



Deutscher Bundestag

The Legal Framework for the Work of the Petitions Committee

**The Legal Framework for the
Work of the Petitions Committee
of the German Bundestag**

Impressum

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I.

Provisions concerning the right of petition contained
in the Basic Law

Article 17

Every person shall have the right individually or jointly with others to address written requests or complaints to competent authorities and to the legislature.

Article 17a

- (1) Laws regarding military and alternative service may provide that the basic right of members of the Armed Forces and of alternative service freely to express and disseminate their opinions in speech, writing and pictures (first clause of paragraph (1) of Article 5), the basic right of assembly (Article 8), and the right of petition (Article 17) insofar as it permits the submission of requests or complaints jointly with others, be restricted during their period of military or alternative service.

Article 45c

- (1) The Bundestag shall appoint a Petitions Committee to deal with requests and complaints addressed to the Bundestag pursuant to Article 17.
- (2) The powers of the Committee to consider complaints shall be regulated by a federal law.

II.

Act on the Powers of the Petitions Committee of the German Bundestag

(Act Enacted pursuant to Article 45c of the Basic Law)
of 19 July 1975 (Federal Law Gazette I, p. 1921), as amended by Article 4,
paragraph (5) of the Act to Modernize the Law concerning Court Costs
of 5 May 2004 (Federal Law Gazette I, p. 718)

Section 1

To enable the Petitions Committee of the German Bundestag to prepare decisions on complaints pursuant to Article 17 of the Basic Law, the Federal Government and the federal authorities shall submit files to the Petitions Committee, provide it with information and grant it access to their premises.

Section 2

Section 1 shall apply mutatis mutandis to federal corporate bodies, institutions and foundations under public law to the extent that they are subject to supervision by the Federal Government.

Section 3

- (1) They may only refuse to submit files, provide information or grant access to premises if the matter concerned has to be kept secret on the grounds of a law or if other compelling reasons for secrecy exist.
- (2) The decision on a refusal shall be taken by the highest federal supervisory authority responsible. Reasons shall be given for the decision.

Section 4

The Petitions Committee shall have the right to hear the petitioner, witnesses and experts.

Section 5

The petitioner, witnesses and experts summoned by the Committee receive remuneration in accordance with the Law on the Remuneration of Witnesses and Experts.

Section 6

Pursuant to the Rules of Procedure of the German Bundestag, the Petitions Committee may, in individual cases, transfer the powers granted to it under this law to one or more of its members.

Section 7

The courts and administrative authorities shall be bound to render administrative assistance to the Petitions Committee and the members commissioned by it.

Section 8

Pursuant to Section 13, paragraph (1) of the Third Conversion Act of 4 January 1952 (Federal Law Gazette I, p. 1) this law shall also apply in the Land of Berlin.

Section 9

This law shall enter into force on the day following its promulgation.

III.

Provisions concerning the right of petition contained in the Rules of Procedure of the German Bundestag

(in the published version of 2 July 1980 / Federal Law Gazette I, p. 1237ff.)

Rule 108

Competence of the Petitions Committee

- (1) The Petitions Committee to be set up by the Bundestag in accordance with Article 45 c of the Basic Law shall deal with requests and complaints addressed to it pursuant to Article 17 of the Basic Law. The functions and powers of the Parliamentary Commissioner for the Armed Forces shall remain unaffected.
- (2) Unless the Act on the Powers of the Petitions Committee of the German Bundestag provides otherwise, petitions shall be dealt with in accordance with the following provisions.

Rule 109

Referral of petitions

- (1) The President shall refer petitions to the Petitions Committee. The latter shall request the comments of the specialized committees if the petitions relate to a subject under debate in these committees.

Rule 110

Rights of the Petitions Committee

- (1) The Petitions Committee shall draw up principles governing the treatment of requests and complaints and shall use them as the basis for its decision in each case.
- (2) Where requests for the submission of files, information, or access to premises are made direct to authorities of the Federation and to federal corporate bodies, institutions and foundations under public law, the relevant member of the Federal Government shall be informed.
- (3) The relevant member of the Federal Government shall be informed in good time of any hearing of the petitioner, witness or expert.

Rule 111

Transfer of powers to individual members of the Petitions Committee

The Petitions Committee shall decide in individual instances whether to transfer to one or more of its members powers granted to it under the Law Enacted pursuant to Article 45 c of the Basic Law. The decision shall specify the nature and extent of the powers thus transferred.

Rule 112

Recommendation and report of the Petitions Committee

- (1)** The report on the petitions dealt with by the Petitions Committee shall be submitted to the Bundestag in the form of a list together with a recommendation. The report should be submitted monthly. In addition, the Petitions Committee shall submit to the Bundestag an annual written report on its work.
- (2)** The reports shall be printed, distributed and placed on the agenda within three weeks of sittings after they have been distributed; the rapporteur may give supplementary oral explanations. A debate shall, however, only be held if a parliamentary group or five per cent of the Members of the Bundestag present so demand.
- (3)** The petitioners shall be informed of the manner in which their petitions have been dealt with. This communication should state the reasons.

IV.

Principles of the Petitions Committee Governing the
Treatment of Requests and Complaints
(Procedural Rules)

As at: 9 November 2011

Procedural Rules of 8 March 1989, edited by the decision of 20 February 1991, supplemented by the decision of 19 June 1991 and by the decisions of 1 and 15 June 2005. Adopted for the 16th electoral term by the decision of 30 November 2005. Amended by the decision of 5 April 2006. Adopted for the 17th electoral term by the decision of 25 November 2009; last amended with effect from 1 January 2012 by the decision of 9 November 2011.

On the basis of Rule 110, paragraph (1) of the Rules of Procedure, of the German Bundestag, the Petitions Committee has drawn up the following principles governing the treatment of requests and complaints:

1. Relevant legal provisions

- (1) Pursuant to Article 17 of the Basic Law, everyone shall have the right individually or jointly with others to address written requests or complaints to the Bundestag.
- (2) Pursuant to Article 45 c, paragraph (1) of the Basic Law, the Bundestag shall appoint a Petitions Committee to deal with requests and complaints addressed to the Bundestag.
- (3) The powers of the Petitions Committee to prepare its decisions on petitions derive from Article 17 of the Basic Law and the Act on the Powers of the Petitions Committee of the German Bundestag (Act Enacted pursuant to Article 45 c of the Basic Law).

2. Submissions

2.1 Petitions

- (1) Petitions shall be submissions in which requests or complaints are made on one's own behalf, for third parties or in the general interest.
- (2) Requests shall be demands and proposals for acts or omissions by organs of state, authorities or other institutions discharging public functions. They shall in particular include proposals for legislation.
- (3) Complaints shall consist in objections to acts and omissions by organs of state, authorities or other institutions discharging public functions.

2.2 Multiple petitions, collective petitions, mass petitions, public petitions

- (1) Multiple petitions shall be individually written submissions concerning the same matter.
- (2) Collective petitions shall be collections of signatures concerning the same matter.
- (3) Mass petitions shall be a large number of submissions concerning the same matter, the text of which is completely or largely identical.
- (4) Public petitions shall be requests or complaints to the German Bundestag which are of general interest. In agreement with the petitioner, they shall be published on the Petitions Committee's webpage. Publication shall give additional persons or groups of persons the opportunity to co-sign the petition via the Internet or post a comment about it.

2.3 Other submissions

Petitions shall not include requests for information and mere statements, critical remarks, reproaches, statements of approval or other expressions of opinion without a specific request.

3. Petitioners

- (1) Every natural person and every legal person under private law resident in Germany shall have the basic right pursuant to Article 17 of the Basic Law.
- (2) Legal capacity shall not be required in order to exercise the right of petition; it shall be sufficient for the petitioner to be in a position to express his or her concern intelligibly. The right of petition shall not depend on the petitioner's personal circumstances, such as place of residence or nationality.
- (3) If a petition is submitted for a third party, legitimation may be demanded. If the third party does not agree to the petition, it shall not be further processed.

4. Written form

- (1) Petitions shall be submitted in writing. The petition shall be deemed to be in the required written form if a signature is affixed.
Petitions which are transmitted electronically shall be in the required written form if the initiator and his or her postal address are supplied and the online form for electronic petitions is used (electronic signature).
- (2) There shall be no right to present a petition orally or submit it in person.

5. Competence of the Petitions Committee

- (1) The Petitions Committee shall deal with petitions which fall within the Bundestag's own area of competence, particularly federal legislation.
- (2) The Petitions Committee shall deal with petitions which fall within the area of competence of the Federal Government, federal authorities and other institutions discharging public functions. This shall apply regardless of the extent to which the federal authorities and other institutions are subject to supervision by the Federal Government.
- (3) Within the limits defined in the Basic Law, the Petitions Committee shall also deal with petitions concerning the other constitutional organs of the Federation.
- (4) The Petitions Committee shall deal with petitions concerning the execution of federal laws or EC legislation by the Länder as matters of their own concern (Articles 83 and 84 of the Basic Law) or as agents of the Federation (Article 85 of the Basic Law) only where the execution of such laws or legislation is subject to federal supervision or where the petition concerns a matter relating to federal laws or EC legislation.

- (5) The Committee shall deal with petitions concerning legal proceedings only where at federal level
- the competent bodies as parties to the litigation are required to adopt a specific course of action in a lawsuit;
 - legal provisions are demanded which would make it impossible in future for courts to hand down the rulings criticized in the petitions;
 - the competent bodies are called upon not to enforce a judgement in their favour.

Petitions demanding encroachment upon the independence of judges shall not be dealt with.

6. Right to information concerning petitions and right to refer petitions

6.1 Right to information

- (1) Article 17 of the Basic Law shall give rise to a right to information in the case of both requests and complaints.
- (2) In matters concerning the Federal Administration the right to information shall in principle be directed at the Federal Government. Where the matter is not subject to federal supervision, this right shall be directed at the body responsible which discharges public functions of the Federation.

6.2 Informing the Federal Government

Where requests for submission of files, information or access to premises are made direct to authorities of the Federation and to federal corporate bodies, institutions and foundations under public law, the competent member of the Federal Government shall be informed (Rule 110, paragraph (2) of the Rules of Procedure of the German Bundestag).

6.3 Right of referral

- (1) To deal with a petition, the Petitions Committee may move, by means of a recommendation for a resolution to be adopted by the plenary of the Bundestag, that the petition be referred to the Federal Government or to another constitutional organ of the Federation.
- (2) Where the matter is not subject to supervision by the Federal Government, the petition shall be referred direct to the agency of the Federal Administration or the competent body responsible which discharges public functions of the Federation.

7. Processing of submissions by the Committee Service

7.1 Registration of petitions

- (1) Each petition shall in principle be registered separately.
- (2) In the case of multiple petitions, one petition shall be treated as the principal petition.
- (3) Mass petitions shall be treated as one petition (principal petition) for processing purposes. The individual petitions shall be collected and their number recorded.

- (4) Public petitions shall be treated as one petition (collective petition). The procedural rules shall apply, where the Guidelines on the Treatment of Public Petitions do not provide otherwise.

7.2 Submissions other than petitions

Submissions other than petitions (2.3) shall be dealt with as far as possible by writing to the sender, in particular by giving advice or information or by forwarding them to the appropriate bodies. In all other cases they shall be filed away.

7.3 Deficient petitions

- (1) In principle, the Committee Service shall not prepare petitions for the Committee to deal with if,
- their contents are confused;
 - they are illegible;
 - the petitioner’s address or signature is incorrect or forged;
 - the petitioner’s address or signature is wholly or partly lacking, or in the case of electronic use of the online form, if the compulsory fields have not been filled out correctly;
 - they demand something which is in fact impossible, a criminal offence, a breach of an administrative regulation or a measure in contravention of the constitutional order or moral law;
 - their contents are insulting or their purpose is blackmail or coercion.
- (2) Where a deficiency is not corrected either by the petitioner within an appropriate period or by the Committee Service, the Service shall file the petition away after consulting the Chairperson.

7.4 Restriction of the right to an examination of the petition

Petitioners shall not be entitled to have the contents of a petition examined again if they have already submitted an earlier petition on the matter, on which a decision has been taken, and no new facts or evidence of relevance to the decision have been presented.

7.5 Forwarding of petitions

Where the parliaments of the federal states or other institutions are responsible for dealing with petitions, they shall as a rule be forwarded to them.

7.6 Petitions concerning service personnel

As regards the treatment of petitions concerning service personnel, the Principles governing Cooperation between the Petitions Committee and the Parliamentary Commissioner for the Armed Forces shall apply.

7.7 Request for comments

As regards the petitions to be dealt with by the Petitions Committee, the Committee Service shall as a rule request the comments of the Federal Government or of other bodies obliged to provide information.

7.8 Petitions on subjects under debate in specialized committees of the Bundestag

Where a petition concerns a subject under debate in one of the specialized committees, the comments of the specialized committee shall be requested (Rule 109, paragraph (1) in conjunction with Rule 62, paragraph (1) of the Rules of Procedure of the German Bundestag). If the specialized committee has not submitted its comments within an appropriate period, a decision shall be taken on the petition.

7.9 Petitions settled in the petitioner's favour

If the matter is settled in the petitioner's favour, he or she shall be informed accordingly. The Committee Service shall draw up a list of the petitions settled in the petitioner's favour (8.5).

7.10 Petitions which will evidently be unsuccessful

If the Committee Service considers that the petition will evidently be unsuccessful, it may advise the petitioner of the reasons and inform him or her that the petition proceedings will be concluded unless he or she lodges an objection within six weeks. If the petitioner does not react within this period, the Committee Service shall include the petition in the list of processed petitions (8.5).

7.11 Rapporteur

For every petition not dealt with under 7.9 and 7.10, the Committee Service shall propose two members of the Committee from different parliamentary groups as rapporteurs. One of these rapporteurs should belong to a parliamentary group supporting the government and one to an opposition parliamentary group. Every other parliamentary group represented on the Committee may in addition demand a rapporteur of its own.

7.12 Proposals of the Committee Service

The Committee Service shall draw up proposals for further clarification of the matter (7.13.1), for provisional settlement (7.13.2), or for dealing with a petition conclusively (7.14) and transmit them to the rapporteurs.

7.13.1 Proposals for further clarification of the matter

For further clarification of the matter, the following proposals in particular may be made:

- that additional comments be requested;
- that a representative of the Federal Government be summoned to the meeting;
- that use be made, in the case of complaints, of the powers granted to the Committee under the Act on the Powers of the Petitions Committee, namely:
 - to request the submission of files;
 - to hear the petitioner, witnesses or experts;
 - to inspect premises.

7.13.2 Proposals for provisional settlement

Where an objection has been lodged to a measure which is about to be carried out, it may in particular be proposed that the Federal Government or other body responsible (5) be requested to defer carrying out the measure until the Petitions Committee has taken a decision on the complaint.

7.14 Proposals for dealing with a petition conclusively

Proposals as to how the Bundestag should deal with a petition conclusively may include in particular:

7.14.1 Referral to the Federal Government for remedial action

The petition shall be referred to the Federal Government, coupled with the request that it take remedial action,

- because the petitioner's concern is justified and the situation needs to be remedied.

7.14.2 Referral to the Federal Government for re-examination

The petition shall be referred to the Federal Government for it to examine the matter again and consider ways of remedying the situation,

- because the submission makes it appear justified to request the Federal Government to review the matter and seek ways of remedying the situation.

7.14.3 Referral as background material

The petition shall be referred to the Federal Government as background material,

- to ensure, for example, that it is taken into account in the preparation of bills, ordinances or other initiatives or studies.

7.14.4 Simple referral

The petition shall be referred to the Federal Government,

- to point out the reasons for the resolution adopted by the Bundestag
- or
- to draw its attention to the matter raised by the petitioner.

7.14.5 Forwarding to the parliamentary groups for their information

The petitions shall be forwarded to the parliamentary groups in the Bundestag

- because, for example, it appears to be a suitable matter for a parliamentary initiative;
- to draw the attention of the parliamentary groups to the matter raised by the petitioner.

7.14.6 Forwarding to the European Parliament

The petition shall be forwarded to the European Parliament

- because its jurisdiction is affected.

7.14.7 Conclusion of the proceedings

The petition proceedings shall be concluded

- because the matter has already been dealt with in the current electoral term;
- because the matter has already been settled as requested by the petitioner;
- because there is no prospect of the relevant legal provisions being amended or supplemented;
- because the matter cannot be settled as requested by the petitioner who made the request or complaint;
- because the conduct of the administrative agency concerned gives no cause for criticism;
- because the matter raised in the petition cannot be dealt with.

7.15 Other proposals/obligation to give reasons

The proposals listed under 7.14 shall be examples of how a petition may be dealt with and to which bodies a petition may be referred. The reasons therefor shall be given in writing.

8. Treatment of petitions by the Petitions Committee

8.1 Motions of the rapporteurs

- (1) The rapporteurs shall examine the proposal of the Committee Service and table in the Committee motions concerning the further treatment of petitions (pursuant to 7.13.1, 7.13.2 and 7.14). A proposal pursuant to 7.13.2 shall be examined without delay; other proposals shall be examined within three weeks. The Committee should as a rule adopt a motion for further clarification of the matter tabled by a rapporteur. In the event of divergent motions, the reasons therefor should be stated briefly.
- (2) In the case of mass and multiple petitions the motions tabled by the rapporteurs in respect of the principal petition shall also apply to the other petitions on the same matter.

8.2.1 Individual consideration of and vote on petitions

In the committee meeting a petition shall be considered individually if

- it is moved that the petition be referred to the Federal Government, coupled with the request that it take remedial action or examine the matter again and consider ways of remedying the situation;
- it is moved that the petition be forwarded to the parliamentary groups in the Bundestag for their information or to the European Parliament;
- the motions tabled by the rapporteurs and the proposal made by the Committee Service diverge;

- a motion for individual consideration is moved;
- it is moved that a representative of the Federal Government be summoned to a meeting of the Committee;
- it is moved that use be made of the other powers of the Petitions Committee;
- a collective or mass petition is supported by at least 50,000 persons upon its submission or if this quorum is reached no later than four weeks after its submission (see also 8.4, paragraph (4)). In the case of published petitions, this time limit shall be calculated from the time of publication on the Internet.

8.2.2 Consideration of the reasons for the recommendation for a resolution

The reasons for the recommendation for a resolution shall be considered in the committee meeting only in exceptional cases, particularly where in a specific case the rejection of a motion that a petition be dealt with conclusively is to be included in the reasons.

8.3 Collective vote

Other petitions, in respect of which the motions of the rapporteurs and the proposal of the Committee Service coincide, shall be recorded in a list and submitted to the Committee to be voted upon collectively.

8.4 Special regulations for multiple and mass petitions

- (1) If further multiple petitions are received on the same matter after the Committee has adopted a resolution on the principal petition, they shall be recorded in a list and put to the vote collectively in the Committee together with the motion in respect of the principal petition.
- (2) Further submissions received on the same matter following the committee resolution on a mass petition (2.2, paragraph (3)) shall only be collected and their number recorded. The Committee shall be given a report on them every quarter.
- (3) The procedure pursuant to paragraphs (1) and (2) shall be applicable only during the electoral term in which the resolution on the principal petition was adopted. The procedure shall no longer be applicable if a change occurs during the electoral term in the facts of the case or the legal situation or the Committee's opinion, on which the resolution on the matter raised in the principal petition was based.
- (4) If a collective or mass petition has reached the quorum of 50,000 supporters (8.2.1, seventh dash), one petitioner or several petitioners shall be heard at a public Committee meeting. The Committee may decide, with a majority of two-thirds of the members present, to forgo this. These provisions shall apply to requests and complaints. For privacy reasons, a public Committee meeting about personal matters may only be held if the person concerned consents.

8.5 Confirmation of lists and minutes

The following documents shall be submitted to the Committee for confirmation:

- the lists pursuant to 7.9 and 7.10;
- the list of petitions in respect of which notification was sent during a parliamentary recess (9.1.2);
- the minutes of every committee meeting, at the meeting following distribution of the minutes.

8.6 List of petitions together with a recommendation for a resolution/ recommendation for a resolution as a separate printed paper

- (1) The Petitions Committee shall report to the Bundestag on the petitions which it has processed in the form of a list together with a recommendation (Rule 112, paragraph (1) of the Rules of Procedure of the German Bundestag).
- (2) If a parliamentary group announces that it will request a debate on a recommendation for a resolution or table a motion for an amendment to a recommendation, the recommendation for a resolution shall be printed separately.

9. Publication of resolutions

9.1 Notification of petitioners

9.1.1 Time and contents of the notification

After the Bundestag has taken a decision on the recommendation for a resolution, the Committee Chairperson shall inform the petitioner how his or her petition has been dealt with. The notification should contain a reference to the list of petitions processed and - if a debate has taken place on the recommendation for a resolution - also a reference to the debate and the record of plenary proceedings. The reasons for the recommendation for a resolution shall be enclosed.

9.1.2 Notification during a parliamentary recess

- (1) If the Bundestag does not convene for a sitting for more than two weeks and if the motions of the rapporteurs and the proposal of the Committee Service on how to deal with a petition coincide, the petitioner shall be notified by the Bundestag in advance of the adoption of the recommendation for a resolution, with the reasons being stated.
- (2) This shall not apply in the case of petitions which have to be considered individually in the committee meetings (8.2.1), or in the period from the convening of a new Bundestag to the first meeting of a new Petitions Committee.

9.1.3 Notification of the person to be contacted/public notification

- (1) In the case of petitions submitted by a group of persons without legal capacity (citizens' action group, etc.) under an overall or collective name, only the person to be regarded as the group's joint contact (contact address) shall as a rule be informed how the petition has been dealt with.
- (2) The same shall apply to collective and mass petitions.

- (3) If the petitioners do not have a joint contact address, individual notification may be replaced by public notification. The Petitions Committee shall take a decision thereon and on the method of public notification.

9.1.4 Additional public notification

In respect of 9.1.3, paragraphs (1) and (2), the Petitions Committee may decide in favour of public notification in addition.

9.2 Notification of the Federal Government and other bodies

9.2.1 Responsibility for notification/period within which a report must be given

- (1) The President of the Bundestag shall inform the Federal Chancellor of decisions of the Bundestag to refer a petition to the Federal Government for it to take remedial action. The Committee Chairperson shall inform the federal minister responsible of decisions of the Bundestag to refer a petition to the Federal Government for it to examine the matter again and consider ways of remedying the situation.
- (2) The Federal Government shall as a rule be set a time limit of six weeks for its reply.
- (3) If it is decided to refer a petition to a body other than the Federal Government (6.3) for it to take remedial action or examine the matter again and consider ways of remedying the situation, paragraphs (1) and (2) shall apply *mutatis mutandis*.
- (4) The President of the Bundestag shall inform the President of the European Parliament of decisions of the Bundestag to forward a petition to the European Parliament.
- (5) The federal minister responsible shall be informed by the Chairperson of decisions of the Bundestag to refer a petition to the Federal Government as background material. The minister in question should report to the Petitions Committee after a year at the latest on how the matter has been dealt with further.
- (6) The Committee Chairperson shall give notification of all other decisions.

9.2.2 Replies of the Federal Government and other bodies

The Committee Service shall inform the members of the Committee of the reply of the Federal Government or another body (6.3) by means of a committee printed paper.

10. Report on the work of the Petitions Committee

The Petitions Committee shall submit to the Bundestag an annual written report on its work (third sentence of paragraph (1) of Rule 112 of the Rules of Procedure of the German Bundestag).

Principles Governing Cooperation between the Petitions Committee and the Parliamentary Commissioner for the Armed Forces

Annex to Rule 7.6 of the Procedural Rules

1. Petitions Committee shall notify the Parliamentary Commissioner for the The Armed Forces of any petition which concerns a member of the Federal Armed Forces. The Parliamentary Commissioner for the Armed Forces shall inform the Petitions Committee whether he or she has received a submission on the same matter and whether he or she is taking any action.
2. The Parliamentary Commissioner for the Armed Forces shall inform the Petitions Committee of a submission if the Petitions Committee has evidently received a petition on the same matter.
3. If the Petitions Committee and the Parliamentary Commissioner for the Armed Forces are both concerned with the same matter, the submission shall in principle first be processed by the Parliamentary Commissioner for the Armed Forces. If the Petitions Committee takes any action, it shall inform the Parliamentary Commissioner for the Armed Forces accordingly. The Parliamentary Commissioner for the Armed Forces and the Petitions Committee shall regularly provide each other with information in writing on how the matter is being further processed and on the result.

Guidelines on the Treatment of Public Petitions pursuant to Rule 7.1 (4) of the Procedural Rules

Annex to Rule 7.1 (4) of the Procedural Rules

In addition to the general right of petition, the Petitions Committee is also offering the possibility of submitting public petitions.

This is intended to create a public forum for serious debate on important issues of general interest reflecting the diversity of views, assessments and experiences. This forum aims to offer people an opportunity to familiarise themselves from various perspectives with issues and requests relating to legislation as well as complaints, and to draw on these when forming their own opinion. The Committee would like to present as broad a spectrum of issues as possible on its webpage and enable as many petitioners as possible to set out their concerns. Petitioners are in no way disadvantaged within the process of parliamentary examination if the petition is rejected for publication. Petitioners are in no way disadvantaged within the process of parliamentary examination if the petition is rejected for publication.

The forum is also moderated in accordance with these principles and the rules set out below.

- 1** Public petitions may be submitted to the Petitions Committee by anyone, either individually or jointly with others, using the online form provided. Public petitions shall be published on the Petitions Committee's webpage. There shall be no legal entitlement for a petition to be accepted as a public petition. Anyone wishing to become involved in a public petition must have a valid email address.
- 2.1** To qualify as a public petition, the subject of the request or complaint must concern a matter of general interest, and both the matter and the way it is set out must be suited to a serious public discussion. Its treatment must fall within the Petitions Committee's area of competence. The matter must be presented in a dispassionate, concrete and understandable fashion and a justification must be included. Matters or parts thereof may not refer recognisably to individual persons.
- 2.2** The Committee shall reserve the right to summarise petitions with the same aims and determine the principal petitioner. The other petitioners shall be treated as supporters.

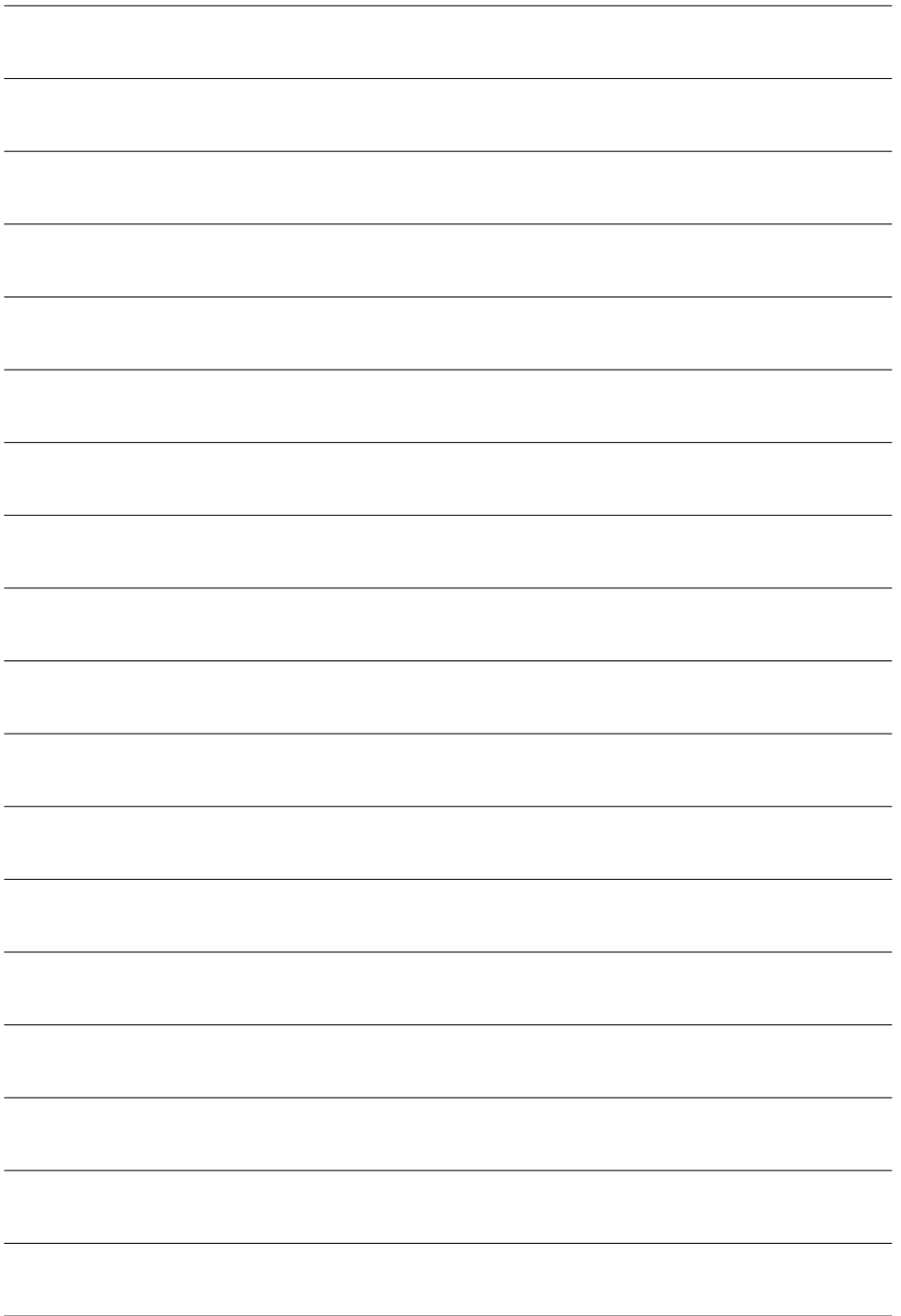
- 3 Public petitions shall not be permitted if they or the attached justification
 - a) do not meet the requirements set out in 2.(1);
 - b) contain personal requests or complaints;
 - c) are not written in German;
 - d) infringe the principle of human dignity;
 - e) contain expressions of opinion which are evidently false, misleading or insulting;
 - f) are evidently not based on fact or predicated on a false premise;
 - g) call for criminal offences or breaches of an administrative regulation, or demand measures in contravention of the constitutional order or moral law;
 - h) contain confidential information or interfere with the right to privacy of individual persons (e.g. by stating names), advertise commercial products or services or contain any other kind of advertising;
 - i) contain links to other websites;
 - j) use language not befitting the dignity of Parliament.

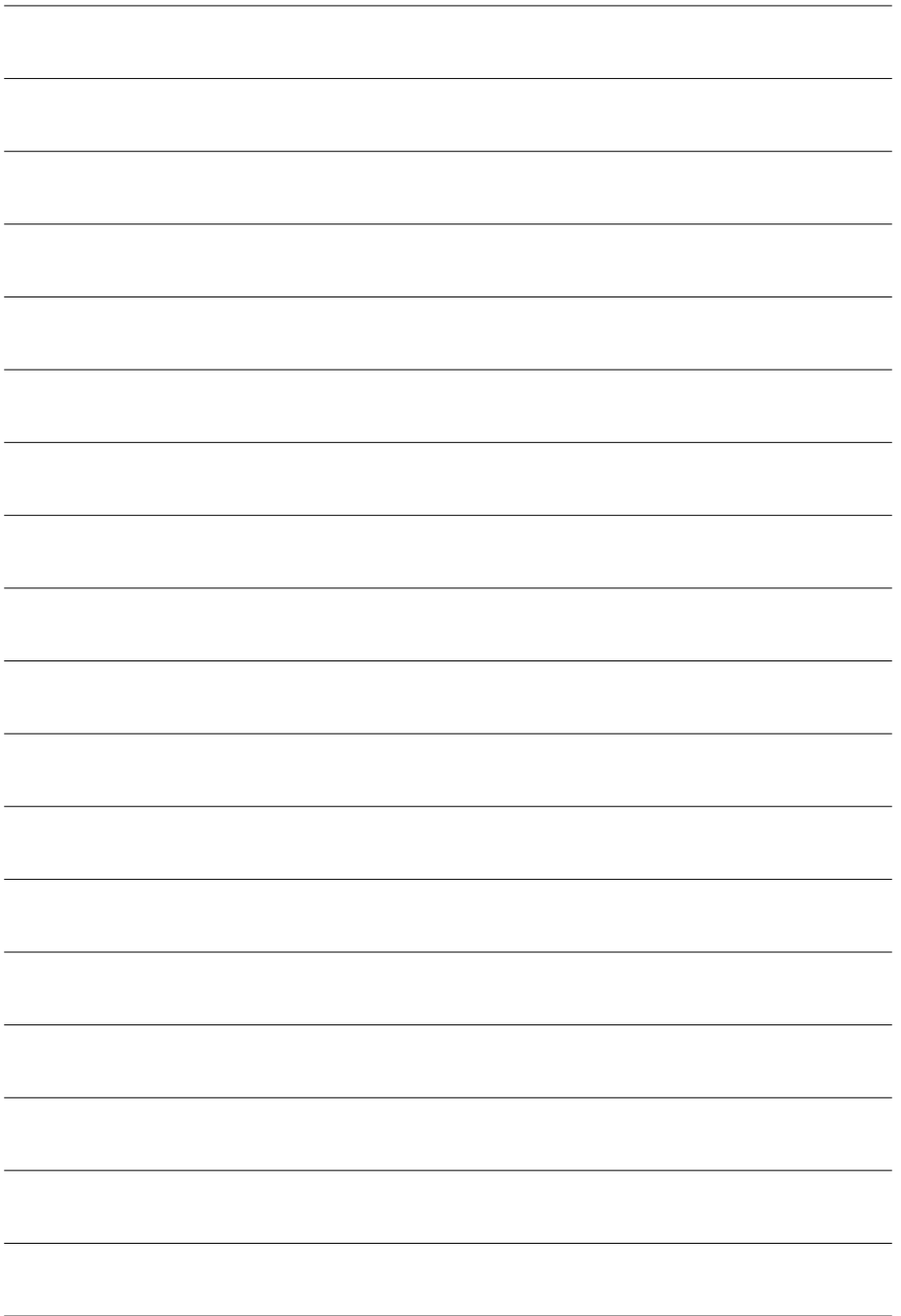
- 4 The decision can be taken not to publish a petition, particularly if:
 - a) the Committee has already taken a decision on a largely identical matter during the current electoral term and no new issues of relevance to the decision have been presented;
 - b) a petition on the same matter is already undergoing parliamentary examination;
 - c) the petition appears likely to strain social peace, international relations or intercultural dialogue;
 - d) the petitioner already has public petitions on the Petitions Committee's webpage;
 - e) the petition evidently has no prospect of success, or
 - f) there are insufficient technical or staff resources for an appropriate public presentation.

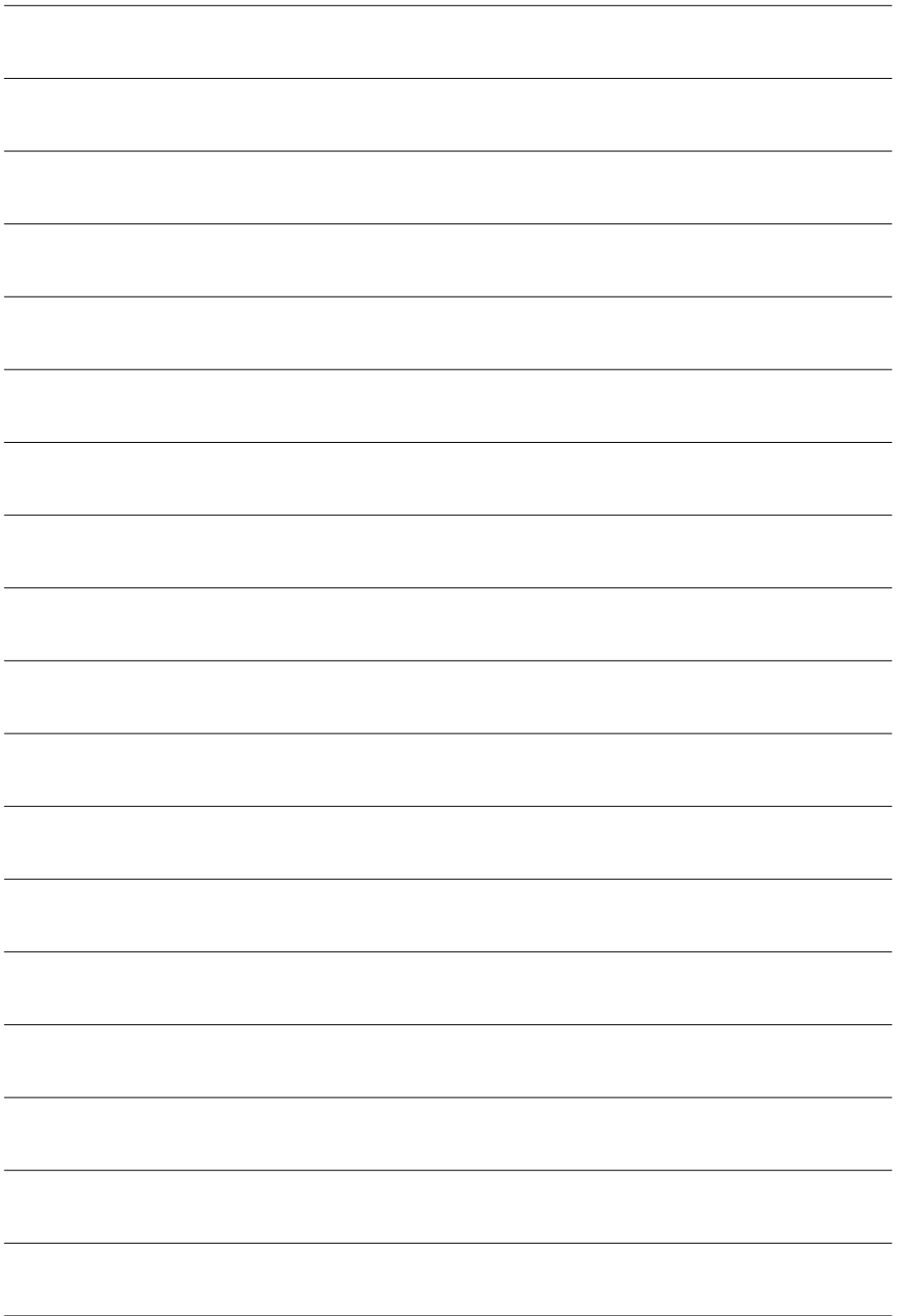
- 5 Before a petition is accepted as a public petition and placed on the Internet, the Committee Service shall examine whether the requirements for a public petition have been met. As regards publication, strict criteria must be applied. The spokespersons of the parliamentary groups on the Committee shall be notified about publication. If the petition is rejected for publication, its further treatment shall proceed according to the general procedural rules for petitions. The petitioner should be informed as to whether the petition is to be published or not; the petitioner should be informed of the reasons for the petition not being published.

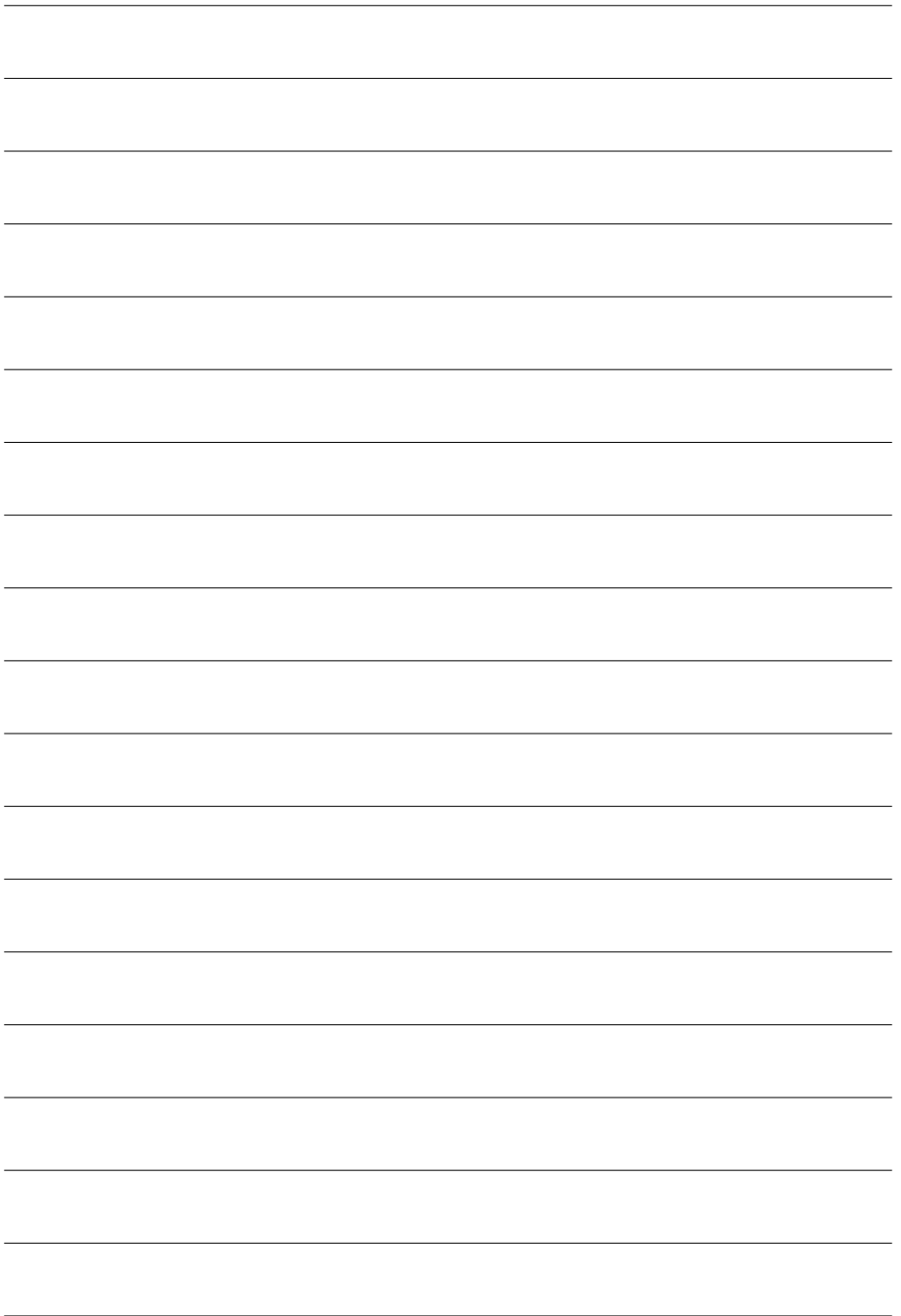
- 6 The initiator of a public petition shall be the principal petitioner. All correspondence necessary for the petition proceedings shall be conducted solely with the principal petitioner. His or her name and contact address shall be published together with the petition.

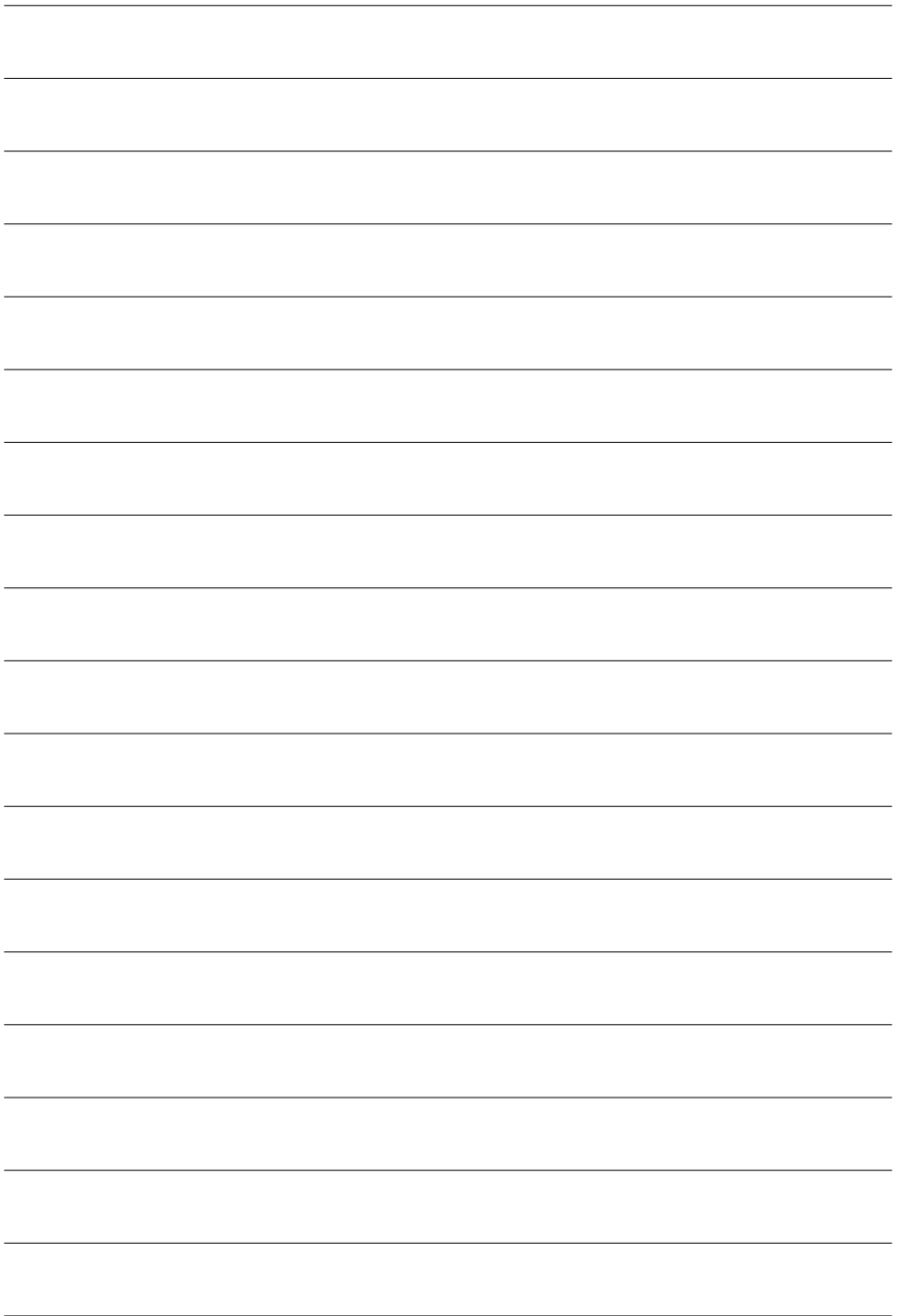
- 7** Co-signatories to a public petition or people who participate by posting comments shall provide their name, address and email address. The person's name or – if so desired by the co-signatory – a standardised pseudonym, together with the date on which the comment was posted, shall be published. For participants in discussion forums, pseudonyms or anonymous user names shall be published, along with the date of the contribution made.
- 8** The length of the period during which other people can co-sign the public petition or post comments shall be four weeks.
- 9.1** For comments in the discussion concerning a public petition or further signatures of a petition the same requirements shall apply *mutatis mutandis* as for the petition itself (cf. 2 to 4). Comments which do not meet these requirements or which have no substantive connection to the petition shall be removed from the webpage by the Committee Service and marked as having been deleted due to a breach of the rules (“wegen Regelverstoßes gelöscht”). There is a set maximum amount of space available for comments.
- 9.2** Similarly, where justified doubts exist about whether comments were posted by the person stated, these comments shall be removed from the webpage.
- 9.3** During the co-signature period, the list of co-signatories and the discussion forum may be closed ahead of schedule if a serious discussion is no longer possible or it becomes necessary to delete a large number of comments due to a breach of the rules.
- 10** After the conclusion of the co-signature period, the public petition shall be closed to further signatures and comments. The subsequent treatment shall proceed according to the general procedural rules for petitions.
- 11** In the course of the process of parliamentary examination, the Committee shall decide whether to hold a public meeting or a public hearing of petitioners.
- 12** The public shall be informed about the outcome of the petition proceedings via the Internet.











“Every person shall have the right individually or jointly with others to address written requests or complaints to competent authorities and to the legislature.”

Article 17 of the Basic Law