

Civil Society Europe Response to the Public consultation on European Citizenship

Introduction

Civil Society Europe, the European coordination for civil society organisations representing citizens in a variety of areas of public engagement such as social rights, education, culture, protection of the environment, human rights, youth, transparency and governance, welcomes the EU public consultation on European citizenship.

The consultation focuses on what are considered from a strictly legal point of view citizenship rights:

- The right to non-discrimination on the basis of nationality
- The right to move and reside freely within the EU
- The right to vote for and stand as a candidate in European Parliament and municipal elections
- The right to consular protection (help from the embassy or consulate of any other EU country to EU citizens in distress in a country outside the EU where they have no embassy or consulate of their country of nationality)
- The right to petition the European Parliament and complain to the European ombudsman

These are very critical rights which are unfortunately only partly implemented. In general it is very difficult for citizens to have access to information on redress when their rights are not respected. Most critical in this respect is the difficulty to access information related to complaints on the rights to free movement and residence and the right to consular protection.

However, citizens also benefit from other rights that are enshrined in the Treaties and refer to the Democratic Life of the Union. These are the right of every citizen to participate in the democratic life of the Union. and to have through appropriate means the opportunity to make known and publicly exchange their views in all areas of Union action (Art 10 & 11 consolidated Treaties). We believe that these rights should also be included in the citizenship report.

The European Commission consults regularly citizens through its website which regrettably is not accessible to citizens with disabilities (e.g. Eusurvey tool for public consultations). However, further efforts should be made to clarify how the different contributions have been followed up and the timing and steps of the decision-making process. Citizen's dialogues have also been organised at national level with limited impact. There is no structured and comprehensive approach to ensure further participation. Particular effort should be made to reach out to citizens

on critical issues that affect the EU, such as for instance the recovery strategy after the pandemic. The Commission's representative office and liaison offices of the European Parliament should be tasked to engage with citizens in cooperation with civil society organisations representing citizens and others such as academics, and the media.. Different approaches should be tested beyond consultations such as the possibility to organise online deliberative assemblies, while it is important to note that online platforms can only be complementary to other forms of participation and must be part of an overall structured process. CSE is also concerned by the limited participation of discriminated, marginalised and excluded groups in decision-making processes. In this context outreach and awareness activities by encouraging participation are particularly important both at national and EU level. The Conference on the Future of Europe provides there an opportunity.

Part of the citizen's participation in the EU democratic's life is the requirement for the EU institutions to ensure an open, transparent and structured dialogue with representative associations (of citizens) and civil society. As recognised by the Treaties, Citizenship can be exerted individually or through participation to an organisation. Many citizens are part of an organisation or a group and it is also through them that they express their opinions and make their contributions to society. We call on the European Commission to propose an interinstitutional agreement on civil dialogue, as we have already underlined in [our contribution](#) to the consultation on a European Democracy action Plan.

In order to allow citizens to participate in the democratic life of the EU, they should be able to access information on the decision making process, which should be transparent at all stages of the procedure, as already recommended by the European Ombudsman. Also Member States should publish their position on EU proposals already at the preparatory stage of Council discussions.

The right to move and reside freely within the EU

Appropriate measures must be taken to ensure that the right to free movement is enjoyed by all on an equal basis with others by drawing particular attention in this context to marginalised, discriminated and excluded groups. Freedom of movement of persons is a fundamental right that all people in Europe should benefit from without discrimination. CSE members have developed detailed position on barriers faced by citizens and notably those coming from marginalised, discriminated and excluded groups. For instance, persons with disabilities find many difficulties to move to another country because of lack of mutual recognition of disability across EU Member States causing people to lose their disability benefits or support services (e.g. personal assistance), as they will need to go through another disability assessment in the country they move to

We invite the European Commission to develop the necessary measures to remove specific obstacles to access freedom of movement.

EU citizens and non EU residents meet a lot of administrative hurdles and also face problems due to the misinterpretation of EU rules, particularly related to the coordination of social security systems.

It would be helpful to have a central contact point with a unique name to obtain information regarding the exercise of these rights and make a wide campaign to make this information available. Embassies, consulates, employment agencies, travel agencies and transport operators should be invited to take part in the campaign. It is important to be able to reach out also to people that are less computer literate or less likely to seek information (online). People should also be reached within their places of contact/gathering. The campaign should be available in all languages and accessible to people with disabilities.

Member States and local authorities should also be encouraged to offer information, workshops to EU citizens that arrive/register in their country providing basic information on the country, but also all tips and services to effectively participate and be included.

There is also a role for the European Commission offices to liaise with administrations but also associations, including those gathering non nationals of the country for reaching out to EU citizens.

Finally the coordination of electronic sharing data systems among national and local administrations across the EU would facilitate the life of EU citizens and residents as well as further progress in the creation of standard EU documents.

The right to vote and stand as a candidate

More and more municipalities actively encourage EU citizens to register to vote in local elections and in the EP elections for the representatives of the country of residence. However many people still do not know about this right, and an information campaign needs to be launched in time before the next Local/EU elections by the Commission local offices in cooperation with local authorities and associations. In order to encourage more people to vote in their country of residence it would be important to offer information workshops on the political system of the country tailored to non nationals.

Long term residents should also be allowed to take part in regional and national elections., as it is the case already in some member States.

EU citizens residing in another should also maintain the right to vote in their country of origin if they wish so regardless of their length of their residence abroad.

Finally we are in favour of a unique date for the European Parliament elections. This would give more visibility to European issues as well as to the results of the overall European elections, which would be available to all Europeans almost at the same time. Of course it is also important that political parties declare their affiliations to the European political groups before the vote, to make the vote more informed and transparent and have access to the sharing of seats together with the results as this happens with national elections.

Electronic and online vote can facilitate participation in elections and quicker scrutiny of the results and could be applied to the European elections. However it is important that online or electronic voting is made accessible to all. There are still 16 Member States in which many people with disabilities are denied the right to vote and stand for elections¹ due to national laws on legal capacity in clear infringement of the UN Convention on the Rights of Persons with Disabilities, ratified by the EU and all its Member States. The EU must take action to ensure that all European citizens are entitled to vote and stand for election, as well as all Member States apply a minimum set of accessibility requirements in their electoral processes

Finally citizens have to be reassured on its reliability and must have means to control that their vote has been correctly recorded and stored. Authorities must put in place and communicate on measures to protect personal data and privacy.

The right to consular protection

EU Delegations should take a more active role in assisting unrepresented EU citizens in third countries. They would actually be more apt and inclined to support EU citizens that cannot benefit from the support of their own embassy.

They could provide:

- Support in the evacuation/repatriation of EU citizens to the EU in case of emergency situations, natural or man made disasters
- Issue emergency travel documents, when regular travel documents are stolen, lost, destroyed
- Support of EU citizens who are victims of a crime or arrested outside the EU

¹ EESC The real right of persons with disabilities to vote in European Parliament elections:
<https://www.eesc.europa.eu/en/our-work/opinions-information-reports/information-reports/real-right-persons-disabilities-vote-european-parliament-elections-information-report>

- Support families in case of victims

Simplifying mobility and life in Europe

Cross border healthcare is more and more a reality. However, there are still many obstacles. In general citizens do not receive the adequate support and information in these situations about their rights, particularly when people find themselves in the need of urgent healthcare when they are abroad for a limited stay. There should be an independent service supporting them and intervening with the relevant bodies, eg insurance/mutual, hospital, etc. Also people with rare conditions often face restrictions in accessing healthcare in another EU country.

Exercising EU and citizenship rights

As mentioned before, more should be done in order to support EU citizens to benefit from those rights. Information should be available at schools, work and work related agencies, in healthcare, travel agencies, and through associations that provide services to citizens, or where education, recreation and sports activities are done, etc. in order to reach out to a maximum of people where they are.

The EU should simplify further access to information, not only by gathering all services in a single portal, but also providing a unique identity and name and avoid duplication of information sources.

Also national offices should take more responsibility and be adequately staffed and trained to support citizens with the necessary information. A dedicated authority at national level to support in the exercise of citizenship would be useful although there should be the possibility to also access the authority in its own country of origin.

Problems in the exercise of rights occur at all levels, it is critical that civil servants at all levels and private actors are trained and updated on the applications of these rights. The European Commission should coordinate these trainings.

People facing social inequalities often face additional challenges in accessing information as well as taking steps for redress of their rights. Proactive measures should be taken to reach out to them and provide the necessary support. Despite policy and regulatory progress at EU and national level, free movement is still a dream for persons with disabilities and more should be done to remove existing barriers.

Citizens and their representative associations should be regularly consulted on the challenges that they face beyond the preparation of the annual report and they can also participate in providing solutions. The EU should also involve civil society on the preparation of information campaigns addressed to citizens.

Tackling Covid 19 Pandemic

One right that is often forgotten is the rights for citizens to voice their opinion and concerns. This has been particularly neglected during the pandemic. The EU should ensure that citizens are regularly consulted on measures to address the pandemic that affect their citizenship rights, as well as decisions that address the consequences of covid 19, including the design and implementation of recovery plans.

Not all measures that have been taken during the crisis were proportionate and they have considerably affected civic freedoms, including in particular the right to participate and protest.

There was and still is a lack of coordination at EU level on the development of the different measures, as well as on decisions that could facilitate mutual support among authorities, limiting not only the possibility for citizens to exert their rights, but also resulting in reduced protection of their health and wellbeing.

Brussels, 1st October 2020