

**Draft Resolution submitted by CDA (Netherlands), CDU (Germany), FI (Italy), PP (Spain), PSD (Portugal), UMP (France) to the EPP Congress, Warsaw, 29-30 April 2009**

The participating Delegations at the “Brussels Forum”, composed of delegates from EPP member parties representing the Europeans residing outside their country of origin, held in Brussels on the 11<sup>th</sup> March, 2009, propose a resolution for the EPP Congress, to be held in Warsaw, 29<sup>th</sup> and 30<sup>th</sup> April, 2009, entitled:

**“Towards an EU Joint Policy on the rights of the Europeans residing outside their country of origin”**

This EU Joint Policy aims to promote and safeguard the rights of the **Europeans residing outside their country of origin** in the European Union's internal and external policies and to support Member States’ efforts in this field.

The participating Delegations at the “Brussels Forum”,

- Having regard to the Charter of Fundamental Rights of the European Union, and in particular Chapter V thereof entitled 'Citizens' Rights',
- Having regard to the Report from the Commission entitled "Fifth Report on Citizenship of the Union (1 May 2004 – 30 June 2007)" (COM (2008)0085),
- Having regard to 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<sup>1</sup> (the Free Movement Directive),
- Having regard to the Paris Declaration, “For a European policy on Europeans resident outside their country of origin”, following the first meeting of Europeans resident outside their country of origin, organised by the Assembly of the French Abroad, held in Paris, the 30<sup>th</sup> of September, 2008,
- Having regard to the EPP statutes,

A. whereas the further enlargements of the European Union have resulted in a considerable increase in the number of EU citizens residing outside their Member State of origin,

B. whereas, pursuant to Article 3(1) (c) of the Treaty, the abolition, as between Member States, of obstacles to the free movement of persons and services is one of the activities of the Community,

C. whereas the right of EU citizens to establish themselves or to provide services anywhere in the EU are fundamental freedoms of the Single Market,

D. whereas the concept of EU citizenship includes the principle of non-discrimination of all European citizens,

E. whereas mobility in the EU remains low, only 4% of the workforce has ever lived and worked in another Member State and approximately 2% currently lives and works in another Member State,

1. Considers that the European Union is not an end in itself. It is at the service of a concept of society based on the individual, freedom, solidarity, economic, social, territorial and human cohesion; for us, the European project always had a human dimension and the goals of great European achievements like the Single Market and our common single currency, the Euro, were always the added value they would deliver for the citizens by stimulating the economic development in an increasingly globalizing world;

2. Welcomes the EPP’s draft Election Document 2009 that points out that persons are not merely individuals, but human beings belonging to families, communities, regions, countries, enjoying both full rights and duties – also at EU level; the achievement of the goals of human, social, economic and political integration of Europe concerns all European citizens and through its agenda, the EPP is sending a message of prosperity and solidarity;

3. Calls upon all European citizens to work together for the common European future and to give new impetus to the European project;

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<sup>1</sup> OJ L 158, 30.4.2004, p. 77.

4. Points out that the European citizens who live and work in Member States other than their own contribute to growth and prosperity of their home countries and have a particular responsibility in promoting the common European values and culture;
5. Reminds that the concept of European citizenship includes the principle of non-discrimination of all EU citizens; stresses that the common European space of Justice, Freedom and Security should become a reality for all Europeans; emphasises that all European citizens are entitled to equal treatment under the laws and judicial institutions of all Member States, including European citizens living or working in Member States other than their own;
6. Invites EPP and its member-parties to further their analysis of the situation of the European citizens living or working in Member States other than their own and to take appropriate action in order to ensure that they genuinely enjoy rights as EU citizens;
7. Calls on to EPP and its member-parties to take further measures in this field especially with regard to practical issues (see in annex Draft Position Paper "Towards an EU Joint Policy on the Rights of the Europeans Resident outside their Country of origin") which very often do not function properly despite efforts to harmonise them at EU level;
8. Invites the EPP and its member-parties to include an EU Joint Policy on the rights of the European expatriates as an action point in their programmes of activity to campaign for the European Elections 2009 and beyond;
9. Is concerned by the low number of EU citizens residents in Member States other than their own who take advantage of the right to vote or stand in either European or municipal elections in their place of residence; regrets the practical obstacles that too often confront potential voters in the exercise of their rights;
10. Calls on the EPP and its member-parties to launch, in cooperation with the European Institutions, effective information campaigns about the electoral rights of EU citizens residents in Member States other than their own and give practical advices on how to exercise them at local level; urges to cooperate in order to enable voters residing outside their Member State of origin to exercise their full electoral rights in their Member State of residence, by providing a sufficient number of polling stations and by facilitating easier registration of voters;
11. Requests the EPP and its member-parties to hold a Conference in view to produce a comprehensive position paper on expatriate's rights entitled "Towards an EU Joint Policy on the Rights of the European Citizens residing outside their country of origin";
12. Asks to the EPP Secretary General to forward this motion to the EPP Congress that will be held in Warsaw, on 29<sup>th</sup> and 30<sup>th</sup> of April, 2009.

Adopted in Brussels, the 11<sup>th</sup> of March, 2009

#### **The participating Delegations at the "Brussels Forum"**

**Partido Popular de España en Bélgica**  
**Forza Italia - Belgique**  
**Christlich Demokratische Union Deutschlands**  
**Christen Democratisch Appel, Afdeling België-Luxemburg**  
**PSD Bruxelles**  
**UMP – Belgique**

#### **ANNEX**

#### **DRAFT POSITION PAPER**

#### **"Towards an EU Joint Policy on the rights of the Europeans residing outside their country of origin"**

#### **Issues at stake**

**The participating Delegations at the "Brussels Forum"** request the EPP, its member-parties and other stakeholders to hold a Conference in view to produce a comprehensive position paper entitled "Towards an EU Joint Policy on the

Rights of the Europeans residing outside their country of origin” to effectively promote and safeguard the expatriate’s rights.

In this Conference, EPP, its member-parties and other stakeholders will discuss further measures in this field especially with regard to practical issues which very often do not function properly despite efforts to harmonise them at EU level, such as among many other issues:

- **European ID card:** that contains in a single document all the information required to live in a different Member State: identity, nationality, civil status, work permit status, social status and right to aid, etc.
- **European work contract:** an EU-wide legal system for work contracts, social rights and fiscal rights for “cross border” Europeans.
- **A common justice for all Europeans:** it is imperative that the common European space of Justice, Freedom and Security should become a reality for all Europeans citizens. This is essential for the Europeans resident outside their country of origin. All European citizens are entitled to equal treatment under the laws and judicial institutions of all Member States. The European ‘Civil Justice’ specific programme (2007-2013) provides an opportunity to improve conditions for expatriated European citizens and to guarantee a choice not open to legal challenge and simplified access to courts competent to rule. An evaluation of the terms on which European expatriates enjoy access to the judicial system must be carried out under the auspices of a specific action within the ‘Civil Justice’ programme (2007-2013) dedicated to European expatriates.
- **Family:** to finalise the issue of jurisdiction and applicable law in matrimonial matters, particularly divorce (Green Paper on applicable law and jurisdiction in divorce matters [[COM\(2005\) 82](#) final - Not published in the Official Journal – “Rome III”]). Introduce a European family book in cases of cross-border contracts and marriages.
- **International conventions:** to ratify a series of international conventions which are of particular importance to “cross border” Europeans: international protection for vulnerable adults (2000); of children (1996), convention on nationality (1997), etc.
- **Dual nationality.** Non withstanding national rules that prevail, encourage, where possible dual nationality, even multi-nationality, within the EU for persons with cross-border family, residential or professional interests.
- **Posted workers.** To remove the uncertainty surrounding the concrete application of the directive on the posting of workers.
- **Qualifications.** Study the possibility of reinforced cooperation for the recognition of professional qualifications particularly in terms of crafts and the countries most affected.
- **Education.** Set a target of multiplying the number of exchanges between European universities by ten (from 2% to 20% of Erasmus students) through a reform of national bursary systems.
- **Motor vehicles.** The transfer of vehicle registrations, recognition of personal and vehicle insurance policies issued in another Member State.
- **Health.** The transfer of medical records, clear rules on the reimbursement of medical expenses.
- **Social.** The portability of pensions and social rights needs further consolidated and clarified directives improving the free movement and other rights for EU citizens.
- **Multi-cultural dimension.** Considering the increasing geographical mobility amongst the Peoples of Europe, it is necessary to further promote, at the level of the European Union, linguistic training. The oral communication with non-resident citizens seems, too often still, to be suffering from a lacking linguistic and intercultural knowledge. Therefore knowledge of the language of the host country is a pre-requisite for an effective integration for any citizen. Besides that appropriate training in foreign languages is indispensable but still lacks more efforts in realizing the goal of mother tongue plus at least two foreign languages.
- **E-Governance dimension.** Considering the steeply increasing use of interactive electronic communication channels, especially by public authorities, it is necessary to make sure that, at a European Union level, common accesses to electronic services provided by Member States are being put in place. Currently, those accesses are still conditioned by the ownership of a national (social security) number, which results in the exclusion of the majority of the “trans-border” citizens.

The participating Delegations at the “Brussels Forum” calls on the EPP, its member-parties and other stakeholders to take an active part in the development of this EU Joint Policy to ensure that the European Union contributes to promoting and safeguarding European expatriate’s rights in all its internal and external actions and supports the efforts of the Member States in this field.