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113. Welcomes the “Europe 2020” Project Bond Initiative, as a risk-sharing mechanism between the EC and the EIB, providing capped support from the EU budget, that should leverage EU funds and attract additional private sector financing for individual infrastructure projects in line with “Europe 2020” objectives; encourages the EIB to perform a pilot-phase of the initiative before the end of the programming period 2007-2013 in order to assess the effectiveness of the system;

114. Recognizes the progress made by the EIB in establishing clear procedures vis-à-vis the Non-Compliant Jurisdictions; supports the Bank in its policy not to participate in any operation, implemented through a non-cooperative jurisdiction; calls on the EIB to evaluate the implementation and functioning of its “Policy towards weakly regulated, non transparent and uncooperative jurisdictions” (so called NCJ Policy), and to report to the European Parliament before the end of 2012; encourages the EIB to regularly review and update its NCJ Policy to ensure that EIB’s financing operations do not contribute to any form of tax evasion, money laundering or financing of terrorism;

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115. Instructs its President to forward this resolution to the Council, the Commission, the European Investment Bank and the governments and parliaments of the Member States.

EU citizenship report 2010: dismantling the obstacles to EU citizens’ rights

P7_TA(2012)0120

European Parliament resolution of 29 March 2012 on the EU Citizenship Report 2010: Dismantling the obstacles to EU citizens’ rights (2011/2182(INI))

(2013/C 257 E/10)

The European Parliament,

- having regard to its previous resolutions on the deliberations of the Committee on Petitions,
- having regard to the right of petition enshrined in Article 227 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Article 20 TFEU, which defines the concept of citizenship,
- having regard to Part Two of the TFEU, entitled *Non-discrimination and citizenship of the Union*, and Titles III and V of the Charter of Fundamental Rights,
- having regard to Article 45 TFEU, under which guaranteed freedom of movement for EU workers entails the abolition of any discrimination based on nationality between workers of the Member States as regards employment, remuneration and other conditions of work and employment,
- having regard to Articles 3, 10 and 11 of the Treaty on European Union and Article 8 TFEU,
- having regard to the Commission Communication of 27 October 2010 entitled ‘EU Citizenship Report 2010. Dismantling the obstacles to EU citizens’ rights’(COM(2010)0603),
- having regard to the Commission Communication of 27 October 2010 entitled ‘Towards a Single Market Act – for a highly competitive social market economy’ (COM(2010)0608),

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- having regard to Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community ⁽¹⁾,
 - having regard to Directive 2004/38/EC of 29 April 2004 of the European Parliament and of the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States ⁽²⁾ (hereinafter ‘the FMD’),
 - 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 ⁽³⁾ (hereinafter ‘the Qualifications Directive’),
 - having regard to Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems ⁽⁴⁾,
 - having regard to its resolution of 2 April 2009 on problems and prospects concerning European Citizenship ⁽⁵⁾,
 - having regard to the Commission proposal of 11 August 2011 for a decision of the European Parliament and of the Council on the European Year of Citizens (2013) (COM(2011)0489),
 - having regard to the Stockholm Programme, which makes the citizen the focal point of European action on freedom, security and justice, guaranteeing respect for diversity and protection for the most vulnerable,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Petitions and the opinions of the Committee on Internal Market and Consumer Protection, the Committee on Culture and Education and the Committee on Constitutional Affairs (A7-0047/2012),
- A. whereas Union citizens – regardless of their disabilities – have, inter alia, the right to move and reside freely within the territory of the Member States, 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, the right to the provision of consular protection by the diplomatic and consular authorities of another Member State in third countries, and the right to petition the European Parliament, to apply to the European Ombudsman, and to address the EU institutions and advisory bodies in any of the Treaty languages ⁽⁶⁾;
- B. whereas the Lisbon Treaty enhanced and detailed the concept of EU citizenship – first introduced under the Maastricht Treaty in 1992 – and the rights deriving therefrom, which are also driven by case-law, by reinforcing the status and image of the European Union as the defender of citizens’ rights, by providing legislative means to stimulate the active involvement of EU citizens and by creating or fostering new rights, such as the European Citizens’ Initiative (ECI) and the individual rights contained in the Charter of Fundamental Rights; whereas EU citizenship should be seen as a source of both rights and duties;
- C. whereas this demonstrates the EU’s efforts to make its citizens the central focus of its action and to work towards an area of freedom, justice and rights for all EU citizens;

⁽¹⁾ OJ L 257, 19.10.1968, p. 2.

⁽²⁾ OJ L 158, 30.4.2004, p. 77.

⁽³⁾ OJ L 255, 30.9.2005, p. 22.

⁽⁴⁾ OJ L 284, 30.10.2009, p. 1.

⁽⁵⁾ OJ C 137 E, 27.5.2010, p. 14.

⁽⁶⁾ Article 20(2) TFEU.

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- D. welcoming the case-law of the European Court of Justice as regards the interpretation of Article 51 of the Charter of Fundamental Rights of the European Union, in particular the ERT ruling, which emphasises that the institutions of the Member States are also bound by the overriding fundamental rights of the Union if they wish to use national measures to restrict the fundamental freedoms guaranteed by the TFEU;
- E. whereas freedom of movement is inherent in the concepts of human rights and Union citizenship and represents one of the fundamental rights and freedoms of Union citizens recognised under the Treaties;
- F. whereas, seven years after the entry into force of the FMD, too many problems still persist in relation to its implementation; whereas most complaints focus on EU citizens, their right of entry, their right of residence for more than three months, the validity of residence permits, the retention of their right of residence and right of permanent residence and the rights of their family members;
- G. whereas many citizens do not possess all the relevant information concerning their rights championed by the FMD, in particular when seeking rights for family members who are third-country nationals;
- H. whereas EU citizens who are habitually resident in the United Kingdom and who apply for certain social security benefits are required to undergo the so-called 'Right to Reside Test', which imposes additional conditions on non-UK citizens;
- I. whereas the issue of the deportation of Roma people by France in 2010 was controversial not only from the fundamental rights perspective, but also from the standpoint of the right to free movement and that of discrimination on the grounds of nationality and racial and ethnic origin;
- J. whereas on 15 December 2011 Parliament adopted a resolution on freedom of movement for workers within the European Union, with an emphasis on the rights of Romanian and Bulgarian workers in the single market ⁽¹⁾; whereas several Member States have decided to introduce or to continue applying transitional arrangements which limit Romanian and Bulgarian nationals' access to their labour markets; whereas such measures may lead to worker exploitation, illegal work and lack of access to social security benefits;
- K. whereas the exercise of a broad range of rights conferred on citizens by Union legislation is dependent on, or fostered by, the free movement or voluntary mobility of workers; whereas, accordingly, facilitating free movement can make it easier for citizens to take full advantage of the single market while also serving as a key driver of growth;
- L. whereas the right to move and reside freely within the territory of the Member States cannot make for a better understanding of the values of European integration unless it is accompanied by specific measures taken by the Union and the Member States in terms of information, training, recognition of qualifications, and worker mobility (among seasonal, cross-border and posted workers, workers transferred as a result of head office relocations, etc.);
- M. whereas a large number of petitions revealed problems in the field of accessing social security benefits, mainly involving a lack of cooperation on the part of national authorities, incorrect application of the principle of aggregation of benefits payable in several Member States (in particular concerning portability of pensions), failure to provide correct information on the applicable rules or cumbersome administration of cases; whereas the ECJ judgment of 21 July 2011 ⁽²⁾ confirms the right of EU citizens to move to another EU Member State and be entitled to social security cover;

⁽¹⁾ Texts adopted, P7_TA(2011)0587.

⁽²⁾ See *Lucy Stewart v Secretary of State for Work and Pensions*, Case C-503/09.

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- N. whereas, under the Bologna Process, generally accepted diplomas for completion of university studies are being awarded as a step towards more straightforward recognition of qualifications;
- O. having regard to the problems linked to the incorrect implementation of Directive 2005/36/EC on the recognition of professional qualifications (compensatory measures, requests for additional documents, unsubstantiated negative decisions by the host Member State, undue delays in processing applications, systematic imposition of specific language tests), which constitute a significant obstacle to the exercise of citizens' rights across the EU and thereby deprive them of the benefits of social cohesion;
- P. whereas petitioners accuse the German Youth Welfare Office (*Jugendamt*) of discriminating against the non-German spouse in mixed marriages; whereas, on account of its operational independence, the *Jugendamt* contributes in some cases to the difficulties encountered by foreign divorced parents wishing to leave German territory with their children;
- Q. whereas Parliament adopted a resolution ⁽¹⁾ on 25 October 2011 regarding the mobility and integration of people with disabilities; whereas a considerable number of petitions are tabled by people with disabilities, who encounter on a daily basis many barriers preventing them from enjoying the rights of EU citizens, such as normal use of the education system and access to insurance or to public transport facilities; whereas there is a need for a coherent EU system for determining the degree of disability, and whereas the lack of such a system may lead to inequity and even social exclusion;
- R. whereas all EU citizens brought before the courts of a Member State have the right of access, for their defence, to documents translated into their mother tongue, in order to prevent any discrimination based on language, and whereas, in particular, all citizens must be kept informed about any court proceedings against them, the entire process taking place within a judicially acceptable timeframe;
- S. whereas the greatest obstacles to exercising active Union citizenship are a lack of awareness on the part of individuals of their rights as Union citizens and a lack of clearly structured, widely publicised information services; whereas Parliament and the Commission, in their action to strengthen Union citizenship, must consequently focus on better, adequately funded communication to citizens and Member States, both locally and nationally, while removing any remaining legal and administrative obstacles which prevent EU citizens from exercising their rights, and at the same time ensuring that they have easy access to clear and accurate advice;
1. Welcomes the EU Citizenship Report 2010, which sets the objective of dismantling the obstacles to EU citizens' rights, and takes the view that the proposals contained therein represent tangible measures for reducing needless expenditure and thus contributing to the purchasing power of EU citizens, which is particularly important during times of crisis; calls on the Commission to ensure that the legislative and non-legislative measures provided for in the report are put forward as soon as possible and approved, so as to ensure that EU citizens' rights become effective and that all Member States abolish the aforementioned obstacles and simultaneously introduce administrative measures facilitating the comprehensive enjoyment of those rights, while removing possible contradictions between national and European law;
2. Notes that, although the right to petition the European Parliament is expressly provided for in the Treaties, it is not sufficiently well known or used, and therefore calls for improved, active communication to citizens – including justifications and explanations – about their right to petition in one of the official languages of the European Union; further calls on the Commission to join it in doing more to advertise the right to petition through their offices in the Member States, their decentralised information networks, the network of national Ombudsmen and all organisations working with the Commission and Parliament, in order to reach as many citizens as possible and to share best practices;

⁽¹⁾ Texts adopted, P7_TA(2011)0453.

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3. Takes the view that the ECI, which will apply from 1 April 2012, constitutes the first instrument of transnational participatory democracy and will give citizens the possibility to become actively involved in the framing of European policies and legislation; calls for the effective, transparent and accountable implementation of the ECI Regulation and, in particular, calls on the EU institutions and Member States to put in place all the necessary administrative and practical arrangements in a timely manner, to take an active role and participate effectively in informing citizens about this new instrument in such a way that all EU citizens can benefit from it fully, and, especially, to use the European Year of Citizens (2013) to develop momentum for awareness-raising; takes the view, moreover, that the Committee on Petitions, on account of its experience of direct contact with citizens, should be given the responsibility of holding public hearings for organisers of successful European citizens' initiatives, as provided for in Article 11 of the ECI Regulation; proposes that the Commission regularly present a report to the Committee on Petitions on the implementation of the ECI;

4. Calls on the Commission, when preparing its annual report on the application of the EU Charter of Fundamental Rights, to focus not only on the application of the Charter, but also on all EU Treaty articles relating to fundamental rights and on the situation of fundamental rights in the European Union; calls on the Commission to include in that report more detailed information on the implementation of the Charter by Member States when applying European law and on the issues raised with it by citizens, how it dealt with them and what concrete follow-up measures it took;

5. Calls on all Union institutions, bodies, offices and agencies to ensure that the right of access to documents provided for in Regulation (EC) No 1049/2001⁽¹⁾ – an important right enjoyed by EU citizens – is guaranteed by improving transparency and making access to documents and information easy, user-friendly and comprehensible, including through the provision of barrier-free technologies, so as to enable citizens to participate more closely in the decision-making process; points in this context to the central importance of the work of the European Ombudsman in upholding the right of access to Union institutions' documents;

6. While recognising the right of access to information as one of the cornerstones of democracy, stresses that access to information must not lead to the violation of other fundamental rights such as the right to privacy and data protection; emphasises that access to information held by the EU institutions is the primary interest of citizens aiming to understand the political and economic deliberations behind decision-making; takes the view that greater access to information on investigations and infringement files could be provided by the Commission without jeopardising the purpose of the investigations and that an overriding public interest might well justify access to these files, particularly in cases where fundamental rights, human or animal health and the protection of the environment against irreversible damage may be at stake, or where proceedings are under way regarding discrimination against a minority or violations of human dignity, as long as protection of trade secrets and sensitive information relating to court cases, competition cases and personnel files are safeguarded;

7. Encourages the Commission to continue its current efforts to ensure that Member States transpose and implement the FMD fully and correctly, making full use of its power to launch infringement proceedings; calls on Member States to remove existing legal and practical barriers to the free movement of citizens and not to introduce cumbersome, unjustified administrative procedures or to tolerate unacceptable practices restricting the application of that right; calls on the Commission, further, to step up its efforts to raise awareness of citizens' right to free movement and to assist them in exercising it, in particular when it is denied or limited, or if practices are implemented which result in direct or indirect discrimination; calls on the Commission, in this context, to submit an assessment of free movement policies in the next EU Citizenship Report and to propose specific ways and means of supporting the application of freedom of movement; points out that, although the concept of Union citizenship is closely bound up with the right of free movement, all citizens who do not leave their Member State of origin also benefit from their rights as Union citizens;

⁽¹⁾ 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.

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8. Reiterates its previous calls for the Member States to ensure freedom of movement for all EU citizens and their families, without discrimination on grounds of sexual orientation or nationality; reiterates its call for the Member States to implement fully the rights granted under Articles 2 and 3 of Directive 2004/38/EC⁽¹⁾ not only to different-sex spouses, but also to registered partners, members of the household of an EU citizen and partners who are in a duly attested stable relationship with an EU citizen, including members of same-sex couples, on the basis of the principles of mutual recognition, equality, non-discrimination, dignity and respect for private and family life; calls on the Commission, in that connection, to ensure that the directive is strictly applied;

9. Calls on the Member States to remove obstacles to the free movement of EU citizens and to take action to guide and advise mobile workers regarding employment opportunities and living and working conditions in the EU, while also making citizens aware of the risks inherent in illegal work and of the advantages associated with obtaining legal work (tax, social security, right to professional training, right to citizenship, right to housing, right to family reunification, access to education and training for children), through existing tools (EURES);

10. Calls for better coordination between Member States dealing with problems such as double taxation and lack of harmonisation of pension taxation for EU citizens, and calls, therefore, on the Member States to enhance and update their bilateral cooperation agreements; supports the Commission's efforts to propose new legislation to eliminate tax barriers and takes the view that special attention should be given to registration taxes for motor vehicles previously registered in another Member State;

11. Calls on those Member States which have decided, under the EU Accession Treaty for Romania and Bulgaria, to introduce a seven-year moratorium, until 1 January 2014, on the right to free movement within the EU for workers from those two countries, or to continue applying transitional arrangements restricting access by Romanian and Bulgarian nationals to their labour markets⁽²⁾, to review their decisions as soon as possible, taking into consideration the principle of equality, the prohibition of discrimination, the unjustified nature of those decisions and the principle of solidarity, so that the employment rights associated with EU citizenship are no longer restricted for Romanian and Bulgarian citizens;

12. Calls on the Commission to pay more attention and respond more precisely to the numerous petitions received concerning difficulties with the circulation of civil-status documents and with the recognition of those documents and of their effects⁽³⁾; highlights the importance of making progress as quickly as possible towards mutual recognition and ensuring the free circulation of civil-status documents, without discrimination, in the light of Article 21 of the Charter of Fundamental Rights;

13. Highlights the fact that mass expulsions represent a breach of the FMD, in addition to contravening the basic values and principles underpinning the European Union; recalls that, under the FMD, restrictions on freedom of movement and residence on grounds of public policy or public security can be imposed exclusively on the basis of personal conduct, without any discrimination on grounds such as disability or ethnic or national origin, and that lack of economic means or any other purpose relating to compensation, punishment or disenfranchisement cannot be used as the justification for the automatic expulsion of EU citizens (Recital 16, Article 14);

14. Urges Member States to abolish policies and to annul and repeal laws that discriminate, either directly or indirectly, against the Roma and other minority groups on the grounds of race and ethnicity, and calls on them to stop all instances of persecution, eviction and expulsion, or of confiscation of the assets of any minority group; calls on all Member States and the EU to take joint responsibility for promoting and facilitating the integration of Roma communities, giving them the same rights and obligations as other EU citizens, in line with Parliament's resolution of 9 March 2011 on the EU strategy on Roma inclusion⁽⁴⁾ and the Commission communication entitled 'An EU Framework for National Roma Integration Strategies up to 2020' (COM(2011)0173), and to promote and protect their fundamental rights;

⁽¹⁾ OJ L 158, 30.4.2004, p. 77.

⁽²⁾ See, inter alia, Petitions 0810/2011 and 0900/2011.

⁽³⁾ See, inter alia, Petition 0632/2008.

⁽⁴⁾ Texts adopted, P7_TA(2011)0092.

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15. Calls on the Commission to link social inclusion priorities to a clear set of objectives that include protection of citizens against discrimination in all areas of life and the promotion of social dialogue between Roma and non-Roma people in order to combat racism and xenophobia; calls on the Commission, as guardian of the Treaties, to ensure that the relevant legislation is implemented in full and that appropriate penalties are imposed for racially motivated crimes⁽¹⁾;

16. Expresses concern at the fact that, although the right of free movement and residence is firmly established in Union primary law and well developed in secondary law, the rules continue to be applied unsatisfactorily; points out that Member States should work together to eliminate any remaining administrative and legal obstacles brought to their attention by EU institutions or by the Committee on Petitions; asks the Commission to assess carefully whether Member States' legislation and practices infringe the rights of EU citizens under the Treaties and the FMD, and whether they do not place an unjustified burden on EU citizens and their families, indirectly restricting their right to free movement;

17. Recalls that the almost 80 million people with disabilities in the European Union still face obstacles, insurmountable in many instances, when, in various ways, they exercise their right of free movement as citizens of the Union; calls, accordingly, on the EU institutions and the Member States to identify and eliminate obstacles and barriers restricting the ability of people with disabilities to benefit from the rights of EU citizens, and to make it easier for people with disabilities to gain access to all means of transport, infrastructure facilities, public education and information, without delays or extra costs, as soon as possible in accordance with the European Disability Strategy 2010-2020 (COM(2010)0636) and Parliament's above-mentioned resolution of 25 October 2011 based on that strategy; also draws attention to the disproportionately high number of older people with restricted mobility; calls for the establishment of an Erasmus-type programme for people with disabilities;

18. Urges the Member States to ensure that hearing-impaired suspects and defendants, including aggrieved parties in the case of criminal offences, be provided, if they so require, with suitable sign-language interpreters, in the interests of protecting their rights and preserving their dignity, and calls the Commission's attention to the need for such facilities;

19. Calls on the Commission and the Member States – with regard to the Commission's proposals to facilitate better access to cross-border healthcare, and given that patients' right to information is fundamental – to inform EU citizens more fully about their rights and the means available for enforcing them, including practical aspects such as the reimbursement of costs on the basis of the European health insurance card; calls on the Commission and the Member States to make the greatest possible use of the existing potential for telemedicine and e-health services by 2020, while also complying fully with European data protection provisions; warmly welcomes the Commission's initiative of developing a new system for the electronic exchange of social security data, and calls accordingly for enhanced cooperation between national social security systems; supports, furthermore, the pilot projects aimed at granting EU citizens secure online access to their patient data and ensuring interoperability of patient records;

20. Notes that the greatest obstacles preventing citizens from benefiting from the larger product range and competitive prices available in the single market are a lack of knowledge of consumer rights in other EU countries and a lack of information for consumers making online purchases in other Member States; believes that information intended for consumers is sometimes complex and that simplification is required, for example in labelling;

21. Recalls the recent Commission publications on consumer empowerment and '20 main concerns', which highlight the information, legislative and implementation gaps that persist within the single market, for example regarding abusive practices by certain directory services; calls on the Commission to look on the development of the digital single market as a priority; welcomes the Commission's work and commitment to the implementation of the Single Market Act; demands further action from the Member States, in coordination with the Commission, to overcome hurdles preventing citizens from gaining access to online services; notes, in this regard, the Commission proposal for a European contract law;

⁽¹⁾ See, inter alia, Petitions 1351/2008, 0945/2010 and 1300/2010.

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22. Takes the view that access to banking services for EU citizens who establish themselves in another Member State should be further facilitated; urges the Commission to take the necessary legislative measures to ensure access for all EU citizens to a basic payment account; stresses the need to improve the transparency of banking fees;
23. Notes the disparities between Member States with regard to mobile telephony and internet accounts; emphasises that reductions in roaming charges have come about solely as a result of EU legislation; calls, accordingly, for the publication of cost prices in each Member State for SMS and MMS messages, calls charged by the minute and internet connections, in order to promote the establishment of European flat rates, thereby making it possible to reduce mobility costs;
24. Condemns tie-in sales practices; calls for the European Year of Citizens to be used as an opportunity to draw citizens' attention to the measures that have protected them as consumers and helped to maintain their purchasing power in times of crisis;
25. Calls on the Commission to monitor the correct application by Member States of regulations on the coordination of social security systems, with a focus on the new aspects introduced by Regulations (EC) No 883/2004 and (EC) No 987/2009, which came into force on 1 May 2010;
26. Is concerned at the fact that many petitioners were required by the UK authorities to undergo the 'Right to Reside Test' in order to gain access to social housing or other benefits, such as the jobseeker's allowance⁽¹⁾; draws particular attention to the fact that this requirement introduces indirect discrimination on the grounds of nationality, contravening Article 4 of Regulation (EC) No 883/2004; urges the United Kingdom to bring its legislation into line with EU law;
27. Urges the United Kingdom to abide by the rulings of the Court of Justice of the European Union concerning the exportability of sickness benefits in cash⁽²⁾ and not to apply its so-called 'Past Presence Test' when other representative elements can be used to establish a genuine link with the United Kingdom social security system;
28. Takes the view that an updated Qualifications Directive should focus on eliminating obstacles to educational mobility, paying special attention to young people, while simultaneously streamlining the sources of information currently available to professionals and ensuring coordination with the 'Your Europe' portal; urges the Commission to streamline the provision of information on mobility for EU students, teachers and researchers by setting up a one-stop-shop system; agrees that a voluntary European professional card could serve as a tool for facilitating mobility among Europeans and provide a model for a 'Europe of citizens';
29. Urges those Member States which have not yet done so to set up the system of compensation measures required under Article 10 of the Qualifications Directive, in the framework of the General System, as their failure to do so appears to create discrimination on the basis of nationality; points out, in that connection, that citizens of the Member States having joined the EU in 2004 and 2007 respectively, in particular healthcare professionals (doctors, midwives and nurses), reported encountering problems relating to the recognition of their qualifications or of their acquired rights in a Member State other than their own⁽³⁾;
30. Recalls that one of the oldest outstanding petitions concerns the discriminatory treatment that foreign-language lecturers (*lettori*) have been suffering in several Italian universities⁽⁴⁾; calls on the Commission to investigate further the current so-called 'Gelmini reform', which entered into force in December 2010; calls on the Italian authorities and the respective universities to resolve this case as a matter of urgency; takes the view, however, that this is not an isolated case and that the Member States' ombudsmen could therefore meet to exchange views on solutions to be introduced in Europe;

⁽¹⁾ See, inter alia, Petitions 0401/2009 and 1119/2009.

⁽²⁾ Case C-299/05 of 18 October 2007 and, more recently, Case C-503/09 of 21 July 2011.

⁽³⁾ See, inter alia, Petition 0112/2009.

⁽⁴⁾ See, inter alia, Petitions 0511/1998 and 0689/1998.

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31. Proposes that a specific, very regularly updated internet portal be set up to allow national, regional and local authorities to flag up those sectors of the economy looking for manpower, in order to facilitate voluntary mobility;

32. Recalls that Regulation (EC) No 2201/2003 ⁽¹⁾ lays down the principle that children should be able to maintain their relationships with both parents after the latter have separated, even if they live in different Member States; points out that, although the introduction and application of substantive rules on access rights is currently a Member State matter, the Member States must respect Union law when exercising their powers, in particular the Treaty provisions concerning the freedom of all EU citizens to travel and reside in another Member State ⁽²⁾ as well as maintaining ties between parents and children, grandparents and grandchildren, and brothers and sisters; adds that the occasionally lengthy waiting periods and the number of procedures constraining parents who wish to return to their home country with their child/children are a barrier to the free movement of EU citizens; calls on the Commission to investigate alleged discrimination against the non-German spouse in mixed marriages by the German Youth Welfare Office (*Jugendamt*);

33. Points out the importance of administrative cooperation on civil-status issues; notes, for example, that any Member State intending to modify a child's civil-status documents recognised in another Member State of the Union must inform the Member State in question of its intention to do so, so that documents such as birth certificates cannot be modified in such a way as to erase the origin of the child's identity;

34. Points out that any Union citizen recognised as the parent of a child born in or out of wedlock must be informed, in the event of separation, about his or her scope for redress in order to obtain visiting rights, except in cases where, by common agreement between the parents' and child's home countries, it has been established that this would place the child at genuine risk;

35. Calls for the appointment of a mediator or, at the very least, a children's mediator in every Member State, who would have sufficient powers to access any documents and review court decisions, with the aim of reconciling the claims and legal difficulties of parents who are separating, in order to prevent them from opting for unlawful conduct in order to enforce what they regard as their right and that of their children; adds that any citizen may bring a matter before the mediator in their home country or in the country in which, in his or her opinion, his or her rights have not been respected;

36. Calls – in the interests of equality between EU citizens as to choice of divorce law – on those Member States which have not done so to ratify the Council decision of 12 July 2010 authorising enhanced cooperation in the area of the law applicable to divorce and legal separation; calls, moreover, on the Commission to promote this new instrument during the European Year of Citizenship, given that, as the number of transnational marriages increases, the number of transnational divorces will inevitably increase too;

37. Takes the view that redress must be available at least at local, national or European level to any citizen who believes that his or her rights have been flouted, so as to defend those rights;

38. Draws attention once again to the problems faced by those EU citizens who decided to exercise their right of establishment under Article 49 TFEU and legally bought properties in Spain which were subsequently illegalised; urges the Spanish authorities thoroughly to revise the way in which the *Ley de Costas* (Coastal Law) is implemented in order to avoid affecting the rights of individual property owners, taking into account the fact that property law does not fall within the EU's area of competence and is subject to the subsidiarity principle enshrined in the Treaties;

⁽¹⁾ Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000, OJ L 338, 23.12.2003, p. 1.

⁽²⁾ See, inter alia, Petition 1614/2009.

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39. Re-emphasises the key priority of the Committee on Petitions: to find a solution to long-standing concerns relating to property; points out that EU citizens, both nationals and non-nationals, have had serious problems with property transactions and bank guarantees, and that the violation of property rights has contributed to a lack of confidence in the cross-border property market and to Europe's economic problems; calls for EU principles regarding consumer protection and freedom of movement to be extended to property, and reiterates its request for the right to legitimately acquired ownership to be fully respected;

40. Recognises that there are a number of obstacles preventing EU citizens' full enjoyment of their electoral rights when residing in a country other than their own, whereas this is the most tangible political right of Union citizens and its exercise must be free of all discriminatory and obstructive formalities; calls on the Commission and the Member States to make citizens more aware of this right by means of targeted information campaigns prior to the relevant election; welcomes the Commission's willingness to simplify the procedure that allows EU citizens to stand for European elections in their country of residence and encourages it to carry out the technical groundwork to improve mechanisms for preventing double voting and loss of voting rights; proposes, accordingly, that a European electoral roll be established for European elections; supports the action taken by the Commission with a view to publishing the results of European Parliament elections at the same time in each Member State; calls on the Member States to find better solutions for improving the rules governing elections and to promote best practices; stresses that, inter alia, more direct participation by citizens through European political parties is a decisive step towards achieving 'more' Europe and a more authentic democracy;

41. Proposes that membership of a European political party could be suggested more often when someone joins a national party, as a way of promoting citizens' political involvement in Europe;

42. Takes the view that the establishment of a physical and online one-stop shop for citizens, 'Your Europe', is of great importance for individuals seeking advice or redress, whether they are long-term or new residents; acknowledges, at the same time, that the information and problem-solving networks set up by the Commission (such as Europe Direct, SOLVIT and the European Consumer Centres) are important partners in the settlement of complaints regarding malfunctions in the internal market or restrictions on the rights of EU citizens; calls on the Commission to promote these online and accessible services more actively, not only by involving the existing EU-level assistance and problem-solving services, but also, in particular, by taking a more comprehensive and more active approach in making them known to citizens;

43. Regards cross-border workers, who suffer a great deal from administrative red tape in Member States, as being in need of better, more targeted information about their social and professional rights; encourages the Commission to produce information material outlining in clear and simple terms the rights enjoyed by all EU citizens moving, working, studying, shopping, travelling and exercising their political rights across borders; takes the view that a new, citizen-based ADR (alternative dispute resolution) system built on existing advisory bodies and administrative structures would go a long way to providing affordable, expedient and accessible out-of-court settlement procedures for consumers;

44. Proposes that the Commission conduct a survey to determine how EU citizens wish to be informed about the Union's activities, so as to meet their expectations more directly;

45. Calls on the Commission to improve the provision throughout the EU of information on Union activities by increasing the number of local information outlets;

46. Calls for the volume of documents necessitating a certified translation for court proceedings to be reduced to an absolute minimum, so as to avoid delaying a citizen's defence and generating excessive legal costs;

47. Calls for it to be easy for any EU citizen claiming to have been the victim of overzealous treatment or of an abuse of dominant position by the administrative or police authorities of another Member State to approach the national or local authority responsible for complaints against those bodies;

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48. Calls for the Commission, which supports twinings between European towns and cities, not to focus exclusively on granting assistance for twinning schemes involving the new Member States or non-EU countries, but wishes to see longer-standing twinning arrangements continue to receive EU assistance so as to ensure their ongoing existence in the longer term, which is currently under threat;
49. Believes that every EU citizen has the right to free access to information that is unbiased and of high quality; views with the utmost concern the establishment of media oversight authorities which are too closely linked to government;
50. Believes that the Union should communicate more regularly via television, which is an important vehicle for the provision of information; welcomes, therefore, the additional budget funds allocated to Euronews;
51. Welcomes the Commission's recent proposal to strengthen the protection of EU citizens provided by the diplomatic or consular authorities of another Member State, notably by clarifying when a citizen is deemed not to be represented and specifying the type of assistance Member States typically provide where needed;
52. Congratulates the Commission on setting up the e-Justice portal, which provides a useful compendium of legal procedures and arrangements in each Member State;
53. Encourages the Commission to cooperate with the Committee on Petitions in drafting a new citizenship report in 2013; makes it clear, in this context, that the Committee on Petitions, in particular on the basis of the petitions it receives, will critically examine the results achieved (before the next report is published) in terms of strengthening Union citizenship, and will call for further action by the Commission as necessary;
54. Welcomes the Commission's proposal to declare 2013 as the 'European Year of Citizens', which would raise and enhance awareness of the rights and advantages attached to Union citizenship; calls on the Commission – in collaboration with local, regional and national authorities and representatives of civil society – to use this opportunity to strengthen its efforts to protect and promote citizens' rights, thereby reinforcing the status and image of the EU as the defender and facilitator of those rights; underlines the importance of tapping the strategic potential of the year 2013 for accelerating the socio-political changes needed in order to address citizens' lack of trust, which has been deepened by the economic crises; calls for the inclusion of Union citizenship as a priority for the incumbent Presidency of the Council of the European Union; expresses the hope that the European Year of Citizens in 2013 will address the EU's socio-economic problems and work towards a market that benefits citizens, while at the same time significantly increasing general awareness of the status of EU citizens;
55. Proposes that the Commission launch a Union-level competition in 2012 to design a logo for the European Year of Citizens;
56. Calls on Parliament and the Council to ensure that the Member States have sufficient budget funds to ensure that the European Year of Citizens in 2013 and the associated activities, particularly those involving the media, run smoothly, so that the objectives set can be attained;
57. Instructs its President to forward this resolution to the Council, the Commission, the European Ombudsman and the governments and parliaments of the Member States.
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