

# European citizenship

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# University of Szczecin

## 7 Faculties

Faculty of Law and Administration,  
Faculty of Humanities or Faculty of  
Social Sciences

The University of Szczecin is the  
largest university in the West  
Pomeranian Province.

The University supports business and  
the local community.

The scientific activity of the University  
of Szczecin is largely determined by  
the specific character of West  
Pomerania, including the Odra river  
and the proximity of the Baltic Sea.



# Faculty of Law and Administration

Founded in 1985

Number of academics: about 100

Number of students: about 3000

In Polish: Law, Administration,  
Internet Law and Information  
Protection Law, Medical Law, Law  
of Uniformed Services, Law of  
Protection of Natural Resources







## Faculty of Law and Administration

Founded: 1970

Number of academics: about 130

Number of students: about 6000

In Polish: Law, Administration, Criminology, Taxation and Tax Consultancy, Law in the Economy and Administration

In English: Criminology and Criminal Justice, European Business Administration







# GDAŃSK







# Sopot



# Gdynia



# The Idea of the EU citizenship

- The European citizenship is one of the notable examples of the achievements of the EU integration.
- In 1992, European citizenship was confirmed directly by Maastricht Treaty.
- According to Article 9 TEU and Article 20 (1) of the Treaty on the Functioning of the European Union, every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship.
- As such European citizenship enriches the existent bond of persons with their state with additional privileges.

# The institution

- Like national citizenship, EU citizenship refers to a relationship between the citizen and the European Union, which is defined by rights, duties and political participation.
- The EU citizenship is intended to bridge the gap between the increasing impact that EU action is having on EU citizens, and the fact that the enjoyment of (fundamental) rights, the fulfilment of duties and participation in democratic processes are almost exclusively national matters.
- The Union citizenship strengthens the ties between citizens and their States (in so far as they are European citizens precisely because they are nationals of our States) and, at the same time, it emancipates citizens from States (in so far as they are citizens beyond their States).
- Citizens' rights were established in the Charter of Fundamental Rights of the EU.



# Rights and Freedoms of the EU citizens

- The right to vote and to stand as a candidate at elections to the European Parliament.
- The right to vote and to stand as a candidate at municipal elections.
- Right to good administration
- Right of access to documents
- Right to petition
- Freedom of movement and of residence
- Diplomatic and consular protection
- Protection by the European Ombudsman

# The principle of participatory democracy at the EU level

First explicitly formulated in the Constitution for Europe.

Lisbon Treaty created an institutional framework for the development of social dialogue at the European level, and thus the principle of participatory democracy became an integral part of the European legal order

Article 10

1. The functioning of the Union shall be founded on representative democracy.
2. Citizens are directly represented at Union level in the European Parliament. (...)
3. Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen.



- Participatory democracy in the European Union exists only in non-decisive forms, allowing citizens to participate directly in various decision-making processes, but leaving the final decision to the EU bodies.

However, it is an important tool for strengthening the sense of solidarity, community and awareness of European citizenship among the citizens of individual Member States

# Four basic pillars of participatory democracy

Art. 11 of the Treaty of Lisbon

1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.
2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.
3. The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.
4. Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.



# EUROPEAN CITIZENS INITIATIVE

## „agenda initiative”

Treaty of Lisbon sets out three issues for the implementation of the initiative:

1. the minimum number of signatures to be collected under the initiative in a large number of Member States,
2. the scope of the initiative, which must address issues within the competence of the European Commission and
3. the subjective conviction of the applicants that the adoption of the proposed act is necessary for the implementation of the treaty provisions

# Problems that were to be solved

- significant number of Member States from which the signatures had to be collected,
- the minimum number of signatories from each of these countries,
- the minimum age of being entitled to support the initiative,
- the manner in which the content of the proposal should be formulated,
- the rules of collecting signatures,
- the procedures of verifying and authenticating the signatures,
- the time limits for collecting signatures, the manner of the registration and reporting of initiatives,
- the rules on transparency of the procedure,
- the rules of financing initiatives, determining deadlines for the Commission to consider initiatives submitted by citizens
- the way to handle multiple initiatives on the same issue



# The European Parliament and the Council of the European Union's resolution on citizens' initiative of 16 February 2011

- The number has been set at 1/4 of Member States (7 states)
- the minimum number of signatories coming from each of those Member States should correspond to the number of the Members of the European Parliament elected in each Member State multiplied by 750
- a minimum age for supporting the citizens' initiative should be fixed and set as the age at which citizens are entitled to vote in elections to the European Parliament
- Initiatives must be registered on a website made available by the Commission prior to collecting the necessary statements of support from citizens
- the statements of support for the citizens' initiative should have been collected within the period of 12 months
- Organizers must send the signatures for verification (3 + 3 months)
- the Commission should examine the citizens' initiative and response to it within a period of 6 months. Before that - within 1 month aorganizers can explain the details to the Committion's representatives and within 3 months a public hearing is organized at the European Parliament

# European Citizens' Initiative

- Since 1 April 2012, the Commission has registered 95 Initiatives which covered a wide range of topics, including environment, mobility, education, cooperation and social issues.
- See all: [https://europa.eu/citizens-initiative/find-initiative\\_en](https://europa.eu/citizens-initiative/find-initiative_en)



## Search options

### Keywords search

### Date of registration

From

dd/mm/yyyy

 📅

To

dd/mm/yyyy

 📅

### Filter by category

 ▼

### Status

 ▼

## Search results (95)

### Showing results 1/10

#### Protect the EU's Rural Heritage, Food Security and Supply

👤 Current status: Collection ongoing

✍️ Registration number: ECI(2022)000007

Support this initiative



Protect the EU's rural heritage, food security, and supply.

#### Civil Servant Exchange Program (CSEP)

👤 Current status: Unsuccessful collection

✍️ Registration number: ECI(2021)000002

🔒 Signature collection closed



#### Focus on Specific Learning Disabilities on EU Level

👤 Current status: Collection ongoing

✍️ Registration number: ECI(2022)000008

Support this initiative



Building participatory democracy and participatory culture is the bottom-up process



# European citizenship and the right to vote to PE and local elections

Constitutional provisions (eg Romania)

Article 16(4) states that After Romania's accession to the European Union, **the Union's citizens** who comply with the requirements of the organic law have the right to elect and be elected to the local public administration bodies.

Article 39 Right to vote and to stand as a candidate at elections to the European Parliament

- 1. **Every citizen of the Union** has the right to vote and to stand as a candidate at elections to the European Parliament in the Member State in which he or she resides, under the same conditions as nationals of that State.

Article 40 Right to vote and to stand as a candidate at municipal elections

- **Every citizen of the Union** has the right to vote and to stand as a candidate at municipal elections in the Member State in which he or she resides under the same conditions as nationals of that State.



# Constitutional interpretation

- Polish Constitution of 1997 does not relate directly to the electoral rights of European citizens.
- However, in 2005, norms of the Constitution on active electoral rights were enriched by the allocation of the rights to EU citizens based on EU law (Case K 15/04).
- As a result of the CT decision that applied the EU-friendly interpretation, an amendment of the Constitution was not even necessary to acknowledge the right to vote and to stand as a candidate at elections to the European Parliament and municipal elections.

# Right to vote in national parliamentary elections – country of origin

- Several EU Member States (Cyprus, Denmark, Germany, Ireland and Malta) deprive their nationals who permanently reside in other countries of the right to vote in national parliamentary elections.
- These disenfranchised citizens often face exclusion from political life in both their country of origin and their country of residence.
- In its 2014 recommendation, the Commission urged Member States to allow their nationals to apply to remain registered on the electoral roll and therefore retain their right to vote.
- It will continue to monitor the situation and calls for the Member States concerned to abolish these disenfranchisement rules.

# Right to vote in national parliamentary elections – country of residence

- EU citizenship rights do not grant mobile EU citizens (citizens who have moved to live, work or study in an other Member State) the right to vote in national elections in their Member State of residence, even though they are active members of society and are affected by national policies.
- 63% of Europeans consider that it is justified for EU citizens living in an EU country that is not their country of origin to acquire the right to vote in national elections and referenda in their country of residence.
- In March 2020, a European Citizens' Initiative for granting mobile EU citizens the right to vote in national elections of their Member State of residence was registered. Still, it did not attract enough support for the procedure.



# Plans for future: European Commission report of 2020 on the application of the EU citizenship provisions

## **Concrete actions and priorities for EU citizenship:**

1. Enhancing democratic participation, empowerment and inclusion (by increasing citizens' involvement in all stages of a democratic process)
2. Facilitating free movement and simplifying daily life (by improving legal certainty of EU citizens when traveling, studying or working in another Member State, protecting the rights of EU citizens residing in the UK)
3. Protecting and promoting EU citizenship (by counteracting risks posed by investor schemes for EU citizenship, monitoring the impact of restrictive measures put in place during the COVID-19 crisis)
4. Protecting EU citizens in Europe and abroad, including in times of crisis (by building a strong European Health Union and implement the EU strategy for COVID-19 vaccines, reviewing rules on consular protection)

Thank you for your attention!

