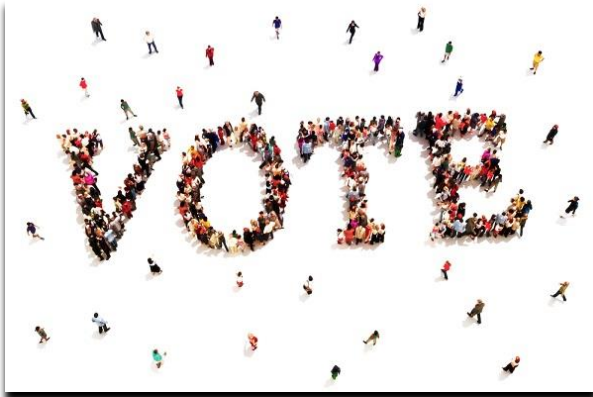


Newsletter June 2018



Oral Question on voting rights

PETI decided to address an oral question to the Commission and the Council on disenfranchisement in the EU, asserting that the right to vote in elections is a fundamental right common to the constitutional traditions of the Member States, as recognised in the EU Treaties, and instrumental to freedom of movement under EU law.

Six EU Member States (Cyprus, Denmark, Germany, Ireland, Malta and the United

Kingdom) deprive their nationals of the right to vote in national elections due to residence abroad based on the assumption that expatriates are not affected by political decisions taken in their country of origin. These Member States also disenfranchise their nationals in European elections, if they live permanently in a third country and Ireland and the UK also do so in respect of nationals who are resident in the EU. In some Member States, there are insufficient or no facilities to vote from abroad, which is deemed as an additional de facto obstacle to exercising the right to vote.

Next PETI meeting:

- 11 July 2018

See [agenda](#), [documents](#) and [live broadcast](#)

Documents adopted in PETI:

- Oral Question on voting rights
- Resolution on the Foreign Account Tax Compliance Act (FATCA)

Resolution on the Foreign Account Tax Compliance Act (FATCA)

On 19 June 2018, PETI adopted a motion for a resolution on the adverse effects of FATCA on EU citizens and in particular 'accidental Americans' i.e. dual EU/US citizens holding US citizenship solely by virtue of having been born on American soil.

The resolution follows an oral question to the Commission and the Council, which will be debated in plenary in July 2018. It stresses inter alia the need to ensure full transposition of the 2014 Payment Accounts Directive and to guarantee the right for all EU citizens to have access to basic payment accounts without discrimination on the basis of US citizenship. The resolution further calls on the Commission to take appropriate action to ensure that EU fundamental rights and values, such as the right to privacy, the principle of non-discrimination and EU data protection rules, are respected in the context of FATCA and automatic exchange of information with the US. The Commission and the Council are therefore requested to present a joint EU approach to FATCA, and open negotiations with the US on an EU-US FATCA agreement with a view to ensuring the full reciprocal exchange of information and compliance with relevant EU laws.



Petitions on consumer rights

On 19 June 2018, PETI Members examined petitions on alleged infringements of EU consumer law through Article 417 of the Bulgarian Civil Code of Procedure (CCP), which allows banks to obtain an order of immediate enforcement and a writ of execution against a debtor only on the basis of an abstract of the bank's books of accounts, without proper judicial oversight of unfair terms in the underlying consumer contracts.



The Commission informed Members that it received numerous complaints based on similar allegations, alleging that Article 417 CCP is incompatible with Directive 93/13/EEC. The Commission services are in contact with the Bulgarian authorities, via an EU Pilot procedure, to obtain more information on the national legislation and practices in question in order to assess whether there may be a conflict with relevant EU law. Pending the conduct of the Pilot Procedure, PETI decided to keep the petitions open and to ask the Commission for a written update on the outcome. The Committee also decided to seek an opinion from IMCO and to forward the petitions to the competent Bulgarian authorities for information.



Petition on behalf of the 'Freedom is their right' campaign on the situation of women detained against their will in the Sahrawi camps in Tindouf in Algeria

The petitioner sets out the situation of the Sahrawi girls sent to Spain under the 'Vacaciones en paz' (Holidays in peace) programme. The teenagers were sent to Spain to study and, after years of living with Spanish families, travelled to the camps in Tindouf on a family visit. Once there, their families allegedly detained them against their will, depriving them of their liberty. The petitioners ask that pressure be brought to bear on the Polisario Front in this regard.

PETI Members therefore decided to declare the petition admissible and seek opinions from the FEMME, AFET and DROI Committees and to send a letter expressing concern to the Polisario Front. Members also decided to send a letter to the Spanish government emphasising the importance of bilateral dialogue between Spain and Algeria on the matter, as well as a letter to Federica Mogherini, High Representative of the Union for Foreign Affairs and Security Policy, to urge for swift EU mediation.

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