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Motion

Y-FED 2024

Proposer: The European Government (decided on: 2024-07-01)

Title: **Government's proposal for Organic Regulation 2024/XX defining European citizenship, also called "The European Citizenship Charta"**

2024-06-25, 21:08

The European Government's proposal for

ORGANIC REGULATION 2024/XX/EF OF THE HOUSE OF EUROPEAN CITIZEN AND OF THE SENATE

of xxx July 2024

Defining European Citizenship

Also called

“THE EUROPEAN CITIZENSHIP CHARTER”

1 THE HOUSE OF EUROPEAN CITIZENS AND THE EUROPEAN SENATE,

2 *Remembering* the continuum of the European integration project, created on the
3 premise of peace and cooperation in all of Europe, by building a common European
4 identity and institutional frame to stop all future wars on the European soil,

5 *Having regard to* European Convention on Human Rights, and in particular its
6 articles 1 to 18, the First Protocol to the Convention for the Protection of
7 Human Rights and Fundamental Freedoms, as well as Protocols 4, 7 and 12 of said
8 Convention,

9 *Having regard to* the Charter of Fundamental Rights of the former European Union;
10 now European Federation,

11 *Having regard to* the European Youth Convention, and in particular Articles 8
12 through 11 thereof,

13 *Having regard to* the innovation brought by the former European Union, especially
14 in Article 2 of the Treaty on the European Union and Directive 2004/38/EC on the
15 right of citizens of the Union and their family members to move and reside
16 freely within the territory of the Member States,

17 *Having regard to* the proposal from the European Government,

18 Acting in accordance with the procedure laid down in Article 20 of the
19 Convention and Rules 6 and 9.1.1.2. of the Rules of procedure,

20 Whereas:

- 21 1. The Government takes into account the creation of a united European
22 Federation, considering all citizens as equal, and built on the principles
23 of democracy, Rule of Law, solidarity and fraternity between Europeans. It
24 reaffirms the previous work done by the European Union and States through
25 the Maastricht treaty which created the former European Union and cemented
26 the first step towards full integration in Europe, as well as the rights
27 entailed in both article 18 (former 12) of the Treaty on the Functioning
28 of the European Union, chapter V of the Charter of Fundamental Rights, and
29 Directive 2004/38 of Citizen's Rights. The European Federation acts as a
30 descendant body of the former European Union, adopting all the previous
31 legal acts and treaties from the Union into the Federation, unless
32 contradicted by future legislation.

- 33 2. The aim of this Charter is to build a solid and integral European
34 Citizenship concept, further developing all the previous work made by the
35 EU Institutions. Furthermore, all previous citizenships will be considered
36 to have merged into a unique European Citizenship, becoming an integral
37 part of it. While States will preserve partial managing competence,

38 citizenship will be solely regarded as “European”, and be considered as
39 one unified legal concept. Thus, Member-States will manage the new
40 citizenship along with the Federal entities.

41 3. This measure is in line with all the previous work made by the European
42 Union into solidifying its citizens equal rights and duties inside a legal
43 concept which enables the European Union, now Federation, to develop and
44 protect them. This work can be seen in the Treaty of the European Union
45 (also known as Maastricht Treaty), the attempt of the Constitutional
46 Convention to pass a European Constitution, the Treaty on Functioning of
47 the European Union and the Treaty of Lisbon, all of which contributed into
48 the creation of the Union citizenship, which serves as the base of the new
49 European Citizenship.

50 HAVE ADOPTED THE FOLLOWING CHARTA:

51 **CHAPTER 1: *GENERAL PROVISIONS***

52 **Article 1: Object**

53 1. The present Charta creates a real and unified European Citizenship, which
54 shall function, be granted and revoked, and entitle its holders to rights
55 and duties as this text, the European Youth Convention, and any other
56 disposition establish.

57 2. Furthermore, any physical person entitled to European Citizenship shall be
58 universally regarded as a European citizen.

59 **Article 2: European Citizen**

60 A European citizen - Refers to any individual who is in possession of European
61 citizenship according to the present Charta.

62 **Article 3: Citizenship, Identity Documents, other official** 63 **documents and EU passport**

- 64 1. Any holder of a EU-member national citizenship has the inalienable right
65 and is entitled to a European citizenship, which will include the rights
66 entailed in European federal law, as well as the additional rights in
67 their national law, if the State chooses to.
- 68 2. All former citizens of a European Union Member-State or Member-State shall
69 have the same legal status as having had a European citizenship from
70 birth.
- 71 3. European States keep the duty of issuing documents, such as identification
72 cards (ID), driver's licence, and other internal documents which are only
73 valid within the European Union. These documents shall reflect the State
74 of origin and its belonging to the European Federation.
- 75 4. Documents with international validity, such as passports and residence
76 permits, are exclusively of federal competence and issued and facilitated
77 by the European States.
- 78 5. The federal Government shall be the only institution with the ability to
79 establish bilateral agreements with other countries.

80 **CHAPTER 2: RIGHTS AND DUTIES ATTACHED TO**
81 **EUROPEAN CITIZENSHIP**

82 **Article 4: Rights**

83 All European citizens will be granted a series of fundamental and public rights,
84 recorded in the European Youth Convention, the European Convention on Human
85 Rights, the present Charta and any other Laws approved or international
86 agreements ratified by the European Government or Chambers.

- 87 1. All European citizens have the right to speak their own language or any
88 language recognized in the European Union, in accordance with article 2 of
89 the European Youth Convention.

- 90 1. Europeans have the right to participate in any public activity, for

91 example, elections or administrative procedures, and receive
92 information in their official language, national or regional.

93 2. If it is not possible for an European to use their own language due
94 to physical barriers, such as limited resources in local
95 administration, Europeans have the right to use English.

96 2. Europeans have the right to participate in the political activities of the
97 Federation, the State, the region, and the county or municipality, either
98 by voting or being elected in the political elections at any level.

99 1. All Europeans shall be allowed to vote in elections of all levels in
100 their place of residency, whether or not they are originally from
101 the State, region or county / municipality.

102 2. Public institutions must ensure that every European citizen is able
103 to participate freely in the democratic process, as a pivotal
104 principle of the Union.

105 3. Foreigners living in the European Union may vote in local elections
106 in accordance with the Foreigners and Migrants Law (proposal for a
107 future draft).

108 3. Europeans can always call on European jurisdiction if their rights granted
109 by the European Youth Convention and federal laws are jeopardised.

110 **Article 5: Duties**

111 1. Every European Citizen has the duty to defend European values which are:

112 2. The values which have led to the formulation of the European Youth
113 Convention and are embedded in the same, and;

114 3. The product of the values and culture of all European-States of the
115 European Federation.

116 4. Every European Citizen thus has the duty of acknowledging the deep and
117 rich difference in the values and culture of its Member-States and to
118 defend their equal importance.

119 **CHAPTER 3: SOURCES OF EUROPEAN CITIZENSHIP**

120 **Article 6: Granting of citizenship**

121 1. The European citizenship is granted through:

122 2. The unification of the European citizenship and the citizenship of its
123 Member-States (Art. 6a)

124 3. Birth (Art. 6b)

125 4. Claim (Art. 6c)

126 5. Request (Art. 6d)

127 II. European citizenship shall also be granted to a person living in one Member-
128 State of the European Federation for at least four years and who is showing
129 honest dedication to support, emphasise and protect the Federation and if they
130 have not yet requested to be granted with European citizenship.

131 **Article 6a**

132 Any person who is a citizen of at least one of the Member-States of the
133 Federation shall be granted with the European Citizenship through the legal
134 implementation of this Charta as if they were holding the European citizenship
135 from birth.

136 **Article 6b**

137 1. European Citizenship is granted to a child through birth, if one of its

138 parents is already in possession of the European citizenship.

139 2. A child whose parents are not in possession of European citizenship is
140 granted European citizenship through birth, if it is born in one of the
141 States of the European Federation and at least one parent is living in one
142 of the States of the European Federation for at least four years after
143 birth or, if it would be stateless otherwise.

144 **Article 6c**

145 1. A person may claim European citizenship if it is at least 16 years old and
146 if:

147 1. They are the child of a European parent which has not gained the
148 European citizenship through birth, or;

149 2. They were born in the European Federation to a parent who has not
150 lived at least four years in one of its Member-States by the time of
151 its birth and if they have lived in the European Union ever since
152 they were born.

153 2. The successful claim of European Citizenship shall be documented with an
154 official certificate.

155 **Article 6d**

156 1. A person may request European citizenship if it has neither gained it
157 through birth, nor has any claim to it, if they are at least 16 years old
158 and can speak the language of one of the Member-States or English and if :

159 2. They are working in a Member-State in a secure job with the ability to
160 supply themselves and their family since at least four years;

161 3. They are being hunted or repressed in another country for emphasising on
162 the values of the Federation.

163 II. The request is not to be granted if the person has committed a crime in a
164 Member-States with a minimum sentence of one year in prison or if sincere and
165 legitimate security concerns are being expressed by the state the person was
166 living prior to the request.

167 **Article 7: Deprivation of citizenship**

168 1. Any adult European citizen with full legal capacity is entitled to reject
169 European Citizenship at any time, as long as they do it freely and
170 voluntarily.

171 2. Proof of treason will be grounds for the withdrawal of citizenship of any
172 person, including:

173 1. Enlisting in a foreign military;

174 2. Working for foreign secret services;

175 3. Revealing classified information.

176 3. Citizenship will be withdrawn if the beneficiary was proven to give out
177 incorrect or false information in the claiming or request process of the
178 European Citizenship

179 **Article 8: Dual citizenship**

180 Regarding European citizens holding an additional citizenship of another
181 country:

182 1. If a European citizen by birth obtains their citizenship in any other
183 country, the European Federation will keep recognizing the European
184 citizenship of the subject, presuming they still continue having interest
185 in preserving the citizenship, unless proven otherwise.

186 2. If a foreigner living in the European Union obtains the European
187 citizenship, the former will no longer be recognized by the European
188 Union, unless an international mutual agreement has been reached with the

189 other country, with reciprocal effects on recognition of a dual
190 citizenship.

191 **CHAPTER 4: IMPLEMENTATION**

192 **Article 9: Transition period**

- 193 1. The Transition Period in which Member-States have to exchange national
194 passports with passports representing European Citizenship will be two
195 years.

- 196 2. This also applies to new Member-States joining the European Union in the
197 transition period from the beginning of their official accession.

- 198 3. Children of parents of which at least one is in possession of the
199 citizenship of a Member-State of the Federation, and who were born in the
200 time of the transition period, shall be granted European Citizenship
201 according to Article 6b I. first half sentence.

202 **Article 10: Entry into force and application**

- 203 1. The Present Regulation shall enter into force immediately following its
204 publication in the Official Journal of the European Federation.

- 205 2. It shall apply immediately after its publication.

206 The present Regulation shall be binding in its entirety and directly applicable
207 to the European Government and in all Member States.

208 For the House of European Citizens

209 The President

210 For the European Senate

Reason

The Government's goal is to follow suit with the integration of its peoples. By granting a common citizenship to all its citizens, it is easier to achieve equality in rights and duties between all, as well as to make all Europeans direct subjects of Federal law.

Other objectives met with this new Charter include:

- Creation of a common European identity across all the European Federation,
- Promotion of the european values of democracy, equality, rule of law and solidarity,
- Create a common foreign policy, specially regarding the issuing of passports and travel / visa policy with other countries,
- Creating a citizenship granting system.