

Friday, 25 June 1993

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal for a Council directive concerning the definition and use of compatible technical standards and specifications for the procurement of air traffic management equipment and systems

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0342) ⁽¹⁾,
 - having been consulted by the Council pursuant to Article 84(2) of the EEC Treaty (C3-0341/92),
 - having regard to the report by the Committee on Transport and Tourism and the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy (A3-0165/93),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 149(3) of the EEC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 5. Instructs its President to forward this opinion to the Council and Commission.

⁽¹⁾ OJ No C 244, 23.9.1992, p. 16.

12. Committee on Petitions in 1992/93

A3-0147/93

Resolution on the deliberations of the Committee on Petitions during the parliamentary year 1992/93

The European Parliament,

- having regard to Rule 129(5) of its Rules of Procedure,
 - having regard to its previous resolutions on petitions, in particular the resolution adopted on 8 July 1992 on the basis of the annual report on the deliberations of the Committee on Petitions during the parliamentary year 1991/92 ⁽¹⁾,
 - having regard to the Treaty on European Union, and in particular Articles 8d and 138d thereof,
 - having regard to the report of the Committee on Petitions (A3-0147/93),
- A. having regard to the importance of the right to petition, which is enshrined in the treaties, both for those who exercise it and for Parliament and the whole Community, which can thus be kept in touch with the interests and concerns of public opinion, particularly with regard to all aspects of the functioning of the Community,

⁽¹⁾ OJ No C 241, 21.9.1992, p. 66.

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- B. whereas both the Community institutions and the Member States are under an obligation to do their utmost to facilitate action to deal with petitions and make it possible to resolve the problems they raise promptly and efficiently; whereas this obligation is the necessary corollary of recognition of the right of petition,
- C. whereas the number of petitions to the European Parliament has increased considerably in this transitional year between the signing and the entry into force of the Treaty on European Union,
1. Believes that it is essential to provide a political response to any request for action addressed to it on subjects which fall within the framework of Community activities, and instructs its Committee on Petitions to continue its work in this field, following up requests, complaints and opinions received by the European Parliament in petition form;
 2. Instructs, therefore, the Committee on Petitions, in so far as this be deemed necessary, to seek the cooperation of the Commission, the other parliamentary committees and Parliament's internal services on the petitions submitted to it, and to continue actively to cooperate with national ombudsmen and the national parliamentary committees responsible for petitions;
 3. Draws attention, given the constant rise in the number of petitions received, to the urgent need to increase the means available to the Committee on Petitions, and particularly its secretariat, and instructs the Bureau and the Enlarged Bureau to adopt without delay the measures needed, providing it with sufficient staff to process petitions appropriately, promptly and effectively, and to ensure that Parliament's estimates for 1994 are revised accordingly;
 4. Instructs, in particular, all its parliamentary committees to consider petitions forwarded to them as the committee responsible or for an opinion by the Committee on Petitions and to seek to ensure that the requests contained therein are dealt with;
 5. Deplores the length of time sometimes taken by the Commission to reply to requests for information; considers it unacceptable, in this connection, for some petitions to remain pending for months and even years and recommends that the Commission should follow up petitions forwarded to it as promptly and fully as possible, and, whenever necessary, to seek such additional information and documentation, either from the petitioners themselves or from third parties or public authorities, as it shall deem necessary in order to provide an adequate response to the issues raised by the petitioners;
 6. Regrets that the Commission has not followed up Parliament's recommendations concerning the way in which cases of infringement of Community legislation should be dealt with, particularly by:
 - increasing the number of meetings devoted to deciding on action to be taken on petitions (delegation should be considered, if necessary),
 - blocking any Community financial contribution in the case of an unsatisfactory or excessively delayed response from the Member States,
 - providing Parliament with more detailed information on the significance of the infringements and the situation as regards the various stages of proceedings in hand;
- reiterates, in this connection, its previous recommendations and calls for them to be taken into account without delay;
7. Considers it unacceptable that Member States are slow in replying to formal notices and reasoned opinions from the Commission and take advantage of the latter's conciliatory attitude and the slowness of the infringement proceedings to present the Community institutions and their own citizens with faits accomplis which are difficult or impossible to undo, particularly with regard to environmental protection; stresses the imperative need for the Member States to alter their behaviour and honour with their obligations in full;

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8. Regrets that, notwithstanding its correct assessment of the outstanding cases, the Committee on Petitions has been forced to close examination of many petitions on the environment covered by the environmental assessment Directive (85/337/EEC) and the Directive on the preservation of wild birds (91/244/EEC), owing to widespread and serious deficiencies in the implementation of these directives and the very limits of Community legislation in this field;

9. Looks forward in particular to publication by the Commission of amended Directive 85/337/EEC (on environmental impact assessments on certain projects) which is already available inside the Commission and which draws the necessary conclusions from the difficulties of applying directives, difficulties which have been highlighted in numerous petitions as well as in the Commission report on implementation of the above Directive (COM(93)0028);

10. Believes that it is essential to organize its relations with the European Ombudsman, and to this end, instructs its Committee on Petitions to take steps as of now to prepare for the action to be taken by Parliament with regard to:

- consideration of candidates and the proposed appointment of the Ombudsman, when the statute and other provisions concerning the latter will have come into force,
- consideration of the proposal for the Internal Rules of Procedure applicable to the Ombudsman, drawn up by the latter, in cooperation with the Committee on the Rules of Procedure, the Verification of Credentials and Immunities,
- consideration of the annual reports and reports on specific subjects by the Ombudsman,
- cooperation between the Ombudsman and the Committee on Petitions so as to ensure prompt and effective handling of complaints and petitions;

11. Instructs its President to forward this resolution and the report of its committee to the Commission and Council, the governments and parliaments of the Member States, the national-parliament petitions committees or other committees with competence in this field and the national ombudsmen.

13. Fisheries *

(a) A3-0178/93

Proposal for a Council regulation setting up licensing arrangements for fishing within the regulatory area defined by the NAFO Convention by vessels flying the flag of a Member State or registered at a Community port (COM(92)0394 — C3-0386/92)

The proposal was approved with the following amendments:

TEXT PROPOSED
BY THE COMMISSION (*)

TEXT AMENDED
BY PARLIAMENT

(Amendment No 1)

Recital 10

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(*) OJ No C 259, 8.10.1992, p. 4.