

The rapporteur drew attention to a lack of clarity in the Italian version of the amendment.

Amendment No 2 having been corrected in the Italian version, it was adopted.

Mr Patijn and Mr Scelba spoke.

Paragraph 4 was adopted.

Mr Klepsch gave an explanation of vote.

Parliament adopted the following resolution:

#### RESOLUTION

on the granting of special rights to be citizens of the European Community in implementation of the decision of the Paris Summit of December 1974 (point 11 of the final communiqué)

*The European Parliament,*

- having regard to the decision of the Conference of the Heads of State or Government of December 1974 on the granting of special rights to citizens of the Community, and the preliminary study by the Commission of the European Communities published under the title 'Towards a citizens' Europe',
- emphasizing the political importance for the development of the European Community — not least with a view to direct elections in 1978 — of strengthening the ties of solidarity among its citizens by granting special rights falling within the category of civil and political rights,
- whereas European union should lead progressively to profound changes in the civil and political status of Community citizens,
- recalling its resolution of 10 July 1975 on European union <sup>(1)</sup>, in which *inter alia* it expressed the hope that, 'with a view to giving the peoples of the Community a sense of common destiny, a "charter of the rights of the peoples of the European Community" will drawn up and that practical measures capable of contributing to the development of a European Community consciousness will be adopted',
- having regard to the Tindemans report <sup>(2)</sup>, which considers that not only the acknowledgement of Community citizens' basic rights, but also protection of those rights by the Community are 'essential' for the development of the Community,
- whereas, in order to ensure the equality of Community citizens in the enjoyment of civil and political rights, these rights should be protected not only against acts by the Community organs, but also against acts by the national governments, as is already the case for economic rights,
- considering that the civil and political rights to be protected should be defined with reference to the solemn declaratory acts and documents which form part of the common heritage of all the Member States,
- considering that uniform application of these civil and political rights can be adequately ensured by intervention by the Court of Justice of the European Communities,
- whereas, in order to facilitate the necessarily gradual recognition of the equality of Community citizens in the enjoyment of civil and political rights, both at the level of the Community as a whole and within each individual Member State, it would appear advisable to lay down the necessary measures in Community Regulations,
- having regard to the report of the Political Affairs Committee and the opinion of the Legal Affairs Committee (Doc. 346/77),

*Requests the Commission of the European Communities*

1. To draw up proposals relating to special rights, in the light of the above preamble and recitals, and as a first step towards European Union;

<sup>(1)</sup> OJ No C 179, 6. 8. 1975, p. 28.

<sup>(2)</sup> See Doc. 481/75.

2. To press for an agreement between the Member States, on the basis of Article 235 and, possibly, Article 236 of the EEC Treaty, under the terms of which, the following would be considered — in the light of the Universal Declaration of human rights, adopted by the United Nations General Assembly on 10 December 1948 — as integral parts of the Treaties establishing the Communities:

- (a) the European Convention on human rights of 4 November 1950 and subsequent Protocols,
- (b) the International Covenant on civil and political rights, adopted by the United Nations General Assembly on 19 December 1966,
- (c) the civil and political rights provided for in the constitutions and laws of the Member States;

3. To consider the following among the rights to be granted as a matter of priority to Community citizens:

- (a) Community protection for civil and political rights equivalent to that provided for in the Treaties establishing the European Communities for economic rights,  
(The legal instrument introducing Community protection for civil and political rights must also make provision for rules to govern the respective roles of the Council, the Commission and the Court of Justice of the European Communities in this field.)
- (b) the rights proposed in the Tindemans report and first and foremost the right for individuals to appeal to the Court of Justice of the European Communities,
- (c) the right to submit petitions,
- (d) the right to stand for and vote at elections and to hold any public office for which they would normally be eligible at local authority level,
- (e) the right of Community citizens who have been resident in a Member State for at least 10 years to stand for and vote at elections and to hold public offices for which they are eligible in all regional administrative authorities between local authority and State level (departments, provinces, countries, regions, etc.),
- (f) the right to stand for and vote at elections for political office, for Community citizens satisfying special conditions,
- (g) all the rights connected with the right to stand for and to vote at elections, and in particular the freedom of assembly and association,
- (h) equality with citizens of the Member State in which the Community citizen concerned resides as regards the assertion of rights and access to offices and posts in the professional, social and economic sphere, if necessary after a suitable period of residence,
- (i) the right to belong to a trade union of one's choice,
- (j) the right of residence for all Community citizens,
- (k) the right of Community citizens to use their mother tongue and to choose freely lawyers from any Member State for their defence in court actions,
- (l) the right of Community citizens to open educational establishments and to teach and study under the same conditions laid down in respect of nationals;

4. Instructs its President to forward this resolution and the report of its committee to the European Council, the Council and Commission of the European Communities and to the Parliaments of the Member States of the Community.

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