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**2022**

**STATUTE ON  
EUROPEAN  
CITIZENSHIP**

ECIT Foundation  
[ecit-foundation.eu](http://ecit-foundation.eu)

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## I. Preamble

Union citizenship was formally introduced by the Treaty of Maastricht in 1993 and represented a unique historical moment by creating the first-ever transnational citizenship of the modern era. European citizenship developed from the rights to freedom of movement of workers and now applies to all categories of the population. The European Court of Justice, through its multiple decisions with regard to non-discrimination, contributed substantially to the development of European citizenship and even concluded that ‘Union citizenship is destined to become the fundamental status’.

European Citizenship is an evolving concept and the rights listed in Articles 20 to 25 Treaty on the Functioning of the European Union (TFEU) are not exhaustive. Indeed, as the Commission recognised in its 2020 Citizenship Report, Union citizenship should be taken into account in all EU policies.

Since the Maastricht Treaty, European Citizenship has been strengthened in the case-law of the European Court of Justice and an increasing body of consolidated legislation on the free movement of persons, the coordination of social security rights and the recognition of professional qualifications. The ECIT Foundation believes that European citizenship has more historical, cultural and legal substance than generally thought and much more could be made of this status by the EU and European societies.

Any person who is a national of an EU Member State is also a citizen of the Union. This status complements and does not replace national citizenship. It entails several new rights enforceable in the courts, which are enshrined in Articles 20 to 25 of the TFEU. These Articles establish the right to free movement within the Union; the right to vote and stand in elections both at the local and at the European level; the right to consular protection; the right to petition the European Parliament, to appeal to the European Ombudsman and present a European Citizens’ Initiative (ECI), whereby over 1 million EU citizens can ask the commission to propose new European law. Finally, the Treaty stipulates that provisions may be adopted to strengthen or add to the rights laid down. EU citizenship rights are held together by the principle of non-discrimination on grounds of nationality. All European citizens have a portable right to equal treatment protected by law and by the ban on all forms of discrimination.

The main aims of this Statute on European Citizenship are:

- To bring together currently existing European rights, policies and programmes which are scattered across different EU policy areas so that European Citizenship becomes not just one of the rights, but also participation and belonging;

- To propose reforms to existing rights and ensure a more coherent and uniform implementation across the EU and beyond. For example, by extending the electoral rights of mobile EU citizens to include participation in regional, national elections and referendums in their country of residence;
- To recognise that European Citizenship goes beyond freedom of movement and is also relevant to those who stay at home by adding new digital, children's, environmental, health and social rights.

This Statute advocates for a European Citizenship in an EU which observes the principle of equality for all should be developed towards three objectives:

- The right to freedom of movement together with the recognition that all citizens have a portable right to equal treatment protected by law and enforceable in a court of law;
- The right to participate in the democratic life of the Union through reform of the way people can make their voice heard within the EU, the introduction of participatory democracy as a pillar of decision making and reforms of representative democracy;
- The right for all natural persons residing in a Member State to be both informed and educated about European Citizenship should, in turn, be given concrete meaning by the possibility to experience what Europe offers through an Erasmus for all.

The idea to produce a European citizenship statute first proposed by the ECIT Foundation in 2016 is gaining support. The European Parliament, in a report on the implementation of the Treaty provisions related to European Citizenship of January 2019,<sup>1</sup> demanded concrete initiatives towards the adoption of an "EU Statute of Citizenship" alongside the Charter of Fundamental Rights and the Pillar of Social Rights. This was reiterated in a resolution adopted on 10 March 2022, when the Parliament once more underlined the importance of a Statute on Citizenship "to consolidate citizen-specific rights and freedoms...". European Parliament Political Party, Renew Europe, has moved beyond this and has published a version of a Statute on European Citizenship.<sup>2</sup> This Statute provides a non-partisan, civil society perspective reflecting reforms proposed by citizens in the Conference on the Future of Europe, such as the creation of a European identity card ID to make it easier to use.

Union citizenship is a reflection of the age-old struggle for what it means to be a citizen of Europe. An ambition which the statute expresses in Articles 1 to 8, whilst

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<sup>1</sup> Report on the implementation of the Treaty provisions related to EU citizenship (2018/2111(INI)) A8-0041/2019

<sup>2</sup> European Citizenship Statute, 25 March 2022, <https://www.reneweuropesgroup.eu/policies/2022-03-25/european-citizenship-statute>

the remaining 22 Articles focus in more detail on the European Union, which offers a legal framework and set of institutions allowing this shared status to develop further.

## II. PRIORITIES FOR AN INCLUSIVE EUROPE-WIDE CITIZENSHIP

### Article 1

#### Union citizenship as the catalyst for a citizenship for Europe

European Citizenship complements and does not replace national citizenship.<sup>3</sup> European Citizenship is a unique status destined to become the fundamental one for nationals of European States, enabling third-country nationals in the same situation to enjoy the same treatment in law irrespective of their nationality.<sup>4</sup> The Union offers its citizens an area of freedom, security and justice without internal frontiers, and which should be extended to neighbouring countries in Europe. The Union and the wider Union is one of States and citizens.<sup>5</sup>

The same European rights must be enjoyed by all third-country nationals<sup>6</sup> residing within the territory of the European Union as the first step towards granting European Citizenship, not just on the basis of nationality, but also on residency.<sup>7</sup>

An inclusive outward-looking citizenship is one which:

- Welcomes refugees, asylum seekers and immigrants in accordance with the requirements of international law;
- Supports European citizens living outside Europe.

### Article 2

#### A European citizenship of shared values

European Citizenship is a citizenship not of fixed territory but of shared values, which are included in the Charter of Fundamental Rights, the Pillar of Social Rights, the Council of Europe Convention on Human Rights, the United Nations Charter and International Conventions including:

- Democracy based on universal suffrage in free and fair elections;

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<sup>3</sup>Article 20 of the Treaty on the Functioning of the European Union (TFEU).

<sup>4</sup>Judgment of 20 September 2000, Grzelczyk, C-184/99, ECLI:EU:C:2001:458

<sup>5</sup>Article 3 of the Treaty on the European Union (TEU).

<sup>6</sup>The Tampere Declaration 1999.

<sup>7</sup> In order to expand the values and principles of the EU across the continental Europe, Union citizenship rights should be offered to the citizens of countries aspiring to join the EU and potential candidates.

This idea is still far from becoming a reality and it needs to be addressed by the academic and political debate. Research should be conducted in order to decide how to implement it and under which legal framework.

- Fundamental rights and freedoms;
- Access to justice and the independence of the judiciary to uphold the rule of law;
- The right to decent living conditions in an environment of a quality which permits a life of dignity and well being without poverty and homelessness;
- A more equal society in which no communities or regions are left behind and there is access for all to high standards of education and other public services;
- Access to emergency help from health and social services of quality from childhood to long-term care;
- The duty to act together to safeguard such European values and bring them up-to-date for present and future generations.

## **Article 3**

### **Equal treatment and the ban on all forms of discrimination**

European citizens in the sense of all those resident in Europe are entitled to protection against all forms of discrimination based on grounds of nationality or any other grounds such as sex, race, language, religion, age, disability or sexual orientation. Enforcing such a ban and recognising a right to equal treatment is essential to guarantee a right to freedom of movement.

European citizens should be treated as sharing a common status, irrespective of their country of origin, so that all nationalities are treated as equal regardless of the size of the country or its history and discrimination on the basis of nationality is prohibited.

European citizens have the right to equal pay for work of equal value between men and women; a right which has long been provided by law, but which must finally be enforced.

The EU and neighbouring countries should update their legislation banning all forms of discrimination, paying particular attention to the rights of minorities and recent challenges such as racism and LGBTQ+ rights.

## **Article 4**

## A right to live in a Healthy Environment

All people have the right to a healthy environment as it has been recently recognised by the United Nations Human Rights Council as a human right deriving from the right to life.<sup>8</sup>

Therefore, all persons in the European Union ought to All persons have a right to live in a healthy environment.<sup>9</sup> Having a safe and sustainable environment is paramount, as all other rights are dependent upon it.<sup>10</sup> To have a functioning European Citizenship, a healthy The EU and Member States should:

- Ensure the equal distribution and access to clean and sustainable resources;
- Prioitise clean air and clean water as a fundamental health and human right;
- Prioritise the environmental impact on all EU policy-making;<sup>11</sup>
- Oblige Member States to combat climate change and make the transition to renewable energy principle;
- Create an obligation upon Member States to combat climate change for the purpose of safeguarding the shared European environment and make the transition to renewable energy principle;
- Education for environment protection should be paramount to developing European citizenship education curricula, due to the linkage between citizens rights and responsibilities that it creates at the Union and continental-global levels.

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<sup>8</sup> Furthermore, it is enshrined in several European Union Member States' constitutions, as well as generally in the constitutions of more than 100 countries around the world. However, as the environment knows no boundaries, we have learned that environmental toxic pollution can easily flow across the European space and damage the health of citizens in countries unrelated to the source of toxic pollution (i.e. in the case of polluted air causing premature deaths all across the EU, etc.) – the European level is however the most appropriate level to guaranteeing such a right, just as it is the level at which environmental policy in the Union is regulated at.

<sup>9</sup>The Aarhus 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.

<sup>10</sup> The Aarhus Convention, which entered into force in October 2001, should be fully enforced by the EU. In particular, the three pillars: access to environmental information; public participation in environmental decision-making; access to justice.

<sup>11</sup>Article 37 of the Charter of Fundamental Rights of the European Union (EUCFR) provides that a high level of environmental protection must be integrated into the policies of the European Union (EU).



## Article 5

### European digital citizenship

European citizens and third-country nationals residing in the EU must be digitally competent<sup>12</sup> to become active citizens while retaining the right to free and fair access and privacy. European digital citizenship should entail:

- The right to internet access and citizen participation by digital means such as the possibility of e-voting in European and other elections, combined with higher standards of data protection;
- The creation of a permanent interactive digital platform for policy proposals arising from civil society, based on the pilot platform of the Conference on the Future of Europe;
- The right to digital and citizenship education, which is required by the transfer of citizen services online. The competent authorities should provide high-quality learning content, user-friendly tools and secure platforms for citizen services;
- Adherence to European values and the obligation to ensure trust and transparency<sup>13</sup> in the roll-out and administration of future digital platforms and services;
- Possession of a single European Electronic Identity Card (eID)<sup>14</sup> containing all the personal data necessary to access citizen services across all the EU Member States and neighbouring countries.

## Article 6

### Protection of the child

Children will inherit the challenge of defining and deepening the rights and responsibilities deriving from European citizenship, as a citizenship in the making.

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<sup>12</sup>Digital solutions offer the potential to simplify or enhance some of the constituent parts of modern citizenship, such as increasing and diversifying political participation or ensuring ease of access to social security services.

<sup>13</sup> This could be ensured by the adoption of a European Bill of Digital Rights regulating e-privacy rules, data protection and ethical standards.

<sup>14</sup>An eID would allow one to connect with public administrations and private service providers at national level and in all the countries of the European Union. The European Commission is currently drawing up rules for an interoperable European eID.

EU law on children's rights<sup>15</sup> should:

- Recognise that the rights of minors are an integral part of the EU's fundamental rights policy<sup>16</sup> and that the welfare and wellbeing of children and their future should be a priority in all areas of European action<sup>17</sup>;
- Ensure a child-friendly cross-border justice, including cooperation among family courts to solve matters concerning transnational family law, as well as serving as a family counsel upholding common European values;
- Introduce an age-appropriate education in European Citizenship and values of democracy, human rights and the rule of law in schools and out of school activities develop opportunities for young adults to participate in European society by creating European panels and forums with guarantees that they can safely express their opinion;
- Extend the voting age for European elections and the right to sign a European Citizens' Initiative (ECI) to anyone aged 16.

## Article 7

### Good administration and access to Justice

Everyone has a right to standards of transparent and accountable administration which inspire confidence, in a way that is understandable and uniformly applied.<sup>18</sup>

The institutions, bodies, offices and agencies of the Union and national governments must act in a fair, impartial, timely and transparent manner, and justify their decisions to citizens.

Any European citizen or third-country national residing within the territory of the European Union should have a right to lodge a complaint with the European Ombudsman against an EU Institution or Member State acting on their behalf.

In case of maladministration where a Member State or sub-national authority has infringed upon fundamental or European citizenship rights, or where they have misused EU funds, citizens must have the right to appeal to the national and eventually the Court of Justice of the European, when other remedies have been exhausted.<sup>19</sup>

Citizens and representative associations should have the capacity to demonstrate standing and have a fair chance of their claims being accepted as admissible by the

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<sup>15</sup>EU law on children's rights consists of a very complex system of primary and secondary EU law and also international legal frameworks, such as the CRC Convention on the Rights of the Child (CRC).

<sup>16</sup>Article 3(3) TEU.

<sup>17</sup>Article 24 of the Charter of Fundamental Rights of the EU (CFR).

<sup>18</sup>This article echoes provisions on the principle of good administration and access to justice in the Charter of Fundamental Rights whilst seeking to widen their scope by including not only the Institutions and agencies of the Union but also the Member States when acting on its behalf.

<sup>19</sup>This article raises the need for a more basic reform of the EU justice system: European citizens should have some kind of access to the European Court of Justice.

European courts. The criteria for this must be simplified and understandable to ensure equal access.

Such rights of appeal should also be available to citizens in neighbouring countries to invoke against the EU Institutions or their own authorities with an independent ombudsman or court.

## **Article 8**

### **Responsibilities of European Citizens**

European citizens and all persons legally resident in the European Union and neighbouring countries benefit from rights and therefore, have responsibilities to:<sup>20</sup>

- Safeguard their rights and those of others, while furthering a more inclusive and equal European citizenship;
- Comply with each other's constitutions and laws, and uphold their shared values;
- Recognise the right of other citizens to act autonomously within the law and to recognise their interests in their claims;
- Learn about and respect, as equal to their own, the languages and cultures of other nations;
- Respect a general duty of sincere cooperation, based on mutual respect and assistance;
- Act jointly to overcome the major challenges facing Europe and the planet which are beyond the capacity of individual states.<sup>21</sup>

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<sup>20</sup>This article applies to citizens the responsibilities which are incumbent on the Member States, under Article 4 TEU, to cooperate together.

<sup>21</sup>Such challenges include climate change, the threats of new pandemics, the growth of inequalities, the rise in racism and xenophobia, systematic human rights abuses, natural disasters and security threats within or outside Europe.

## III. DEVELOPING CITIZENSHIP IN THE CONTEXT OF THE EU

### III. a. Rights

#### Article 9

##### The right to freedom of movement

European citizens have the right to move and reside freely in all Member States within the limits of the Treaties. This right is extended to family members, spouses or recognised partners of European citizens.<sup>22</sup>

To ensure the proper enforcement of this right,<sup>23</sup> the Union should adopt an action plan binding Member States to:

- strengthen the application of European law by preventative measures, including a requirement to notify the Commission of draft laws or administrative practices which could lead to barriers to the free movement of persons;
- Set up, in each Member State, a 'one-stop-shop' for information;<sup>24</sup> advice and problem-solving for European citizens on the move, whilst ensuring that the same standards of service and time limits apply to European and national assistance services;
- Ensure that if a Member State has violated fundamental or European citizenship rights, citizens can appeal to national and eventually the European courts, whilst the Commission can file for interim measures to put an immediate stop to such practices.

#### Article 10

##### Creation of a free movement solidarity fund

The EU should create a Free Movement Solidarity Fund to provide:

- Emergency help to vulnerable European citizens and support for their integration into the host society;
- A European unemployment benefit scheme to allow jobseekers to find employment in another Member State taking into account differences in employment benefits and the cost of living;

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<sup>22</sup>Council Directive 2004/38 on free movement and residence of EU citizens and their family members (2004) Official Journal L 158/77.

<sup>23</sup>The aim is to close the gap between the fine principles of European law and enforcement on the ground to prevent new barriers appearing.

<sup>24</sup>There is a European one-stop shop with Europe Direct, Your Europe Advice and Solvit. There should be an equivalent service for citizens in each Member State, operating to European standards of service.

- Support to regions in countries of origin with training and investment to avoid brain drain;
- Additional funding to increase the capacity of public services in countries of destination to be able to accommodate new arrivals.

This new fund should be based on contributions from the country of origin, the host country and EU cohesion policy with its social and regional funds.

## Article 11

### Protection of personal data

European citizens have a fundamental right to the highest standards of protection of their personal data.<sup>25</sup> They have the right to be informed about the collection and use of their personal data. These rights apply in all the Member States, regardless of where the data is processed and the company has its seat.

The protection of personal data and the right to privacy must be maintained<sup>26</sup> and constantly improved to keep pace with technological progress. It should be guaranteed in any policy measures introduced by the EU.

## Article 12

### Diplomatic and consular protection

European citizens have a right to receive diplomatic and consular protection from the European Commission or any Member State in a third country<sup>27</sup> in which their state or country of residence is not represented.<sup>28</sup> The EU should:

- Strengthen this right with measures to coordinate European action in emergency situations using Article 25 TFEU;<sup>29</sup>

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<sup>25</sup>Article 8 CFR gives a high priority to data protection.

<sup>26</sup>The General Data Protection Regulation regulates the processing by an individual, a company or an organisation of personal data relating to individuals in the EU.

<sup>27</sup>This article seeks to place the existing right to protection outside the EU in the broader context of a European diaspora policy. There are over 70 million EU citizens throughout the world whose interests are often overlooked.

<sup>28</sup>Between February and May 2020, Member States, supported by the European Commission and the European External Action Service, managed to bring home over half a million European citizens affected by COVID-19 travel restrictions across the world. The Commission co-financed joint repatriation flights from the EU budget through the Union Civil Protection Mechanism at up to 75%. This effort demonstrated EU solidarity in action during a difficult period, and the benefits of consular protection as part of EU citizenship rights. (EU Citizenship Report 2020 Empowering citizens and protecting their rights. © European Union, 2020)

<sup>29</sup> In the EU Citizenship Report 2020, the Commission underlined that not all challenges can be addressed on the basis of Article 23 TFEU (consular protection), therefore it expressed the intention to reflect on whether to expand the EU citizenship right to consular protection based on Article 25(2) TFEU.

- Place this right in a broader context and develop a European diaspora policy with national authorities after consulting associations representing citizens living overseas;
- Ensure that European citizens living in the world are represented in consultative bodies and at an annual forum of the European diaspora to be convened by the EU and the Council of Europe.

## **Article 13**

### **Health rights**

Every EU citizen should have equal access to comparable standards in health care all across the European Union with regards to pre-emptive medical support, emergency treatments or cross-border health emergencies such as pandemics. This would require harmonization in hospital conditions, medical education and treatment across the EU, as well as ensuring that the right to get treatment in any Member State is upheld in any circumstances.

The EU should also have the capability to take action against major cross border health threats and pandemics and:

- To provide early warning and order emergency measures;
- Ensure that freedom of movement is maintained especially for patients, medical staff and essential supplies by coordinating such measures;
- Decide on cross-border solidarity action to overcome shortages and share the burden;
- Jointly purchase essential medical equipment and pharmaceuticals whilst guaranteeing price transparency;
- Limit the impact of restrictions on health grounds on democratic freedoms, protection of privacy and the right to equal treatment;
- Strengthen EU agencies for the authorisation of medicines and coordinate publicly funded research in the public interest.

In addition, the EU should undertake health promotion campaigns to reduce major threats to health such as obesity, addiction, mental illness, cancer or heart disease.

## **Article 14**

### **Political rights**

All European citizens have the right to vote for and stand as candidates in European and municipal elections in their Member State of residence. These rights must be reformed to simplify registration and voting procedures for mobile EU citizens while ensuring that the timelines pursued by different Member States are synchronised to allow for non-discriminatory electoral practices. To achieve this goal, a help desk

should be set up to make information more accessible and to encourage mobile EU citizen electoral participation.

The right to vote in European and municipal elections should be extended to legally resident third-country nationals.<sup>30</sup> The right to vote for European elections should be extended to anyone aged 16.

Voting rights for European citizens should be extended to regional, national elections<sup>31</sup> and referendums.<sup>32</sup> These rights should also be extended to legally resident third-country nationals. European citizens should have the right to choose whether to vote in their country of residence or their country of origin, for all elections and referendums.

## III b. Participation

### Article 15

#### **Right to a more transparent democracy at European level European**

The European Parliament,<sup>33</sup> elected by direct universal suffrage, represents European citizens' interests in the decision-making process of the Union. To become more democratic and European:

- Each European political party should put forward its candidate for Commission President to give voters a choice;
- The formation of European political parties should be facilitated and parties should encourage the inclusion of EU citizens as candidates;
- There should be a right to two votes in European elections, one for a regional constituency and one for a joint European constituency;
- There should be more competition among candidates for Commission President and other high office functions;
- The European Parliament should propose how EU-wide referendums could be introduced to allow citizens to choose options for Europe's future.
- Transnational seats should be secured to reflect those EU mobile citizens who identify themselves as European first, etc.

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<sup>30</sup>Currently, third-country nationals can only vote in municipal elections in 14 Member States.

<sup>31</sup>European citizens should have full political rights and should not be deprived of the right to vote in national elections because they have exercised their right to free movement.

<sup>32</sup>To achieve universal suffrage, the right to vote in regional and national elections and referendums should also be extended to third-country nationals.

<sup>33</sup>Article 14 TEU.

## Article 16

### Citizens' requests and complaints

Any natural or legal person residing or having their office in a Member State has the right to:

- Send a request to the EU in their own language, submit an individual or collective complaint of a violation of European law or rights and be informed of the action taken;<sup>34</sup>
- Be heard by the competent European Parliament committee if their petition or ECI receives more than 100,000 signatures from a minimum of 7 Member States;<sup>35</sup>
- Make a complaint regarding an instance of maladministration by the Union authorities or the Member States acting on their behalf to the European Ombudsman;
- Appeal to the European Court of Justice after all other remedies have been exhausted, where individual interests are directly affected.

The European Union should adopt a law to establish time limits for responding to citizens' requests and complaints and make binding other standards of good administrative practice for all EU Institutions and Agencies. These time limits<sup>36</sup> and standards should also apply to Member States' administrations and agencies when dealing with European citizens.

## Article 17

### Transparency of the Legislative Process

Transparency of the legislative and decision-making process can only be achieved if it is applied not only to the EU institutions but also to lobbying practices.<sup>37</sup> European citizens have a right to know which organisations, whether public or private, are making representations to the EU institutions, on which specific issues and with what resources. European law should:

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<sup>34</sup>The aim is to strengthen the accountability of the Commission towards complainants.

<sup>35</sup>This article seeks to fill a gap between a normal petition and a Citizens' Initiative.

<sup>36</sup>In some cases, time limits already exist for answering citizens' appeals or handling complaints. Legislation should be introduced or revised to provide for more uniform standards, and apply them also to services run by the Member States.

<sup>37</sup> There are at least 30,000 lobbyists around the EU Institutions.



- Make inclusion on the transparency register mandatory<sup>38</sup> for all organisations seeking to influence the European Institutions;
- Ensure that entries are accurate, complete and up to date by regular checks and appropriate sanctions for non-compliance;
- Provide for the register to cover all institutions, bodies and agencies of the EU.

## Article 18

### Freedom of information

Freedom of information<sup>39</sup> is essential to the practice of European Citizenship. Any natural or legal person residing in a Member State has the right to access documents, subject to the limits established,<sup>40</sup> from the Union's institutions and agencies, and in particular to:

- Know the position of their government in EU negotiations;
- Access all documents of a legislative nature or which could lead to legislation;
- Access documents relating to international agreements or treaties which have an impact on European standards.

The EU Institutions should appoint an independent information commissioner to assist citizens in their search for documents.

## Article 19

### Public consultations

European citizens have a right to be heard by the EU Institutions. Public consultations<sup>41</sup> are a means to reach the majority of citizens' interests and ensure the widest possible input to decision-making. The Commission's standards for consultation should become mandatory and apply to the other Institutions and Member States when they develop their responses to European initiatives. In particular:

- Consultations should be widely advertised in a more user-friendly way to engage

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<sup>38</sup>The current voluntary register of organised interests is incomplete and entries are often inaccurate, giving citizens only a general idea of the extent of lobbying practices.

<sup>39</sup>This article is based on Article 15 TFEU and Article 12 CFR and it aims to give more prominence to rights which already exist.

<sup>40</sup>"Subject to the limits established" refers to the mandatory and optional exemptions in Regulation 1049/2001 on access to documents. There is a need for more transparency in trade negotiations and "trialogue" meetings when representatives of the EU Institutions negotiate legislative compromises behind closed doors.

<sup>41</sup>This article aims to make consultations less technical, more accessible to the general public and available in all the official languages, as recommended by the European Ombudsman.

- with minority interests and hard-to-reach groups;
- The aims and questions should be formulated to be accessible to laypersons and available in all official languages;
  - There should be appropriate feedback and explanation as to why certain views expressed were accepted and others rejected.

## **Article 20**

### **Participatory processes as a pillar of EU policy-making**

Participatory processes, such as citizens' assemblies chosen by sortition should become a pillar of the European Union's policy-making,<sup>42</sup> to give citizens an effective say both in setting priorities and finding ways to improve the quality and enforcement of legislation.

Participatory budgeting should be introduced across EU funds as a guarantee that they are transparent, properly used and respond to citizens' needs.

European law should ensure that there is regular use of such practices and that they meet fair and democratic standards at all stages of design, implementation and follow-up. Such standards should relate to impact, making sure that participation is representative and inclusive and that deliberations are fair and supported by independent experts chosen by the citizens.

Such practices have been shown to work at European level in the Conference on the Future of Europe if lessons are learned and defects outright, in particular, there must be enough time available, clear rules for engagement with decision-makers and feedback to citizens about the follow-up to their recommendations.

A permanent European Citizens' Assembly and House should be created.<sup>43</sup> Citizens should be entitled to initiate assemblies of randomly selected citizens on specific reform ideas. The EU institutions should take the results of these assemblies into account in their decision-making process.

## **Article 21**

### **A more effective European Citizens' Initiative**

European Citizens' Initiatives (ECIs) empower citizens to be involved in EU policies affecting their lives, provided the initiative is in EU competence and receives over

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<sup>42</sup>This is a stronger version of the current revision clause (Article 25 TFEU), which does not require either citizen involvement or even a proper legislative role for the European Parliament. Moreover, unanimity is required for decisions in the Council of Ministers instead of qualified majority voting under the ordinary legislative procedure. This proposal would require a revision of the EU Treaties.

<sup>43</sup>This should follow the example of the Citizen Assemblies organised during the Conference on the Future of Europe.

one million signatures whilst meeting thresholds in 7 Member States. The obstacles to exercising this right should be reduced and the rules simplified. The EU institutions should:

- Launch an awareness-raising campaign<sup>44</sup> so that all European citizens know of their right to launch and sign an initiative;
- Simplify and harmonise the requirement for signature collection across Member States, name and address being sufficient;
- Encourage the setting up of an independent European fund<sup>45</sup> to which applications can be made for start-up grants, reimbursement of a share of the costs for successful ECIs and continuation of the action after the period of the signature collection;
- Give more support to ECIs by linking them to other participatory processes giving organisers the right to demand a citizens' assembly once their ECI reaches more than 100,000 signatures.

### III. c. Living together in Europe

#### Article 22

#### Right to be informed about European rights and EU activities

European citizens and all-natural persons residing in a Member State should have the right to be thoroughly informed<sup>46</sup> about their European rights and activities of the European Union, to better be able to participate in European policy-making. The Union Institutions and Member States should:

- Produce factual and objective information about European Union activities, expressed clearly and understandably;
- Provide and disseminate this information through all media in all official EU languages;
- Pay special attention to reaching minorities, remote communities and otherwise hard to reach groups by working in partnership with civil society;
- Give every one of voting age a handbook about the European elections, European rights and how to find out more and engage with the European Union.

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<sup>44</sup>In light of ECIs' high failure rate (94%), reforms are essential to make the regime better known, simpler and more uniform. An opinion poll commissioned by ECI organisers found only 2.4% were aware of this right of initiative.

<sup>45</sup>For ECIs to fulfil their potential and become a genuine citizens' right, and avoid their capture by lobbyists and powerful interests, financial support is necessary.

<sup>46</sup>A right to be informed was first proposed during the draft of the Constitutional Treaty. The proposal was supported by the Commission and European Parliament at the time, but has yet to be included on the agenda for Treaty reform.

## Article 23

### Creation of a European public sphere

European Citizenship should connect different languages and cultures.<sup>47</sup> The European institutions should:

- Create an infrastructure for e-participation tools and facilities for face-to-face dialogue among citizens and civil society in every region and at EU level;
- Develop the programmes for transnational exchange of ideas, best practices and joint projects which enable a stronger sense of active European citizenship to emerge;
- Cultural programmes similar to Erasmus should be created to encourage cultural mobility across the EU and the co-creation of culture across national cultural spheres.

## Article 24

### Every right should have a right to Education about European Citizenship

Full-scale European Citizenship can only be achieved with education. Every child in the EU should have a right to age-appropriate education about European Citizenship and the EU. The Commission should propose:<sup>48</sup>

- A model teaching manual for use in schools and out-of-school activity on European citizenship;
- Recommendations for Member States to add a European dimension to their programmes for citizenship education;
- The creation of a centre of excellence for the exchange of best practices and training of educators;
- Regular monitoring of the quality of European citizenship education across all Member States.

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<sup>47</sup>This article aligns with Article 11 TEU, which calls for the creation of a European public sphere, and long-standing demands for the Europeanisation of civil society.

<sup>48</sup>The European Commission's mandate is limited when it comes to education, but it does have competence to recommend European Citizenship to be added as a theme to national civic education.

## Article 25

### Right to participate in a European educational Programme

All European citizens and residents in Europe should be given, on an equal basis, the opportunity to participate in a European educational training or a youth programme in another European country. The Commission should propose:

- How to develop such an entitlement based on the Union's Erasmus, <sup>49</sup> youth and life-long learning programmes;
- The conditions of duration and financial support attached to such an entitlement
- Starting with a pilot project the timetable for putting the necessary resources in place.<sup>50</sup>

## Article 26

### A European citizens' card

A European citizens' card should be introduced.<sup>51</sup> Such a card must meet data protection requirements for secure European Citizenship and should cover:

- Access to health rights, such as preventive or emergency treatment when travelling in the EU;
- Entitlement to other social security benefits for permanent residents;
- A European-wide social security number to facilitate the rapid verification of social security rights and insurance coverage status;
- Proof of personal and family status to facilitate the process of residence in another Member State;
- Signature of European Citizens' Initiatives, petitions to the European Parliament and voting in European elections.

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<sup>49</sup>Erasmus is one of the most significant achievements of the EU in creating a European project that goes far beyond economic-political cooperation, proving that the EU is also a strong cultural and civilisation project.

<sup>50</sup>Such an entitlement could only be phased in gradually, with additional resources, in conjunction with a European citizens' card.

<sup>51</sup>The introduction of a European citizens' card as a single digital alternative providing authenticated copies of documents proving personal, professional or health status. The card should be available to third-country nationals living in the EU. It should be introduced as the reverse side of national identity cards or as a separate card in countries without national ID cards.

## Article 27

### Make Europe Day a public holiday

‘Europe Day’ is held on 9 May every year and marks the anniversary of the Schuman Declaration. This date should become a public holiday across all Member States to bring Europe to the forefront of public consciousness and celebrate active European citizenship.<sup>52</sup>

Europe Day should have a participatory character. European elections should take place on Europe Day across all Member States, to increase voter turnout by giving citizens a dedicated day to participate in European democracy.

Other means of participation in the European democratic process, such as making submissions to an online platform, signing European Citizens’ Initiatives and petitions, and convening European citizens’ panels, should be facilitated and encouraged on this date.

Europe Day should be an opportunity for citizens to participate in visits to cultural or political institutions, debates, cultural pursuits and other large-scale, European-themed civic activities to mark the day and raise awareness about the EU and European citizenship.

## IV. Implementation

### Article 28

#### A European statute on Citizenship

This Statute and other proposals on European Citizenship should be examined by the EU Institutions in the follow-up to the Conference on the Future of Europe and turned into proposals for action in the next Commission Citizenship Report in 2023 and preparations for the European elections in 2024. Such a roadmap should involve:

- Guidelines from the European Parliament which has supported this initiative in successive terms of office and could now propose how the idea should be followed up;

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<sup>52</sup>As of 2021, Luxembourg is the first and only EU Member State to make Europe Day an official public holiday.

- Input by citizens themselves and especially young people both in open consultations and a participatory process with sufficient time and resources to enable meaningful analysis and results with specific proposals and articles;
- Involvement in such a citizen participatory process of civil society activists, researchers and public authorities;
- On the basis of their own findings and the process of exploring them with experts and stakeholders, the drafting of a statute should be entrusted to citizens in a smaller group with experts they should appoint.
- Submission of the text to the EU leaders and other European governments which could approve a statute in the first instance as an EU inter-institutional agreement before making it legally binding either through legislation or exceptionally by Treaty reform;
- Union citizenship was introduced in the Maastricht Treaty following an intergovernmental conference with no input from citizens themselves. The process to reach the goal of a Statute on European Citizenship should rather be a bottom-up process. The Commission which has the right of initiative should work closely with local, regional and national authorities, as well as with other EU Institutions and stakeholders, civil society, experts and citizens.<sup>53</sup>

## Article 29

### Appointment of a senior Commissioner on European Citizenship

A senior Vice-President of the European Commission should be appointed with overall responsibility for European citizenship and the implementation of the Statute. The commissioner should be responsible for communication and all aspects of European Citizenship, rights and participation in the EU Institutions and policies to encourage a sense of belonging to Europe. He or she should be well known and backed by a strong legal team which can receive requests and complaints and support the response across specialised departments. The team responsible under the authority of the Commissioner should also have a coordinating role to ensure that European Citizenship is taken into account in all policy areas that fall under EU competence. An important aspect should be working together with neighbouring countries and other organisations such as the Council of Europe to encourage the emergence of continental-wide European citizenship

The Commissioner should oversee a process whereby the Statute should be supplemented by easily accessible and understandable guides to European citizens' rights and standards which make an impact on people's everyday lives. Such guides may be developed in areas of policy, such as the internal market, the environment or

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<sup>53</sup>It is important that citizens are involved in this process. A citizens' assembly, mirroring those established during the Conference on the Future of Europe, should be established, with expert support.

consumer protection, and for particular social groups in society such as young people, minorities or those with special needs and interests

## **Article 30**

### **A Right and a duty to develop European Citizenship**

This Statute highlights that participatory processes should become a pillar of EU policy-making, which should enable citizens to be involved in the shaping of their own European Citizenship as an evolutionary process.

Concerning implementation, the European Commission should present a report representing citizens' views and demands every three years under Article 25 TFEU, whilst taking into account the activities of the European Union in all policy areas and those of other European Institutions, in particular the Council of Europe.

The Commission subsequently reports on progress toward effective European Citizenship every three years. Due to the participatory dimension, this report may lead to the addition of new European rights and programmes, which should be adopted according to the ordinary legislative procedure.<sup>54</sup>

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<sup>54</sup> This would require treaty reform.