a practice, harpoon fishing, that under certain conditions was banned by EU law. Mr. **Busuttil**, Mr. **Jahr** and Ms. **Werthmann** all seemed to understand the rationale of the directive and agreed with it on principle, however it was also considered, by the Committee, that keeping the petition open and waiting for further information from the **European Commission**, especially with regard to possible **alternatives** to solve the matter, would be the most effective route to take in the interest of the petitioner.

In a nutshell

Speakers: Ms. **Paliadeli**, Mr. **Busuttil**, Mr. **Jahr**, Ms. **Werthmann**
Responsible Administrator: Ms. **Leffler-Roth**

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ENVIRONMENT

With petition **980/07**, point **17** on the **Agenda of the meeting**, the focus shifted to the deep north when **Mr. Torkild Todsén** on behalf of the citizens group “Borgergruppen” illustrated to the Committee the details about a **motorway project** between Kiplev and Sønderborg in **Denmark**. The presentation proved interesting and although the **European Commission** representative stated that, as far as they knew, the project had been pursued in accordance with existing EU legislation, the Committee decided it would be wise to keep the petition open while receiving further information/investigation by the European Commission to make sure that all the proper steps/actions had been taken.



Mr. Torkild Todsén

In a nutshell

Speakers: Ms. **Paliadeli**, Ms. **Auken**, Mr. **Meyer**
Responsible Administrator: Ms. **Chioti**

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Points **18**, **19**, **20** and **21** of the **Agenda** dealt collectively with 6 different petitions (**1057/09**, **1182/09**, **972/08**, **655/10**, **907/09**, **166/06**) focusing on **Spain** and ensuing alleged breaches of EU legislation and funding. The debates were lively and required, in most cases, a further in-depth exchange of views on the single cases, most notably on the petition **166/06** in regards to the “Picos de Europa” wildlife park. The Committee was able to reach a consensus on most of them and decided thus to keep the petitions open and to request more information/investigation to the European Commission. Petition **655/10**, however, on the basis of the inquiries made, and information obtained, was declared **closed**.

In a nutshell

Rapporteur: Ms. **Paliadeli**, Mr. **Meyer**, Mr. **Jahr**, Ms. **Auken**, Mr. **Cashman**
Responsible Administrator: Ms. **Lecocq-Perez**

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Highlights ... continued

Examining petition 159/10, point # 22 on the **Agenda**, considering the problems faced by many home-owners in Spain, proved to be **emotionally** disturbing for many members of the Committee. The petitioner played a **YouTube** (<http://bit.ly/mbAYZ7>) video-contribution to the members and it showed EU citizens facing what, sometimes, seems to be the irrational way in which governments react to problems. The ensuing debate was intense and filled with interesting problem-solving oriented points of view. After hearing the representative of the European Commission and following up on its conclusions and those of the petitioner, the Committee agreed to keep the petition open. The option of an Oral Question with debate and the possibility of tabling a budget amendment with a view to withholding funds was also waved but it was decided to leave such a decision to the **Coordinators** in one of their upcoming meetings.



l to r: Ms. Helen Prior, Ms. Maura Hillen

In a nutshell

Speakers: Ms. Paliadeli, Ms. Andreasen, Mr. Helmer, Mr. Cashman, Ms. Auken, Mr. Jahr, Mr. Meyer, Mr. Busuttil, Ms. Harkin, Mr. Chichester, Ms. Muñoz De Urquiza

Responsible Administrator: Mr. Lecocq-Perez

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The last points of the day (points 23, 24, 25 and 26 on the **Agenda** of the Meeting that can be downloaded [here](#)) were all discussed and the Committee decided to keep them open, with the **notable exception of point 25**, which dealt with the petitions 495/06 by **Mr. Chris Andrews**, on a planned waste-incinerator to be built on the Poolbeg peninsula in Dublin Bay, and 1453/07 by **Mr. Damien F. Cassidy** on real-estate developments at Dublin Bay. The other petitions (450/04 about a planned dam in Portugal on the river Sabor, 1706/09 on the construction of a hotel near Malaga in Spain and 117/10 on the delicate issue animal welfare issue regarding stray cats in Greece) were all considered in need of further information by the European Commission which by the way, on petition 1706/09, had even initiated **infringement proceedings**.



Mr. Damien F. Cassidy

In a nutshell

Speakers: Ms. Paliadeli, Mr. Meyer, Ms. Auken

Responsible Administrator: Ms. Chioti (points 23 and 26), Ms. Lecocq-Perez (24), Ms. Leffler-Roth (25)

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The Committee ended its April meeting by discussing the Secretariat's proposals to close a number of petitions in the light of the EU Commission's written reply and/or other documents received. All of the proposals were approved except points # 28, 29, 30, 33, 38, 49 and 93 (the **Agenda** of the meeting can be downloaded [here](#)) which will be kept open for further enquiry.

Schedule of Meetings 2011

Monday, 24 January, 15h00 - 18h30

Tuesday, 25 January, 9h00 - 12h30

Tuesday, 1st February, 9h00 - 18h30

Tuesday, 15 March, 15h00 - 18h30

Wednesday, 16 March, 9h00 - 12h30

Wednesday, 13 April, 15h00 - 18h30

Thursday, 14 April, 9h00 - 12h30

Monday, 23 May, 15h00 - 18h30

Tuesday, 24 May, 9h00 - 12h30

Tuesday, 14 June, 15h00 - 18h30

Wednesday, 15 June, 9h00 - 12h00



Tuesday, 12 July, 15h00 - 18h30

Wednesday, 13 July, 9h00 - 12h30

Thursday, 8 September, 15h00 - 18h30

Monday, 3 October, 15h00 - 18h30

Tuesday, 4 October, 9h00 - 12h30

Tuesday, 4 October, 15h00 - 18h30

Monday, 21 November, 15h00 - 18h30

Tuesday, 22 November, 9h00 - 12h30

Tuesday, 20 December, 9h00 - 12h30

Tuesday, 20 December, 15h00 - 18h30



Mr. Victor Boștinăru entered officially the European Parliament in December 2007 and has been reelected in 2009 from his native Romania. He is an outstanding member of the S&D political group (Socialists & Democrats) and his experiences both as a former member of the Romanian National Parliament and of the European Parliament gave way to his appointment as the Coordinator for the S&D group within the Committee. He always seems to have an answer capable of diffusing tension and creating consensus, especially with the other top-notch coordinators that sit with him on this very delicate, consensus-building mission. The Secretariat took the occasion to ask Mr. Boștinăru a few questions and true to his character the following Q&A proved very interesting to the secretariat and it is hoped it will shed some interesting light for our readers too.

PETI: How do you regard the right to petition and how well do you think is being interpreted by the European Parliament?

M.E.P. Boștinăru: I salute the creation of this newsletter which I am sure, will further improve the communication of our Committee with the citizens. The right to petition the European Parliament is a very important one for the citizens but it is also an important tool to gauge the public for us - M.E.P.s and the Institution in general. I realize though that this fundamental European right is not as well known and used as it should be. Even though the number of petitions received is significant and it is highly increasing from year to year, thus showing the success of our Committee's work, the percentage of inadmissible petitions remains high, pointing out that there is still a lack of knowledge about this right. I also need to say that the EU has somehow failed in communicating effectively with the European citizens, piquing their interest and earning their trust: the last European elections were indeed a



Mr. Victor Boștinăru

record low. We are reproached for what is perceived as a lack of transparency and a certain distance. Yet, the right to petition is allowing European Citizens to address us directly and it is allowing us, as their representatives, to have a better view and understanding of the impact of our decisions, our policy making, and of the European legislation on their everyday life and to possibly correct our mistakes. In the Committee on Petitions, we have the petitioners coming to Brussels, in front of us, and exchanging views with the Members of the European Parliament. It is an experience that probably, and I say it humbly, every politician should have more often!

PETI: Have you participated in any fact-finding visit (FFV)? And if so what are the main lessons learned from your experience?

M.E.P. Boștinăru: Yes, I have been, the last one in Huelva, Spain, and I think this is an excellent instrument for our committee to see the reality of some allegations, to collect more information from the different actors involved but also to put some pressure on authorities to remediate the situation.

PETI: Often the object of the petitions stems from local original governments' behavior that is questioned by local citizens' groups. What would you think could be done to improve local-governments' compliance to a correct application of EU Law?

M.E.P. Boștinăru: Even if sometimes we do not have the necessary instruments to directly oblige the Member States to take immediate action, at least less than the European Commission, we have the political and moral authority to put pressure on Member States, and very often also in close cooperation with the European Commission. So, pressure from our side and more immediate action and sanctions coming from the EC.

PETI: Is there anything you would do to expand the scope, and powers, of the PETI Committee?

M.E.P. Boștinăru: I think I already began to answer on this in my first question but ... Yes, considering the originality and the importance of our Committee for the European Citizens a more important role within the parliament and a closer cooperation with the legislative Committees would be beneficial.

PETI: What do you think are the best features of the PETI Committee's activities?

M.E.P. Boștinăru: The debates taking place in our Committee, on a petition or a group of petitions, involving often the relevant actors, European Commission, National Authorities and the petitioners, are already very visible and with national impact thus important, but we can also draft a report on it and send it to be debated in the plenary, we can even organise hearings on very relevant issues.

Domnul Victor Bostinaru a fost ales ca Membru al Parlamentului European în decembrie 2007 ca europarlamentar român și reales în 2009. Este un membru marcant al Grupului Socialiștilor și Democraților iar experiența lui ca deputat al Parlamentului României și al Parlamentului European a contribuit la numirea lui ca Coordonator S&D în Comisia de petiții. A avut întotdeauna un răspuns pentru a aplatiza tensiunile și a crea consensus printre membri socialiști și împreună cu ceilalți coordonatori în întreaga Comisie. Secretariatul a profitat de această ocazie pentru a adresa Domnului Bostinaru câteva întrebări. Această serie de întrebări - răspunsuri s-au dovedit foarte interesante pentru secretariat și sperăm că și pentru cititorii noștri.

PETI: *Cum apreciați dreptul de petiționare și cât de bine este pus în practică de către Parlamentul European?*

M.E.P. Boștinăru: Crearea acestui newsletter este lăudabilă și sunt sigur că va îmbunătăți, încă o dată, comunicarea Comisiei noastre cu cetățenii. Dreptul la petiționare către Parlamentul European este foarte important atât pentru cetățeni dar și pentru noi, ca un instrument pentru membrii Parlamentului European și Parlamentul European ca atare. Constat totuși că acest drept european nu este atât de bine cunoscut precum ar trebui să fie. Cu toate acestea, numărul petițiilor primite este semnificativ și crește de la an la an, fapt care demonstrează succesul Comisiei, procentajul petițiilor care nu pot fi declarate admisibile rămâne însă foarte mare, atrăgând atenția că există în continuare o lipsă de cunoaștere în ceea ce privește folosirea acestui drept. De asemenea, pot spune că astăzi, Uniunea Europeană a eșuat cumva în a comunica cu cetățenii europeni și a le capta interesul și încrederea: alegerile europene au înregistrat un record prin prezență scăzută și putem reproșa o lipsă de transparență și a o anumită distanțare. Cu toate acestea, dreptul la petiție permite cetățenilor europeni să se adreseze în mod direct și ne permite nouă, ca reprezentanți ai lor, să avem o perspectivă mai largă și o înțelegere mai bună a impactului pe care deciziile noastre, politicile și legislația europeană pe care o adoptăm le au asupra vieții lor de zi cu zi. De asemenea, ne dă posibilitate să corectăm eventualele erori. În Comisia de Petiții avem petiționari care vin aici, în fața noastră și schimbă puncte de vedere cu Membrii Parlamentului European. Este o experiență pe care orice politician ar trebui să o aibă mai des.



Mr. Victor Boștinăru

PETI: *Ați participat într-o misiune de documentare? Dacă da, care sunt lecțiile principale învățate din această experiență?*

M.E.P. Boștinăru: Da, am participat, ultima fiind în Huelva, Spania și cred că este un instrument excelent prin care Comisia noastră poate discerne realitatea în cazul unor acuzații, poate obține mai multe informații de la diferiții actori implicați dar poate și exercita presiune asupra autorităților pentru remedierea situației.

PETI: *Cel mai adesea obiectul unei petiții pornește de la comportamentul guvernelor locale și de la nevoia de a remedia acest aspect. Ce credeți că ar trebui făcut în vederea îmbunătățirii conformării guvernelor locale la normele Uniunii Europene?*

M.E.P. Boștinăru: Chiar dacă uneori nu avem instrumentele necesare să impunem în mod direct o măsură unui stat membru, astfel încât acesta să ia o acțiune imediată, cel puțin nu așa cum are Comisia Europeană, avem autoritatea politică și morală să exercităm presiune asupra statelor membre, de cele mai multe ori în cooperare cu Comisia Europeană. Astfel, cred că presiunea din partea noastră, acțiunile și sancțiunile venite din partea Comisiei Europene sunt răspunsul la această întrebare.

PETI: *Există ceva ce ați dori să faceți pentru a extinde domeniul de aplicare și puterile Comisiei PETI?*

M.E.P. Boștinăru: Cred că răspunsul la această întrebare poate fi regăsit și în celelalte răspunsuri dar, luând în considerare originalitatea și importanța Comisiei pentru cetățenii europeni, un rol mai important în Parlament și o cooperare mai strânsă cu celelalte Comisii legislative ar putea aduce mai multe beneficii.

PETI: *Care credeți că sunt cele mai bune caracteristici ale activității Comisiei PETI?*

M.E.P. Boștinăru: Dezbaterile care au loc în Comisia noastră, asupra unei petiții sau a unui grup de petiții, care privesc de cele mai multe ori actori relevanți ca autorități naționale, Comisia Europeană și petiționarii, au căpătat deja vizibilitate și impact național, fiind așadar foarte importante. De asemenea, putem oricând să elaborăm un raport pe care să-l supunem dezbaterii din plen, putem chiar să organizăm audieri pe chestiuni foarte relevante.

PETI of Ages

T rue to its word, the voyage through the ages starts with a little **etymology** of the word that puts everything in motion: **P-E-T-I-T-I-O-N**. The word, both a noun and a verb, originates from the latin verb - petere - which literally means "to seek", "to beseech", "to plea". It can immediately be argued that while nowadays the request would be addressed in a more, or less, formal fashion to a public officer, back when the word originated it meant addressing a formal request, lamentation or plea to the Emperor himself (both in ancient Roman times and in middle-age England).

Let's not get carried away and skip important **milestones** though. This month the focus of the narrative will dwell on "**Classical antiquity**". In ancient times, the very first documented occurrences of the word "petition" are to be found in the **Bible** and quite significantly in the "Old Testament", the moral and religious building block of many faiths. The word "petition" was used to translate the Hebrew she'elah (Ps 20:5, mish'alah), from the common verb sha'al - "to ask" - the Aramaic ba'u (Dan 6:7,13) and the Greek aitema (1 Jn 5:15), all of them bearing the meaning of a plea. Given this very noble heritage which shows an innate habit to petition God himself, through more or less fixed formulas (eg: prayers, lamentations and so forth) it is understandable how the right to petition landed in the civil systems of many a country and proceeded through the ages maintaining certain characterizing aspects.

Another important aspect brought forward as a result of the researches at the core of this column is that even though **democracy**, as we contemporary citizens have come to know and define it, was very far in time, all the forms of government, except the odd one every now and then, would provide for some kind of **right to petition**, maybe very much left at the officer's will but potentially there to help people's voice to be heard and to make no distinction between small and great, rich and poor. In **ancient Egypt** (ca. 3200 BC) the authorities viewed men and women, including people from all social classes except slaves, as essentially equal under the law, and even the lowliest peasant was entitled to petition the **Vizier** - the equivalent of a Prime Minister to the Pharaoh - and his court for redress.

On this note the column adjourns itself to the next issue and hopes to prove informative, entertaining and even slightly amusing, if we can say so, in order to invite the reader to turn on his curiosity about the right to petition and its rich and ancient heritage. If you are a "petition" **scholar** or are very passionate about this fundamental right and want to contribute to our **newsletter**, please contact us via email at:

peti-secretariat@europarl.europa.eu

Here, There and Everywhere: the right to "Petition" around the globe

T he idea to **survey** the right to petition, and the way it is exercised **around the world**, nowadays has certainly proved to be a daunting task. We are not able to unveil, just yet, the results of our own on-going researches both in the European Union and around the world. This month, therefore, the column will provide us with just a general view of the main ways in which petitions are treated and we will try to focus on our own EU-area for starters.

As the secretariat moved forward into this **stimulating** research it became self-evident that one of the first attributes that needed to be spelled out about this fundamental right and the way it is granted around the world is that governments usually sort their petition systems around **one** very **delicate** and structural **choice**: to create a Petitions Committee (or structure) in charge of dealing with the citizen's complaints or to route the complaints to the appropriate branch/office without creating any dedicated unit.

In an ideal world both approaches would be right but the secretariat, being partial to the way the Petition Committee has been set up within the EU Parliament, cannot help but thinking that a dedicated unit might, in the end, prove more beneficial to the citizens' interests. However, it should be noted, it is entirely to the system to make any of these two approaches work and there is no hard evidence that one is better than the other.

As a footnote to this column the secretariat would like to share with you a piece of information published by the **Irish Times** on April 13, 2011. There, it is stated that the **Irish government** pledges to establish a system "similar to that operating in the European Parliament", to be managed by a **Dáil Committee** that will investigate and report on petitions which raise issues warranting attention". We are not so vain but it is nice to be singled out a "**good practice**" for a change.

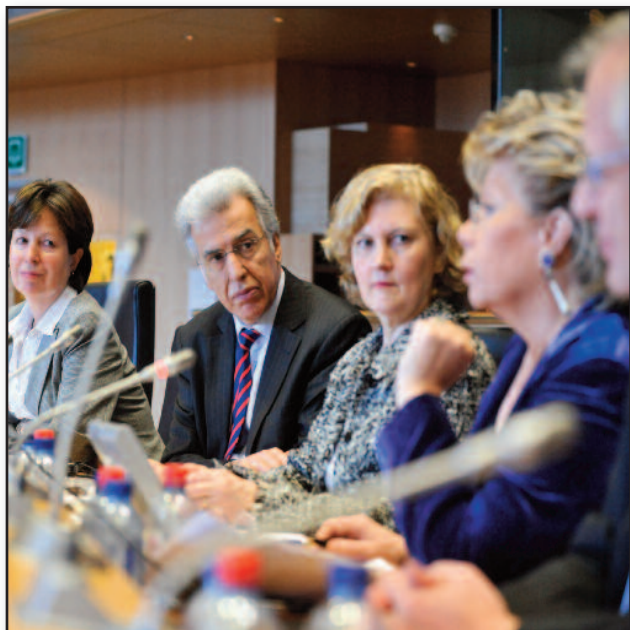
Out and About: what goes on at the European Parliament



a general view of the meeting's panel

Ombudsman, hosted a meeting about what we consider, humbly, a very relevant theme. It is over a year that the "**Lisbon Treaty**" came into force and what was on the Ombudsman mind, which by the way it is very similar to what is on the Committee on Petitions' mind, is whether the Lisbon Treaty has in fact delivered for citizens, the proverbial "man-in-the-street". Let us not forget that the Treaty was widely praised as "**The citizens' Treaty**" because it provided for more citizen participation, an enhanced dialogue between the EU and civil society organisations, and increased rights, such as the new right to good administration. But has the Lisbon Treaty really delivered on its promises? What concrete improvements has the Lisbon Treaty brought for citizens? What mistakes, if any, have been made? And what remains to be done?

It is this secretariat's belief that such a meeting would have been interesting in more ways that one could care to enumerate but with a keynote speaker such as Mr. **Van Rompuy** - President of the European Council - and an engaging panel featuring the **European Ombudsman** himself, the Vice-President of the European Commission - **Viviane Reding** -, the Vice-President of the European Parliament - **Diana Wallis** - and the Head of the European Policy Centre - **Hans Martens** there was virtually no chance to experience a dull moment. **PETI Journal** was there and would like to report to our readers the most significant passages. The meeting



l to r: Ms. Wallis, Mr. Diamandouros, Ms. ghfgfr, Ms. Reding, Mr. Martens



l to r: Ms. Wallis, Mr. Van Rompuy, Ms. Diamandouros

was initiated by the European Ombudsman, P. N. **Diamandouros**, who cited the first results of a survey concerning citizens' rights which was commissioned by the European Ombudsman and the European Parliament. According to the survey, **72%** of the respondents **did not feel well informed** about the **Charter of Fundamental Rights**, and **13%** had never even heard of it. In the Ombudsman's view, this lack of knowledge is disconcerting, especially given that the Charter is the key instrument developed by the Union to protect and promote citizens' rights. However, in the Ombudsman's view, a lot remains to be done before the Union and its citizens can reap the full benefit of many of these provisions, particularly those concerning increased transparency and a stronger involvement of civil society. He stated that the Ombudsman's office, together with the other EU institutions and the European Network of Ombudsmen, need to step up their efforts to in order to inform citizens better and to help them make use of their rights.

President **Van Rompuy**, addressed the meeting soon after and stressed that **post-Lisbon Europe** is facing **severe challenges**, including questions about the future of the Euro, the need for a common response to the

Out and About ... continued

issue of nuclear safety, and the implications for the EU of the events in North Africa. However, he wryly noted, he believes that the Lisbon Treaty gives the EU a stronger capacity to act, not only in foreign policy issues, but also as regards more efficient decision-making but this increased efficiency calls for much greater legitimacy. In his view, the main improvements as regards legitimacy include the enhanced powers of the European Parliament, a stronger involvement of national parliaments and greater transparency concerning the work of the EU institutions. The **Vice-President** of the European Commission, **Viviane Reding**, stressed that, following the introduction of the Lisbon Treaty, the Commission already undertook a number of



Ms. Diana Wallis

measures to put "citizens at the heart of Europe". She gave a list of concrete examples, such as EU-wide rules for international marriages and divorces, cross-border shopping, and medical advice. She also underlined the importance of the one-stop shop "Your Europe" to explain citizens' rights. Ever the engaging speaker Ms. Reding made sure to stress again **three** key concepts. **First** that the Charter of Fundamental Rights, contrarily to widespread belief, is limited in its application by the wording of art. 51. **Secondly** that 2013 will indeed be the year of the citizen and the EU institutions have to get ready to celebrate it effectively, and **thirdly**, stressing the need for better communication, that "only the right that the citizen know is a right that can be enforced".

The **Vice-President** of the European Parliament, **Diana Wallis**, in a manner that **PETI Journal** considered very clear and effective, praised the European Citizens' Initiative (ECI) as the first instrument of direct democracy. She expressed her hope that the ECI would create a "virtuous cycle of political involvement". Ms. Wallis **underlined** the

strengthened **powers** of the **European Parliament** as legislator, thanks to the Lisbon Treaty, but did not spare exhortations about "**putting words into action**" as when she delivered her "**driving-car allegory**" to explain the role of the institutions that are driving a car where the citizens sit right next to the driver and are giving feedback and indications on where to go. The citizens cannot quite take the steering wheel out of the driver's hands but are increasingly holding him/her accountable if the driving is sub-par and does not take into considerations the real needs of the real people. She insisted that the Parliament, while doing comparatively good in terms of transparency and citizens' involvement, still needs to develop greater transparency in this respect. Earning the bona-fide trust of the citizens, she stressed, is the only way to afford us the right to have a dialogue with the european citizens that would allow us to explain the inevitable delusions that pave the road to reforms and more participative democracy.

The **Head** of the **European Policy Centre**, Hans **Martens**, warned that the EU has a tendency to "oversell the Treaties to the people". He praised the introduction of the ECI, but highlighted that other topics would set the discussions of the future, such as the shrinking welfare states and the demographic developments in the EU. He warned that the main danger for Europe comes from an increased nationalism in the Member States. We considered the whole meeting very interesting and we certainly hope that more public hearings and moments like this will accompany the long and winding road to the year of the citizen and to a more thorough application of the principles and intentions of the legislators behind the Treaty of Lisbon.

“only a right that the citizen know is a right that can be enforced”

About this publication

The on-going efforts, at the Secretariat of the Petition (PETI) Committee and, more in general, at the European Parliament, head towards one single goal, that is both its mission and its vision: to serve the people of Europe effectively and respectfully. This new communication tool that you hold in your hands is fully serving its mission if it will allow for two-way conversation. The **PETI Journal** is intended for both on-line and off-line fruition. The secretariat tried hard to maintain the same characteristics but in order to avoid very lengthy and hard-to-remember links all of the external websites references are intended in an on-line, click-through, fashion. As a general thumbrule, external links and documents are generally highlighted either by the presence of a discreet icon or through an underlining of the keywords/sentence.

If you picked up, or subscribed to, this newsletter it is because you want to know **PETI's** activities better. The Secretariat would like to get to know you better too. Yes indeed, you can petition the Parliament **ONLY** complying with the procedures described on our web-site and, let us be clear about this, **petitions** can be officially considered as such only if they are submitted through the *appropriate means*. However, that does not mean that a dialogue with the readers would hurt. On the contrary the Secretariat believes that the more the dialogue, the better it is for the Union, our Union.

Let the **PETI** Secretariat know who you are, where you are, what piques your interests and what you consider it might be an useful addition to the editorial content. The Secretariat cannot promise it will abide but will certainly consider the best suggestions.

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