

The newsletter of the Committee on Petitions of the European Parliament



CHAIRMAN'S INTRODUCTION

It is with much **pleasure** that I launch from these very pages a **Seminar** which will take place in **Brussels** on **October 6**, on **European Parliament** premises, that will foster **discussions**, hopefully gathering **best-practices** about the **Charter of Fundamental Rights of the European Union**. The **European Commission** and the **Committee on Petitions** of the European Parliament have **joined forces** to make this a **resonating** event focussing on the European **citizens** and their **fundamental rights**, two years after the entry into force of the **Lisbon Treaty** which, as you already know, by incorporating the **Charter**, made it legally binding on most Member States.



The Committee on Petitions' Chair: Ms. Erminia Mazzoni

From that moment on, the **expectations** of the European **citizen** have considerably **risen** and with it the sheer number of **petitions** appealing the Charter. However, the citizens at times have met the **boundaries** of the Charter's application, as Art. 51 limits the application of the Charter to the Member-states only in regards to **EU laws**, therefore providing what it is perceived as a way out by the individual **Member States**.

A fallacious consideration of EU's powers and sphere of action is **detri-mental** to the **aims** this Committee, and the European Union as a whole, **strives** to achieve and it is a **clear** and present **danger** that we need to **deflect** by providing more, and **better, information** about the **Char-ter**, its application and its **potential**. It needs to be done, and to be done now,

to **avoid** a slip in the **confidence** and faith that our **citizens** vest in us.

It is mandatory, it is our thought, that the **European Union** make a further **ef-fort**, a step beyond if you will, to provide our citizens with clear and **effective** information on the **procedures** to be followed, how to properly **appeal** them and to whom. To address these **questions** and to provide the citizen with the **right tools** and with a forum to voice and share **experiences** and best-practices, on October 6 2011, I have personally invited **scholars**, eminent **jurists** and **NGOs**; representatives of the **civil society**, of the European **Ombudsman** and of the European **Court of Justice** (ECJ).

It will be with much **honor**, then, that I will be representing the **experience** of the **Petitions Committee** side-by-side with Ms. Viviane **Reding** - European **Commissioner** for **Fundamental Rights** and **Vice-President** of the **European Commission** - to contribute, foster and gather meaningful information to **empower** the European **citizen**.

"it is a clear and present danger that we need to deflect by providing more, and better, information about the Charter"

Erminia Mazzoni

IN THIS ISSUE

NOTES FROM THE CHAIRMAN (by Ms. Erminia Mazzoni)	_____ page 1
THE PULSE (by Mr. David Lowe)	_____ page 3
ABOUT THE COMMITTEE's ACTIVITIES	_____ page 3
NEXT COMMITTEE's MEETING	_____ page 4
HIGHLIGHTS FROM THE JULY MEETING	_____ page 4
HIGHLIGHTS FROM THE SEPTEMBER MEETING	_____ page 9
MEET THE M.E.P.s (this month Q&A with Ms. Margrete Auken)	_____ page 10
PART AND PARCEL	_____ page 12
SCHEDULE OF MEETINGS - 2011	_____ page 12
OUT AND ABOUT: what goes on at the European Parliament	_____ page 13
ABOUT THIS PUBLICATION	_____ page 15

Around the Corner

The secretariat certainly could **not** stand accused of **resting** on its own **laurels**. With every issue, it tries to offer something **new**, to push the envelope, to spice things up. Not for its own sake but for the sake of our **readers**, the rise of which makes us strive to **foster** more relevant **information** to render this tool **useful**, if not indispensable. One thing, amongst others, noticed during our **editorial meetings** was that being a **monthly** magazine with a deadline tied to an event (**Committee Meetings**) not necessarily respecting a 30-day interval, made us unable to **highlight**, suggest and advocate certain **events** that needed more **press-coverage** and a little push. We are attempting to remediate through this **column** which is hoped to be the bulletin-board through which alert our readership on what the secretariat considers **upcoming**, engaging and relevant. After all, you are our "**circle of trust**". Are you not?

It is with much **pleasure**, then, that we start off this appointment by suggesting you and your partners/significant others and relevant interested parties to consider **registering** for a "**Seminar on the handling of complaints on fundamental rights**" jointly organized by the European **Commission** and the **Committee on Petitions** of the European Parliament. Yes, that is us! The **web-site** to register and get further **details** is **www.seminar-fundamental-rights.net** and the secretariat thinks that the **programme** is highly engaging, thought-provoking and **forward-looking** enough to warrant your **visit**. It is known that thanks to the wonders of technology, this newsletter reaches **faraway** corners that cannot necessarily make it to **Bruxelles** for every interesting **seminar**/conference around. In that case you need to worry not as in our effort to try and always be there for the **needs** of the **citizen**, everything will be **web-streamed**, minus the walking lunch that is, through the above mentioned web-site, thus being able to fully enjoy it from the **comfort** of your favorite armchair.

Viviane Reding, Vice-President of the European Commission and **Erminia Mazzoni**, Chairman of the Committee on Petitions will **co-host** this event and introduce the **Seminar** which aims at exploring how complaints on **fundamental rights** are handled at **EU** and **Member State** level; while identifying best practices in this field and examining at ways to improve cooperation between responsible authorities and institutions, both at EU- and the national-level.

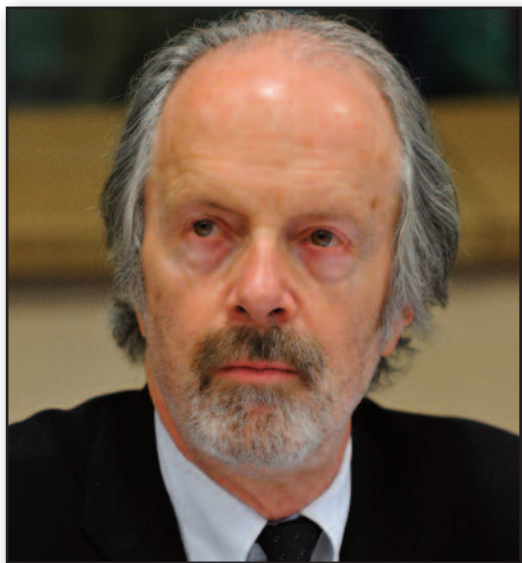
We will see you there, then ... and do not forget about our **Facebook** and **Twitter** page (soon also on **Google+**)!

 **Download** (<http://bit.ly/nxrDci>)

"Commission's 2010 Annual Report on the application of the EU Charter of Fundamental Rights"

THE PULSE

A new system of **committees** has been established by the **Irish Parliament** as part of the **Oireachtas Reform**, which is designed to strengthen them and bring more focus to the areas they cover. Figuring prominently among them is the **Oireachtas Committee on Investigation, Oversight and Petitions**, which has now been constituted and which is in the process of establishing its working methods and powers, some of which will be dependent on the results of a nationwide referendum scheduled for **October 27th**, the same day as the Presidential election.



Head of Petitions' Committee secretariat: David Lowe

The new committee has **twenty** members, **fifteen** from the lower House, the **Dáil**, and **five** from the **Senate**, and is chaired by **Peadar Tóibín**, TD. The parliamentary reforms take on more significance at a time when **Irish** people, and their **institutions**, are faced with unprecedented **challenges**, and as their economy shows signs of gradual improvement it is evident that the **task** of this new petitions committee will be to ensure that the **Irish people** are better able to **participate** in the new political process.

The precise **contours** of the new committee are being prepared at the moment and **consultations** are being organised with other parliaments, including the **European Parliament**, in order that the Irish deputies might better define their procedures and working methods. Peadar **Tóibín** has said the following: “*We have been*

given an ambitious task to chart a course for a petitions system in the Houses of the Oireachtas. ... This is an historic opportunity. For the first time through the petitions process, members of the public will be able to take their policy concerns directly to the heart of the Oireachtas...”

We wish them well and we look forward to **cooperating** with them in the very near **future**. The **more** national parliaments that are seen to be actively **responding** to the concerns of their **citizens**, the **better**; the **more** that **citizens** and **associations** use such **petitions processes**, the **less** likely will be their **alienation** from political **decision-making**.

Everybody wins.

David Lowe

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 besides being in charge of the Petitions has also responsibilities for organizing the election of the **European Ombudsman** and for reviewing and debating his Annual Report and Special Reports. The **European Ombudsman**, currently **Mr. P. Nikiforos Diamandouros**, is based in **Strasbourg** and is responsible for dealing with **complaints** and **maladministration**.

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 Committee on Petitions' **next** meetings will take place on:

Monday, 3 October, 15h00 - 18h30

Tuesday, 4 October, 09h00 - 12h30 and 15h00 - 18h30

The meetings will be held in room **ASP A3G3** (3rd Floor) of the "**Altiero SPinelli**" (**ASP**) building.

Highlights from the July Meeting



a view of the meeting room in the Paul-Henri Spaak building

The July's meeting of the Committee on Petitions was as intense as a **summer heatwave**. *Comme d'habitude*, it could be said, and some of the **issues** raised were indeed highly sensitive and needed a thorough **scrutiny** in order for the members to take educated decisions on the best way to **tackle** them. July 12 and 13 were the days when the **Committee on Petitions** reconvened in the **Paul-Henri Spaak (PHS)** building, in Brussels, to weigh on the **Agenda of the Meeting**. The **President** of the Petitions' **Committee** - Ms. Erminia **Mazzoni** - sent her apologies but due to a concurrent meeting of an Italian Ministerial Delegation that required her presence, she would not be able to sit in the chair until around 4pm. The meeting was then opened by **Vice-President** of the Committee, Ms. Ágnes **Hankiss**. She introduced the two main dossiers of the first day of the Committee's works; a presentation of the **Study on Waste Management in Europe** (which will be the subject of our monthly column "**Out and About**" on page 11) that would be illustrated by the authors, and the meaningful and perfectly timed discussion about the **budget cuts** on the **European Schools** and their alleged consequences on teaching programs and their operativity. About some of the dossiers that would be touched upon on the following day, Wednesday July 13, Ms. Hankiss announced that before the voting of the Committee on the **lotova Report** and the **Koch-Mehrin Opinion**, a brief exchange would take place following a specific request of Ms. **Auken**. The Chair then continued to announce that Ms. lotova, rapporteur of the report, could not be in attendance and would be represented by Ms. Kinga **Göncz**, and that an oral report on the recent Fact-finding visit (**FFV**) to Bulgaria would be introduced by Ms. Margrete **Auken**, whom, quite serendipitously, is the Coordinator that will be featured in our monthly "**Meet the MEP**" column, and Mr. Victor **Boştinaru**. The approval of the **minutes of the previous meeting (June 2011)** took place without changes and the Committee turned its attention to the first petition.



l to r: Head of Unit Mr. David Lowe and Ms. Erminia Mazzoni, Honorable President of the PETI Committee

ENVIRONMENT



l to r: Ms. Chambron, Mr. Mora, Mr. Premoli

The first point (**#5**) on the **Agenda of the Meeting** was filed under the environment heading, as it dealt with petition **387/2008** - by Ms. **Verlingieri** - an Italian national. The request voiced the petitioner's concern about the **conservation** of the historic **heritage** in the Italian provinces of **Salerno**, **Avellino** and **Benevento**. Ms. Verlingieri provided comprehensive documentation outlining a number of historic sites, particularly **Castello Pignatelli**, and raised doubts about the proper handling of demolition-work resulting in the **partial destruction** of cultural and historical heritages. Although the petitioner was not in attendance, her concerns were taken in the highest **consideration** and a lively discussion ensued. The **European Commission** had three representatives to articulate its point of view and Ms. Chambron (DG EAC), Mr. Premoli (DG REGIO) and Mr. Mora (DG AGRI) certainly spoke out in an assured fashion about the Commission's angle of the issue. However, Ms. **Auken**, ever the champion of the environment, stated her **perplexities** and hoped for a more nurturing **dialogue**. The Committee proceeded to keep the petition **open** while awaiting **further information** from the European Commission, especially regarding the environmental impact assessment (**EIA**), a key-point on these kind of issues and one that should carefully considered before projects are finalized.

In a nutshell

Speakers: Ms. **Hankiss**, Ms. **Auken**
Responsible Administrator: Mr. **Heezen**
[download the relevant files](#)

Highlights ... continued

Although the **Agenda of the meeting** stated that point 6 would be about the debate on European schools, a rearrangement of points 6 & 7 was put in place to allow Ms. Mazzoni to chair the sensitive discussion about the European School, an issue on the cusp of European budget and Education. Point #7 was **discussed** instead, of which more in our “**Out and About**” column, and the study about **Waste Management in Europe** was presented to the Assembly (**download** <http://bit.ly/qTxalh>). A group of **independent experts** was commissioned this study and were effectively coordinated by our colleagues from the **Policy Department**. The presentation of the study, engaging and refreshing in its unbiased and objective approach will certainly represent invaluable **food for thought** in view of the draft report on the same subject, due to be presented by Mr. **Iturgaiz Angulo** M.E.P. in the **September** meeting of the Petitions Committee. During the debate that followed the presentation, the **European Commission’s** representative was very **complimentary** of the study stating that it emphasized the important role of national judges and suggested that it might prove useful to further highlight the new Waste Framework Directive and how it should contribute to upgrading waste management systems in the European Union. **Members** too, were very **appreciative** and stressed the importance of improving public participation and enhancing **communication** between the **social actors** (authorities, operators and interested parties).



l to r: HoU David Lowe, Mr. Reisinger, Mr. Neubauer

In a nutshell

Speakers: Ms. Mazzoni, Mr. Iturgaiz Angulo, Ms. Auken, Mr. Jahr, Mr. Boulland
Responsible Administrator: Ms. Leffler-Roth [download the relevant files](#)

EDUCATION - EUROPEAN SCHOOLS

With Ms. **Mazzoni** back in the chair, the meeting surely - and without fracas - moved to tackle the delicate issue of the **European schools’** system; a theme that is sensible in more ways than one. **PETI Journal** looked at the debate with the usual, Mr. **Repplinger-Hach**, Vicepresident Parents d’Elèves de l’Ecole Eu of **APEEE Uccle**, Mr. **Sanchez Mar-ents**) and Ms. **Christmann rectors** of the European School) their **concerns** as the main sensible extensive and **thorough discussion** one that allowed all of the convened their doubts and propose **actions**. feel particularly happy about the re- sion’s representative made a direct result of the economic crisis take this into proper consideration. confirmed that they understood the **conjunctural situation** and they proposed to have their insider’s views known to



l to r: Ms. Repplinger-Hach, Mr. Choraine, Mr. Sanchez-Martinez

of **APEEE Woluwé** (Association des ropéenne), Mr. **Choraine** (President **tinez** (Vicepresident of **Interpar-** (Secretary General - **Board of Di-** which quietly but intensely voiced **themes** were laid on the table. An was held on this point and it was parties to express their **views**, raise Not that it enabled any one party to sults, as the European Commis- abundantly clear that the cuts were and any ulterior discussion should

The representatives of the petitioners

allow for a revision of the system that would not hinder either the provision of a **safe** and secure learning **environment** or the supply of **qualified** teaching **staff**. Petitions **353/2011** and **478/2011**, point **6** of the **Agenda**, also witnessed a bold and significative statement by Ms. Francesca **Balzani** M.E.P. - member of the **Budget Committee** of the European Parliament - whom explained the rationale followed by her fellow colleagues on the Budget discussion. Members of the **PETI** Committee stated their **views** and general doubts and fostered a meaningful **collaboration** with the Board of the European School. This kind of collaboration, it shall be added, is at the very heart of the mission of the Pe- titions Committee. The Assembly decided that the **petition** would be kept **open**



l to r: Mr. Choraine, Head of Unit Mr. David Lowe and Mr. Mussa

while awaiting a more thorough **reply** from the **European Commission** and, at the same time, keeping a keen eye on the matter at hand.

In a nutshell

Speakers: Ms. Balzani, Mr. Jahr, Mr. Iturgaiz Angulo, Ms. Werthmann, Ms. Mazzoni
Responsible Administrator: Mr. Mussa [download the relevant files](#)

On this **topical** issue, the **first day** of the Committee meeting **came to an end** and gave way to the **Coordinators** of the political groups that went “**in camera**” for their meeting while the **discussion** of the remaining points on the agenda, just as originally planned, would continue the **following morning**.

Highlights ... continued

The final day of the July meeting, reflected the usual fervor and good disposition of a Committee that at any given level (Presidency, Members and Secretariat) strives constantly to champion the European citizen and its really real everyday needs and worries. The Chairman, Ms. Erminia Mazzoni, started the meeting with the announcements about the decisions of the Coordinators' meeting of the previous evening and went into "voting time" right after that.

VOTING TIME

The points on the agenda (#10 and 11 of the Agenda) concerned the final Committee votes on both the Report on the European Ombudsman's 2010 Annual Report and the Opinion on the Budget guidelines 2012 - all sections - Ombudsman as modified by the Council. Both the Opinion and the Report were successfully and unanimously adopted by the Assembly and while expressing satisfaction for the work of the European Ombudsman - whose role is to investigate cases of maladministration in the EU institutions - they encourage him to continue defending strenuously the citizens' rights, with a particularly careful eye towards the right of access to documents. Members have in fact been stressing that the regulation on access to documents from EU Institutions has been in force for 10 years now and that the rationale behind it, is that openness should be the rule and secrecy the exception, though that is seldom the case. Ms. Kinga Göncz M.E.P. - subbing for colleague and main Rapporteur Ms. Iliana Malinova Iotova - took the floor to thank all the members for both their collaborative attitude and the constructive work which allowed for successful compromise amendments.

In a nutshell

Speakers: nihil
Rapporteur: Ms. Koch-Mehrin (point 10 of Agenda)
Responsible Administrator: Mr. Heezen
[download the relevant files](#)

Speakers: Ms. Göncz
Rapporteur: Ms. Iotova (point 11 of Agenda)
Responsible Administrator: Mr. Heezen
[download the relevant files](#)

FACT-FINDING VISIT

The debate about the Fact-finding visit (FFV) to Bulgaria (Point #12 on the Agenda of the meeting) was extremely beneficial to the Committee as it enabled for a true bipartisan spirit to engender the exchanges and, as it is often the case when real collaborative and constructive remarks hit the floor, it reinvigorated and pushed forward the collective scope of the Assembly, pursuing the highest interest of the European citizen that call on it for redress. The discussion was fertile and both Ms. Margrete Auken M.E.P. (President of the Committee Delegation to Bulgaria) and Mr. Boștinaru M.E.P. highlighted how difficult it is to manage a delegation on a FFV. They both pointed at the potential exploitation of their words and acts, by national political actors and hinted at the high level of cautiousness needed to successfully execute one such mission. The report on the Bulgaria visit and its high political factor was reprised, expanded upon and brilliantly summed by Ms. Mariya Nedelcheva M.E.P. in a heartfelt and targeted intervention that reached the whole political spectrum. So much so, that it warranted an intervention by Ms. Erminia Mazzoni, the President of the Committee, whom fully agreed with the analysis of her colleague and offered a much needed and well-placed moment of synthesis when she spurred all of her colleagues, honorable members of the European Parliament and of the Committee on Petitions, to put aside political quarrels and to always pursue, as it has always been the case, but with a renewed, rededicated tension, the higher mission to serve daily and in the most effective way the European citizens.

In a nutshell

Speakers: Ms. Mazzoni, Ms. Auken, Mr. Boștinaru, Ms. Nedelcheva, Mr. Jahr, Mr. Kirilov
Responsible Administrator: Mr. Heezen
[download the relevant files](#)

EU FUNDING

Points #13 and 14 of the Agenda dealt with the kind of "handle-with-care" petitions that the Committee, and its appointed members, tackle with the most dedicated attention as misuse of EU funds, either willingly or unwillingly, is one behavior the European Institutions and the member-states cannot allow, in the least, if the European spirit and the credibility of the Institutions themselves is to be preserved. Petition 1026/2010 was discussed in the presence of Mr. Valeri Petrov Stanchev on behalf of the petitioner himself: Mr. Radostin Roussev. Mr. Roussev complained about the way in which Bulgarian authorities, particularly local ones, administer the funds allocated to Bulgaria in the context of the Instrument for Structural Policies for Pre-Accession (ISPA). He therefore calls on the European Parliament to intervene with a view to ensuring that ISPA and other EU subsidies are administered in accordance with the rules. Due to a truly bipartisan approach and to the necessity to investigate the seemingly flagrant case of abuse the discussion featured a very inspired exchange between the honorables Mr. Boștinaru M.E.P., Ms. Nedelcheva M.E.P. and Mr. Kirilov M.E.P. The Committee decided to keep the petition open, to involve the OLAF and to wait on a written reply from the European Commission. The petitioner was also asked to provide further detailed information to substantiate the petition file.

In a nutshell

Speakers: Ms. Mazzoni, Mr. Boștinaru, Ms. Nedelcheva, Mr. Kirilov
Responsible Administrator: Ms. Chioti
[download the relevant files](#)

Highlights ... continued

Petition **0628/2010**, initiated by Mr. Ciprian **Dobre**, shifted the focus from Bulgaria to **Romania** and brought to the attention of the Assembly, the activities of the Payments Agency for the Development of Rural Activities and Fisheries (**APDRP**). Mr. Dobre argued that projects funded under **measure 3.2.2.a of Axis 3**, regarding “Village Renewal and development, improvement of basic services for the economy and rural population and conservation and upgrading of the rural heritage” were the object of an “**ex-post**” **modification** of the project grading system thus **tilting the playing fields**, allegedly, favoring certain projects over others. This, and several other serious **allegations**, is also the object of an **investigation** Mr. Dobre pursues in order to elucidate matters further. The Committee on Petitions, for its part, decided to keep the consideration of the petition **open** while awaiting further **information**, in writing, from the European Commission. A letter, it was also deliberated, would need to be sent to the **Permanent Representation** of Romania, asking for an official reply from the Romanian authorities before deciding any further action to be put in place.



Mr. Boștinăru

In a nutshell

Speakers: Ms. **Mazzoni**, Ms. **Bănescu**, Mr. **Boștinăru**
Responsible Administrator: Ms. **Sandu**
[download the relevant files](#)

LIFE PROGRAMME

Petition **1330/2010** (point #15 of the **Agenda**) brought forward by Mr. Juan Antonio **Iborra Bernal**, deals with the omission of **disaster prevention** projects from the EU-bankrolled, **LIFE** programme. The LIFE programme is the EU’s financial instrument supporting environmental and nature conservation projects throughout the EU, as well as in some candidate, acceding and neighbouring countries. Mr. **Iborra Bernal** struck the Assembly for being a very **altruistic** gentleman with a genuine interest to serve his community. The **President** of the Committee, Ms. Erminia **Mazzoni**, thanked him and shared the concerns he expressed and invited the European Commission to consider some of his most poignant remarks. The **European Commission**, in turn, agreed and acknowledged to take **on board** some of the most relevant **suggestions**.



Mr. Iborra Bernal

In a nutshell

Speakers: Ms. **Mazzoni**, Ms. **Auken**
Responsible Administrator: Mr. **Pinto** [download the relevant files](#)

Petitions **171/2010**, **1225/2010**, **1349/2010** and **1444/2010** dealt collectively (points # **16 & 17** of the **Agenda**) with perceived restrictions of **freedom of movement** in **Denmark** by Polish nationals. Petitioners present to the meeting had their chance to plea their cases to the Committee and they did, in fact, made good points that unfortunately, after much scrutiny, did **not allow** all of the cases to be kept **open**. While being very emotional at times, the ground on which the cases stood was not solid enough to warrant further investigation/action by the Petitions Committee. The notable exceptions were the ones regarding the petition by Ms. Kamila Beata **Klim-Petersen (171/2010)**, which the Committee decided to keep **open** while at the same time requesting **further information** regarding the implementation of the internal Danish guidelines on temporary seizures of cars registered in other Member-states, and the petition brought forward by Mr. Ryszard Antoni **Bielawa (1349/2010)** which, although **closed**, would trigger a letter to the **Permanent Representation of Denmark** summarizing the case and asking for an explanation and clarification of the reasons for the imposition of what the Committee found to be a **disproportionate heavy fine** to the petitioner.



Mr. Bielawa

In a nutshell

Speakers: Ms. **Mazzoni**, Ms. **Auken**, Mr. **Jahr**
Responsible Administrator: Ms. **Chiotti** [download the relevant files](#)

Highlights ... continued

Point 18 of the **Agenda** dealt with a petition by and Irish national concerning the carrying of medicines by travellers in Europe. The petitioner lives in the **Netherlands**, where he has obtained a medical certificate for his medicines under **Article 75** of the **Schengen** Implementation Agreement. However, when occasionally travelling to Ireland, the case is made, this “freedom of movement” right seems to be denied. The honorable Members took note of a **letter** received from the **Irish authorities** on the issue, in which it was also stated that the Irish Republic was not a party to Article 75 of the Schengen Agreement, and decided to keep the consideration of the petition **open** to further investigation.

In a nutshell

Speakers: Ms. **Mazzoni**

Responsible Administrator: Mr. **Heezen**

[download the relevant files](#)

ENVIRONMENT

Brought forward by Mr. Pete **Brown**, a British national, petition **1665/2009** (point **19** of the **Agenda of the meeting**) contested vehemently, and emotionally if one may add, the justification for prohibiting the use of **Strychnine Hydrochloride** for pest control (Moles) as foreseen by **Directive 98/8/EC**, entered into force on 1 September 2006. The petitioner feels mightily aggrieved in the first place because most of his business accounted for this activity and in second place because the alternatives prescribed by the European Commission, he considers, are more expensive, less effective and, in fact, they drove his company out of business. The **Chairman** - Ms. Erminia **Mazzoni**, Mr. **Bouland M.E.P.** and Mr. **Nuttall M.E.P.** all **shared** the emotional side of the **story** and felt sympathetic to Mr. Brown's case, however the European Commission remarked that it had proceeded following a **protocol** that allowed for the amplest **democratic participation**, and it explained why and how they pursued it, thus obliterating any possible further request by the Committee. Based on this evidence, the Assembly **closed** the petition.



Mr. Brown

In a nutshell

Speakers: Ms. **Mazzoni**, Mr. **Boulland**, Mr. **Nuttall**

Responsible Administrator: Ms. **Leffler-Roth**

[download the relevant files](#)

COMPETITION



Mr. De Bonis

The case highlighted by Mr. Saverio **De Bonis**, on behalf of **ANLAC** (Associazione Nazionale Liberi Allevatori di Conigli) closed the July meeting on an alleged violation of **anti-trust** rules in the market for **rabbit meat** in Italy. The petitioner was able to clearly state his case, in a very **knowledgeable** and straightforward fashion Mr. **De Bonis** illustrated to the Assembly the current situation of the rabbit meat market, both in Italy and on the world scene, and voiced his concern about potential, **non anti-trust complainant**, practices that illegitimately interfere with the free-market thus forcing producers to either **struggle** or go out of business. The petitioner did ask ultimately to intervene urgently on the matter to avoid a deeper crisis of the sector. The European Commission expressed its position and based on all of the factors at play the Committee decided to **tackle** the issue by elaborating a complex and **far-reaching** strategy that would include a request to the **AGRI** Parliamentary Committee for an **Opinion**, a letter to the **Italian Competition Authority**, a communication to the **Italian Agriculture Minister** and a further missive to the **Commissioner** for Competition, Mr. Joaquin **Almunia**.

In a nutshell

Speakers: Ms. **Mazzoni**, Mr. **Jahr**

Responsible Administrator: Mr. **Mussa**

[download the relevant files](#)

The Committee ended its July 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 for points # **21**, **23** and **34** (the **Agenda of the meeting** can be downloaded [here](#)) which will be kept open for further enquiry.

Highlights from the September Meeting

The **September** meeting, although only half-day long, provided a pleasant outlet to reinvigorate the **activities** of the **Committee on Petitions**. The Assembly reconvened in the **Paul-Henri Spaak (PHS)** building, in Brussels, and pondered the issues presented by the **Agenda of the Meeting**. We know how hard it is to stay **focused** and since this is an issue covering both the July and the September meeting, we will try to make it as easy on the reader as possible, while trying to be **informative**, nonetheless. The meeting started “*in-camera*” with the Coordinators discussing a series of issues needing some **untangling**. Right after it, doors opened and the Committee started going through the **Agenda** of the Meeting.



From left to right: Ms. Chioti, Ms. Leffler-Roth, HoU Mr. David Lowe and the Chairman - Ms. Erminia Mazzoni

ENVIRONMENT

The first point (#6) is a peculiar occurrence of a petition sent out by the **Mayor** of a Greek city - **Megalopoli** - appealing the European Parliament to ensure that the rights of the residents of Megalopoli be respected. The petitioner maintains that an authorization issued by the Greek Ministry of Environment about an “**asbestos waste**” **landfill**, later morphed in a more generic “**industrial and other waste**”, **infringes** the provisions of Council Decision **2003/33/EC**, establishing criteria and procedures for the acceptance of waste. The ensuing exchange of views was lively and did not lack the usual reference to the implementation, or lack thereof, of EU environmental law. The representative of the European Commission did not help things move forward with its **evasive** answers to the complain. The Members of the Committee voiced their criticisms about a perceived inability from the part of the Commission to lucidly and properly respond to certain matters, especially when the environment is at stake, and the Committee decided to **keep** the petition **open** while at the same time requesting further **investigation** in the matter by the European Commission, with an eye to discuss again the matter before the end of this year.

In a nutshell

Speakers: Ms. **Mazzoni**, Mr. **Boştinaru**, Mr. **Jahr**, Mr. **Salavrakos**

Responsible Administrator: Ms. **Chioti**

[download the relevant files](#)



Chairman - Ms. Erminia Mazzoni and Mr. Carlos Iturgaiz Angulo M.E.P.

Point #7 of the **Agenda** is a final consideration, before adoption, of the **Report** on the application of **Waste Management Directive** - the **Iturgaiz** Report - which by now thanks to the ceaseless work of the **Rapporteur**, the **political groups** and, if we may say so, the **secretariat**, is in its final stage and will be considered for immediate **adoption** by the Committee during the course of the **October** meeting. Mr. **Iturgaiz M.E.P.** took the floor and thanked everybody for the work put into the Report thus far. He looked and sounded very content with the results and invited everybody to the last stretch of the effort towards a successful adoption, with a deadline for amending the report set for September 14 at 13h. What tainted the otherwise **engaging** and lively debate was the European Commission's contribution. While the PETI Committee tries always to be a proactive and dedicated actor and it does not experience pleasure by dis-

respecting the work of the Commission, it is unavoidable to report a sense of superficiality in the discussion put forward during this meeting. The **members** were particularly **disappointed** to discover that the EC's representative repeated, almost word for word what had been a very satisfying commentary ... at the **July** meeting though. Very little was offered in terms of constructive analysis of the substance of the Report and particularly irritating was the continuous reference the European Commission made to the **N.I.M.B.Y.** (Not In My Backyard) movement as though the main reason behind most environmental complaints would be a lack of flexibility or maturity on the part of the citizen. We, of all the Institutions, are well aware of the weight and impact of the N.I.M.B.Y. rationale but when public health is at stake, we need to brush off all prejudices and watch things with an impartial eye.

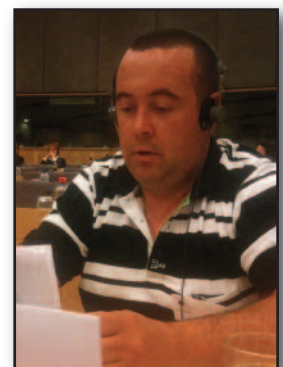
In a nutshell

Speakers: Ms. **Mazzoni**, Mr. **Iturgaiz Angulo**, Ms. **Merkies**, Mr. **Martinez Martínez**, Mr. **Jahr**, Mr. **Boştinaru**, Mr. **Salavrakos**

Responsible Administrator: Ms. **Leffler-Roth**

[download the relevant files](#)

The case brought up by petition **922/2010**, point #10 of the **Agenda**, was succinctly but very effectively explained to the Honorable members by Mr. Manuel Antonio **Cao Prado**, a Spanish national. The debate did produce some sparks because of a pollution case that is seemingly worsening by the year instead of getting better. The **petitioner**, aware that this case had already been on the table of the Committee on previous occasions **invited** the **Committee** to see for itself by planning a Fact-Finding Visit (**FFV**). The Committee decided it would be just fair to refer to the **Coordinators** the need to plan a visit to the Galician coast (**La Coruña**) as, at this point, the only way to proceed effectively is to see first-hand what goes on over there. Mr. **Meyer M.E.P.**, although absent, sent an email where he expressed his **interest** to be on such a delegation, shall the Coordinators decide to **greenlight** it, to investigate any potential malpractice. While waiting for the case to be discussed by the Coordinators, the Committee decided to **keep** the petitions **open** and to exert some moral suasion on the Spanish authorities by warranting a letter to the **Spanish Permanent Representative** in Brussels.



Mr. Cao Prado

In a nutshell

Speakers: Ms. **Mazzoni**, Mr. **Iturgaiz Angulo**, Ms. **Bélier**

Responsible Administrator: Mr. **Pinto**

[download the relevant files](#)

continues on page 14

Meet the M.E.P.s

When Ms. Margrete **Auken** sets her mind to a **goal** on the behalf of the citizens one can rest assured that she might ultimately not get it but will fight with the **courage** of a lion to make it a point. She is a very voicing **critic** of **maladministration** and, above all, of the **lack of transparency** and **access** to the documentation that was stipulated and enshrined in the **Aarhus** convention. It comes as no surprise, really, as her late brother Mr. **Svend Auken** was one of the main personalities involved therein. Ms. Auken, a Danish representative, is both the coordinator, and an outstanding member of the **Greens** party. In her book, the European **citizen's involvement** in democratic processes plays second fiddle only to **climate** and the **environment**. She always has a good, tongue-in-cheekish, word to spare to its interlocutors with whom she always strives to maintain an amiable personal relationship, regardless of their position on the political spectrum, not least because the PETI should be above party's political conflicts. **PETI Journal** caught up with her and administered her the now-standard Q&A session we challenge our MEPs with. Let's hear what she has to say about it.

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. Auken: The right to petition the European Parliament is one the fundamental rights that citizens have under the EU's Treaties. Like other fundamental rights, it must be respected and given a meaningful content. While Parliament's Committee on Petitions usually does what it can to defend petitions it considers justified - at least when there is consensus or a clear majority in favour of a petition - I am not as happy with Parliament as a whole in this respect. The work of the committee would deserve more support and resources, and its status within the EP should be enhanced, not for its own sake, but in order to make the right of petition as meaningful as possible.



Ms. Margrete Auken

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. Auken: Yes, one might even say that my first fact-finding visit (to Madrid on the M-30 city-highway project) was what made me aware of the importance of petitions and PETI. Later I have been on several further fact-finding visits, for instance, to look at excessive urbanisation in Spain, highway and bridge projects over the Loire in France, waste problems in Italy, tourism developments in nature protection areas in Bulgaria, etc. The first lesson is that things sometimes look quite different at the spot than in the declarations by authorities concerned. A major lesson has been how often we have met citizens who have stated that meeting with PETI has been the first time they felt that their worries and views were listened too and taken seriously. Another experience I believe is important is that such visits can have a considerable impact in enhancing a broader debate about the issues in question in the society concerned,

as a first step towards possibly finding a solution to the problems that the petitions have raised.

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. Auken: This is not a simple question. We should remember that we also often have petitions from Mayors and other local authorities, who seek the help of EP and EU against projects and plans promoted by national and/or regional authorities. However, it is also true that many petitions allege non-respect of EU law and norms by local authorities, typically in the context of all kinds of projects for the "development" of the municipality, be it at the cost of nature and to the detriment of local people. Sometimes it appears rather evident that serious conflicts of interest (or corruption) have played a role, as well. Basically, it is the duty of the national authorities of the member states to make sure that also Mayors and town halls respect EU law, and if these fail to do so, it is the task of the European Commission to bring them back to order. However, PETI and EP can be useful in bringing more transparency to the proceedings and, should the Commission, for whatever reason, be inclined to a trade off with the member state in question, by siding with the petitioners providing a better balance of arms, so to say.

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

M.E.P. Auken: The petitions Committee should get more support from Parliament, both in terms of resources, in order to enable the committee to improve its capacity for won analysis and investigation, and in terms of improving the committees status within the EP. At present the committee is "neutralised", that is, membership in PETI does not count for MEPs in the sense that it would limit their right of membership in other committees. This means that the meeting time of the committee too often overlaps with that of other committees, etc. As regards parliament as a whole, it could make more use of the powers and rights it actually has under the treaties, in defence of petitioners and the right of petition.

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

M.E.P. Auken: The direct contact with citizens, the fact that people can come and have the floor in the committee. The issues dealt with are concrete, not just debated on a general level and "in principle". It teaches a lot about what really goes on in the EU and helps you understand the problems people in Europe are facing. The very best is, of course, when our action leads to concrete and positive results.

A heartfelt appreciation and thanksgiving must go to Ms. **Auken** who sat with us for this interview on the eve of the first **Strasbourg** week in **September** and with plenty of things on her plate. **PETI Journal** thanks her and hopes to further develop - in the near future - a number of issues that will require her attention and experience.

Meet the M.E.P.s (Danish version)

Det er ikke alle kampe som udkæmpes i det europæiske fællesskab, Margrete **Auken** vinder. Uanset hvad det drejer sig om, kæmper hun hver gang for borgerne i EU. Hun er en skarp kritiker af dårlig forvaltning, ikke mindst manglende åbenhed og åbenhedsagtigt som ellers er foreskrevet i **Århus-konventionen**. I øvrigt spillede hendes bror **Svend Auken** en hovedrolle i udarbejdelsen af konventionen. Margrete Auken er gruppeansvarlig for den grønne gruppes (**Den Grønne/EFA**) arbejde i Borgerklageudvalget. Næstefter kampen for at redde miljøet og klimaet er respekten for de europæiske borgere i centrum for hendes arbejde. Hun bestræber sig på at vi opretholder en venlig tone kollegerne imellem uanset deres politiske holdninger. Ikke mindst fordi PETI bør være hævet over partipolitiske konflikter. Borgerklageudvalgets Blad (**PETI Journal**) fangede Margrete Auken og fik hende til at besvare en række spørgsmål som alle vores medlemmer bliver udfordret med. Lad os høre hvad hun har at sige.

PETI: *Hvordan opfatter du retten til at indgive en borgerklage i Europa-Parlamentet, og hvor godt synes du den fortolkes af Europa-Parlamentet?*

M.E.P. Auken: Retten til at indgive en borgerklage til Europa-Parlamentet er en af de grundlæggende rettigheder borgerne har i henhold til EU traktaterne. I lighed med mange andre grundlæggende rettigheder skal denne respekteres og behandles på en rimelig og anvendelig måde. Parlamentets Udvalg for Borgerklager (i den formelle oversættelse hedder det "andragender", men da ingen dansker aner hvad det er, bruger jeg konsekvent ordet "borgerklager" som en nødvendig hjælp til i danske borgere der ønsker at klage) gør som regel hvad det kan for at forsvare borgerklager som det finder berettigede - i hvert fald når der er konsensus eller et klart flertal for en klage. Her er jeg ikke så tilfreds med Parlamentet som helhed. Arbejdet i udvalget burde have mere støtte og flere ressourcer, og dets status i Europa-Parlamentet bør styrkes, ikke for dens egen skyld, men for at gøre retten til at indgive borgerklager så meningsfuld som muligt.



Ms. Margrete Auken

PETI: *Har du deltaget i en fact-finding besøg? Og hvis ja hvad er de vigtigste erfaringer fra dine erfaringer?*

M.E.P. Auken: Ja, det var faktisk min første fact-finding tur (til Madrid på M-30 city-motorvejen projekt) der gjorde mig opmærksom på vigtigheden af borgerklager og PETI. Senere har jeg været på flere sådanne ture fx for at se på den voldsomme urbanisering i Spanien, motorvejen og broprojekter over Loire i Frankrig, affaldsproblemer i Italien, turismeudviklingen på naturbeskyttelsesområder i Bulgarien osv. Det første man lærer, er at tingene ofte ser helt anderledes ud i virkeligheden end i redegørelserne fra de berørte myndigheder. Og flere gange har vi mødt borgere som har sagt at delegationen fra PETI var de første der virkelig lyttede til deres bekymringer og synspunkter og tog dem alvorligt. En anden erfaring er at disse besøg kan have en betydelig indvirkning på den lokale debat og bidrage til at finde en mulig løsning på de problemer klagerne har gjort opmærksom på.

PETI: *Ofte er årsagen til at der indgives borgerklager at de lokale myndigheders oprindelige handlinger bør ændres eller afbødes. Hvad ville du synes der kunne gøres for at forbedre de lokale myndigheders overholdelse af EU-retten?*

M.E.P. Auken: Dette er ikke helt nemt. Vi må huske at vi også tit modtager borgerklager fra borgmestre og andre lokale myndigheder som søger hjælp fra Europa-Parlamentet og EU mod projekter og planer der kommer fra nationale og/eller regionale myndigheder. Men mange klager kommer ganske rigtigt også fra borgere som hævder at det er de lokale myndigheder der krænker EU-lovgivningen, typisk i forbindelse med alle mulige former for projekter til "udvikling" af kommunen som enten går ud over naturen eller lokalbefolkningen. Nogle gange er det indlysende at alvorlige interessekonflikter (eller ligefrem korruption) har spillet en rolle. Dybest set er det en pligt for de nationale myndigheder i medlemsstaterne at sikre at også borgmestre og byråd respekterer EU-lovgivningen, og hvis de ikke gør, er det Kommissionens opgave at få sagen i orden. Dog kan PETI og EP bistår med fx at bringe mere transparens i sagen hvis Kommissionen af en eller anden grund skulle fristes til at slå en handel af, med den pågældende medlemsstat. PETI og EP kan ved at stå på samme side som borgerne der har indgivet klagen, forskyde magtbalancen en anelse.

PETI: *Vil du gøre noget for at udvide rammerne og beføjelserne for PETI-udvalget?*

M.E.P. Auken: Udvalget for Borgerklager bør få mere støtte fra Europa-Parlamentet. Udvalget bør have flere ressourcer så det bliver i stand selv at udarbejde analyser og undersøgelser, men i det hele taget bør udvalgets status i Europa-Parlamentet forbedres. På nuværende tidspunkt er udvalget "neutraliseret" hvilket betyder at medlemskab af PETI ikke tæller for MEP'er og begrænser deres mulighed for at være medlem fuldt medlem af andre udvalg. Det betyder at når udvalgets mødetidspunkt falder sammen med andre udvalg, kan medlemmerne ofte ikke være til stede i PET. Hvad angår parlamentet som en helhed bør man i højere grad at bruge den magt og de rettigheder som parlamentet rent faktisk har i henhold traktaterne til forsvar for borgernes ret til at forelægge sager og indgive klager.

PETI: *Hvad synes du er de bedste egenskaber ved PETI komiteens aktiviteter?*

M.E.P. Auken: Det er den direkte kontakt med borgerne herunder at de kan være til stede med taleret i udvalget. De spørgsmål udvalget behandler, er konkrete og diskuteres ikke kun på et generelt og principielt niveau. Det lærer os meget om hvad der i virkelighed forgår i EU og hjælper os med at forstå hvilke problemer mennesker i Europa står overfor. Det allerbedste er selvfølgelig når vores indsats fører til konkrete og positive resultater through the petitioners.

En dybt følt tak skal lyde til Margrete Auken for at hun tog sig tid til dette interview den første aften i Strasbourg-ugen hvor hun havde meget andet at se til. Borgerklageudvalgets Blad (**PETI Journal**) takker hende og håber at kunne stille hende yderligere spørgsmål som hun kan besvare i kraft af sin erfaring.

Part and Parcel

There are times when, in order to pursue the “mission” of the Committee, and **consonant** to the spirit that engenders it, the **Committee on Petitions** needs to embark on a Fact-Finding Visit (**FFV**). When interests are at stake the Committee cannot take a stance simply on the basis of statements rendered by the interested parties, and most often than not, providing **competing information**. In those particularly sensitive situations, the Committee - through a decision taken by its coordinators, and subsequent approval granted by the appropriate Bureau - goes on a mission with the intent to **gather first-hand information** and, possibly, evidence to give its decisions a more solid ground, thus avoiding **potential political manipulation** of its **actions**.

Early in the month of July that is exactly what happened when the Committee left Brussels on **June 30** and visited **Bulgaria** until **July 2**. The delegation on this **FFV** consisted of **4 Members** of the Committee on Petitions. It was **chaired** by Ms. Margrete **Auken** (**Greens/EFA**, DA) and included Mr. **Boştinaru** (**S&D**, RO), Ms. **Nedelcheva** (ex-officio, **EPP**, BG) and Ms. **Iotova** (ex-officio, **S&D**, BG). The visit was triggered by a large number of **petitions** from Bulgaria dealing mostly with alleged **infringements** of the Birds and Habitat Directives (**Natura 2000**) in the **Rila** and **Rhodope** mountain areas.

On the morning of **June 30**, the delegation stayed in **Sofia** where it met with both the Bulgarian Minister for **Environment and Water** - in order to be fully appreciative of the national government's Natura 2000 policy and actions - and with the Mayor of Sofia, to gather information about the **Suhodol** landfill site in the presence of petitioners. Other appointments of the delegation, usually reserved to establishing relevant institutional contacts, included meetings with the **Chairman of the Bulgarian Parliamentary Petitions Committee** and the **Bulgarian National Ombudsman**. In the afternoon the delegation travelled to the Rila mountain area. On the way to Rila a representative of **BSPB/Birdlife Bulgaria** presented the delegation with the latest developments on their petition concerning a windfarm which had been constructed in an important bird life area. In **Kyustendil**, the regional capital, the contingent met with the Regional **Governor** and the **Mayor** of the town where an allegedly illegal **ski lift** had been constructed. After the meeting, the delegation visited the site of the ski and met with the petitioners while witnessing a demonstration organized in favour of the ski lift project.

On July 1, the delegation travelled to the **Rhodope** mountain area where they met with petitioners who expressed fears that the **Perelik** area would be developed gradually into a tourist and skiing centre. In the regional capital **Smolyan**, the deputation met with both the Regional Governor and the Mayor of **Smolyan**. The following day the members travelled back to Sofia and visited the Suhodol landfill and the waste-sorting installation where workers manually separated domestic waste. The agenda, as one can easily reckon, was not fit for relax. However it allowed the Committee on Petitions to exercise its basic mission and to **tap the endless well** of refreshing **motivation**: the honor and commitment to serve the citizens on the European Union.

A working document containing a detailed **report** of this **FFV** and the conclusions of the delegation will be presented in the October's **PETI Committee** meeting. The **secretariat** anticipated this report, however, to give **PETI Journal** readers the chance to be informed in a **timely fashion** and the feel to be exactly what the Committee stands for.

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



Out and About: what goes on at the European Parliament



l to r: David Lowe, Ms. Mazzoni and Ms. Paliadeli

During the first day of the **July** meeting, the Committee on Petitions hosted Dr. **Reisinger** and Dr. **Neubauer**, of the Austrian **Umwelt-bundesamt**, who made a thorough, and much appreciated, **presentation** to the Assembly, about the **study** on the issue of **Waste Management in Europe** ([download http://bit.ly/qTxalh](http://bit.ly/qTxalh)) commissioned by the European Parliament. The resulting publication, which **PETI Journal** is delighted to share with you at the following link, is a well-structured, engaging and informative piece of work, very likely to find its way into the upcoming **Iturgaiz Report** dealing with the same issue. **PETI Journal**, as it happens, was in attendance and found the study

comprehensive and balanced enough to warrant this spotlight and to decide to make it available to our readers and interested parties in a timely fashion.

One thing the **Petitions' Committee** always indicated with one voice is the need for member-states to “**improve implementation of European waste laws**”. It was refreshing, for lack of a better word, to see these kind of views expressed, ink on paper as it is said, in the pages of the study. As an example, and relevant recommendations of this tenor are often issued, the members of the Committee strongly advise that “waste incineration should progressively replace landfills, and prevention and recycling should be boosted”. Well, it came as a pleasant surprise to find this recommendation in line with the findings of the independent study commissioned by the European Parliament. Apart from singling out the main problems and highlighting the **best practices** of the waste management sector in Europe, the publication recommends a much more conspicuous involvement of local communities in the decision-making processes as it is thought as the only way to fight off the **N.I.M.B.Y.** (Not In My BackYard) ethos of which, at times, prejudicial positions are imbibed.



l to r: Dr. Neubauer, Dr. Reisinger



l to r: Dr. Neubauer, Dr. Reisinger

The study **analyzes** about one hundred **petitions** declared **admissible** by the European Parliament between 2004 and 2010 regarding waste management. Most complaints focus on authorization procedures of new facilities, deficits in the system and the functioning of existing installations (mainly incinerators and landfills). More than 90% of the evaluated petitions refer to problems at local or regional level and most of them are concerned with installations in Western, Southern and South-eastern Europe. There then follows a clear path to recommendations by highlighting best practices while taking into consideration the **different conditions and cultural habits**. At the end of the engaging narrative, the Committee thanked Dr. Reisinger and Dr. Neubauer and started an exchange of views about the findings that had just been presented. The **European Commission** stated that according to these findings no new legislation on waste management should be warranted

and that the **implementation** of the current rules is the main challenge to be **won**. The same position was shared by most M.E.P.s.

Carlos José Iturgaiz Angulo, an M.E.P. from Spain and Rapporteur for the Committee's own report on waste management issues in Europe, proposed to change EU law to include **landfills** in the list of installations subject to **environmental impact assessments**. Margrete **Auken**, a Danish M.E.P. with the Greens, underlined the importance of **citizens' participation** and need for greater **transparency** while Philippe **Boulland**, a French M.E.P. with the EPP, called for more **education and campaigns** that would explain in plain words why waste management is vital, both in terms of the environment and in crude economic costs. Mr. Peter **Jahr**, coordinator for the EPP within the Committee and perennially seeking consensus and synthesis, agreed with all of the raised points and proposed to consider all the elements within a much **larger framework** that would allow for a **long-term strategy** to be laid out and followed by the Committee on all future petitions.

Petitions **1542/2010** and **1532/2010** (#8 and 9) respectively by a French national - Mr. François **Arcangeli**, and by an Italian national - Ms. Laura **Di Carlantonio**, dealt with the same issue but regarding different countries ... *ça va sans dire*. Mr. **Arcangeli** raises the question about the **Pyrenean brown bear** and its conservation, or lack thereof, and call on the European Parliament to have the French government to overcome what Mr. Arcangeli feels as a lack of adequate provisions to protect the species from extinction, thereby infringing **Directive 92/43/EEC**. Ms. **Di Carlantonio**, on the other hand, appeals the Committee to provide adequate protection to the **Bulgarian brown bear** from hunters by seeking a **ban** on brown bear **hunting** which, Ms. Di Carlantonio argues, is an infringement of **Directive 92/43/EEC**, the same one invoked by Mr. **Arcangeli**. The ensuing discussion, though seemingly slow-paced at times, provided a few moments of wit and humor like, for example, when Ms. Sandrine **Belier M.E.P.** addressed the Assembly stating that she "should not get into the techniques needed to repopulate a species" or when a **comment** by the French authorities and referred to the Assembly by the European Commission's representative stated the ratio of brown bear to **sheeps** making everybody in the room feel very bad about the consequences of a potential sheeps' **attack** on brown **bears**. While Ms. **Di Carlantonio** could not make it to the meeting, Mr. **Arcangeli** did come with an expert and made a very good presentation of its case. However, especially considering the reply of the European Commission's representative, the Committee agreed to **keep** both petitions **open** while awaiting a reply from the **Permanent Representation** to the European Union of both **France** and **Bulgaria**.



l to r: Mr. De Menten, Mr. Arcangeli

In a nutshell

Speakers (points 8 and 9): Ms. **Mazzoni**, Ms. **Béliér**,
Responsible Administrator (points 8 and 9): Mr. **Mussa** [download the relevant files](#)

Point 11 of the **Agenda of the Meeting** deals with a very serious allegation, by Mr. Federico **Cappello**, about the health-hazard related to **dismantling railroad tracks** that would seem to present high levels of **asbestos**. The European **Commission** commented on it in a **detached** way that does not become this Committee and it was decided then to **keep** the petition **open** while having the President of the Committee addressing the Italian "**labour directorate**" to warrant a thorough investigation into the matter of the petition's concern, that is in turn also a matter of this Committee's concern. The **twelfth** point of the **Agenda** dealt with the need to reprise two old petitions (**952/2006** and **614/2007**) which dealt with the concerns about the planned-only, at the time, **Nordstream** gas **pipeline** in the **Baltic Sea** to link up Russia and Germany. The peculiarity of this debate being the fact that the main petitioner from 2006 is now an **MEP**. Ms. **Morkūnaitė-Mikulėnienė M.E.P.**, who took the floor and gave a very emotional, yet lucid, report on what implications does the Nordstream gas pipeline, nowadays a reality, carry to the surrounding environment, which happens to be one of the most polluted Seas. Ms. **Morkūnaitė-Mikulėnienė** also raised the **stakes** of the discussion hinting at a **phenomenon** rarely touched upon and that would need some **serious studies** to be properly evaluated: **genotoxicity**. The Committee listened carefully to the points that were made and especially considering that **genotoxicity-related** threats do not seem to have been properly assessed, considered it fit to **keep** the petition **open** to promote a **further** exchange of views in the near future.

In a nutshell

Speakers (point 11 of Agenda): Ms. **Mazzoni**, Mr. **Jahr**
Responsible Administrator: Mr. **Heezen**
[download the relevant files](#)

Speakers (point 12 of Agenda): Ms. **Mazzoni**,
Ms. **Morkūnaitė-Mikulėnienė**
Responsible Administrator: Ms. **Chiotti**
[download the relevant files](#)

Slowly but surely, the **September** meeting comes to an **end** with the discussion of point **13** of the **Agenda**, a petition by Mr. Michael **Ashbrook**, a European **Public-officer** from Luxembourg and **secretary general** of the employees' association **S.I.D.** (Solidarity, Independence, Democracy). His petition, **192/2009**, bore **469 signatures** and focussed, raising questions, on the **conditions of employment** and work offered by the EU Institutions to **contract employees**. In particular he made a point about contract employees **not** having the same rights as **temporary** employees, under the **Staff Regulations** and how this matter could be envisioned as a blatant breach of the **EU's Charter of Fundamental Rights** and **ILO** (International Labour Organization) Convention #111 on Discrimination in Respect of Employment and Occupation. The European Commission's representative made the **points** raised by the Commission **clear** and **loud**, although somehow **conceding** some of the allegations brought forward by Mr. **Ashbrook**. However, the **Committee** on Petitions thought that the best way to handle this thorny matter would be to keep the petition **open** while requesting an **Opinion** from the Legal Affairs Committee and call off any final decision until then.

In a nutshell

Speakers: Ms. **Mazzoni**, Mr. **Jahr**
Responsible Administrator: Ms. **Chiotti** [download the relevant files](#)



Mr. Michael Ashbrook

The September meeting ended with the discussion on 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 for points # **15** and **34** (the **Agenda of the meeting** can be downloaded [here](#)) which will be kept open for further enquiry.

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.

e-mail:

peti-secretariat@europarl.europa.eu

For real-time updates, links, stories and commentary join the “*PETI Journal*” on:

browse through our thorough archives of [PETI “meeting documents” - 7th Legislature](#) (in all the languages of the EU)

stream or download to your PC the [videos of all the PETI Committee meetings - 7th Legislature](#)

most videos and documents are offered in all of the 23 official languages of the EU

[list of all Parliamentary Committees](#)

[WWW homepage](#)

Follow us on:

[Facebook](#) 

[Twitter](#) 



An “outcome” meeting of the Secretariat, which follows each Committee meeting

About the editor:

European Parliament

Directorate General for Internal Policies (DG-IPOL)

Petition Unit (PETI)

Committee Head of Unit / Editor: David Lowe

Responsible Administrator: Francesco Calazzo

Newsletter Subscription:

If you wish to receive this **newsletter**, please send an email to peti-secretariat@europarl.europa.eu with subject “**newsletter**”

[PETI web-site](#)

[submit a Petition](#)

Closure date of the current issue: **26 September 2011**

Legal Disclaimer:

The items contained herein are drafted by the Secretariat of the “Petition Committee” and are provided for general information purposes only. The opinions expressed in this document are the sole responsibility of the author(s) and do not necessarily represent the official position of the European Parliament. The PETI Newsletter may contain links to external websites that are created and maintained by other organisations. The PETI Secretariat does not necessarily endorse the views thereby expressed.