Background

Since the Lisbon Treaty and the Charter on Fundamental Rights came into force almost two years ago, the European Parliament and the Commission have dealt with many petitions and complaints regarding the application of the Charter.

Citizens' interest and expectations as regards the enforcement of the Charter are high. However, the Charter does not apply in all circumstances in which a violation of fundamental rights in Member States is alleged. There is a risk that citizens' perception of the scope of application of the Charter turns into disenchantment with the European Union itself. The institutions of the European Union have a responsibility to address this situation.

It is therefore important that people who consider that their fundamental rights are being undermined have access to practical information on the judicial and non-judicial remedies open to them at EU and Member State level. They should be able to identify more clearly which institution or body is best placed to assist them. The Commission’s 2010 Annual Report on the application of the EU Charter of Fundamental Rights provides a first assessment of the current situation.

This seminar, organised jointly by the Commission and the European Parliament's Petitions Committee, will explore how complaints on fundamental rights are handled at EU and Member State level; it will identify best practices in this field and look at ways to improve cooperation between responsible authorities and institutions, at EU and the national level.

Viviane Reding, Vice-President of the European Commission and Erminia Mazzoni, Chairman of the Committee on Petitions, will co-host this event and introduce the Seminar.

The seminar will bring together eminent legal experts who will examine the application of the Charter in relation to specific problems raised in complaints and petitions submitted by citizens. Members of the European Parliament and participants will be invited to explore possible judicial and non-judicial avenues for responding to citizens concerns.

Date: 6 October 2011  
Venue: European Parliament (Brussels), Room: PHS 3C50  
Interpretation will be organised by the European Parliament in the following languages: EN, DE, FR, ES, IT, RO, BG, EL, NL, HU, PL, DA, LT, LV

### I. OPENING SESSION

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| 09.00-09.30 | **Viviane Reding**, Vice-President of the European Commission  
**Erminia Mazzoni**, Chairman of the Petition's Committee of the European Parliament |

### II. WHAT DOES THE CHARTER OF FUNDAMENTAL RIGHTS MEAN IN PRACTICE FOR EUROPEAN CITIZENS? HOW TO COMMUNICATE TO CITIZENS ON WHERE THE CHARTER APPLIES?

**Objective:** The discussion should explore how to communicate on the Charter, when it applies and when it does not. The discussion will help to identify problems of misunderstanding on the scope of application with reference to concrete examples (45’ presentations, 45’ discussion)

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| 09.30-11.00 | **Chair:** Erminia Mazzoni, Chairman of the Petition's Committee of the European Parliament  
**Speakers**
- Monika Flašíková Beňová, Member of the Justice and Home Affairs Committee (LIBE) of the European Parliament, Rapporteur for the European Parliament's Annual Report on the situation of fundamental rights in the European Union  
- Professor Elspeth Guild, Associate Senior Research Fellow of the Centre for European Policy Studies  
- Professor Giuseppe Tesauro, former Advocate General of the European Court of Justice, Member of the Italian Constitutional Court  
- Professor Sjef van Erp, University of Maastricht  
- Professor Jean-Paul Jacqué, College of Europe |

### III. HANDLING OF COMPLAINTS ON FUNDAMENTAL RIGHTS: OVERVIEW OF THE PRACTICES IN EU MEMBER STATES

**Objective:** exchange information on the handling of complaints on fundamental rights in EU Member States. Identify best practices, including on the follow-up given to complaints which are outside the scope of competence of the authority concerned. This information should also enable to better assess how often “people knock at the wrong door” when they are seeking redress for a violation of fundamental rights (45’ presentations, 45’ discussion)

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| 11.00-12.30 | **Chair:** Paul Nemitz, Director for Fundamental Rights and Union Citizenship at Directorate General Justice of the European Commission  
**Speakers**
- Dominique Baudis, Défenseur des Droits (France)  
- Manuel Aguilar Belda, Deputy Defensor del Pueblo (Spain)  
- Des Hogan, Deputy CEO of the Irish Human Rights Commission, Chair of the Legal Working Group of the European Group of National Human Rights Institutions |
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<th>Time</th>
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<tr>
<td>12.30-14.00</td>
<td>Lunch</td>
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<td>paced, 45' discussion).</td>
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<td>14.00-15.30</td>
<td>IV. HANDLING OF COMPLAINTS ON FUNDAMENTAL RIGHTS: OVERVIEW OF THE PRACTICES AT EUROPEAN LEVEL</td>
<td>Objective: exchange information on the handling of complaints on fundamental rights by European institutions. Identify best practices, including on the follow-up given to complaints which are outside the scope of competence of the authority concerned. Identify practices of EU institutions and of the European Court of Human Rights to inform citizens on redress mechanisms when they submit complaints which are outside their scope of competence (45' presentations, 45' discussion).</td>
<td>Chair: Emmanuel Crabit, Head of Unit for Fundamental Rights and Rights of the Child at Directorate General Justice of the European Commission &lt;br&gt; Speakers: &lt;ul&gt; &lt;li&gt;David Lowe, Head of the Secretariat of the Committee on Petitions to the European Parliament&lt;/li&gt; &lt;li&gt;Sabine Hackspiel, Head of Unit in the Directorate Research and Documentation at the Court of Justice of the European Union&lt;/li&gt; &lt;li&gt;Victor Soloveyitchik, Head of Division at the European Court of Human Rights&lt;/li&gt; &lt;li&gt;European Commission (representative of DG Justice)&lt;/li&gt; &lt;li&gt;European Data Protection Supervisor (to be confirmed)&lt;/li&gt; &lt;/ul&gt;</td>
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<td>15.30-17.00</td>
<td>V. HELPING CITIZENS FINDING REDRESS IN CASES OF VIOLATIONS OF FUNDAMENTAL RIGHTS</td>
<td>Objective: citizens who are faced with a violation of their fundamental rights should have access to an effective redress mechanism. This session aims at exploring how to improve cooperation between bodies/institutions regarding the handling of fundamental rights complaints, particularly between the EU and the national level (45’ presentations, 45’ discussion)</td>
<td>Chair: Emmanuel Crabit, Head of Unit for Fundamental Rights and Rights of the Child at Directorate General Justice of the European Commission &lt;br&gt; Speakers: &lt;ul&gt; &lt;li&gt;Ian Harden, Secretary General of the European Ombudsman&lt;/li&gt; &lt;li&gt;Sonia Masini, President of the Province of Reggio Emilia and 1st Vice-Chair of the Commission for Citizenship, governance, institutional and external affairs of the Committee of Regions&lt;/li&gt; &lt;li&gt;Professor Alan Miller, Chair of the Scottish Human Rights Commission and Chair of the European Group of National Human Rights Institutions&lt;/li&gt; &lt;li&gt;Margaret Tuite, Directorate General Justice of the European Commission, Deputy Head of Unit for Criminal Law&lt;/li&gt; &lt;/ul&gt;</td>
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