



Committee of the Regions

CIVEX-V-015

**89th plenary session
31 March and 1 April 2011**

**OPINION
of the
Committee of the Regions
on the
EU CITIZENSHIP REPORT 2010**

THE COMMITTEE OF THE REGIONS

- is aware that European citizenship, as well as being a factor enabling various national identities to coexist within the European Union regardless of the arrangements for conferring national citizenship, by involving citizens in the process of European integration, helps to build European democracy;
- has declared itself in favour of any initiative capable of increasing citizens' participation in the democratic process of the Union, forming part of actions involving direct, participatory democracy and contributing significantly to eliminating the EU's democratic deficit;
- underscores the need to increase people's awareness of their status as EU citizens, their rights and duties and the meaning of these rights and duties in their daily lives;
- considers that the general provisions on citizenship of the Union should be read in conjunction with the principle under which decisions must be taken in the most open manner possible and as close to citizens as possible;
- notes that regional and local bodies are best placed to promote a better understanding of EU citizenship and to give visibility to its concrete benefits for individuals;
- stresses that local and regional bodies have for a long time been experimenting with successful initiatives, putting themselves forward as promoters and facilitators of citizenship;
- highlights the need to adopt measures that can ensure education and training in citizenship, the overcoming of various obstacles and information asymmetries and gaps, and the acquisition of the educated and free exercise of individuals' rights and duties;
- reaffirms the responsibility of all levels of government to help build a "culture of rights".

Rapporteur

Roberto Pella (IT/PPE), member of Valdengo Municipal Council

Reference document

EU Citizenship Report 2010: Dismantling the obstacles to EU citizens' rights
COM(2010) 603 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Context: European citizenship following the adoption of the Lisbon Treaty

1. welcomes the *Report on progress towards effective EU Citizenship 2007-2010*¹, which describes the various developments that have taken place in the area of citizenship during that period and complements the *EU Citizenship Report 2010: Dismantling the obstacles to EU citizens' rights*;
2. agrees with the approach taken by the report of identifying the principal obstacles that citizens continue to face on a daily basis when trying to exercise their rights as citizens of the European Union in various everyday situations, and shares the objective of identifying obstacles in order then to remove them so that European citizens can benefit fully from their rights and the Commission's willingness to strengthen European citizenship tangibly and effectively;
3. welcomes the Communication accompanying the citizenship report, entitled *Towards a Single Market Act - For a highly competitive social market economy*², which addresses the removal of obstacles faced by European citizens when exercising those rights conferred upon them by the legislation on the single market, in particular when they are acting as economic operators (entrepreneurs, consumers or workers) in the single market;
4. recalls that an essential and highly symbolic stage in the construction of a European identity and a European democracy was the introduction, in the Maastricht Treaty, of "European citizenship", which was granted to every citizen of a Member State of the European Union and was considered, with the adoption of the Amsterdam Treaty, to complement national citizenship;
5. points out that the new legislative features brought in by the Treaty of Lisbon have signalled a reinforcement in European citizenship, which is now considered to be additional (and not merely complementary) to, but not a replacement for, national citizenship;
6. is aware that European citizenship, as well as being a factor enabling various national identities to coexist within the European Union regardless of the arrangements for conferring national citizenship, by involving citizens in the process of European integration, helps build European democracy, as is recognised by the Treaty on European Union, which included European citizenship amongst the democratic principles along with the principle of equality of European citizens;

¹ COM(2010) 602 final.

² COM(2010) 608 final.

7. points out that, according to the Treaty on the Functioning of the European Union, European citizens enjoy the rights and are subject to the obligations set out in the Treaty; to these should be added the fundamental rights recognised by the European Convention on the Protection of Human Rights and Fundamental Freedoms, to which the European Union is planning to accede with the adoption of the Treaty of Lisbon, and the rights and freedoms enshrined in the Charter of Fundamental Rights of the European Union of 7 December 2000, as adapted at Strasbourg on 12 December 2007, which under the Treaty of Lisbon has taken on the same legal value as the Treaties;
8. stresses that the rights referred to in the EU citizenship report are, on the one hand, rights that apply exclusively to citizens of the Union and, on the other, fundamental rights that also apply to third-country nationals;
9. notes that citizenship of the Union constitutes the fundamental status of the individual, a political player in the process of European integration, enabling everyone to receive equal treatment irrespective of their nationality;
10. notes that awareness and promotion of European citizenship is fundamental and strategic, particularly in those countries that have joined the Union in recent years and in countries that are applying for EU membership;
11. recalls that the Treaty on European Union requires Member States and those countries planning to become members of the Union to respect and promote the values on which the Union is founded: respect for human dignity, freedom, democracy, equality, the rule of law and human rights, including the rights of minorities. These values are shared by the Member States in a society characterised by pluralism, non-discrimination, tolerance, justice, solidarity and gender equality;
12. points out that the Council of Europe stated, as early as in the Recommendation of the Committee of Ministers to member states of 16 October 2002, "that education for democratic citizenship should be seen as embracing any formal, non-formal or informal educational activity, including that of the family, enabling an individual to act throughout his or her life as an active and responsible citizen respectful of the rights of others";
13. points out that in the September 2005 Communication on *A Common Agenda for Integration*, the Commission, setting out the framework for integrating third-country nationals into the European Union, invited the Member States to emphasise "civic orientation in introduction programmes and other activities for newly arrived third-country nationals with the view of ensuring that immigrants understand, respect and benefit from common European and national values";

14. notes that from the outset of the debate on the future of Europe, the Committee of the Regions has declared itself in favour of any initiative capable of increasing citizens' participation in the democratic process of the Union, forming part of actions involving direct, participatory democracy and contributing significantly to eliminating the EU's democratic deficit and particularly welcomes the progress that has been made in this area thanks to the Lisbon Treaty;
15. recalls that in its opinion entitled *New forms of governance: Europe, a framework for citizens*, the Committee of the Regions called upon the EU to make its policy and decision-making structures more democratic and transparent so as to create an ideal framework for citizens' participation and initiatives at European level. It also asked for mechanisms to be set up that could promote interactive political dialogue, and for the principle of participatory democracy to be put into practice;
16. points out that its political priorities announced for the years 2010-2012 reiterate that the consolidation of the CoR's institutional role requires that priority be given to implementing the provisions of the Lisbon Treaty that relate to the regions or have a regional dimension, such as citizens' initiatives; welcomes the adoption of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative, which incorporates many of the demands made by the Committee of the Regions (CdR 167/2010);
17. underscores the need for European citizens to go beyond the obstacles to free movement and to be able to fully enjoy their rights within the scope of the Treaties irrespective of where they have chosen to live or where they have acquired goods or services;
18. points out that a disparity still remains in the Member States between the applicable legal rules and the reality confronting citizens in their daily lives, particularly in cross-border situations;
19. emphasises that the main problems arise when it comes to implementation of European legislation by individual Member States and in adjusting national legal systems in line with new legislative features;
20. underscores the need to increase people's awareness of their status as EU citizens, their rights and the meaning of these rights in their daily lives;
21. considers that special attention should be paid to immigrants who plan to acquire citizenship of a Member State, thus also becoming "European citizens";

The role of regional and local authorities

22. considers that the general provisions on citizenship of the Union, included in the Treaty on European Union in the title containing provisions on democratic principles, should be read in

conjunction with the principle under which decisions must be taken in the most open manner possible and as close to citizens as possible in line with the proximity model of democracy, which is made a reality, above all, through the full and effective involvement of regional and local bodies, as the "bodies closest to citizens";

23. notes, however, that the Commission's report does not focus sufficiently on the contribution that regional and local bodies can make to the effectiveness and quality of European citizenship;
24. notes that regional and local bodies are best placed, through their proximity to the citizens, to promote a better understanding of EU citizenship and to give visibility to EU citizenship and its concrete benefits for individuals, including by demonstrating the tangible impact of Union policies in citizens' lives;
25. notes that regional and local bodies will have a key role to play in the participatory processes to be put in place so as to implement a true bottom-up approach, allowing citizens to substantially contribute to defining EU policies that give concrete effect to their rights;
26. considers that local and regional bodies can enable the European institutions to reach those groups, in particular, where there is often a low level of participation, such as young people and immigrants;
27. points out that local and regional bodies have responsibilities for the management of problems connected with the movement and residence of European citizens, and also regarding reception;
28. points out that whilst the report condemns the obstacles hampering the exercise of European citizenship rights, it does not devote sufficient attention to the pre-conditions required to make any form of citizenship effective and to overcome geographical, cultural, linguistic, information and technological obstacles that hinder educated and free exercise of individuals' rights and duties;
29. points out that the 2010 Citizenship Report does not devote enough attention to the tools of civil society, which are new channels for democracy and citizenship;
30. stresses that the report does not take enough account of the need for action to be taken at local and regional levels to cut red tape in order to ensure efficient implementation of European citizenship rights;
31. emphasises that, in the new multicultural context, citizenship must no longer be seen merely in terms of protecting identity and belonging, but as a point of integration and social inclusion;

32. stresses that local and regional bodies have for a long time been experimenting with successful initiatives, putting themselves forward as promoters and facilitators of citizenship, partly through processes for participatory and deliberative democracy;
33. points out that, in the face of statistics demonstrating that the majority of EU citizens do not know the meaning of the rights granted by European citizenship, in particular freedom of movement and residence, and are not even aware of them, local and regional bodies, through their proximity to citizens, are the natural channels or instruments for the dissemination of information aimed at EU citizens on this subject;
34. points out that local political institutions, the expression *par excellence* of a "European" electoral body and, therefore, the first authentic bodies of European governance, constitute the information channels to EU citizens regarding their electoral rights;
35. highlights the contribution that town twinning and networks of cities can make as regards promoting and raising awareness of issues of citizenship, as means of participation in civic life and of integration, especially in relation to the new Member States;
36. shares the Commission's wish to strengthen the right of EU citizens to receive assistance in third countries from the diplomatic and consular authorities of all Member States by proposing legislative measures during 2011 and better informing the public; highlights the role that regional and local authorities can play in ensuring the broad dissemination of information, and calls on the Commission to consult the CoR when drawing up proposals on the subject;

Priority objectives of regional and local authorities

The conditions for effectiveness of citizenship

37. highlights the need to adopt measures that can ensure education and training in citizenship, the overcoming of cultural, linguistic and technological obstacles, the acquisition of an educated and free exercise of individuals' rights and duties, and the overcoming of information asymmetries and gaps;

Active citizenship

38. considers that the reinforcement of European citizenship can derive strength from empowering the active participation of citizens in the life of local communities, and particularly the participation of young people, who have greater mobility within the EU;
39. recommends that the Commission also place an emphasis on European citizenship issues within the context of the Instrument for Pre-Accession Assistance (IPA), so that future EU citizens are informed and know their rights and responsibilities;

40. underscores the importance of volunteering to promote participation and active citizenship and the need to support volunteer initiatives;

Social citizenship

41. considers that initiatives to promote social citizenship need to be strengthened at European level, in that access to social rights is linked to criteria and requirements that create discriminatory profiles, contrary to the principle of equality and equal treatment enshrined in EU law with reference to citizens of other Member States of the European Union who have exercised their right to free movement, as well as third country nationals, who are also protected by the laws of the European Union;
42. calls on the Commission to make provision, in the measures that it intends to adopt to facilitate access to cross-border healthcare and to launch pilot projects for the provision of secure online access to certain health data relating to European citizens, for the involvement of local and regional authorities as the bodies closest to the citizens;
43. would like local and regional bodies to be involved in the actions that the Commission intends to adopt to improve the information service for citizens by developing a new electronic data exchange system to reduce delays and problems in the exchange of information in the social welfare sector;

Civic citizenship

44. would like local and regional bodies to be involved in the new actions planned regarding facilitation of the free movement of EU citizens and members of their families from third countries, which include non-discrimination and the promotion of good practices and knowledge of EU rules, through better dissemination of information to EU citizens about their rights of free movement;
45. recognises that differences in the transposition of Directive 2004/38/EC could pose difficulties in the effective exercise of citizens' fundamental rights;

Political citizenship

46. is clear that the right to complete freedom of movement and active grassroots involvement in the political process are key elements of EU citizenship;
47. supports moves to give third-country nationals legally resident in the EU the opportunity to participate in the political process at local level, subject to the duration of their residency. The right of third-country nationals to political participation is also laid down in the European Convention on the Participation of Foreigners in Public Life at Local Level;

48. calls on the Commission to take specific actions aimed at promoting the effective exercising of the right conferred upon European citizens to participate in municipal elections in the Member State in which they are resident and in European elections;
49. highlights the need for EU citizens to have full access to information to enable them to play an active part in the political process;

Administrative citizenship

50. highlights the need to act at local and regional levels with measures to cut red tape that make European citizenship rights, in particular freedom of movement, a reality and to eliminate all dissuasive practices or other forms of discrimination that differentiate between EU citizens, particularly in granting residence rights. These measures must move from identifying the problems that local and regional authorities face to being able to provide appropriate solutions to them;
51. highlights, with the aim of facilitating the exercise of freedom of movement of citizens, the need to improve the exchange of electronic data amongst public administrations in EU Member States and communication between these and the public;
52. emphasises the need to take steps to cut red tape, particularly in the area of cross-border cooperation, which is the area in which citizens encounter the greatest difficulties in exercising their rights;
53. points out that it would be helpful to support the various forms of territorial cooperation to implement projects and measures aimed at making European citizenship a reality and which could help reduce obstacles and red tape, including through disseminating the various best practices relating to cross-border services, for example in the areas of health and multilingualism;
54. feels there is an urgent need to step up and improve administrative cooperation and exchanges of information on best practices between the competent authorities in order to safeguard the freedom to exercise the rights and responsibilities of European citizenship;

Culture of citizenship

55. reaffirms the responsibility of all levels of government to help build a "culture of rights" by raising citizens' awareness of their rights and obligations;
56. emphasises the importance of a joint campaign promoting citizens' rights and obligations, as an integral part of the European Commission's information and communication policy;

57. undertakes to support local and regional authorities in providing a significant and valuable contribution in 2011 to the European Year of volunteering, giving plenty of opportunity for initiatives based on the concept of active citizenship;
58. supports the Commission in its intention to make 2013 the European Year of Citizens; will consider, among the activities it could organise to contribute towards the success of this initiative, the possibility of including the theme of citizenship in the organisation of the Open Days;
59. points out that local and regional authorities are the levels of government appropriate for the launching of initiatives aimed at "training in European citizenship" both for school-age people and adults, and in particular for those planning to obtain the citizenship of a Member State;
60. considers that measures to inform and educate immigrants who plan to acquire citizenship of a Member State, thus also becoming "European citizens", should be promoted;
61. considers that initiatives aimed at "training in European citizenship" should be launched for operators of European, national, local and regional public administrations;
62. calls on the Commission and the Member States to support the inclusion of European citizenship in education and school programmes and to promote measures aimed at citizenship training for adults, including via the media and ICT;
63. underscores the importance of the Capitals of Culture in promoting European identity and citizenship;
64. calls on the Commission to disseminate and support measures and projects aimed at raising awareness of European citizenship and promoting it amongst citizens of countries that have joined the European Union in recent years and those that intend to do so, in particular by means of cooperation with subnational authorities in those countries.
65. calls on the Commission to take steps to remove remaining administrative, legislative, information, motivation and language barriers to mobility for education purposes and to define strategies to overcome these barriers in order to facilitate cross-border mobility for young people, providing for involvement of public institutions and civil society, businesses and other stakeholders;
66. following up on the interest expressed by the European Commission, will look into the establishment of a flexible, informal platform to foster cooperation between the Commission, the Committee of the Regions and national associations of local and regional authorities, with the aim of facilitating and supporting the debate on European citizenship, identifying requests and difficulties encountered by local authorities in implementing European citizenship rights and encouraging exchange of expertise and best practices, thus contributing towards

promoting the active implementation of European citizenship; calls on the European Commission to consider the possibility of earmarking appropriate support for these activities as part of the feasibility study:

Brussels, 31 March 2011

The President
of the Committee of the Regions

Mercedes Bresso

The Secretary-General
of the Committee of the Regions

Gerhard Stahl

II. PROCEDURE

Title	EU Citizenship Report 2010 Dismantling the obstacles to EU citizens' rights
Reference(s)	COM(2010) 603 final
Legal basis	Article 307 TFEU, first paragraph
Procedural basis	Optional referral
Council referral/ European Commission letter	27 October 2010
Date of Bureau decision	30 November 2010
Commission responsible	CIVEX commission
Rapporteur	Mr Roberto Pella (IT/EPP)
Analysis	
Discussed in commission	13 December 2010
Date adopted by commission	10 February 2011
Result of the vote in commission	Majority
Date adopted in plenary	31 March
Previous Committee opinions	<p>Opinion of 2 December 2010 on the <i>Action Plan Implementing the Stockholm Programme</i> (CdR 170/2010)</p> <p>White Paper on Multilevel Governance (CdR 89/2009)</p> <p>Own initiative opinion of 9 October 2008 on <i>Citizens' rights: promotion of fundamental rights and rights derived from European Citizenship</i> (CdR 78/2008)</p> <p>Opinion of 19 June 2008 on <i>Communicating Europe in Partnership</i> (CdR 295/2007)</p> <p>Opinion of 7 February 2008 on <i>Promoting the active citizenship of young people through education</i> (CdR 173/2007)</p> <p>Opinion of 27 June 2006 on the <i>Plan D for Democracy, Dialogue and Debate and the White Paper on a European communication policy</i> (CdR 52/2006)</p> <p>Opinion of 14 December 2000 on <i>New forms of governance: Europe, a framework for citizens</i> (CdR 182/2000)</p>