

Opinion of the European Committee of the Regions — EU Citizenship Report 2017

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POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

Introduction and background

1. recognises that, in these uncertain times into which the Union has been plunged, it is vital to strengthen citizens' sense of belonging and participation in, as well as to bring them closer to, the integration project which has been developed over the course of the last sixty years. The European model maintains its appeal. However, if we are to inject new life into the process, we must seek to empower citizens across all spheres (political, social, economic and cultural) as part of the measures taken. With this in mind, EU citizenship — introduced 25 years ago as part of the Maastricht Treaty and conceived as a common status for all Europeans — could form an ideal tool in this regard;
2. argues that it would be beneficial to reinforce citizens' rights in the face of a globalisation process that creates both opportunities as well as challenges for our citizens. In light of this, the Committee welcomes the discussion launched recently by the Commission with the aim of harnessing the globalisation process, ensuring the protection and empowerment of European citizens through the development of strong social policies, helping achieve an upward convergence of living-standards, as well as much-needed support for lifelong education and training, with strong involvement from the private sector, and draws particular attention to the role that the European Structural and Investment Funds might play in addressing these measures in the context of vulnerable regions;
3. stresses the need to ensure respect for the principle of the rule of law at local and regional levels too, as it is at these levels that citizens perceive it. This is due to the fact that — as the CoR has pointed out ⁽¹⁾ — the nearly 100 000 local and regional authorities in the European Union bear much of the responsibility for implementing fundamental rights and freedoms through their interaction with the general public in all its diversity;
4. reiterates, in line with its existing opinions on the previous citizenship reports, that the social dimension inherent in citizenship, and regional and local authorities' specific responsibilities for it, cannot be disregarded. With this in mind, the Committee welcomes the institutions' commitment to helping achieve an upward convergence of living-standards and underlines that the principle of subsidiarity must be respected in a European Pillar of Social Rights in the autumn of this year, and draws attention to the impact that Chapter III of this pillar (social protection and inclusion) will have on the competences of local and regional authorities as regards, among other issues, measures relating to child protection, setting minimum wages, inclusion of people with disabilities, access to housing and essential services, etc. ⁽²⁾. Underlines that any strengthening of these rights as proposed in the document must be accompanied with a territorial impact assessment and a subsidiarity and proportionality analysis to ensure that local and regional authorities' competences are respected;

⁽¹⁾ Committee of the Regions, RESOL-VI/020, 'The rule of law in the EU from a local and regional perspective', 122nd plenary session, 22-23 March 2017.

⁽²⁾ European Commission, Proposal for a Interinstitutional Proclamation on the European Pillar of Social Rights, Brussels, 26.4.2017 COM(2017) 251 final. Cf. also https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en (accessed on 15.5.2017).

5. is deeply concerned at the implications for citizenship that may ensue from the UK's decision to leave the EU; considers it absolutely necessary — with due clarity and full respect for legal certainty — to guarantee the rights of European citizens and their families residing in the United Kingdom and UK citizens living in other European Union Member States based on the principle of reciprocity. Particular attention should be paid to this issue over the coming years. It is therefore essential that the future agreement should provide, in particular, for the necessary effective, non-discriminatory and broadest possible guarantees that the rights of citizens, including the right to permanent residence of EU citizens in the UK and UK citizens in the EU, will be maintained. Clearly, in the interests of a fair solution, these rights should also be guaranteed on a reciprocal basis;

6. encouraged by the attitude demonstrated by the parties on these issues in the negotiation process, and wishing to obtain as much continuous and up-to-date information as possible on their development, feels that the following must be ensured: the accurate identification of the beneficiaries; basic rights, including access to and enjoyment of education, and health and social services; the preservation of the status quo in certain situations (Northern Ireland and Cyprus) in which European citizenship rights could be particularly affected. The Committee considers that throughout this process, with the cooperation of local and regional authorities, the persons concerned should be provided with as much information as possible and efforts should be made to ensure that they do not fall victim to any form of discrimination or xenophobia;

7. bearing in mind the above, warmly welcomes the proposals put forward by the European Commission in its EU Citizenship Report 2017, which it considers to be appropriate to the task of embarking upon a new stage in strengthening European citizenship rights; argues, however, that the content of the report could be enhanced further;

Promoting EU citizenship rights and EU common values

8. notes that European citizens trust local and regional authorities the most and that local and regional politicians should play a much greater role in the EU decision-making process promoting the view of citizens;

9. considers that the work of local and regional authorities will be key in taking forward the Commission's proposals to raise awareness of citizens' rights. We should seek to involve these authorities so as to facilitate immediate access to this information, given that by their very nature they are the administrations that are closest and most accessible to citizens. In this regard, the role of Europe Direct information centres ought to be maximised so as to raise awareness and provide information to citizens about their EU rights and funding opportunities, European themed events and seminars, and contact details of relevant organisations;

10. feels that awareness-raising among the general public should be aimed primarily at young people. Up to now they have been the demographic most severely affected by the economic crisis, and their loss of confidence in an integration process and a citizenship status which do not guarantee their full personal and professional development should be taken into particular consideration. The measures that need to be adopted — and in which local and regional authorities play an essential role — must include not only the launch of the European Solidarity Corps, but measures of all kinds (access to employment, mobility, education, skills development, etc.), as requested by the European Council last December;

11. considers that, as regards the strengthening of the democratic principle, the contribution of local authorities is crucial as a primary and immediate sphere for European citizens to participate in representative democracy. Moreover, the involvement of local and regional authorities in dialogues with citizens and in public debates helps to promote participatory democracy, and should therefore be further developed in the future;

12. believes that local and regional authorities must also play an important role in guaranteeing the right of EU citizens to reside in another Member State, if they are providers of funding or social benefits. In any event, their activity in the area of 'social citizenship' should be guided by the criteria laid down by European law — and specified by case-law — the knowledge and dissemination of which are particularly necessary;

13. recognises that the implementation of the freedom of movement of persons built up through tourist, cultural, educational and economic exchanges has contributed to forging a sense of European citizenship and promoting mutual understanding; recommends strengthening European citizens' sense of unity by stepping up this contact. Valuing our cultural diversity and heritage can contribute to this in particular. The European institutions have recognised this by making 2018 the European Year of Cultural Heritage, in which local and regional authorities are key strategic players in the activities and initiatives to be promoted as part of the European Year of Cultural Heritage;

Promoting and enhancing citizens' participation in the democratic life of the EU

14. agrees that one of the core dimensions of citizenship — as well as the most immediate — concerns citizens' participation in local and regional elections; emphasises, furthermore, that participation in European Parliament elections in the country of residence is also an important expression of European citizens' rights, but the fact that these elections are governed by different national rules runs counter to a pan-European approach; therefore suggests adopting the proposals of the European Parliament to make election campaigns more European, and taking up the idea of transnational lists for the election of MEPs;

15. warns, however, that participation in regional elections is not included in the rights of European citizens. This is an issue requiring a special legislative procedure subject to unanimous voting (2nd paragraph of Article 25 TFEU) and therefore merits a further reflection. In the meantime, Member States could be invited to develop various forms of participation available to EU citizens;

16. feels that increasing the participation of EU citizens in local elections will — in close cooperation with local authorities — render the adoption of various measures (dissemination of information, awareness-raising campaigns, simplifying the formalities for the electoral register, etc.) unavoidable. At the same time, with the increasing participation of European citizens in local elections, the rights of disabled people to full political participation should be addressed urgently, including where necessary by eliminating all existing obstacles to their participation in the Member States. This issue — which is beyond the remit of local and regional authorities — should be taken into account by the Commission as part of its proposals;

17. points out that third-country nationals legally residing in the EU should also have the opportunity for political participation at local and regional level, in accordance with the law of the country of residence;

18. recalls that, since the Lisbon Treaty, the involvement of citizens has not been limited to the exercise of voting rights, but also implies their involvement in the democratic process through various forms of participatory democracy. Accordingly, local and regional authorities must help to raise awareness of these new ways of participating and make them more widespread among European citizens, integrating them into their own practices;

19. points out that these tools include the European Citizens' Initiative (ECI) which has been the most visible dimension of participatory democracy in the EU as well as potentially consolidating the close relationship between citizens and the authorities of which local and regional institutions also form a part. In its report, the Commission paints a satisfactory picture of the five years during which this initiative has been running, but there is clearly a need to develop this instrument further and make it more user-friendly if its full democratic potential is to be harnessed. The CoR will continue to scrutinise the development of the ECI and is currently working on its recommendations for the proposed revision of the Regulation (EU) No 211/2011;

20. welcomes the recent case-law of the General Court in relation to the ECI, which on the whole restricts the wide discretion of the Commission in favour of increasing the ECI's capacity to influence all kinds of procedures⁽³⁾; calls therefore for the mechanism to be reformed so as to ensure the genuine empowerment of citizens in the EU 's political and legal procedures;

Simplifying daily life for EU citizens

21. warns that local and regional administrations are called upon to deal with many of the formalities required by the general public on a daily basis. They also tend to be the first administrative point of contact;

⁽³⁾ General Court Judgement of 3 February 2017, *Bürgerausschuss für die Bürgerinitiative Minority SafePack — one million signatures for diversity in Europe v. European Commission*, T-646/13, ECLI:EU:T:2017:59; General Court Judgement of 10 May 2017, *Michael Efler and others v. European Commission*, T-754/14.

22. notes however that European citizens complain about the lack of information, the length and the complexity of many of the administrative procedures required in order to exercise their right to free movement and residence in other Member States. These criticisms may be symptomatic of the lack of attention paid by public authorities — including regional and local authorities — to the suggestions, expectations and needs of citizens in their dealings with administrations. Underlines the importance of simple and transparent rules in order to enable EU citizens to live in other EU Member States and fully participate in the social life of the country. Acknowledges the need for a multilevel governance approach, where all level of governments should work together to facilitate this process;

23. considers that the measures envisaged by the Commission in relation to the creation of a ‘Single Digital Gateway’ should involve not only the national administrations but also the regional and local authorities, adopting a general approach to this first step towards a necessary process of administrative simplification and streamlining in this regard, therefore, considers that since the strengthening of European citizenship, based on the democratic values as enshrined in Article 2 of the Treaty on European Union is directly linked to the various public administrations ensuring compliance with the principle of transparency, it would be very helpful if the EU institutions were to cooperate with them and provide them with the technical tools and adequate financial resources to ensure the effective implementation of the principles of transparency and good governance at the various levels of European public management, as well as spaces for exchanging and evaluating experiences;

24. notes that, as a result of living close to a border, people in border regions, in particular, are confronted on a daily basis with obstacles to exercising their right to freedom of movement. Cross-border workers in particular are faced with many obstacles to mobility due to the lack of coordination between Member-State legislation in the areas of social security, direct taxation and tax benefits along with employment legislation, which prevent them from exercising the right to equal opportunities as regards access to work. The question of what their EU citizenship entails or can entail should also be important for the EU itself, because it is primarily in these European border regions that the European idea and common values are already visible. The European Commission should facilitate cross-border dialogue, processes and participation in the border regions and in cross-border cooperation; it should also encourage Member States to coordinate their legislation more effectively with a view to protecting the rights of people in border regions;

25. feels that it may also be worthwhile noting the good practices ensuing from the involvement of local authorities in the Smart Cities programme. Taking these practices into consideration may help to improve the new tools that the Commission is planning to introduce;

Strengthening security and promoting equality

26. underlines that the work of local and regional authorities has a particular role to play in promoting equality of opportunities; in this regard, given that financial inclusion is an indispensable facet of citizenship within the EU, as it plays an important role in reducing poverty, mitigating income disparity and increasing economic growth, local and regional authorities should develop partnerships to establish measures to prevent and combat financial exclusion and over-indebtedness, paying particular attention to the most vulnerable citizens;

27. believes that in the case of the proposed measures for combating gender violence, it is essential to encourage Member States to implement Directive 2011/99/EU, facilitate their participation in the Istanbul Convention, and take into account the role of local and regional authorities, given the existence of programmes at regional or local level related to this issue (guidance, maintaining shelters for victims, allowances and financial assistance, etc.), as well as the natural proximity with the victims;

28. points out that the role of these administrations is also key when it comes to measures aimed at balancing work and family life, as they are responsible for support measures, school timetables, etc. With this in mind, the Committee notes with satisfaction the proposals contained in the legislative initiative submitted by the Commission on the subject. With regard to improving work-life balance, the Committee also points out that best practices and policies developed by individual regions and local authorities on supporting families in difficult situations, particularly large families, should be promoted at European level;

29. stresses that initiatives at regional and local level aimed at fighting the discrimination and addressing the lack of social acceptance faced by LGBTI groups are also particularly relevant to the promotion of equality;
30. notes the important role that local and regional authorities play in promoting measures aimed at facilitating the integration and equal participation of disabled people. In this regard, the Committee supports the European Disability Card project, which entitles people with disabilities to a number of specific benefits (particularly in the areas of culture, transport, leisure activities and sport) in each of the participating countries;
31. stresses that as regards the measures aimed at the Roma/Sinti minorities as well as other minorities, the role of local and regional authorities is a key element in areas such as social aid, schooling and housing;
32. notes that the proposed actions for equality do not take into consideration the particular needs of young people. Insecure jobs and difficulty in accessing employment are factors that hinder their enjoyment of the equal rights as humans and citizens conferred upon them by the founding Treaties and the Charter of Fundamental Rights. In these circumstances, disaffection among young people may turn into open hostility to the European project — nurtured by populist and xenophobic movements — or radicalisation;
33. considers that the undeniable improvement to the education of young Europeans as a result of greater access to European education, training, youth and sports programmes — now gathered together under the umbrella of the Erasmus+ programme — makes it all the more necessary to develop measures aimed at easing their transition from education to the workplace, by allowing young people to gain new qualifications and improve their employability, either by making use of the initiatives already rolled out by local authorities in this area (for instance through the ESF) or through closer cooperation between the sectors involved, and thereby overcoming the contradictory situation wherein the most educated European generation in history is encountering the greatest difficulties in accessing good-quality jobs. Lastly, the Committee points out that it is crucial to improve the employability of young people, in order to bring them closer to the European Union and its values.

Brussels, 30 November 2017.

*The President
of the European Committee of the Regions*
Karl-Heinz LAMBERTZ
