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REPORT

on the implementation of Treaty provisions on EU citizenship
(2023/2085(INI))

Committee on Constitutional Affairs

Rapporteur: Maite Pagazaurtundúa

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EXPLANATORY STATEMENT – SUMMARY OF FACTS AND FINDINGS

EU citizenship has been part of the European project for more than thirty years. It was a milestone at the time of its creation, as it was a unique and singular condition that distinguished and continues to distinguish the difference between the European Union and other political realities.

Three years have passed since the European Parliament adopted its last report on the application of the provisions of the Treaties relating to EU citizenship; three years that seem like three decades because of the deep transformations that we have experienced and the exceptional circumstances that we have lived through, including the invasion of Ukraine and the COVID-19 pandemic.

The Conference on the Future of Europe included in its conclusions the importance of strengthening EU citizenship and mentioned the elaboration of the EU Statute of Citizenship as a way of creating a stronger link between the citizens and the Union. Before the end of the year, the Commission will publish the 2023 report on EU citizenship, which should include new initiatives aimed at achieving this reinforcement, including the elaboration of the Statute.

This report is timely and necessary. The European Union needs to incorporate changes in its rulebook in order to move forward and respond effectively and quickly in a geopolitically turbulent world. The European Parliament has called for a Convention and a revision of the Treaties, but even now, progress can and must continue to be made in order to strengthen EU citizenship, which, in fact, strengthens the Union.

With the technological revolution, every citizen has become a pillar of the Union, an essential pillar for cohesion and for facing the challenges of our time; and because citizenship is at the heart of the European project and reflects a common democratic identity, it is necessary to take advantage of its full potential to overcome difficulties and to continue generating opportunities for a prosperous and valuable future in terms of freedom and equality.

We need to make citizens aware of their rights and not only ensure their implementation, but also update them by creating new rights in light of the economic, social and digital revolution we are experiencing. Focusing on what unites us and elaborating an EU Statute of Citizenship that brings clarity and knowledge will be useful for that.

We need to address both the negative consequences arising from the fragmentation and different application of the European legislation on EU citizenship by the Member States, as well as all the forms of inequality and discrimination occurring when exercising citizenship rights (especially for people with some kind of disability or people at risk of exclusion) and to eliminate obstacles and old or new gaps -digital or not- in the enjoyment of EU citizenship.

It is time to promote participation so that citizens can contribute effectively to the development of the Union's agenda, while strengthening representative democracy and the legitimacy of the EU institutions.

This report reflects this approach, focusing not only on analysing the existing problems surrounding the application of the provisions of the Treaties and legislation on EU citizenship,

but also on its future, on formulating concrete proposals for strengthening citizenship and on making recommendations to the European Institutions and the Member States to move in the same direction, and in particular for the Commission to include it in its upcoming 2023 report on EU citizenship.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that she has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
Ecit Foundation
Citizens Pro Europe
PRODEC, Protecting the Rights of Destitute mobile EU Citizens
Professor of Constitutional Law at the Universitat Autònoma de Barcelona and Jean Monnet Chair ad personam
Director-General, DG for Justice and Consumers
Executive Director, European Citizen Action Service (ECAS)
Professor of Civil Law at the Autonomous University of Madrid
Coordinator of Violence against Women, Minors and Social Assistance, Subdirector General of Protection and Consular Assistance
General Council of Nursing, Spain
Federalistes d'Esquerres
Academic and director of the Integral EU programme, Deusto Business School

The list above is drawn up under the exclusive responsibility of the rapporteur.

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the implementation of Treaty provisions on EU citizenship (2023/2085(INI))

The European Parliament,

- having regard to Articles 2, 3, 6, 9, 10, 11, 12, 21 and 23 of the Treaty on European Union (TEU),
- having regard to Articles 15, 20, 21, 22, 24, 26, 45, 46, 47, 48, 153 and 165 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Charter of Fundamental Rights of the European Union,
- 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/EEC¹,
- having regard to Regulation (EU) 2021/692 of the European Parliament and of the Council of 28 April 2021 establishing the Citizens, Equality, Rights and Values Programme and repealing Regulation (EU) No 1381/2013 of the European Parliament and of the Council and Council Regulation (EU) No 390/2014²,
- 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 Union³,
- having regard to Regulation (EU) No 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344⁴,
- having regard to Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services⁵,
- 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 1296/2013⁶,
- having regard to Directive 2013/55/EU of the European Parliament and of the Council

¹ OJ L 158, 30.4.2004, p. 77.

² OJ L 156, 5.5.2021, p. 1.

³ OJ L 141, 27.5.2011, p. 1.

⁴ OJ L 186, 11.7.2019, p. 21.

⁵ OJ L 173, 9.7.2018, p. 16.

⁶ OJ L 107, 22.4.2016, p. 1.

of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System⁷,

- 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/EC⁸,
- having regard to Council Directive (EU) 2019/997 of 18 June 2019 establishing an EU Emergency Travel Document and repealing Decision 96/409/CFSP⁹,
- having regard to the Commission communication of 2 July 2009 entitled ‘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 Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens’ initiative¹⁰,
- having regard to Regulation (EU) 2020/1042 of the European Parliament and of the Council of 15 July 2020 laying down temporary measures concerning the time limits for the collection, the verification and the examination stages provided for in Regulation (EU) 2019/788 on the European citizens’ initiative in view of the COVID-19 outbreak¹¹,
- having regard to the Commission communication of 2 December 2020 entitled ‘Strategy to strengthen the application of the Charter of Fundamental Rights in the EU’ (COM(2020)0711),
- having regard to the Commission communication of 3 December 2020 entitled ‘The European democracy action plan’ (COM(2020)0790),
- having regard to the Commission communication of 25 November 2021 entitled ‘Protecting election integrity and promoting democratic participation’ (COM(2021)0730),
- having regard to the Commission report of 15 December 2020 entitled ‘EU Citizenship Report 2020 – Empowering citizens and protecting their rights’ (COM(2020)0730),
- having regard to the Commission report of 15 December 2020 under Article 25 TFEU on progress towards effective EU citizenship 2016-2020 (COM(2020)0731),
- having regard to its position of 14 February 2023 on the proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a

⁷ OJ L 354, 28.12.2013, p. 132.

⁸ OJ L 106, 24.4.2015, p. 1.

⁹ OJ L 163, 20.6.2019, p. 1.

¹⁰ OJ L 130, 17.5.2019, p. 55.

¹¹ OJ L 231, 17.7.2020, p. 7.

Member State of which they are not nationals¹²,

- having regard to its position of 14 February 2023 on the proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in municipal elections by Union citizens residing in a Member State of which they are not nationals¹³,
- having regard to its resolution of 12 February 2019 on the implementation of the Treaty provisions related to EU citizenship¹⁴,
- having regard to its resolution of 9 March 2022 with proposals to the Commission on citizenship and residence by investment schemes¹⁵,
- having regard to its resolution of 10 March 2022 on the EU Citizenship Report 2020: empowering citizens and protecting their rights¹⁶,
- having regard to its resolution of 13 June 2023 on the implementation of the Regulations on the European citizens' initiative¹⁷,
- having regard to its resolution of 14 September 2023 on Parliamentarism, European citizenship and democracy¹⁸,
- having regard to its resolution of 7 July 2021 on Citizens' dialogues and Citizens' participation in the EU decision-making¹⁹,
- having regard to its resolution of 9 March 2022 on engaging with citizens: the right to petition, the right to refer to the European Ombudsman and the European Citizens' Initiative²⁰,
- having regard to its resolution of 15 March 2017 on obstacles to EU citizens' freedom to move and work in the internal market²¹,
- having regard to the Fundamental Rights Report 2023 of the EU Agency for Fundamental Rights,
- having regard to the report on the final outcome of the Conference on the Future of Europe,
- having regard to the results of Flash Eurobarometer 485/2020 and standard Eurobarometer 99/2023,
- having regard to Rule 54 of its Rules of Procedure, as well as to Article 1(1)(e) of, and

¹² OJ C 283, 11.8.2023, p. 76.

¹³ OJ C 283, 11.8.2023, p. 100.

¹⁴ OJ C 449, 23.12.2020, p. 6.

¹⁵ OJ C 347, 9.9.2022, p. 97.

¹⁶ OJ C 347, 9.9.2022, p. 202.

¹⁷ Texts adopted, P9_TA(2023)0230.

¹⁸ Texts adopted, P9_TA(2023)0330.

¹⁹ OJ C 99, 1.3.2022, p. 96.

²⁰ OJ C 347, 9.9.2022, p. 110.

²¹ OJ C 263, 25.7.2018, p. 98.

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 opinion of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to the report of the Committee on Constitutional Affairs (A9-0436/2023),
- A. whereas EU citizenship was established with the entry into force of the Maastricht Treaty in 1993 and further enhanced by the Lisbon Treaty in 2009; whereas thirty years have passed since its establishment and major social, digital, economic and political changes have taken place;
- B. whereas, according to Article 20 (1) TFEU, EU citizenship is additional to and does not replace national citizenship; whereas EU citizenship does not as yet entail any duties for citizens of the Union;
- C. whereas EU citizenship is a unique construct reflecting the common democratic identity and shared values of EU citizens, and has contributed to forging connections, promoting equality and rejecting all forms of racism and discrimination; whereas EU citizenship has not yet reached its full potential;
- D. whereas freedom of movement has enabled over 15 million EU citizens²² to live and work in another Member State and all EU citizens to travel freely across the EU, making EU citizenship more important than ever;
- E. whereas, too often, EU citizens lack sufficient awareness, knowledge and understanding of the rights, civic duties and freedoms deriving from EU citizenship; whereas there are still substantial shortcomings in the practical application of EU citizenship and in the full exercise of its derived rights and freedoms, some of which are caused by the non-uniform implementation of EU legislation by the Member States;
- F. whereas the results of the 2020 public consultation on EU citizenship revealed that over 60 % of those who took part did not consider themselves well informed about their EU citizenship rights²³;
- G. whereas EU citizens have been facing unprecedented challenges as a result of the COVID-19 pandemic, in addition to the digital revolution and the social and economic transformations linked to it;
- H. whereas the compilation and consolidation of existing and future rights would facilitate a better and more informed exercise of the rights and freedoms deriving from EU citizenship;
- I. whereas the Conference on the Future of Europe (CoFE) represents a concrete example of citizens' participation in the democratic life of the Union; whereas its conclusions include proposals and measures that reflect the agreement between the European

²² Eurostat, '[Archive: EU citizens living in another Member State - statistical overview](#)'.

²³ European Commission, 'EU Citizenship 2020 – Final Report: Results of the Public Consultation on EU Citizenship Rights 2020', December 2020.

institutions and EU citizens to strengthen EU citizenship;

- J. whereas existing obstacles to the exercise of EU citizenship rights create situations of inequality and discrimination among EU citizens, in particular mobile EU citizens and their family members, especially children, persons living in EU cross-border regions and rural areas, and members of vulnerable and marginalised groups, such as minorities, low-income individuals, homeless people, the elderly, people with disabilities as well as people at risk of digital exclusion;
- K. whereas almost 87 million EU citizens live with some form of disability²⁴ and experience difficulties exercising their citizenship rights, with these difficulties sometimes entailing a direct denial of their rights to free movement and residence and restrictions on the enjoyment of their political rights;
- L. whereas some Member States are still offering so-called golden visa programmes and investor schemes as a means of obtaining nationality and, consequently, EU citizenship;

Introduction

1. Considers that EU citizenship comprises the shared and common European democratic identity and the specific rights, civic duties and freedoms attached to it, and that the exercise of those rights, both online and offline, strengthens citizens' link with the EU and its democratic legitimacy, as well as offering them additional rights;
2. Points out that the construction of EU citizenship must move forward to address the needs and challenges of the EU in the 21st century, recognising the potential of digital innovation and the need for a balanced approach to address the complexity generated by globalisation and new technologies; stresses that the digitalisation of democratic processes, combined with insufficient digital literacy and access to information and communication technology, risks contributing to a growing digital divide in the exercise of citizenship rights, leaving a section of the public alienated from the European project;
3. Considers that multilingualism within the EU institutions and in their interaction with citizens is an essential aspect to reinforce the notion of EU citizenship; highlights, in this regard, that the Council conclusion of 13 June 2005 envisaged that non-official EU languages recognised in a Member State or in a part of its territory could be used by EU citizens in their interaction with EU institutions, as well as officially used in EU institutions or bodies, including the European Parliament;
4. Points out that Parliament called for the creation of an EU citizenship statute in its resolution of 12 February 2019 on the implementation of the Treaty provisions related to EU citizenship and in its resolution of 10 March 2022 on the EU Citizenship Report 2020: empowering citizens and protecting their rights; recalls that the CoFE underlined the importance of reinforcing EU citizenship by mentioning in its conclusions that such a statute would be a useful tool for making the EU's principles and values more tangible;
5. Regrets the fact that the Commission did not specifically mention the reinforcement of

²⁴ Data: EU Statistics on Income and Living Conditions (EU-SILC) and EU Labour Force Survey (EU-LFS); Grammenos, S. and Priestley, M., 'Europe 2020 data and people with disabilities – tables'. Eurostat, 2020.

EU citizenship and potential ways to achieve this in its communication following up on the CoFE²⁵; recalls that the Council did show willingness to strengthen citizenship in the technical assessment it published in relation to the CoFE, but it has not yet proposed, undertaken nor carried out measures in order to meet this goal;

6. Recalls that the Commission will publish its EU Citizenship Report 2023 before the end of the year and expects it to propose new initiatives to reinforce EU citizenship and address the shortcomings of its implementation; regrets that this time, the Commission has chosen to publish a call for evidence and not a public consultation as it did in previous years; recalls that the results of the call for evidence do not contain a comprehensive overview of the latest developments and implementation gaps; stresses that the report should be prepared on the basis of updated data;

Problems around EU citizenship

7. Is concerned about specific difficulties impeding the full exercise of the rights and freedoms deriving from EU citizenship;

Political rights

8. Deplores the fact that mobile citizens are less likely to exercise their right to vote and run for office in European and municipal elections in their Member States of residence, with the reasons for this including insufficient information, language barriers, difficulties in registering to vote and the low success rate of non-national candidates;
9. Is highly concerned by the practice of certain Member States of depriving their citizens of the right to vote in national parliamentary elections when they live abroad permanently or temporarily, which leads to their exclusion from political life in both their country of origin and their country of residence;

Freedom of movement and residence

10. Highlights that the Schengen area is one of the greatest achievements of the EU; stresses that all barriers to freedom of movement within the EU should be removed to achieve equal EU citizenship rights for all European citizens; calls for the accession of Romania and Bulgaria to the Schengen area, in line with Parliament's resolutions;
11. Is concerned by the fact that mobile EU citizens, especially those from vulnerable groups, are treated differently to nationals by their Member States of residence as regards access to benefits; calls on the Member States to properly implement the case-law of the Court of Justice of the EU (CJEU) prohibiting such discrimination;
12. Is concerned by the difficulties and challenges faced by citizens living in EU cross-border regions, especially in the event of border closures as a result of EU-wide or regional crises; calls, in such cases, on the Member States to maintain cross-border cooperation and, where appropriate, close interaction with the relevant local and regional authorities;

²⁵ Commission communication of 17 June 2022 entitled 'Conference on the Future of Europe – Putting Vision into Concrete Action' (COM(2022)0404).

Consular protection

13. Is concerned by the existence of deficiencies in the implementation of the Consular Protection Directive and of shortcomings in the functioning of the Member States' consular networks, noting that these increased following the United Kingdom's exit from the EU; deplors, in this regard, the fact that EU citizens have limited access to consular protection and assistance in some non-EU countries;
14. Points out that there have been cases where two people who are nationals of two different Member States have been unable to complete certain formalities, such as getting married, at the consular representation of one of the Member States, even if the other Member State has no accessible consular representation in that country;

Discrimination

15. Considers that the lack of uniformity in Member States' rules on the acquisition and loss of national citizenship has led to differences as regards the acquisition and loss of EU citizenship, and that these differences have resulted, in some cases, in the violation of EU principles and values;
16. Stresses that there are still several cases where the acquisition of a derived right of residence for non-EU nationals whose minor dependants are EU citizens is refused, despite the developments in CJEU case-law;
17. Reiterates its concern about the discrimination suffered by same-sex couples and their children when exercising the fundamental right to freedom of movement within the EU;

Recommendations

18. Calls on the Member States and regional and local authorities to fully implement the existing directives on mobile citizens' rights and to promptly address the different existing shortfalls in the light of the upcoming European elections; calls for the creation of targeted awareness campaigns in the country of residence to inform mobile EU citizens about their right to vote and run for office in European and municipal elections in that country; reiterates its call to expand mobile citizens' rights to national and regional elections;
19. Calls on the Member States to guarantee the right of their expatriate nationals to vote in their country of origin, where recognised, by creating the regulatory conditions to allow for their vote and by removing any bureaucratic obstacles that hinder and sometimes prevent the exercise of this right; calls on the Member States, in particular, to equally guarantee such rights and to eliminate any kind of differential treatment among their expatriate nationals when it comes to remote voting, especially postal voting, when applicable; calls for the uniform application of the right to vote in the European elections for EU citizens residing outside of the EU;
20. Calls on the Commission to adopt a new communication clarifying certain key concepts contained in Directive 2004/38/EC on the right of EU citizens and their families to move and reside freely within the EU, in order to provide the Member States with up-to-date guidelines that could contribute to improving the Directive's implementation at national level, thus benefiting EU citizens and their family members;

21. Calls for the EU to promote the adoption of a binding European Charter on Digital Rights, including digital citizenship rights, building on the European Declaration of Digital Rights and Principles for the Digital Decade;
22. Calls on the Commission to present, without further delay, a proposal to update and improve the Consular Protection Directive, including by giving EU delegations a more active role in assisting under-represented EU citizens;
23. Calls on the Member States to put an end to ‘golden visa’ programmes and investor schemes and any other similar national schemes that lead to the acquisition of their citizenship and involve the direct or indirect sale and abuse of EU citizenship, as these undermine the very concept of EU citizenship and violate EU principles and values; urges the Member States to safeguard the integrity and value of EU citizenship; calls on the Commission to take any necessary action, such as referring the relevant Member States to the CJEU;
24. Calls, in the context of the next revision of the Treaties, for Parliament and the Council to be able to, in accordance with the ordinary legislative procedure, adopt common provisions on preventing the sale of passports, or other abuses regarding the acquisition and loss of EU citizenship by third-country nationals, with a view to approximating the conditions under which such citizenship can be acquired;
25. Calls on the Member States and relevant authorities to adapt existing school curricula or to create new ones to teach the history of Europe and of the European Union and its functioning in order to promote active citizenship and common European values and increase awareness of the added value of being a European and an EU citizen; stresses that enhancing the European dimension of citizenship education and ensuring equal access for all, also by using all the digital tools at our disposal, will enable EU citizens to act as informed citizens and to fully participate in civic, political and social life at both European and national level; stresses that Erasmus+ can play an important role in boosting EU citizenship education through learning mobility for all, regardless of age, gender, employment or education level;
26. Calls on the Commission to develop public consultations tailored to all EU citizens, especially young people, in order to increase EU citizens’ participation; urges the Commission to update the way in which public consultations are conducted in order to enhance civic engagement and participation by a wider variety of European citizens, in line with the successful example of the CoFE; calls on the Commission, in this regard, to further improve the ‘Have your say’ portal, taking advantage of new technologies, and to communicate on how citizens’ feedback contributes to the different initiatives;
27. Calls for the creation of a one-stop shop for all EU participatory tools, such as the European Citizens’ Initiative, petitions to Parliament, complaints to the European Ombudsman, public consultations and Citizens’ Dialogues, and for the efficiency of these tools to be enhanced, notably by ensuring that they contribute to European agenda-setting, while also guaranteeing that representative democracy is reinforced in the decision-making process; calls on the Commission, the Member States and regional and local authorities to increase their efforts in communicating to the public the existing participatory instruments;
28. Reiterates its proposal to create a permanent citizens’ consultation mechanism allowing

citizens, especially young people, to deliberate on EU priorities and policies, contributing to the application, among other things, of a ‘youth check’ in the legislation with a view to complementing and not replacing representative parliamentary democracy; proposes that Parliament’s representatives should be informed about these deliberations so that they may assess whether to provide a follow-up, if appropriate;

29. Proposes to consider the introduction of a European citizens’ card, which could, for example, facilitate the exercise of citizenship rights and the vote in European elections as well as the use of participatory instruments;
30. Underlines the significant role of Europe Direct offices in increasing the participation of citizens at local level in EU democratic life; encourages the Member States and entities at regional and local level to increase cooperation with these offices;
31. Calls on the Commission to increase its use of social media and digital tools, with a particular focus on enhancing the involvement of young people and people with disabilities in the democratic process, thus promoting their engagement, while also recognising the lowered voting age in Member States for the European elections; calls on the Commission, in this regard, to bolster the promotion of democratic participation by increasing its dialogue with citizens and raising awareness among citizens about the impact of EU legislation on their daily lives;
32. Considers that, in the light of the growing influence of the digital sphere on citizens’ lives, especially social media and AI, it remains essential for the Member States and the European institutions to maintain their focus on creating new public policies and implementing effective mechanisms aimed at safeguarding fundamental rights online and at fighting foreign interference and disinformation, as they represent existential threats to democracy and the very exercise of citizens’ rights;
33. Urges the Council and the Commission to resume negotiations on the revision of Regulation (EC) No 1049/2001²⁶ with the aim of ensuring that EU citizens are able to fully exercise their right to access documents and scrutinise the EU institutions, bodies, offices and agencies.
34. Reiterates the need to draw up an EU citizenship statute, on the basis of Article 25 TFEU, that compiles existing and future citizenship rights in order to enhance the enforceability of citizenship rights and ensure citizens’ equality, improving cohesion and responding to social, economic, political and digital changes; recalls that this should be carried out within the framework of the Treaties;
35. Suggests that, in the area of participation and political rights, freedom of movement and digital citizenship, and in line with existing and future EU legislation, citizens should have, in particular:
 - a gender-balanced democratic representation on electoral lists;
 - a permanent interactive digital platform through which citizens can submit their

²⁶ 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.

proposals and ideas in all official EU languages;

- the recognition of periods of study, not only qualifications and professional competences, as equivalent to be able to work in another Member State;
 - universal internet access to ensure citizens’ inclusion and equal access to the digital environment;
 - the management of one’s own digital identity, going further than the protection that already exists in relation to personal data in the digital environment;
 - the digital inheritance of a deceased person’s digital data;
 - the development of AI systems that are safe, transparent, traceable and overseen by people and regulatory institutions;
36. Calls for a horizontal non-discrimination clause to be included in the EU citizenship statute as an additional safeguard of equality in the exercise of citizenship rights, with a view to ensuring non-discrimination and protecting citizens, in particular members of vulnerable and marginalised groups and persons living in EU cross-border regions;
37. Calls on the Commission to run targeted awareness-raising campaigns around rights and civic duties deriving from EU citizenship and the statute, including by introducing an EU package to provide information about EU citizenship, and to dedicate more resources to EU citizenship; emphasises that with the digital and technological revolution, citizens have become the true pillars of our democratic systems and will be the ones to defend them;
38. Calls on the Commission to take into account these proposals in the upcoming EU Citizenship Report 2023 and to take the necessary steps to implement them following the procedure under the Treaties;
39. Reiterates its call for the convening of a Convention for the revision of the Treaties, as provided for in Article 48 TEU; strongly believes that the Convention should carefully assess how EU citizenship could be further strengthened;

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◦ ◦

40. Instructs its President to forward this resolution to the Council and the Commission.

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

for the Committee on Constitutional Affairs

on the implementation of the Treaty provisions on EU citizenship
(2023/2085(INI))

Rapporteur for opinion: Beata Kempa

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:

1. Notes that around 50 million people belong to a national or linguistic minority in the EU; notes that the Commission has taken no legislative steps in response to the European Citizen's Initiative 'Minority SafePack – one million signatures for diversity in Europe', despite the fact that it was supported by a large majority of MEPs;
2. Notes that the right to freedom of movement and its exercise is central to EU citizenship; notes that the creation of the Schengen area is one of the greatest achievements of the European integration process and greatly enhances the freedom of movement within the EU; notes that, in its conclusions of 9 June 2011, the Council confirmed the successful conclusion of the evaluation process and the technical readiness of Bulgaria and Romania to accede to the Schengen area;
3. Recalls that EU citizenship, according to the EU Treaties, is closely linked to and dependent on nationality from a Member State, the granting of which is an exclusive competence of every Member State; points out that there is no other way to obtain EU citizenship than by obtaining the nationality of a Member State;
4. Considers that EU citizenship comprises the shared and common European democratic identity and the specific rights, duties and freedoms attached to it, and that the exercise of those rights strengthens citizens' link with the EU;
5. Recalls that Article 20 of the Treaty on the Functioning of the European Union (TFEU) defines Union citizenship as being based on citizenship from a Member State; underlines the importance of continuing to apply this system, even after future possible Treaty revisions;
6. Calls for the EU to promote the adoption of a European Charter on Digital Rights, including digital citizenship rights, building on the European Declaration on Digital Rights and Principles for the Digital Decade;

7. Calls on the Commission to adopt a new communication clarifying certain key concepts contained in Directive 2004/38/EC¹ on the right of EU citizens and their families to move and reside freely within the EU in order to provide the Member States with up-to-date guidelines that could contribute to improving the directive's implementation at national level, thus benefiting EU citizens and their family members;
8. Calls on the Commission to present, without further delay, a proposal to update and improve the Consular Protection Directive², including by giving EU delegations a more active role in assisting unrepresented EU citizens residing or travelling outside the EU;
9. Calls on the Council and the European Council to take necessary action to ensure that countries that fulfil the technical criteria to become members of the Schengen area are permitted to join, thereby allowing all EU citizens to enjoy freedom of movement and enhancing their sense of European identity;
10. Calls on the Commission to actively seek reciprocal visa agreements with non-EU countries and concerned Member States to ensure equal treatment and uphold the principle of visa reciprocity, promoting the mobility and rights of all EU citizens;
11. Calls on the Member States to inform mobile EU citizens, at the moment of registration in their Member State of residence, about their electoral rights and the electoral procedures regarding European and municipal elections, and to offer them the option to immediately register as a voter;
12. Urges the Council to swiftly adopt the revisions of the Council Directive on the electoral rights of mobile Union citizens in European Parliament elections³ and of the Council Directive on the electoral rights of mobile Union citizens in municipal elections⁴, in line with the position approved by Parliament;
13. Emphasises that the EU institutions should encourage more awareness, knowledge and understanding of the rights and freedoms deriving from their EU citizenship and highlights that there are still substantial shortcomings in the practical application of EU citizenship; considers that 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; recalls that the protection of minorities, including national and linguistic, is a fundamental value of, and at the same time a major task for, the European Union;
14. Calls on the Member States to maximise the participation of all their citizens, including socially vulnerable groups, by strengthening their electoral rights through awareness-

¹ 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 (OJ L 158, 30.4.2004, p. 77).

² 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 (OJ L 106, 24.4.2015, p. 1).

³ Commission proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (COM(2021)0732).

⁴ Proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in municipal elections by Union citizens residing in a Member State of which they are not nationals (COM(2021)0733).

raising campaigns, encouraging their participation in public debates and implementing appropriate arrangements tailored to their national voting procedures to facilitate voting by persons who are members of marginalised, minority or vulnerable groups and face difficulties in voting, for instance by giving the option to choose polling stations and use assistive technologies, formats and techniques; calls on the Member States, furthermore, to allow for persons with disabilities, at their request, to receive assistance in voting from a person of their choice and to endeavour to provide an option for postal voting, and possibly further facilitate physical voting, proxy voting and electronic and online voting;

15. Calls on the Member States to adopt measures to keep their electoral processes free from extremism, the spread of disinformation and foreign interference;
16. Recalls that the right to participate in democratic life and the obligation to ensure that decisions are taken as openly and as close to citizens as possible are protected under Article 10 of the Treaty on European Union; calls for the EU institutions and the Member States to ensure sufficient time for public consultation and transparency and to publish public documents in a proactive manner;
17. Urges the Council and the Commission to resume negotiations on the revision of Regulation (EC) No 1049/2001⁵ with the aim of ensuring that EU citizens are able to fully exercise their right to access documents and scrutinise the EU institutions, bodies, offices and agencies;
18. Calls on the Member States to fully phase out citizenship-by-investment schemes and any other similar national schemes or programmes that lead to the acquisition of their citizenship and involve the direct or indirect sale of EU citizenship, as these are objectionable from an ethical, legal and economic point of view, are inherently incompatible with the principle of sincere cooperation, undermine the very concept of EU citizenship and violate EU principles and values; recalls that these schemes pose several serious security risks for Union citizens, such as those stemming from money-laundering and corruption; considers that the lack of common standards governing schemes granting residence on the basis of a financial investment may also pose security risks and contribute to undermining the integrity of the Union;
19. Denounces the fact that discrimination on a range of grounds persists across the EU; recalls that Article 21 of the EU Charter of Fundamental Rights prohibits 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; reiterates the need to combat discrimination against persons belonging to vulnerable groups and minorities, and reiterates its call for a comprehensive EU protection system incorporating existing international law instruments and following proven best practices in the EU;
20. Calls for an EU citizenship statute to be drawn up, on the basis of Article 25 TFEU, that compiles and updates existing citizenship rights and establishes new ones; recalls that both the drafting of the EU citizenship statute and the updating of these new rights

⁵ 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).

should be carried out under the Treaties;

21. Calls for a horizontal non-discrimination clause to be included in the EU citizenship statute, as an additional safeguard of equality in the exercise of citizenship rights, with a view to ensuring a uniform level of protection within the Union, on the basis of Article 19 TFEU, for people belonging to vulnerable and marginalised groups;
22. Calls on the Commission to take into account these proposals in the upcoming 2023 EU citizenship report and to take the necessary steps to implement them following the procedure provided for in Article 25 TFEU.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	28.11.2023
Result of final vote	+: 48 -: 9 0: 5
Members present for the final vote	Abir Al-Sahlani, Malik Azmani, Pietro Bartolo, Theresa Bielowski, Vladimír Bilčík, Malin Björk, Vasile Blaga, Karolin Braunsberger-Reinhold, Patrick Breyer, Saskia Bricmont, Annika Bruna, Damien Carême, Clare Daly, Lena Düpont, Lucia Ďuriš Nicholsonová, Cornelia Ernst, Nicolaus Fest, Evin Incir, Sophia in 't Veld, Patryk Jaki, Marina Kaljurand, Assita Kanko, Fabienne Keller, Łukasz Kohut, Moritz Körner, Jeroen Lenaers, Juan Fernando López Aguilar, Nadine Morano, Javier Moreno Sánchez, Maite Pagazaurtundúa, Pina Picierno, Birgit Sippel, Tineke Strik, Annalisa Tardino, Yana Toom, Milan Uhrík, Tom Vandendriessche, Elena Yoncheva, Javier Zarzalejos
Substitutes present for the final vote	Daniel Freund, José Gusmão, Rasa Juknevičienė, Beata Kempa, Matjaž Nemeč, Janina Ochojska, Jan-Christoph Oetjen, Kostas Papadakis, Silvia Sardone, Paul Tang, Petar Vitanov, Axel Voss, Tomáš Zdechovský
Substitutes under Rule 209(7) present for the final vote	Mathilde Androuët, Margrete Auken, Traian Băsescu, Tom Berendsen, Jarosław Duda, Rosa Estaràs Ferragut, Pär Holmgren, Andrey Kovatchev, Antonius Manders, Riho Terras

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

Entity and/or person
The rapporteur declares that she did not receive any input from entities or persons.

The list above is drawn up under the exclusive responsibility of the rapporteur.

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

48	+
PPE	Traian Băsescu, Tom Berendsen, Vladimír Bilčík, Vasile Blaga, Karolin Braunsberger-Reinhold, Jarosław Duda, Lena Düpont, Rosa Estaràs Ferragut, Andrey Kovatchev, Jeroen Lenaers, Antonius Manders, Nadine Morano, Janina Ochojska, Axel Voss, Javier Zarzalejos, Tomáš Zdechovský
S&D	Pietro Bartolo, Theresa Bielowski, Evin Incir, Marina Kaljurand, Łukasz Kohut, Juan Fernando López Aguilar, Javier Moreno Sánchez, Matjaž Nemeč, Pina Picierno, Birgit Sippel, Paul Tang, Petar Vitanov, Elena Yoncheva
Renew	Abir Al-Sahlani, Malik Azmani, Lucia Ďuriš Nicholsonová, Sophia in 't Veld, Fabienne Keller, Moritz Körner, Jan-Christoph Oetjen, Maite Pagazaurtundúa, Yana Toom
Verts/ALE	Margrete Auken, Patrick Breyer, Saskia Bricmont, Damien Carême, Daniel Freund, Pär Holmgren, Tineke Strik
ECR	Patryk Jaki, Assita Kanko, Beata Kempa

9	-
PPE	Rasa Juknevičienė, Riho Terras
ID	Mathilde Androuët, Annika Bruna, Nicolaus Fest, Tom Vandendriessche
The Left	Cornelia Ernst
NI	Kostas Papadakis, Milan Uhrík

5	0
ID	Silvia Sardone, Annalisa Tardino
The Left	Malin Björk, Clare Daly, José Gusmão

Key to symbols:

+ : in favour

- : against

0 : abstention

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	7.12.2023
Result of final vote	+: 17 -: 2 0: 0
Members present for the final vote	Gerolf Annemans, Gabriele Bischoff, Damian Boeselager, Włodzimierz Cimoszewicz, Salvatore De Meo, Sandro Gozi, Max Orville, Maite Pagazaurtundúa, Antonio Maria Rinaldi, Domènec Ruiz Devesa, Helmut Scholz, Pedro Silva Pereira, Sven Simon, Guy Verhofstadt, Rainer Wieland
Substitutes present for the final vote	Mercedes Bresso, Christian Doleschal, Pascal Durand
Substitutes under Rule 209(7) present for the final vote	Javier Zarzalejos

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

17	+
PPE	Salvatore De Meo, Christian Doleschal, Sven Simon, Rainer Wieland, Javier Zarzalejos
Renew	Sandro Gozi, Max Orville, Maite Pagazaurtundúa, Guy Verhofstadt
S&D	Gabriele Bischoff, Mercedes Bresso, Włodzimierz Cimoszewicz, Pascal Durand, Domènec Ruiz Devesa, Pedro Silva Pereira
The Left	Helmut Scholz
Verts/ALE	Damian Boeselager

2	-
ID	Gerolf Annemans, Antonio Maria Rinaldi

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention