



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary-General

Brussels
SG/IJ

Dear Mr Venables,

Thank you for your letter of 30 May 2024, on behalf of ECIT Board of Directors, in which you regret the lack of public consultation on the 2020-2023 report published pursuant to Article 25 of the Treaty on the Functioning of the European Union (TFEU) on the application of the provisions on EU citizenship¹ and the Commission's proposal to amend the Consular Protection Directive².

You recommend that the Commission hold a public consultation on EU citizenship at the start of the new legislature cycle, and you call for clearer guidelines for future reports, with consultations on every tri-annual report on EU citizenship and subsequent legislative proposals. You also propose a public hearing on consular protection in cooperation with the European Parliament before the latter considers changes to legislation.

As far as the EU citizenship report is concerned, you refer to a decision of the European Ombudsman of 2009³. In that decision, the Ombudsman clearly stated that the Commission was '*not under a legal obligation to carry out a consultation before publishing its reports on European Citizenship*'. At the same time, the Ombudsman also considered that '*consulting interested parties before publishing the reports on European Citizenship would clearly be good administrative practice*'.

In line with Article 25 TFEU, the Commission must report to the European Parliament, to the Council, and to the Economic and Social Committee every three years on the application of the Treaty provisions on non-discrimination and citizenship of the EU. Those reports have regularly been accompanied by a more political and forward-looking

¹ Report under Article 25 TFEU on progress towards effective EU citizenship 2020-2023 ([COM\(2023\)931 final](#)).

² Proposal for a Council Directive amending Directive (EU) 2015/637 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and Directive (EU) 2019/997 establishing an EU Emergency Travel Document ([COM\(2023\) 930 final](#)).

³ Case 406/2008/(WP)VIK.

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communication from the Commission, presenting possible avenues to further promote EU citizenship. In that context, the Commission organised public consultations.

By contrast, the latest Article 25 TFEU report was not accompanied by such a forward-looking communication. As a result, the Commission considered that a full-scale public consultation was not warranted. The Commission however gathered input through a call for evidence⁴ and also reached out to civil society (as summarised in the letter sent to you on 10 April 2024⁵). The Commission also took into account additional data, including citizens' queries and complaints and the results of a specific Flash Eurobarometer (528) on citizenship and democracy.

As for the proposal to amend the Consular Protection Directive to which you also refer in your letter, I would like to recall the earlier reply you received on 10 April 2024 explaining why there was a derogation from the requirement to conduct a public consultation. I would nevertheless wish to underline that an inception impact assessment was carried out and that its publication on the Commission's website offered an opportunity for external feedback. It is for the European Parliament to determine if and how it wishes to consult on the Commission's proposal. The Commission is ready to contribute to any Hearing or discussion the European Parliament would wish to organise.

The interests of citizens lie at the heart of both the Political Guidelines set out by President von der Leyen for the next Commission, and the Strategic Agenda adopted by the European Council in June. This will be a central theme for the Commission, and the EU as a whole, over the next five years.

The Commission remains committed to ensuring that all EU citizens can effectively exercise their rights, and to further developing the tools at the disposal of citizens. In preparation of specific proposals, the Commission will invariably collect information and views from stakeholders, taking into account the general principles and applicable standards for such consultations. In her political guidelines, President von der Leyen has put forward avenues to further embed citizens' participation across the EU.

Europeans greatly benefit from EU citizenship and the rights it brings; it lies at the heart of European democracy. This is something we can and should build upon. A strong narrative on EU values and the many advantages enjoyed by EU citizens, as well as ensuring their democratic engagement and responsibility, also works as a bulwark against disinformation and polarisation.

The Commission remains committed to reinforcing EU citizenship and would like to thank you once more for your continuous support.

Yours sincerely,

Ilze JUHANSONE

⁴ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13699-EU-Citizenship-Report-2023_en

⁵ Reference Ares(2024)2433257