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The citizen's appeal to the European Parliament

PETITIONS 1958-1979



ARCHIVE AND DOCUMENTATION CENTRE (CARDOC)
DIRECTORATE-GENERAL FOR THE PRESIDENCY
EUROPEAN PARLIAMENT

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HET PARLEMENT VAN DE EUROPESE GEMEENSCHAPPEN
Centre European
Luxembourg.

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Uw brief van

455/71

Datum
4 sept



l'Europe
et de nom
Commission

Veuillez agréer
Président du
l'expression de
distingués

ADMINISTRATION DES POSTES
Grand-Duché de Luxembourg

(A remplir par l'expéditeur
qui mentionnera ci-dessous
son adresse complète)



M Assemblée Parlementaire
Européenne
LUXEMBOURG

stellt fest,
daß ohne eine europäische demokratische Regierung die Wirtschafts-, Währung
politische Union Europas nicht verwirklicht werden kann;
daß die derzeitige schwere Krise der europäischen Einigung den bis heute erre
Integrationsstand bereits zu unterhöhlen beginnt und — wenn ihr nicht rechtzeitig
halt geboten wird — zur völligen Auflösung der Europäischen Gemeinschaft fu
mit Folgen, die das Ausmaß einer historischen Katastrophe annehmen werden;
daß die Absichtserklärungen der Gipfelkonferenzen von Paris und Kopenhagen
die Europäische Union noch immer ohne Konsequenzen geblieben sind;
fordert daher,
daß das Europäische Parlament als die einzige Vertretung der europäischen Bürger
europäischer Ebene das Recht für sich beansprucht und die Aufgabe übernimmt
allerkürzester Zeit — spätestens aber bis Ende 1974 — einen Bericht über die
päische Union in Form eines Verfassungsentwurfs zur Einsetzung einer europäis
Regierung zu erarbeiten, die gegenüber dem in der Lage ist, den politischen, wirts
Europäischen Parlament verantwortlich und in der Lage ist, den politischen, wirts
Europäischen Parlament verantwortlich und in der Lage ist, den politischen, wirts
Europäischen Parlament verantwortlich und in der Lage ist, den politischen, wirts

19. JUNI 1974

PÉTITION
Les soussignés déclarent approuver les
s du vœu ci-dessous adopté le Vendredi 14 Juin 1963
e Conseil Municipal de SAINT-SAVIN :
VOËU
SAINT-SAVIN conscient de l'importance
sion de la Paix

Wiesbaden, den 27. Mai 1963

An das Sekretariat des Präsidenten



Europäischen Parlamentes

29 MAI 1963

Sehr geehrte Herren!

N° 82844

Am 2. Mai 1963 sandte ich dem Präsidenten
per Einschreiben eine Petition. Ich wäre Ihnen
dankbar, wenn Sie mir den Empfang bestätigen und
die Petition mit dem Präsidenten

무름 주었다
우리는 이러한 감사의
불안속에서 노동능력의
공산주의자가 아니며, 그
들러하임의 정상회담, 자유로운
하여 주시기 바랍니다.
우리는 정보조직계의
생활 분위기와 화
초려합니다.

AVION **AIR MAIL** **AVION** **AIR MAIL**



PARLEMENT EUROPEEN

Centre européen Plateau du Kirchberg
LUXEMBOURG

PAR AVION
VIA AIR MAIL

The citizen's appeal to the European Parliament

PETITIONS 1958-1979



ARCHIVE AND DOCUMENTATION CENTRE (CARDOC)
DIRECTORATE-GENERAL FOR THE PRESIDENCY
EUROPEAN PARLIAMENT

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CHAPTER ONE

**THE LEGAL FRAMEWORK
OF PETITIONS**



1. THE LEGAL BASIS OF PETITIONS TO THE COMMON ASSEMBLY OF THE ECSC

Petitioning is the ancient right to appeal to the sovereign to urge action for the protection of the applicant from abuses, generally by agents of the sovereign himself, or to obtain economic or other kinds of support in cases of adversity. With the transfer of sovereignty to the people, petitions have been addressed to the parliament in which the representatives of the new holders of sovereignty sit. This right is recognised by the constitutional practices even in those countries in which the constitution does not expressly mention it.

Right from the beginning of European parliamentary history, the Common Assembly of the ECSC, deeming itself to be a real and proper parliament, and despite the absence of any provision in the Treaty, declared its competence to receive the complaints and suggestions of citizens of Member States. For this purpose it envisaged its own procedural rules for the submission and examination of petitions¹; these rules govern the procedure without providing any definition of the petition deed itself². In particular, the formal conditions for the admissibility of a petition were established: a mention of the petitioner's name, capacity, no better specified, and nationality, without specifying that this has to be of a Member State; finally, the legalisation of the petitioners' signatures was requested. The admissibility assessment was implicitly entrusted to the President of the Common Assembly, who forwarded the petitions to the competent committee, namely the Committee on Rules of Procedure, which decided if the petition fell within the sphere of activities of the ECSC. If the answer was that it did, the Committee on Rules of Procedure decided to forward the petition to the High Authority, to the Council or to one of the committees of the Assembly itself which could submit a report on it.

2. THE RULES ON PETITIONS IN THE EUROPEAN PARLIAMENT UP TO 1973

The regulatory structure of the Common Assembly was substantially taken over in the Rules of Procedure of the body that followed it after the Treaty of Rome and its general lines remained unchanged during the entire period that is the subject of this document.

Rule 45 of the Rules of Procedure of the European Parliamentary Assembly, as the new Assembly was called, states:

- 1. To be admissible, petitions addressed to the Assembly shall mention the name, capacity, nationality and domicile of each of the signatories.*
- 2. The aforesaid petitions shall be forwarded by the President for examination by one of the committees established pursuant to Rule 38(1) which, preliminarily, shall determine that it falls within the sphere of activities of the Communities.*

¹ Rule 39 of the Rules of 12 January 1953, amended, but not substantially, on 12 May the following year. The absence in the European Parliament records of the committee's report makes it impossible to assess the considerations of a political nature that inspired the rules.

² A definition can be found in an opinion provided by the European Parliament's Committee on Legal Affairs to the Bureau. This makes a distinction between a petition-complaint, a non-judicial appeal to protect the petitioner's rights, and a petition-record, an expression of freedom of opinion providing information or expressing a desire as regards the addressed institution. EP Committee on Legal Affairs, Draft opinion on the principles applicable to the examination of the petitions addressed to the European Parliament, PE 32158 of 30.1.1973, stored in CARDOC PE AP RP/JURI.1961 A0-0076/73 0040.

3. *Following the opinion of the committee, petitions declared admissible shall be forwarded to the High Authority, or to the European Commissions, or to the Councils. The assigned committee shall have the power to submit a report to the Assembly'.*

This Rule not only adapts that of the Common Assembly to the new institutional makeup of the Community system but also contains two changes. The first is the suppression of the signature legalisation obligation as this had already been abandoned in many Member States³; the second and more important change is the elimination of the procedure of the Committee on Rules of Procedure and the attribution of the admissible petition directly to the committee competent for the matter⁴. It was therefore felt that the role played until then by the Committee on Rules of Procedure was essentially superfluous. A further paragraph establishing a general register of petitions was added to Rule 45 on 28 June 1960 and provides a further framework for the part of the procedure that follows the committee's examination. Here paragraph 4 states:

4. *Petitions which meet the conditions envisaged in paragraph 1 shall be listed in a general register in the order in which they are received.*

The petition, as well as the decision to forward it or to submit a report taken in the conditions envisaged in paragraph 3, shall be announced at a public sitting. Such communications shall be attached to the minutes and notice given to the signatory.

The text of the petitions listed in the register, as well as the text of the committee's opinion, which shall accompany petitions being forwarded, shall be lodged in the parliamentary archives where they may be consulted by any representative.'

This paragraph arose from the experience with the first significant petition submitted to the Assembly⁵, as was clearly indicated in the report on the publication of petitions⁶. After discussing the petition at great length, the Community Internal Market Committee decided not to produce a report on it but to forward it with a reasoned opinion to the High Authority. Nevertheless, the Committee wished to give prominence to the work carried out, even though this was not envisaged by the Rules of Procedure, which permitted publication only in the event of submission of a report to the Assembly. The Bureau appointed the Committee on Rules of Procedure and Legal Matters to examine the matter and concluded with the proposal which was then approved on 28 June 1960. The report contained a description of the amended procedure which went beyond the reading of the new paragraph:

10. This procedure would therefore entail:

- a) *the entry in a special register, lodged in the Assembly's 'Grefte', of any petition received that meets the material conditions laid down in Rule 45(1) of the Rules of Procedure. Such inclusion in the register would lead to the allocation of an order number for each petition, and would include the name, capacity, nationality and domicile of the signatory, the summary indication of the subject of the petition and an indication of the competent committee to which the President forwarded the petition. This register*

³ EPA, Committee on Rules of Procedure, Legal Matters, Petitions and Immunities, Report on the Rules of Procedure of the European Parliamentary Assembly, Doc. 17/58, p. 28, stored in CARDOC PE0 AP RP/REGL.1958 A0-0017/58 0010

⁴ Ibidem.

⁵ Petition 001/58.

⁶ EPA, Committee on Rules of Procedure, Legal Matters, Petitions and Immunities – Doc. 46/60, stored in CARDOC PE0 AP RP/JURI. 1958 A0-0046/60 0010.

would be integrated with a file in the archives containing the complete text of the petition which could be consulted by any member of the Assembly who asked to do so;

- b) external publicity for the petition would be guaranteed by means of periodical notification by the President at a public sitting of all the petitions received. Such notification, however, would only include the order number of the petition, the signatory's name, a summary indication of the subject of the petition and the name of the committee to which it was forwarded. This notification from the President would be attached to the minutes of the sitting which, in compliance with Rule 20(4) of the Rules of Procedure, is published in the Official Journal of the Community.

It would be the responsibility of the Secretary-General of the Assembly to ensure that this notification would be given to the signatory.

The review of the Rules of Procedure in 1967 did not substantially amend the rule on petitions, now numbered 48, but rearranged it logically and moved one indent from one paragraph to another⁷.

3. THE RULES ON PETITIONS IN THE EUROPEAN PARLIAMENT AFTER 1973

The amendment of Rule 48 alone, adopted on 7 June 1973, was highly incisive.

- 1. Petitions to the European Parliament shall mention the name, capacity, nationality and domicile of each of the signatories.*
- 2. Petitions which meet the conditions envisaged in paragraph 1 shall be listed in a general register in the order in which they are received; otherwise they shall be dismissed and the motivation will be notified to the signatory.*
- 3. The petitions listed in the general register shall be forwarded by the president for examination by one of the committees established pursuant to paragraph 1 of Rule 37 which, preliminarily, shall determine that it falls within the sphere of activities of the Communities; otherwise they are dismissed.*
- 4. On the request of the competent committee, the petitions declared admissible shall be dismissed or forwarded by the President, with the committee's opinion, to the Commission or to the Council of the Communities.*

The committee that carries out the examination shall have the power to submit a report to Parliament.

- 5. The petitions listed in the general register referred to in paragraph 2 as well as the decision to dismiss or to forward, or the decision to submit a report shall be announced at a public sitting.*

Such notifications shall be attached to the minutes. The signatory shall be given notice of the decisions taken and the reasons for them.

- 6. The text of the petitions listed in the register, as well as the text of the committee's opinion, which shall accompany petitions being forwarded, shall be lodged in the parliamentary archives where they may be consulted by any representative⁸.*

⁷ EP Legal Affairs Committee, Report on the revision of the Rules of Procedure of the European Parliament..., Doc. 131/67 of 18 October 1967 and Resolution on the revision of the Rules of Procedure of the European Parliament in OJ 267/67 of 6.11.1967. The two documents are stored in CARDOC PE0 AP RP/JURI. 1961 A0-0131/67, 0010 and 0001.

⁸ The amendments to the previous text, that of 18 October 1967, are in Italics.

About fifteen years' experience with petitions⁹ were incorporated in this amendment, which attempts to create a sort of 'decision tree' in a regulatory form, in which every situation is linked to a typical decision, leaving it to the discretion of Parliament's bodies to assess which abstractly envisaged situation the petition in question can be referred to. In this sense, the new text of Rule 48 fills a gap in the previous rules, which did not allow a committee charged with examining a petition to decide on the dismissing of petitions declared to be inadmissible and the dismissing of admissible petitions found to be without grounds¹⁰. There are at least two options in every stage of the procedure:

- the Chairman assesses the formal admissibility of a petition and dismisses it in the event of a negative outcome;
- formally admissible petitions are sent to the competent committee which assesses their pertinence vis-à-vis Community spheres of activity and orders that they be dismissed if they do not relate to any of them;
- petitions which pass the previous levels are subjected to an examination which is clearly political as the competent committee may order them to be dismissed for reasons left to its own broadest discretion, or to be forwarded to one of the other two political institutions¹¹ or, finally, a report may be submitted to the Assembly.

No mention is made, however, of the treatment of the petition by the institution to which the petition is sent.

The regulatory framework defined in this way was amended by the resolution adopted by Parliament on 13 January 1976 on the number and composition of the committees of the European Parliament¹², which established a new committee for the Rules of Procedure and petitions. The criterion according to which petitions were attributed to the various committees on the basis of their competence for a subject was abandoned as a result, and one committee was given responsibility for all the petitions. In other words, a return was made to the solution adopted by the Common Assembly of the ECSC.

The next revision of the Rules, in 1979, did not affect Rule 48.

4. THE UNRESOLVED PROBLEMS

In 1976 the Committee on Rules of Procedure proposed a radical amendment of Rule 48 which was not followed up, but its report¹³ is useful, along with a note by the Directorate-General for Studies

⁹ A certain interest in putting order into the regulations governing petitions can be noted in 1972. The enlarged Bureau, on the initiative of the Committee on External Relations, had asked the Legal Affairs Committee for its opinion on the appropriateness of introducing into the admissibility conditions a requirement for the petitioner to be acting as the representative of a group or body directly interested in the subject of the petition. The Legal Affairs Committee rejected this idea, and deemed that the proposed requirement was not necessary from a legal perspective, if not indeed contrary to the general principles. EP – Legal Affairs Committee – Opinion on the conditions of admissibility of a petition ... and in particular on the opportunity of adding the requirement to this conditions that the petition's author be acting in the capacity of representative ..., PE 29.819, stored in CARDOC PE0 OD PV/BURE BURE-19720914 0820.

¹⁰ EP – Legal Affairs Committee – Report on article 49 of the Rules of Procedure of the European Parliament, Doc. 76/73. Stored in CARDOC PE0 AP RP/JURI.1961 AO-0076/73 0010.

¹¹ A practice was established on the basis of which forwarding could be accompanied by an opinion.

¹² OJ C 28 of 09.02.1976.

¹³ EP – Commission on Rules of Procedure and Petitions – Report on the amendment of article 48 of the Rules (petitions), Doc. 409/76. Stored in CARDOC PE AP RP/REGL.1975 AO-0409/76 0010. Announced at the sitting on 15 November 1976. There is no subsequent trace of it except for a mention in the agenda of the enlarged Bureau on 17 November 1976, not followed up in the minutes.

and Documentation¹⁴, for clarifying some of the regulatory problems that the experience had highlighted.

Apart from several secondary formal aspects, two substantial proposals seemed inspired by a desire to restrict the admissibility of the petitions. In the first place, the admissibility criterion of pertinence vis-à-vis the Community's competence was joined by that of geographical area, defined by the borders of the Member States. This proposal was not justified in the report in relation to the effects that the Community's activities would generate outside its own borders and seems, rather, to refer to the petitions, for example those on civil rights in non-Community countries, which do not relate to Community activities. It is no coincidence that the proposal envisaged that such inadmissible petitions should be forwarded, without an opinion, to the international organisations with competence for the matter, and not to the states.

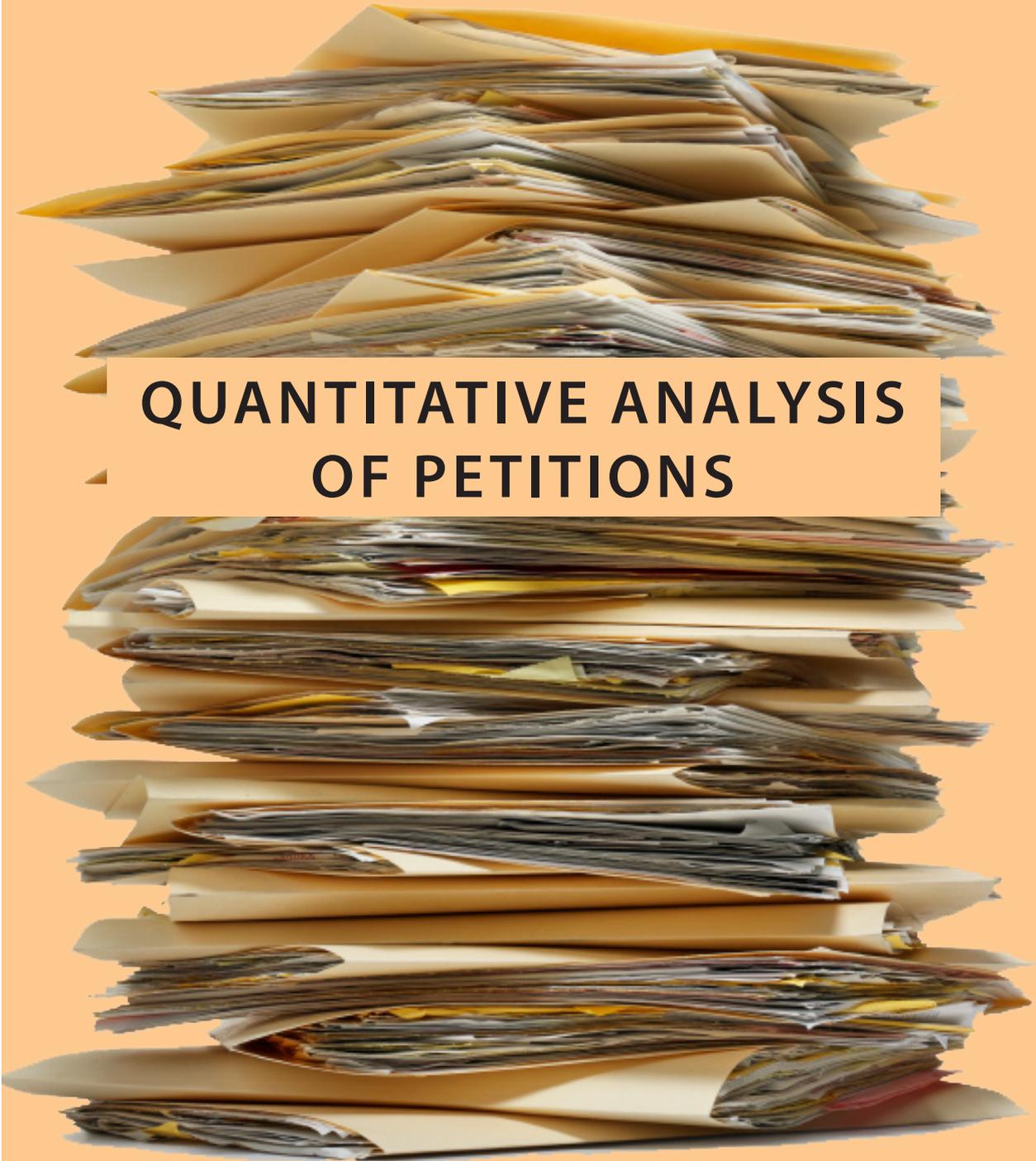
The second proposal, inspired by the Italian Constitution, sought to restrict the subject matter: petitions exclusively regarding a particular problem which did not also raise a matter of principle could not be declared admissible. This negative framework was intended to leave room for the admissibility of petitions in particular cases which nevertheless demonstrated the existence of a collective need: such was the case of the petitions that, as the document from the Directorate-General for Studies points out, were worthy of acceptance because they dealt with events arising out of easily identifiable shortcomings of Community activities.

Echoing the document from the Directorate-General for Studies, the reason behind the report was the delicate question of the relationship between the petitions and national and Community jurisdiction, but strangely the text of the proposal did not contain any provision in this regard.

¹⁴ EP – Directorate-General for Studies and Documentation – Note on the Petitions presented to the European Parliament PE 44.760. Stored in CARDOC PE AP RP/REGL.1975 AO-0409/76 0080.

CHAPTER TWO

**QUANTITATIVE ANALYSIS
OF PETITIONS**



1. ANNUAL DISTRIBUTION OF PETITIONS¹

From its establishment in 1958 until it was first elected by direct universal suffrage, the European Parliamentary Assembly, known as the European Parliament from 1962 on, received 128 petitions². Their distribution over the years was as follows:

TABLE I – ANNUAL DISTRIBUTION									
YEAR	PET.	YEAR	PET.	YEAR	PET.	YEAR	PET.	YEAR	PET.
1958	1	1964	3	1965	2	1966	1	1967	1
1968	1	1969	3	1970	4	1971	2	1972	2
1973	6	1974	9	1975	16	1976	19	1977	24
1978	31	1979	3						

It should be noted that there was just one petition – in 1958 – in the first five years of activity, just a few petitions, fewer than 10, in the 10 years from 1964 to 1974 and, finally, a progressive increase in the four years from 1975 to 1978, heralded by the figures for the 1973-1974 period, which were nonetheless limited to fewer than 10 each³.

No trace was found in the debates and documents from the 1970s of reflections on the explosion of petitions during those years, but it should be noted that, at the time, the Committee on Rules of Procedure attempted to reform the Rules and appears to have wanted to limit the number of petitions⁴ by means of more selective admissibility criteria. It is most likely that the number of petition was affected by the fact that not long before the Committee on Rules of Procedure had been given general responsibility for all petitions, though it can be assumed that the desire to restrict admissibility followed on from the significant increase in the number of petitions.

When observed from a historical perspective, the coincidence between the significant rise in the number of petitions and the progress of the European integration process appears significant. The submission of a low number of petitions during the decade 1964-1974 coincides with a period during which the European Community was facing difficulties: the 1962-66 crisis characterised by De Gaulle's various stands and, after the Luxembourg compromise, the question of British membership, caused uncertainty which affected the credibility of the Community institutions in the eyes of the public, even if it did not result in a stalemate like that which existed before the Luxembourg compromise.

A relaunch began with the Hague summit in 1969 and was given concrete expression in 1975 in the Tindemans Report on the European Union. It can be assumed that the debates in the press also attracted the sectors of the public that paid less attention to the Community institutions and, in particular, to the European Parliament, which was increasingly assuming the image of the representative of the European citizens.

¹ The complete list is provided in the annex to this Journal, indicating for each the number, title, origin of the petitioner, subject and outcome.

² During its whole existence (1953-1958) the Common Assembly of the ECSC, whose competences were limited to the coal and steel sector, received two petitions, both in 1955. These are discussed in EP The Committees of the Common Assembly CARDOC Journal, 2008, Chap. 8, para. 7.

³ 1979 cannot be compared with the previous years as the petitions announced in the Chamber before the elections – namely, in the first 4-month period – were taken into consideration.

⁴ See the fourth paragraph of the previous chapter.

2. DISTRIBUTION OF PETITIONERS BY ORIGIN

An important element in understanding the phenomenon of petitions during the years in question is the provenance of the petitions, not so much from the geographical point of view but rather the origin of the petitioners⁵. The distribution of petitioners by origin was as follows:

ORIGIN	PET.	ORIGIN	PET.	ORIGIN	PET.
B	2	H	1	Nl	5
D	16	I	10	Pol	1
F	15	L	4	UK	9
Officials	22	Associations	43		

This table reveals a significant phenomenon: over half (65 out of 128) of the petitions came from two categories that cannot necessarily be attributed to a nationality: associations and Community officials.

The high presence of the former, about one third of the total, probably indicates that the functional synergies of groups lead them to identify the petition as a useful tool for ensuring that the voice of the interests they defend are heard in the European political decision-making bodies. On the other hand, it is likely that associations already accustomed to making their voice heard in their national parliaments found it easy to use the tool of the petition to the European Parliament.

As regards officials of the European Communities, primarily from the European Parliament itself, they were in a privileged position both because they knew the procedural mechanisms and because they presumably had useful contacts among European parliamentarians, even if their petitions do not appear to have received any sort of preferential treatment. On the contrary, there seemed to be some concern that the wide-spread use of petitions among officials could wear down the institution. Significant in this regard is the following passage from a parliamentary report⁶:

Officials of the European Parliament have already submitted quite a high number of petitions. While not intending to deny the officials of this institution the right to petition recognised for all European citizens, it is however necessary to ensure that this right be exercised under specific conditions in such a way as to prevent the right of petition – envisaged fundamentally for all citizens of the Community – from being used excessively by officials of the institution. Therefore, the Committee on Rules of Procedure and Petitions requests that it be stated in the general instructions attached to the Rules of Procedure that petitions concerning the relationship of officials and agents with Parliament's administrative bodies and the operation of Parliament itself be declared inadmissible.

The figures in the table also warrant further comments on associations. While some of these have a 'universal' vocation, others pursue merely national aims and are mainly composed of members from

⁵ Speaking of origin rather than nationality is preferable because, as we will see in this paragraph, prominence is assumed by two categories of petitions that cannot be referred to by their nationality. In the approach taken by this document, origin coincides with nationality in the case of petitioners outside these categories.

⁶ EP – Commission on Rules of Procedure and Petitions – Report on the amendment of Rule 48 of the Rules (petitions), Doc. 409/76 cit... This report was not followed up. See Chap. I, para. 4.

a single country. From this point of view it is important to classify the petitions of the associations on the basis of their origin or vocation⁷:

TABLE III PROVENANCE OF THE PETITIONS OF ASSOCIATIONS							
Un. Ass.	I Ass.	F Ass.	UK Ass.	Chilean Ass.	Da Ass.	Ukr Ass.	Ur Ass.
27	4	4	3	2	1	1	1

It is possible on the basis of these figures and those in table II to obtain a table which indicates the provenance of petitions more correctly by highlighting the nationality of the petitioner.

TABLE IV – DISTRIBUTION BY ORIGIN					
ORIGIN	PET.	ORIGIN	PET.	ORIGIN	PET.
B	2	Da	1	D	16
F	19	H	1	I	14
L	4	Nl	5	UK	12
Chile	2	Pol	1	Ukr	1
Ur	1	Officials	22	Un. Ass.	27

Associations with a universal vocation are still responsible for the highest number of petitions, but their share of the total is just over one fifth. The four largest countries, Germany, France, Italy and the United Kingdom, are, as is to be expected, responsible for the highest number of petitions. Each of these had a share of between 10% and 13% and the others countries followed, while the absence of petitions from Ireland should be noted⁸.

Worthy of note is the particular aspect of six petitions submitted by national parliamentarians, five from French nationals (four of them from the same person) and one from a Luxembourg parliamentarian. The petitions submitted by the French parliamentarian seem to have been aimed at obtaining European support for questions of national interest: the extradition of Barbie and a campaign which he himself was waging on a specific problem of pollution in the Mediterranean resulting from the discharge of toxic waste into the sea by an Italian industry. The other two submitted by parliamentarians, one from France and one from Luxembourg, related to matters that were more specifically Community ones and seem to be proclamations of principle, perhaps for internal political reasons, rather than real petitions.

⁷ Those associations which are not referable to a single company because of their composition and aims are indicated in table III and in the remainder of this document as universal associations (Un. Ass.).

⁸ However, the British petitions include a number from Northern Ireland.

3. DISTRIBUTION BY SUBJECT

From the point of view of the subjects involved⁹, 67 petitions (over half of the total) concerned four subjects, each of which was dealt with in at least 10 petitions¹⁰. These were: international affairs (largely regarding the defence of civil rights in countries ruled by dictatorships), European institutional matters, animal protection and problems relating to the European civil service (virtually all submitted by Community officials).

These were followed by a group of five subjects, with five to nine petitions each (32 in total): the environment, the problems facing migrants (essentially those within the Community), civil rights (within the Community), health and regional questions.

Ten petitions are distributed in six categories with from one to three petitions each. In the case of 19 petitions classified in the 'national administrations' category it appeared to be more relevant to use the body against which the petition was submitted as the criterion¹¹.

The absence of petitions on the common market¹², which was actually the 'object' of the Community, raises several questions. Was the realisation of the common market something which the broader public was not particularly concerned about or, more probably, was it that its absence was not perceived as a shortcoming? In reality, the presence of all of 20 petitions on Community institutions highlights interest on the part of the public, but it was a public which was more concerned with questions regarding the decision-making mechanisms and democratic life or matters which were still symbolic at that stage, such as the single currency, rather than Community functions already envisaged by the Treaties. It is likely that the groups most interested in the common market – business associations, consumers and trade unions – preferred to express their positions through less formal channels than a petition.

⁹ See table V which relates the subjects to the petitions' origin, as revealed in table IV. The subjects were classified by the author in such a way as to create homogeneous, but fairly broad, categories, in an attempt to highlight the petitioners' interests. For example, initially all the petitions which were finally classified under the heading 'animals' were incorporated into the 'environment' category; as virtually all the 'animal' petitions regard birds, it was decided not to make a special category for them. In order to avoid confusing petitions which maintain specific characteristics of their own in large heterogeneous categories, it was preferable to create some small but homogeneous categories alongside the large ones. This criterion was not followed for petitions relating to the conduct of national administrations as these largely had in common the fact that they were not admissible as they did not come within the spheres of competence of the Community, as will be seen in the next paragraph. These will be discussed in detail in the next chapter.

¹⁰ The 19 petitions from national administrations were not taken into consideration as they were too heterogeneous.

¹¹ As will be clearer in the chapter which follows, the petitions in this category are in effect almost exclusively complaints and requests for help in relation to a Member State.

¹² An ECSC category was created for two petitions relating to fraud in the iron scrap market.

TABLE V – DISTRIBUTION BY SUBJECT AND ORIGIN

	Un. Ass.	Officials	B	Da	D	F	H	I	L	NI	UK	Chile	Pol	Ukr	Ur	TOTAL
Intern. affairs	4	4	1		2	3		2	1			2		1	1	21
Eur. institutions	6	3			3	4		1	1		2					20
Nat. admins.					6	5	1	3	1	1	1		1			19
Animals	13							1			1					15
Eur officials		10						1								11
Environment	2	1	1			3					2					9
Migrants		1			2			4			1					8
Civil rights		1		1	1			1	1							5
Health	1				2	1					1					5
Reg						3					2					5
Politics	1	1								1						3
ECSC										2						2
Social policy											2					2
Languages	1															1
Research		1														1
Civil respons.										1						1
TOTAL	28	22	2	1	16	19	1	13	4	5	12	2	1	1	1	128

4. DISTRIBUTION BY SUBJECT AND ORIGIN

Interesting relationships appear when the classification by subject is cross-referenced with the classification by origin. First and foremost, of the 20 petitions regarding European institutions (primarily regarding European integration in other words) seven, i.e. over one third, came from Germany and France, whose citizens were closely consulted right from the early years of the ECSC on their respective European policies and who were supportive in this regard (with the exception of the four-year period from 1962 to 1966). These seven petitions constitute exactly one fifth of those that were from the same origins and, if set apart from those regarding national administrations, have the highest total. The other 13 petitions on the European institutions came from associations with a universal nature (six, almost one third), from pro-European movements in other words, from Community officials (three), from British citizens (two), from an Italian, and from a citizen of Luxembourg.

As far as international affairs were concerned, the distribution according to origin was more balanced and there is a trend here of four petitions from 'non-Community' associations, composed of foreign citizens, mainly refugees or exiles from countries ruled by dictatorships (Chile, Ukraine and Uruguay). The highest number of petitions, four each, came from universal associations and Community officials, followed by French citizens, who submitted three. One of these, a national parliamentarian, submitted a petition on the extradition of Barbie, which differed from the other petitions on international affairs because of its specific national interest.

The 15 petitions dedicated to animals came almost exclusively (13) from associations and, in particular, from *Mondiaal Alternatief*, which claimed to speak on behalf of 8 million supporters: this focused essentially on the protection of birds. The high presence of associations among the petitioners raising animal issues is confirmation of the common observation that supporters of this cause have a high tendency to form associations.

As is to be expected, of the 11 petitions relating to the European civil service almost all (10) came from European officials. As is also to be expected, considering the migratory flows at the time, four of the eight petitions regarding migrants were of Italian origin.

There was a significant number of petitions regarding regional matters, three out of five of which came from French petitioners; we can see that these are even more concentrated when we note that three came from Lorraine, i.e. from the Luxembourg-Strasbourg axis, which, along with the Luxembourg-Brussels one, is close to the European institutions.

The distribution by origin of the petitions regarding national administrations, about a third of which came from German citizens, does not illustrate any significant trends, however, as their subject matter is unrelated.

5. DISTRIBUTION BY SUBJECT AND OUTCOME OF THE PETITION

An attempt was made when classifying the outcomes of the petitions to provide more analytical information of their result. This is the information that the formulas in table VI were specifically intended to highlight. First of all, it should be noted that no petition was declared inadmissible for formal reasons: the correspondence contained in the files of some petitions clearly shows that Parliament's Secretariat has always allowed and urged petitioners to rectify any formal irregularities.

Many petitions (21) were declared inadmissible as they did not fall within the spheres of competence of the Community¹³. Eleven of these related to petitions regarding matters of national administration, i.e. almost two thirds of the 19 in this category. This figure confirms that the right to petition the European Parliament was considered by many as a form of appeal to a higher decision-making body with general competence.

¹³ NRM in table VI.

TABLE VI – DISTRIBUTION BY SUBJECT AND OUTCOME

	NRM	Filed	Filed because superseded	Filed after Directive	Filed after Res.	Filed because of new national provisions	Transfer to Commission/ High Authority	Transfer to Council	Transfer to Foreign Affairs Ministers	Interven. with Lux	Resolution	Unknown	TOTAL
Intern. affairs	2	4	1		5		2	1	1		4	1	21
Eur. institutions		8	2		3		1	3			2	1	20
Nat. admins.	11				2	1	4				1		19
Animals	1		1	1	1		10				1		15
Eur officials		3			1		1			1	4	1	11
Environment	1	6									2		9
Migrants		1					2	1			4		8
Civil rights	2	1					2						5
Health	1	1					1	1			1		5
Reg		3					2						5
Politics	3												2
ECSC							2						2
Social policy			1				1						2
Languages					1								1
Research											1		1
Civil respons.							1						1
TOTAL	21	27	5	1	13	1	29	6	1	1	20	3	128

Petitions which passed the admissibility examination faced three possibilities: being dismissed, being forwarded to another institution or a specific action, generally a European Parliament resolution.

There were different reasons for dismissal in all 47 cases, i.e. over one third of the total. First of all, there was pure and simple dismissal¹⁴ (27 cases), which entailed a decision not to take any further action on the petition for reasons that were not necessarily expressed and which were generally of a political nature. The cases of pure and simple dismissal affect nine topics, the most numerous of which (Community institutions) does not account for 30% of the total with this outcome. When the percentage dismissed within each subject area is examined it can be seen that over half of the petitions on environmental matters (6 out of 11) had this outcome. Where petitions on the institutions were concerned, the cases of pure and simple dismissal reached 40% (8 out of 20).

¹⁴ Classified in table VI.

The reasoned dismissed cases were distributed in a more balanced manner with reference both to the total petitions and to the different subjects. Thirteen were dismissed because Parliament had already expressed itself in a resolution on the matter, six because the subject of the petition was no longer relevant and in one case each because during the procedural delays a directive had been adopted or the state in question had in the meantime amended the regulations that had given rise to the petition. These reasons for dismissal only exceed four cases once in the individual categories. These are the ones in the international field, 6 out of 21 of which were dismissed for one reason or another, while the same number of petitions were not followed up (inadmissible or dismissed without reason).

Thirty-six petitions were forwarded to another institution, 29 of them to the Commission, six to the Council and one to the Ministers of Foreign Affairs for diplomatic action to take in the framework of negotiations with the Soviet Union regarding civil rights. The petitions sent to the Commission were distributed in a fairly balanced manner among 14 subject areas but when we look at those forwarded to the executive from the point of view of their subjects, it can be seen that all of 10 out of 14 concern animals, in other words the majority of those on this subject.

Parliament took direct action on 21 petitions, 20 of which were handled by means of specific resolutions on the petition while in one case Parliament intervened before the Luxembourg Government on a petition regarding a European office. Parliament took direct action on eight issues and only in one case, the European office, did its actions take precedence over the other outcomes: 5 out of 10 petitions for which the outcome is known.

In conclusion, it can be noted that the European Parliament followed up (forwarding or direct action) 59 of the 128 petitions considered here.

6. CRITERION FOR EXAMINING THE PETITIONS

Only the petitions of general interest, grouped by subject, will be dealt with below. These documents reflect a cross-section of society at the time and highlight problems which the European Union has largely contributed to solving.

CHAPTER THREE

**PETITIONS CONCERNING
EUROPEAN INSTITUTIONS**



1. PETITIONS CONCERNING EUROPEAN INSTITUTIONS

The 20 petitions concerning the European issues most closely linked to European integration and operations were included in this category. Four subgroups can be identified: seven petitions on the institutional debate, five on the European elections, three requesting the creation of the youth forum and five unrelated ones.

2. THE INSTITUTIONAL DEBATE

Of the seven petitions that tackle the topic of institutional reform, five, all entitled *Draft constitution establishing a European government*, appear to be expressions of the significant interest in this matter that characterised the period during which they were presented, i.e. between 1974 and 1975¹⁵. This was a time when the governments and institutions were asking questions about the reform of the latter just after its first enlargement: on 26 June 1975 the Commission, acting on the recommendation of the Paris Summit of October 1972, submitted a report to the governments on the European Union.

A similar link is not quite so evident in the case of the other two petitions¹⁶, in particular the 1969 one on *Election of a president of the European Communities*, which seems more like the explosion of a student's youthful enthusiasm than a petition in the real sense. This merely expressing the petitioner's desire to see the establishment of the position of a President of the European Communities who, elected by universal suffrage, would represent Europe at international level and appoint the members of the executive. The Political Affairs Committee expressed its appreciation for the petitioner's pro-European stance and dismissed the petition¹⁷.

The five petitions in 1974/75, which used the same text but for a few differences, came from a German couple, a French senator and three associations: the Union of European Federalists, the VdH¹⁸ and the CIAPC¹⁹. The first of these submitted two, Petition 5/74, signed by its President, and Petition 5/75, signed by its Secretary-General, who stated that the signatures of several thousand other signatories followed their own. The other two associations jointly submitted Petition 3/75 and their signatories, too, the Presidents of both associations and the Secretary-General of the VdH, pointed out that there were many thousand of signatories of Europe Action 1975 launched by Verband der Heimkehrer, Kriegsgefangenen und Vermissten-Angehörigen Deutschlands.

The five petitions highlighted the seriousness of the crisis affecting European unification at the time, stated that there was a risk that Europe could completely disintegrate and noted that the final declarations of the Paris (1972) and Copenhagen (1973) summits had not yet been implemented. As a consequence they asked:

'the European Parliament as the sole representative of European citizens on the European stage to demand the right and to assume the task of drawing up as quickly as possible – by the end of 1974 at the latest – a report on the European Union, in the form of a draft constitution establishing a European government that would be answerable to a European Parliament elected by universal suffrage and

¹⁵ These were Petitions 4 and 5 in 1974 and 2, 3 and 5 in 1975.

¹⁶ Petitions 3/69 and 25/78.

¹⁷ Letter from the Chairman of the Political Affairs Committee, Scarascia Mugnozza, to the President of the EP, Mr Scelba, on 4 May 1970, stored in CARDOC PE0 AP PT PT-0003/69 0060.

¹⁸ Verband der Heimkehrer, Kriegsgefangenen und Vermissten-Angehörigen Deutschlands.

¹⁹ Confédération internationale des anciens prisonniers de guerre, which brought together national associations including the VdH.

that would be able to translate the political, economic and monetary unification of Europe into reality²⁰.

The three petitions from the associations were part of two concerted campaigns while the other two petitions constituted autonomous and spontaneous support. The documents contained in the file on Petition 5/74 illustrates the contacts made between the Union of European Federalists and the European Parliament to organise a ceremony for the submission of the petition; this took place on 11 June 1974 in Strasbourg. The letter sent by the Secretary-General of the Union to the Secretary-General of the European Parliament on 6 June 1974²¹ stated that:

'the communication of these documents is part of an extensive campaign launched in early May as part of the European Movement's activities involving political forces, socio-professional groups and other organisations, as well as citizens.'

As far as Petition 3/75 is concerned, this was presented by the two associations in the framework of 'Europe Action 75' launched by the German association which, for this purpose, organised a large meeting in Saarbrücken with the participation of the EP Vice-President, Mr Berckhower.

Some of the petitions were dismissed as the European Parliament felt that it had adequately expressed its position in its resolutions of 17 October 1974²² and 10 July 1975²³ on European union, which did not mention the petitions.

Some years later, in 1978, the *Association pour une Charte d'une Constitution européenne de la Communauté Européenne*, an association with a universal vocation but composed exclusively of French nationals, submitted Petition 25/78, 'For a Constitutional Charter of the European Community based on the 1789 Declaration of the Rights of Man', which does not appear to be associated with any particular event, though it made reference to the European elections to be held the following year. This was in the framework of an awareness campaign being conducted out by the association, especially in France, and boasted the support of two prominent French politicians at the time, Defferre and Buron, the latter having already passed away by the time the petition was submitted.

The petition called for a future European constitution to integrate the principles of the 1798 Declaration of the Rights of Man and stated that the failure to respect that Declaration was at the root of the inevitable threat of self-destruction that accompanied it. The petition emphasised the French people's support for the initiative. The petition was dismissed.

3. PETITIONS CONCERNING THE EUROPEAN ELECTIONS

Another group of five petitions submitted between 1976 and 1977²⁴, all dismissed with one exception, focused in various ways on the European elections. In this case there is a perfect correlation between their time of submission and a precise event in the history of European institutions: on 20 September

²⁰ This passage is taken from Petition 4/74 and is identical, except for the dates, to the other petitions with the same title.

²¹ Stored in CARDOC PE0 AP PT PT-0005/74 0040.

²² OJ C 140 of 13.11.74, p.41

²³ OJ C 179 of 06.08.1975, p.128

²⁴ These were Petitions 1 and 2 in 1976 and 1, 3 and 22 in 1977.

1976 the Nine signed the act relating to the direct election by universal suffrage of the representatives in the Assembly, which, as we know, was held for the first time in June 1979²⁵.

Three of the five petitions concern the elections in the strict sense, but only one, Petition 3/76, *Promoting the election of the EP by universal suffrage*, in a general sense complained about the Council's inertia in adopting the decision to go ahead with the European elections and called on Parliament to put the draft convention of 14 January 1975 directly to the Member States²⁶. The other two, Petition 1/76, *Uniform procedure in all the Member States for the direct elections to the EP*, and Petition 22/77, *Regularity of the direct elections to the European Parliament*, were concerned, however, with eminently national matters linked to the electoral system.

The first petition, originating in the United Kingdom, raised the thorny question of the representativeness of the majority single-seat constituency system that had always been used in the UK. The petitioner, a supporter of the proportional method, affirmed that the majority system would deprive a large proportion of British voters of representation and asked the European Parliament to consider the proportional system used in Ireland for the first elections.

The second petition, using the quite strong term 'racket', reported irregularities in the formation of the lists of French voters abroad and, fearing that such irregularities would be repeated on the occasion of the European elections, asked the European Parliament to take the necessary measures to prevent this.

The other two petitions regarding electoral matters focused on the promotion of the European elections. Petition 3/77, *The EP's contribution to information on the election by direct universal suffrage*, is a complaint from several Luxembourg²⁷ politicians about the allocation of funds to the parliamentary groups in the EP, funds that were originally set aside for the institutional promotion of the direct elections and for the election campaign. It suggested that the parties that were taking part in the coming elections but did not already have representatives would be discriminated against.

Petition 1/77, *Supranational stamp in the context of the direct elections*, the only one not dismissed but forwarded to the Council, was an appealing and detailed proposal to issue a supranational postage stamp to commemorate the direct elections to the European Parliament. It should be noted that the petitioner was the same as in the case of Petition 3/76.

4. YOUTH AND THE COMMUNITY

Two related petitions were submitted between 1975 and 1976²⁸. They concerned Community youth policy and followed a specific act of the Commission on which the European Parliament was to deliver its opinion between the second and third petition: the Communication from the Commission regarding the follow-up to point 16 of the Hague Communiqué: Recommendation for a decision to

²⁵ On this subject see CARDOC Journal No 4 'Towards direct elections to the European Parliament - document drawn up for the occasion of the thirtieth anniversary of direct elections (June 1979)'.

²⁶ See the previous note.

²⁷ One of these politicians was Ms Astrid Lulling, a national parliamentarian at the time and currently an MEP, who authorised the publication of her name as co-author of the petition in question.

²⁸ These were Petitions 14 and 16 of 1975. The latter is primarily a complaint about the delays in examining the previous petition.

establish a 'committee for youth matters'²⁹ and the corresponding European Parliament resolution of 11 June 1976³⁰.

The first petition, *Young people and the future of Europe*, asked Parliament to put pressure on the Council of Ministers to establish the European Youth Forum and expressed concerns about the consequences that the abolition of Parliament's own Culture and Youth Committee would have on youth policy. The second petition, *Europe and young people*, deals with the same topics more emphatically.

5. OTHER PETITIONS CONCERNING INSTITUTIONAL MATTERS

The other five petitions deal with unrelated topics and cannot necessarily be situated in the context of the period during which they were submitted, except for one, *Concerns about the current changes in European politics*, which expressed concerns regarding the Euratom³¹ programme, and on which Parliament delivered its opinion in a resolution focusing specifically on the petition³². Another petition³³, which according to the stricter criteria adopted at the time does not even seem to be a petition but a mere proclamation of hope, related to the *Creation of a European currency*, and was forwarded to the Council.

The petition on the *Single seat for the Community executive and Parliament*³⁴, submitted by a group of Parliament officials touched on a thorny debate on this issue. It was at the centre of a conflict between the Committee on Petitions, which had approved a draft report³⁵ on the matter, and the Political Affairs Committee, which claimed that the subject fell within its remit and objected to the other Committee's report. The Enlarged Bureau for the most part reflected the position of the Political Affairs Committee at an initial meeting on 16 November 1978, and asked the Committee on Rules of Procedure to review its position³⁶. It was subsequently suggested that it make its report an opinion to the Political Affairs Committee³⁷. In the meantime, the rapporteur for the petition, Mr Hamilton, tabled his own draft resolution³⁸, which reproduced the contents of its report. It is not possible to determine the conclusion of the matter on the basis of the file archived by CARDOC but it seems likely that neither the Committee on Rules of Procedure nor Mr Hamilton's report were followed up.

²⁹ Com 73/675.def.

³⁰ OJ C 76 of 03.07.1974, p. 41.

³¹ 1/6.

³² See the list of petitions attached to this document.

³³ 3/68.

³⁴ 23/77.

³⁵ Stored in CARDOC PE0 AP PT PT-0023/77 0100.

³⁶ EP Enlarged Bureau, extract from minutes of 16 November 1978. CARDOC PE0 AP PT PT-0023/77 0150.

³⁷ EP - President (E. Colombo), letter of 23 April 1979 to M. S. Leonardi, Chairman of the Committee on Rules of Procedure and Petitions. CARDOC PE0 AP PT PT-0023/77 0320.

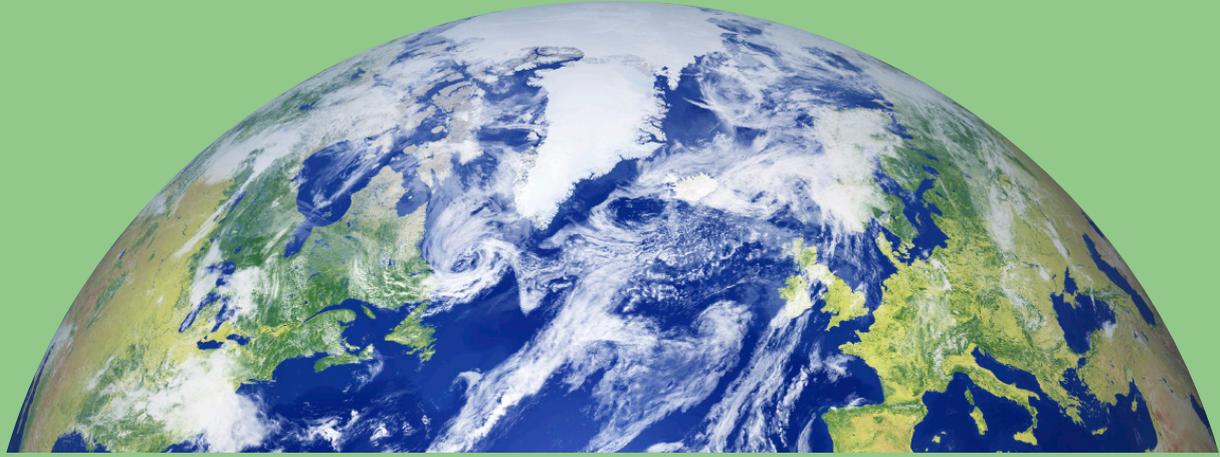
³⁸ EP Motion for a resolution tabled by Mr Hamilton on a single seat for the executive and parliamentary institutions of the Community. CARDOC PE0 AP PT PT-0023/77 0110

Two petitions³⁹ raised very specific subjects: The creation of *an EEC information office in Belfast* (Northern Ireland) and *the simplification of Community regulations to be completely rewritten in the event of amendment*. The first was dismissed as the office had been established in the meantime. The latter, submitted by the director of an international customs body, resulted in an EP resolution⁴⁰.

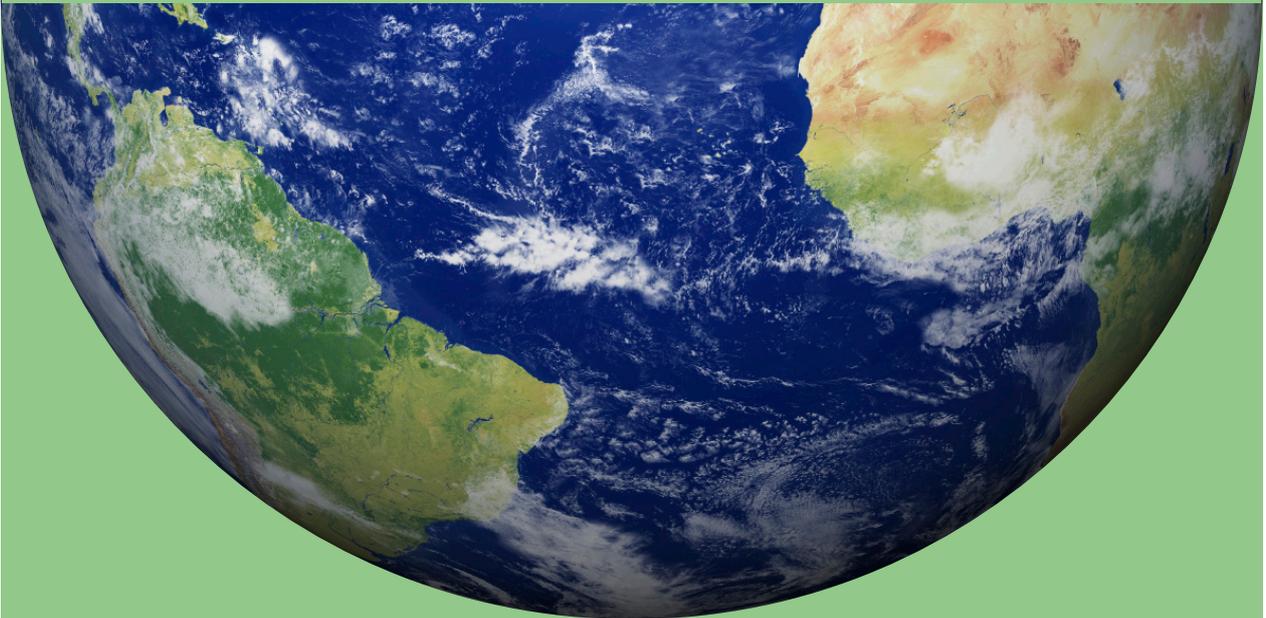
³⁹ Petitions 14/77 and 4/78.

⁴⁰ See the list of petitions attached to this document.

CHAPTER FOUR



**PETITIONS CONCERNING
INTERNATIONAL AFFAIRS**



1. REPRESSION IN GREECE AND SPAIN

Prior to becoming members of the European Communities, Greece and Spain were dictatorships for many years, and it is therefore natural that European public opinion should have focused on their regimes and on violations of civil rights, especially since their history and geographical position made them ideal candidates for accession. That accession, which took place in 1981 for Greece and in 1986 for Spain, is often seen as sealing a return to democracy in the two countries and as an instrument for strengthening it.

In 1973, the dictatorship in Greece was acting with considerable cruelty and, following a wave of arrests of political opponents of the regime, a group of Luxembourg and French nationals addressed Petition 5/73 to the European Parliament, *Condemnation of the military regime in Greece*, calling on Parliament

'not to be content any longer with merely "freezing" the Association Agreement with Greece, but to put an end once and for all to all trade and diplomatic relations and to any material or political support which contributes to the survival of that regime.'

Following that petition, which was submitted on 6 December 1973, the situation in Greece changed for the better and eventually a civil government was formed to replace the military government. This enabled the Committee on the Rules of Procedure and Petitions to dismiss the petition since the Assembly had already given its opinion on the matter in a resolution on the Association between the EEC and Greece⁴¹. That resolution expressed the view, on the basis of the political progress achieved, that the Association could be reactivated after free parliamentary elections had been held.

The same request to break off political, economic, social and cultural relations formed the subject of Petition 7/75, *Relations between the Community and the Spanish regime*. As in the case of the petition concerning Greece, the latter petition was also dismissed because a resolution on the matter had been approved in the meantime⁴², a resolution which, being unable to register the same tentative improvements as had been noted with respect to the Greek situation, roundly condemned the death sentences issued in Spain and called on the Commission and the Council to freeze relations with Spain until the country had established freedom and democracy, a request which was very much in line with the petition.

2. PETITIONS CONCERNING THE SOVIET UNION AND THE BALTIC STATES

The petitions submitted between 1975 and 1978 relating to the Soviet Union for the most part (four fifths) concerned civil rights.

The first petition, Petition 9/75, concerned the *Liberation of Ukrainian female political prisoners held in the USSR*, especially intellectuals involved in the struggle for civil rights and national Ukrainian identity. That petition was declared inadmissible in that the matter did not fall within the competence of the Community. On the other hand, Petition 23/78, submitted three years later by Lev Gendin, a Jewish Soviet refusenik whom the Soviet authorities had forbidden to leave the country on the pretext that he possessed secret information, was dismissed.

⁴¹ EP Resolution of 26 September 1974, OJ C 127, 1974, p. 89.

⁴² EP Resolution of 25 September 1975 on the situation in Spain, OJ C 239, 1975, p. 41.

Petition 2/77, *Family reunifications*, was more fortunate, perhaps because the Treaty of Helsinki could be invoked, and although the title was in the plural, the case concerned the specific case of an elderly Romanian couple of German extraction who were being prevented from rejoining their son who had emigrated to the Federal Republic of Germany. That petition was forwarded to the Council of Ministers.

However, Petition 12/77 calling on the governments of the Member States and the European Parliament to exert the pressure permitted under international law in order to discover the fate of Djoka Stojanovic, was forwarded to the Foreign Affairs Ministers.

A completely different subject was raised in Petition 20/77, *Economic agreements to be concluded between the EEC and Yugoslavia*, whose eight pages probably constitute the most detailed and cogently argued petition of all those mentioned in this document. The title is not very clear. The matter raised was the Protocol to the Economic Agreement accompanying the Treaty of Osimo between Italy and Yugoslavia, establishing a free territory in the former as far as the border with the latter. In the free territory, undertakings of the two countries, who solely employed an Italian and Yugoslav workforce, were to enjoy special tax arrangements. The petition complained, no doubt due to the difficulties experienced by Italian companies in benefiting from the free territory due to their higher labour costs in comparison with Yugoslav companies, about discrimination against undertakings from Community countries other than Italy and about the environmental threats to the Karst, in which the free territory had been established. Using legal arguments drawn from the case-law of the Court of Justice, the petition disputed the Italian position and the derogation conferred on Italy by the Council of Ministers of the Community. That petition was also dismissed.

3. REPRESSION IN CHILE

The coup d'état of 12 September 1978 in Chile, which tragically interrupted the reign of the Allende Government, shocked European public opinion and the five petitions submitted to the European Parliament on this matter bear witness to this.

The first petition, Petition 2/73, *Condemnation of the seizure of power by Chilean armed forces*, submitted very soon afterwards on 18 September 1978, vigorously condemns the coup d'état and accuses it of being tainted with American imperialism, which was thought to be behind the military action. It was the strong tones of the petition which led the Political Committee to dismiss the petition: the Political Committee decided unanimously that the wording of the petition and the expressions used prevented it from examining the matter⁴³.

Parliament expressed its opinion on the coup d'état in a resolution⁴⁴, and that elicited a further petition, Petition 6/73, *Follow-up to the EP resolution on the military coup d'état in Chile*, submitted by a group of Parliament employees, some of whom had already been party to the first petition. The new petition asked Parliament to ascertain whether there had been any follow-up to the earlier petition and whether all the Member States had taken in Chilean refugees without discrimination⁴⁵.

⁴³ Letter of 1 October 1973 from Mr Giraud, Chairman of the Committee on Political Affairs, to the President of the European Parliament, Mr Berkouwer. CARDOC PE0 AP PT PT-0002/73 0070.

⁴⁴ EP Resolution of 17 October 1973 concerning the coup d'état in Chile, OJ C 195, 1973. p. 17.

⁴⁵ In actual fact the resolution of 17 October did not mention the problem of refugees.

The parliamentary holdings do not contain any documents indicating the follow-up given to this petition.

Three years later, two fatal attacks on opponents of the Chilean regime, General Prats and Orland Letelier, prompted Petition 12/76, *Relations between the European Community and Chile*, calling for an approach to be made to the governments of the Member States and of the USA, where the attack against Letelier had been made, requesting them to sever relations with the Pinochet Government and that the Commission's office in Santiago be closed. That petition was dismissed because the European Parliament felt that it had already set out its opinion in its resolution on the protection and defence of human rights⁴⁶.

During the course of 1978, two Chilean associations both submitted petitions concerning political prisoners in Chile, the fate of many of whom was unknown. These were Petitions 9/78, *Liberation of political prisoners in Chile*, and 27/78, *Situation of prisoners-disappeared persons in Chile*. With regard to these petitions, Parliament adopted a resolution on violation of human rights and fundamental freedoms in Chile⁴⁷ which, quoting the petition, called on Foreign Affairs Ministers to take the appropriate steps in the ambit of the United Nations to re-establish fundamental freedoms in Chile, to discover the fate of the disappeared, to free political prisoners and to reinstate exiles under the legal framework existing prior to the coup d'état. The petition called on the Council and the Member States to suspend all economic and military aid until a State of law and democracy had been restored.

4. OTHER PETITIONS CONCERNING LATIN AMERICA (ARGENTINA, URUGUAY AND BOLIVIA)

In 1978 two petitions on civil rights were submitted to Parliament from two other Latin American dictatorships: Petition 12, *In support of human rights in Argentina*, and Petition 26, *Political prisoners in Uruguay and their children*, both of which deplored the situation in those countries. The latter petition in particular highlighted the situation of political prisoners and their children, who were victims of a starvation policy designed to annihilate the families of political opponents.

The former petition was dismissed because the European Parliament had already expressed its opinion on several occasions, most recently in a resolution on human rights violations in Argentina and on the procedures to be implemented by the European Parliament to combat such violations throughout the world⁴⁸, calling on Foreign Ministers to use their best endeavours in international institutions and to take the necessary measures to improve the civil rights situation, by means of an approach by Parliament itself to the Latin-American parliaments and to the US Congress.

A special resolution was the one which the European Parliament devoted to the petition regarding female prisoners in Uruguay⁴⁹. The resolution called on Foreign Ministers to take the necessary measures to improve the situation in Uruguay, to protest strenuously whenever the occasion arose and to bring the matter before the UN Committee on Human Rights.

⁴⁶ EP Resolution of 11 May 1977, OJ C 133, 1977, p. 30.

⁴⁷ EP Resolution of 17 April 1980, OJ C 117, 1980, p. 43.

⁴⁸ EP Resolution of 6 July 1978, OJ C 182, 1978, p. 42.

⁴⁹ EP Resolution of 9 February 1981 on human rights violations in Uruguay, OJ C 50, 1981, p. 16. The resolution also refers to Petition 44/79 on the same subject. That petition does not fall within the temporal remit of this document.

The third petition⁵⁰, which was the first chronologically speaking, did not concern human rights but rather a request for the European Parliament to support the French application for the extradition of Klaus Barbie, the Gestapo commander in Lyon, who was wanted for war crimes and had gone to ground in Bolivia. Parliament accepted the petition and approved a special resolution⁵¹.

5. PETITIONS CONCERNING ASIAN COUNTRIES

The war in Vietnam, which aroused such passions in Europe and in the United States, had to figure among the petitions sent to the European Parliament. There were in fact two petitions: the first, which was clearly politically inspired, was Petition 2/72, *Condemnation of the American bombing of North Vietnam*; the second, Petition 3/79, *Vietnamese refugees*, submitted by a parish priest, embodied the humanitarian sentiments aroused by the drama of the Vietnamese boat people towards the end of the 1970s.

The former petition requested the European Parliament, for the sake of its honour, to take a stand for peace and to condemn the American bombing. That petition was to be dismissed following an exchange of correspondence between the Committees on Legal and Political Affairs and the President of the European Parliament, an exchange which seemed to indicate a certain unease at dealing with petitions of a markedly political nature. The Committee on Legal Affairs declared that it was not competent to examine a petition which was basically political and proposed that it be forwarded to the Committee on Political Affairs⁵². The latter, having pointed out that the bombing had ceased in the meantime and that it had already submitted a report on the intervening armistice, declared that it did not consider it appropriate to adopt a position⁵³.

The second petition, which quite simply asked for all the refugees to be accepted by all countries throughout the world, was dismissed because Parliament had already adopted a position in a resolution on refugees from Cambodia, Laos and Vietnam⁵⁴, which called on Foreign Ministers to invite the Vietnamese Government to strive to

'..enable all people in Vietnam to live in peace and freedom in their own country instead of being forced to flee and to achieve this objective rather than resorting to acts of hostility in South-East Asia.'

Petition 6/75, *Persecution of Korean workers in the Member States of the Community*, raised a different matter, namely the surveillance of European Community immigrants by their state of origin. The case in point concerned Korean immigrants in Germany who claimed that they were being spied on by the secret services of their own country. The petition was declared inadmissible because it did not concern the activities of the Communities.

⁵⁰ Petition 3/73, Extradition of Klaus Barbie from Bolivia.

⁵¹ EP Resolution of 15 October 1974 on the extradition of the war criminal Klaus Barbie, OJ C 140, 1974, p. 14.

⁵² Letter of 12 February 1973 from the Chairman of the Committee on Legal Affairs, Mr Brouwer, to the President of Parliament, Mr Behrendt, stored in CARDOC PEO AP PT PT-0002/73 0040.

⁵³ Letter of 12 March 1973 from the Chairman of the Committee on Legal Affairs, Mr Giraudo, to the President of Parliament, Mr, Behrendt, stored in CARDOC PEO AP PT PT-0002/73 0050.

⁵⁴ EP Resolution of 18 January 1979, OJ C 39, 1979, p. 53.

6. THE ANTI-ZIONIST PETITION

The United Nations Resolution of 10 November 1975, a resolution prompted by strong anti-Zionist feeling, was regarded as being prejudicial to the establishment of peace in the Middle East by Petition 12/75, *Vote of the United Nations General Assembly on Zionism*, which called on Parliament to monitor closely the follow-up given to both the UN resolution and its own resolution of 13 November 1975, which closely followed the former. The petition was dismissed because Parliament was already taking the action requested.

7. PETITIONS CONCERNING DEVELOPING COUNTRIES

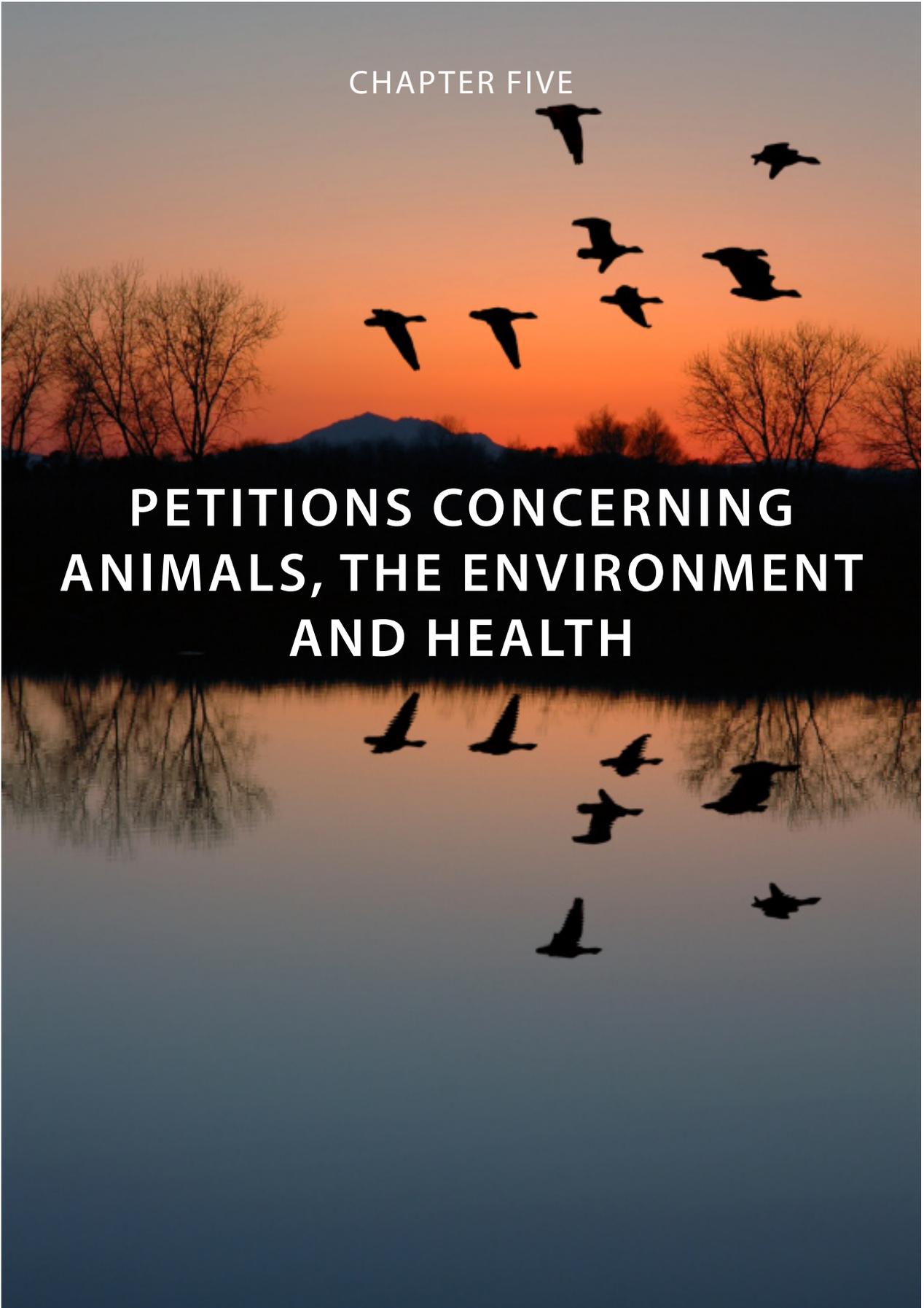
Two petitions were submitted between 1969 and 1970 on cooperation policy with developing countries by a very large group of cooperation workers and by an association. Petition 2/69, *EEC aid for social projects set up in the AASM by missionary and voluntary non-denominational organisations*, concerned the Yaoundé Convention and advocated micro-interventions which avoided encouraging urbanisation and guaranteed a more balanced development.

Petition 1/70, *Disadvantages for developing countries of European enlargement*, focused on the consequences which the first enlargement of the Community to four new members⁵⁵ could have for developing countries, both because of the extension of the common agricultural policy to a wider market of around 300 million consumers, thereby penalising the predominantly agricultural exports from developing countries, and because of the feared severing of the preferential ties which some of those countries enjoyed with the United Kingdom. The petition asked for the needs of developing countries to be taken into account during accession negotiations. Both petitions were forwarded to the Council.

⁵⁵ In 1970 it was expected that Norway would also be part of the first enlargement.

CHAPTER FIVE

**PETITIONS CONCERNING
ANIMALS, THE ENVIRONMENT
AND HEALTH**



1. A NEW INTERNATIONAL ECOLOGICAL ORDER⁵⁶

The number of petitions concerning animals (14) pointed to the advisability of creating a specific category, so as to distinguish them from petitions relating to the environment. Almost all the petitions concerned birds, especially migratory species, and were sent in by *Mondiaal Alternatief*, an environmental organisation based in Antwerp⁵⁷ which, to judge by the petitions, had an effective activist in its general secretariat, who was capable of rallying other bodies to its cause.

Between the end of 1977 and 1978 the petitions emanating from that organisation made a qualitative leap by tackling not just specific problems but rather the general problem of animal protection, and more particularly their co-existence with an industrialised society. Those petitions could be regarded as a kind of animal and environmental manifesto, although the enthusiasm which pervades their drafting sometimes obscures clarity of reasoning and, taken as a whole, they appear repetitive but well-documented, albeit drawing on partisan sources.

The first of those petitions, Petition 17/77, *Establishing a new international ecological order*, set out the core principles of the organisation: the right of all organisms to protection of their own species and their own biotopes and to the maintenance of biodynamic equilibriums, which, in the view of the association, is what constitutes nature. From that right flows the prohibition on any species expanding to the detriment of others. On the basis of those principles, which the petitioner partially derived from a passage in a European Parliament resolution⁵⁸, the Organisation made various requests aimed at promoting a new international order:

- that information and education measures under the directive on the conservation of wild birds make more use of the results of ecological and biological research,
- that funds be allocated to train paid ecological officers (to replace current sports huntsmen),
- that, when reviewing education structures in the European Community, priority be given to converting ecological laws into human social behaviour models.

Reference was made to that petition by the subsequent Petition 5/78, *Encouraging the study and recognition of the economic value of nature for the new ecological order*, which was an elaboration of the former and demonstrated the economic value of birds as a resource by taking as an example the substitute cost of the contribution of an insectivorous bird to the fight against insects, a bird also having the advantage of avoiding the use of insecticides. The petition, which appeared more like a declaration, ended by calling for Community decisions to take account of the economic value of nature.

Finally, Petition 11/78, *Universal rights of nature*, following a long preamble which included *inter alia* the entire text of the Declaration of the Rights of Animals, published by a Canadian animal rights organisation, called on Parliament to use its best endeavours to codify, recognise and observe the

⁵⁶ This paragraph, which takes the title of one of the petitions, covers three petitions on the protection of animals tackling the problem from a general standpoint. The following paragraphs cover petitions on more specific aspects of animal and environmental protection.

⁵⁷ Now based in the Netherlands.

⁵⁸ Point 4 of the Resolution of 14 June 1977 embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities concerning a directive on the conservation of birds, OJ C 163, 1977, p. 28. Paragraph 4 states as follows: 'considers that the informative concept of the directive embodies the principle that man is not entitled to play a dominant role in nature but rather constitutes one element of nature, and is completely dependent on the other elements of our ecological system "earth". For criticisms of the Commission's proposal for a directive see Petition 10/76 described in the following paragraph.

universal rights of nature, which the organisation had espoused and which are set out in the first petition mentioned in this section.

The first two petitions were forwarded to the Commission, the second to the Council as well and the third was declared inadmissible as it did not concern Community activities.

2. MIGRATORY BIRDS

This species of animal is fundamental to *Mondiaal Alternatief*, whose activism focused, in the second half of the 1970s, on the strong European public opinion being expressed in relation to the hunting of migratory birds in their countries of transit, specifically in Italy.

The series started in 1974 with Petition 8/74, *The need to save migratory birds*, which raised the matter of the extermination faced by such birds on their flight through Mediterranean countries and especially Italy, a country which had come in for criticism on many occasions in that connection. In view of the insectivorous nature of those birds, the extermination was harmful both for Europe and for Africa and the petition called on Parliament, but also on the other Community institutions, to accord the matter the international attention it deserved by convening an international conference and by encouraging states to adopt stricter rules on hunting. Parliament devoted a special resolution to the matter⁵⁹, considered the petition to be well-founded and called on the Commission and the Council to adopt suitable legislation, particularly a ban on bird-catching, a longer ban on the hunting of migratory species, a ban on torturing birds and on importing dead songbirds and migratory birds into the Community, and to control trade in live birds. The resolution also incorporated the petition's proposal to promote an international conference on the subject.

Petition 2/76, *Clause relating to migratory birds*, returned to the same theme by combining the proposals in the previous petition with a petition seeking a clause, probably a rule in a directive, guaranteeing equal and adequate protection for migratory birds in all Member States. That petition was forwarded to the Commission together with Petition 7/76, *Protection of migratory birds*, submitted by various private individuals, which did not suggest remedies but sought an undertaking on the matter.

Before the proposal for a directive on the conservation of wild birds⁶⁰ was formally presented to Parliament, *Mondiaal Alternatief* made known its own criticisms in Petition 10/76, *Implementation of EP resolution of 21 February 1975 on the need to save migratory birds*: the Commission's proposal was deemed inadequate and in some parts likely to worsen the existing situation, notably in Italy. That petition was also forwarded to the Commission, one month before the proposal for a directive was presented.

In the 1970s the Italian law on hunting, which was regarded as too permissive, had been vociferously criticised by animal rights organisations which had organised a boycott of Italian goods and services⁶¹. One particular form of protest had been used by the organisation which, on the occasion of the granting of a huge loan to Italy, had written to the Community Monetary Committee asking it to make the grant of the loan conditional on amendments to the hunting law. Petition 15/77, *Recognition of the problem of migratory birds in decisions relating to European Community funds for Italy*, which was later

⁵⁹ EP Resolution of 21 February 1975 on Petition 8/74 concerning an initiative to save migratory birds, OJ C 60, 1975, p. 51.

⁶⁰ Doc. 512/76, on which Parliament later adopted its own Resolution of 14 June 1977, op.cit.

⁶¹ Petition 15/77 refers to this boycott.

forwarded to the Commission, provided information on that initiative and called for the protection of birds to be a pre-condition for the grant of Community financing.

Mondiaal Alternatief was well aware of the global element of migratory bird protection and so, buoyed by an explicit request from Cameroon, it submitted Petition 18/77, *Importance for ACP countries of migratory birds which fly between Europe and Africa*, in which it proposed collaboration on the matter between the Community and the Organisation of African Unity. The petition was forwarded to the Commission, whereas Petition 7/78, *Inclusion of the problems of migratory birds ... on the agenda for the meeting of the JC of the ACP-EEC Assembly*, was dismissed because it had been superseded. In fact the latter petition, of 20 April, was discussed by the Committee on the Rules of Procedure and Petitions on 4 August when the ACP-EEC Assembly had already taken place.

3. GENERAL PROBLEMS CONCERNING THE ENVIRONMENT

For the environment, too, it is possible to distinguish between petitions regarding general matters or large areas (such as the Mediterranean) and those relating to local matters.

The first petition examined here, which was submitted by *Mondiaal Alternatief* and another environmental organisation concerns environmental protection in developing countries: this is Petition 24/78, *Chemical insecticides*, which called on the Community to align its legislation relating to pesticide exports on the rules established by the International Union for Conservation of Nature and Natural Resources (IUCN) and to prohibit the export of pesticides whose use was banned in Europe. It is worth noting that five out of the eight pages of that petition, which was dismissed, were devoted to tables listing exports of agro-chemicals from the Netherlands to African countries.

Another petition from *Mondiaal Alternatief* concerned environmental protection outside the Community. Petition 8/77, *Contribution to be made by the Community in the context of development cooperation to prevent desertification in the Indonesian archipelago*, proposed that the Community should finance certain projects, including one instigated by the President, concerning deforestation in the Indonesian archipelago. The petition was dismissed.

Three petitions related to the Mediterranean: Petition 3/74, *Protection of the Mediterranean*, Petition 1/75, *Removal of titanium dioxide waste* and Petition 8/75 with the same title as the first. Central to all three petitions, submitted by a member of the French Parliament, was the pollution of the Mediterranean by all coastal states, although the emphasis was on discharges from the Scarlino plant by the Italian company Montedison, against which legal proceedings had been instituted in Italy. Following its conviction, Montedison had apparently commenced construction of a purification plant but in view of the cost had decided to dismiss it and had recommenced discharges off the coast of Corsica. Whilst the first petition merely drew attention to the problem, the second, which referred to Montedison's assertion that there were sixteen other plants in Europe producing the same effluents without being required to purify them, called for a European convention on the subject⁶²; the third petition sought a European inquiry into Montedison's conduct following its conviction.

The European Parliament reacted by adopting two resolutions which followed up the first and third petitions concerning the Mediterranean. In the first resolution⁶³ it invited the Commission to promote a European convention on maritime pollution and to submit a proposal for a directive on

⁶² It should be noted that this proposal reiterates an identical proposal made by Parliament in its resolution on Petition 3/74 (see below).

⁶³ EP Resolution of 10 March 1975 on Petition 3/74 from Mr Barel concerning protection of the Mediterranean, OJ C 76, 1975, p.7.

the discharge into the sea of titanium dioxide waste and other pollutants. The second resolution⁶⁴ expressed satisfaction at the approval of the directive concerning discharges of waste at sea and called on the Council to approve the directive on titanium dioxide waste.

Petition 1/75 was dismissed because the Commission had submitted a proposal for a directive on titanium dioxide waste in the meantime.

4. LOCAL ENVIRONMENTAL PROBLEMS

Petition 11/76, *Dangerous Euratom activities at Geel/Mol*, called for an inquiry into and measures to regulate activities relating to the storage and transport of plutonium and other radioactive substances at a site in the Netherlands. The petition was submitted by private individuals and merely formulated a request without supplying details of the situation or describing its hazardous nature. Following a site inspection by its own rapporteur, the Committee on the Environment and Public Health found that very few radioactive materials were used at the site and that measurements of radioactivity in the surrounding area, and in particular in the house of one of the petitioners, were satisfactory. The petition was therefore dismissed.

Petition 19/78, *Dumping of radioactive waste at the North Leigh landfill site*, also concerned radioactive waste. There it was a question of waste from hospitals and university premises in Oxford which the UK Environment Minister had authorised to be discharged at a landfill site near to private dwellings. Parliament considered that this was a matter for the national authorities and declared the petition inadmissible.

Petition 18/76, *Pollution in the region of Toul*, drew attention to the plans of two soda-producing firms to inject huge quantities of salt water into the soil and, referring to a Commission reply to a parliamentary question, called on Parliament to request the French authorities to require the undertakings to use a different, technically feasible, method of disposal. The petition was forwarded to the Commission with an opinion asking it to ascertain whether the situation described in the petition complied with the Bonn Convention on the protection of the Rhine against pollution, which applied to the territory of Lorraine.

Petition 2/78, *Protection of wetlands*, drew attention to the threats to a Cornish wetlands area from the grant of a mining permit. The petition was dismissed because the matter fell exclusively within national competence. The explanatory statement, which was more like an explanation of inadmissibility, indicated that there was substantive disagreement, rather than a conflict, between the Committee on the Environment, which had been asked for its opinion and had taken the view that it was entirely a matter for the national authorities, and the Committee on the Rules of Procedure, which considered the petition to be admissible as it fell within the Community sphere of competence.

⁶⁴ EP Resolution of 14 May 1976 on Petition 8/74 from Mr Barel concerning protection of the Mediterranean, OJ C 125, 1976, p. 53.

CHAPTER SIX

**PETITIONS AND CIVIL SOCIETY:
MIGRANT WORKERS**



1. PROBLEMS FACED BY MIGRANTS

Migration is a phenomenon which developed after the Second World War and one to which Community action probably contributed by reducing unemployment in the less developed areas of the Community. One of the aims which the Treaties, starting with the ECSC Treaty, imposed on the Communities was that of improving conditions for migrants travelling between the various Member States by guaranteeing them greater protection of their rights.

Five of the eight petitions, all from Italian petitioners, four of them Italian migrant welfare organisations, were general in nature: this is a clear indication of how important the topic was for Italy, the country from which most of the migrants emanated in Europe of the Six. Even the three petitions concerning individual cases raised matters of broader interest.

A fundamental question put to the European Parliament was the adoption of a statute for migrants which enshrined their rights. That question was fundamental to Petition 4/70, *Improving the situation of Italian emigrants in the Community and adoption of a statute for migrants*, in which an Italian organisation presented, on the basis of the work of a meeting held in Luxembourg, a series of requests aimed at improving conditions for migrants and at removing the causes of immigration: amendment of the Regulation on freedom of movement for workers⁶⁵, broadening of educational assistance measures, reform of the Social Fund, and unification and improvement of social security legislation.

Parliament approved a special resolution⁶⁶ on the petition, whose various requests we will examine in greater detail below, and which basically called on the Commission to examine possible amendments to existing legislation and to eliminate the abuse and discrimination affecting workers in various fields.

Following a further meeting, two additional, more succinct, Petitions 1/73 and 1/74 were submitted bearing the same title, *Proposal for an international statute on the rights of emigrants*; those proposals contained justification for such a statute and without going into the future content of such an instrument, referred to attached documents. Parliament approved the two petitions in a special resolution⁶⁷ which supported the proposal and asked the Commission to take the appropriate steps by March 1975.

However, Petition 4/76, *Measures in favour of emigrant workers*, which requested a statute for migrants and asked the Committee on Social Affairs of the European Parliament to examine the economic situation in Italy and its effect on emigration, was dismissed on the grounds that consultations were already under way on the conditions affecting migrants, whilst it seemed inappropriate to link migration to Italy's economic problems.

The last general petition, 9/77, *Problems of migrant workers*, which was forwarded to the Commission, differed from the other petitions seeking a statute for migrants in that it specifically called for a European conference on migration.

⁶⁵ Reg. 1612/68 of 15 October 1968, OJ L 257, 1968, p. 2.

⁶⁶ EP Resolution of 21 September 1971 embodying the opinion of the European Parliament on Petition 4/70 concerning improvement of the conditions affecting Italian migrants and the adoption of a European statute for migrant workers, OJ C 100, 1971, p. 7.

⁶⁷ EP Resolution of 12 June 1974 on Petition 1/73 concerning a proposal for an international statute on the rights of migrants and Petition 1/74...OJ C 76, 1974, p. 25.

Two of the petitions regarding specific problems touched on matters of wider interest, as in the case of Petition 13/78, *Pension rights in the EEC*⁶⁸, which raised the sensitive matter of the accumulation of pension rights accruing in different countries so as to avoid prejudice to migrant pensioners following a determination of their pension entitlement.

On the other hand, Petition 1/79, *Non-uniform interpretation by the Member States of Regulation No 1408/71*, raised the tricky question of the differing ways in which national administrations applied social security schemes to migrants⁶⁹. The European Parliament approved a special resolution on the matter⁷⁰, which highlighted the importance of a proper application of Community rules and called on the Commission to approach the authorities of the Member States.

Petition 6/77, *Reunification of families*,⁷¹ bears witness to the human dramas created by the difficulties which the authorities of the GDR placed in the way of their own citizens who sought to emigrate under a certain age. In the case in point, the daughter of an elderly couple who had emigrated lawfully was refused permission to emigrate. The petition was forwarded to the Council.

2. PROTECTION OF CIVIL RIGHTS

This heading relates to civil rights within the European Community.

Petition 11/75, *Violation of fundamental rights*, which was declared inadmissible, was a general request to the European Parliament to appeal for reasonableness and humanity.

Petition 13/75, *Protection of the fundamental rights of Turkish nationals living in the FRG*, was a forerunner by some years of the concerns which are widely shared by the general public in Europe today: the fear that Muslim immigrants are subjected to propaganda inciting them to religious hatred. The petition named various extremist organisations in Turkey operating in Germany and quoted extracts from sermons and leaflets which indicated that to be the case. The petition considered such propaganda to be a violation of the civil rights of Turkish immigrants and asked Parliament to forward the petition to the Commission, pointing out that, although matters of public order were the exclusive prerogative of the Member States, nevertheless the Community institutions had a moral obligation to investigate illegal activities on the part of extremist organisations and to do everything in their power to combat them⁷².

Petition 19/76, *Clusters of European minorities*, presented three different requests concerning non-assimilated minorities in their host states. It was hoped that those minorities would have equal representation in the forthcoming European elections, and that Parliament would conduct an investigation into their situation and make a separate assessment of those minorities with regional representation with a view to a proposal on the matter. The petition was dismissed after detailed examination of the first request, which was deemed to have been superseded by positions adopted by Parliament in connection with rules on elections by universal suffrage, positions which expressed

⁶⁸ This petition was not declassified due to its highly personal content.

⁶⁹ Reg. of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community OJ L 149, 1971, p. 2.

⁷⁰ EP Resolution of 19 September 1980 concerning the non-uniform interpretation by the Member States of Regulation (EEC) No 1408/71, OJ C 265, 1980, p. 100.

⁷¹ This petition was not declassified due to its highly personal content.

⁷² EP – Committee on Social Affairs – Opinion...on Petition 13/75. CARDOC PE0 AP PT PT-0013/75 0420.

the view that the representation of each individual state lay within the exclusive competence of that state⁷³.

Dismissal was the fate of Petition 10/77, *The situation of homosexuals in Ireland*, in which a Danish homosexual rights association requested Parliament to take steps to get Ireland to amend its legislation, which, like that of Scotland and Northern Ireland, prohibited homosexuality altogether,

In Petition 11/77, *Racial discrimination in Belgium against North Africans*, an Italian journalist drew attention to a sign in a public place in Ghent saying 'No North Africans admitted'. Parliament forwarded the petition to the Council, which in turn forwarded it to the Belgian Government.

3. PROTECTION OF CITIZENS AGAINST ABUSE OR INERTIA ON THE PART OF NATIONAL AUTHORITIES

This category includes a heterogeneous mix of 19 petitions whose common denominator is complaints against national authorities, and precisely because of that 1 of them were declared inadmissible for not falling within Community competence. We will only consider those of general interest.

Despite their varied nature, some themes recur in several petitions. There is a group of four petitions concerning the Nazi regime and compensation for its victims, another group of four petitions concerning abuses on the part of national authorities, three petitions concerning alleged violations of civil rights (two concerning the right to vote in European elections), two petitions concerning the situation of foreigners in Germany, and the remaining six cover a variety of topics.

Of the four petitions concerning Nazism, only Petition 17/76, *Systematic glorification of the former Hitler regime in the FRG*, which was a general petition, was forwarded to the Commission. That petition deplored the fact that, despite the de-Nazification obligation contained in the Peace Treaties, military corps and personalities from the Hitler regime were still celebrated. The other petitions regarding Nazism related to specific cases of victims whose claims had not been dealt with satisfactorily by the German authorities. They were all declared inadmissible. They were: Petition 2/64, *Application for compensation for social prejudice suffered on return from emigration*, Petition 15/75, *Compensation for nationalist-socialist injustices*, and Petition 22/78, *Recognition as a victim of political persecution under the nationalist-socialist regime*.

There were three petitions concerning difficulties encountered by workers residing abroad. One Italian and one Greek national complained of discrimination against foreigners. The former, in Petition 5/76, *Formalities required in the FRG for the registration of motor vehicles belonging to foreign nationals*, complained of the different treatment given to foreign nationals resident in Germany in terms of the documentation required for purchasing and registering a vehicle. That petition was finally dismissed since Germany had amended its discriminatory legislation in the meantime. Petition 2/79, *Complaint against the Federal Republic of Germany — violations of human rights*, in which a Greek national drew attention to a general unease rather than to any specific incidence, was also dismissed.

Petition 24/77, *Exchange rate losses affecting certain persons in receipt of income and pensions*, briefly sketched the drama affecting transborder pensioners living in Luxembourg and drawing a French pension at a time when the French franc was devaluing; Parliament responded to that petition by

⁷³ EP – Committee on Political Affairs – Letter of 17 May 1977 from the Chairman of the Committee on Political Affairs, Alfred Bernard, to the Chairman of the Committee on the Rules of Procedure and Petitions, Silvio Leonardi. CARDOC PEO AP PT PT-0019/76 0090.

means of a resolution⁷⁴ which hoped, in general terms, that the monetary stabilisation measures adopted at the two European Councils of 1978 would be implemented and, specifically, that the Luxembourg Government would follow the Belgian example by granting compensatory amounts to those people drawing French pensions.

⁷⁴ EP Resolution of 27 April 1979 on Petition 24/77...concerning exchange rate losses affecting certain persons in receipt of income and pensions, OJ C 127, 1979, p. 83.

LIST OF PETITIONS 1958-1979

NOTICES AND INDEX

In the following tables the petitions examined in this document are listed with their order number and year (col. 1), title (col. 2), the origin of the petitioner (col. 3), subject area of the petition (col. 4) and follow-up (col. 5). The grouping together of years in the table is merely a function of pagination requirements.

COL. 1 NUMBER

An asterisk (*) indicates that the petition is still regarded as confidential and is not accessible to the public in the archives of the European Parliament (CARDIOC).

COL. 2 TITLE

The title is that under which the petition has been archived. In some cases it has been shortened in order to fit the size of the table.

COL. 3 ORIGIN

Origin of the petitioner means the state of which the petitioner is a national, irrespective of his or her country of residence and this should be borne in mind when consulting the list, because in some cases nationality and residence do not coincide.

There is no reference to nationality where the petitioner is an association, indicated by 'Ass' or is a Community official 'Off'. However, in the case of associations whose aims are limited to a single state or whose members are mostly from a particular state, the nationality is given. The abbreviations are as follows:

B	Belgian	H	Greek	Pol	Polish
Chile	Chilean	I	Italian	UK	British
D	German	L	Luxembourg	Ukr	Ukrainian
Da	Danish	Nl	Dutch	Ur	Uruguayan
F	French				

In some cases the nationality is followed by the abbreviation 'mp' or 'pub.aut.' to indicate that the petitioner is a member of his/her national parliament or a public authority. Col. 4 Subject area

This is a classification used by the author of this document using abbreviations as little as possible. The abbreviations which have been used are as follows:

- Int. Aff.: petition concerning facts relating to a non-Member State;
- Nat. Adm.: petition concerning facts or acts of a national administration, when the subject area does not fall, only partially falls or does not definitely fall within Community competence (in some cases this abbreviation is used in conjunction with that of another subject area);

- Ind. case: petition concerning the specific problems of an individual, in general the petitioner (this abbreviation is used in addition to the subject area);

Eur. Inst.: petition concerning Community institutional matters;

DC: petition concerning the economic and cooperation problems of developing countries.

COL. 5 FOLLOW-UP

This column shows the follow-up given to petitions by Parliament, trying to expand on the purely regulatory indication. The possible follow-up is generally indicated as follows:

Filed: the relevant committee decided not to follow up the petition for reasons unstated;

Filed as superseded: the competent committee did not follow up the petition because the request it contained could no longer be satisfied, being no longer current;

Filed/Res.: the competent committee did not follow up the petition because the European Parliament had already approved a resolution on the subject or intended to do so; outline details of the resolution are given;

NA: the petition was declared inadmissible in that it did not fall within the sphere of Community competences;

Res: Parliament approved a resolution on the petition; outline details of the resolution are given;

Trans. Com, Trans. Coun. Or Trans. Com/Coun: the relevant committee forwarded the petition to the Commission, the Council or both; in some cases it is specified that the petition was accompanied by an opinion;

Trans. MFA: the competent committee forwarded the petition to the Ministers of Foreign Affairs.

PETITIONS 1958-1969				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	OUTCOME
001/58	Request for compensation following damages caused by scrap metal fraud (text missing)	NI	ECSC Ind. Case	Trans. Com
001/64	Establishment in the northern Netherlands of the headquarters of the body responsible for operating gas pools	NI	Nat. Adm. Ind. Case	Trans. Com
002/64	Claim for redress for social prejudice suffered on return from emigration	D	Nat. Adm. Ind. Case	NA
003/64	Creation of a European currency	F	Inst. Eur.	Trans. Com
001/65	Level of salaries of European officials in Luxembourg	Off.	European Civil Service	Res. 23.10.64 (p.240 of Minutes)
002/65	Level of salaries of officials in the Commission of the European Economic Community	Off.	European Civil Service	Res. 23.10.64 (p.240 of Minutes)
001/66	Request for compensation following damages caused by scrap metal fraud	NI	ECSC Ind. Case	Trans. Com with opinion
001/67	Proposal for a directive on jams, marmalades, fruit jellies and chestnut purée (the petitioner proposes amendments)	D	Health	Leg. Res. 16.03.1967 (OJ 3.4.67, p. 986); see also addendum to Report 10/67
001/68	Concerns about the current changes in European politics	Off.	Eur. Inst.	Res. 23.01.69 (OJ C 17, 1969, p. 14)
001/69	Development and changes in collective scientific research	Off.	Research	Res. 1.07.69 (OJ C 97, 1969, p. 30) ; see also opinion in Report 64/69
002/69	EEC aid for social initiatives initiated in the AAS by missionary and voluntary non-denominational organisations	I	Int. Aff.	Trans. Com with opinion
003/69	Election of a President of the European Communities	F	Eur. Inst.	Filed

PETITIONS 1970-1973				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
001/70	Detrimental effect of enlargement of the European Community on developing countries	I	Int. Aff.	Trans. Com/Coun. with opinion
002/70	Isle of the Roses affair (Italy)	I	Nat. Adm. Ind. Case	NA
003/70	Dialogue between the trade unions and the Council on the Staff Regulations	Off.	European Civil Service	Res. 03.12.70 (OJ C 151, 1970, p. 30)
004/70	Improving the situation of Italian emigrants in the Community and adoption of a statute on migrants	Ass. I	Migrants	Res.21.09.71 (OJ 1971 C 100, p.7)
001/71	Working conditions of the Commission staff working in the Berlaymont Building	Off.	European Civil Service	Trans. Com.
002/71	Wieland europa articles that appeared in Die Zeit weekly newspaper	NI	Political	NA
001/72	Application following the publication of a competition notice	I	Eur. Civ. Serv. Ind. Case	Unknown
002/72	Condemnation of the American bombing of North Vietnam	Off.	Int. Aff.	Filed
001/73	Proposal for an international statute on the rights of migrants	Off/I	Migrants	Res 12.6.74 (OJ C 76, 1974, p. 25) see also pet. 1/74
002/73	Condemnation of the military coup d'état in Chile	Off.	Int. Aff.	Filed
003/73	Extradition of Klaus Barbie by Bolivia	F (mp)	Int. Aff.	Res. 15.10.74 (OJ C 140, 1974, p. 14)
004/73	Industrialisation plan for the region of Toul	F	Reg	Trans Com
005/73	Condemnation of the military regime in Greece	L/F	Int. Aff.	Filed/ Res. 26.9.74 (OJ C 127, 1974, p. 89)
006/73	Follow-up to the EP Resolution on the military coup d'état in Chile	Off.	Int. Aff.	Unknown

PETITIONS 1974				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
001/74	Proposal for an international statute on the rights of emigrants	Ass. I	Migrants	Res 12.6.74 (OJ C 76, 1974, p. 25) see also pet. 1/73
002/74*	Request to urge the French Interior Minister to review the situation of a former police officer	F	Nat. Adm. Ind. Case	NA
003/74	Protection of the Mediterranean	F(mp)	Environment	Res. 10.03.75 (OJ C 76, 1975, p. 7)
004/74	Proposed constitution establishing a European government	D	Eur. Inst.	Filed Res. 17.10.74 (OJ C 140, 1974, p. 41)
005/74	Proposed constitution establishing a European government	Ass.	Eur. Inst.	
006/74	Homage to Francis Vals	Off.	Politics	NA
007/74	Elimination of obstacles to legal proceedings against war criminals and their sentencing	Ass/ Off.	Politics	NA
008/74	Need to save migratory birds	Ass.	Animals	Res. 21.02.75 (OJ C 60, 1975 p. 51)
009/74	Military service	F	Nat. Adm.	NA

PETITIONS 1975				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
001/75	Elimination of titanium dioxide waste	F (mp)	Environment	Filed
002/75	Proposed constitution establishing a European government	F (mp)	Eur. Inst.	Filed
003/75	Proposed constitution establishing a European government	Ass.	Eur. Inst	Filed
004/75	Restrictions on the ability to work in the Federal Republic of Germany	D	Nat. Adm.	NA
005/75	Proposed constitution establishing a European government	Ass.	Eur. Inst.	Filed/ Res. 10.07.75 (OJ C 179, 1975, p. 30)
006/75	Persecution of Korean workers in the Member States of the Community	D	Int. Aff./ migrants	NA
007/75	Community relations with the Spanish regime	Off.	Int. Aff.	Filed/ Res 25.09.75 (OJ C 239, 1975. p. 41)
008/75	Protection of the Mediterranean	F(mp.)	Environment	Res. 14.05.76 (OJ C 125, 1976. p. 52)
009/75	Liberation of Ukrainian female political prisoners held in the USSR	Ass Ukr	Int. Aff. Ind. Case	NA
010/75	Amendments to be made to the Directive concerning the equal treatment of male and female workers	UK	Equal Opportunity	Filed as superseded
011/75	Violation of fundamental rights	Off.	Civil Rights	NA
012/75	Vote of the United Nations General Assembly on Zionism	Ass. F	Int. Aff.	Filed as superseded
013/75	Protection of the fundamental rights of Turkish nationals living in the FRG	D	Civil Rights	Trans. Com. with opinion
014/75	Young people and the future of Europe	Ass.	Eur. Inst	Trans. Coun.
015/75	Compensation for nationalist-socialist injustices	Pol	Nat. Adm. Ind. Case	NA
016/75	Europe and young people	Ass	Eur. Inst	Trans. Coun.

PETITIONS 1976 (1-8)				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
001/76	Uniform procedure in all the Member States for the direct election to the EP	UK	Eur. Inst	Filed
002/76	Clause concerning migratory birds	Ass.	Animals	Trans. Com.
003/76	Promoting the election of the EP by universal suffrage	D	Eur. Inst	Filed
004/76	Measure in favour of emigrant workers	Ass. I	Migrants	Filed
005/76	Formalities required in the FRG for the registration of motor vehicles belonging to foreign nationals	I	Nat. Adm.	Change in national rules
006/76	Improvement of the conditions facing people with mental illnesses after leaving hospital	UK	Health	NA
007/76	Protection of migratory birds	UK	Animals	Trans. Com. Res. 14.06.77 (OJ C 163, 1977, p. 28)
008/76	Publication of parliamentary guidelines laying down a pilot scheme to publically finance aid to help cope with family responsibilities	UK	Social Policy	Trans Com.

PETITIONS 1976 (9-19)				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
009/76	Right to vote of European citizens	D	Nat. Adm.	Filed/Res.15.06.77 (OJ C 163, 1977, p. 9)
0010/76	Implementation of EP Resolution of 21.2.75 on the need to save migratory birds	Ass.	Animals	Trans. Com. Res. 14.06.77 (OJ C 163, 1977, p. 28)
0011/76	Dangerous activities at Euratom Geel/Mol	B/NL	Environment	Filed
012/76	Relations between the European Community and Chile	F	Int. Aff.	Filed/ Res. 11.05.77 (OJ C 133, 1977, p. 30)
013/76	Political enquiry into Commission officials	Off.	Eur. Civil Service	Res. 9.5.78 (OJ C 131, 1978, p. 21)
014/76	Granting housing benefit	Off.	Eur. Civil Service	Filed
015/76	Establishment of a European statute for road accident victims	NL	Civil Liability	Trans. Com.
016/76	Europe and young people – follow-up to Petition 016/75	F	Eur. Inst.	Filed as superseded
017/76	Systematic glorification of the former Hitler regime in the FRG	Ass. F	Nat. Adm.	Trans. Com.
018/76	Pollution in the region of Toul	Off/F	Environment	Trans. Com. with opinion
019/76	Clusters of European minorities	L	Civil Rights	Filed

PETITIONS 1977 (1-12)				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
001/77	Supranational stamp in the context of the direct elections	D	Eur. Inst.	Trans. Coun.
002/77	Reunification of families	D	Int. Aff. Ind. Case	Trans. Coun.
003/77	The EP's contribution to information on the election by direct universal suffrage	L (mp)	Eur. Inst	Filed
004/77	Threatened closure of Usinor Thionville	F	Reg. Ind. Case.	Filed
005/77	Request for adoption of the proposal for a Council directive on the protection of birds, with amendments	I	Animals	Filed/ Res 14.6.77 (OJ C 163, 1977, p.,29)
006/77*	Family reunification	D/UK	Migrants Ind. Case	Trans. Coun.
007/77	Mail transfer service between the Federal Republic of Germany and Italy	D	Nat. Adm. Ind. Case	NA
008/77	Contribution to be made by the European Community in the context of development cooperation to prevent desertification in the Indonesian archipelago	Ass.	Environment	Filed
009/77	Problems of migrant workers	Ass. I	Migrants	Trans. Com.
010/77	The situation of homosexuals in Ireland	Ass. Da	Civil Rights	NA
011/77	Racial discrimination in Belgium against north Africans	I	Civil Rights	Trans. Coun.
012/77	The fate of Djoka Stojanovic	Ass	Int. Aff. Ind. Case	Trans. MFA

PETITIONS 1977 (13-24)				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
013/77	Criticisms of the behaviour of the Mulhouse police force	D	Nat. Adm. Ind. Case	NA
014/77	EEC information office in Belfast (Northern Ireland)	UK	Eur. Inst.	Filed as superseded
015/77	Recognition of the problems of migratory birds in decisions relating to EC funds for Italy	Ass.	Animals	Trans. Com.
016/77	Authorisation granted by the Italian State for the use of aqualungs in spear fishing	Ass.	Animals	Transn. Com. with opinion
017/77	Establishing a new ecological order	Ass	Animals	Trans. Com.
018/77	Importance for ACP countries of birds migrating between Africa and Europe	Ass	Animals	Trans. Com.
019/77	Construction in Luxembourg of an early childhood centre	Off.	Eur. Civ. Serv.	Approach to Lux./ positive response
020/77	Economic agreements to be concluded between the EEC and Yugoslavia	I	Int. Aff.	Filed
021/77	Local allowance	Off.	Eur. Civ. Serv.	Filed
022/77	Regularity of the direct elections to the European Parliament	Off/F	Eur. Inst.	Filed
023/77	Single seat for the Community executive and Parliament	Off.	Eur. Inst.	Unknown
024/77	Exchange rate losses affecting certain persons in receipt of income and pensions	L/F/I/Pol	Nat. Adm.	Res. 27.4.79 (OJ 1979 C 127, p. 127)

PETITIONS 1978 (1-15)				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
001/78	Community support for the continuation of the educational experience of Decroly public school in France	Ass. F	Nat. Adm. Ind. Case	Trans. Com.
002/78	Protection of wetlands	UK	Environment	Filed
003/78	Republican sponsorship	F	Nat. Adm.	NA
004/78	Simplification of Community regulations to be completely rewritten in the event of amendment	I	Eur. Inst.	Res. 27.4.79 (OJ C 127, p.83)
005/78	Encouraging the study and recognition of the economic value of nature for the new ecological order	Ass.	Animals	Trans. Com/Coun
006/78	Pension scheme arrangements for EP officials	Off.	Eur. Civ. Serv.	Filed/ Res 18.01.80 (OJ C 34, p. 40)
007/78	Including the problems of migratory birds ... on the agenda for the meeting of the PC of the ACP-EEC Assembly	Ass.	Animals	Filed as superseded
008/78	Air links with Northern Ireland	Ass. UK	Reg.	
009/78	Liberation of political prisoners in Chile	Ass. Chile	Int. Aff.	Res 17.4.1980 (OJ C 117, 1980, p. 44)
010/78	Departure insurance for temporary agents	Off.	Eur. Civ. Ser.	Filed
011/78	Universal rights of nature	Ass.	Animals	NA
012/78	In support of human rights in Argentina	Ass/ Off.	Int. Aff.	Filed/ Res. 6.7.78 (OJ C 182, p.42)
013/78*	Pension rights in the EEC	UK	Migrants Ind. Case	Trans. Com.
014/78	Treatment/control of phalloid intoxication	F	Health	Trans. Com.
015/78	Right to vote in the elections to the EP and to the Parliament in Westminster for British citizens living and working outside the United Kingdom	UK	Nat. Adm.	Filed/Res. 15.6.77 (OJ C 163, 1977, p. 39)

PETITIONS 1978 (16-31)				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
016/78	Ban on importing Japanese nets in the nine EC Member States	Ass.	Animals	Trans. Com.
017/78	Improving communication between the citizens of the EEC Member States and the officials in the institutions	Ass.	Languages	Filed/Res. 16.11.78 (OJ C 296, p.49)
018/78	Driving licence for people with epilepsy	Ass.	Health	Trans. Com.
019/78	Dumping of radioactive waste in the North Leigh landfill	Ass. UK	Environment	NA
020/78	Iron deposits in Lorraine	Ass. F	Reg.	Filed
021/78	Summer time	D	Health	Filed
022/78	Recognition as a victim of political persecution under the nationalist-socialist regime	D	Nat. Adm. Ind. Case	NA
023/78	Lev Gendin, Soviet Jew refusenik	Ass.	Int. Aff. Ind. Case	Filed
024/78	Chemical insecticides	Ass.	Environment	Filed
025/78	For a Constitutional Charter of the European Community based on the 1789 Declaration of the Rights of Man	Ass.	Eur. Inst.	Filed
026/78	Political prisoners in Uruguay and their children	Ass. Ur	Int. Aff.	Res 9.2.81 (OJ C 50, 1981, p.16)
027/78	Situation of prisoners-disappeared persons in Chile	Ass. Chile	Int. Aff.	Res 17.4.80 (OJ C 117, 1980, p.43)
028/78	Protection of lapwings	Ass.	Animals	Filed/ Dir. 79/409/EEC
029/78	Natural gas supply for Northern Ireland	Ass. UK	Reg.	Trans. Com.
030/78*	Articles 35 and 36 of the Italian Constitution	I	Nat. Adm. Ind. Case	NA
031/78	Protection of birds	Ass.	Animals	Trans. Com. with opinion

PETITIONS 1979 (prior to direct elections)				
NUMBER	TITLE	ORIGIN	SUBJECT AREA	FOLLOW-UP
001/79	Non-uniform interpretation by the Member States of Regulation 1408/71	D	Migrants Ind. Case	Res 19.9.80 (OJ C 265, 1980, p. 110)
002/79	Complaint against the Federal Republic of Germany – human rights violations	H	Nat. Adm. Ind. Case	Filed
003/79	Vietnamese refugees	B	Int. Aff.	Filed/ Res 25.09.75 (OJ C 239, p. 41)

