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*Plenary sitting*

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**A8-0041/2019**

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# **REPORT**

on the implementation of the Treaty provisions related to EU citizenship  
(2018/2111(INI))

Committee on Constitutional Affairs

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## CONTENTS

	<b>Page</b>
EXPLANATORY STATEMENT - SUMMARY OF FACTS AND FINDINGS .....	3
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION.....	8
OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS .....	22
OPINION OF THE COMMITTEE ON PETITIONS .....	30
INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE.....	39
FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE .....	40

## **EXPLANATORY STATEMENT - SUMMARY OF FACTS AND FINDINGS**

### **Introduction**

In accordance with Article 9 of the Treaty of the European Union (TEU) and Article 20 of the Treaty on the Functioning of the European Union (TFEU), every person who holds the nationality of a Member State is a citizen of the Union. Union citizenship is additional to the national citizenship without substituting it, and is made up of a combination of rights and duties that are associated to those conferred by the citizenship of a Member State.

European citizenship has never managed to fully capture the role that European citizens have in other aspects of the construction of Europe and it has very limited substantive effects for the average citizen.

European citizenship is a construction that has no equivalent anywhere in the world. Its introduction is an achievement of the European project, but it is undeniable that it has not reached its full potential. This report on the implementation of the Treaty provisions concerning citizenship aims evaluate the effectiveness of the concepts present in the Treaties. Its objective is also to make recommendations to the European institutions with a view to the improvement of their implementation and their scope and effectiveness, in order to reduce the gap between the European integration process and the potential offered by European citizenship.

### **Fact-finding activities**

In the process of the preparation of the report, the following fact-finding activities have been carried out:

- technical meetings with the European Commission, DG JUST, C3 - Citizenship and Free Movement.
- analysis of the academic literature concerning the free movement, anti-discrimination, statelessness, acquisition of the citizenship and studies by Policy Department C on Obstacles to the right of free movement and residence for EU citizens and their families (September 2016), and by European Parliamentary Research Service, on Europe for Citizens Programme 2014-2020 (July 2016),
- analysis of the report of the Fundamental Rights Agency on ‘Making EU citizens’ rights a reality: national courts enforcing freedom of movement and related rights’, (August 2018)
- review of the case-law related in particular to the free-movement and application of the Directive 2004/38/EU, in particular Zhu and Chen (C-200/02), Ruiz Zambrano (C-34/09), Rottmann (C-135/08), McCarthy (C-434/09), Dereci (C-256/11), O and al. (C-356/11 & C-357/11) Iida (Iida, C-40/11), Alimanovic (C-67/14)

### **Ambiguous status of the EU citizenship**

The very concept of ‘European citizen’ presents some ambiguities, despite the fact that the Treaty of Lisbon defines the EU as a union of states and citizens.

Major ambiguity stems from the fact that exercise of the number of those rights is directly

related to the single market through the Treaty provisions on the free movement and therefore concern solely the mobile citizens: those encompass electoral rights well prohibition of discrimination on the grounds of nationality. Limited number of citizenship rights can be exercised by EU citizens independently, such as supporting an European citizens Initiative (Article 24 TFEU), Access to documents (Article 11 TEU) and right of petition, right to apply to the Ombudsman and right to communicate with the EU institutions in any of the official languages (Article 24) as well to the certain extent the right to consular protection (Article 23 TFEU). Their exercise is yet more complex, as the EU Citizenship also interacts with a number of other provisions, in particular the EU Charter of Fundamental Rights.

EU courts have strongly contributed to the development of the EU Citizenship, under the premise that ‘Citizenship of the Union is intended to be the fundamental status of nationals of the Member States’<sup>1</sup>. They did so, firstly, by clarifying number of concepts established in the legislation on the free movement later consolidated in the EU citizenship directive 2004/38/EU. Secondly, through a gradual process, ECJ clarified the relation between national measures and EU citizenship. In particular, it developed its jurisprudence according to which Article 20 TFEU, ‘precludes national measures that have effect of depriving citizens of the Union of the genuine enjoyment of the substance of the rights conferred by the virtue of their status as citizens of the union’<sup>2</sup>.

### **Political rights**

Politically, the nature of citizenship reflects the belonging of citizens to a political community, in relation to key elements such as legitimacy of decision-making and the participation of individuals in political action. The role of political rights is to enhance the active participation of citizens in the political process and to contribute to a sound administration.

Articles 15 TFEU (access to documents), 22 TFEU (right to vote in European and local elections in the Member State of Residence) and 24 (right to petition) of the TFEU are well-established and form the core of the political rights conferred by European citizenship. Although the average participation in the elections to the European Parliament in 2014 was 42.6 %, young Europeans (those aged 18 to 24) were the group most likely to abstain. According to the most recent Eurobarometer survey, only 19 % of Europeans interviewed knew the date of the next European elections; 31 % gave a wrong answer, and 50 % answered ‘don’t know’.

With the entry into force of the Lisbon Treaty, Article 15(3) TFEU became the legal base for public access to documents. This provision extends to all the Union institutions, bodies, offices and agencies the public right to access documents, but there is still no prospect of the adoption of a new regulation adapting the regime for public access to documents to the Treaty requirements.

One of the core rights established in the Treaties have been the provisions anti-discrimination, which has been introduced on the legal basis of the Article 19 TFEU. Although several sectoral directives were adopted, regrettably no agreement has been reached since 2008 on the

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<sup>1</sup> Case Grzelczyk (C-184/99)

<sup>2</sup> Case Ruiz Zambrano (C-34/09)

horizontal anti-discrimination directive.

In light of the cases on misuse of personal data, ensuring security and integrity of the elections became also a public concern. It is important to acknowledge the Commission's valuable contribution to enhance the security of the conduct of the upcoming European elections.<sup>1</sup>

The European Citizens' Initiative (Article 24 TFEU) is a central instrument of democratic participation of citizens that is currently undergoing revision. Since 2012 only four initiatives have been successful: Right2Water, One of Us, Stop Vivisection and Stop Glyphosate. The Regulation on ECI is currently under review with the shared objective to enhance this unique right of EU citizens to take actively part in the EU political life.

'Europe for Citizens' is an EU programme intended to foster European citizenship by encouraging active participation of citizens in the democratic life of the EU. This year the Commission presented a proposal for a successor programme, Rights and Values programme<sup>2</sup>.

It is worth noting that these programmes place a major emphasis on education. Even though the EU has limited competences in the matter, the potential of the EU Treaties, and in particular that of Article 165 TFEU, has rarely been used as a legal basis to promote the European dimension of the education of citizens.

We have to remind ourselves that citizens who fully exercise their democratic rights in accordance with the principles of the rule of law are citizens who will be linked to the democracy that they are building, and that democracy and the rule of law are values of the European Union according to Article 2 TEU.

## **Freedom of movement**

Freedom of movement and residence (Article 21 TEU), the prohibition of discrimination on grounds of nationality (Article 18 TEU) and freedom of movement of workers (Article 45 TEU) are arguably the aspects of European citizenship that are closest to the people, since they are freedoms that can be enjoyed every day<sup>3</sup> - also perhaps because they are freedoms that are inherently based on a background of trust, solidarity and European cohesion.

However, we need to point out that freedom of movement is only acquired when European citizens move (according to Eurostat, more than 16 million Europeans live in another Member State). Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely

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<sup>1</sup> Commission's recommendation of 12th September 2018 on election cooperation networks, online transparency, protection against cybersecurity incidents and fighting disinformation campaigns in the context of elections to the European Parliament.

<sup>2</sup> COM(2018)0383.

<sup>3</sup> The 'Europeanisation' of daily life for a large percentage of European citizens is greater than we tend to imagine. For instance, more than 50 % of Europeans communicate regularly via phone, internet, mail or email with family and/or friends abroad, have visited at least one other Member State in the last two years, watch TV in a foreign language, or are familiarised with at least one other country of the EU (see EUCROSS, an investigative project financed by the EU).

within the territory of the Member States (the Citizens' Rights Directive)<sup>1</sup> was designed to streamline the exercise of these rights, reducing administrative formalities. However, shortcomings in its implementation have been consistently highlighted by studies and reports by the Commission, the European Parliament and other EU bodies and agencies<sup>2</sup>. The research revealed that a number of Member States have considerable difficulties in identifying the relevant case law relevant for the practice of the national authorities and national courts. Also discrimination on the grounds of nationality, not directly related to the Citizenship directive, but relevant for the exercise of the free movement has been reported in cases of access to employment, and different services (rental, banking, education) as well as with regard to the taxation. Finally, facilitation of right of entry and residence to the family members of EU citizens who are third country nationals remains problematic in number of Member States - they are often denied access to accelerated procedures for obtaining visas and face excessive administrative requirements at borders.

Freedom of movement is one of the major issues in the negotiation of the Brexit process. The citizenship status of more than 4.5 million people (3.5 million Europeans living in the UK and more than a million British people living in other Member States) is still not settled.

### **Rights abroad**

The right to consular protection guaranteed under Article 23 TEU stems from the fact that not all Member States maintain embassies or consular representations in all the countries of the world (while 14 third countries have only one embassy in a Member State of the EU).

The awareness of those rights remains limited, as is their exercise, and the assessment of their implementation is therefore warranted. It is worth considering how the role of the EU delegations can be further enhanced, considering in particular that the directive 2016/679 leaves flexibility with regard to the division of labour between them and Member States representations.

### **Knowledge and exercise of EU citizenship rights**

Knowledge and understanding of rights stemming from the EU citizenship appears to be one of the horizontal problems that applies across all the aspects of citizenship reviewed above. Recent Eurobarometer <sup>3</sup>surveys dedicated to citizenship, indicated that only 54% respondents have certain knowledge of their rights as EU citizens, whereas 45% do not and 67% of respondents would like to know more about them. Both better and clearer information about those rights and clear up-to-date interpretation how to exercise them are of paramount importance for the success of the EU citizenship.

### **Potential of Article 25 TFEU**

However, citizenship of the European Union is now called on to operate in a new and complex dimension, not explicitly foreseen in the Treaties – as validator of the European

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<sup>1</sup> OJ L 158, 30.4.2004, p. 77.

<sup>2</sup> See, for instance, the most recent contribution by the Fundamental Rights Agency, 'Making EU citizens' rights a reality: national courts enforcing freedom of movement and related rights' (2018).

<sup>3</sup> Spring Eurobarometer 89/2018, report on Citizenship

architecture. Article 25 TFEU presents a unique potential to reflect the new dimensions for the future evolution of rights of EU citizens. Under the procedure foreseen to expand and enhance those rights, this ambition arguably rests with the Member States and with the Commission.

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the implementation of the Treaty provisions related to EU citizenship (2018/2111(INI))

*The European Parliament,*

- having regard to Articles 2, 3, 6, 9, 10, 11, 12, 21, 23 of the Treaty on European Union (TEU), and to Articles 8, 9, 10, 15, 18, 20, 21, 22, 23, 24, 26, 45, 46, 47, 48, 153, 165 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Articles 10 and 11 TEU, and to the statement in Article 10(3) that ‘every citizen shall have the right to participate in the democratic life of the Union’,
- having regard to Article 3(2) TEU enshrining the right of free movement of persons,
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the Multiannual Financial Framework for the period 2020-2027,
- having regard to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup>,
- having regard to Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC<sup>2</sup>,
- having regard to Council Regulation (EU) No 390/2014 of 14 April 2014 establishing the ‘Europe for Citizens’ programme<sup>3</sup>,
- having regard to Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union<sup>4</sup>,
- having regard to Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), workers’ access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013<sup>5</sup>,
- having regard to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications<sup>6</sup>,
- having regard to Directive 2013/55/EU of the European Parliament and of the Council

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<sup>1</sup> OJ L 145, 31.5.2001, p. 43.

<sup>2</sup> OJ L 158, 30.4.2004, p. 77.

<sup>3</sup> OJ L 115, 17.4.2014, p. 3.

<sup>4</sup> OJ L 141, 27.5.2011, p. 1.

<sup>5</sup> OJ L 107, 22.4.2016, p. 1.

<sup>6</sup> OJ L 255, 30.9.2005, p. 22.

of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications<sup>1</sup> and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System<sup>2</sup>,

- having regard to the proposal for a Council Directive establishing an EU Emergency Travel Document and repealing Decision 96/409/CFSP (COM(2018)0358),
- having regard to Council Directive (EU) 2015/637 of 20 April 2015 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and repealing Decision 95/553/EC,
- having regard to the Commission proposal for a Regulation of the European Parliament and of the Council establishing the Rights and Values programme (COM(2018)0383),
- having regard to the Commission communication of 2 July 2009 on guidance for better transposition and application of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (COM(2009)0313),
- having regard to the Commission report of 24 January 2017 entitled ‘Strengthening Citizens’ Rights in a Union of Democratic Change – EU Citizenship Report 2017’ (COM(2017)0030),
- having regard to the Commission recommendation of 12 September 2018 on election cooperation networks, online transparency, protection against cybersecurity incidents and fighting disinformation campaigns in the context of elections to the European Parliament (C(2018)5949),
- having regard to its resolution of 16 February 2017 on improving the functioning of the European Union building on the potential of the Lisbon Treaty<sup>3</sup>,
- having regard to its resolution of 28 October 2015 on the European Citizens’ Initiative<sup>4</sup> and to the proposal for a regulation of the European Parliament and of the Council on the European Citizens’ Initiative (COM(2017)0482),
- having regard to its resolution of 16 January 2014 on EU citizenship for sale<sup>5</sup>,
- having regard to its resolution of 12 April 2016 on ‘Learning EU at school’<sup>6</sup>,
- having regard to its resolution of 2 March 2017 on the implementation of Council Regulation (EU) No 390/2014 of 14 April 2014 establishing the ‘Europe for Citizens’ programme for the period 2014-2020<sup>7</sup>,
- having regard to its resolution of 15 March 2017 on obstacles to EU citizens’ freedom to

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<sup>1</sup> OJ L 354, 28.12.2013, p. 132.

<sup>2</sup> OJ L 316, 14.11.2012, p. 1.

<sup>3</sup> OJ C 252, 18.7.2018, p. 215.

<sup>4</sup> OJ C 355, 20.10.2017, p. 17.

<sup>5</sup> OJ C 482, 23.12.2016, p. 117.

<sup>6</sup> OJ C 58, 15.2.2018, p. 57.

<sup>7</sup> OJ C 263, 25.7.2018, p. 28.

move and work in the internal market<sup>1</sup>,

- having regard to the Opinion of the Committee of the Regions of 31 January 2013 on ‘Strengthening EU citizenship promotion of EU citizens’ electoral rights’,
- having regard to the studies published in 2016 by Parliament’s Policy Department C, entitled ‘Obstacles to the right of free movement and residence for EU citizens and their families’,
- having regard to the report of 2018 by the Fundamental Rights Agency entitled ‘Making EU citizens’ rights a reality: national courts enforcing freedom of movement and related rights’,
- having regard to the results of Eurobarometer 89/2018,
- having regard to its resolution of 7 February 2018 on the composition of the European Parliament<sup>2</sup>,
- having regard to its position of 4 July 2018 on the draft Council decision amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 (the ‘Electoral Act’)<sup>3</sup>,
- having regard to its decision of 7 February 2018 on the revision of the Framework Agreement on relations between the European Parliament and the European Commission<sup>4</sup>,
- having regard to its resolution of 30 May 2018 on the 2021-2027 multiannual financial framework and own resources<sup>5</sup>,
- having regard to its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement<sup>6</sup>,
- having regard to the Commission communication of 12 September 2018 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘Securing free and fair European elections’ (COM(2018)0637),
- having regard to Rule 52 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,
- having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Civil Liberties, Justice and Home Affairs and of the Committee on

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<sup>1</sup>OJ C 263, 25.7.2018, p. 98.

<sup>2</sup>OJ C 463, 21.12.2018, p. 83.

<sup>3</sup> Texts adopted, P8\_TA(2018)0282.

<sup>4</sup>OJ C 463, 21.12.2018, p. 89.

<sup>5</sup> Texts adopted, P8\_TA(2018)0226.

<sup>6</sup> Texts adopted, P8\_TA(2018)0449.

Petitions (A8-0041/2019),

- A. whereas EU citizenship and its related rights were initially introduced in 1992 by the Treaty of Maastricht and were further enhanced by the Treaty of Lisbon, which entered into force in December 2009, but have been only partially implemented;
- B. whereas the rights, values and principles on which the Union is based, which are highlighted in Articles 2 and 6 TEU, put the citizen at the very centre of the European project; whereas the debate on the future of Europe therefore also implies a reflection on the strength of our common identity;
- C. whereas the principles of transparency, integrity and accountability of the EU institutions and of the decision-making processes, as derived from Articles 10 and 11 TEU and Article 41 of the Charter of Fundamental Rights of the European Union, are substantive elements of the concept of citizenship and are essential for building and strengthening credibility and trust in the Union as a whole; whereas the recourse to ad hoc and intergovernmental arrangements and instruments in several EU policy areas, as well as to informal decision-making bodies, circumventing and de-institutionalising the ordinary legislative procedure, risks severely undermining such principles;
- D. whereas the EU has had difficulties in facing numerous crises with important socio-economic consequences which have led to the emergence of populist and nationalist ideologies based on exclusive identities and supremacist criteria which contradict European values;
- E. whereas the unsatisfactory management of the various crises has increased citizens' disappointment in some of the results of the EU integration project; whereas it is crucial to ensure that EU citizenship is regarded as a cherished privilege among citizens, including by restoring confidence in the EU project, giving primacy to the promotion of all citizens' rights, including civil, political and social rights among others, improving the quality of democracy within the Union, the practical enjoyment of fundamental rights and freedoms and the opportunity for every citizen to participate in the democratic life of the Union, while providing for a greater involvement of civil society in decision-making and implementation processes;
- F. whereas the current revision of the ECI aims to improve its effectiveness and enhance participative democracy and active citizenship;
- G. whereas access to EU citizenship is gained through possession of the nationality of a Member State, which is regulated by national laws; whereas at the same time, the rights and duties deriving from EU citizenship are laid down by EU law and do not depend on Member States, hence cannot be limited in an unjustified manner by them;
- H. whereas in the context of access to national citizenship, Member States should be subject to the principles of EU law, such as proportionality, the rule of law and non-discrimination, which have been thoroughly elaborated in the case law of the Court of Justice of the European Union;
- I. whereas the prospect of Brexit has highlighted the importance of EU citizenship rights, especially among young Europeans, and their role in the lives of millions of EU

citizens, and has also raised awareness in the EU concerning the potential loss of such rights on both sides;

- J. whereas the average turnout in the elections to the European Parliament in 2014 was 42.6 %; whereas according to the most recent Eurobarometer poll published in May 2018, only 19 % of Europeans interviewed knew the date of the next European elections;
- K. whereas EU citizens are almost completely unaware of the Europe Direct offices despite their main role being to provide information;
- L. whereas there are over 400 Europe Direct Information Centres across the EU which contribute to the Commission's communication on European Union policies of direct interest to citizens with the objective of engaging with citizens at local and regional level;
- M. whereas the concept of citizenship defines the relationship of citizens with a political community, including their rights, duties, and responsibilities; whereas Article 20 TFEU give the citizens of the Union the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections in their Member State of residence, under the same conditions as nationals of that state;
- N. whereas European citizens are directly represented in the European Parliament and every citizen must receive equal attention from the EU institutions; whereas Article 8 TFEU establishes the principle of gender mainstreaming by stating that 'In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women';
- O. whereas the Court of Justice of the European Union (CJEU) has established in a number of cases that the rights deriving from EU citizenship can also be invoked by nationals of a Member State vis-à-vis that same state<sup>1</sup>;
- P. whereas several Member States offer so-called 'golden visa programmes' and investor schemes as means of obtaining their nationality;
- Q. whereas the freedom of movement provides EU citizens with opportunities to travel, study, work and live in other EU countries; whereas more than 16 million Europeans enjoy their right to reside in another EU country;
- R. whereas the right to freedom of movement is central to EU citizenship and complements the other freedoms of the EU internal market; whereas young Europeans are particularly attached to the freedom of movement, which is regarded as the EU's most positive achievement after ensuring peace in Europe;
- S. whereas the implementation of Directive 2004/38 has encountered practical difficulties

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<sup>1</sup> For instance, Judgment of the Court of Justice of 8 March 2011, *Gerardo Ruiz Zambrano v Office national de l'emploi (ONEM)*, C-34/09, ECLI:EU:C:2011:124, Judgment of the Court of Justice of 2 March 2010, *Janko Rottman v Freistaat Bayern*, C-135/08, ECLI:EU:C:2010:104, Judgment of the Court of Justice of 5 May 2011, *Shirley McCarthy v Secretary of State for the Home Department*, C-434/09, ECLI:EU:C:2011:277 and Judgment of the Court of Justice of 15 November 2011, *Murat Dereci and Others v Bundesministerium für Inneres*, C-256/11, ECLI:EU:C:2011:734.

and Europeans may still find it difficult to move to or live in another Member State owing to discrimination arising from nationality, entry and residence requirements; whereas there is considerable Court of Justice jurisprudence intended to clarify key concepts for mobile EU citizens;

- T. whereas the right to consular protection is guaranteed under Articles 20 and 23 TFEU, and EU citizens are therefore, in the territory of a third country in which their Member State of nationality is not represented, entitled to protection by any other Member State on the same conditions as nationals of that state; whereas emergencies, natural disasters or events such as terrorist attacks may affect European citizens who are from a Member State with no representation in the third country concerned;
  - U. whereas the Commission has demonstrated a commitment in the EU Citizenship Report 2017 to organise an EU-wide information and awareness-raising campaign on EU citizenship in order to help citizens to better understand their rights; whereas this responsibility to better inform EU citizens of their rights and duties needs to be shared by Member States and civil society;
  - V. whereas, according to the Commission's 2017 EU Citizenship Report, since 2012 a growing number of people have reported experiencing some form of discrimination;
  - W. whereas the creation of the Schengen area and the integration of the Schengen *acquis* into the EU framework have greatly enhanced the freedom of movement within the EU and are one of the greatest achievements of the European integration process;
  - X. whereas the introduction of European citizenship is an achievement of the European project, which has yet to realise its full potential; underlines that this is a unique construction not seen anywhere else in the world;
1. Considers that not all the provisions concerning EU citizenship have been implemented to reach their full potential, even though this would enable the consolidation of a European identity; highlights that the creation of Union citizenship has proven that a form of citizenship which is not determined by nationality can exist and that it forms the foundation of a political area from which rights and duties derive, which are determined by the law of the European Union and not the State; calls on the Union institutions to take the necessary measures to improve the implementation, scope and effectiveness of the Treaty provisions concerning citizenship as well as of the corresponding provisions enshrined in the Charter of Fundamental Rights of the European Union; points out that European citizens are not fully aware of their rights deriving from citizenship of the Union;
  2. Recalls that EU citizenship is additional to citizenship of a Member State; underlines that EU citizenship enables the complementarity of multiple identities for the citizen, and that exclusive nationalism and populist ideologies undermine that capacity; is of the opinion that exercising active citizenship and encouraging civic participation is key to reinforcing the sense of belonging to a political project to foster the development of a shared sense of European identity, mutual understanding, intercultural dialogue and transnational cooperation and to building open, inclusive, cohesive and resilient societies;

3. Considers that the full implementation, by the EU institutions, bodies, offices and agencies of the Charter of Fundamental Rights of the European Union and the active promotion of the rights and principles enshrined therein represent an essential lever for guaranteeing the effective involvement of citizens in the EU democratic process and to give concreteness to the provisions enshrined in Article 20 TFEU;
4. Stresses that the body of rights and obligations arising from Union citizenship cannot be limited in an unjustified manner; in this regard, urges Member States to make use of their prerogative to grant citizenship in a spirit of fair cooperation, including in cases of children of EU citizens who face difficulties in satisfying the criteria for citizenship under national rules; underlines that the successful exercise of citizenship rights presupposes that all rights and freedoms enshrined in the Charter of Fundamental Rights are protected and promoted, including for people with disabilities who should be able to exercise their fundamental rights in the same way as any other citizens, and that gender mainstreaming is implemented in order to ensure the full enjoyment of the rights linked to EU citizenship by women;
5. Recalls that Union citizenship also has extended implications and confers rights in the field of democratic participation as derived from Articles 10 and 11 TEU; stresses that for the exercise of the right to participate in the democratic life of the Union, decisions should be taken as openly and as closely as possible to the citizen, and that it is therefore fundamental to provide the relevant guarantees on transparency in decision-making and the fight against corruption;
6. Regrets the existing opt-outs from parts of the Treaties by some Member States, which undermine and generate de facto differences in citizens' rights that are intended to be equal under the Treaties;
7. Notes that the Erasmus+ programme, the Rights, Equality and Citizenship programme, and the Europe for Citizens programme bring, for EU citizens and in particular the young, great benefits by raising their awareness of their status as EU citizens and enhancing their knowledge of the rights deriving from that status and its underlying values; takes the view that European voluntary programmes such as European Voluntary Service and the European Solidarity Corps also play an integral part in building European citizenship; underlines the paramount importance of such programmes, especially among young people, and calls for them to be financially reinforced;

### ***Political rights***

8. Is concerned at the trend to decline in voter turnout in both national and European Parliament elections, especially among young people; is convinced that the strengthening of the EU public sphere and the full implementation of European citizenship have the potential to help reverse that decline by increasing citizens' sense of belonging to a European community and boosting representative democracy;
9. Recalls that transnational lists have the potential to reinforce the EU public sphere in the framework of EU elections by promoting an EU-wide debate based on EU-related policies instead of framing the electoral campaign around national issues;

10. Acknowledges the Commission's efforts to promote programmes fostering European citizenship and citizens' awareness of their political rights; observes, however, the scant progress made in implementing Article 165 TFEU as a legal basis to promote the European dimension in citizens' education; deems it essential to promote the participation of citizens in the democratic life of the EU, and believes that the development of EU curricula in educational systems should be a priority for continuing to build on the potential of EU citizenship;
11. Deplores once again the fact that some EU citizens are disenfranchised in their Member State of nationality and cannot participate in national parliamentary elections in their Member State of residence; underlines that the loss of electoral rights arising from residence in another Member State could discourage citizens from moving to another Member State and therefore could constitute a potential violation of Article 18 TFEU;
12. Considers that, in a system of representative democracy, it is essential to ensure the proper functioning of the EU institutions in order to protect all political rights of EU citizens; stresses the importance of the accessibility of information on EU citizenship and the rights derived from its possession in all official languages of the European Union to reinforce the notion of EU citizenship; deplores the fact that since the entry into force of the Lisbon Treaty, Article 15(3) TFEU, which became the legal base for public access to documents and which extends the rules on access to all the Union institutions, bodies, agencies and offices, has not yet been fully implemented; considers that progress in the adoption of the new regulation has been consistently obstructed by the Member States;

### *Freedom of movement*

13. Welcomes the benefits that free movement brings to EU citizens and the Member States' economies; points out that the rights derived from Directive 2004/38/EC on the right of citizens of the Union and their families to move and reside freely within the territory of the Member States are not always known and respected, which leads to obstacles to free movement and residence for EU citizens and their families as well as to discrimination against them; recalls the obligation of the Member States to protect freedom of movement rights, including family reunification, for same-sex spouses;
14. Is concerned that the interpretation of certain provisions and terms of Directive 2004/38/EC by national courts differs not only across Member States, but sometimes also within the same jurisdiction; notes with concern that national authorities are not always fully aware of the rights and obligations established under Directive 2004/38/EC;
15. Underlines the problem of the absence of information or the provision of incorrect or confusing information on visa requirements for family members or on residence rights; insists that Member States should ensure the removal of unnecessary barriers to the right of entry/residence, in particular for third-country nationals who are family members of EU citizens;
16. Is concerned about the difficulties encountered by citizens in getting their professional qualifications recognised across Europe; believes that the Professional Qualifications Directive and European Qualifications Framework have helped facilitate recognition

among Member States; also believes that professional recognition is key to ensure a higher degree of mobility for both students and professionals; calls on the Commission to continue the trend of facilitating professional recognition as much as possible;

17. Is deeply concerned about the findings of the research carried out by the European Union Agency for Fundamental Rights, which has identified discrimination in finding employment, in accessing various services such as renting a car or an apartment or certain banking services, and in the fields of education and taxation; emphasises that discrimination on the grounds of nationality may create barriers to the free movement of Union citizens; calls for the EU and the Member States to pay particular attention to monitoring such cases of discrimination and to take decisive actions to prevent them;
18. Underlines the role of mobility in the personal development of young people by enhancing learning and cultural exchanges and improving understanding of active citizenship and its practice; encourages the Member States to support EU programmes promoting mobility;
19. Values the importance of culture, art and science as integral aspects of active EU citizenship; stresses their role in strengthening citizens' shared sense of belonging to the Union, boosting mutual understanding and stimulating intercultural dialogue;

### ***Consular protection***

20. Notes that almost seven million EU citizens currently live in countries outside the EU, and that this number is expected to increase to at least 10 million by 2020;
21. Considers that the right to consular protection benefits all EU citizens, and recalls that Directive 2015/637 of 20 April 2015 on consular protection<sup>1</sup> interprets consular protection in the widest possible sense, i.e. as any kind of consular assistance; stresses that awareness of those rights remains limited;
22. Calls on the Commission to publish an assessment of the implementation of Directive (EU) 2015/637 and to launch infringement proceedings where applicable; calls on the Member States to develop emergency protocols, taking unrepresented citizens into account, in order to improve communications in emergency situations in coordination with other Member States' representations and EU delegations; recalls its long-standing call for reinforcement of the role of the EU delegations in third countries and highlights the added value provided by the EU diplomatic network present on the ground;

### ***Petition to the European Parliament and complaint to the European Ombudsman***

23. Stresses the importance of the right to petition, as established by Articles 227 TFEU and 44 of the Charter of Fundamental Rights respectively, and the right to refer to the Ombudsman enshrined in Articles 228 TFEU and 43 of the Charter of Fundamental Rights; commends the work of the European Ombudsman in combating maladministration in the Union institutions, bodies and agencies, and in particular in the field of transparency; stresses the importance of transparency for proper democratic functioning and participation within the Union that generates trust among its citizens;

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<sup>1</sup> OJ L 106, 24.4.2015, p. 1.

endorses in this regard the recommendations by the Ombudsman in her recent Special Report on the transparency of the Council legislative process;

### ***Recommendations***

24. Recommends that the Commission exercise its prerogatives under Article 258 TFEU to ask the CJEU to decide if disenfranchisement due to residence in another EU Member State should be considered to be a violation of freedom of movement and residence; calls again on Member States to implement the Venice Commission's Code of Good Practice in Electoral Matters, including the abolition of disenfranchisement of expatriates in elections to national parliaments;
25. Suggests that the Commission, through the procedure established in Article 25 TFEU, extend the rights listed in Article 20(2) TFEU in order to allow EU citizens to choose whether to vote in their Member State of nationality or of residence and that this be extended to include all elections, in line with the constitutional possibilities of each Member State;
26. Calls on the Member States to introduce e-democracy tools at local and national level, and properly integrate them in the political process, facilitating democratic participation for both citizens and residents;
27. Considers that the revision of the legal framework governing the European Citizens' Initiative (ECI) presents an opportunity to enhance citizens' participation in EU policy making by rendering the instrument less bureaucratic and more accessible;
28. Calls on the Commission to develop more robust practices as regards the political and legal follow-up given to successful ECIs;
29. Insists on more resources being invested in and on the creation of additional programmes and initiatives which aim to foster a European public space where the enjoyment of fundamental rights and freedoms, social welfare and the fulfilment of European values become the model for citizens' identity; welcomes the Rights and Values Programme as a valuable example of the Union's active support for its values and rights deriving from EU citizenship and enshrined in the Treaties, including by means of supporting civil society organisations which promote and protect these rights and values; stresses the importance of preserving the current budget for the Rights and Values Programme; firmly opposes its downsizing in the new multiannual financial framework for 2021-2027 as proposed by the Commission;
30. Strongly encourages the European political parties and their party members to ensure a gender-balanced representation of candidates by means of zipped lists or other equivalent methods;
31. Proposes to increase significantly the visibility of Europe Direct offices; underlines that these offices should operate as intermediators cooperating with public administrations in the Member States and civil society (including trade unions, business associations and public and private bodies) to actively inform European citizens about their rights and obligations, and to foster the participation of citizens at local level in the democratic life of the European Union; encourages Member States and entities at regional and local

level to actively cooperate with these offices; underlines that these offices should synergise with programmes such as Europe for Citizens; asks the Commission to ensure that these offices centralise the relevant information which enables EU citizens to exercise their rights, and to facilitate the exercise of EU citizenship rights; believes that the SOLVIT service should be further streamlined to act more effectively in the protection of EU citizens' rights before the latter seek any judicial or administrative remedy;

32. Along these lines, calls on the Commission to come forward with a proposal enhancing both the role of Europe Direct offices, as well as the exercise of EU citizenship building on the rights conferred on workers in the application of the Directive 2014/54, including the rights of EU citizens to protection from discrimination, the exercise of their voting rights under Article 22 TFEU, and their free movement rights under Article 21 TFEU and Directive 2004/38 EU, and the right to freedom of movement enjoyed by the members of their families;
33. Calls on the Commission to act systematically on Member States' breaches of Directive 2004/38/EC, and asks for revamped EU guidance for applying and interpreting legislation affecting EU citizens in order to include the recent developments from the CJEU, thus ensuring that EU law is fully effective;
34. Calls for the consistent implementation of gender mainstreaming in all EU activities, in particular when adopting legislation or implementing policies linked to EU citizenship;
35. Recalls that Parliament, since 2014 and on various occasions, has expressed its concern that any national scheme that involves the direct or indirect sale of EU citizenship undermines the very concept of European citizenship; asks the Commission to monitor such schemes and to produce a report on national schemes granting EU citizenship to investors, as foreseen in the 2017 Citizenship report;
36. Regrets that the Commission's 2017 Citizenship report makes no reference to the Charter of Fundamental Rights of the European Union, the right of petition, the right to refer to the European Ombudsman, the right to access documents or the right to support an ECI; calls on the Commission to pay full attention to the provisions of the Charter and address those shortcomings in the next evaluation;
37. Underlines that a growing number of European citizens have suffered terrorist attacks in a country that is not their own, and therefore urgently calls for the establishment of protocols in the Member States to help non-national Europeans in the event of a terrorist attack, in line with Directive (EU) 2017/541 on combating terrorism;
38. Proposes to the Member States that they establish a European public holiday on 9 May in order to reinforce a European feeling of belonging and create space for civic movements and activities;
39. Reiterates its call on the Commission to come forward with a proposal for the implementation of Parliament's recommendations on an EU mechanism on democracy, the rule of law and fundamental rights;
40. Strongly believes that the principle of non-discrimination is a cornerstone of European

citizenship and both a general principle and a fundamental value of EU law according to Article 2 TEU; urges the Council to conclude the adoption of the horizontal EU Anti-discrimination Directive, in order to further guarantee fundamental rights within the Union by means of the adoption of concrete EU legislation which would fully implement Articles 18 and 19 TFEU in a horizontal approach; regrets the fact that the Anti-discrimination Directive still remains blocked by the Council, a decade after the publication of the Commission proposal;

41. Recalls the obligation laid down in the Treaties to accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR); calls on the Commission to take the necessary steps to finalise the Union's accession to the ECHR, and for accession to the European Social Charter;
42. Emphasises that quality civic education for all ages (formal and informal) is crucial for the confident exercise of citizens' democratic rights and the proper functioning of a democratic society; notes that only continuous educational effort can ensure increased participation in elections at the European level and enhance intercultural understanding and solidarity in Europe, as well as overcoming discrimination, prejudice, and gender inequality; recommends the use of Articles 165, 166 and 167 TFEU as a legal basis for exploring the potential of education, vocational training and youth policies;
43. Recalls the contribution of political parties at European level to 'forming European political awareness and to expressing the will of the citizens of the Union' (Article 10 (4) TEU); calls, therefore, for individual citizens of the EU to be given the opportunity to apply directly for membership in political parties at European level;
44. Recalls the need to promote the European dimension of the European parliamentary elections with view to contributing to Parliament's potential future work by exercising its right of legislative initiative under Article 225 TFEU; calls on the Commission and the Member States to strengthen their efforts to promote citizens' rights among European citizens, including those related to voting rights; underlines that better and more focused information on European policies and on the impact of EU legislation on citizens' daily lives would improve the turnout in the European elections; recalls the need to promote participation in the European elections by increasing the visibility of European political parties; reiterates that promoting participation in the European elections is a shared responsibility of citizens, Member States and the EU; emphasises the need to inform citizens about the recent reform of the electoral law and the *Spitzenkandidat* process; underlines the political importance and symbolism of this figure in terms of reinforcing EU citizenship;
45. Recalls that the European Parliament is the parliament of the whole Union, and that it plays an essential role in ensuring the legitimacy of the EU political institutions through making them accountable by ensuring proper parliamentary scrutiny; insists therefore that Parliament's legislative powers and control rights must be guaranteed, consolidated and strengthened;
46. Recalls the Commission guidance on the application of Union data protection law in the electoral context and its communication of 12 September 2018 on securing free and fair elections in Europe (COM(2018)0637); calls for every effort to be made in order to ensure elections free from any abusive interference; underlines the need for a defined

EU policy to tackle anti-European propaganda and targeted misinformation;

47. Encourages the Commission to step up the promotion of democratic participation by intensifying its dialogue with citizens, enhancing citizens' understanding of the role of EU legislation in their daily lives, and underlining their right to vote in and stand for election at local, national and European level;
48. Invites the Commission to exploit, in this regard, social media and digital tools with a special emphasis on increasing the participation of young people and persons with disabilities; calls for the development and implementation of e-democracy tools, such as online platforms, to involve citizens more directly in EU democratic life, thus fostering their engagement;
49. Supports the production and dissemination of press and multimedia materials in all official EU languages that focus on enhancing EU citizens' awareness of their rights and strengthening their ability to enforce these rights effectively in each Member State;
50. Considers that, given the increasing impact of social media on the lives of citizens, the European institutions should continue to develop new mechanisms and public policies that are designed to protect the fundamental rights of individuals in the digital environment; stresses the need for secure, fair and transparent sharing of citizens' data; stresses that free media and access to a plurality of opinions are an indispensable part of a healthy democracy and that media literacy is crucial and should be developed at an early age;
51. Encourages the use of Article 25 TFEU to take measures that could facilitate the exercise of European citizenship on a daily basis;
52. Asks the Commission, under Article 25 TFEU, to take into account the development of the rights of EU citizenship in secondary legislation and jurisprudence in the next Citizenship report, and to propose a roadmap to bundle together all these advances to formally take account of the development of the Union in this area;
53. Underlines that the final objective of this exercise, following the procedure of Article 25 TFEU, would be to take concrete initiatives towards the consolidation of citizen-specific rights and freedoms under an EU Statute of Citizenship, similar to the European Pillar of Social Rights, including the fundamental rights and freedoms enshrined in the Charter of Fundamental Rights, alongside the social rights set out in the European Pillar of Social Rights and the values established by Article 2 of the TEU as defining elements of the European 'public space', including among others the governance model relevant to that public space, dignity, freedom, the rule of law, democracy, pluralism, tolerance, justice and solidarity, equality and non-discrimination, which would be taken into account in a future or eventual reform of the Treaties;

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54. Instructs its President to forward this resolution to the Council, the Commission and the Member States.

11.1.2019

## **OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS**

for the Committee on Constitutional Affairs

on implementation of the Treaty provisions related to EU citizenship  
(2018/2111(INI))

Rapporteur: Martina Anderson

### **SUGGESTIONS**

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- having regard to the Commission report of 24 January 2017 entitled ‘Strengthening Citizens’ Rights in a Union of Democratic Change – EU Citizenship Report 2017’ (COM(2017)0030),
- having regard to its resolution of 12 December 2017 on the EU Citizenship Report 2017: Strengthening Citizens’ Rights in a Union of Democratic Change<sup>1</sup>,
- having regard to Directive 2004/38/EC<sup>2</sup> of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States,
- having regard to the Council conclusions of 9 June 2011 on completion of the process of evaluation of the state of preparedness of Bulgaria and Romania to implement the Schengen acquis (9166/3/11 and 9167/3/11 respectively),
- having regard to the notification of the United Kingdom’s intention to withdraw from the European Union given by the British Prime Minister to the European Council on 29 March 2017 in accordance with Article 50(2) of the Treaty on European Union (TEU),
- having regard to its resolution of 13 November 2018 on minimum standards for minorities in the EU<sup>3</sup>,

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<sup>1</sup> OJ C 369, 11.10.2018, p. 11.

<sup>2</sup> OJ L 158, 30.4.2004, p. 77.

<sup>3</sup> Texts adopted, P8\_TA(2018)0447.

- having regard to its resolution of 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member States<sup>1</sup>,
- A. whereas, in accordance with Article 2 of the TEU, the European Union is founded on respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights;
- B. whereas the EU Charter of Fundamental Rights brings together all the personal, civic, political, economic and social rights enjoyed by EU citizens; whereas the aim of the Charter is to protect European citizens from discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation; whereas Article 18 of the Treaty on the Functioning of the European Union (TFEU) prohibits any discrimination on grounds of nationality;
- C. whereas consolidating the rights of citizens and democratic institutions also entails combating all forms of discrimination and gender inequality;
- D. whereas the successful exercise of citizenship rights presupposes that Member States uphold all rights and freedoms enshrined in the Charter of Fundamental Rights;
- E. whereas EU citizenship is gained through nationality of a Member State and clearly supplements national citizenship in accordance with Article 9 of the TEU; whereas EU citizenship is additional to and does not replace national citizenship; whereas Member States should make use of their prerogative to grant citizenship in a spirit of fair cooperation, in keeping with the Treaties, which have consolidated the rights and safeguards of EU citizenship, thus endowing the Charter of Fundamental Rights with legal value; whereas Northern Ireland is a special case whereby citizens, as per the EU-UK Joint Agreement of December 2017, should enjoy, access and exercise their rights as EU citizens where they reside; whereas Article 20 of the TFEU provides that any person who holds the nationality of a Member State is also a citizen of the Union, with the rights and obligations enshrined in the Treaties and the Charter;
- F. whereas the right to equal treatment is one of the founding principles of the European Union and a fundamental right of all people; whereas, in establishing citizenship of the Union, Article 9 of the TEU expressly mentions that the Union must observe the principle of the equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and agencies;
- G. whereas approximately 8 % of EU citizens belong to a national minority and approximately 10 % speak a regional or minority language; whereas the EU has still not developed a common EU framework to guarantee their rights, which may include benchmarks and sanctions;
- H. whereas, according to the Commission's 2017 EU Citizenship Report, since 2012 a growing number of people have reported experiencing some form of discrimination;
- I. whereas freedom of movement is one of the four fundamental freedoms of the EU, a

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<sup>1</sup> OJ C 463, 21.12.2018, p. 21.

cornerstone of European integration, and one of the most valued rights of EU citizens; whereas the right to freedom of movement and its exercise is central to EU citizenship; whereas EU citizens may still experience a number of persisting or new barriers to exercising their freedom of movement and residence rights, such as excessive documentation requirements, burdensome procedures for obtaining residence rights, difficulties in accessing health services, or lengthy procedures for obtaining access to work or having professional qualifications recognised; whereas some European citizens have been subjected to expulsions or expulsion orders within the EU;

- J. whereas the creation of the Schengen area and the integration of the Schengen acquis into the EU framework greatly enhances freedom of movement within the EU and is one of the greatest achievements of the European integration process; whereas the Council, in its conclusions of 9 June 2011 (9166/3/11 and 9167/3/11), confirmed the successful conclusion of the evaluation process and the technical readiness of Bulgaria and Romania to accede to the Schengen area;
- K. whereas the European Parliament is the only directly elected EU institution; whereas the principles of representative democracy, accountability and transparency are fundamental pillars of the European Parliament;
- L. whereas European citizens are directly represented in the European Parliament and have a democratic right to stand and vote in European elections, notwithstanding arrangements specific to some Member States as provided for by the Treaties; whereas these rights should be respected even in cases of citizens residing in the territory of another Member State; whereas EU citizens should, in accordance with Article 22 of the TFEU and Article 10 of the TEU, have the right to vote and to stand as a candidate in elections to the European Parliament;
- M. whereas freedom of movement is one of the most important principles of the European Union; whereas European citizens who have exercised their right to freedom of movement may face disenfranchisement or obstacles in voting in European and local elections in host Member States where this right is not facilitated and promoted adequately;
- N. whereas Northern Ireland would be the most distinctly affected by Brexit; whereas the hardening of the border with the Republic of Ireland is a particular concern affecting freedom of movement and EU citizenship rights;
- O. whereas the introduction of European citizenship is an achievement of the European project which has yet to realise its full potential; underlines that this is a unique construction not seen anywhere else in the world;
- 1. Stresses that the EU has a duty to protect minorities and to guarantee their rights to the same degree as for the majority; notes that Article 2 of the TEU frames the protection of minorities as one of the fundamental values of the EU; further notes that Articles 21 (on non-discrimination) and 22 (on cultural, religious and linguistic diversity) of the Charter of Fundamental Rights acquired legally binding form in the TFEU; notes that all current rights available under the Charter and the European Convention on Human Rights (ECHR), alongside the oversight and protections provided by the Court of Justice of the European Union, are fundamental to citizens in Northern Ireland for the implementation

of the Good Friday Agreement;

2. Emphasises that autochthonous national, ethnic or linguistic minority communities represent a special contribution to European diversity and culture; recalls that preserving and promoting cultural and linguistic diversity within and between Member States is a fundamental value and at the same time a major task of the European Union;
3. Points out that European citizens are not sufficiently aware of their rights deriving from citizenship of the Union, including the right to vote in European and local elections or to receive consular protection from other Member States' embassies; calls on the Commission and the Member States to promote citizens' participation in democratic life by keeping them fully informed about their voting rights and removing barriers to their participation, and to address issues of accessibility, participation, non-discrimination and equality, so that all EU citizens, including people with disabilities can exercise their fundamental rights in the same way as other citizens;
4. Notes that there are Member States which do not extend voting rights in European Parliament elections to their nationals, who are European citizens, a practice which limits the diversity of views in the Parliament and diminishes the accountability of the European institutions to European citizens; considers that Member States should ensure that their nationals receive the protection of all economic, social, political, environmental and democratic rights associated with EU citizenship; points out that there are different practices in the Member States as regards the application of the right enshrined in Article 20(2) of the TFEU; encourages the Member States to extend the voting franchise to the largest extent possible;
5. Calls on the Commission to regularly monitor the application of Directive 2004/38/EC in Member States and to take appropriate measures to remove potential obstacles to the freedom of movement, thereby enabling all EU citizens to enjoy freedom of movement to the full without encountering the obstacle of border checks;
6. Calls on the Council and the European Council to allow all countries that fulfil the necessary technical criteria to become members of the Schengen area, thereby allowing all EU citizens to enjoy freedom of movement unhindered by border checks;
7. Notes that almost 7 million EU citizens currently live in countries outside the EU, and that this number is expected to increase to at least 10 million by 2020; emphasises the need for Member States to support broad democratic participation in the upcoming 2019 European elections; calls for the full and effective implementation of Directive (EU) 2015/637 to ensure consular protection for EU citizens in third countries where their Member States are not represented;
8. Expresses concern at the practices employed by some Member States, such as 'golden visas', which grant citizenship to third-country nationals solely in return for investments on the basis of minimal criteria; underlines that EU citizenship should not be reduced to a commodity; calls on Member States to abandon the sale of residence permits and nationality via golden visas and investor programme schemes given the high risk of corruption, abuse and misuse of the Schengen area for criminal purposes; calls on the Commission, in the context of its proposal, to consider closely 'national schemes for granting EU citizenship to investors' and to emphasise the procedures that Member

States are required to follow in exercising their power to grant citizenship in a manner fully consistent with EU law;

9. Urges Member States to take into account the particular situation of children of EU citizens exercising their rights provided for by the Treaties when those children may face difficulties in satisfying criteria for citizenship under national rules, especially where a requirement of citizenship may involve demonstration of a close connection to the country concerned;
10. Notes with concern that the right to family life of many EU nationals married to, or in a stable relationship with, non-EU nationals can be compromised due to national law or its poor implementation, as is their ability to exercise their rights provided for by the Treaties when travelling within the EU;
11. Urges Member States to be proportionate in any decision with regard to the removal of non-national EU citizens from their territory and recalls that such decisions must relate to the individual concerned, follow due examination of the circumstances and respect fundamental rights;
12. Calls on the Fundamental Rights Agency to start dealing with anti-regional or minority-language discrimination at local, regional and national level in its work programme;
13. Considers that in order to give substance to the references to minorities and to the equality of all EU citizens made in Articles 2 and 9 of the TEU, respectively, and in order to better realise the potential of EU citizenship, the EU should take steps to guarantee the protection of the founding values of the EU and of the rights of minorities; reiterates the need for a comprehensive EU protection system for autochthonous national, ethnic and linguistic minorities incorporating existing international law instruments and following proven best practices in the EU; considers that such a framework should have its own high standards and be accompanied by a robust monitoring mechanism;
14. Strongly condemns the increasing number of incidents of racism, xenophobia, discrimination and incitement to hatred and the instances of violence perpetrated by neo-fascist and neo-Nazi organisations in a number of EU Member States;
15. Stresses that the safeguarding of the rights and interests of EU-27 citizens living or having lived in the United Kingdom, and of UK citizens living or having lived in the EU-27, must be treated as an absolute priority in the negotiations on the UK's withdrawal; is extremely concerned about the current state of negotiations on the UK leaving the EU and about the disastrous consequences a no-deal scenario would have on the lives of over five million people; calls on the UK and Irish Governments to ensure that the rights, as provided for under the EU Treaties and relevant international agreements, of EU citizens living in Great Britain and Northern Ireland are protected post-Brexit;
16. Asks the Commission to act sternly and swiftly demanding from Member States all relevant data and controls to ensure that the integrity and security of the Schengen system is not compromised.



## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	10.1.2019
<b>Result of final vote</b>	+:                40 -:                7 0:                0
<b>Members present for the final vote</b>	Asim Ademov, Martina Anderson, Heinz K. Becker, Monika Beňová, Michał Boni, Caterina Chinnici, Rachida Dati, Frank Engel, Laura Ferrara, Romeo Franz, Kinga Gál, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Monika Hohlmeier, Sophia in 't Veld, Cécile Kashetu Kyenge, Monica Macovei, Roberta Metsola, Claude Moraes, Ivari Padar, Judith Sargentini, Birgit Sippel, Csaba Sógor, Helga Stevens, Traian Ungureanu, Bodil Valero, Marie-Christine Vergiat, Udo Voigt, Josef Weidenholzer, Cecilia Wikström, Kristina Winberg, Tomáš Zdechovský, Auke Zijlstra
<b>Substitutes present for the final vote</b>	Dennis de Jong, Anna Hedh, Lívia Járóka, Marek Jurek, Jean Lambert, Jeroen Lenaers, Andrejs Mamikins, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Christine Revault d'Allonnes Bonnefoy
<b>Substitutes under Rule 200(2) present for the final vote</b>	Norbert Erdős, Fernando Ruas, Adam Szejnfeld

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ALDE	Nathalie Griesbeck, Sophia in 't Veld, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Cecilia Wikström
EFDD	Laura Ferrara
GUE/NGL	Martina Anderson, Dennis de Jong, Marie-Christine Vergiat
PPE	Asim Ademov, Heinz K. Becker, Michał Boni, Rachida Dati, Frank Engel, Kinga Gál, Monika Hohlmeier, Lívia Járóka, Jeroen Lenaers, Roberta Metsola, Fernando Ruas, Csaba Sógor, Adam Szejnfeld, Traian Ungureanu, Tomáš Zdechovský
S&D	Monika Beňová, Caterina Chinnici, Ana Gomes, Sylvie Guillaume, Anna Hedh, Cécile Kshetu Kyenge, Andrejs Mamikins, Claude Moraes, Ivari Padar, Christine Revault d'Allonnes Bonnefoy, Birgit Sippel, Josef Weidenholzer
VERTS/ALE	Romeo Franz, Jean Lambert, Judith Sargentini, Bodil Valero

7	-
ECR	Marek Jurek, Monica Macovei, Helga Stevens, Kristina Winberg
ENF	Auke Zijlstra
NI	Udo Voigt
PPE	Norbert Erdős

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention

21.11.2018

## **OPINION OF THE COMMITTEE ON PETITIONS**

for the Committee on Constitutional Affairs

on implementation of the Treaty provisions related to EU citizenship  
(2018/2111(INI))

Rapporteur: Notis Marias

### **SUGGESTIONS**

The Committee on Petitions calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Recalls that Union citizenship, as established by Article 20 TFEU, in addition to granting the rights mentioned therein, namely to move and reside freely within the territory of the Member States, to vote and to stand as candidates in elections to this Parliament and in municipal elections in their Member State of residence, to enjoy consular protection by another Member State, if necessary, and to petition and to turn to the European Ombudsman in any of the Treaty languages, also has extended implications and confers rights in the field of democratic participation, as derived from Articles 11 TEU and 24 TFEU, and Chapter V of the Charter of Fundamental Rights of the European Union, among other legal bases;
2. Considers that EU institutions should enhance efforts to ensure greater effectiveness of the enforcement of the electoral rights of Union citizens with a view to effectively tackling the problem of diminishing voter turnout; highlights the fact that electoral laws in many Member States remain complex or discriminatory, and on occasion place excessive hurdles in the path of the exercise of the right to vote or directly prevent it, particularly in the case of EU citizens who have exercised their right to free movement, estimated to amount to 15 million people; calls on the Commission to follow up on the disenfranchisement of EU citizens living in another Member State, and to propose concrete actions to protect their political rights; urges the Commission to call on the Member States to actively uphold best practices which help EU citizens to vote in and stand for elections to the European Parliament pursuant to Article 22(2) TFEU, including the publication of electoral laws at least one year before EU elections, the combating of fake news and any populist rhetoric, and the promotion of education and media pluralism; believes that the public and private media should air MEPs' views in a

way that ensures objectivity and pluralism;

3. Recalls that the Court of Justice of the European Union (CJEU) has been contributing to the progressive development of the notion of citizenship to the point where certain aspects have gained relative autonomy through the lens of the European constitutional setting; recalls that Article 20 TFEU precludes national measures that have the effect of depriving citizens of the Union of the genuine enjoyment of the substance of the rights conferred by virtue of their status as citizens of the Union<sup>1</sup>;
4. Recalls that according to Article 17 TEU, the appointment of the President of the Commission needs to take into account the result of the elections to the European Parliament; underlines the political importance and symbolism of this figure in terms of EU citizenship, and considers that the President of the next Commission should be proposed by the European Council from among the ‘Spitzenkandidaten’ who can gather more support overall within the different groups of the European Parliament;
5. Strongly believes that the principle of non-discrimination is a cornerstone of European citizenship and both a general principle and a fundamental value of EU law according to Article 2 TEU; stresses, in particular, that Article 10 TFEU prohibits discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation when defining and implementing policies and activities; recalls that Article 21 of the Charter of Fundamental Rights also prohibits discrimination on these grounds, as well as on the grounds of genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, or birth; recalls that the Race Equality Directive (2000/43/EC)<sup>2</sup> introduced prohibition of discrimination on the basis of race or ethnicity in the context of employment; recalls that the Gender Equal Access to Goods and Services Directive (2004/113/EC)<sup>3</sup> and the Gender Equality Directive (2006/54/EC)<sup>4</sup> guarantee equal treatment only in relation to social security; regrets the fact that the Directives are still not being implemented more than 10 years after the deadline for their transposition;
6. Regrets the fact that the Anti-discrimination Directive implementing the principle of equal treatment outside the labour market, extending protection against discrimination with a horizontal approach, still remains blocked by the Council, a decade after the publication of the Commission proposal; believes that the upcoming Council presidencies should strive to deliver a position on the Directive by the end of the mandate;
7. Reiterates the outcomes of the public hearing held by the Committee on Petitions in June 2017 on ‘Restoring Citizens’ Trust and Confidence in the European Project’, which underlined, inter alia, the need to render the EU decision-making process and

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<sup>1</sup> Judgement of the Court (Grand Chamber) of 8 March 2011, *Gerardo Ruiz Zambrano v Office national de l’emploi (ONEm)*, C-34/09, ECLI:EU:C:2011:124.

<sup>2</sup> Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, OJ L 180, 19.7.2000, p. 22.

<sup>3</sup> Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services, OJ L 373, 21.12.2004, p. 37.

<sup>4</sup> Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, OJ L 204, 26.7.2006, p. 23.

institutions more open and transparent for all Union citizens; believes that citizens' direct participation in and full transparency of all stages of the EU decision-making processes are essential to enhancing citizens' democratic rights and countering the democratic deficit at EU level; insists that by credibly leading the fight against corruption the Union would make a crucial step, not only in ensuring good administration in all Member States and protecting taxpayers' general interests, but also in reinforcing its image as such in the eyes of EU citizens; considers that the EU should be exemplary and apply the highest standards to prevent any conflicts of interest, also with regard to the appointments to relevant posts in the EU institutions and agencies; regrets recent episodes of revolving doors by Commissioners that undermine the perception of the Union in the eyes of public opinion;

8. Recalls that, in order to ensure the effective implementation of Union law by Member States as regards all citizenship rights deriving from the Treaties, in particular the right to free movement, it is incumbent upon the Commission to fully pursue its obligations under Articles 258-260 TFEU as the guardian of the Treaties; urges the Commission to use all the tools and mechanisms at its disposal to this end; emphasises the importance of rendering Union decision-making and enforcement activities more effective and visible in order to ensure that public perceptions of the EU by Union citizens are better informed;
9. Refers to its resolution of 12 December 2017 on the EU Citizenship Report 2017: Strengthening Citizens' Rights in a Union of Democratic Change<sup>1</sup>, which underlines, among other things, that these rights and obligations enshrined in the Treaty cannot be limited in an unjustified manner by the Member States; underlines that the successful exercise of citizenship rights presupposes that all rights and freedoms enshrined in the Charter of Fundamental Rights are upheld by the Member States;
10. Invites all European institutions to fight against the 'blame Brussels' phenomenon by which Member States place the responsibility for decisions they have taken themselves as members of the Council on the European Union; calls on the Council for greater transparency in its decision-making processes;
11. Calls for the incorporation of gender mainstreaming and a gender perspective in all evaluation and assessment processes in relation to current legislative texts and future proposals on citizenship;
12. Recalls the contribution of political parties at European level to 'forming European political awareness and to expressing the will of the citizens of the Union' (Article 10 (4) TEU); calls, therefore, for individual citizens of the EU to be given the opportunity to directly apply for membership in political parties at European level;
13. Considers the exercise, pursuant to Article 22(1) TFEU, by Union citizens of electoral rights at municipal level to be crucially linked to the right to free movement and Union citizenship; holds that participatory democracy at EU level would be rendered more effective by adopting truly democratic governance able to guarantee full transparency, effective protection of fundamental rights, direct involvement of citizens in the EU decision-making processes and the inclusion of EU citizens' priorities in the EU

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<sup>1</sup> OJ C 369, 11.10.2018, p. 11.

political agenda; believes that participatory and direct democracy tools must be strengthened also in order to increase the political involvement of citizens in local and national communities; urges the Commission, in that regard, to further best practices also with a view to promoting higher voter turnout in municipal and local elections across the Union, in particular through education, awareness-raising of the importance of local elections, information on the rights of EU citizens in this area, and direct promotion of participation in such elections; recognises that the current situation by which citizens of some Member States lose their right to vote in national elections in their country of origin, while also not being entitled to vote in the national elections of their country of residence, must be addressed; maintains that this disenfranchisement of EU citizens is incompatible with their Treaty right to fully participate in the democratic life of the Union;

14. Recalls that the right to petition, pursuant to Article 227 TFEU, represents a formal channel for citizens to communicate directly with the EU institutions, to highlight the shortcomings and inconsistencies of EU law in respect of the goal of ensuring that economic, social and cultural rights are fully protected, and to signal the incorrect application or transposition of Union law by national authorities; notes that while citizens across the Union are aware of the right to petition, there is a persisting lack of effectiveness by the EU institutions in addressing and solving the problems brought to their attention by citizens through petitions; calls for the EU institutions to adopt an effective strategy aimed at ensuring the full protection of citizens' fundamental rights and to improve cooperation efforts with national, regional and local authorities, especially in the policy areas which garner the highest number of petitions, namely: the environment, fundamental rights (notably voting rights and rights of the child), the free movement of persons, social affairs and employment, discrimination and immigration;
15. Emphasises that the right to petition the European Parliament is a fundamental component of Union citizenship; reiterates that, pursuant to Article 227 TFEU and Article 44 of the Charter of Fundamental Rights, any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has the right to petition; recalls the important link between the petition process and the monitoring and enforcement activities of the Commission pursuant to Articles 258-260 TFEU; calls for all EU institutions as well as Member States to promote the provision of information and education on the right to petition among all Union citizens as a tool for fostering participatory democracy and increasing civic engagement; stresses that full accessibility of EU institutions and the content of their policies, also by digital means and for persons with disabilities, is imperative;
16. Stresses the importance of the right of every Union citizen and any natural or legal person residing or having its registered office in a Member State to address, pursuant to Articles 24 and 228 TFEU, the European Ombudsman with complaints concerning instances of maladministration in the activities of EU institutions, in particular as regards the right to access public documents; calls for greater awareness-raising among all Union citizens of this right, both by EU institutions and Member States; notes that the recourse of citizens to an open, efficient and independent European administration remains essential to the effective exercise of this right, in line with Article 41 of the Charter of Fundamental Rights; recalls Article 1 TEU, which stipulates that decisions should be taken as closely as possible to the citizen; recalls the crucial contribution of

the office of the European Ombudsman to increasing the overall transparency and openness of the EU decision-making and legislative processes, thereby supporting active participation by Union citizens therein and increasing their trust; fully endorses, in this context, the European Ombudsman's recommendations in strategic inquiry OI/2/2017/TE on the transparency of legislative discussions in the preparatory bodies of the Council of the EU;

17. Suggests a revision of Regulation 1049/2001<sup>1</sup> on access to documents in order to enhance this right enjoyed by EU citizens and civil society;
18. Strongly believes that transparency is an essential ingredient of the rule of law, and that ensuring that it is observed throughout the legislative process affects the effective exercise of the right to vote and the right to stand in elections as well as other rights, such as the right of freedom of expression and, in particular, its aspect of the freedom of speech and the right to receive information; considers also that nurturing active European citizenship necessitates creating a margin for public scrutiny, review and evaluation of the process and the prospect of challenging the outcome; underlines that this would contribute to citizens' gradual familiarisation with basic concepts of the legislative process and promote the participatory aspects of the democratic life of the Union;
19. Considers that multilingualism within the institutions and in their interaction with citizens is an essential aspect of reinforcing the notion of EU citizenship; calls for more efforts to be made in ensuring as much as possible the availability of official documents beyond the three working languages;
20. Encourages Member States to give greater prominence to political education on EU affairs, inter alia on EU citizens' rights, in their school curricula and to adapt teacher training accordingly;
21. Notes the link between Union citizenship rights and the European Pillar of Social Rights; emphasises that the right to move and work freely in the Union can only be bolstered through further legislative measures ensuring equal opportunities and access to the labour market, fair working conditions, and social protection and inclusion across the EU; calls on the Commission to take concrete measures to advance the implementation of the European Pillar of Social Rights; calls on Member States to fully and effectively implement Regulation (EC) No 987/2009<sup>2</sup> laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems in order to ensure the portability of social security benefits (including state pensions, health insurance, unemployment benefits and family benefits);
22. Stresses the need to abandon austerity measures and to adopt effective and consistent policies at EU level in order to guarantee full employment and adequate social protection, the highest levels of education and training, and the highest level of protection of human health and of the environment;

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43.

<sup>2</sup> OJ L 284, 30.10.2009, p. 1.

23. Regrets the existing opt-outs from parts of the Treaties by some Member States, which undermine and generate de facto differences in citizens' rights that are intended to be equal under the Treaties;
24. Considers that the revision of the legal framework governing the European Citizens' Initiative (ECI) presents an opportunity to enhance citizen participation in EU policy making by rendering the instrument less bureaucratic, more accessible and more effective; underlines that the resources for sufficient infrastructure and support for the conduct of the entire ECI process has to be provided by the Union; recalls that citizens' initiatives merit adequate attention from the EU institutions, as highlighted by the recent case law of the CJEU (Case T-646/13, *Minority SafePack – one million signatures for diversity in Europe v European Commission*); stresses the need to develop more comprehensive rules and better practices as regards the political and legal follow-up given to successful ECIs;
25. Recognises that Brexit will be the first time EU citizens have been stripped of their EU citizenship and its associated rights, privileges and protections; recalls that once EU citizenship has been granted it must be ensured that those who have utilised its privileges are not left in legal limbo when it is removed, particularly when against their own will, as witnessed during the UK's withdrawal from the Union; calls for citizens' rights to be secured in a separate agreement from the ongoing Brexit negotiations to remove them from the political process and ensure their protection even in a 'no-deal' scenario; considers the possibility of life-long EU citizenship, or a form of associate citizenship, for those who have had EU citizenship removed from them;
26. Believes that the SOLVIT service should be further mainstreamed and, in order to become more efficient, given supplementary powers to deal with issues related to free movement rights, including the right to entry as well as issues of residence and discrimination, before seeking any judicial or administrative remedy, saving time and the necessity for citizens to seek legal recourse and responding to their problems in a timely manner;
27. Believes that EU citizenship programmes such as 'Erasmus+' or 'Europe for Citizens' together with other initiatives aimed at promoting democratic participation in the life of the Union, such as crowdsourcing, are crucial elements that need to be renewed and boosted within the upcoming Multiannual Financial Framework;
28. Considers that the Charter of Fundamental Rights incorporated into the Lisbon Treaty as the most essential piece of law, both symbolically and in terms of content, framing EU citizenship; regrets that its Article 51, combined with a recurrent restrictive interpretation thereof, often renders its application void;
29. Considers that despite the efforts of the European institutions, awareness-raising on the issue of rights is still lacking in many Member States, thereby proving to be the most prominent barrier to the full enjoyment of the rights emanating from the status of the EU citizen;
30. Stresses that the body of rights and obligations arising from Union citizenship cannot be limited in an unjustified manner;

31. Calls on the Member States to better inform EU citizens as to their rights and duties, and to facilitate the entitlement to these rights being respected equally both in their country of origin and in any other Member State;
32. Recalls that the Lisbon Treaty lays down the procedure for its own revision, as established in Article 48 TEU; underlines that this is a valuable tool in order to further advance the possibilities of EU citizenship; notes that 10 years have passed since the last Treaty revision, one of the longest periods without a review during recent decades; considers that the reality of Brexit represents a clear justification and a unique trigger for launching a new process of revision; proposes the launch of a new European Convention for this purpose.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	21.11.2018
<b>Result of final vote</b>	+: 19 -: 1 0: 6
<b>Members present for the final vote</b>	Margrete Auken, Beatriz Becerra Basterrechea, Andrea Cozzolino, Pál Csáky, Miriam Dalli, Rosa Estaràs Ferragut, Eleonora Evi, Takis Hadjigeorgiou, Peter Jahr, Rikke-Louise Karlsson, Svetoslav Hristov Malinov, Lukas Mandl, Notis Marias, Ana Miranda, Miroslavs Mitrofanovs, Marlene Mizzi, Gabriele Preuß, Eleni Theocharous, Cecilia Wikström
<b>Substitutes present for the final vote</b>	Urszula Krupa, Kostadinka Kuneva, Julia Pitera, Ángela Vallina
<b>Substitutes under Rule 200(2) present for the final vote</b>	Asim Ademov, Adam Szejnfeld, Mihai Țurcanu

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

19	+
ALDE	Beatriz Becerra Basterrechea, Cecilia Wikström,
ECR	Urszula Krupa, Notis Marias, Eleni Theocharous
EFDD	Eleonora Evi
GUE/NGL	Takis Hadjigeorgiou, Kostadinka Kuneva, Ángela Vallina
NI	Rikke-Louise Karlsson
PPE	Pál Csáky, Julia Pitera
S&D	Andrea Cozzolino, Miriam Dalli, Marlene Mizzi, Gabriele Preuß
VERTS/ALE	Margrete Auken, Ana Miranda, Miroslavs Mitrofanovs
1	-
PPE	Rosa Estaràs Ferragut
6	0
PPE	Asim Ademov, Peter Jahr; Svetoslav Hristov Malinov, Lukas Mandl Adam Szejnfeld, Mihai Țurcanu,

Key to symbols:

+ : in favour

- : against

0 : abstention

## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	22.1.2019
<b>Result of final vote</b>	+: 19 -: 3 0: 0
<b>Members present for the final vote</b>	Gerolf Annemans, Mercedes Bresso, Pascal Durand, Esteban González Pons, Danuta Maria Hübner, Ramón Jáuregui Atondo, Alain Lamassoure, Jo Leinen, Maite Pagazaurtundúa Ruiz, Markus Pieper, Paulo Rangel, Helmut Scholz, György Schöpflin, Pedro Silva Pereira, Barbara Spinelli, Josep-Maria Terricabras, Kazimierz Michał Ujazdowski
<b>Substitutes present for the final vote</b>	Pervenche Berès, Ashley Fox, Sylvia-Yvonne Kaufmann
<b>Substitutes under Rule 200(2) present for the final vote</b>	Michael Gahler, Jarosław Wałęsa

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

<b>19</b>	<b>+</b>
ALDE	Maite Pagazaurtundúa Ruiz
GUE/NGL	Helmut Scholz, Barbara Spinelli
NI	Kazimierz Michał Ujazdowski
PPE	Michael Gahler, Esteban González Pons, Danuta Maria Hübner, Alain Lamassoure, Markus Pieper, György Schöpflin, Jarosław Wałęsa
S&D	Pervenche Berès, Mercedes Bresso, Ramón Jáuregui Atondo, Sylvia Yvonne Kaufmann, Jo Leinen, Pedro Silva Pereira
VERTS/ALE	Pascal Durand, Josep Maria Terricabras

<b>3</b>	<b>-</b>
ECR	Ashley Fox
ENF	Gerolf Annemans
PPE	Paulo Rangel

<b>0</b>	<b>0</b>

Key to symbols:

+ : in favour

- : against

0 : abstention