

ECIT Foundation's Fifth Annual Conference

December 2020

Report

This year's conference brought together around 280 civil society activists, researchers and policy makers to an online stage to discuss EU citizenship in its current shape and how it should look into the future; how to strengthen the Rule of Law; European citizenship education; pushing the boundaries of European citizenship; achieving full political rights; and adding new rights to EU citizenship. The programme can be found [HERE](#). The event was also an opportunity to collect background reading material together on European Citizenship which can be found in the Annex (*'materials for individual sessions'*).

The 2020 edition was organised in cooperation with NECE (*Networking European Citizenship Education*) - building on the results of their conference in Berlin in November, the Institute of European Studies - Université Libre de Bruxelles, in particular with the support of the Jean Monnet Module "Rule of Law and Mutual Trust in Global and European Governance", and with the Friedrich Naumann Foundation Europe.

As stated by those who participated in previous summer editions of ECIT's Annual Conference, the online discussions this time were more diverse with speakers addressing the issues from very different angles, resulting in both interesting and stimulating discussions and conclusions. Exploring EU citizenship around rights, participation and belonging can lead to such a result since both highly theoretical and practical considerations are involved. Themes and recommendations were extended beyond those of the previous conferences. In view of the [EU Citizenship Report 2020](#), the Democracy Action Plan and plans for the Conference on the Future of Europe, the event was timely.

The format of the Conference was organised so each session could build on the previous one, generating in-depth discourse and the ability to reach substantial suggestions and conclusions. The first session laid the foundation, with speakers consulting on what European citizenship looks like today and how they see it to be in the future.

DAY 1

I. WHAT IS THE CURRENT STATE AND OUTLOOK FOR EUROPEAN CITIZENSHIP?

In welcoming participants, Tony Venables, the Founder of ECIT drew attention to the foundation's 12-point programme of priorities which can be found [HERE](#) and which would certainly be shaped by the discussions. He then explained by way of introduction what [ECIT expected from each of the 6 sessions](#).¹

"Give me a reason to love Europe, give me a reason to be European" declared the speaker Laura Sullivan (*WeMove.eu*) mischievously by appropriating Portishead's song.

The speakers quickly came back to a simple but crucial question of defining European citizenship. Strong emphasis was placed on making EU citizenship appeal more to the emotions and the sense of European identity. They pointed out that, in the end, very few European citizens really know what it implies, such as their rights and duties. Why is this? Because disparities between citizens are strong:

¹ To watch the opening session follow this link:
<https://www.youtube.com/watch?v=eBFPo0RBPwE&feature=youtu.be>

poverty, level of education, insufficient variety in the means of relaying information, etc. In addition to this, the tools made available by the European Union to its citizens are poorly explained, if not difficult to use.

Marie-Hélène Boulanger (*D-G Justice*) introduced the since released [European Commission Citizenship Report](#) and explained how the base of the report was about simplifying the exercise of EU citizenship, promoting EU values and participation in all areas of EU life – all guided by the willingness to make a difference at ground level. The Covid-19 pandemic has been a stress test for EU citizenship and the Commission has been active in ensuring the freedom of movement, the enhancement of Member State coordination, as well as the writing of many policy documents in order to maintain a solid equilibrium between the protection of health and the freedom of movement. With a list of examples and official statistics Marie-Hélène Boulanger highlighted just how much EU citizens like their right to free movement, and how from the perspective of the pandemic one can see how important these rights are. Concluding, she focused on the priorities of the European Commission in the coming months. The Commission's democracy action plan is due, in which it addresses both resilience and threats to democratic debate. In addition, 2021 will see many important proposals, among them mobile EU citizens and transparency in political advertising.

Facing the detractors of the European Union, Maite Pagazaurtundua (*MEP*) explained that she is aware that education and freedom of movement are the best means to fight populism, while naturally increasing freedom. For her, there is an urgent need to put citizens and European citizenship at the centre of the European agenda. Now is a crucial moment for the EU. According to the treaties, a Member State is also a citizen of the EU, this is an additional citizenship not an alternative one. The EU is a success story, but it does face problems and deficits. The social rights that EU citizenship implies through case law are clearly linked to its freedoms. A statute of EU citizenship would be a noble instrument, and such has been called for in the AFCO report. Maite Pagazaurtundua asked that the Commission take into account a recommendation made in her own initiative report from before the European elections calling for consolidation and bringing together EU citizenship rights in a charter similar to the pillar of social rights. We need to be more demanding in ensuring the right to vote. Reiterating what Marie-Hélène Boulanger exclaimed, we must change the perspective and put citizens at the centre of the system and at the centre of the agenda.

Tony Venables recalled a similar recommendation by ECIT which had brought together the scattered elements of EU citizenship in guidelines to make them more visible. Marie Hélène Boulanger did not take up this suggestion directly but confirmed that EU citizenship is very important for the Commission across all policy areas. She underlined the increase in awareness of EU citizenship and the rights attached to it which was shown in the Eurobarometer surveys published with the consultation on the 2020 Citizenship report. Her presentation was a foretaste of the 2020 Citizenship Report published on 15 December.

According to Alberto Alemanno (*The Good Lobby*), the level of knowledge about the EU is not evenly distributed among the 446 million citizens of the European Union. Echoing his [book](#), he explained that there is a real problem of democratic exclusion. For its citizens, access to European decision-making is almost non-existent. Indeed, the only way to change things for EU citizens is to launch a petition and collect enough signatures in a timely manner, which is a complicated process to say the least. Empirical evidence suggests that a strong wake-up call is needed for all political leaders and administrations. Why is it that for twenty years the EU have been trying to put citizens at the centre and yet they have not been successful? For too long we continue to assume that everyone in the EU has equal opportunities to access the EU. Because levels of knowledge and resources are unevenly distributed this leads to the adoption of policies that do not reach everyone. An emergency call at the Conference on the Future of Europe will take up the question of how can we move away from this. We need to embrace an understanding of political inequality that is more substantive, which will in turn influence the proactive creation of exact equal opportunities. Alberto Alemanno pondered, how can participatory democracy reach the day-to-day processes of the EU institutions – what kind of political mechanism is needed? The Conference on the Future of Europe needs to deliver a tangible process which will make EU leaders

take citizen input seriously. He left us with the idea that should the Conference not deliver, this will feed into an extremely dangerous process where the EU could lose ground.

[Laura Sullivan](#) cleverly used the titles of three songs (*Glorybox*/Portishead; *Big Yellow Taxi*/Joni Mitchell; *Talking About a Revolution*/Tracy Chapman) to help portray three ideas to ECIT 2020. We don't want to just market EU citizenship to people, we need more good reasons to actually love the EU, in practice. A new generation of Europeans is not being given reasons to trust or belong to or love the EU. Similar to previous speakers she stated how the base of the problem is an unequal power relation where corporate voices are stronger than peoples' voices. She mentioned the success of citizens assemblies in France and Ireland and how the EU should take this up and give people some more reasons to want to participate and love the EU. No European should have to struggle, all should have opportunities to build a decent life. Laura Sullivan spoke of how she was inspired when she worked with *ActionAid International* and the use of 'reflect circles' – weekly meetings on rights literacy, political awareness and active citizenship in the Global South. Such community organisation should be developed in Europe about active citizenship and rights from local to EU level.

Laura Sullivan lastly put forward [Ulrike Guerot's idea of revolution](#) 'everyone touching European soil should have the right to become a European citizen'. Referring to Amsterdam's city passport for asylum seekers she pushes for finding ways to make decision making properly inclusive, humane and sustainable. She exclaims that the revolution is already out there and that the solutions are there in all of the great ideas and alternatives that exist all over Europe!

The demands of Carmen Descamps Gerstenmeyer (Editor and author of the book ["To be or not to be - EU Citizenship"](#)) were clear: "First of all, we must make the European Union more inclusive, so that citizens work together, including MEPs, associations, students, activists, policy makers, academics, etc., and that the European Union becomes more inclusive." For her, finally, it is "a golden passport with limited voting rights".

As for the fundamental right of freedom of association, it still does not include the European Statute of Association, allowing association across national borders on a European legal basis. Gerald-Christian Heintges (*European Republican/Federalist*) pointed to this problem.

Bernard Khole, a participant at the Conference, denounced the passivity of the European Union, and therefore asked for this debate to take place in schools, at a grass-roots level, because "people do not know what it is to be European".

"The major challenge for the European Union is to move from statements to facts which will be one of the issues at stake at the Conference on the Future of Europe", said Alberto Alemanno.

II. HOW TO STRENGTHEN THE ENFORCEMENT OF EUROPEAN RIGHTS, VALUES AND THE RULE OF LAW?

The second panel of the Annual Conference was organised in cooperation with the Institute of European Studies of the Université Libre de Bruxelles, in the framework of the Jean Monnet module "Rule of Law and Mutual Trust in EU and Global Governance". The module is coordinated by professor Ramona Coman, who also facilitated the panel. The relevance of this panel was increased by ongoing negotiations of the EU budget and recovery fund, and the Hungarian and Polish veto on Rule of Law conditionality.

The first speaker, Jeremy Bierbach (*Franssen Avocaten*), began with reference to Laura Sullivan's recital of Joni Mitchell's 'Big Yellow Taxi': "Don't it always seem to go that you don't know what you've got 'til it's gone...". Indeed we don't appreciate our rights until they are taken away from us.

Bierbach explained how he wrote a [book](#) comparing EU and US case law on freedom of movement and then went on and retold a landmark court case in the US² that started from something small – the purchase of a bus ticket which happened to be a Federal Government service. This illustrated how you can make real change without even meaning to. At the previous ECIT annual event judge Rossi explained how from the purchase of a Paris metro ticket, the European Court of Justice defined responsibilities of the authorities towards citizens of other Member States on their territory.

Next to speak was Jože Štrus (*DG Justice, Policy and Rule of Law*), detailing how the Rule of Law is crucial for the functioning of the EU and mutual trust among its Member States. In addition, the pandemic has highlighted its relevance, as it is representing “a stress test for the resilience of the Rule of Law”, which can no longer be taken for granted even in the European Union. He then went on explaining the tools at the disposal of European Institutions in order to ensure its respect in all Member States. In particular, the structure of the annual [Rule of Law Report](#), first published on 30 September 2020 by the European Commission, was presented as a preventive mechanism aimed at fostering a Rule of Law culture in the Union. It was organised country by country on the basis of discussions with the governments and evidence from third parties on the basis of a common methodology and the same headings: justice systems, the anti-corruption framework, media pluralism and freedom, and other institutional issues linked to checks and balances. The Rule of Law Report consists of a general report and 27 country chapters presenting the Member-State specific assessment.).

The social dimension of the Rule of Law – this being the impact the Rule of Law has on social systems in a state and what happens when the Rule of Law is not respected – was then introduced by Ramona Coman, who launched the question of how Article 7 TEU³ can be used more in connection with EU citizenship.

In his answer, Jeremy Bierbach made a second parallel to the US system, where a case was decided stating that same-sex marriage valid in one State is to be considered valid in the whole country.⁴ Although the European Court of Human Rights ensures a high level of protection, decisions by the European Court of Justice, for instance linked to same-sex marriage, are still strictly related to the preservation of the Internal Market. Jože Štrus commented on this saying that in the EU the focus is rather institutional: human rights must be protected by someone, and this someone is the European Institutions, at least in the European Commission’s view.

MEP Brando Benifei (S&D) took the floor next, discussing the Rule of Law from the European Parliament’s perspective. The compromise with the Council on Rule of Law conditionality is difficult to change at this point: the German presidency has been very helpful in its negotiation and it is the Council’s duty to respect it. Brando Benifei added that it is the Parliament’s duty to give substance to EU citizenship by defending the rights of all citizens, including LGBTQ+ couples or citizens on the move. The Parliament is thus ready to work with the Commission on several issues relating to social rights, the Rule of Law, and citizen’s participation.

The Q&A session included enquiries about access to justice from any European citizen: panelists agreed that this is a matter of quality of justice, and the EU’s role in this is to compare standards across Member States and make sure they guarantee a high quality justice system. In particular, Jože Štrus referred to

² *Boynton v. Virginia*, 364 U.S. 454 (1960)

³ Article 7 TEU aims at ensuring that all EU countries respect the common values of the EU, including the rule of law.

⁴ *Loving v. Virginia*, 388 U.S. 1 (1967)

the ‘chain of justice’ and the need to safeguard every step of it in order to ensure that citizens have access to independent courts and that disputes be solved in due time. The discussion showed how a top-down and institutional approach to improving the rule of law could be supported by bottom-up action by individuals claiming that breaches of fundamental rights were a violation of their EU citizenship.

David de Groot (*Maastricht University*) put forward an interesting legal point about linking EU citizenship and Article 8 ECHR – how fundamental rights play into access to EU citizenship. EU citizenship is a status that by European Court of Human Rights case law falls into the section on private life, and thus is protected by Art. 8, and so according to the Charter of Fundamental Rights is protected by Article 7. So, how can Art.7 be used more in connection with EU citizenship cases? Additionally, he questioned whether third country nationals should be able to have access or be able to apply the law on EU citizenship where it concerns an EU civil status, such as where a status is acquired in one Member State which has to be recognised in another Member State upon movement of the person in question.

Other comments touched upon the use of language and the need to present issues to the public in not-too-technical terminology, while also being precise enough in institutional communication. Towards the end, Jože Štrus referred to the Recovery Fund and Rule of Law conditionality highlighting that the financial interests of the EU are important for all citizens, and that thus the current compromise is a good safeguard for such interests as well as for fundamental rights.

III. EUROPEAN CITIZENSHIP EDUCATION: HOW TO MAKE IT CENTRAL TO THE EU RECOVERY PLAN

Citizenship education should be a priority as it reflects an image of our society’s future. In that sense, the [NECE Declaration \(2020\)](#) urges reform of the EU, not only in an economic way but also, and first of all, in a democratic way. The European democracy action plan “New push for European Democracy” seems to be the occasion to put citizenship education at the top of the agenda of European institutions, by including it in several new European programmes, such as the Recovery Fund, to make sure that part of each country’s funds are dedicated to citizenship education.

Niccolò Milanese, one of the two facilitators and director of European Alternatives began the session by asking MEP Victor Negrescu (*S&D*) about the actions European institutions could take by 2022 to enhance citizenship education in Member States.

Victor Negrescu firstly, regretted that members of EU institutions do not speak enough about it and called every institution to work on this together. He then reported that he, along with other MEPs, are currently promoting this topic in the European Parliament, and suggested a few next steps to make European citizenship education a priority:

- Making sure that Member states dedicate around 10% of their Recovery Fund to education;
- Adding new resources for citizenship education in the new [European Education Area](#) framework;
- The AFCO Committee in the Parliament should make amendments to include citizenship education in every topic possible;
- Putting pressure on the European Commission to find and implement ideas to improve European citizenship education.

Christoph Müller-Hofstede, the other facilitator and coordinator of the *NECE* initiative, recalled the need for individuals and civil society to be kept informed of actions being undertaken at European level, to which Mr. Negrescu committed himself.

Niccolò Milanese stated how EU Institutions are already under pressure and that this expresses all of the hopes and frustrations from this year. The actual context, due to this pressure, thus could represent *momentum* for a new impetus for European democracy. Following this, he asked Marta Markowska (*D-G Education, Youth, Sport and Culture*) how the Commission is approaching citizenship education and how it could be made to be a priority.

Marta Markowska acknowledged that the year 2020 has tested the resilience of European education systems but she also reminded us of everything the Commission does to make sure that young people know that they are European citizens. *The European Education Area* is showing, according to her, that citizenship education belongs to the priorities of the actual European Commission. As a 2019 Eurobarometer survey highlights; according to 41% of respondents democracy is not taught enough at school. She also stressed the high proportion of youth engagement across the EU, thus making them active European citizens and playing a key role in the new [European Democracy Action Plan](#), and linking it with the Commission's work in the field of education. As an example, the new Erasmus+ programme 2021-2027 will give more opportunities to projects focusing on civil society engagement.

Even though education is a national competence, the EU can give incentives and recommendations on education to Member States, recalled Kris Grimonprez (*KU Louvain*). According to her, the European Institutions should really influence the national educational policies because the aim of citizenship education is enshrined in the European treaties and in other international texts such as the Convention on the Rights of the Child. EU citizenship is additional to the national one but it also provides new rights to individuals, the most important and well-known of these being the protection against discrimination and the freedom of movement within the EU. A problem is that we tend to forget that European citizenship also comes with the right to fully participate in public life. As such, you cannot teach citizenship at school without bringing in its European dimension. Sadly, Member States do not seem capable of doing it on their own, so the EU must take the lead on European citizenship education, according to the subsidiarity principle and focus on the (re)writing of EU-treaties in a non-judicial language, so that everyone can understand and teach them; and, the training of teachers.

Brikena Xhomaqi (*Lifelong Learning Platform*) insisted on the lifelong dimension of citizenship education as democracy and citizenship are permanently changing and evolving. Among other ways to educate about European citizenship, she evoked the teaching institutions themselves: are they democratic? Do they create space for learners to practice democracy (is it a space for free speech...)? It is especially important because school is where you begin to be an active citizen. Reflecting on the comment of Marta Markowska about youth engagement, she highlighted the importance for institutions, not only to enhance this engagement, but also to listen to what young people have to say. She based herself on the [Youth Structured Dialogue](#), which had, according to her, no political impact. If this unwillingness to listen to young people goes on, people will become inactive, and therefore, citizenship education will be impossible because it will be a fantasy and not a reality.

While agreeing with the proposal of Kris Grimonprez to train teachers to popularise EU treaties, she also spoke about the role of the teaching of European history, this topic being closely related to European citizenship education: you cannot efficiently teach European citizenship without common grounds and common readings of European history. The Member states must come together to agree on one single version.

Julie Ward (former UK *MEP*) began her speech by insisting on the fundamental role of education for the transmission of European values, as written in the [2015 Paris declaration](#) of EU education ministers on promoting citizenship and common values of freedom, tolerance and non-discrimination through education. She highlighted the importance of European citizenship education as, she thinks, Brexit is a result of not paying enough attention to it. She agreed on the lifelong character of citizenship education. She observed that youths are usually more informed on European citizenship than the previous generation, who, in her mind, completely missed the point and have not been taught what European

citizenship really means. This situation could lead to a great opportunity of intergenerational teaching. Indeed, informal teaching is, according to her, the best way to learn and practice European citizenship at a time where some European illiberal governments are trying to limit the possibilities of education as well as the subjects being taught.

After those statements, the panellists discussed several propositions in order to implement the *NECE Declaration*, such as:

- making sure that national governments actualise their education programme after the *Paris Declaration*;
- sending the *NECE Declaration* to MEPs and to the European Commission with invitations to an informal dialogue ;
- putting in place a pilot budget to test proposals with the European Commission
- launching a European Citizens' Initiative (ECI) coordinated by NECE itself to raise the profile of European citizenship education.

IV. PUBLIC DEBATE - HOW TO PUSH BACK THE BOUNDARIES OF EUROPEAN CITIZENSHIP WITHIN THE EU AND IN NEIGHBOURING COUNTRIES?

The subject of Brexit, the consequences of British citizens' expatriation elsewhere in the European Union, as well as EU citizens residing in the UK was widely discussed by participants and speakers. Indeed, three million EU citizens live in the UK, and 1.3 million British nationals live in the EU.

Alexandra von Westernhagen, panel facilitator and solicitor (*DAC Beachcroft*) is the initiator for an appeal to the General Court of the European Union. She opened the session by discussing this case (T/252-20) in brief. Is EU citizenship once acquired, an individual fundamental right and therefore not an accessory to a government deciding to leave the EU? To be precise, she states, they are not asking the Court to unravel Brexit and they are not focusing on those already exercising their EU rights – these aspects have already been picked up by Julien Fouché in France who has brought many cases in this respect and has retained a referral to the European Court of Justice.

While 60 million people have lost their status as European citizens, Tony Simpson (*Permanent EU Citizenship* ECI) attested that EU citizenship is a permanent status because it is a fundamental right. He stated how thankfully he still holds EU citizenship through having Irish nationality as well as British, however some 60 million Britons are seemingly no longer EU citizens, noting that the Court is yet to have a final say on this. Along with colleagues, he set up two successive ECIs, receiving swift approval from the College of Commissioners, as well as a public welcome from Michel Barnier. At that time the Article 50 withdrawal process had not yet been triggered. Their first initiative gathered around 12,000 endorsements. They then proceeded to round two with a successor ECI. More than 80,000 people registered in the first two weeks. However this momentum did not last and the 1 million signatures required were not reached. Tony Simpson stated how through these ECIs they made enduring contacts with *ECIT*, as well as [In Limbo](#), a group that reaches over 5 million Britons across the EU and that has published two books with the same name. He finished by expressing "EU Citizenship confers a status with real and meaningful content, which is thrown into sharp relief by its removal".

Indeed, many British participants expressed themselves and contested the loss of their EU citizenship, referring to the forfeiture of part of their nationality, and thus of their identity. Dora Kostakopoulou (*University of Warwick*) introduced some history into the debate. It is important to remember that we are not the only ones who have been discussing these issues. They have been on the agenda for years, decades, centuries. Reading from a paper from 1917, Dicey⁵ said that "nationalists have the tendency to stimulate among the inhabitants of a given country an intense desire for national power and thereby bringing into existence a form of government which is hostile both to the personal liberty to its own

⁵ Dicey, Albert Venn, 'The Statesmanship of Wordsworth: An Essay (1917)'

subjects and to the independence of other European states”. A pan-European mass movement was called for by another leading figure in 1923, saying that we need a united Europe in order to have peace, prosperity and democracy. The key element is democracy – this is why the Union is solely open to liberal democratic states, and why there is a *magna carta* of all European nations to provide rights to national minorities and an obligation to accept very small concessions so that each state can prosper economically in a union of lasting peace. The vision was that rational politics should tame nationalists and the destructive display of human passion and political ego. These ideas became more pertinent after WW2 and in the 1950s finally became a reality.

Dora Kostakopoulou asserted that European citizenship should be extended by asking the question: “is this a Europe of States or a Europe of citizens? It is not only a political question, but also a human question”. According to her, “a European citizen must remain a European citizen even if their country of nationality is no longer a Member State, because it is a direct relationship between the citizen and the European Union.” “Even though European citizenship is diluted in national and fundamental rights, it would be essential that the Court of Justice respond to the question of the loss of a European statute or nationality”.

For Ulrike Guérot (*European Democracy Lab*), the problem is summed up in the question of equality. Indeed, she asserted that “we should strive for equal rights”; all emancipation movements began with a demand for equal rights. According to her, citizens of the European Union are fragmented, with different social rights, and many other differences that highlight the unequal treatment of citizens before the law. Hence the problem of representation is often evoked. Indeed, “when people realise that they live in a socially and politically interdependent society, they want to be represented”. The Conference on the Future of Europe will have to focus on the issue of a status for all EU citizens, and equal rights.

While “without equality of rights, there is no peacekeeping”, according to Suzanna Carp (*ECIT Board Member*). European citizenship is defined by much more than a citizenship of peace, because it also defends values. Suzanna Carp delved into the post-Brexit dimension of EU citizenship. There are now two territories outside of the EU where all citizens qualify for EU citizenship, via their shared history with an EU Member State. These are the Republic of Moldova through Romania, and Northern Ireland through full eligibility for Irish citizenship. She pointed to how on the surface this seems unusual, however, in reality it is not. All of Europe has a shared history, our historic ties are the root of the emergence of the European Union. The EU itself shares a history with the Western Balkans, Ukraine and other territories in Europe outside of the EU. This means that there is scope to envision an extraterritorial form of EU citizenship, based on historical ties as opposed to being based on strict borders of Member States.

Suzanna Carp insightfully referred to Joe Biden (US-President elect), who responded to a BBC query some months ago saying “I’m Irish”, and so, European. Thus, the cultural links to Europe go beyond the historical links, making EU citizenship a feeling of belonging surpassing Europe. All of these elements are converging to allow us to widen the space of EU citizenship, on the basis of values associated with a place of cooperation above competition. This links with Ulrike Guérot’s discussion of equality. Suzanna Carp summed up by saying that these values help us “in the imagination of a better Europe, world, and Europe in the world; by safeguarding what works (social protection) and giving us impetus to seek changes for what needs further developments, such as environmental and health based extensions of EU citizenship, stemming from human rights which the EU upholds”.

The crisis of representation is not new. When it comes to voting rights of EU citizens in their country of residence, Dora Kostakopoulou argued that it makes no sense to exclude citizens from voting when they pay taxes and have lived in the country for years. Indeed, how is it possible that some citizens, who contribute just as much to the growth of the country, are not entitled to be represented, just because they have the nationality of another European Union country? The European Citizens' Initiative *Voters Without Borders* defends precisely this right by trying to collect the necessary signatures so that the subject can be debated in the European sphere in Brussels.

Giulia Gentile (*University of Maastricht*) intervened and clearly explained her thinking, “we must build a general demand for equality of citizens”. She reports that the EU has put in place equal rights for goods, equal rights for the economy and that it is time to put in place equal rights for citizens. “We did it for the single market, why not now for citizens?”

On the other side, Igor Sticks (*Professor of politics at Faculty of Media and Communications, Belgrade*) imagines another solution: a form of associated European citizenship for the countries associated with it. When preparing for the panel he discussed with Alexandra von Westernhagen how we view Europe and the EU differently, depending on where we were born and the history of our individual nation. He stated how he was born in a multi-national context, in Yugoslavia. He compared this to the EU. During the time of Yugoslavia, life had to be organised according to six republics, all with their own identities and agendas. Of course for known historical reasons Yugoslavia disintegrated at a time when it had been signing treaties with the EU and was meant to be slowly integrated into the EU. He expressed the uncertainty of the disintegration of the federal system. With Jo Shaw, he worked on questions of citizenship in the Balkans – little did they know that all of the questions studied for the Balkans would become so relevant for Britain. Igor’s story is that he went to the UK as a third-country national. Three years later Croatia joined the EU and all of a sudden he was an EU citizen. However, now the UK is no longer in the EU. He stated the complexity of it all, how people are being arbitrarily affected by territorial and citizenship changes. “Playing this game of crossing borders where there were no borders before”.

His question is who are EU citizens now during a time when many Member States distribute citizenship to citizens in other states? The situation is extra-ordinarily complex, not just with the 60 million in the UK! According to Igor Sticks, associated European citizenship could be put on the table in order to pursue European integration, or at least not to banish certain populations directly linked to the European Union.

In the open discussion a number of UK citizens resident in the EU appealed passionately against the loss of EU citizenship.

DAY 2

It is a myth that EU Citizenship only concerns rights which are triggered by leaving one’s country and does not concern those who stay at home. Notwithstanding this misconception, will EU citizenship really become relevant to the majority of the population until new rights are added? 27 years since this status was introduced by the Maastricht Treaty, it is now high time to consider this possibility. *Can European Citizenship be strengthened by new political rights and other European rights which would make it more relevant to citizens who do not take advantage of the right to freedom of movement?*

V. HOW CAN CIVIL SOCIETY AND THE EUROPEAN PARLIAMENT ACHIEVE FULL POLITICAL RIGHTS FOR EU CITIZENS ON THE MOVE?

EU citizens residing in the EU outside their Member State can vote and stand in municipal and European elections, but not in regional, national elections and referendums. The cross-party multi-sectoral discussion shed some light over how and why the current landscape for EU citizens’ political rights are limited and what civil society, together with the European Parliament, can do to tackle these issues.

There were two distinct panels, the first comprising civil society actors which was opened by Michael McLoughin (*European Economic and Social Committee*). Political rights campaigning should start from Member State level and it should encompass a central question: how can we tell politicians that

voting rights for EU mobile citizens is the right thing to do? National politicians are prone to making decisions on this subject not in accordance with liberal principles, but in accordance with using the right to vote “in a way we don’t like”.

Alberto Alemanno, spoke of how three Member States have not ratified the 2019 additions to EU electoral law. He stressed the fact that in order to set the agenda for political rights, combining the ECI with other instruments of participatory democracy should be done. In particular he advocated for a petition to the European Parliament. This would allow MEPs to own or co-own the voting rights initiative, which would ultimately facilitate good cooperation. Roger Casale (*New Europeans*) stressed the importance of updating EU Citizenship in accordance with the realities of free movement in the 21st century as “it is not about crossing borders, it is about what happens when you get there”. Moreover, Kalypso Nicolaidis (*Oxford University*) emphasised resistance by national politicians which should really be addressed. She described the requirement of naturalisation as being central to political arguments against extending voting rights to migrants. This represents a problem where the acquisition of nationality is difficult or unrealistic. Moreover, she added that EU mobile citizens fulfil their duties as citizens; “they work, they pay taxes, they have obligations, yet they don't benefit from political rights that should be given by citizenship”. Louis Drouneau (*EuropeanConstitution.eu*) insisted on a structural reform of the EU, with harmonized European political party funding.

In the latter half of the session a cross-party panel of MEPs and policy makers responded to the conversation from the first half.

Sybille Luhman (*D-G Justice*) stated how she keeps a close eye on voting rights. Speaking about the 2020 Citizenship Report, the aim is to guarantee EU electoral rights of mobile populations in the light of known problems. Given growing mobility and an increasing digitisation which changed the electoral landscape, she said they will update Directives 93/109 and 94/80 to support a broad and inclusive participation by ensuring that mobile citizens can continue to effectively exercise their democratic rights.

Next up, Claudia Gamon (*Renew*) expressed how Brussels and European democracy happens very far away from EU citizens. The direct participation mechanisms are hardly known and this is a communication problem on behalf of the institutions - this is indeed the biggest challenge for *Voters Without Borders*. The right to vote is faced by many restrictions. The EU generally elects democratic tools of participation, but how can we make Europe act faster and decisively? How do we, as a party, fight for this topic? Even in municipal elections there are still many barriers. For example, in recent months a German citizen was elected as councillor in Moedling, Austria, but could not take his seat in the city government due to the fact that municipal government seats are only offered to Austrian nationals. This case is due to be considered by the Austrian Constitutional Court in the coming weeks.

The right to free movement without being discriminated against is one of the few advantages the EU gives to citizens, exclaimed Gabrielle Bischoff (*S&D*). It is very hard to run a successful ECI, and with ECIs one must be tactical. One must select a number of Member States to focus on in order to reach the signature threshold for that country. She stated how the AFCO, PETI and LIBE Committees discussed what could be done to strengthen the link with civil society and democratic participation. In the long run we need treaty change, however we can still do a lot in the meantime, especially at the Conference on the Future of Europe.

The right of initiative of the European Parliament considers the question of democratic deficit. Domènec Ruiz Devesa (*S&D*) agreed with what was said by previous speakers. Full democratic rights are not

impossible to achieve, we see this from the progress of 1990, when all Member States changed their constitutions to allow EU mobile citizens to vote in the local elections.

Joachim Wilke (*Greens/EFA*) referring to what Louis Drounau and Kalypso Nicolaidis spoke of earlier, the problem of equality of citizens in the electoral process. A lot of countries push back on reforms and initiatives, especially the ones with large EU mobile populations.

Finally, Bogdan Deleanu reinforced the points of representability and civic duty of the EU mobile population, outlining how Romania's diaspora amounts to 5 million, with around 2 million living within the EU. He stressed that an important aspect of making people realise what full political rights means is to make citizens aware of their current voting rights. This will provide leeway to develop *Voters Without Borders* initiative further, by strengthening cooperation with the European Parliament.

Overall, there was agreement amongst speakers - all in favour of reforming and extending the right to vote, as proposed by [Voters Without Border ECI](#). However, conversation was fruitful with ideas on how 1 million signatures can be achieved, how campaigning could be tweaked and on what the European Parliament can do.

VI. SHOULD NEW SOCIAL, ENVIRONMENTAL AND HEALTH RIGHTS BE ADDED TO EU CITIZENSHIP?

The format of the last session was presented - taking the form of three parallel world café style round tables with a virtual room for each. Participants expressed which 'world café' they would like to take part in (social, environmental or health) and virtual rooms were created accordingly.

a. SOCIAL CITIZENSHIP

Facilitated by Tony Venables the conversation on [social citizenship](#) began. Even though the free movement of persons in the EU constitutes one of the fundamental freedoms of the internal market, and even though Union citizenship is considered as the fundamental status of nationals of the Member States, these principles are subject to some limitations and conditions.

According to art. 24, para.1 of Directive 2004/38, all Union citizens residing in the territory of the host Member State shall enjoy equal treatment with the nationals of that Member State. However, the second paragraph introduces a derogation to the principle of equal treatment in fact, the host Member State is not obliged to confer entitlement of social assistance to jobseekers, students, retired persons and their family members. These categories, as a matter of fact, must have comprehensive sickness insurance and sufficient income in order to exercise their rights of residence.

So the question that was reached was what can researchers and civil society groups do? According to Tony Venables "what we can do today is express our concern that in 27 years EU citizenship has not progressed enough; that new rights (such as social ones) have not been added" After agreeing with Tony Venables, Leire Rincón (*UBIE*) stressed: "We also need to guarantee that no one is left behind, EU Citizens must enjoy the right to have a Basic Income because, among other pros, it contributes to a more positive perception of the Union among the citizens". The second speaker, Diletta Alese (*JEF Europe*) also added the importance of putting the base for a more democratic and federalist Union.

The roundtable on Social Rights came up with a number of proposals:

1. Strengthen what already exists (the EU Social Security Coordination for instance);
2. Create a single Social Security Number for all the EU citizens;
3. Create a single European Citizen Card;
4. Establish a European [minimum income scheme for unemployment](#);
5. Establish a European free movement solidarity fund financed by the country of origin; the country of destination and EU budget.
6. Introduce an Unconditional Basic Income to anyone who wants to exercise his right of movement. In fact, UBI has the advantage of great simplicity, which in the context of mobility and migration is a very important asset and it is extremely popular.

b. ENVIRONMENTAL CITIZENSHIP

The questions posed at the beginning of this discussion were how can we in the future get high recognition of the right of a healthy environment as an [EU citizen right](#)? And, which are the best ways to achieve that recognition?

The need to formalise the recognition of the right to a healthy environment in all EU treaties and Member State constitutions, which would eventually support and enable some of the procedural rights that are already recognised under legislation to be properly implemented, was widely discussed by the panelists. Currently, there is only a *de facto* recognition of these rights which can be deduced from some existing legislative texts, such as the TFEU and the Aarhus Convention. Therefore, it has been said that we should look beyond the strict text of the treaties. However, according to Francesca Carlsson (*European Environmental Bureau*), the inclusion of the right of a healthy environment in the concept of European Citizenship would be only a minimum first step.

Next, the discussion moved to whether it would be better to link the right of a healthy environment to EU Citizenship or to Human Rights? According to Irmina Kotiuk (*Client Earth*), the right to a healthy environment has two legs: environmental and human rights, and for this reason, is quite difficult to identify, define and put it into practice. Since the first codifications of classical human rights dates back many years ago, they do not include environmental rights. However, these two categories are in fact strictly interconnected, so now we see the need to codify environmental rights not only at EU level but also at a global level as human rights.

Priska Lueger (*Justice and Environment*) questioned how citizens can influence political and administrative decisions on environmental matters. She said that there is a real lack of effective citizen involvement in environmental procedures, EU decision-making processes, and drafting processes of national plans on environment. She believes that the inclusion of environmental rights in the human rights legal framework could fill the gaps that exist at both EU and national level, and that we should involve independent institutions to protect nature in its own right.

Building upon this, Virginia Fiume (*Stopglobalwarming.eu, Eumans*) said that: “the conquest of new citizenship rights, such as environmental rights, should go hand in hand with the use and improvement of political rights”. Therefore, she suggested employing various instruments and platforms – such as ECIs, the shaping of the Conference on the Future of Europe, and the institutionalisation of sortition based citizens assemblies - to promote the formal recognition of the right of a healthy environment.

Another option explored was to ensure that in every piece of legislation on environmental matters the right to the environment be recognised in the preamble.

The inclusion of the notion of environmental rights in the concept of European citizenship could help to reinforce the access and participatory rights contained, for example, within the Aarhus Convention because that would help to push for a more uniform way of applying these procedural rights across the EU. Nevertheless, the Convention does not restrict its participation or access rights to any concept of citizenship, since it is not linked to any privileges attributed to particular nationalities. This highlights, once more, that these procedural rights are human rights because they are not linked to nationality privileges. Therefore, one must be cautious in defining environmental rights within EU citizenship because it would contravene the Convention if these rights were limited to citizenship.

c. HEALTH CITIZENSHIP

Discussion around health in the context of 2020 is extremely rich and cross-cutting, while focus was on current initiatives, different factors were brought up. The session began with an outline of what line of enquiry will be followed, this being a pursuance of the possible deadlines so that EU citizenship rights can progress in the right direction.

First up, Julie Steendam, a representative of the *'Right to Cure'* European Citizens Initiative (ECI). This ECI campaign launched only two days prior to ECIT Conference (1st December). *Right to Cure* focuses on the current situation of the Covid-19 pandemic. They are connecting recent news with how a vaccine will be implemented. Julie Steendam stated that the ECI is a good opportunity to open public debate on responsibility and role playing in the hunt for a vaccine, as well as an opportunity for public national debates.

Giovanni Brauzzi (former Italian ambassador) took the virtual floor next. He questioned how Europe can learn from an experience such as a pandemic? "We cannot expect the whole world to run at the same speed but at least in the EU we have the means to embark on this journey together". On the 70th anniversary of the Schuman Declaration (9th May 2020) Giovanni Brauzzi launched an appeal for an international conference on [*The European Union after coronavirus: lessons learned*](#). Due to the current circumstances people are more open than ever to explore new avenues for the EU. A holistic approach is needed. Everything that pertains to society is important to the overall health of citizens. Giovanni Brauzzi stated how we are not advocating for something that will focus only on hospitals, but will expand to cover areas where health consequences are known. He finished by relating this all to education. If the right approach to education is not made, in a few years we will have a generation that will not understand science and other certain elements, and this may well end in people forgetting about the catastrophe of Covid-19 or even worse denying it ever happened.

After a brief word from Suzana Carp (ECIT board member and panel facilitator), Mariano Votta (*Active Citizenship Network*) introduced himself. Greeting us from Roma, he began with the highly relevant celebration of forty years since the establishment of the national Italian health system. He discussed how citizens can play a role during and after the pandemic. Health systems do not just affect sick patients, but all of society. Sustainability should be followed as this also takes into account other factors such as environment and social rights.

The final panelist was Marco Cappato (*Associazione Luca Coscioni*). The main point of conjunction nowadays between environment and health is money, *vis a vis* Next Generation EU fund. Cappato posed the core question – should new health rights be added to EU citizenship? "We all probably agree the answer is yes". A key aspect for a united EU approach is about the EU's role globally, working with the UN and WHO. As Europeans we have very strong experience in harmonisation and standardisation. This should be the specificity of what we offer to the world.

Summing up, Carp referred back to patient rights – what the right to cure means in short and medium term, as well as what it means into the future. There was no clear conclusion, but all were sure that an ECI could be the next step. There are a lot of NGOs engaged at the moment. If such a health campaign was established we would first need to understand what other campaigns are doing and work by building upon those. Looking forward there is opportunity to build on all areas that have a basis in the treaties. There are different qualities of health services across Europe. So, perhaps the aim is to create a minimum but highly appropriate standard for a post-pandemic EU.

As the three ‘world café style’ virtual discussions came to a close, all participants joined the main ‘Zoom room’ again and the facilitators from social, environmental and health panels summarised what was said.

CONCLUDING REMARKS

With that, final remarks were made by Beniamino Brunati (event chief-coordinator) and Tony Venables. All panelists, speakers and participants were thanked for their valuable contributions, without which the Conference would not have been possible nor would it have been such a success!

ECIT Foundation would like, again, to thank all participants. The feedback we have received, and are continuing to receive is very positive. Contrary to what might have been expected from an online event, the diversity of input from speakers and attendees, and the richness of ideas put forward were striking and well-beyond our expectations as organisers. We expected a more low-key affair since meeting online is not easy, but were struck by debates which were often tough and passionate both orally and also in the ‘Zoom chat’ function. We think we showed, with your help over the two days, that once a debate on Europe and citizenship can go beyond the obvious general messages, it becomes a challenging mix of analysis about Europe, the EU and the complexities and paradoxes of any citizenship regime.

We would like to remind participants and inform readers that the [Howspace platform](#) is still open for contributions. We invite you to stay engaged through this as it will be central to keep momentum going and stay connected in the follow-up of the Conference.

**A reading list is provided in the Annex to this Report containing all available background and other useful materials.*

Annex

1. ECIT Annual Conference 2020 Programme
https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/Programme%20Annual%20Conference%202020FINAL_.pdf
2. 12-point Agenda for ECIT 2021-2022
[https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/A%2012-point%20programme%20for%20ECIT%20\(2021-2022\).pdf](https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/A%2012-point%20programme%20for%20ECIT%20(2021-2022).pdf)
3. Tony Venables, Welcome Message to the Annual Conference on European Citizenship
https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/downloads/Tony_s%20opening%20speech.pdf?ver=1611224073112
4. European Commission, EU Citizenship Report 2020
https://ec.europa.eu/info/sites/info/files/eu_citizenship_report_2020_-_empowering_citizens_and_protecting_their_rights_en.pdf
5. Tony Venables, European Union Citizenship Report Analysis
<https://voterswithoutborders.eu/2021/01/06/review-of-european-commission-citizenship-report-2020/>
6. European Commission Rule of Law Report 2020
https://ec.europa.eu/info/publications/2020-rule-law-report-communication-and-country-chapters_fr

Materials for the Individual Sessions:

Session 1

7. Alberto Alemanno, 'Levelling the EU participatory playing field: A legal and policy analysis of the Commission's public consultations in light of the principle of political equality'.
<https://onlinelibrary.wiley.com/doi/full/10.1111/eulj.12371>
8. Carmen Descamps, 'To be or not to be – EU Citizenship'.
<https://www.liberalforum.eu/publications/to-be-or-not-to-be-eu-citizenship/>

Session 2

9. Dora Kostakopoulou, 'Justice, Individual Empowerment and the Principle of Non-Regression in the European Union'.
<https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/downloads/Justice%2C%20individual%20empowerment%20and%20the%20princi.pdf?ver=1609948369172>

Session 3

10. Eurydice (European Commission), 'Citizenship Education in Europe'.
https://eacea.ec.europa.eu/national-policies/eurydice/content/citizenship-education-school-europe-%E2%80%93-2017_en

11. Kris Grimonprez, 'Beyond Rhetoric: Education for Democratic Citizenship in the European Union'
<https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/downloads/Kris%20Grimonprez%20Beyond%20Rhetoric%20Education%20for.pdf?ver=1609948369172>

12. NECE, '2020 – A watershed moment for citizenship education in Europe'
https://www.nece.eu/wp-content/uploads/2020/12/NECE_declaration.pdf

Session 5

13. 'Advocacy Paper for Voters Without Border *Full Political Rights EU Citizens Initiative*'.
<https://voterswithoutborders.eu/research-and-data/>
14. Voters Without Border ECI, 'People Testimonies'
<https://voterswithoutborders.eu/testimonies/>

Session 6 a

15. European Commission, 'COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT Accompanying the document Proposal for a Directive of the European Parliament and of the Council on adequate minimum wages in the European Union'
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2020:246:FIN>
16. European Commission, 'Adequate Minimum Wages', 28 Oct 2020
https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1968
17. Tony Venables, ECIT 2020 Summer University on European Citizenship, 'The case for adding social rights to European citizenship and freedom of movement'.
https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/downloads/Social%20rights_SU.pdf?ver=1606733182642

Session 6 b

18. European Commission, 'Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on amending Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies'.
<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52020PC0642>
19. Tony Venables, ECIT 2020 Summer University on European Citizenship, 'The case for adding to European Citizenship the right to a healthy environment'.
https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/downloads/SU2020_Environment_Background%20discussion%20paper.pdf?ver=1606733182642

Session 6 c

20. European Commission, 'A European Health Union: Tackling health crisis together'.
https://ec.europa.eu/commission/presscorner/detail/en/FS_20_2078

21. Tony Venables, Sinéad O Keeffe, Dr. Zamira Xhaferri, 'The Fatal Flaw in EU Policy on Public Health – could the EU deliver better next time to protect EU citizens against a cross-border health threat?' (work in progress – not to be cited)
<https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/downloads/updated%20The%20Fatal%20Flaw%20in%20EU%20Policy%20on%20Public%20.pdf?ver=1611138406507>