

Joined Up Campaigning!

Improving our campaigning performance at local level by using our Lib Dem MEP team to the full was a theme that cropped up during fringe meetings at Brighton conference this year. I have long been committed to achieving this for our party but accept that it is easier to say than to deliver! That said, here are some thoughts on what we could do together - committed activists and MEPs together - to improve our citizens' understanding and contact with the EU, as well as addressing real-life problems and issues. This article highlights different ways in which campaigners, councillors, and indeed any citizen, can turn to the EU to voice their concerns. It is intended as a ready-to-use toolbox, and all internet links are checked as of 22 September 2006.

Right of Petition

Feeling aggrieved that your Council/MP is not listening to you? If the problem has a European angle you can petition the European Parliament to try to get the matter resolved. Any citizen, acting individually or jointly with others, may at any time exercise his right of petition to the European Parliament. The petition has to be linked to EU activities in some way¹, which means that a complaint concerning high taxes for example would not be admissible, whereas one about environmental matters or consumer protection would most certainly be.² You can post your signed petition using standard mail³ or electronically.⁴ It can be signed individually or by several people. In fact a few months ago, 700 000 Spanish citizens wrote to the Parliament on the same subject, and the letters were delivered to Brussels in several dozens of boxes! Your petition will then be forwarded to the Parliament's Committee on Petitions, which has the responsibility for managing the petition process and formulating recommendations and conclusions for each petition.

The whole process may take several months, or even in excess of a year, so this is not a "quick fix" solution. However, the outcome or even the process alone could boost your local campaigning profile. Why? Because the matter is brought to the attention of the public and of the European Commission, who will then usually investigate and report back to the Petitions Committee. Secondly, the petitioner or petitioners are invited to Brussels to present their case orally to the Committee, if they so wish. In exceptional cases, the Petitions Committee may send several MEPs to investigate the situation on the ground, and can even draw up a report on the issue that would then go to the full Parliament.

A good example of this process in action was when several hundred British expats sent in a petition on the behaviour of the Spanish authorities in

¹ The official jargon is "come within the fields of activities of the EU"

² Between the end of June 2004 and the end of December 2005, the Parliament received 1609 petitions. Around one third of the petitions received were declared inadmissible, as they fell outside the area of activity of the EU.

³ The President of the European Parliament, Rue Wiertz, B-1047 Brussels, Belgium

⁴ www.europarl.europa.eu/parliament/public/petition/submit.do?language=EN

the Valencia region. Defenceless UK citizens making the most of their free movement rights and settling in Spain were being victimized by a developing law full of loopholes that allowed developers to run wild and expropriate land with little or no compensation. The Petitions Committee heard all parties and then dispatched a delegation to Valencia to meet the authorities. In the end, the Spanish authorities repealed the law and introduced a new one, more in line with their EU obligations.

Another obvious example is the Equitable Life saga. Policyholders filed a petition in 2004 and this led to a hearing which in turn led to the setting up of a special Committee of Inquiry made up of MEPs from nine different countries which has been tirelessly interviewing witnesses and regulators alike for the last 9 months to try to see what exactly went wrong with Equitable Life. I was recently appointed as the author of the Parliament's forthcoming report. The press have followed this closely, and the special Committee of Inquiry will even have an extraordinary session in London to meet with Ministers and senior officials in October 2006.

Petitions have a negative connotation, that is, one complains about a particular law, or about a particular situation. What if your campaign is about introducing something new? It is currently possible to submit a petition (as outlined above) asking for the introduction of a law, but the ideal tool for such positive proposals is unfortunately still in the making. This tool would be called a *citizens' initiative* and would allow one million citizens to call on the European Commission to make a legislative proposal. Such initiatives are still at an early stage at EU level (and indeed at UK level, where the "Our Say" campaign on direct democracy and referendums has just been launched), and there is no legal framework for them yet (although the European Constitution would have provided just that in its Article 47(4)). However, I am happy to report that the very first EU citizens' initiative, on a single seat for the European Parliament in Brussels, has gathered its million signatures this Monday and was accordingly presented to the European Commission. Lib Dem MEPs backed this campaign from the outset and will continue to push for a single seat.

Written Declarations

Your MEP can submit a "Written Declaration" on a matter falling within the sphere of activities of the European Union. The Written Declaration goes onto a public register which is maintained outside the place where MEPs vote. Any MEP may sign it, and when a majority of MEPs (currently 367) do so, the Declaration is officially endorsed by the Parliament as a whole and sent to the Commission and Council. Keep in mind that Written Declarations lapse if the necessary signatures have not been gathered within three months. In 2005, I put forward a Written Declaration seeking a significant increase in funding and awareness in the EU for endometriosis, a painful chronic condition found in women, which affects an estimated 14 million women and girls in Europe alone, and which may lead to pain and infertility amongst other things. The Declaration gathered 266 Signatures, falling just short of being officially adopted. However, this was the highest number of signatures achieved for a

health issue and the sixth most successful Written Declaration since 1998. New campaigning methods on Written Declarations were developed, including printing T-Shirts and collecting MEPs signatures from door to door.⁵ Recent Written Declarations include one on the banning seal products in the EU and another on tackling racism in football.

Right of Complaint to the European Commission

The European Commission is responsible for monitoring compliance with EU rules, but does not have the manpower to check whether all EU legislation is correctly implemented on the ground by national authorities. It does not have "green inspectors" checking, for instance, that British bathing waters comply with EU standards or that an Environmental Impact Assessment has been correctly carried out for the building of a major infrastructure, industrial or energy project. Information provided by citizens is absolutely crucial to the Commission. As a result, anyone may lodge a complaint with it against a Member State about any measure (law, regulation or administrative action) or practice which they consider incompatible with a provision or a principle of European law. Forms are user friendly⁶, but are not essential for making a complaint. Indeed, one official told me that he received some very valuable information on a simple postcard! If the Commission considers that there is a violation of European law, it will enter into contact with the national authorities, and could even launch infringement proceedings against the Member State concerned, and ultimately take it to court with the possibility of a large fine. In 2005, France was fined in excess of 20 million Euro for failing to comply with fishing regulations (it authorised the selling of undersize fish). If the investigation stems from your complaint, you have certain rights as a complainant to know what is happening with the investigation, why it is not moving forward, or why it has been dropped. If you think that your campaign may in some way relate to European law, and this could be state aid, the environment, agricultural subsidies, the dumping of products from outside the EU or public procurement amongst many other things, you would be well advised to inform the European Commission about it and see what they think. Such a complaint may not generate as much publicity as a public hearing in the petitions committee, but you must keep in mind that the European Commission is the body responsible for checking that Member States implement EU law, and can ultimately take them to court for failing to do so.

EPQ to the Commission or Council

European Parliamentary Questions (or EPQs) are one of the tools which allow MEPs to supervise the exercise of executive power by other EU

⁵ You can find more details on this particular Written Declaration and a model for one you may want to write if you follow this link: <http://www.endometriosis.org/press13june05.html>

⁶ http://ec.europa.eu/community_law/complaints/form/index_en.htm. There is a special detailed form for State aid: http://ec.europa.eu/community_law/plainte/form-plainte_en.pdf. You can send these to Commission of the European Communities (Attn: Secretary-General) B-1049 Brussels, BELGIUM.

institutions. If you have a question you think warrants a speedy response by the Commission or Council, why not approach your Lib Dem MEP⁷ and see whether they would ask it for you? Questions can be written or oral, and each MEP is allowed to ask one "priority" question every month (to be replied to within three weeks) and a limitless number of ordinary EPQs (to be replied to within six weeks). Written ones are published in the Official Journal of the European Union and call for a written response from the Commissioner responsible. Oral questions are asked in plenary sitting and included in the day's debates. Using EPQs, I have been able to successfully extract information from the Commission on issues as diverse as the behaviour of UK Customs in seizing vehicles coming back from France with tobacco and spirits, the management of .eu domain names and the introduction of a Europe-wide class action to uphold consumer rights.

European Ombudsman

The European Ombudsman, currently the Greek, Mr. Nikiforos Diamadourous, investigates questions concerning maladministration within the institutions or bodies of the EU. He ensures that the EU institutions behave properly in relation to their citizens, that their administrative practice and procedure is transparent and fair. Note that the subject matter here is rather different from that covered by points (1) and (2). The Ombudsman can only look at maladministration of EU institutions and bodies, not at that of national bodies. Although he cannot give a substantive assessment of EU measures, he can ensure that due process is respected such as the right to a fair hearing or the right to a reasoned reply. Mr Diamadourous' team is easy to contact. They have published a guide on what they can do⁸ and you can complain electronically or by post.⁹

A recent example of a successful campaign making use of the European Ombudsman is the campaign to open up meetings of the Council of Ministers when they meet and negotiate European laws. A complaint was lodged and the Ombudsman even decided to draw up a special report on the issue, urging EU ministers to be more transparent, which was given much publicity. Lib Dem MEPs campaigned tirelessly on this issue and in the end, under mounting pressure, the 2006 Austrian presidency started opening up meetings, and the current Finnish presidency has followed suit. You can even watch some of the meetings on the internet, to see what position a government Minister is defending in Brussels (which may occasionally differ from his stance back home, but that is another story...)¹⁰

Conclusion

The tools that have just been highlighted can potentially make a real difference to your campaigning, giving it more publicity, hopefully directing you

⁷ <http://www.libdemmeeps.org.uk/index.html>

⁸ http://www.ombudsman.europa.eu/guide/pdf/en/guide_en.pdf

⁹ <http://www.ombudsman.europa.eu/form/en/default.htm>

¹⁰ <http://www.consilium.europa.eu/videostreaming>

to an acceptable solution, and also linking you up with similar cases throughout the EU's 25 Member States. Next time you are planning a campaign, why not give a thought to all the opportunities afforded at EU level? You may be pleasantly surprised at the result, and if ever you run into difficulties, don't forget that your MEPs are there to assist you in your campaigning, so don't hesitate to take up contact with them by phone or email, they will be glad to help you get started and guide you through the process.

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