

CONFERENCE

WHO OWNS EU CITIZENSHIP?

Loss and Acquisition of Citizenship and the Role of the EU

29 April 2014

*Venue: CEPS (Conference Room)
1 Place du Congrès, 1000 Brussels*

Organisers

Centre for European Policy Studies (CEPS)
and
University of Maastricht

RATIONALE AND SCOPE

European citizenship has become the fundamental status of EU Member States' nationals yet questions related to acquisition and loss of nationality have remained firmly in the exclusive competence of Member States. At the same time, the past twenty years have seen the traditional boundaries delimiting Member State discretion over nationality laws being challenged and reshaped with the emergence of a set of international standards, principles and supranational case law. The Court of Justice of the European Union for instance has held that national policy and legislative interventions need to take 'due regard to' European Union law, as well as their impact over citizenship of the Union rights and freedoms and the wider obligations in the Treaties.

This conference asks can Member States' sovereign powers to lay down the grounds for the acquisition and loss of nationality still be freely exercised without any EU law supervision? How do national level rules and procedures applicable to loss and acquisition of nationality across the EU measure up to European and international legal standards? And what are the current challenges in member state practices covering the withdrawal of citizenship from their nationals (in both loss and quasi-loss of citizenship cases)?

The conference will draw on research underway in the ILEC project together with the contribution of policymakers, legal practitioners, academics and civil society to examine these questions.

The ILEC Project

The conference is organised within the framework of the European Commission's DG Justice, Citizenship and Fundamental Rights co-funded ILEC Project (Involuntary Loss of European Citizenship: Exchanging Knowledge and Identifying Guidelines for Europe). This two-year project is conducting a comparative inventory of the regulations, administrative practices and statistical data concerning involuntary loss of nationality across the 28 EU member states. It aims to generate new knowledge on the repercussions of the increasing judicialisation of the grounds of loss of Union citizenship over national legal systems and providing a comprehensive study of the relationship between regulations for deprivation of nationality and existing standards in European and international conventions, recommendations and jurisprudence. The project will also identify 'promising' practices and elaborate recommendations and common guidelines for policy makers and practitioners.

For more information about the ILEC project, please visit:
[**www.ilecproject.eu**](http://www.ilecproject.eu)

09.00 – 09.30 REGISTRATION

09.30 – 10.00 WELCOME PANEL

- **Sergio Carrera** (CEPS)
- **René de Groot** (University of Maastricht)
- **Chiara Adamo** (DG Justice, European Commission)

**10.00 – 11.15 OPENING PANEL: National developments in
citizenship legislation: the cases of Germany, Malta
and Spain**

Chair: René de Groot (University of Maastricht)

- **Kay Hailbronner** (University of Konstanz)
- **Sergio Carrera** (CEPS)
- **Hans Ulrich Jessurun d`Oliveira** (University of Amsterdam)

Questions and answers

11.15 – 11.30 COFFEE BREAK

**11.30 – 13.00 PANEL I: General principles of European law and
nationality: what implications for member states
autonomy?**

The decision to grant or deprive citizenship remains within the sphere of member state sovereignty. However, as recent European rulings, such as the CJEU *Rottmann* case demonstrate, European courts and general principles of EU law can limit the autonomy of national authorities when granting or depriving citizenship. This panel examines the implications of EU law for member state autonomy in the field of citizenship.

Chair: Nathalie Stockwell (European Commission, DG JUST)

- **René de Groot** (University of Maastricht)
- **Rainer Bauböck** (EUI)

Discussant: Alenka Prvinsek (Interact4C), **Barbara Walentynowicz** (EESC) and **Assya Kavrakova** (ECAS)

Open Discussion

13.00 – 14.00 BUFFET LUNCH

14.00 – 15.30 PANEL II: Loss of Citizenship

Citizenship confers essential rights of participation and protection. Therefore withdrawing those rights via the deprivation of nationality must comply with a set of European and international legal standards. This panel examines the trends and challenges surrounding EU member states' implementation of loss of citizenship in Europe.

Chair: Elspeth Guild (CEPS)

- **Maarten Vink & René de Groot** (University of Maastricht)
- **Judit Tóth** (ICCR - Budapest)
- **Eva Ersbøll** (DIHR)

Discussants: Amanda Weston (Garden Court Chambers) and **Roxana Barbulescu** (University of Sheffield)

Open Discussion

15.30 – 16.00 COFFEE BREAK**16.00 – 17.30 PANEL III: Quasi-Loss of Citizenship**

Do the rules established in international instruments restricting the loss of nationality, in particular in order to avoid statelessness, also apply if a State concludes that a person did not lose the nationality, but rather never acquired it? This panel will examine current state practices regarding so-called 'quasi-loss' and will debate this question.

Chair: Rainer Bauböck (EUI)

- **Patrick Wautelet** (University of Liege) & **René de Groot** (University of Maastricht)
- **Adrian Berry** (Garden Court Chambers)
- **Kristine Kruma** (Riga Graduate School of Law)
- **Discussants: Joris Groen** (Ministry of Justice, Netherlands)

Open Discussion

17.30 CONCLUDING REMARKS: René de Groot (University of Maastricht)

ORGANISED BY:



**CENTRE FOR EUROPEAN POLICY
STUDIES**

**JUSTICE AND HOME AFFAIRS
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UNIVERSITY OF MAASTRICHT

Faculty of Law

IN THE FRAMEWORK OF:



ILEC
Involuntary Loss of
European Citizenship

ILEC

**Involuntary Loss of European
Citizenship: Exchanging Knowledge
and Developing Guidelines for
Europe**



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Venue: CEPS, Conference Room

Address: 1 Place du Congrès

Location: 1000 Brussels, Belgium

Contact person: Miriam.mir@ceps.eu