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P8_TA(2016)0512

Activities of the Committee on Petitions 2015

European Parliament resolution of 15 December 2016 on the activities of the Committee on Petitions 2015 (2016/2146(INI))

(2018/C 238/15)

The European Parliament,

- having regard to its previous resolutions on the outcome of the Committee on Petitions' deliberations,
 - having regard to Articles 10 and 11 of the Treaty on European Union (TEU),
 - having regard to Protocol No 1 on the role of national parliaments in the European Union,
 - having regard to Protocol No 2 on the application of the principles of subsidiarity and proportionality,
 - having regard to the significance of the right to petition and the importance for Parliament of being immediately aware of the specific concerns of European Union citizens or residents, as provided for in Articles 24 and 227 of the Treaty on the Functioning of the European Union (TFEU),
 - having regard to Article 228 TFEU,
 - having regard to Article 44 of the Charter of Fundamental Rights of the European Union concerning the right to petition the European Parliament,
 - having regard to the provisions of the TFEU relating to the infringement procedure and in particular Articles 258 and 260 thereof,
 - having regard to Rules 52 and 216(8) of its Rules of Procedure,
 - having regard to the report of the Committee on Petitions (A8-0366/2016),
- A. whereas the purpose of the annual report on the activities of the Committee on Petitions is to present an analysis of the petitions received in 2015 and of relations with other institutions, and to present an accurate picture of the objectives achieved in 2015;
- B. whereas 1 431 petitions were received in 2015, 47 % down on the figure for 2014, when 2 714 petitions were lodged with Parliament; whereas 943 petitions were considered admissible; of which 424 were quickly examined and concluded after duly informing petitioners on their respective issues of concern, and whereas 519 petitions remain open for discussion in the Committee on Petitions; whereas 483 petitions were declared inadmissible;
- C. whereas the number of petitions received is modest when compared to the EU's total population, which indicates that the vast majority of EU citizens and residents are unfortunately not yet aware of the right to petition, or of its possible usefulness as a means of drawing the attention of the EU institutions and the Member States to matters which affect and concern them, and come within the Union's field of activity;
- D. whereas 483 petitions were not considered admissible in 2015 and whereas there is still widespread confusion about the EU's fields of activity as is shown by the high number of inadmissible petitions received (33,8 %); whereas to remedy this situation, communication with citizens needs to be encouraged and improved and the different areas of responsibility — European, national and local — need to be explained;
- E. whereas each petition is considered and examined carefully, efficiently and transparently;

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- F. whereas petitioners tend to be citizens engaged in safeguarding fundamental rights and in the improvement and future wellbeing of our societies; whereas the experience of these citizens in regard to the processing of their petitions is very influential in determining their perception of the EU institutions and respect for the right to petition contained in EU law;
- G. whereas the European Parliament is the only EU institution directly elected by citizens, and whereas the right to petition offers them the means to draw the attention of their elected representatives to matters that concern them;
- H. whereas, under the Treaty on the Functioning of the European Union, in order to promote good governance and ensure the participation of civil society, the Union's institutions, bodies, offices and agencies must conduct their work as openly as possible;
- I. whereas the right to petition has to be a key element for a participatory democracy in which the right of every citizen to play a direct part in the democratic life of the Union is effectively protected; whereas genuine democratic and participatory governance should ensure full transparency, effective protection of fundamental rights and practical involvement of the public in decision-making processes; whereas petitions enable the European Parliament to listen, to give information, and to help to solve problems affecting its citizens, while also prompting the other EU institutions and institutions in the Member States to do their utmost in this respect within their respective spheres of competence; whereas the impact of EU legislation on the daily life of those living in the EU should be assessed through the aforementioned petitions;
- J. whereas confidence in the system and in the European project as a whole has been dented by the humanitarian refugee crisis, the very serious social and economic impact of the financial crisis and the rise in xenophobia and racism throughout Europe; whereas the Committee on Petitions has the responsibility and the huge challenge of maintaining and strengthening constructive dialogue with EU citizens and residents on European issues;
- K. whereas the Committee on Petitions is best able to show citizens what the European Union does for them and what solutions it can provide at European, national or local level; whereas the Committee on Petitions can do significant work in explaining and possibly proving the successes and benefits of the European project;
- L. whereas the right to petition should enhance the European Parliament's capacity to react to and help resolve problems relating mainly to the application and transposition of EU law; whereas petitions constitute a valuable source of first-hand information based on citizens' own experiences which help to detect potential violations and deficiencies in how EU legislation is implemented at national level and, ultimately, monitored by the Commission in its role of guardian of the Treaties; whereas petitions that are based on the EU's fields of activity and fulfil the admissibility criteria are a basic tool in the early detection of late transposition and actual enforcement of EU law by Member States; whereas, through petitions, EU citizens can complain about failures to implement EU law and help detect breaches of EU law;
- M. whereas, therefore, petitions are very important for the legislative process as they provide other Parliament committees with useful and direct input for their legislative work in their respective fields; whereas petitions are not solely the responsibility of the Committee on Petitions, but should rather be a shared endeavour of all Parliament committees;
- N. whereas, through petitions, EU citizens and residents can complain about poor implementation of EU law; whereas in so doing citizens act as a useful source of information when it comes to detecting breaches of EU law;
- O. whereas besides providing relevant feedback on the application of existing legislation, petitions can also help to identify loopholes in EU law and to assess the impacts of absence of regulation in certain fields, hence becoming a trigger for further legislative efforts;

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- P. whereas the Committee on Petitions has made greater use of the specific committee tools at its disposal, such as oral questions and short resolutions, so as to give visibility to the different issues of concern to citizens, or the sending of questions and resolutions to the plenary of Parliament, such as the resolutions on mortgage legislation and risky financial instruments in Spain or the best interests of children in Europe;
- Q. whereas in 2015 petitions lodged by citizens were processed faster and with greater efficiency, the timespan involved in correspondence with petitioners having been reduced; whereas the secretariat has made a noteworthy effort in order to achieve this improvement;
- R. whereas petitioners actively contribute to the work of the committee, providing additional first-hand information to members of the committee and to the Commission and representatives of the Member States who are present; whereas petitioners, by taking part in these discussions and presenting their petitions along with more detailed information, contribute to establishing a fluid and constructive dialogue with Members of the European Parliament and with the European Commission; whereas in 2015, 191 petitioners attended, and were involved in, the committee's deliberations; whereas, although this number seems relatively low, the meetings of the Committee on Petitions are broadcast, enabling petitioners to follow live discussions both in real time and afterwards by means of internet streaming;
- S. whereas a specific way of handling petitions relating to the welfare of children has been adopted and a special working group created on the issue, and whereas the group was constituted on 17 September 2015, having elected Eleonora Evi as its chair; stresses that any working group should have a clear mandate in order to deliver tangible results and prevent any unjustified delay in the treatment of petitions;
- T. whereas a petition is often filed at the same time as a complaint to the Commission, which could lead to the initiation of infringement proceedings; whereas in 2015 the European Parliament alerted the Commission, through petitions and questions, of deficiencies in the way that some Member States were applying and implementing certain EU laws;
- U. whereas these petitions resulted in complaints on environmental issues; whereas the Commission sent a letter of formal notice to Finland regarding the transposition of the Directive on public access to environmental information; whereas in a further five cases regarding the environment the Commission initiated bilateral talks with the Member States concerned; whereas the cases were related to shale gas, management of wolves, the incorrect application of the Directive on strategic environmental assessment and compliance of national legislation with the requirements of the Directive on public access to environmental information;
- V. whereas petitions filed by citizens also deal with issues of justice and judicial cooperation, in one instance motivating the Commission to initiate a bilateral dialogue with a Member State on its restrictions regarding change of name after marriage;
- W. whereas the Commission also initiated bilateral talks following several petitions involving a number of Member States on property taxes and local residence tax paid by students;
- X. whereas the Commission intends to strengthen the application of EU legislation on the basis of transposition and systematic checks on compliance of national legislation; whereas the Commission has stated that it will take appropriate measures, including launching new EU pilot cases and infringement procedures, when it detects possible breaches of EU law;
- Y. whereas the involvement of Parliament in these procedures implies additional scrutiny of the investigative work of the competent EU institutions; whereas no petition should be closed while it is being investigated by the Commission;
- Z. whereas the Commission publishes, through the annual report on monitoring the application of European Union law, action taken with respect to breaches of EU law and discloses information on infringement procedures in the form of press releases; whereas these decisions on infringement procedures can be consulted in the Commission's database on the Europa website; whereas more detailed information from the Commission in its dealings with the Committee on

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Petitions in cases involving petitions would improve transparency and enhance collaboration between the two institutions;

- AA. whereas the key issues of concern raised in petitions pertain to a wide range of issues, such as environmental protection (in particular, waste water treatment, waste management, river basin management, gas and hydrocarbon exploration and extraction), breaches of consumer rights, the application of justice (in particular, custody rights regarding minors), fundamental rights (in particular, the rights of the child, of people with disabilities and of minorities), free movement of persons, discrimination, immigration, employment and animal welfare;
- AB. whereas the web portal of the Committee on Petitions, which began to operate in late 2014, is up and running, but not yet finalised; whereas the portal aims to provide EU citizens and residents with an electronic tool that enables them to file and continuously track petitions, electronically sign their own petitions and add their support for other petitioners whose issues are of interest to them; whereas the shortcomings in some basic functionalities, such as the search engine, persisted throughout 2015 and until very recently undermined the role of the portal as an interactive space of exchange among citizens; whereas this problem has finally been resolved;
- AC. whereas the portal was designed to make the petition procedure more transparent and interactive, and makes for more effective administration in the interest of petitioners, Members and the general public; whereas the second phase of the project is intended mainly to enhance the administrative handling of petitions;
- AD. whereas successive delays in the subsequent phases of the project have generated an additional workload in the secretariat of the Committee on Petitions, due to the need to manually upload the relevant files into the various databases; whereas there are still petitions pending for upload, since only open petitions received in 2013, 2014 and 2015 have been included in the portal so far, and work is currently under way on uploading petitions received in 2016;
- AE. whereas certain deficiencies have been remedied, particularly in the search function and regarding petitioner confidentiality, and whereas work has been under way as scheduled from the second half of 2016 to make the service more useful and visible to citizens;
- AF. whereas the admissibility of petitions is based on the criteria laid down in Article 227 of the TFEU; whereas the concept of field of activity of the Union goes much beyond the long list of competences; whereas a declaration of inadmissibility can be subject to judicial review if not duly justified in accordance with these criteria;
- AG. whereas the national courts have primary responsibility for ensuring that EU legislation is properly implemented in the Member States; whereas, in this context, a preliminary ruling from the European Court of Justice is a useful tool available to national judicial systems; whereas this procedure has been little used, if at all, in some Member States; whereas this initial responsibility should not by any means preclude a more proactive role by the Commission when it comes to ensuring compliance with EU law, in its capacity of guardian of the Treaties; whereas petitions provide an alternative and independent avenue of inquiry and checks on compliance with EU legislation, and whereas these two alternative procedures should therefore not be mutually exclusive;
- AH. whereas the European Citizens' Initiative (ECI) should be an important tool for enabling citizens to participate directly in the development of EU policies, and its potential must be exploited fully, while ensuring that citizens are fully informed as to matters of EU competence and national competence; whereas the main differences between the ECI and the right to petition should be better communicated to citizens; whereas Parliament has a specific responsibility in making this instrument a real success; whereas, as emerged from statements in the public hearing of 22 February

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2015, there is a widespread feeling on the part of organisations registering an ECI that the administrative barriers need to be removed if the best possible results with regard to participation by citizens are to be achieved;

- AI. whereas the Committee on Petitions is of the opinion that, more than three years after the date of application on 1 April 2012 of Regulation (EU) No 211/2011, its implementation should be assessed in order to identify weaknesses and propose viable concrete solutions for its swift revision so that its functioning can be improved;
- AJ. whereas in 2015, owing to the workload of the Committee on Petitions, only one fact-finding visit took place for petitions for which an inquiry was ongoing during 2015; whereas the fact-finding visit to the United Kingdom on 5 and 6 November 2015 on the issue of adoption without parental consent gave delegation members a deeper understanding of the situation as they were able to discuss the problem with representatives of the different UK institutions involved in the case;
- AK. whereas the visits are a specific prerogative of the Committee and a fundamental part of its work, which entails interacting with petitioners and the authorities of the Member States concerned; whereas members of the Committee delegations take part in all activities, including the drafting of the final report, on an equal footing;
- AL. whereas the Committee on Petitions has responsibilities with regard to the Office of the European Ombudsman, which is responsible for investigating complaints from EU citizens and residents about possible maladministration within the EU institutions and bodies, and about which the Committee also produces an Annual Report on the basis of the European Ombudsman's own Annual Report;
- AM. whereas on 26 May 2015 Emily O'Reilly, the European Ombudsman, presented her Annual Report for 2014 to Martin Schulz, President of the European Parliament; whereas on 23 June 2015 the Ombudsman presented her report at the meeting of the Committee on Petitions, the body responsible for relations with her institution;
- AN. whereas the Committee on Petitions is a member of the European Network of Ombudsmen (ENO), which includes national and regional ombudsmen, petitions committees and similar bodies of the Member States of the European Union, the candidate countries for EU membership, and other countries in the European Economic Area and/or the Schengen area; whereas the Committee on Petitions of the European Parliament is a full member of this network, which currently has 94 offices in 36 countries;
- AO. whereas each petition is carefully assessed and dealt with and each petitioner must receive a reply within a reasonable period of time; whereas each petitioner must be informed of the grounds for closing a petition;
- AP. whereas all petitioners should have the possibility of directly presenting their cases to the Committee on Petitions;
1. Stresses that the right to petition should enhance the European Parliament's capacity to react, helping to resolve problems relating mainly to the transposition and implementation of EU legislation, as petitions which are based on the EU's fields of activity and fulfil the admissibility criteria constitute a useful source of information for detecting potential violations and breaches in the implementation of EU legislation; invites the Commission to make greater use of its powers when it comes to ensuring effective implementation of EU legislation, for instance by pursuing swifter use of the infringement procedure under Articles 258 and 260 TFEU;
 2. Stresses the work that the Committee on Petitions carries out in listening to, and helping to solve, problems affecting citizens; believes that petitions can help to better assess the impact that EU legislation has on people's daily lives by acting as a bridge between citizens and the institutions;
 3. Highlights the fact that the Committee on Petitions has the opportunity and the huge challenge of engaging in a trustworthy and fruitful dialogue with citizens, together with the possibility of bringing the EU's institutions closer to its citizens; notes that it should help to promote participatory democracy; considers that in order to fulfil this purpose it is crucial to provide an adequate response to petitions, in terms of both the timing and the quality of the answer;

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4. Recalls that the equal and proportionate representation of petitioners' nationalities in the committee's public debates should be respected; in order to strengthen the European dimension of the committee, proper and fair representation of all Member States in its public debates should be encouraged; emphasises that the Committee on Petitions must treat all admissible petitions with equal importance and objectivity; underlines that petitions which are related to an election campaign in a Member State should not be treated under the urgent procedure;
5. Stresses that petitions are also important for the legislative process, as they detect existing loopholes and deficiencies in the transposition of Community legislation and provide other Parliament committees with useful and direct input for their legislative work in their respective fields; welcomes the increased interaction of the Committee on Petitions with the other parliamentary committees, as well as a more frequent presence of matters related to petitions in plenary; considers that petitions are not solely the responsibility of the Committee on Petitions, but should be a shared endeavour on the part of all Parliament's committees; applauds the intention to establish an informal petitions network within Parliament, with the participation of Members representing every Parliament committee, in order to ensure smooth and effective coordination of petition work; believes that the network must enable a better understanding of the role of petitions in parliamentary work, and strengthen cooperation between the committees in matters raised by petitioners; invites all the parliamentary committees concerned to pay due attention to the petitions forwarded to them and to undertake the efforts needed to provide the information necessary for petitions to be processed properly;
6. Acknowledges that Parliament also has a crucial political role to play as regards the Commission's enforcement actions, by scrutinising the annual reports on monitoring the implementation of EU law and adopting relevant parliamentary resolutions; calls on the Commission to take account of the resolutions tabled in Parliament by the PETI Committee, which identify specific application and implementation gaps in EU law on the basis of petitions and call on the Commission to take appropriate action and report back to Parliament on its follow-up; calls, moreover, on the Council and Parliament to take specific action in the adoption of Regulation (EU) .../... [procedure 2013/0140(COD)] on exemption of *Drosophila melanogaster* from veterinary checks at EU external borders, as suggested by Nobel Prize laureates (biochemistry professors) in Petition 1358/2011;
7. Welcomes the fact that in 2015 the time taken to process petitions fell, but maintains nonetheless that the secretariat of the Committee on Petitions is in immediate need of greater technical resources and more staff in order to guarantee diligent examination and a further reduction in the time taken to process petitions, while ensuring the quality of their treatment; calls for digitalisation of the processing of petitions, notably by introducing new information and communication technologies to guarantee efficient and timely treatment and optimal use of existing human resources, while preserving the right of citizens to submit petitions by traditional post;
8. Continues to consider it a particular obligation to ensure that the inadmissibility or closure of petitions on account of their being unfounded must be carefully justified vis-à-vis the petitioners;
9. Welcomes the fact that the Commission is involved with, and committed to, the petition process and that it responds as quickly as possible to new petitions forwarded to it by Parliament; points out that Commission replies are usually detailed and pertain to the petitions for which it has jurisdiction; recalls, however, that on many occasions the Commission does not provide any new information in its replies to petitions for which a review has been requested owing to a change in their status and context; regrets the occasions when the Commission focuses essentially on procedural aspects and does not enter into the substance of the issue; reminds the Commission that petitions that raise a potential breach of EU law can only be closed after their proper analysis has been concluded; welcomes the Commission's commitment to sending generally competent officials to meetings of the Committee on Petitions, as the quality of the overall treatment of petitions improves when the highest-ranking officials available represent the Commission in the debates; regrets that during the committee meetings the Commission's answers are generally limited to the content of the official reply sent to the committee and do not provide any new or relevant information that might enable a solution to the issues raised; notes that the written responses are taken seriously into account, as are explanations given during the oral debates held by the Committee on Petitions;
10. Considers that in its role as guardian of the treaties, particularly when it comes to environmental matters, the Commission should go beyond a mere formal examination of procedural compliance and focus more on the actual content of the core issue; recalls the precautionary principle and the ultimate spirit of the EU environmental legislation of preventing irreversible damage to ecologically sensitive areas, and urges the Commission to adopt an approach that allows it to make use of its powers and prerogatives on an ex-ante basis;

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11. Disagrees with the Commission's increasingly recurrent interpretation of the Parliament's twenty-seventh annual report on monitoring the application of European Union law (2009), whereby it would be entitled to close files on which no formal step towards infringement proceedings has yet been taken, or to suspend active infringement proceedings in cases in progress before a national court; reaffirms the original spirit of the aforementioned report requesting that the Commission step up its efforts to ensure consistent implementation of EU legislation, within its capacities, making use of infringement mechanisms independently of the existence of judicial proceedings at national level;

12. Will take greater care in future to ensure that the Commission reports regularly to Parliament on the progress of infringement proceedings which have been brought against individual Member States, in order to facilitate better cooperation and to make it possible to inform the petitioners concerned about progress at an early stage;

13. Considers that, in the interests of transparency and in a spirit of faithful cooperation between the EU institutions, and pursuant to the Framework Agreement on relations between the European Parliament and the European Commission, upon request and where required the Commission should provide Parliament with a synthesis of the individual cases related to EU Pilot procedures; recalls previous requests made by the Committee on Petitions to ensure access to EU Pilot and infringement procedure documents, as petitions frequently lead to the initiation of such procedures; reiterates its call on the Commission to inform the Committee on Petitions of developments in infringement proceedings directly linked to petitions; recognises the need to ensure maximum transparency in the disclosure of information concerning EU Pilot procedures and infringement procedures that have already ended;

14. Considers that the necessary information concerning infringement procedures initiated as a result of inquiries related to petitions should be provided to Parliament in a timely fashion, and particularly upon the request of the Committee on Petitions;

15. Considers it essential to improve cooperation with national parliaments and their relevant committees and with Member State governments, particularly in order to help ensure that the petition is dealt with by the relevant and competent authorities; repeats its call for a structured dialogue to be launched with Member States in the form of regular meetings with the relevant national parliament committees; is pleased that a delegation from the German Bundestag's Committee on Petitions was present at the committee meeting held on 4 May 2015; hopes that such dialogue can contribute to loyal cooperation in finding fruitful solutions to recurrent cases received, such as the petitions on the Jugendamt; encourages the representatives of Member States and of local and/or regional authorities concerned to attend the meetings of the Committee on Petitions; reiterates the importance of the participation of Council and Commission representatives at meetings and hearings of the Committee on Petitions;

16. Acknowledges the impact of the effective application of EU law on strengthening the credibility of the EU institutions; recalls that the right of petition enshrined in the Lisbon Treaty is an important element of European citizenship and a real barometer for monitoring the application of EU law and identifying possible loopholes; calls on the PETI Committee to set up a regular meeting with the national committees on petitions in order to raise awareness of European citizens' concerns in the EU and in the Member States and to further strengthen their rights through better European law-making and implementation;

17. Reiterates the call made in its resolution of 11 March 2014 on the activities of the Committee on Petitions 2013 ⁽¹⁾ for an enhanced structured dialogue to be launched with Member States, for example by holding regular meetings with members of national petitions committees or other competent authorities; calls on the Member States to take note of the recommendations made in the reports of fact-finding missions and during dialogues;

18. Is pleased that in 2015 191 citizens presented their petitions directly to the Committee on Petitions; recalls and supports the increased use of videoconferencing or any other means that enables petitioners to become actively involved in the work of the Committee on Petitions when they cannot be physically present;

⁽¹⁾ Texts adopted, P7_TA(2014)0204.

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19. Notes the Commission's restrictive and narrow interpretation in relation to Article 51(1) of the Charter of Fundamental Rights which states, inter alia, that the Charter is addressed to the Member States 'only when they are implementing Union law'; notes that Article 51(2) of the Charter states that the Charter 'does not extend the field of application of Union law beyond the powers of the Union'; recalls that the expectations of EU citizens often go beyond the Charter, and invites the Commission to consider a new approach that is more consistent with those expectations; urges for a broader interpretation of the scope of application of the Charter, and for the pertinence of this article to be ultimately reassessed in future revisions of the Charter and the treaties; emphasises that nothing prevents Member States from engaging in a full application of the provisions of the Charter in their national legislation in order to ensure the protection of the fundamental rights of their citizens beyond the implementation of Union law, and reminds them that they are also bound by other international obligations;

20. Regrets that petitioners are still not sufficiently informed about the grounds for declaring a petition inadmissible;

21. Deplores the strict and restrictive way in which the Commission has interpreted Article 51 of the Charter of Fundamental Rights with its stipulation that 'the provisions of the [...] Charter are addressed to the institutions, bodies, offices and agencies of the Union with due regard for the principle of subsidiarity and to the Member States only when they are implementing Union law'; recalls that, owing to the existence of Article 51 of the Charter, the expectations of citizens often go beyond what the Charter's legal provisions strictly allow for and are often unmet, precisely because of this strict and restrictive interpretation; calls on the Commission to adopt a new approach that is more consistent with those expectations;

22. Regrets that citizens of Poland and the United Kingdom are still not protected by the Charter of Fundamental Rights of the European Union;

23. Stresses that in January 2015 two Members were appointed as representative members of the Committee on Petitions in the structures of the United Nations Convention on the Rights of Persons with Disabilities (CPRD) and that they took part in the analysis of the preliminary report of the European Union and the UN Committee on the Rights of Persons with Disabilities in Geneva, Switzerland, on 27-28 August 2015; points to the important ongoing work carried out by the Committee on Petitions in the context of the application of the UN Convention on the Rights of Persons with Disabilities; duly notes that 2015 was a very significant year in that for the first time a United Nations agency reviewed the fulfilment of human rights obligations in the EU; is pleased to note that a United Nations committee had the opportunity to hear all the details regarding the protection provided by the Committee on Petitions; underscores that the Commission has begun to incorporate the concluding observations by the UN Committee on the Rights of Persons with Disabilities into the petition treatment process⁽¹⁾; is pleased to note that the public hearing 'Protecting the rights of people with disabilities, from the perspective of petitions received' organised by the Committee on Petitions on 15 October 2015 was highly accessible; draws attention to the importance of the findings of the study commissioned by Policy Department C entitled 'The protection role of the Committee on Petitions in the context of the implementation of the UN Convention on the Rights of Persons with Disabilities'; considers it important that the Committee on Petitions continues to organise events focusing on petitions in the field of disability; calls for the capacity of the Committee on Petitions and its secretariat to be enhanced so as to enable it to properly fulfil its protection role; calls for the establishment of a designated officer responsible for the processing of disability-related issues; notes the committee's significant follow-up action in 2015 with regard to disability in relation to more specific topics such as the ratification of the Marrakesh Treaty, the unblocking of the anti-discrimination directive, exemption from customs duties for certain products designed to promote the cultural, educational or scientific advancement of persons with disabilities or family caregivers;

24. Urges for a prompt ratification at EU level of the Marrakech Treaty to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled, regardless of the conflict over competences before the CJEU; recalls that in its Concluding Observations in September 2015 the CPRD Committee pointed out some deficiencies within the EU as regards full compliance with the convention; notes that the EU is required to swiftly adopt an amended European Accessibility Act that includes effective and accessible enforcement and complaint mechanisms; notes the requirement to decouple the roles of the Commission by removing it from the independent monitoring framework, in order to ensure that the framework has adequate resources to perform its functions;

⁽¹⁾ Adopted by the UN Committee at its 14th session (17 August to 4 September 2015); see: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1&Lang=en

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25. Stresses the wide range of subjects raised in the petitions filed by citizens, such as fundamental rights, child welfare, the rights of persons with disabilities, rights of persons belonging to minorities, rights of children, the internal market, environmental law, labour relations, migration policies, trade agreements, public health issues, transport, animal rights and discrimination;

26. Regrets the very restrictive approach taken by the Commission in its responses to petitions relating to different aspects of animal welfare when it comes to the interpretation of its responsibilities under Article 13 TFEU; urges the Commission to reconsider its current approach and to explore further its legal basis to play a role in ensuring the better protection of animal rights across the EU;

27. Emphasises the sensitive character of the petitions relating to children's rights, as in such cases there is a need to urgently and adequately respond to petitioners' concerns while preserving the children's best interests, in the context of the fact-finding visits that the PETI Committee may organise when investigating petitions;

28. Believes that the holding of public hearings is an important way of examining problems raised by petitioners which fall within the EU fields of activity in greater depth, as well as general aspects of the functioning of the EU and the underlying shortcomings therein; draws attention to the public hearings held on 26 February 2015 with the Committee on Constitutional Affairs on the European Citizens' Initiative (ECI), on 23 June 2015 on the Right to Petition, on 15 October 2015 on the Protection of the Rights of People with Disabilities, on 11 May 2015, with three other committees, on the ECI 'Stop Vivisection', and also regards as useful the workshop held on 1 December 2015 together with the Committee on Legal Affairs on cross-border adoptions;

29. Considers that the ECI is a new political right for citizens as well as a relevant agenda-setting tool for participatory democracy in the European Union, allowing citizens to be directly and actively involved in projects and processes that affect them, the potential of which must unquestionably be exploited to the full and significantly enhanced in order to achieve the best results and to encourage as many EU citizens as possible to participate in the further development of the European integration process; likewise considers that it must be among the EU's priority objectives to strengthen the protection of fundamental rights, of democratic legitimacy and of the transparency of its institutions; reminds the Commission of the need to follow up on the recommendations made in the European Parliament resolution of 28 October 2015 on the European Citizens' Initiative ⁽¹⁾ in order to ensure that the right to present an ECI is properly implemented; reaffirms its commitment to being proactively involved in holding public hearings for successful initiatives; undertakes to give priority, at institutional level, to the effectiveness of this participative process and to ensuring due legislative follow-up;

30. Regrets the fact that the Commission considers that it is too early to revise Regulation (EU) No 211/2011, which became applicable more than three years ago on 1 April 2012; considers that it is necessary to thoroughly evaluate its implementation in order to resolve all the possible deficiencies identified and to propose workable solutions with a view to revising it soon, ensuring that the procedures and conditions required for the ECI are genuinely clear, simple, easily applicable and proportionate; welcomes the Commission's report of 31 March 2015 on the ECI, and the European Ombudsman's Decision OI/9/2013/TN, and calls on the Commission to ensure, in its revision of this instrument, that the ECI provides actual input to the Union in accordance with the Charter of Fundamental Rights of the European Union and that all the appropriate legal measures are taken with a view to providing proper follow-up when an ECI is deemed to have been completed successfully; calls on the Commission, in view of the various weaknesses identified, to present a proposal for reform of Regulation (EU) No 211/2011 as soon as possible;

31. Draws attention to its resolution of 8 October 2015 on mortgage legislation and risky financial instruments in Spain ⁽²⁾ in the light of the petitions received, concerning which Parliament issued a series of recommendations for the proper application of EU mortgage legislation and combating banking abuses; calls on the Commission to supervise closely the implementation in all Member States of Directive 2014/17/EU on credit agreements and Directive 93/13/EEC on unfair terms in consumer contracts, and to share best practice in order to improve protection of citizens in financial difficulties;

32. Is concerned with the evidence of shortcomings on proper access to justice in certain Member States unveiled as a result of the processing of petitions; considers that this is an essential issue to be addressed without delay in order to guarantee proper democratic functioning of the Union and the exercise of fundamental rights by its citizens and residents; considers that the Union should set an example by deploying the pillar of the Aarhus Convention on access to justice on environmental matters;

⁽¹⁾ Texts adopted, P8_TA(2015)0382.

⁽²⁾ Texts adopted, P8_TA(2015)0347.

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33. Draws attention to its resolution of 21 January 2016 on the activities of the Committee on Petitions 2014 ⁽¹⁾ and to its resolution of 25 February 2016 on the annual report on the activities of the European Ombudsman in 2014 ⁽²⁾;
34. Welcomes the resumption of a more normal level of activity in the field of fact-finding visits, and expects that the full potential of this specific prerogative of the Committee on Petitions will be exploited in the upcoming years until the very end of the legislative period; underlines the importance of the Working Documents produced after each visit, including specific recommendations, and urges the different authorities concerned to take them into due consideration; considers that the degree of compliance with these recommendations should be periodically appraised;
35. Highlights the work done in 2015 by the Committee on Petitions to provide petitioners with a web portal through which they can register, submit a petition, download accompanying documents and add their support to petitions already considered admissible; underscores the updating of the portal to which the petitions registered in 2013, 2014 and 2015 have been uploaded; is pleased to note that the new search, add support features and petitioner confidentiality features have been renovated and upgraded;
36. Recalls the steps still needed to conclude the remaining project phases of the petitions web portal, whereby petitioners will be able to receive real-time information on the status of their petition and be automatically notified of changes in the processing procedure such as the declaration of admissibility, the reception of a response from the Commission or the inclusion of their petition in the agenda of a committee meeting and the web-streaming link, and will thus be provided with clear and direct information from the secretariat of the Committee on Petitions; underlines that the web portal is a crucial information source for EU citizens, and that information on the lifecycle of the petition should therefore be provided;
37. Draws attention to the adoption of Regulation (EU) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market; urges that submission documents signed by means of electronic signature from all 28 Member States should be accepted by the Committee of Petitions, as well as all the European Union institutions;
38. Emphasises the important role of SOLVIT, a problem-solving network between the Member States which should be thoroughly developed to its full potential in collaboration with the States and their national SOLVIT centres under their national administrations, and requests that it be given more resources and that a more systematic analysis of the problems identified by SOLVIT be conducted as this network helps to give a realistic picture of the dysfunctions of the single market;
39. Calls on the United Kingdom to take note of the recommendations made in the report of the fact-finding mission conducted in London on 5 and 6 November 2015, which were approved by the Committee on 19 April 2016;
40. Stresses the importance of cooperation with the European Ombudsman, and the involvement of Parliament in the European Network of Ombudsmen; applauds the good relations maintained within the institutional framework between the European Ombudsman and the Committee on Petitions; commends the work of the Ombudsman to improve good administration in the EU, and has appreciated in particular her regular contributions to the work of the Committee on Petitions throughout the year;
41. Instructs its President to forward this resolution and the report of the Committee on Petitions to the Council, the Commission, the European Ombudsman and the governments and parliaments of the Member States, their committees on petitions and their national ombudsmen or similar competent bodies.

⁽¹⁾ Texts adopted, P8_TA(2016)0021.

⁽²⁾ Texts adopted, P8_TA(2016)0062.