Basic information

2005/2060(INI) INI - Own-initiative procedure	Procedure rejected
Citizenship of the Union. 4th report **Subject** 1 European citizenship 1.10 Fundamental rights in the EU, Charter	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	CATANIA Giusto (GUE/NGL)	21/02/2005

Committee for opinion	Rapporteur for opinion	Appointed
CULT Culture and Education	The committee decided not to give an opinion.	
AFCO Constitutional Affairs	BERÈS Pervenche (PSE)	13/07/2005
PETI Petitions	PANAYOTOPOULOS-CASSIOTOU Marie (PPE-DE)	16/06/2005

Key events

Date	Event	Reference	Summary
26/10/2004	Non-legislative basic document published	COM(2004)0695	Summary
12/05/2005	Committee referral announced in Parliament		
12/12/2005	Vote in committee		Summary
16/12/2005	Committee report tabled for plenary	A6-0411/2005	
16/01/2006	Debate in Parliament		Summary
17/01/2006	Results of vote in Parliament		
17/01/2006	Decision by Parliament		

Technical information	
Procedure reference	2005/2060(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure rejected
Committee dossier	LIBE/6/27529

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	PETI	PE360.116	21/09/2005	
Amendments tabled in committee		PE365.077	28/11/2005	
Committee opinion	AFCO	PE362.751	30/11/2005	
Committee report tabled for plenary, single reading		A6-0411/2005	16/12/2005	

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2004)0695	26/10/2004	Summary

Citizenship of the Union. 4th report

2005/2060(INI) - 26/10/2004 - Non-legislative basic document

PURPOSE: To present the Fourth Report on Citizenship of the Union (1 May 2001 – 30 April 2004).

CONTENT: Article 22 of the Treaty establishing the European Community requires the Commission to report to the European Parliament, the Council and the European Economic and Social Committee every three years on the application of provisions of Part Two of the EC Treaty (Citizenship of the Union). Reports on citizenship of the Union focus consequently on the rights of Union citizens under Part Two of the EC Treaty. This is the Commission's Fourth Report on Citizenship of the Union, which covers the period from May 2001 to April 2004.

The purpose of the Report is to present developments relating to Union citizenship and related rights and to assess the need for other provisions strengthening the rights of Union citizens. With this Report, the Commission fulfils its obligation under Article 22 of the EC Treaty.

The Commission finds that the provisions of Part Two of the EC Treaty concerning rights of Union citizens are applied on the whole correctly and without serious problems. The Member States have implemented the existing secondary legislation in all areas covered by Part Two. The problems identified are mostly due to bad application and incorrect practices rather than to failure of national legislation to comply with Community legislation. Information concerning the proper interpretation of Union rules and the proper application of citizens' rights is crucial.

Information and communication activities must be targeted both at Union citizens and at national authorities administering the issues relating to the rights in question.

The need to strengthen the rights of Union citizens must also be assessed in the light of the results of Intergovernmental Conference that agreed on the Constitutional Treaty, Article III-13 of which corresponds to the existing Article 22 of the EC Treaty. In any case, the following issues can be raised as potential subjects for strengthening the rights of Union citizens:

– The Commission draws attention to complaints related to the lack of the right of non-national Union citizens to vote and to stand as a candidate in national or regional elections in the Member State of residence. However, decisions concerning possible measures to be adopted under Article 22(2) of the EC Treaty still require careful consideration.

– The principle of the free movement of persons has been extended to Switzerland, and it is also guaranteed in the European Economic Area. The next step could be to establish the right of citizens of the contracting parties to vote and to stand as a candidate in local elections in their country of residence. This can be achieved through an agreement between the Member States and the third countries concerned.

– There is no EU-wide provision uniformly governing the repatriation of mortal remains from one Member States to another. The relevant standards and procedures could be harmonised throughout the Union. The Commission will consider the possible actions needed, on the basis of Article 18 of the EC Treaty.

– Article III-11 of the Constitutional Treaty would transfer decision-making powers concerning measures to facilitate diplomatic and consular protection of Union citizens to the Union and thus strengthen the position of these rights. Measures on the basis of this provision would replace measures based on Article 22(2) of the EC Treaty.

Lastly, the Commission underlines the value of confirming the rights of Union citizens in the Constitutional Treaty by incorporating the Charter of Fundamental Rights with mandatory legal status.