

EU citizenship report 2010: dismantling the obstacles to EU citizens' rights

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PURPOSE: to present EU citizenship report 2010 on dismantling the obstacles to EU citizens' rights.

BACKGROUND: as the Court of Justice of the European Union has stated on several occasions, **EU citizenship is destined to be the fundamental status of Member States' nationals**, enabling those who find themselves in the same situation to enjoy within the scope of the Treaty the same treatment in law irrespective of their nationality. The Court has, in particular, ruled that citizens are entitled to reside in another Member State purely as citizens of the Union, thus recognising **EU citizenship as a source of the right of free movement**.

The entry into force of the Lisbon Treaty strengthened the notion of EU citizenship and its accompanying rights in several ways. The right of EU citizens in third countries to enjoy protection by the consular and diplomatic authorities of all Member States is enshrined as a clear individual right in the TFEU and the Lisbon Treaty complements citizenship rights by introducing a new right, **the Citizens' Initiative**, which enables one million citizens to invite the Commission to bring forward legislative proposals.

The rights inherent in EU citizenship are further enshrined in the Charter of Fundamental Rights of the EU, which is legally binding. In addition, EU citizenship rights are firmly anchored in **primary EU law** and substantially developed in **secondary law**. Those who are taking advantage of the European project by extending aspects of their life beyond national borders, through travel, study, work, marriage, retirement, buying or inheriting property, voting, or just shopping online from companies established in other Member States should fully enjoy their rights under the Treaties.

However, **a gap still remains between the applicable legal rules and the reality confronting citizens in their daily lives**, particularly in cross-border situations. The large number of complaints and enquiries the Commission receives every year, recent Eurobarometer surveys, and discussions with stakeholders, provide ample evidence of the many obstacles standing in the way of citizens' enjoyment of their rights. The European Parliament's report on ['Problems and prospects concerning European citizenship'](#) detailed persistent obstacles to the cross-border enjoyment of rights and called on the Commission to list these obstacles and to make concrete proposals for addressing them.

The Commission seeks now to **reinforce EU citizenship, by revitalising the link between the citizens and the EU and by giving real effect to their rights**. This report shows how EU citizenship brings rights and benefits to citizens. It describes main obstacles that citizens still encounter in their daily lives when they exercise their EU rights across national borders and outlines the measures envisaged to empower them to enjoy their rights.

The report is issued in parallel with the Communication "[Towards a Single Market Act: For a social market economy](#)", which focuses on the elimination of obstacles by Europeans when exercising their rights conferred to them by the Single market acquis, i.e. when they are acting as economic operators within the Single market, for instance as entrepreneurs, consumers or workers.

CONTENT: the report aims to tap into EU citizens' ideas, concerns and expectations, whilst bringing them closer together in the process. It is intended to open a debate and exchange on how EU citizenship can fulfil its potential in terms of enhancing Europeans' life chances by delivering concrete benefits that will have a visible impact.

In many of the areas, **the lack of EU legislation is not the main reason why citizens are facing obstacles in the exercise of their rights**. In some instances, the existing rules need to be expanded or updated or even radically overhauled to keep pace with evolving socio-economic or technological realities.

The majority of actions identified to dismantle obstacles fall into three main categories:

- actions effectively enforcing EU rights;
- those that make their enjoyment easier in practice, and
- measures raising awareness about them.

The EU needs to deliver at all these levels to make sure that citizens' rights are a tangible reality. This report identifies 25 short- and medium-term initiatives for tackling the obstacles to citizens' enjoyment of their rights. The Commission will:

1. make it easier for international couples (either married or registered partners) to know which courts have jurisdiction and which law applies to their property rights (e.g. a jointly owned house) by proposing a legislative instrument in 2011.
2. facilitate the free circulation of civil status documents (e.g. birth certificates) by proposing legislative instruments in 2013;
3. enable both citizens and legal practitioners to easily find multilingual information on justice via the European e-Justice web portal;
4. further improve the protection of persons suspected and accused in criminal proceedings, including safeguarding suspects' access to a lawyer and communication with the outside world while in detention, by proposing two legislative instruments in 2011;
5. improve the protection of victims of crime by proposing a package of measures, including a legislative instrument, in 2011;
6. simplify the formalities and conditions for the registration of cars previously registered in another Member State by proposing a legislative instrument in 2011;
7. propose to facilitate access to cross-border healthcare and is also putting in place pilot actions to equip Europeans with secure online access to their medical health data and to achieve widespread deployment of telemedicine services by 2020;
8. increase the effectiveness of the right of EU citizens to be assisted in third countries, including in times of crisis, by the diplomatic and consular authorities of all Member States, by proposing legislative measures in 2011 and by better informing citizens via a dedicated website and targeted communication measures;
9. modernise the current rules for the protection of consumers buying package travel, especially over the internet, and facilitate the purchase of package travel from other Member States by making a legislative proposal in 2011;
10. seek to complete the legislative framework allowing to ensure a set of common rights for passengers travelling by any transport mode across the EU and ensure adequate enforcement of these rights, including the rights of air passengers (e.g. in case of long delays and cancellations);
11. propose additional ways to ensure that passengers with reduced mobility can more easily access all means of transport and relevant infrastructure, and will give, from 2010 onwards, an annual award to the most accessible European cities, and promote better access to services such as travel insurance and will develop the use of EU wide standards on accessibility to the built environment, by proposing, in 2010, an EU Disability Strategy 2010-2020;
12. propose ways to increase consumer confidence in tourism products, by organising awareness-raising campaigns for European tourists and by monitoring consumer satisfaction with various tourism services;
13. set out in an understandable way the rights of users of online services by publishing a Code of EU Online Rights by 2012;

14. facilitate fast and inexpensive out-of-court resolution of consumer problems in the EU by proposing a legislative instrument on Alternative Dispute Resolution (ADR) mechanisms in 2011, by exploring proposals for an EU-wide online dispute resolution system for eCommerce transactions by 2012 and by promoting wider use of mediation by 2013;
15. facilitate free movement of EU citizens and their third-country family members by enforcing EU rules strictly, including on non-discrimination, by promoting good practices and increased knowledge of EU rules on the ground and by stepping up the dissemination of information to EU citizens about their free movement rights;
16. improve the provision of information to citizens and is developing a new system of electronic exchange of data to reduce delays and difficulties in the exchange of social security information;
17. ask Member States to ensure that in future, publication of the results of the European Parliament elections takes place at the same time in all Member States;
18. ask Member States to ensure that voting rights of EU citizens in their Member State of residence are fully enforced, that EU citizens can be members of or found political parties in the Member State of residence and that Member States duly inform EU citizens of their electoral rights;
19. propose the simplification of the procedure for EU citizens when standing as candidates in their Member State of residence, and will improve the current mechanism for preventing double voting in European Parliament elections;
20. launch a discussion to identify political options to prevent EU citizens from losing their political rights as a consequence of exercising their right to free movement;
21. develop the Your Europe web portal into a one-stop-shop information point on the rights of citizens and businesses in the EU, easy to use and accessible via the web (<http://ec.europa.eu/youreurope>) and via a free phone number (Europe Direct Contact Centre);
22. streamlining its information networks in the Member States so that citizens easily find the right contact point at national, regional and local level;
23. strengthen citizens' awareness of their EU citizenship status, their rights and their meaning in their daily lives by proposing the designation of 2013 as the European Year of Citizens and by organising targeted events on EU citizenship and citizen related EU policies during this Year;
24. make it simpler for EU citizens and stakeholders to use the financial support the Commission provides for the development of EU citizenship, by exploiting synergies among the available EU funding instruments and rationalisation;
25. explore ways to further strengthen information on European affairs, characterised by independent, professional and high-quality reporting; in this context, the Commission will also explore options for a more sustainable financing of Euronews.

Follow-up: the Commission considers this to be the beginning of a process for further identification of obstacles that citizens still face and solutions for them. The report will launch a debate with other EU institutions, notably the European Parliament and the Council, the European Economic and Social Committee and the Committee of the Regions, and with civil society. This process should allow the Commission to present in 2013, a European year to be dedicated to citizens, an assessment of its output and the initial impact of the report's actions.

The Commission will then be in a position to announce an ambitious and comprehensive action plan toward completing the removal of persistent obstacles standing in the way of citizens' enjoyment of their rights.