

## Key documents and sites

ECIT Foundation. 2022. Revised Draft Statute on European Citizenship (Updated October 2022). Available on [the ECIT website](#).

THOMAS, A. 2022. Comparing the ECIT Draft Statute with Citizens' Proposals from the CoFoE. Available on [the ECIT website](#).

RUBINO, M. 2022. Meeting of the Cross-Party Group of MEPs on European Citizenship. Available on [the ECIT website](#).

ECIT Foundation. 2022. Proposal for a new ECI on European Citizenship Education. Available on [the ECIT website](#).

European Citizenship Statute by Renew Group. 2022. Policy Paper. Available: <https://www.reneweuropengroup.eu/policies/2022-03-25/european-citizenship-statute>

Study requested by AFCO committee. 2022. Towards a permanent citizens' participation mechanism in the EU. Published by the Policy Department for Citizens' Rights and Constitutional Affairs. Available: [https://www.europarl.europa.eu/thinktank/en/document/IPOL\\_STU\(2022\)735927](https://www.europarl.europa.eu/thinktank/en/document/IPOL_STU(2022)735927)

GREUBEL, J. 2022. Discussion paper: A new generation of European Citizens' Panels – Making citizens' voices a regular part of policymaking. Available: <https://www.epc.eu/en/Publications/A-new-generation-of-European-Citizens-Panels~4b959c>

VON WESTERNHAGEN, A. & HARRISON, D. 2022. EU citizenship and the broader framework of the Council of Europe's protection of human rights – Two short contributions to the ECIT Annual Conference 2022. Available: [https://ecit-foundation.eu/wp-content/uploads/2022/11/ECIT-Annual-Conference\\_Contributions\\_FINAL.pdf](https://ecit-foundation.eu/wp-content/uploads/2022/11/ECIT-Annual-Conference_Contributions_FINAL.pdf)

GRIMONPREZ, K. 2022. EU Citizenship Education. In The Oxford Encyclopedia of EU Law [OEEUL]. Available: <https://opil.ouplaw.com/view/10.1093/law-oeul/law-oeul-e140?rskey=OgHWX4&result=1&prd=OEEUL>

KOSTAKOPOULOU, D. & VENABLES, T. As submitted to the Journal of Common Market Studies. Towards a Statute on European Union Citizenship: Lateral Thinking and Institutional Change. Pre-print version available: [https://ecit-foundation.eu/wp-content/uploads/2022/11/Kostakopoulou\\_Lateral-thinking-and-institutional-change.pdf](https://ecit-foundation.eu/wp-content/uploads/2022/11/Kostakopoulou_Lateral-thinking-and-institutional-change.pdf)

# Recent Publications

## **Making citizenship more inclusive within the EU**

WEINGERL, P. & TRATNIK, M. 2022. Climbing the Wall around EU Citizenship: Has the Time Come to Align Third-Country Nationals with Intra-EU Migrants? *European Journal of International Law* [Online], 33. Available: <https://doi.org/10.1093/ejil/chac008>.

This article considers arguments for and against aligning the rights of migrant workers from non-EU countries with those from EU countries regarding freedom of movement. They conclude that from a human rights and economic perspective, equal treatment is unequivocally indicated. Political, social and cultural considerations are less clear since strong consideration is given to the national sovereignty narrative. However, the authors contend that the human rights and economic perspectives are more persuasive, both legally and normatively.

ULCELUSE, M. & BENDER, F. 2022. Two-tier EU citizenship: Disposable Eastern European workers during the COVID-19 pandemic. *Organization* [Online], 29. Available: <https://journals.sagepub.com/doi/abs/10.1177/13505084211061229>.

The paper contends that the prejudicial practices Eastern European migrant workers were subjected to during the pandemic effectively demonstrates that EU citizenship is two-tiered. Transitional arrangements following the Eastern enlargements in 2004 and 2007 have, they contend, de facto undermined the right to freedom of movement for Eastern European EU citizens.

SOMMARRIBAS, A. & NIENABER, B. 2021. Migration and mobility of third-country national labour workers to and inside Europe during the Covid-19 pandemic – a legal analysis. *Comparative Migration Studies* [Online], 9. Available: <https://doi.org/10.1186/s40878-021-00229-1>.

Discusses the response of member states to the Covid-19 pandemic, highlighting the particular vulnerability of third-country nationals, whose work is disproportionately not teleworkable and whose residence permits may be lost as a result of loss of employment.

PIERGIGLI, V. 2020. Integration of third country nationals and the European Union: an opportunity not to be missed. In: NACCARATO, A., MURO, P. D. & FRATINI, S. M. (eds.) *Economics, Policy and Law. Proceedings of the Research Days Department of Economics*. Romatre-Press. Available: <https://romatrepress.uniroma3.it/en/libro/economics-policy-and-law-proceedings-of-the-research-days-department-of-economics/>.

The chapter contends that integration of third-country nationals must not be seen as a process whereby immigrants must conform to a monolithic society, but must entail a pluralistic understanding. Piergigli argues that the reality of mass migration represents an opportunity for member states to reflect on their integration policies, which ought to incorporate the protection of fundamental rights and guarantee equal treatment. She argues that all levels of governance (local, national and European) should have greater involvement in integration

policies such as simplifying migration procedures and extending the rights of national citizens to certain third-country nationals.

MCCORMACK-GEORGE, D. 2019. Equal Treatment of Third-Country Nationals in the European Union: Why Not? *European Journal of Migration and Law* [Online], 21. Available: [https://brill.com/view/journals/emil/21/1/article-p53\\_3.xml](https://brill.com/view/journals/emil/21/1/article-p53_3.xml).

This paper argues in favour of equal treatment for third country nationals in the EU. McCormack contrasts two conceptions of equal treatment - the “national” conception, as found in the EU’s external and internal migration acquis, which is conditional on the degree of a person’s actual or potential integration, and the “general” conception, which is found in EU anti-discrimination law on grounds such as sex, racial or ethnic origin, sexual orientation and age, which applies to all persons resident in a member state. McCormack contends that doctrinally and in the light of international and regional human rights law, the protections of both these conceptions ought to be extended to third-country nationals.

FRIDRIKSDÓTTIR, B. 2017. What Happened to Equality?: The Construction of the Right to Equal Treatment of Third-Country Nationals in European Union Law on Labour Migration. Brill | Nijhoff. Available: <https://doi.org/10.1163/9789004345287>.

The book considers the rights of different groups of labour migrants regarding access to territory, the labour market, equal treatment and family reunification, and argues that migrants are discriminated against compared to nationals in a manner contravening international and European human rights and labour law.

## **Encouraging a more outward-looking European citizenship: enlargement and the war in Ukraine**

ASATUROV, S. & MARTYNOV, A. 2022. Legal bases of Ukraine’s European integration. *ScienceRise: Juridical Science* [Online], 2(20). Available: <https://doi.org/10.15587/2523-4153.2022.260085>.

An analysis of legal developments in the EU related to accession and how these might apply in Ukraine’s case (written in Ukrainian).

BÁRD, P. & KOCHENOV, D. V. 2022. War as a pretext to wave the rule of law goodbye? The case for an EU constitutional awakening. *European Law Journal* [Online], 27. Available: <https://onlinelibrary.wiley.com/doi/abs/10.1111/eulj.12435>.

This article is highly critical of the EU’s deficits regarding democracy and the rule of law, particularly in Hungary, Poland and Slovenia. It considers that the crisis of the war in Ukraine risks being used as a justification for the EU to delay taking action, and urges the EU to take this as an occasion to strengthen democracy within its own borders.

BERLINSCHI, R., FARVAQUE, E., FIDRMUC, J., HARMS, P., STEINER, N. D., MIHAILOV, A., NEUGART, M. & STANEK, P. L. 2022. Rallying Around the EU Flag: Russia's Invasion of Ukraine and Attitudes Toward European Integration. CESifo Working Paper No. 9883 [Online]. Available: <https://ssrn.com/abstract=4189233>. The publication shows early evidence that Russia's invasion of Ukraine has raised attitudes towards Europe and support for European integration.

EUROPEAN STABILITY INITIATIVE. 13 July 2022. The Balkan Turtle Race: A warning for Ukraine [Online]. Available: <https://www.esiweb.org/sites/default/files/reports/pdf/ESI%20Turtle%20Race%20-%20a%20warning%20for%20Ukraine%20-%204%20freedoms%20-%2013%20July%202022.pdf>.

A report reflecting on the stalled accession process facing Western Balkan states, arguing that accession talks have at this point become farcical and progress has become decoupled from merit. It proposes that to remedy this, the EU ought to indicate its willingness for Montenegro to become a member by 2026. Moreover, it argues that the EU should declare that any European democracy meeting the necessary criteria should gain access to the European Single Market and the four freedoms, as an important step in the process towards full accession.

KIRSCH, W. 2022. The distribution of power within the EU: perspectives on a Ukrainian accession and a Turkish accession. *International Economics and Economic Policy* [Online], 19. Available: <https://doi.org/10.1007/s10368-022-00541-w>.

Kirsch analyses how the balance of power in the Council of the European Union would shift with a Ukrainian accession, concluding that it would increase the relative power of several smaller countries. This, he argues, may lead EU member countries to consider changing the qualified majority voting system entirely.

KOCHENOV, D. & JANSE, R. 2022. Admitting Ukraine to the EU: Article 49 TEU is the 'Special Procedure'. *EU Law Live* [Online]. Available: <https://ssrn.com/abstract=4083111>.

The article argues that under Article 49 and the legal framework around enlargement, Ukraine could join the EU virtually immediately without any legal obstacles. They contend that the EU ought to muster the political will to apply this new approach to accession in Ukraine's case, which would bypass the usual pre-accession process.

SAPIR, A. 2022. Ukraine and the EU: Enlargement at a New Crossroads. *Intereconomics* [Online], 57. Available: <https://doi.org/10.1007/s10272-022-1065-2>. Sapir considers the prospects for accession of Ukraine, Moldova and Georgia, following the granting of candidate status of the first two, and the recognition of Georgia's European perspective in June 2022. He argues that a fast-tracking of Ukraine's accession is unlikely in terms of relaxed entry criteria, although it is likely that the EU would provide large-scale assistance with reconstruction after the war. A possible complementary approach would be a continental partnership, which would involve granting three of the four freedoms (with the exception of free movement of labour). The likelihood of Ukrainian accession will, in Sapir's view, depend on the outcome of the war, as EU member states will be less favourable towards accession if part of Ukrainian territory remains occupied by Russia.

TOCCI, N. 2022. Why Ukraine (and Moldova) Must Become EU Candidates. IAI PAPERS [Online], 22. Available: <https://www.iai.it/en/publicazioni/why-ukraine-and-moldova-must-become-eu-candidates>.

Tocci argues that the war in Ukraine is an opportunity to revive enlargement in the Western Balkans. She emphasises that while the symbolism of candidacy is important, it is insufficient without being accompanied by concrete benefits in the short and medium term, which could be similar to those granted to EEA members.

ZWEERS, W., CRETTI, G., BOON, M. D., DAFA, A., SUBOTIĆ, S., MUK, M., FETAHU, A., IMERI, D. A. A., KUJRAKOVIĆ, H. & KUHINJA, E. 08 February 2022. The EU as a promoter of democracy or 'stabilitocracy' in the Western Balkans? [Online]. Clingendael Institute. Available: <https://www.thinkforeurope.org/research-analysis/the-eu-as-a-promoter-of-democracy-or-stabilitocracy-in-the-western-balkans-study>.

This report considers the EU's enlargement policy and its aim to foster democratisation in aspiring EU members. It concludes that the EU's policies have been unable to prevent the Western Balkan states from becoming "stabilitocracies", and recommends that public communication must be strengthened, reporting improved and tangible and practical recommendations made to ensure support for the process by the Western Balkan citizens.

## Further reading on the enlargement process in the Western Balkans:

- AKIMOV, A. & KAZAKEVITCH, G. 2020. 30 Years since the Fall of the Berlin Wall: Turns and Twists in Economies, Politics, and Societies in the Post-Communist Countries, Palgrave Macmillan Singapore.
- BELLONI, R. 2020. The Rise and Fall of Peacebuilding in the Balkans, Palgrave Macmillan Cham.
- SEKULIĆ, T. 2020. The European Union and the Paradox of Enlargement: The Complex Accession of the Western Balkans, Palgrave Macmillan Cham.
- DŽANKIĆ, J., KEIL, S. & KMEZIĆ, M. 2019. The Europeanisation of the Western Balkans: A Failure of EU Conditionality?, Palgrave Macmillan Cham.

## Recent publications on EU citizenship

### Books

KOSTAKOPOULOU, D. & THYM, D. (eds.) 2022. Research Handbook on European Union Citizenship Law and Policy

This handbook provides an overview of research on European citizenship, examining existing rights, duties and social protection granted to EU citizens, as well as theoretical perspectives on how those rights ought to evolve.

MENÉNDEZ, A. J. & OLSEN, E. D. H. 2020. Challenging European Citizenship: Ideas and Realities in Contrast. Palgrave Pivot Cham. Available: <https://doi.org/10.1007/978-3-030-22281-9>.

Menéndez and Olsen analyse European citizenship, questioning what constitutes citizenship, how European citizenship emerged, what the present practice of citizenship entails both legally and normatively, and how European citizenship has been assessed academically.

SIKLODI, N. 2020. The Politics of Mobile Citizenship in Europe. Palgrave Macmillan Cham. Available: <https://doi.org/10.1007/978-3-030-49051-5>.

Siklodi applies conceptual approaches by citizenship scholars to empirical data on the EU, comparing perceptions of citizens and their relative attachments to their national and EU citizenship. From this perspective, she provides an assessment of Europe's contemporary politics of mobile citizenship.

CAMBIEN, N., KOCHENOV, D. & MUIR, E. (eds). 2020. European Citizenship under Stress: Social Justice, Brexit and Other Challenges, Brill Nijhoff. Available: <https://brill.com/view/title/56404>.

In this open access book, the authors consider the challenges facing European citizenship, particularly looking at fundamental rights and social justice. The book considers constitutional developments, freedom of movement and EU citizenship in an international context.

BAUBÖCK, R. (ed.) 2019. Debating European Citizenship: Springer Cham. Available: <https://doi.org/10.1007/978-3-319-89905-3>.

This open access book presents a series of debates between scholars, politicians and activists on EU citizenship. The authors debate three main topics. The first debate asks why mobile EU citizens can vote in local and EP elections, but not in the host member state's national elections. The second debate considers whether the right to freedom of movement ought to be expanded or whether it has become overstretched. The final debate questions why EU citizenship does not entail any duties for citizens.

## Articles and Book Chapters

MANTHA-HOLLANDS, A. & DZANKIC, J. 2022. Ties that bind and unbind: charting the boundaries of European Union citizenship. *Journal of Ethnic and Migration Studies* [Online]. Available: <https://doi.org/10.1080/1369183X.2022.2107499>.

The authors discuss EU citizenship by examining the citizenship regimes in the 27 existing member states. They present a conceptual framework which considers four types of citizen-state links: lineage, territory, sponsorship and merit. On this basis, they argue that although EU citizenship confers equal rights onto those who hold this status, there is a disparity between the member states when it comes to acquiring and losing citizenship.

BIEBER, F. & BIEBER, R. 2021. Exclusion and Belonging: The Ambiguities of European Citizenship. Negotiating Unity and Diversity in the European Union. Cham: Springer International Publishing. Available: [https://doi.org/10.1007/978-3-030-55016-5\\_7](https://doi.org/10.1007/978-3-030-55016-5_7).

This chapter explores EU citizenship and the rights it grants against any member state, the member state in which the citizen lawfully resides, and against the EU itself. The authors argue that European citizenship cannot replace national citizenship, and cannot and should not bestow absolute equality on its holders. Rather, it consists of limited rights which coexist with rights from other sources such as national citizenship, and hereby respect difference.

CONANT, L. 2021. Failing backward? EU citizenship, the Court of Justice, and Brexit. *Journal of European Public Policy* [Online], 28. Available: <https://doi.org/10.1080/13501763.2021.1954061>.

Conant argues that Brexit represents a backwards step regarding EU integration. She contends that this was the result of an increasing decoupling of social rights, expanded by the CJEU, and their implementation, which was often incomplete and resulted in unequal treatment. This was compounded by a lack of protection of the voting rights of mobile EU citizens, who were unable to participate in the Brexit referendum. In Conant's view, the continuing disenfranchisement of mobile EU citizens represents an ongoing democratic deficit in the EU.

LACROIX, J. 2021. What Is Left of European Citizenship? *Ratio Juris* [Online], 34. Available: <https://onlinelibrary.wiley.com/doi/abs/10.1111/raju.12311>.

LaCroix argues that EU citizenship is based on a "federal" and a "cosmopolitan" promise. The federal promise involves the rights of freedom of movement and equal treatment, whilst the cosmopolitan promise entails the mutual recognition and the movement towards a single European demos. In the face of the human rights denied to asylum seekers, and threats to the rule of law in Hungary, Poland and Romania, Lacroix points to the fragility of European citizenship and the threats it faces.

MAAS, W. 2021. European Citizenship in the Ongoing Brexit Process. *International Studies* [Online], 58. Available: <https://journals.sagepub.com/doi/abs/10.1177/00208817211002008>.

The article argues that the absence of the UK may strengthen integration efforts, which the UK has historically opposed. However, this is complicated by the unanticipated demographic, migratory and political impacts of the pandemic.

SEUBERT, S. 2021. Reframing political space. Pro-European mobilisation and the enactment of European citizenship. *Citizenship Studies* [Online], 25. Available: <https://doi.org/10.1080/13621025.2020.1860907>.

By examining the role of pro-European activists, Seubert argues that EU citizenship can be transformed into a meaningful political status which transcends its legal institutionalisation. She argues that the political potential as a supra-national status has been underdeveloped.

DE BÚRCA, G. 2020. An EU Citizens' Assembly on Refugee Law and Policy. *German Law Journal* [Online], 21. Available:

<https://www.cambridge.org/core/journals/german-law-journal/article/an-eu-citizens-assembly-on-refugee-law-and-policy/753A223B5F61ADB021B018E2FB592F6A>

Argues that the EU could build on the example of Ireland's citizen assemblies regarding questions such as refugee policy reform. De Búrca suggests that, since the EU may be reluctant to take up such a proposal, it would be a possibility for EU citizens to themselves establish such an assembly, such as in the WeMoveEU pilot project. This, she contends, would be an experiment worth undertaking in order to supplement the current elements of representative democracy in the EU.

AMMATURO, F. R. 2019. Europe and whiteness: Challenges to European identity and European citizenship in light of Brexit and the 'refugees/migrants crisis'.

*European Journal of Social Theory* [Online], 22. Available:

<https://journals.sagepub.com/doi/abs/10.1177/1368431018783318>.

Ammaturo reflects on Europe's colonial history in light of Brexit and the 'refugee/migrant crisis', arguing that conceptualisations of Europeanness are grounded in regressive neoliberal and neocolonial understandings rooted in whiteness. She contends that this stance will ultimately result in the European Union losing relevance, and that there is a need for a new approach which politically centres both citizens and, crucially, non-citizens.

MISSIRA, V. 2019. Strengthening European citizenship education. *Journal of Social Science Education* [Online], 18. Available:

<https://www.jsse.org/index.php/jsse/article/view/1456>.

The article studies Greece, England and France, evaluating the educational activities supported by the Council of Europe's and EU's European action programmes regarding whether they encourage young people to participate in public life and European politics. Missira proposes that education for democratic citizenship ought to become a compulsory subject in educational systems, and offers a number of suggestions to strengthen public civic engagement and education.

SHAW, J. 2019. A concept of European Union citizenship: Problems and possibilities. In: KERSHEN, A. J. (ed.) *A Question of Identity*. Taylor and Francis AS.

Available: <https://doi.org/10.4324/9780429459979-12>.

Shaw critically considers the problems and possibilities of EU citizenship, and discusses how a fuller conception of Union citizenship may be attained.

## Reports by the Jacques Delors Institute

The Jacques Delors Institute is a European think tank which analyses European current events and offers proposals to decision-makers. It has published various reports and policy briefs in recent years concerning European citizenship, including the following:

- Chopin T. & Macek L. 2022. "European values. A debate to be clarified, a struggle to be fought", Policy paper, Paris: Jacques Delors Institute, 6 April. Available: <https://institutdelors.eu/en/publications/les-valeurs-europeennes-un-debat-a-clarifier-pour-un-combat-a-mener/>

- Chopin T. et al. Reflection and Proposals Committee for the French Presidency of the European Union (PFUE), 2022. “A Europe for today and tomorrow”, viepublique.fr, Special issue, Jacques Delors Institute, March 2022. Available: <https://institutdelors.eu/en/publications/a-europe-for-today-and-tomorrow/>
- Maillard S. 2022. “Belonging to Europe”, Policy brief, Jacques Delors Institute, February 2022. Available: <https://institutdelors.eu/en/publications/appartenir-a-leurope/>

Further resources can be found at <https://institutdelors.eu/en/>.

## Reports by Globalcit

The Global Citizenship Observatory, an online research network, likewise provides many relevant resources. It has published a number of policy reports and analyses on EU citizenship, including the following:

- DZANKIC, J, BAUBÖCK, R, Mobility without membership : do we need special passports for vulnerable groups?, EUI RSC, 2022/01, Global Governance Programme-459, GLOBALCIT. Available: <https://hdl.handle.net/1814/73710>.
- FARGUES, E. L. M., HONOHAN, I (eds), Revocation of citizenship : the new policies of conditional membership, EUI RSC, 2021/23, Global Governance Programme-438, GLOBALCIT. Available: <https://hdl.handle.net/1814/70213>.
- STRUMIA, F, The state and the citizen-as-migrant : how free movement changes the social contract, EUI RSC, 2021/79, Global Governance Programme-454, GLOBALCIT. Available: <https://hdl.handle.net/1814/73020>.
- SHAW, J, Citizenship: contrasting dynamics at the interface of integration and constitutionalism, EUI RSCAS, 2020/33, Global Governance Programme-396, GLOBALCIT. Available: <http://hdl.handle.net/1814/67019>.
- VAN DEN BRINK, M, Revising citizenship within the European Union : is a genuine link requirement the way forward?, EUI RSCAS, 2020/76, Global Governance Programme-418, GLOBALCIT, [Global Citizenship]. Available: <https://hdl.handle.net/1814/68979>.
- VAN DER BAAREN, L, Dual citizenship in the European Union : trends and analysis (2010-2020), [Global Governance Programme], GLOBALCIT, Comparative Reports, 2020/4, [Global Citizenship]. Available: <https://hdl.handle.net/1814/67854>
- ORGAD, L, LEPOUTRE, J (eds), Should EU citizenship be disentangled from member state nationality?, EUI RSCAS, 2019/24, Global Citizenship Governance Available: <http://hdl.handle.net/1814/62229>.

Globalcit has also published a series of reports on the political participation of mobile citizens and on citizenship law in EU member states, which can be accessed at <https://globalcit.eu/publications/>.

## Examples of participation of neighbouring countries in European programs

Eligible countries Erasmus+ programme. European Commission. Available: <https://erasmus-plus.ec.europa.eu/programme-guide/part-a/eligible-countries>

Third country participation. List of participating countries in Horizon Europe. Available: [https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/list-3rd-country-participation\\_horizon-euratom\\_en.pdf](https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/list-3rd-country-participation_horizon-euratom_en.pdf)