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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”

THE HOUSE OF EUROPEAN CITIZENS AND THE EUROPEAN SENATE,

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

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

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

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

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

Having regard to the proposal from the European Government,

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

Whereas:

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

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

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

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

HAVE ADOPTED THE FOLLOWING CHARTA:

CHAPTER 1: *GENERAL PROVISIONS*

Article 1: Object

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

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

Article 2: European Citizen

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

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

1. Any holder of a EU-member national citizenship has the inalienable right and is entitled to a European citizenship, which will include the rights entailed in European federal law, as well as the additional rights in their national law, if the State chooses to.

2. All former citizens of a European Union Member-State or Member-State shall have the same legal status as having had a European citizenship from birth.

3. European States keep the duty of issuing documents, such as identification cards (ID), driver's licence, and other internal documents which are only valid within the European Union. These documents shall reflect the State of origin and its belonging to the European Federation.

4. Documents with international validity, such as passports and residence permits, are exclusively of federal competence and issued and facilitated by the European States.

5. The federal Government shall be the only institution with the ability to establish bilateral agreements with other countries.

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

Article 4: Rights

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

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

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

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

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

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

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

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

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

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

Article 5: Duties

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

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

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

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

CHAPTER 3: *SOURCES OF EUROPEAN CITIZENSHIP*

Article 6: Granting of citizenship

1. The European citizenship is granted through:

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

3. Birth (Art. 6b)

4. Claim (Art. 6c)

5. Request (Art. 6d)

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

Article 6a

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

Article 6b

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

parents is already in possession of the European citizenship.

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

Article 6c

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

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

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

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

Article 6d

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

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

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

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

Article 7: Deprivation of citizenship

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

2. Proof of treason will be grounds for the withdrawal of citizenship of any person, including:
    1. Enlisting in a foreign military;
    2. Working for foreign secret services;
    3. Revealing classified information.

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

Article 8: Dual citizenship

Regarding European citizens holding an additional citizenship of another country:

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

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

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

CHAPTER 4: *IMPLEMENTATION*

Article 9: Transition period

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

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

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

Article 10: Entry into force and application

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

2. It shall apply immediately after its publication.

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

For the House of European Citizens

The President

For the European Senate

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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.