Basic information

1997/2123(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Citizenship of the Union. 2nd report **Subject** 1 European citizenship	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs, Citizens' Rights	DE CLERCQ Willy C.E.H. (ELDR)	08/07/1997

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Civil Liberties and Internal Affairs	ROTH Claudia (V)	28/05/1997
INST Institutional Affairs	DUHAMEL Olivier (PSE)	27/01/1998
PETI Petitions	ULLMANN Wolfgang (V)	28/05/1997

Council of the European Union

Key events

Date	Event	Reference	Summary
27/05/1997	Non-legislative basic document published	COM(1997)0230	Summary
25/06/1997	Committee referral announced in Parliament		
19/05/1998	Vote in committee		Summary
19/05/1998	Committee report tabled for plenary	A4-0205/1998	
01/07/1998	Debate in Parliament		
02/07/1998	End of procedure in Parliament		
20/07/1998	Final act published in Official Journal		

Technical information	
Procedure reference	1997/2123(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/08987

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Motion for a resolution		B4-0816/1997	18/09/1997	
Committee report tabled for plenary, single reading		A4-0205/1998 OJ C 210 06.07.1998, p. 0007	19/05/1998	
Text adopted by Parliament, single reading		T4-0402/1998 OJ C 226 20.07.1998, p. 0013-0061	02/07/1998	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1997)0230	27/05/1997	Summary

Citizenship of the Union. 2nd report

1997/2123(COS) - 02/07/1998 - Text adopted by Parliament, single reading

In adopting the report by Mr Willy DE CLERCQ (ELDR, B) on citizenship of the Union, the European Parliament called on the Member States to initiate without delay the preparatory work to integrate the Schengen acquis into the framework of the European Union. It pointed out that the free movement of Union citizens within the territory of the Union could be guaranteed only by abolishing all controls at internal borders, and therefore called on the Commission to submit, as soon as possible, a legislative proposal abolishing inequalities regarding residence in the Member States and properly guaranteeing freedom of movement for citizens of the Union. It called on the Member States to align more closely the educational systems in the various Member States, in order to facilitate the mobility of children. Parliament wished all impediments to the mobility of young people within the European Union to be eliminated by simplifying the recognition of their diplomas or certificates and adopting the directive on safeguarding supplementary pension rights. Infringement proceedings should be brought against all Member States which had not transposed the directives on freedom of movement and right of residence. As regards European and municipal elections, Parliament called on the Member States to ensure that the rights to vote and stand as a candidate were granted without discrimination and could be exercised by all citizens who held the nationality of a Member State and resided in the European Union. It called on Belgium to adopt the national legal provisions transposing Directive 94/80/EC concerning the right to vote in municipal elections as soon as possible. It was necessary to decide on the practicalities of providing the European electorate with full information on their rights to vote in and stand as candidates in European elections. Parliament called on the political parties to accept more Union citizens who were not nationals of the country concerned as party members and candidates on the electoral lists, and to encourage them to take part in political life in their country of residence. No distinction should be made between the exercise of European and local voting rights. It was essential to provide citizens with more information about the role of the Ombudsman and the right to petition the European Parliament. Parliament welcomed the success of the 'Citizens of Europe' initiative and called for it to be expanded. Parliament regretted that the right to consular and diplomatic protection was still at a theoretical stage and recommended that the Member States should work on a common minimum definition of the protection which any Union citizen might expect from any consular or diplomatic representation of a Member State. There was an urgent need for legal protection against violations of data security, personal freedom and integrity as a result of the misuse of printed and electronic mass media. Parliament considered that the involvement of citizens in the process of European integration also required practical measures on the part of the Union in the fields of economic and social affairs, environmental protection and information. In particular, it considered that citizens' European awareness could be enhanced by

promoting symbols of membership of the Union, teaching a common minimum syllabus for European history and culture, establishing European voluntary service or introducing a European public holiday to celebrate Europe.

Citizenship of the Union. 2nd report

1997/2123(COS) - 27/05/1997 - Non-legislative basic document

OBJECTIVE: Presentation of the second Commission report on citizenship of the Union. SUBSTANCE: Citizenship of the Union conferred by the Maastricht Treaty is meant to make the process of European integration more relevant to European citizens by increasing their participation, strengthening the protection of their rights and promoting the idea of European identity. The second report on citizenship of the Union drawn up in accordance with Article 8e(1) of the Treaty on European Union covers the period 1994-1996. During this time, progress has been made towards the implementation of the rights specifically related to citizenship. The necessary legislative framework for the new rights has been adopted but in practice some of the rights are not yet fully applied. (1) the right to vote and stand for election to the European Parliament and municipalities in the Member State of residence: these provisions were implemented by Directives 93/109/EC (elections to the European Parliament) and 94/80/EC (municipal elections). However, in this area the report notes that progress has been uneven. Hence, Sweden, Finland and Austria have partially transposed the directive concerning the right to vote in municipal elections while Belgium and France are now being taken to task by the Commission for failing to transpose the directive. (2) The right of individual citizens to consular and diplomatic protection: this provision establishes the right to protection by the diplomatic or consular authorities of any Member State in third countries where the citizen's Member State is not represented. The potential impact of this ruling is not negligible since according to the report there are only five non-EU countries where all Member States are represented (Russian Federation, Japan, USA, China and Switzerland). On the other hand there are 17 countries where only two Member States are represented. Concerning legislation in 1995 the Council adopted Decision 95/553EC concerning the protection of citizens by diplomatic and consular representations together with a second decision on the implementing measures to be adopted by consular officials. However, the report also indicates that not all the Member States have introduced the necessary arrangements to implement these decisions. Furthermore, under a decision adopted in 1996 the representatives of the governments of the Member States meeting within the Council laid down rules for the deliverance of an emergency travel document (ETD) which may be issued for one return journey to EU nationals who find themselves in distress in a third country (because for example their travel documents have been lost or stolen); (3) the right to petition the European Parliament and to apply to the Ombudsman: these are non- judicial means of protecting individual citizens. The right of petition may be the exercise not only by all citizens of the Union but all natural or legal persons residing or having their registered office in a Member State. Article 138d of the Treaty indicates that petitions must fall within the Community's field of activity. From 1993 to 1997, a total of 4131 petitions were addressed to the European Parliament, of which 2239 were ruled admissible (899 concerning citizens' rights). With regard to the Ombudsman, Article 138e of the Treaty empowers him to receive complaints concerning instances of maladministration in the activities of the Community Institutions or bodies. At the end of December 1996, he had received 1140 complaints regarding transparency, access to information, fraud, environmental issues, Commission contracts and recruitment procedures. (4) right of residence and free movement: in this respect the report takes the view that the situation is unsatisfactory since difficulties are constantly been encountered by those wishing to exercise their right of freedom of movement and residence. The right of residency is still subject to different provisions applicable to various category of citizens (2 regulations and 9 directives). In order to remedy matters and clarify the situation, the report advocates a total revision of all relative legislation. It is also necessary to review Article 8a of the Treaty to give it a specific legal basis authorizing revision of the current legislation. In particular the report takes the view that it is necessary to transfer into the field of Community activities (Pillar I) questions relating to justice and internal affairs (Pillar III - Intergovernmental cooperation). Finally the report considers that greater awareness of citizens' rights should be created and access improved. The Commission considers in particular that an effort should be made: - concerning a constant flow of information to ensure that citizens have access to straightforward and reliable information about their rights. To this end, the 'Citizens' First' initiative could play an increasing role since over 600 000 people have contacted the service by telephone or through Internet concerning problems of freedom of movement, recognition of diplomas, etc.. - by the Commission and Member States to enforce these rights more effectively. For this purpose the report recommends the introduction of rapid and effective channels of redress to cut down on legal formalities (e.g. easily identifiable national contact points which could be contacted by citizens in their country of residence). In addition, bodies could be set up to achieve amicable settlements. However, such solutions would not replace infringement proceedings against countries failing to implement the relevant legislation which is to date the only binding means of achieving compliance by Member States with Community rules in this area.