



European Communities

EUROPEAN PARLIAMENT

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A3-0139/91

## I N T E R I M R E P O R T

of the Committee on Institutional Affairs

on Union citizenship

Rapporteur: Mrs Rosaria BINDI

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Or. It.

A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)



= Consultation procedure requiring a single reading



= Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment



= Cooperation procedure (first reading)



= Parliamentary assent which requires the votes of a majority of the current Members of Parliament

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At the sitting of 19 November 1990 the President of Parliament announced that the committee had forwarded the motion for a resolution by Mr MEDINA ORTEGA on Community citizenship, pursuant to Rule 63 of the Rules of Procedure, to the Committee on Institutional Affairs as the committee responsible and to the Committee on Legal Affairs and Citizens' Rights for its opinion.

At its meeting of 29/30 January 1991 the committee decided to draw up a report and appointed Mrs BINDI rapporteur.

At its meetings of 18 and 19 March, 23 and 24 April and 21 May 1991 the committee considered the draft report.

At the last meeting it adopted the resolution by 14 votes to 3, with 2 abstentions.

The following took part in the vote: Oreja, chairman; Prag and Bru Puron, vice-chairmen; Bindi, rapporteur; Aglietta, Avgerinos, Blot, Bocklet (for Beiroco), Capucho, Cheysson, Colombo, Duverger, Ferrer, Gutierrez Diaz, Marinho, Musso, Newton Dunn (for Prout), Speroni and von Wechmar.

The opinion of the Committee on Legal Affairs and Citizens' Rights will be presented orally in plenary sitting.

The report was tabled on 23 May 1991.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A

MOTION FOR A RESOLUTION

on Union citizenship

The European Parliament,

- having regard to its resolution of 22 November 1990 on Parliament's strategy for European Union (A3-0270/90)<sup>1</sup>,
  - having regard to its resolution of 12 December 1990 on the constitutional basis of European Union (A3-0301/90)<sup>2</sup>,
  - having regard to its resolution of 12 April 1989 adopting the Declaration of fundamental rights and freedoms (A2-0003/89)<sup>3</sup>,
  - having regard to the proposals put forward by the Member States and the Commission in connection with the Intergovernmental Conference on European Union, and the general report tabled by the Presidency of the Conference on Political Union,
  - having regard to the motion for a resolution on Community citizenship (B3-1680/90),
  - having regard to the interim report of the Committee on Institutional Affairs and the opinion of the Committee on Legal Affairs and Citizens' Rights (A3-0139/91),
- A. having regard to the urgent need for Parliament to spell out and lay down the proposals it will make to the Intergovernmental Conference on Political Union on the question of citizenship and to the need to probe more deeply into this essential aspect of European integration,
- B. having regard to the close link that exists between a new form of citizenship and the developing European Union and to the fact that the two must advance and be expanded in parallel,
- C. whereas further progress in European integration can be brought about only on democratic bases and whereas it is therefore essential to alter the balance of power between the institutions and their relationship with the citizens of the Union to facilitate their effective participation in decision-making on matters concerning them,
- D. whereas citizenship, and the bond inherent therein, must necessarily be subject to criteria for acquiring and forfeiting it and whereas those criteria may, for the time being, be made to tally with the conditions under which the nationality of the different Member States may be acquired or is forfeited,

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<sup>1</sup> OJ No. C 324, 24.12.1990

<sup>2</sup> OJ No. C 19, 28.1.1991

<sup>3</sup> OJ No. C 120, 16.5.1989, p. 51 ff.

- E. whereas Community citizenship is at all events to be regarded as additional to nationality of a Member State and whereas the rights and obligations attaching to it will apply in addition to the rights and obligations existing at national level,
- F. whereas, however, Community citizenship must be defined as a concept in itself and in such a way as to constitute a genuine form of status, deriving from full recognition and protection of the human rights and fundamental freedoms of all persons, as defined in the European Convention on Human Rights, both as individuals and in social units, in particular the family,
- G. whereas the concept or status of citizen implies the following essential conditions:
- government must derive its legitimacy from a mandate given by citizens, and, in particular, laws must stem from institutions democratically elected by citizens;
  - the human rights and fundamental freedoms of all persons must be respected and guaranteed, inter alia in the courts; social, economic, political and cultural rights must be recognized and properly protected;
  - the banning of all discrimination on grounds of race, creed, political views, sex, nationality or any other personal situation;
  - citizens must, in their own right, enjoy specific rights - including political rights - vis-à-vis the institutions of the Community and each of the Member States; those rights must enjoy full protection of the courts in the Member States and, by extension, at Community level;
  - vis-à-vis third countries, citizens must be accorded full protection by the Community as a whole and each of the Member States as well as by the state of which they are nationals,
  - with a view to protecting these rights vis-à-vis the Community institutions and each of the Member States and in relations with third countries, all citizens must have the option of lodging a complaint with a European ombudsman,
- H. whereas in a multiracial society, as the Community is becoming to an increasing extent, resident aliens must be accorded not only fundamental rights and freedoms, but also the rights required in order to carry on an economic, occupational, or social activity under the terms of the applicable provisions and the civil and political rights and guarantees essential to enable the human personality to find fullest expression,
- I. whereas Union citizenship may be based on the sense of solidarity with and belonging to a Community in which the different cultures of the peoples therein are brought together, fostered and safeguarded and the common values and interests shared by European citizens are recognized,

- J. whereas while the proposals from the Spanish Government and the Commission highlight major aspects of union citizenship and are essential for European integration, they do not provide an adequate basis for establishing the status of full citizenship,
- K. whereas the articles relating to citizenship contained in the general draft submitted by the Presidency of the Conference on Political Union do not in fact institute Union citizenship but simply set out a number of special rights of a partial nature, the effective exercise of which is subject to unanimous intergovernmental agreement or, in the case of the right of petition, interinstitutional agreement,
- L. whereas, despite decades of well-established Community case law and the European Parliament's particular interest in this area culminating in the Declaration of April 1989, the general draft forwarded by the Presidency of the Conference on Political Union completely ignores these developments in respect of human rights and fundamental freedoms and simply refers to the European Convention and national legislation,
- M. taking the view that refusal to establish Union citizenship demonstrates a political refusal to make its citizens and respect for their rights the central concern of the Union and, on the contrary, a determination to maintain and further develop an intergovernmental system with a heavy bureaucratic bias,
1. Calls for the list of human rights and fundamental freedoms adopted by Parliament on 12 April 1989 to be enshrined in the Treaties forthwith in a separate title, made an integral part of the Community's constitutional system, applied to all persons and suitably protected by law;
  2. Calls for Union citizenship to be established and enshrined in the Treaties in a separate title;
  3. Calls for nationals of the Member States to be considered Union citizens in every respect and for the Treaties to make citizens directly responsible for exercising their basic rights of citizenship;
  4. Considers that the Union, in pursuing its own objectives, should set itself the fundamental aim of facilitating the exercise and development of citizen's rights and fulfilment of their duties, in parallel with progress toward the achievement of European Union;
  5. Points out once again the need for social rights to be fully recognized and respected on the basis of a substantial widening of the proposals contained in the Social Charter, and protected in accordance with the relevant international agreements, especially the declaration by the Council of Europe; stresses in particular the right of citizens to equal opportunities and full development of their potential within their habitual surroundings; stresses the importance of equality between men and women;

6. Stresses that attainment of this objective requires Community initiatives in the form of active policies defined and implemented in collaboration with the Member States;
7. Calls for citizens to be given complete freedom to take part in the political life of all the Member States by joining associations, political parties, or trade unions, or in any other way compatible with respect for fundamental rights and freedoms;
8. Calls for every citizen to be granted the right to vote and stand for election in European elections in the Member State where he lives or, if he so prefers, in his country of origin, subject to conditions to be laid down in a uniform electoral law;
9. Renews its request that, subject to the appropriate conditions, citizens living in a state other than their country of origin should be granted the right to vote in local elections, as should all resident aliens;
10. Requests that no law may be imposed on citizens by the Community institutions without the consent of the appropriate elected representatives;
11. Calls for the free and unlimited right of movement and residence in the territory of the Union for all citizens and for the last vestiges of discrimination, in particular on grounds of nationality, to be outlawed;
12. Calls for all activities having a bearing on the freedom of citizens and persons in general, in particular those related to internal security, to be made subject to the proper degree of parliamentary control; calls in particular for the police and judicial cooperation agreements concluded to provide a counterpart to free movement to be made part of Community law and for the provisions concerned, as well as their implementation, to be governed by acts of parliament, subject to parliamentary control and suitably protected by law;
13. Calls for citizens to be guaranteed fair, transparent and efficient administration;
14. Calls for citizens to be guaranteed diplomatic protection, where appropriate, not only by their country of origin but also by the other Member States of the Union;
15. Calls for resident aliens to be granted the rights required in order to carry on a lawful economic occupational or social activity, and for any form of discrimination to be prohibited and subject to sanctions once they have been given permission to exercise such activities;
16. Calls in addition for resident aliens and citizens to be given recognition of the rights, freedoms and guarantees essential to enable the human personality to find fullest expression, as an individual or within a social, in particular, family unit;

17. Stresses the need for the rules laid down by the Community and its Member States on freedom of movement for persons to take special account of the extreme poverty affecting several million Community citizens (the 'Fourth World') and preventing them from exercising their social and political rights including freedom of movement and establishment.
18. Calls on its appropriate committee to probe more deeply into the specific questions of acquiring and forfeiting citizenship, electoral rights, and the rights and obligations of residents other than citizens;
19. Instructs its President to forward this resolution to the Council, the Commission, the Intergovernmental Conferences, and the governments and parliaments of the Member States.



## B

### EXPLANATORY STATEMENT

1. The question of Community citizenship now arises in a different form from that of several years ago, for various reasons.

(a) In the first place, freedom of movement in the Community, the internationalization of a number of economic and cultural activities and of information, and waves of mass emigration from countries in the southern hemisphere and Eastern Europe, have led to the creation of a set of relations between the state and the individual, alongside citizenship, which can no longer be reduced to the traditional dichotomy between citizen and foreigner or to the exclusive relationship between the State and the citizen as individual. We could say that this is another aspect of the crisis affecting the nation-state, in particular the European nation-state. It involves the grading of legal conditions applying to different individual subjects with, naturally, maximum benefits and integration for the citizen, but with mutual rights and obligations for all individuals in relation to a State.

In fact, citizenship was originally conceived to supersede the concept of citizen as subject on the one hand and, on the other hand, as a concept of exclusivity applying to citizens of the same State. The second concept is now clearly unacceptable, especially in the European context, for every individual has a shared basis of values and protected interests with regard to his or her activities. The citizen certainly has a larger sphere of freedom but this has to be balanced by closer relations with a given State and is enjoyed in exchange for increased duties. The characteristic of exclusivity is therefore superseded and it is therefore impossible to ignore the rights of anyone who is not a citizen when considering the question of citizenship.

In replacing the concept of the citizen as subject, it is therefore no longer enough to refer solely to the legal and political framework. Citizens - and others - must now be given a framework of equality and solidarity. Unless it is seriously distorted, this concept can no longer tolerate a legal and political framework which denies the full enjoyment of fundamental freedoms. In essence, it is no longer possible today to dissociate the concepts of citizenship and democratic freedom. The expansion of the concept of citizenship, economic and political interdependence and the fact that the denial of freedom can no longer be tolerated, even outside the individual State, mean that the national context, at least in Europe, is too narrow for a concrete definition of citizenship. The prospect of the Union provides us with a substantial basis for overcoming these limits and resolving problems, with which the individual State is now ill-equipped to deal.

(b) Secondly, and this is a Community matter closely linked to the reforms under discussion, Community citizenship is a central element of these reforms. The theory of double legitimacy, supported by Parliament but not denied by its partners, certainly implies the redistribution of roles between the institutions, but this is subordinate to the fact that the protagonists of European construction must no longer be simply the Member States but also the citizens of the Member States. Consequently, the latter must have a direct relationship with the Community institutions, of both a legal and a political nature.

This in fact raises the question of giving the Union the prime objective of ensuring that the dignity of its citizens is fully respected and a framework is created for the full development of their personalities.

The concepts of 'union' and 'citizenship' are undergoing wholesale and simultaneous changes in Community Europe. If we draw a parallel between the development of these two concepts, we are clearly giving the Union a fully democratic perspective in which even the principle of subsidiarity, intended by some simply as a guarantee for the Member States, becomes, instead, a guarantee of the management at the most appropriate level of the citizens' own values and interests.

(c) Under these circumstances:

- the actual attribution of the status of Community citizen to citizens of the Member States becomes a central element of the reforms and a reference point in determining the level of integration achieved by the Union which is being established;

- the rights associated with citizenship cannot be discussed without referring specifically to the rights of other people and, primarily, to the question of guaranteeing respect for fundamental rights and freedoms.

2. We must therefore start by considering the status of citizen. In reality, a valid criticism can be made of all the proposals under discussion - the worst of all those contained in the document of 15 April 1991 by the presidency of the Conference on Political Union - citizenship is presented as a set of rights and obligations which, however, despite the considerable efforts of the Spanish document, fail to define a proper status as citizen.

It is certainly not easy to achieve this objective. The question of citizenship raises so many problems and touches on so many national sensibilities and specific interests, and a number of conceptual problems arise particularly because the political and legal discussions held so far at the level of doctrine, mainly concern the relationship between the nation-state and the individual. I would therefore say that citizenship is an institution which is - in modern times - closely linked to the nation-state.

Your rapporteur cannot provide complete solutions to these problems without more time, and I do not believe Parliament can set out all its considerations in detail, on such a complex topic without more time. Nonetheless, we must present our proposals - at constitutional level - so that the Intergovernmental Conferences which are under way can take note of them. Your rapporteur is therefore presenting an incomplete report and reserves the right, to propose more complete and more systematic solutions in due course, with the help of the Committee on Institutional Affairs.

I should therefore like, in due course, to analyze the considerations which led me to present specific proposals.

### 3. Acquisition and loss of citizenship: definition

(a) In the draft Treaty of 1984, and in the Colombo and Martin reports, European citizenship depends on the citizenship of a Member State. The citizens of the Member States are citizens of the Union. Consequently, the rules governing the acquisition and loss of citizenship are those of each individual Member State and there can be no citizenship of the Union without citizenship of a Member State. While this theory, which is certainly common to other federal systems, avoids the always difficult problem of providing a legal definition of the means of acquiring and losing citizenship, it certainly does not solve all the problems.

It seems to me that three main problems may be foreseen:

- the disparity between an individual who enters into a particular relationship with a Member State and becomes a citizen of it, and another individual who enters into the same relationship but with a different Member State, and does not obtain this benefit. This is certainly a problem because it raises the question of the principle of equality in relationships with the Community;
- the decision by a Member State to make the acquisition of its own citizenship too easy, at least from the point of view of the other Member States;
- a possible dispute during a case before the Court of Justice in which the status of citizenship of an individual is relevant; will the Community Judge be able to rule on the basis that this person does or does not enjoy citizenship of a Member State? What would the implications be?

I believe that these problems must be mentioned but that the report must uphold the line taken so far by Parliament.

(b) With regard to the definition, it seems to me that, having adopted the line indicated above, it is not necessary to venture too far in this direction. The definition should stem later from all the Community legislation applied to the citizens (of the Member States and therefore of the Community). The Adonnino report, submitted to the European Council in June 1985, makes no mention of the problem and pursues the line followed hitherto by Parliament.

### 4. Aspects of citizenship

A. The central aspect of citizenship is also, in theory, the rights of an individual particularly vis-à-vis the authorities, which are in this case the authorities of the Community and of the Member States: it is here that the fundamental difference between subject and citizen is to be found.

Two theories emerged in the Community context, particularly between the end of the 1970s (Schelba report of 1977) and 1982 (Gonella report), namely the theory of fundamental rights and the theory of special rights.

The first theory maintained that the fundamental rights, common to all men must, first and foremost, be granted to the citizens of the Member States. In fact this demand was based, on the one hand, on the judgments of the Court of Justice, which declared from 1969 onwards - and expressly declared from 1974 onwards - that these rights were an integral part of Community law and, on the other hand, on the rulings of the German courts, which were reluctant to give full recognition to the primacy of Community law in the absence of the clear integration of fundamental rights in Community law.

The proponents of this theory strongly advocated the Community's accession to the European Convention on Human Rights and Fundamental Freedoms, especially after the Court had explicitly recognized in 1974 that its provisions applied to Community law - after France had been the last Member State to lift major reservations regarding its own accession to the Convention and its protocols.

Those advocating the so-called special rights, on the other hand, while not denying the need to respect fundamental rights, stressed those rights which derived specifically from the Community Treaties and would constitute a 'plus' for the citizens of the Member States.

An analysis of the question today gives rise to the following observations:

In the first place there is absolutely no doubt that the Court of Justice's rulings ensure the respect of fundamental rights in the context of the Community's actions. It is equally indisputable that the Member States provide, at constitutional level, full guarantees of the respect of fundamental rights and freedoms and that they are, moreover, parties to international agreements which, at least in part, provide an 'external' guarantee of these rights. It is also true that there is now a plethora of 'lists' of rights and procedures for guaranteeing them.

However, it is also true that, if the Community wishes to endow itself with an 'original' constitutional order, it must itself guarantee the respect of fundamental rights and draw up a broad list of rights, albeit an incomplete one (this is an inherent feature of every list of this type), and accede to those international conventions which provide external guarantees of compliance with these rights. This is particularly relevant to questions of internal security and cooperation between police forces and judicial institutions, particularly in connection with the opening of borders. These questions are becoming increasingly important, with rapid and significant developments at Community level (the Trevi Group and associated initiatives) which are escaping political and jurisdictional control at European level, where purely national controls will clearly prove to be totally inadequate.

This makes the question of fundamental rights even more important. The disappointingly limited formulation of fundamental rights contained in the 'non-paper' of 15 April 1991 is therefore all the more astonishing. It is, however, inconceivable to base citizenship, even the incomplete and 'hypothetical' form of citizenship contained in the document presented to the Conference, on anything other than the expansion of fundamental rights and freedoms in addition to their recognition and protection.

B. There is, besides, the question of what the citizens of the Member States will obtain from Community citizenship. In fact, the Community Treaties grant citizens a number of rights which do not automatically derive from fundamental rights but which, unlike the latter which apply to everyone, only apply to citizens of the Member States, excluding those who do not enjoy this 'privilege'.

These are, generally speaking, the rights associated with the principle of non-discrimination between nations, the legislation on the freedom of movement of persons, goods, services and capital, and rather incompletely, at least in the text of the Treaties, to equality between men and women. These rights apply with the reservation that they are linked in the Community Treaties to the citizen as an economic agent, in employment, or inactive as a result of unemployment, disease or old age.

One of the cardinal principles is the attribution of these rights to citizens as individuals, irrespective of their social and economic role.

This is a principle which can no longer be ignored and the Council has approved some measures aimed at applying it.

This is an essential area partly because the - strongly federal - nature of these rights is that they prevail vis-à-vis the Community institutions as well as those of the Member States and, in both cases, are given effective jurisdictional protection at Community level.

These rights apply, as already stated, only to citizens of the Community and not to citizens (and undertakings) of third countries, even if they are working (or operating) in the Community. The problem previously arose chiefly in connection with undertakings (leading to the establishment of European branches allowing these rights to be enjoyed on certain conditions). Today, the problem clearly concerns immigrants from outside the Community.

A 'new' problem is the protection of Community citizens in third countries. The problem, raised at least a decade ago, seems to be under discussion at the Intergovernmental Conference on Political Union. Essentially, it is a question of extending the power to protect a citizen of a Member State to the authorities representing the Community and those of the other Member States in a non-Community country. Unless it is made more substantive, it would appear to be a means of demonstrating European unity rather than a citizen's right.

C. I believe, therefore, that the two theories are now complementary and I propose the following:

- the inclusion of a list of rights in the 'constitution' and from now on in the Treaties, particularly those contained in the report adopted by Parliament in April 1988 (De Gucht report);
- the accession to the European Convention on Fundamental Rights and Freedoms;
- a specific constitutional guarantee of the rights which are additional to those deriving from citizenship of Member States, including legislation for their possible extension to immigrants from outside the Community.

D. The question of citizens' rights leads immediately to the question of citizens' relations with the institutions and so to the area of political rights which we will discuss separately, purely for convenience. The essential requirement is to guarantee, free of the present ambiguities, the right of citizens to have democratically elected institutions as their main political interlocutors.

We must therefore begin by considering the requirement of every democratic society that its citizens participate in political life. This means the right to vote for their own representatives at various levels, the right to form parties, unions and other bodies considered suitable for - legally - exerting influence on public life. Certain problems arise at the level which concerns us, mainly in connection with voting rights. Firstly, there is the two-fold problem of electing the European Parliament, i.e. the electoral system, and the question of votes for citizens residing in a Member State other than their own, and the - incomplete - role of the elected Parliament.

Secondly, there is the problem of allowing citizens residing in other Member States to vote in local and national elections, (although the problem is now also arising in connection with non-Community immigrants).

With regard to the right to freedom of association we must consider the need to remove all the obstacles to full participation in the activities of the different associations of citizens of other Member States, for example eligibility for all trade union offices.

The question of referendums will certainly be raised. The Parliament has already voiced its opposition to their general use - in the Colombo and Martin reports. However, the European Parliament has requested a referendum, on the constituent mandate, which was held in Italy. It should not be forgotten that some constitutionals (in Germany and the Netherlands) categorically reject them. This is a matter for reflection.

There remains the actual question of relations with the Community institutions. A rough list of rights would include the right of petition, the right of citizens to be fully informed of all the decisions concerning them, and to prior consultation, and the right to confidentiality with regard to information concerning individuals or undertakings. These are balanced by the obligation of the citizen to respect Community law.

The problem of internal security referred to in connection with fundamental rights merits separate consideration.

E. The question of rights immediately raises the topic of social rights and their protection at Community level. On a more properly political level, they are essential in a modern society to ensure that the relationship between individuals, the State and civilian society is based to a large degree on the freedom and dignity of individuals. At the economic and social levels, it is essentially by respecting and specifically defining social rights that equality of opportunity can be guaranteed. Without this guarantee, respect for human individuals is likely to become a mere abstraction. However, the Member States generally appear to have some sensitivity to this question. Indeed the proposals in the social charter,

though they certainly had unrealistic and excessive aspects, were a step in the direction of giving the Community a list of these rights which would have become binding as a result of subsequent legislation and the conduct of the institutions. Unfortunately, the will to achieve this objective was lacking. Nonetheless, this does not alter the fact that the problem exists and is a fundamental problem which cannot, however, be resolved in this initial report. We need, at least, to look at the social charter adopted by the Council of Europe.

F. With regard to fundamental rights, and those linked to the status of citizens, I believe that they must not be limited to the individual sphere and must protect the citizen - and any individual, where fundamental rights are concerned - in his or her social setting, i.e. his or her actual mode of existence in society. I am referring, for example, to the family, where the individual conducts an essential part of his or her activities and life. It is largely in groupings of a number of people that the possibility of self-expression as an individual exists. I believe that this aspect is not fully exploited in the Community system. In fact, there is more of a tendency to consider the individual as producer, consumer, unemployed or old rather than as an individual. However, it is essential to ensure at Community level that no obstacles are set up to recognizing the right to and providing the essential guarantees of an individual's complete self-development in his or her social groups, particularly the family.

G. The problem of the jurisdictional protection of citizens also arises. This seems to me to be a crucial area. Nonetheless, the present system is generally satisfactory despite the need for some improvements. These relate in particular to the protection of human rights and fundamental freedoms and the so-called special rights. The solution presented in the Colombo report seems to me to be adequate, partly because it observes the necessary caution. The indiscriminate provision of individual recourse to the Court of Justice would create the risk of destroying the relationship between the citizen and 'natural' (and therefore 'accessible') justice which is an important value not only in the Italian constitution. It is important to stress, in this area, the link with the question of accession to the European Convention and the role of the Court of Justice with regard to the Convention's system of guarantees.

H. An important role in guaranteeing the respect of rights vis-à-vis the institutions could be played by a mediator, appointed by the European Parliament, with wide powers to argue the citizen's case against administrative actions. Considerable attention is given to this subject in the proposals made by Spain and Denmark to the Conference on Political Union. This is an extremely delicate subject as it concerns the role of the mediator vis-à-vis Parliament and the Court of Justice, and the particularly complex relationship with the administrative and legal authorities at national and regional level. While I support the principle, I believe that it is essential to explore it in greater depth.

I. Another area is the specific measures designed to demonstrate the relationship of citizenship. These are measures of very different types - see the Adonnino report - such as the physical removal of borders, Community passports and driving licences, the Community flag, Community symbols, and cultural and health measures. We need to grade these measures carefully and place the main ones in the context of rights, or culture.

J. Citizenship is not, however, merely a legal value or a system for the protection of rights. It is also a fundamental element of society, a 'common feeling' of belonging which cannot, of course, be created by legislation. The cultural element is the vital cement. The Community certainly features a wide range of national and local cultures which form the basis of its vitality. The Community must therefore avoid all the dangers of 'homogenisation' or imposing cultural models.



MOTION FOR A RESOLUTION (Document B3-1680/90)  
pursuant to Rule 63 of the Rules of Procedure  
by Mr MEDINA ORTEGA  
on Community citizenship

The European Parliament,

- A. whereas the European Community is gradually changing from an essentially economic union into a political union,
- B. whereas this process will no doubt accelerate after 1 January 1993,
- C. maintaining that the Community citizen must, as the holder of individual and collective rights, be considered as the focus of the process,
- D. whereas a union based on citizenship has similarities with the People's Europe, but is conceptually different,
  - 1. Maintains that the status of Community citizen, when superimposed on that of national of an individual Member State, should be reflected in the reform of the Treaties to be carried out as a result of the Intergovernmental Conference on Political Union starting in December;
  - 2. Considers that the notion of Community citizen should include the basic rights which would enable a genuine human dimension to be given to the Community;
  - 3. Considers that the status of Community citizen should have meaning both within the Community and beyond;
  - 4. Calls for a study to be carried out on the concept of Community citizenship, in order to establish Parliament's views on the matter in the discussion which is going on in the other Community institutions.

