

# Problems and prospects concerning European citizenship

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The Committee on Civil Liberties, Justice and Home Affairs adopted an own-initiative report drawn up by Urszula GACEK (EPP-ED, PL) on problems and prospects concerning European Citizenship, in response to the Commission's Fifth Report on Citizenship of the Union.

**Citizenship initiative:** MEPs welcome the fact that the Treaty of Lisbon makes it possible for one million Union citizens from different Member States collectively to invite the Commission to submit legislative proposals. They call on the Commission to prepare transparent and easily understandable procedures implementing the "citizenship initiative", so that Union citizens are able to effectively initiate legislation immediately after the Treaty of Lisbon enters into force. The Commission should incorporate this right of initiative into its policies regardless of the final status of the Treaty.

**Right of citizens to move and reside freely:** the committee recalls that the right of free movement is a linchpin of Union citizenship and therefore finds it highly disturbing that no Member State has yet fully and properly implemented the Free Movement Directive. It calls on the Commission to check carefully in order to ascertain that laws and practices in force in individual Member States do not violate the rights conferred on Union citizens by the EC Treaty and the Free Movement Directive, especially as regards the concepts of 'sufficient resources', 'an unreasonable burden on the social assistance system of the host Member State', 'serious grounds of public policy or public security', and 'imperative grounds of public security'.

Moreover, MEPs recommend that the Commission continue to use all available means to achieve the lifting of the remaining **transitional arrangements** imposed on new Member States as soon as possible.

The Commission is called upon to **propose further consolidated and clarified directives** improving free movement and other rights for Union citizens in other fields, including in the area of professional mobility, the portability of pensions and social rights and the mutual recognition of degrees and professional qualifications.

Member States and local authorities are called upon to **take further measures to facilitate the movement** of Union citizens between Member States, especially with regard to practical issues such as issuing residence papers, work permits, the transfer of vehicle registrations, recognition of personal and vehicle insurance policies issued in another Member State, the transfer of medical records, clear rules on the reimbursement of medical expenses.

Lastly, MEPs call on the Member States to refrain from adopting legislative acts imposing **penalties that would be excessively harsh or discriminatory** in relation to Union citizens, such as, for example, detention in the event of removal from the territory of a host Member State, invoking an aggravating circumstance on the grounds that a Union citizen who had committed an offence had previously resided illegally in another Member State, or automatic removal of a Union citizen because he or she had been convicted of a criminal offence.

**Informing citizens:** MEPs consider it vital to adopt an effective approach to information and communication aimed at making Union citizens aware of their rights and obligations and helping them to

assume an active role in EU decision-taking. They stress the need to launch **information campaigns** that promote Union citizenship rights among young people, such as setting up a "**citizenship programme**" in **schools and universities**, with a view to preparing the younger generation for active citizenship.

Member States are called upon to **incorporate the European dimension into school syllabuses at primary and secondary levels**. Moreover, European universities should take all financial measures within their means to increase the percentage of students who take part in exchanges within the Erasmus programme.

MEPs regret the low number of Union citizens resident in Member States other than their own who take advantage of the right to vote or stand in either European or local elections in their place of residence. They urge the Commission, Member States and local authorities, in view of the imminent 2009 European elections, to launch **pan-European, effective information campaigns about the electoral rights of Union citizens** and give practical advice on how to exercise them at local level.

**Non-nationals:** the report calls on Member States to review their citizenship laws and explore the possibilities of making it easier for non-nationals to acquire citizenship and enjoy full rights, thereby overcoming discrimination between nationals and non-nationals, notably for Union citizens. MEPs believe that stateless persons permanently resident in the Member States should have the right to vote in local elections and that the EU and the Member States have a shared responsibility to promote the inclusion of the Roma as Union citizens.

Moreover, the report stresses that problems of language or communication skills should not be used as grounds to deny access to social rights to which an individual maybe entitled as a resident of a Member State, including the right to social benefits granted by a national or local authorities.

**European area of justice:** the report recommends that the European area of justice be completed in order to ensure that the cross-border aspects of citizenship relating to personal and family life can be effectively protected by common rules in the field of private international law. To that end, it urges the Commission to develop a coherent approach and to put forward the necessary legislative proposals.

**Diplomatic and consular protection:** MEPs call on the Commission and the Council to adopt further directives and other measures to strengthen the Community acquis in the field of diplomatic and consular protection and to enact legally binding rules for the implementation of Article 20 of the EC Treaty. The Commission is called upon to set up a free European telephone number, to be shown in the passport, by means of which in an emergency Union citizens can obtain details in their own language of the Member States' consulates so as to secure the assistance they require.

The EU should also take further measures to protect its citizens in third countries, including taking action to prevent a Union citizen being subject to the death penalty.

**Visa-free travel:** the report calls on the Commission to continue to negotiate visa-free travel to third countries on behalf of all Member States and Union citizens. MEPs note the injustice inherent in some Union citizen being subject to visa requirements while others are able to travel under national visa waiver programmes.