



# SUMMARIES, INFORMATION AND RECOMMENDATIONS

Petitions 1226 to 1250/2013  
Admissibility and action

The Chair's recommendations on admissibility and action will be deemed adopted unless any comments are received by 2 April 2014.

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– **Petition 1226/2013 by I.P. (presumably Bulgarian) on a dispute with a Bulgarian bank regarding a mortgage loan**

The petitioner indicates that in 1999 he and his spouse obtained a loan for their company by mortgaging their house. Having repaid the loan after 18 months, their financial situation worsened, making it necessary for them to apply for a second loan in 2001. The terms and conditions imposed by the bank were harsher than before, requiring them to sell their mortgaged house at well below market price and seek an additional mortgage on a second property. The petitioner indicates that the bank has entered his name on a blacklist of bad payers, thereby indirectly restricting his right to freedom of movement within the European Union. He has apparently agreed under pressure to sign an additional agreement (with effect from March 2009) enabling him to travel abroad. He takes the view that the system is particularly unfavourable to Bulgarian citizens and is seeking assistance in obtaining repayment from the bank of the resulting difference, together with interest.

## **Recommendations**

- Declare admissible;
- forward to the Committee on Economic and Monetary Affairs for information;

- request information from the Commission regarding restriction of freedom of movement in such cases.

Or. ro

– **Petition 1227/2013 by August Ostace (German), on reflections on Europe**

The petitioner sent a booklet to the EP president and its accompanying letter where he outlines his ideas about Europe, its origins, history, philosophy and its future. He pledges for no more wars in Europe, reflects about the history of the 20-tieth century, era of colonialism in the world, humanism, migration flows and recent enlargement of the countries of Eastern Europe into the EU. He criticizes the criteria on which the Eastern European countries have been admitted into the EU. He says it is not possible to enlarge through some empty slogans. Equally, he considers the adoption of Euro as a currency unfounded. He is raising a number of questions as to which laws does the ECB follows. He criticizes that nobody is liable for the disasters that have happened in the EU countries so far. He is expecting an answer from the Parliament.

**Recommendations**

- Declare admissible;
- Forward to the petitioner the President's speech to the Greek Parliament and the recently approved report by LIBE regarding the investigation into the PRISM electronic surveillance programme, as illustrations of the Parliament's activity on the issues he raises. ;
- close.

Or. en

– **Petition 1228/2013 by Sh.W. (British), on Free movement of people**

The petitioner who is British self-employed and working in Ireland since 1<sup>st</sup> April 2013 and his wife who is Chinese national, lives in China. They got married under the law of Hong Kong. She was under 18 years old at the time of marriage but now she is 18 years old. Her application for Irish entry visa was refused on the basis that she was under 18 years old at the time of marriage and thus the marriage is not recognised under the Irish law. The visa application of his wife has been refused by the Irish embassy in Beijing. The petitioner is asking for help to reunite with his wife.

**Information**

- **European Parliament and Council Directive [2004/38/EC](#) of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, applies;**

## Recommendations

- Declare admissible;
- ask the Commission for information.

Or. en

- **Petition 1229/2013 by K. Z. (German) on enforcement of a court judgement so as to allow him to exercise his visitation rights with his child**

The petitioner has a nine-year-old son born in Malta. The mother of the child and he share joint custody and by court decision by a Maltese appeal court, he is allowed visitation. By a Maltese court decision, the child was sent to England, where the petitioner only had limited supervised visits with the child. He claims that the British authorities showed preferential treatment in favour of the mother. He had the Maltese judgement about visitation registered in England and tried to implement it, but to no avail. He asks that a) the European Parliament answers a number of legal questions regarding the application of Brussels IIa regulation to his case and b) the European Parliament intervenes so that the court judgement on visitation rights is applied and he exercises his lawful paternal right to visit with his child.

## Information

- The petitioner has already appealed to the European Commission for resolution to this dispute, but the case was not examined any further.
- The petitioner requests that no data of his or of his child are disclosed.

## Recommendations

- Declare admissible;
- ask the Commission for information.

Or. en

- **Petition 1230/2013 by Benjamin Rzepka (Niemcy) on banning procedures that mutilate children's genitals**

The petitioner urges Parliament to introduce a Europe-wide ban on carrying out procedures that mutilate the genitals of children and minors for non-medical reasons. Such procedures should be banned, regardless of the gender of the child. When such requirements are dictated by religious considerations, everyone should be able to decide on their religious affiliation and accept the consequences once they reach adulthood.

## Recommendation

- Declareadmissible;
- Forward for an opinion to the Committee on Women's Rights and Gender Equality and to the Committee on Civil Liberties.

Or. pl

- **Petition 1231/2013 by Christine Rühl (German) on the infringement of her fundamental rights and those of the Roma by the Freiburg im Breisgau municipal authorities (Germany)**

The petitioner objects to what she refers to as the unfeeling and fascist attitudes of the authorities and arbitrary police brutality against vulnerable citizens. From the enclosed documentation it emerges that the petitioner has refused a request by the mayor of Freiburg to leave her home immediately for fire safety reasons a fire risk and accept temporary alternative accommodation in a municipal hostel. In addition, she calls for the allocation to the Roma community of three areas within Germany where they can build and settle so as to give them the feeling of belonging to a homeland and for the social integration of Roma in schools and at the workplace so as to avoid creating ghettos. She has, apparently, also initiated a string of legal proceedings on various topics claiming rights violations.

#### **Information**

- Most of the petition is mostly incomprehensible and does not refer to any specific situation regarding the Roma. The petitioner encloses extensive documentation (legal proceedings, official dispatches, poetry, etc.) which contains only little relevant information. In a subsequent petition (1236/2013) she forwarded information regarding her move to Flensburg and problems she encountered there.

#### **Recommendations**

- Declare inadmissible since the subject is insufficiently clear; The various documents resemble a collection of disparate elements from which no coherent petition can be identified or deduced. (see case T-280/09 Morte Navarro the European Parliament).

Or. el

- **Petition 1232/2013 by José Louis Rodriguez Pereira (Spanish), on incompatibility of membership of a political party with membership of the Spanish Constitutional Court**

The petitioner is asking for it to be declared incompatible for members of the Spanish Constitutional Court to belong to political parties; in this regard, he reports the case of the constitutional judge Francisco Pérez de los Cobos, who, according to the petitioner, belongs to a political party (which is not specified).

Provision is apparently made for such incompatibility also in Spanish law.

### **Recommendation**

- Declare inadmissible: the PETI committee has no power to judge the functional incompatibilities of members of constitutional courts in the Member States; advise petitioner to appeal to the Spanish courts.

Or. it

### **– Petition 1233/2013 by J.G. (Spanish) on termination of an employment contract in Spain**

The petitioner, who was employed at the airport of Palma de Mallorca, indicates that, having been offered better paid employment at Ibiza airport, he discovered on arrival there that the contract had been cancelled owing to an error. He maintains that he holds documentation to the effect that the Director of Human Resources is failing to respect a collective employment agreement.

### **Recommendations**

- Declare inadmissible: the matter does not come within the European Union's fields of activity;
- inform the petitioner that the matter does not come within the European Parliament's remit.

Or. ro

### **– Petition 1234/2013 by Mie Mortensen (Danish) on an alleged breach of human rights, including children's rights, in Denmark**

The petitioner considers that her rights and those of her children are being breached in Denmark. She says that her two children have been illegally taken away from her. She also says that the Danish authorities have failed to adhere to the procedures required by law and have breached both the European Convention on Human Rights and the UN Convention on the Rights of the Child. The petitioner has reported the matter to the police, but they cannot help her. She has also contacted Danish Members of Parliament, but obtained no satisfaction from them either. The petitioner requests help and considers that the EU has a responsibility to compel Denmark to abide by its own laws and conventions on human rights, including children's rights.

### **Recommendations**

- Declare admissible;

- ask the Commission for information;
- consider jointly with the other petitions on breaches of human rights and children’s rights in Denmark which were considered at the meeting of the Committee on Petitions on 10 and 11 February 2014.

Or. nl

– **Petition 1235/2013 by Marlene Enggaard Løvbum (Danish) on action by the Danish authorities with regard to her family and her child**

In June 2012, the petitioner’s son was collected from his school by a local government official and several police officers and taken away. The local authority had received an anonymous telephone call accusing the petitioner of performing sex acts with her son. The petitioner and her son were heard, but ultimately the police decided that there was no proof. Despite this, the petitioner’s son was not allowed to return home. The local authority insisted that she, her husband and her son should undergo a parenthood test. The petitioner and her husband were found to be suitable parents in relation to all 7 points. However, the local authority submitted a complaint against the psychologist who had performed the test. Since then, the petitioner has only been permitted to visit her son with a chaperon and telephone calls and e-mails between the parents and the child have been monitored. After some time the child was transferred to an institution for children with ADHA and autism, even though he had not been diagnosed as suffering in any way from either condition. The petitioner’s son has constantly said that he wants to return home, or at least to be permitted to visit his parents at weekends, but his requests have been rejected without any statement of reasons. The petitioner considers that her rights and those of her child are being breached and she is angry that politicians in Denmark are turning a blind eye to the harsh reality. She asks the European Parliament for help.

**Recommendations**

- Declare admissible;
- ask the Commission for information;
- consider jointly with the other petitions on breaches of human rights and children’s rights in Denmark which were considered at the meeting of the Committee on Petitions on 10 and 11 February 2014.

Or. nl

– **Petition 1236/2013 by Mauro Sabbadini (Italian), on copyright protection in Italy**

The petition criticises the activities of the SIAE society (Italian Society of Authors and Publishers), which, in Italy, has a virtual monopoly on the collection of copyright fees for both live and static reproductions and, as an auxiliary task, collects entertainment taxes and

any social security payments due to artists.

According to the petitioner, this organisation collects copyright fees all over the country, through a dense network of agents and representatives who act as a public authority, carrying out inspections and audits and providing binding and irrevocable interpretations of the law, using broad discretionary powers in their decision-making. The petitioner points out, for example, that in Italy an author is not allowed to independently manage the collection of fees and the administration concerning his own copyright, along the lines of the 'Creative Commons' model.

### **Recommendations**

- declare admissible;
- ask the Commission for information; send to the JURI committee for an opinion.

Or. it

### **– Petition 1237/2013 by Sophia Dafinger (German) on an end to EU funding for nuclear energy**

The petitioner takes the view that nuclear energy is a dangerous and expensive option. In addition to the danger of damage, terrorism and accidents, nuclear waste is a danger to all. Furthermore, she does not consider it to be a competitive solution compared with alternative energy sources. For those reasons, she considers that the EU should redirect the billions of euros currently used to fund nuclear energy into sustainable technology with future prospects.

### **Information**

- Petitions are frequently submitted regarding nuclear energy, for example Petition 0356/2011 and Petition 0361/2011.

### **Recommendations**

- Declare admissible;
- request information from the Commission;
- forward to the petitioner a copy of written question E-013504/2013 and the Commission reply thereto.

Or. el

### **– Petition 1238/2013 by Lars Chr. Larsen (Danish), on Private property in Spain**

The petitioner writes in an extensive manner about the way how he came to buy a private property in Spain, Almunecar. He describes how in mid 1980's together with his late wife they decided to buy a property in the south of Spain. In 1998 they contacted some local

person who “advises” Danes who look for a property there. On the plot of land in Taramay that he found for them was an old house and a goat shed. For restoration of those they were apparently not asked for any official building permit. Given that they were happy with the person who did the first renovation they engaged him for another renovation, to enlarge the house. They arranged for an architect and acted in good faith to fulfil all the administrative requirements necessary for the work to go underway. They were misled that the architect was in possession of all the relevant documents needed for such a reconstruction. The house was completed and as the time went by, the Spanish authorities started to act. They asked for a planning permission which the owners did not have and trusted that the architect did.

At the end, in December 2012 the demand came from the municipality to either demolish the entire property or pay 11.500 each month as a penalty.

The petitioner is asking for help.

### **Information**

- The petitions committee has received a number of similar petitions concerning private property in Spain.

### **Recommendations**

- Declare admissible;
- ask for more information on this particular case from the Almunecar/Taramay local administration.
- forward for information to the petitioner a copy of the Auken Report on the impact of extensive urbanisation in Spain, adopted in March 2009.

Or. en

- **Petition 1239/2013 by Damien Etienne (French) on a proposal to include military cemeteries from both World Wars on the World Heritage List**

The petition, which is extremely brief, urges the European countries, the Russian Federation and the countries of North Africa to commence talks on the inclusion of military cemeteries from both World Wars on the World Heritage List and call on UNESCO to take the necessary measures.

### **Recommendations**

- Declare admissible:
- inform the petitioner that the European Union has not signed the UNESCO World Heritage Convention (1972), however, the Committee may write to UNESCO supporting the petitioner’s proposals because of the fact that as the Parliament is itself a co-laureat of the Nobel Prize for Peace, such an action would indeed be fitting given that this is the centenary of the outbreak of World War 1..



– **Petition 1240/2013 by Rodica Ionela Bazgan (Romanian) on freedom of movement in the European Union**

The petitioner, who has been working in Cyprus for three years, indicates that two years ago she married a third country national, who then obtained a residence permit in Cyprus. Since she wished to spend her leave in Belgium together with her spouse and was unaware of the provisions of Directive 2004/38/EC, she called the German Embassy in Nicosia to ask what papers her spouse required. Having been asked to supply large amounts of documentation in various stages, the petitioner's spouse was finally refused a visa on the grounds that he was considered a security risk in one or more Member States under the terms of Regulation (EC) No 562/2006. The petitioner considers that her rights and those of her spouse to freedom of movement within the European Union have been seriously infringed.

**Information**

- Under Directive 2004/38/EC of the European Parliament and of the Council on the right of the Citizens of the Union and their family members to move and reside freely within the territory of the Member States, family members holding a valid resident permit referred to in Article 10 are not required to obtain a visa.
- Petition 0751/2012 concerned a similar subject.

**Recommendations**

- Declare admissible;
- ask the Commission for information;
- request information from the Cypriot authorities through the Permanent Representative of Cyprus in Brussels.

– **Petition 1241/2013 by K.D. (German) on information which must be contained in travel guides published in the EU**

The petitioner takes the view that all travel guides sold in the EU should contain information regarding action to be taken by women should they fall victim to rape in the countries they are visiting. She indicates that she has always wished to work in Dubai but considers that she has been wise not to do so in view of the legal complications she would encounter in such a situation. She regards this lack of information for women to be a serious omission on the part of the EU.

**Information**

- The petitioner has not agreed to her name being entered on a public register.

### **Recommendations**

- Declare inadmissible: the matter does not come within the European Union's fields of activity; Member States authorities regularly issue such advice to travellers on their Foreign Ministry web-sites as they are the responsible passport issuing authorities.
- close.

Or. el

- **Petition 1242/2013 by Sorin Danca (Romanian) on the Romanian Social Liberal Union**

The petitioner maintains that he is being persecuted by the Romanian Social Liberal Union for refusal to join this political alliance, indicating that, as a result, he has been banned from the Roman Catholic Church and that his identity papers have been stolen.

### **Recommendations**

- Declare inadmissible: the matter does not come within the European Union's fields of activity;
- the petition is groundless (see case T-280/09 Morte Navarro the European Parliament).

Or. ro

- **Petition 1243/2013 by S.A. (Greek) on discrimination by the Greek Ministry of Education and Religious Affairs against mathematics teachers who do not belong to the Hellenic Mathematics Society.**

The petitioner objects to what he regards as the favouritism shown by the Greek Ministry of Education to the Hellenic Mathematics Society, whose members belong to the Central Examination Board (which decides on examination subjects for the whole of Greece), despite the fact that all school teachers without distinction act as supervisors for the examinations set by it. He maintains that members of the Society are given favourable treatment by school inspectors assessing their work while non-members are judged to have insufficient theoretical training. In this way, the Ministry is marginalising capable, distinguished and qualified mathematicians simply because they do not belong to the Society.

### **Information**

- The petitioner has not agreed to his name being entered on a public register.

### **Recommendations**

- Declare inadmissible: the matter does not come within the European Union’s fields of activity;
- close.

Or. el

- **Petition 1244/2013 by Pablo Lorente Zapateria (Spanish), on behalf of the Sustrai Erakuntza Foundation, on thermal power stations in Castejon, Navarra (Spain)**

The petition is protesting about the plan to double the number of thermal power stations operating in the area of Castejon, which is a small town of some 3500 inhabitants, near the River Ebro.

This plan, which local people are opposing, is likely to damage the following three 'Natura 2000' protected areas: Sotos y Ribers del Ebro (LICES 2300006); Rio Ebro (LIC ES 2200040), and Bardenas Reales (LIC ES 2200037).

The promoters of the petition have made a number of appeals to the Spanish courts, which have upheld their observations in part; in particular, the petition is calling for compliance with Directive 96/61/EC concerning integrated pollution prevention and control, Directive 2003/35/EC on impact assessments and Directive 97/62/EC on the conservation of natural habitats.

### **Recommendations**

- Declare admissible;
- ask the Commission for information.

Or. it

- **Petition 1245/2013 by Angel Suarez Suarez (Spanish), Mayor of the municipality of La Robla, on the use of EU funds**

The petition is briefly calling for a review on how EU funds earmarked for Spain to support its mining sector have been used since the 1990s, as regards the various carbon plans drawn up by the Spanish authorities.

In particular, the petitioner raises the doubt that these funds may have been used not to improve the environmental impact of mining activities, but rather, for speculative purposes.

### **Information**

- The petition is a motion voted on by the Town Council of La Robla, in the region of Leon.

## Recommendations

- Declare admissible;
- ask the Commission for information.

Or. it

- **Petition 1246/2013 by Muinos Cela Maria Azucena (Spanish), on behalf of a number of different associations of Spain, on Impact Assessment prior to planned railway line in Ferrol**

A number of different environmental associations, represented by “Rosalia de Castro” in Grana, question the proposed rail access to Ferrol port, as informed by the Directorate General of Railway Infrastructure of April 2010. They claim there is a danger of irreversible damage to the environment if the project is carried out along the lines as proposed. They refer to the Petition Committee’s recent visit to the area who confirmed that the area is highly polluted already and restoration of the environment needs to be done. The environmental impact study appears to be biased and tendentious. They urge the EP to demand from the Member states a mandatory Environmental Impact Assessment in accordance with all the requirements set by the European regulations.

## Information

- Committee on Petitions visited the area in 2013

## Recommendations

- Declare admissible;
- ask the Commission for information.

Or. en

- **Petition 1247/2013 by Dimitris Apostolatos on Religious freedom in Greece**

The petitioner writes about the way how the monks of Esfigmenou Monastery in Atho are treated by the Greek State. He alleges that the Monastery of Esfigmenou has a long standing dispute with the Patriarchate of Istanbul on dogma issues. The Patriarchate apparently refuses to talk about these issues and uses illegal means to punish the monks of Esfigmenou. The Greek government is using security forces to block the Monastery and starve the elderly monks of food, medications and heating fuel. The petitioner goes on by citing a different Articles of the Charter of Fundamental Rights of the EU related to Human dignity, Religious freedoms etc. He is asking the EP to intervene.

### **Information**

- The petition 0361/2002 raises the same subject

### **Recommendations**

- Declare admissible;
- ask for some more information from the Greek authorities.

Or. en

### **– Petition 1248/2013 by Pedro Pozas Terrados (Spanish) representing Proyecto Gran Simio**

The petitioner is concerned about physical and psychological health of chimpanzees held in Schwaben Park facilities in Kaiserbach, Germany. He alleges that thanks to the work of the research team Animal Equality, from Germany, the attention has been drawn to the terrible conditions in which 44 chimpanzees are held in the facility. They are apparently being ridiculed, bound in chains, wearing human clothes and forced to do humiliating actions when performing before public. After that they are held in conditions that are not in line with standards required for such species. The petitioner is demanding help from the EP to close down these shows and end the physical and psychological abuse of the chimpanzees.

### **Recommendations**

- Declare admissible
- ask Commission for information.

Or. en

### **– Petition 1249/2013 by Manuel Garcia Barba (Spanish) on the use of a mortgage loan reference index to set mortgage interest rates**

The petitioner indicates that in 2011 the European Union had warned of transparency problems concerning the use of a mortgage loan reference index to set mortgage interest rates, as opposed to using the Euribor (Euro Inter Bank Offered Rate). This was followed by the publication of decree EHA/2899/2011 of 28 October 2011 concerning transparency and the protection of users of banking services, specifying that the index could no longer be used to set the rates for new mortgage loans or loans approved after 28 April 2012 and that it was to be phased out completely one year from entry into force of the decree and its implementing rules, provided that a transitional scheme for mortgage loans had been drawn up over this period. The Ministry for the Economy has not yet made its position known. The petitioner has learned from the press that the government intends to postpone the transitional scheme indefinitely, which means that the Bank of Spain will continue to publish the reference rates in question, thereby affecting over 1 million households.

## **Informație**

- Question with request for oral answer O-000118/2013 to the Commission by Erminia Erminia Mazzoni, on behalf of the Committee on Petitions, refers to the use of the mortgage loan reference index as the interest rate reference in mortgage contracts.

## **Recommendations**

- Declare admissible;
- request information from the Commission.

Or. ro

- **Petition 1250/2013 by Paulo Alexandre Viegas (Belgian) on the alleged dangers of certain progressive movements and the launching of an awareness campaign**

The petitioner considers that certain ‘progressive’ movements (in defence of homosexuality, abortion, divorce and consumption of synthetic sugars) pose a public health risk. He calls on the Parliament in the European Union to launch an awareness campaign to warn the public of this potential danger.

## **Recommendations**

- Declare admissible;
- note the petitioner’s comments;
- close.

Or. ro