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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE  
COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE**

**UNDER ARTICLE 25 TFEU**

**On progress towards effective EU Citizenship 2007-2010**

{COM(2010) 603 final}

# **REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE**

## **UNDER ARTICLE 25 TFEU**

### **On progress towards effective EU Citizenship 2007-2010**

#### **1. INTRODUCTION**

Article 25 of the Treaty on the Functioning of the European Union (TFEU) requires the Commission to report to the European Parliament, the Council and the European Economic and Social Committee every three years on the application of the provisions of Part Two of the Treaty. The present report accompanies the "EU Citizenship Report 2010: Dismantling the obstacles to EU citizens' rights" by taking stock of major developments that occurred in the field of EU Citizenship in the period 1 July 2007 - 30 June 2010<sup>1</sup>. Developments regarding the right of EU citizens to vote and stand as candidates in the European Parliament elections are further detailed in the Report on the evaluation of the 2009 European Parliament elections<sup>2</sup> which is adopted together with the EU Citizenship Report 2010.

#### **2. DEVELOPMENTS IN THE FIELD OF EU CITIZENSHIP RIGHTS**

##### **2.1. The new legal and institutional framework**

The entry into force of the Lisbon Treaty enhanced the notion of EU Citizenship and the rights attached to it in several ways.

Title II of the Treaty on European Union (TEU) gives EU Citizenship greater prominence by integrating it in the provisions on democratic principles (Article 9 TEU) and creates a stronger link between citizenship and democracy (Articles 10 and 11 TEU).

By complementing the set of rights attached to EU Citizenship with a new right, the citizens' initiative, the new Treaty enables EU citizens to participate more intensively in the democratic life of the Union. According to Article 11(4) TEU, "not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties".

Establishing the practical arrangements for the implementation of this new instrument was one of the key priorities of the Commission, which tabled, on 31 March 2010, a Proposal for a

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<sup>1</sup> The 5<sup>th</sup> Report on Citizenship of the Union was issued on 15 February 2008 and covered the period 1 May 2004 to 30 June 2007 - COM(2008) 85.

<sup>2</sup> COM(2010) 605.

Regulation<sup>3</sup> aimed at putting in place simple, user-friendly and accessible procedures, as well as ensuring that the instrument is not abused.

The Lisbon Treaty further strengthens the links between citizenship and non-discrimination. Part Two of the TFEU is now entitled "Non discrimination and citizenship of the Union" and integrates the provisions on non-discrimination, both on grounds of nationality, in its Article 18 (ex-Article 12 of the Treaty establishing the European Community (TEC) and on other grounds (sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation) in its Article 19 (ex-Article 13 TEC)<sup>4</sup>.

With regard to the definition of EU Citizenship itself, the Lisbon Treaty emphasizes the fact that it is a status *additional* to national citizenship, whereas its previous definition in Article 17 TEC described it as being complementary to national citizenship.

Article 20(2) TFEU is reinforced in comparison to the previous Article 17 TEC since it specifically lists the rights (and obligations) of EU citizens and clarifies, by adding the expression "inter alia", that the list is not exhaustive. Moreover, the abolition of the pillar structure of the European Union<sup>5</sup> broadens the scope of EU Citizenship, as confirmed by the reference in this Article to the fact that citizens of the Union shall enjoy the rights and be subject to the duties provided for in the Treaties.

The Lisbon Treaty gives a boost to the right of unrepresented EU citizens to enjoy protection by the consular and diplomatic authorities of other Member States, as it is enshrined as a clear individual right in Article 20(2)(c) TFEU and expounded in Article 23 TFEU. Article 23(2) TFEU enables the Commission to initiate legislation by proposing directives establishing the coordination and cooperation measures necessary to facilitate such protection, thus abandoning the previous logic of intergovernmental decision-making. Regarding consular protection on the ground, Article 35 TEU provides that diplomatic and consular missions and the Union delegations shall contribute to its implementation.

The rights attached to EU Citizenship in Part Two of the Treaty are further enshrined in the Charter of Fundamental Rights of the European Union (Chapter V, "Citizens' rights"). The legally binding Charter of Fundamental Rights, becoming the compass for all EU policies, represents a major step forward in terms of the European Union's political commitment toward fundamental rights.

## **2.2. Acquisition and loss of EU Citizenship**

### *2.2.1. Information and statistical data*

Up-to date information on the acquisition and loss of nationality in the Member States and information on EU Citizenship norms and policy developments is available at the website of

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<sup>3</sup> COM(2010) 119.

<sup>4</sup> Due to the timeframe of this reporting exercise, the implementation of these provisions will be reviewed in the next report under Article 25 TFEU.

<sup>5</sup> The three pillars previously forming the basic structure of the EU under the Treaty on European Union were the Community pillar, corresponding to the three Communities: the European Community, the European Atomic Energy Community (Euratom) and the former European Coal and Steel Community (ECSC) (first pillar); the pillar devoted to the common foreign and security policy, under Title V TEU (second pillar) and the pillar devoted to police and judicial cooperation in criminal matters, under Title VI TEU (third pillar).

the European Observatory on citizenship<sup>6</sup>, which was launched in January 2009 and mainly financed by the Commission<sup>7</sup>.

According to a recent Eurostat report<sup>8</sup>, in 2008, 696 000 persons acquired citizenship of the Member States (compared with 707 000 in 2007). These new EU citizens came mainly from Africa (29% of the total number of citizenships acquired), non-EU27 Europe (22%), Asia (19%) and North and South America (17%)<sup>9</sup>.

Citizens of one of the Member States who acquired citizenship of another Member State amounted to 59 449 persons, thus accounting for 8,5% of the total. In absolute terms, the main groups of citizens of an EU Member States who became citizens of another Member State were Portuguese becoming citizens of France (7 778 persons), Romanians becoming citizens of Hungary (5 535 persons) and Poles becoming citizens of Germany (4 245 persons).

### 2.2.2. *Case-law developments*

In its judgment of 2 March 2010 in Case C-135/08, *Rottmann*, the Court of Justice of the European Union clarified a proviso that it has consistently affirmed in its case law to the effect that the Member States must, when exercising their powers in the sphere of nationality, have due regard to European Union law<sup>10</sup>.

The Court indicated that this proviso does not compromise the principle of international law that the Member States have the power to lay down the conditions for the acquisition and loss of nationality, but rather enshrines the principle that, in respect of citizens of the Union, the exercise of that power, in so far as it affects the rights conferred and protected by the legal order of the Union, is amenable to judicial review carried out in the light of European Union law.

It concluded therefore that a decision withdrawing naturalisation, such the one at issue in the main proceedings, where the consequence of the withdrawal is that the person in question loses, in addition to the nationality of the Member State of naturalisation, citizenship of the Union, should be scrutinized by the national courts by reference to the principle of proportionality in the light of EU law, in addition, where appropriate, to the examination of the proportionality of the decision in the light of national law.

The Court stated that, having regard to the importance which primary EU law attaches to the status of citizen of the Union, it is necessary for the national courts to take into account the consequences that the decision entails for the person concerned and for the members of his family with regard to the loss of the rights enjoyed by every citizen of the Union. It is necessary to establish, in particular, whether that loss is justified in relation to

- the gravity of the offence committed by that person

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<sup>6</sup> <http://eudo-citizenship.eu>

<sup>7</sup> [http://ec.europa.eu/justice\\_home/funding/integration/funding\\_integration\\_en.htm](http://ec.europa.eu/justice_home/funding/integration/funding_integration_en.htm)

<sup>8</sup> Statistics in Focus, 36/2010 "Acquisitions of citizenship slightly declining in the EU"  
<http://ec.europa.eu/eurostat>.

<sup>9</sup> For further developments on the link between nationality, citizenship and integration of third-country nationals, see chapter 5 of the Handbook on integration for policy-makers and practitioners (third edition).

<sup>10</sup> See, *inter alia*, Cases C-369/90 *Micheletti and Others*, [1992] ECR-I-4239, paragraph 10; C-179/98 *Mesbah* [1999] ECR I-7955, paragraph 29; C-200/02 *Zhu and Chen* [2004] ECR I-9925, paragraph 37.

- the lapse of time between the naturalisation decision and the withdrawal decision and
- the possibility for that person to recover his original nationality.

The Commission will encourage initiatives and projects aimed at acquiring and sharing knowledge and exchanging experience on conditions and procedures for forfeiting Member States' nationality and, consequently, EU Citizenship, to disseminate good practices and, where necessary, facilitating coordination, without encroaching on national competences.

### *2.2.3. Problems related to the acquisition and loss of Member States' nationality*

On issues related to nationality the Commission replied over the reporting period to approximately 130 individual queries, 18 European Parliament questions and 5 petitions.

During the reporting period, a number of Member States modified their legislation on acquisition and loss of citizenship. According to EU law, the conditions for obtaining and forfeiting citizenship of the Member States are regulated exclusively under the national law of the individual Member States. Any Member State is free to lay down the conditions for the acquisition and loss of its citizenship. This principle of international law is not affected by any provisions of the Treaty, and, as set out above, has been confirmed in settled case law of the Court of Justice.

To the extent that the rights conferred and protected by the legal order of the Union are not affected as a result of the exercise by Member States of their powers in the sphere of nationality, the ensuing issues do not fall within the ambit of EU law and the Commission has no power to intervene in this regard.

Within its remit, the Commission supports all efforts aimed at resolution of the relevant issues and promotes good relations in the spirit of mutual understanding and cooperation which characterises relations between Member States of the European Union.

## **2.3. Free movement and residence of EU citizens**

### *2.3.1. Measures to ensure the correct transposition and application of Directive 2004/38/EC*

The adoption of Directive 2004/38/EC<sup>11</sup> on 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, increased significantly the effectiveness and accessibility of this right as it codified pre-existing relevant legislation and case-law, made the applicable EU rules simpler and clearer and streamlined national procedures.

The Commission followed closely the measures taken at national level for the transposition of this Directive, set for 30 April 2006, and adopted, on 10 December 2008, a report on its application<sup>12</sup>, in which it identified a large number of problematic issues.

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<sup>11</sup> 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 (OJ L 158, 30.4.2004, p. 77).

<sup>12</sup> COM(2008) 840.

To remedy this situation and to ensure the correct application of EU law at national and local level, the Commission has been

- providing guidance to Member States on correct implementation of EU free movement legislation and facilitating exchange of good practices
- pursuing a strong and consistent enforcement approach and
- improving citizens' access to information on how to exercise their rights in practice.

On 9 July 2009, the Commission adopted a **Communication on guidance for better transposition and application of Directive 2004/38/EC**<sup>13</sup>. To address the most problematic issues regarding the correct application of EU law on free movement identified in the report, this Communication provided detailed guidance to Member States with the objective of bringing a real improvement for all EU citizens.

In 2008 the Commission established a **group of Member States' experts** on the practical implementation of Directive 2004/38/EC. This group has been formalised in December 2009 and has been meeting regularly to exchange views, know-how and best practices on issues related to the application of EU law on free movement, including on fighting abuses and fraud.

In the course of 2009 and 2010, the Commission has been carrying out **structural bilateral meetings** with the Member States to resolve all identified shortcomings in the national transposition measures and to find appropriate solutions, including launching infringement procedures where needed.

On 19 March 2010, the Commission adopted a Decision establishing the **Handbook for the processing of visa applications and the modification of issued visas**<sup>14</sup> containing operational instructions, best practices and recommendations on how the rules on processing of visa applications, as laid down in the Visa Code<sup>15</sup>, must be applied by the authorities. This Handbook includes a chapter dedicated to processing of visa applications from family members of EU citizens and should represent a real improvement with regard to some persistent problems of correct application of EU law on free movement.

On 13 July 2010, the Commission adopted a **Communication 'Reaffirming the free movement of workers: rights and major developments'**<sup>16</sup>, which aims to present an overall picture of the freedom to move of EU migrant workers and to raise awareness and promote their rights.

In addition, the **new Your Europe web portal**<sup>17</sup> helps EU citizens to know their rights and to find practical tips to help them move around the European Union.

The Commission has also just published a **simplified and reader-friendly guide for EU citizens on freedom to move and live in Europe**<sup>18</sup>.

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<sup>13</sup> COM(2009) 313.

<sup>14</sup> C(2010) 1620.

<sup>15</sup> Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) (OJ L 243, 15.9.2009, p. 1).

<sup>16</sup> COM(2010) 373.

<sup>17</sup> <http://ec.europa.eu/youreurope/index.htm>

### 2.3.2. *Enquiries and complaints handled*

Over the reporting period, the Commission replied to a large number of individual queries on free movement and residence issues (approximately 770 in 2007, 1070 in 2008, 1 000 in 2009, and 340 in January-July 2010), out of which it registered in the central register of complaints 64 in 2007, 81 in 2008, 255 in 2009 and 128 in January-July 2010. It also replied to approximately 240 European Parliament questions and 85 petitions related to free movement of EU citizens.

Additional enquiries related to free movement and residence of EU citizens and their family members were received and handled by SOLVIT<sup>19</sup>. Statistics regarding the reporting period show a steady substantial increase of the percentage of free movement and residence related problems submitted to SOLVIT, rising from 15% of the SOLVIT case volume in 2007, to 20% in 2008 and 38% in 2009, when residence-related issues became the area with the biggest share of complaints (549 cases handled and closed with 92% of cases solved). In the first six months of 2010, SOLVIT received (out of a total of almost 7 000 enquiries) 1 314 enquiries on free movement and residence related issues.

There are currently 63 infringement proceedings launched against Member States in the area of free movement and residence of EU citizens.

### 2.3.3. *Examples of issues addressed*

An example of concrete outcomes of the approach followed by the Commission to ensure the correct application of the EU rules on free movement and residence regards the follow-up to the judgment of the Court of Justice of 25 July 2008 in Case C-127/08, *Metock and Others*<sup>20</sup>. In this judgment, the Court had found that national rules making the right of residence of third country family members of EU citizens conditional upon their prior lawful residence in another Member State were contrary to EU law.

As highlighted in the Commission report of 10 December 2008 on the application of Directive 2004/38/EC, this judgment had caused considerable controversy in some Member States, who were concerned that this could make it easier for third country nationals to “regularise” their situation by means of marriage to an EU citizen. The Court recalled in the ruling that Directive 2004/38/EC does not prevent Member States from fighting against abuse of EU rights, including marriages of convenience, as stipulated in Article 35 of the Directive.

Since then, the Commission has been working closely with Member States both bilaterally and in the expert group on free movement of EU citizens to ensure that national authorities can take effective measures and exchange information to counter abuse and fraud and that, at the same time, all Member States amend their rules to comply with the judgment.

One of the main cases dealt with during the reporting period concerned the delays in processing residence applications of EU citizens and their families by the United Kingdom authorities. Since October 2008, the Commission has registered more than 250 individual complaints by EU citizens and their families alleging that the UK authorities failed to meet

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<sup>18</sup> [http://ec.europa.eu/justice/policies/citizenship/docs/guide\\_free\\_movement.pdf](http://ec.europa.eu/justice/policies/citizenship/docs/guide_free_movement.pdf)

<sup>19</sup> SOLVIT is an on-line problem-solving network in which Member States work together to deal with problems arising from the incorrect application of Internal Market law by public authorities.

<sup>20</sup> [2008] ECR I-6241.

the deadlines imposed by national and EU law for handling their residence applications. Following contacts with the UK, the UK authorities put in place a comprehensive plan including the significant expansion (by 400%) of the number of caseworkers making decisions on European applications and the time for handling new applications has returned to the appropriate service standards, as required by Directive 2004/38/EC. This example shows that in many cases promoting a dialogue with Member States can prove to be effective for the benefit of EU citizens and their family members. The Commission continues to closely monitor the situation.

#### *2.3.4. Future priorities*

The main actions that the Commission is going to take on free movement issues are addressed in the EU Citizenship Report 2010, to which the present Report is annexed.

Priority will be given to enforcement. Following an analysis of the legislation and practice in Member States regarding the application of EU rules on free movement and residence and bilateral contacts with Member States, the Commission is now launching, where necessary, infringement proceedings on the transposition of Directive 2004/38/EC and will continue to deal with key infringement cases on issues related to the incorrect application of free movement rules, including in relation to the non-discrimination principle.

Information sharing on fighting abuse and fraud in relation to free movement remains a priority addressed in the framework of the expert group on free movement of EU citizens. The Commission also intends to promote best practices for a smooth and efficient administrative treatment of free movement issues and for ensuring that officials on the front-desks of local/regional/national authorities have adequate knowledge of relevant EU law.

In 2013, the Commission will issue a report on the application of the EU rules on free movement, drawing an overall assessment of their impact and indicating areas for improvement.

## **2.4. Electoral rights**

EU citizens who live in a Member States other than the one of which they are nationals are guaranteed the right to participate (as voters and as candidates) in municipal and European Parliament elections in that State under the same conditions as its nationals.

On electoral rights, the Commission replied during the reporting period to approximately 170 individual queries, 30 European Parliament questions and 9 petitions. During this period, infringement proceedings were launched against 18 Member States who had failed to communicate in due time measures for the transposition of Directive 2006/106/CE<sup>21</sup> on the arrangements to vote in municipal elections taking into account the accession of Bulgaria and Romania.

A number of letters from EU citizens, petitions and questions from the European Parliament concerned the fact that according to the legislation of several Member States, nationals are

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<sup>21</sup> Council Directive 2006/106/EC of 20 November 2006 adapting Directive 94/80/EC laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals, by reason of the accession of Bulgaria and Romania (OJ L 363, 20.12.2006, p. 409).



disenfranchised if they move and reside in another Member State after a certain period. In such cases, EU citizens are deprived of the exercise of their voting rights in national elections by reason of exercising their right to free movement. This important issue is addressed in the EU Citizenship Report 2010 in view of working with Member States to avoid that such situations continue to occur.

As mentioned above, a Report evaluating the transposition of EU law in the field of European elections and its implementation in the 2009 European Parliament elections, adopted together with the present Report, presents developments during the reporting period and further measures planned.

The Commission will issue a report assessing the transposition and implementation of the relevant EU rules (Directive 94/80/EC<sup>22</sup>) in 2011.

## **2.5. Consular protection**

A Union citizen, travelling to or living in a non-EU country where his or her Member State is not represented has the right to enjoy the protection of the diplomatic and consular authorities of any Member State under the same conditions as the nationals of that State.

The Commission will present a Communication in March 2011 on "Consular protection in third countries: the case for the EU citizen - state of play and way forward" taking stock of the EU's contribution to effective consular protection in third countries as announced in the Commission's Action Plan 2007-2009<sup>23</sup> and giving orientations on the way forward based on the experience gained and the renewed legal framework.

## **2.6. The right to petition the European Parliament and to apply to the Ombudsman**

EU citizens, as well as any natural or legal person residing or having its registered office in a Member State, have the right to petition the EP on a matter which comes within the sphere of activity of the Union and which concerns the petitioner directly (Articles 24 and 227 TFEU). The EP received 1 506 petitions in 2007, 1 849 petitions in 2008 and 1 924 petitions in 2009.

Complaints may also be sent to the European Ombudsman concerning instances of maladministration in the activities of the Community institutions or bodies (Articles 24 and 228 TFEU). The number of complaints received by the Ombudsman and falling inside his mandate were 870 in 2007, 802 in 2008 and 727 in 2009. During the same period, the Ombudsman received many more complaints deemed to fall outside his mandate or to be inadmissible (2 401 in 2007, 2 544 in 2008 and 2392 in 2009).

## **2.7. Overall awareness of EU citizens' rights**

A Flash Eurobarometer survey carried out in March 2010<sup>24</sup> gauged citizens' awareness of EU Citizenship rights, whilst allowing for comparison with the findings of two previous surveys carried out in 2002 and 2007.

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<sup>22</sup> Council Directive of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals (OJ L 368, 31.12.1994, p. 38).

<sup>23</sup> COM(2007) 767.

<sup>24</sup> Flash Eurobarometer 294 'EU citizenship', March 2010.

Familiarity with the term “citizen of the European Union” remains consistently high: the vast majority (79%) claimed some familiarity with the term. Overall, the proportion of citizens in the EU15 Member States who stated that they never heard of the term has decreased from a third (32%) in 2002 to a quarter (24%).

In the past three years, the familiarity gap between those countries that were already members prior to 2004 and the EU12 Member States has disappeared: citizens in the EU12 Member States are now more confident about the notion of European citizenship than those living in the EU15 Member States. Citizens in the EU12 Member States who stated that they have never heard of the term were only 13% compared to 24% in the EU15 Member States (24%).

Only 43% of the EU citizens polled stated that they know the meaning of the term and half of the persons interviewed (48%) indicated that they were "not well informed" about their rights as EU citizens. Indeed, less than one-third (29%) consider themselves "well informed" about their rights as EU citizens and only 3% consider themselves "very well informed". These figures represent no change since 2007. This stability is most likely due to the fact that even in 2007 large majorities were aware of these rights.

There is hardly any confusion about the "automatic" nature of EU Citizenship. 9 out of 10 respondents are aware that “they are both citizens of the EU and (nationality) at the same time” (same percentage as in 2007). However, about one-fifth of respondents believe that “they have to ask to become citizens of the EU” or that “they can choose to be citizens of the EU” (both 20%).

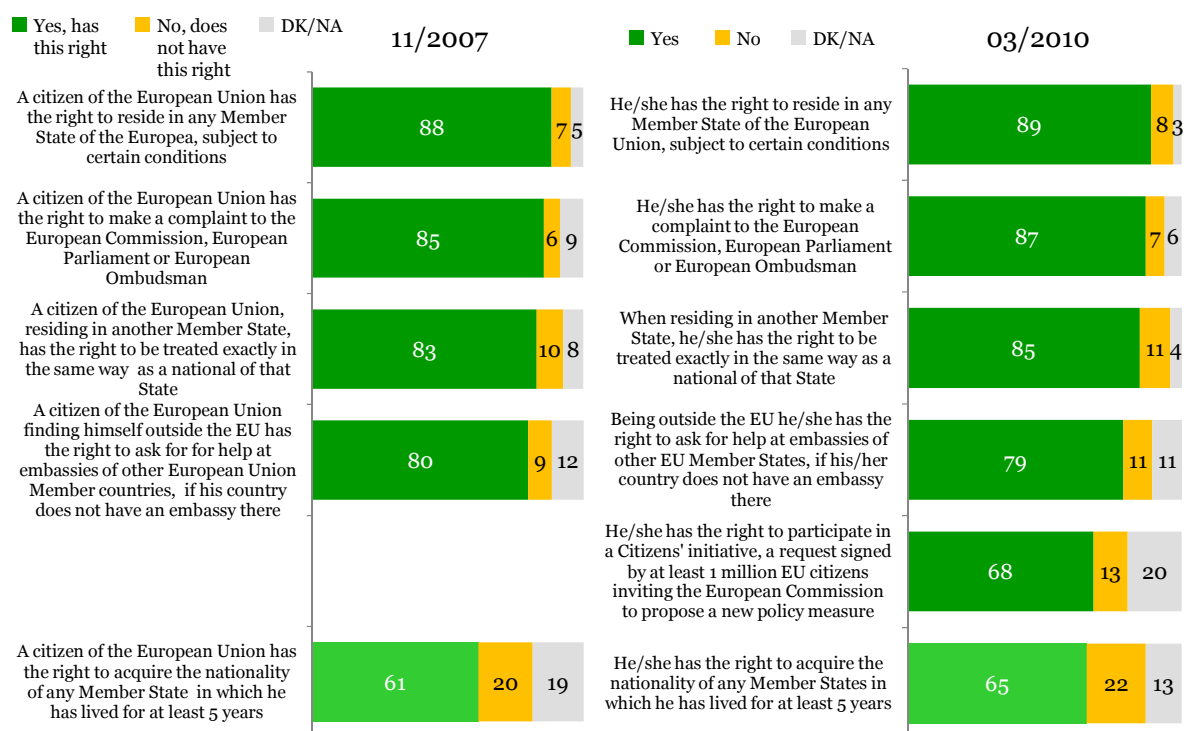
Respondents were most familiar with their residence rights as EU citizens: 89% knew that they had the right to reside in any Member State, subject to certain conditions (+2 points compared to 2007). A high level of awareness was further found regarding the right to make a complaint to the Commission, the European Parliament and the Ombudsman (87%, +2 points compared to 2007) and to have the same treatment as a national in any Member State (85%, +2 points compared to 2007).

Roughly 7 in 10 EU citizens (68%) were aware of their newly established right to participate in a Citizens’ initiative.

Confronted with the incorrect statement that "a citizen of the EU has the right to acquire the nationality of any Member States in which he has lived for at least 5 years", only 22% of the respondents correctly identified it as false whereas 13% were unable or unwilling to answer the

question.

### Awareness of the rights that a citizen of the EU has, 2007-2010



**Q4. In fact, all citizens of the EU Member States are "citizen of the European Union" already since 1992. In your opinion what rights does a citizen of the Union have?**  
Base: all respondents, % EU27

## 2.8. Statistical data on EU citizens who have exercised their right to free movement and residence

As shown in the table in the Annex to this Communication, as of 1 January 2009, there were approximately 11.7 million EU citizens residing in a Member State of which they were not nationals. This is not necessarily an accurate picture of the overall number of EU citizens actually exercising their right to free movement and residence, as certain categories of mobile EU citizens are not taken into account in these statistics.

The criterion for inclusion or exclusion of a person in the "usually resident" population of the reporting country is a stay of at least 12 months<sup>25</sup>. Many EU citizens who travel for business or pleasure, or to provide or receive services, the commuters or those who reside in other Member States than their own for less than 12 months (e.g. Erasmus students for 9 months, trainees, etc.) are not taken into account.

Many EU citizens - particularly those who do not expect to stay permanently or who make regular return visits to the country of origin (such as students, weekly commuters, people with homes in two Member States) may not register or will register only when they have a reason

<sup>25</sup> The data in this table, provided by Member States to Eurostat, are based on the concepts of "usual residence" "immigration" and "emigration" as defined in Article 2(1)(a)(b) and (c) of Regulation (EC) No 862/2007 of the European Parliament and the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (OJ L 199, 31.7.2007, p. 23).

for it – for instance when they begin work. Importantly, these people may see little reason to de-register when they leave.

It is also possible for persons such as those who spend long periods in two Member States, to be recorded as resident in both Member States. Similarly, a number of Member States assume that students leaving to study abroad are only temporarily absent and so retains them.

As part of an ongoing programme on improving migration statistics, Eurostat plans to undertake a pilot project to assess the feasibility of a system of exchanging individual information between Member States' registers, to remedy some of these problems.

## **2.9. Financial programmes**

### *2.9.1. Programme "Europe for Citizens"*

The Commission implements the "Europe for Citizens" Programme, established for the period 2007 to 2013<sup>26</sup> with a total budget of 215M € with a view to fostering civic participation, creating a sense of belonging to the European Union among its citizens, enhancing tolerance and mutual understanding and developing a European identity. The programme aims at enabling citizens to participate in building Europe through exchanges, debates, reflection, learning and other activities and its annual priorities cover the future of the EU and its basic values, democratic participation, intercultural dialogue, and the impact of EU policies in societies. It includes actions such as town twinning, citizens' projects, support for think-tanks and civil society organisations, etc. Some 1 million citizens/year participate in projects under the programme.

### *2.9.2. Programme "Fundamental Rights and Citizenship"*

The Commission is promoting rights derived from EU Citizenship via the programme "Fundamental Rights and Citizenship", established for the period 2007-2013 as part of the General Programme 'Fundamental Rights and Justice' with a total budget of 93.8 M €<sup>27</sup>. One of the objectives is to promote the development of a European society based on respect for fundamental rights, including rights derived from citizenship of the Union. One of the priorities for financing projects has been to promote information and civic education initiatives on the active participation of EU citizens in the democratic life of the Union, and in particular, participation in European Parliament and municipal elections.

### *2.9.3. 7<sup>th</sup> Research Framework Programme: thematic Programme Socio-economic Sciences and humanities*

The Commission is funding research in the field of social sciences and humanities, aiming, among other, to further knowledge on EU citizenship as well as to raise awareness and disseminate research results among academic communities, policy makers, civil society organisations and the broader public. In particular, an entire area of research, with a budget of approximately 125M € for the period 2007-2013, is devoted to "The Citizen in the European

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<sup>26</sup> Decision No 1904/2006/EC of the European Parliament and of the Council of 12 December 2006, establishing for the period 2007 to 2013 the programme Europe for Citizens to promote active European citizenship (OJ L 378, 27.12.2006, p. 32).

<sup>27</sup> Council Decision 2007/252/EC of 19 April 2007 establishing for the period 2007-2013 the specific programme Fundamental rights and citizenship as part of the General programme Fundamental Rights and Justice (OJ L 110, 27.4.2007, p. 33).

Union", specifically addressing issues related to achieving a sense of democratic ownership and active participation by Europe's citizens, in the context of the future development of the enlarged European Union<sup>28</sup>.

### 3. CONCLUSIONS

This Report takes stock of the main developments on EU Citizenship rights and constitutes an important element on the basis of which further action is identified in the EU Citizenship Report 2010, notably as regards the right to free movement and residence, consular protection of unrepresented EU citizens abroad and rights of citizens to vote and stand as candidates in municipal and European elections in their Member State of residence.

Starting next year, the Commission will make an annual assessment of the Treaty provisions on the rights attached to EU Citizenship in the context of the Annual Report on the application of the Charter of Fundamental Rights of the EU, which will be issued for the first time in 2011.

This should allow the Commission to present every three years a more substantiated diagnosis of the situation, the remaining obstacles that citizens face, and announce remedies to strengthen EU Citizenship rights.

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<sup>28</sup> Further information on the functioning and the results of Socio-economic Sciences and humanities (SSH) thematic Programme funded under the 7<sup>th</sup> Research Framework Programme can be found at [http://cordis.europa.eu/fp7/ssh/home\\_en.html](http://cordis.europa.eu/fp7/ssh/home_en.html).

**ANNEX**

|                 | ABSOLUTE NUMBERS |           |               |  |                         | PERCENTAGES |               |  |                         |
|-----------------|------------------|-----------|---------------|--|-------------------------|-------------|---------------|--|-------------------------|
| Year 2009       | Total population | Nationals | Non-nationals | Non-nationals but nationals from other EU MS | Third country nationals | Nationals   | Non-nationals | Non-nationals but nationals from other EU MS | Third country nationals |
| Belgium*        | 10666866         | 9695418   | 971448        | 659423                                       | 312025                  | 90,9        | 9,1           | 6,2  | 2,9                     |
| Bulgaria        | 7606551          | 7582592   | 23838         | 3532   | 20306                   | 99,7        | 0,3           | 0,0  | 0,3                     |
| Czech Republic  | 10467542         | 10060001  | 407541        | 145814                                       | 261727                  | 96,1        | 3,9           | 1,4  | 2,5                     |
| Denmark         | 5511451          | 5191263   | 320033        | 108667                                       | 211366                  | 94,2        | 5,8           | 2,0  | 3,8                     |
| Germany         | 82002356         | 74816435  | 7185921       | 2530706                                      | 4655215                 | 91,2        | 8,8           | 3,1  | 5,7                     |
| Estonia         | 1340415          | 1124918   | 214437        | 9632   | 204805                  | 83,9        | 16,0          | 0,7  | 15,3                    |
| Ireland         | 4450030          | 3938139   | 504068        | 364836                                       | 139232                  | 88,5        | 11,3          | 8,2  | 3,1                     |
| Greece          | 11260402         | 10330872  | 929530        | 161611                                       | 767919                  | 91,7        | 8,3           | 1,4  | 6,8                     |
| Spain           | 45828172         | 40177204  | 5650968       | 2274158                                      | 3376810                 | 87,7        | 12,3          | 5,0  | 7,4                     |
| France          | 64366894         | 60629345  | 3737549       | 1302351                                      | 2435198                 | 94,2        | 5,8           | 2,0  | 3,8                     |
| Italy           | 60045068         | 56153773  | 3891295       | 1131767                                      | 2759528                 | 93,5        | 6,5           | 1,9  | 4,6                     |
| Cyprus          | 796900           | 668700    | 128200        | :  | :                       | 83,9        | 16,1          |  |                         |
| Latvia          | 2261294          | 1857281   | 404013        | 9406   | 394607                  | 82,1        | 17,9          | 0,4  | 17,5                    |
| Lithuania       | 3349872          | 3308367   | 41505         | 2511   | 38994                   | 98,8        | 1,2           | 0,1  | 1,2                     |
| Luxembourg      | 493500           | 277991    | 214848        | 185354                                       | 29494                   | 56,3        | 43,5          | 37,6   | 6,0                     |
| Hungary         | 10030975         | 9844610   | 186365        | 109804                                       | 76561                   | 98,1        | 1,9           | 1,1  | 0,8                     |
| Malta           | 413607           | 395472    | 18128         | 8245   | 9883                    | 95,6        | 4,4           | 2,0  | 2,4                     |
| Netherlands     | 16485787         | 15766293  | 637136        | 290417                                       | 346719                  | 95,6        | 3,9           | 1,8  | 2,1                     |
| Austria         | 8355260          | 7484556   | 864397        | 316995                                       | 547402                  | 89,6        | 10,3          | 3,8  | 6,6                     |
| Poland          | 37867903         | 37830413  | 35933         | 10315  | 25618                   | 99,9        | 0,1           | 0,0  | 0,1                     |
| Portugal        | 10627250         | 10184148  | 443102        | 84727  | 358375                  | 95,8        | 4,2           | 0,8  | 3,4                     |
| Romania         | 21498616         | 21466951  | 31354         | 6041   | 25313                   | 99,9        | 0,1           | 0,0  | 0,1                     |
| Slovenia        | 2032362          | 1961639   | 70554         | 4195   | 66359                   | 96,5        | 3,5           | 0,2  | 3,3                     |
| Slovakia        | 5412254          | 5359709   | 52545         | 32709  | 19836                   | 99,0        | 1,0           | 0,6  | 0,4                     |
| Finland         | 5326314          | 5183058   | 142288        | 51923  | 90365                   | 97,3        | 2,7           | 1,0  | 1,7                     |
| Sweden          | 9256347          | 8694223   | 547664        | 255571                                       | 292093                  | 93,9        | 5,9           | 2,8  | 3,2                     |
| United Kingdom* | 61175586         | 57154800  | 4020800       | 1614800                                      | 2406000                 | 93,4        | 6,6           | 2,6  | 3,9                     |
| EU              | 498929574        | 467138171 | 31675460      | 11675510                                     | 19871750                | 93,6        | 6,3           | 2,3  | 4,0                     |

\*Data for BE and UK are for 2008

