

EUROPEAN UNION CITIZENSHIP WITHIN MULTICULTURAL SOCIETY

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Abstract

The paradox in the formation of Union citizenship is that, on the one hand, its list of rights is primarily relevant for migrants and – again apart from the parliamentary permit - largely resembles the elements of enhanced denizen ship many member states had introduced before for their settled immigrants, but, on the other hand, its definition of the population to whom these rights apply excludes third country aliens, i.e. the great majority of migrants living in the territory of the Union. Union citizenship, first introduced in the Maastricht Treaty, confers a broad range of rights on national of the member states, including rights of movement, political rights, protection in non-EU states, and rights to petition. The relationship to national citizenship was clarified in the Treaty of Amsterdam: Union Citizenship is meant to supplement, not supplant, national citizenship. The European Union Charter of Fundamental Rights, signed and proclaimed in Nice December 2000, laid out the range of civil, political, economic and social rights conferred both to Union Citizens and other persons resident in the EU.

The Treaty of Lisbon, which was signed in Lisbon on 13 December 2007 and amends the Treaty on European Union and the Treaty establishing the European Community, sought in particular to reinforce the democratic fabric of the European Union. One of its major innovations is to introduce the European citizens' initiative. It provides that "not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the 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". It also provides that the procedures and conditions required for such a citizens' initiative, including the minimum number of Member States from which citizens must come, shall be determined in a Regulation to be adopted by the European Parliament and the Council on a proposal from the European Commission.

The European Commission welcomes the introduction of the citizens' initiative, which will give a stronger voice to European Union citizens by giving them the right to call directly on the Commission to bring forward new policy initiatives. It will add a new dimension to European democracy, complement the set of rights related to the citizenship of the Union and increase the public debate around European politics, helping to build a genuine European public space. Its implementation will reinforce citizens' and organized civil society's involvement in the shaping of EU policies. The Commission is convinced that European citizens should benefit from this new right as quickly as possible after the entry into force of the Treaty of Lisbon. The Commission's ambition would therefore be to make it possible for the Regulation on the citizens' initiative to be adopted before the end of the first year after the entry into force of the Treaty.

Keywords:

Citizenship, Union citizenship, identity, multicultural society, migrant, denizen ship.

Introduction

Citizenship is an evolving phenomenon. A state, according to Aristotle, is a unity made of citizens. Therefore, it is important to note who is a citizen, though this particular question is widely discussed and there is no one universal definition. Despite the fact that the citizenship of a modern national state differs from the antique citizenship, Aristotle's point is still meaningful and shared today. Every modern state regards one group of people as citizens, and the other as strangers. And today the margin between foreigners and citizens is more

important than ever before, especially in the context of European citizenship.

In a world influenced by globalization citizenship and a status of a citizen is a means of preventing rich countries from poor migrant people. Furthermore, it deals with interstate independency, as every state has its own law for regulating the matters of citizenship. This status provides a person with certain rights but also demands certain obligations. Accordingly, citizenship awards every individual not only with political rights, but absolute right for entering and residing the country,

working there and using the benefits. Though the migration politics carried out in the majority European countries for at least two decades is rather limiting, the groups of migrants are becoming larger and more varied. There are no signs of possible decline and evaluating the demographical reasons, not to mention the political or economical, there are vivid possibilities for the increase of migration. Finally, all mentioned aspects directly deal with identity and it remains an open question, whether member-states preserve their national identities or become a part of a European identity, if ever such exists. The paper discusses the challenges facing the European citizenship and especially emphasizes the multicultural European society.

The aim of this article is to discuss the challenges facing the European citizenship in a rapidly altering modern world.

Object of this article – Union citizenship.

Task of this article:

- To identify the main principles of EU citizenship;
- To systemize the legal basic of EU citizenship
- To analyses the main reasons that prevent minorities from integrating into European society.

Research methods: special general scientific research literature methods – descriptive method, logical analysis and synthesis.

European Union Citizenship: Definition, Evolvement, Rights

Citizenship is an evolving phenomenon, of which there are several types. Citizenship may be defined as a legal and political status which allows the citizen to acquire some rights (civil, political, social...) as an individual and some duties (taxes, military service, loyalty...) in relation to a political community, as well as the ability of intervening in the collective life of a state. The latter right arises from the democratic principle of sovereignty of people.

Citizens of Spain, United Kingdom, France, Portugal, United States... – have a series of rights, granted by their constitutions, but also have obligations, with regard to their national community. In a democratic state, the citizen must fulfill those obligations since they were passed by the representatives they have voted in, using one of the main citizen's political rights, the suffrage. Citizenship is restricted to people who have that condition. People that live in a territory but lack the status of citizen are deprived of the rights and duties that citizenship involves. Every state has laws to regulate the way an individual can acquire its nationality, that is to say, the citizenship. This concept of citizenship dates back to a historical period initiated with the great liberal revolutions in the late 18th century. It is a notion characterized by the pre-eminence of the state-nation as the political community that comprises the individuals.

Citizenship is tantamount to nationality (Delgado-Moreira, 2002).

Any person holding the nationality of an EU member state is also a citizen of the European Union. The national law system in every member state settles whether an individual possesses the nationality of that particular state, as each member state thus lays down the conditions for the acquirement and loss of nationality. The main aim of the European Union, mentioned in the EU Treaties is the creation of a closer union among the peoples of Europe. Even if the free movement of people existed since the foundation of European Community in 1951, it was restricted to workers. It was the Single European Act in 1986 that set out to create a Europe without internal frontiers (Single European Act, 1987). It extended the right of residence in another Member State to persons who are not engaged in a professional occupation, provided they have sufficient resources and social insurance cover. The concept of European citizenship is enshrined in the Treaty establishing the European Community.

The Maastricht Treaty, signed in 1992, aimed to strengthen the protection of the rights and interests of the nationals of its Member States through the introduction of a citizenship of the Union (Treaty on European Union, 1992). Union citizenship confers on every Union citizen a fundamental and personal right to move and reside freely without reference to an economic activity. With this Treaty also came additional voting rights and extra consular protection. The Treaty of Amsterdam signed in 1997, extended citizens rights by introducing a new anti-discrimination clause on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation to the Treaty (Treaty of Amsterdam, 1997). It also reinforced the free movement of people by integrating the Schengen Convention into the Treaty. Furthermore, it affirmed the commitment of each State to educate its peoples to the highest level of knowledge possible and to tackle unemployment. The Treaty of Nice, signed in 2001, confirmed citizen's rights. It facilitated for example legislating relating to free movement and residence by introducing qualified majority for the decision-making in Council (Treaty of Nice, 2001). Citizenship of the Union supplements national citizenship without replacing it and is made up of a set of rights enshrined in the EU Treaties:

- the right to move and reside freely within the EU;
- the right to vote for and stand as a candidate at municipal and European Parliament elections in whichever Member State an EU citizen resides;
- access to the diplomatic and consular protection of another Member State outside the EU;
- the right to petition the European Parliament and to complain to the European Ombudsman;
- the right to contact and receive a response from any

- EU institution in any one of 20 languages;
- the right to access Parliament, European Commission, and Council documents under certain conditions;
 - the right to non-discrimination on grounds of nationality within the scope of Community law;
 - the guarantee of fundamental rights as upheld by the European Convention on Human Rights and the Charter of Fundamental Rights of the EU;
 - protection from discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;
 - equal access to the Community civil service.

In addition to the rights attached to the citizenship of the European Union that are explicitly mentioned in the Treaties, there is a whole series of fundamental rights which stem from the EU Treaties, the case-law of the Court of Justice of the European Communities, the Council of Europe's Convention on *Human Rights* and the constitutional traditions of the member states. These rights have been assembled into a single, simple text called the *Charter of Fundamental Rights* of the European Union, which was proclaimed by the European Commission, the European Parliament and the EU leaders just before they signed the Treaty of Nice in December 2000. The Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely (Freedom of movement for workers) within the territory of the Member States defines the right of free movement for citizens of the European Economic Area (EEA), which includes the European Union (EU) and the three European Free Trade Association (EFTA) members Iceland, Norway and Liechtenstein. Switzerland which is a member of the EFTA but not the EEA is not bound by the Directive but rather has a separate bilateral agreement on the free movement with the EU (Directive 2004/38/EC of the European Parliament and of the Council, 2004).

Multicultural Union and EU Citizenship

Through the period of past decades, Europe has observed the development of two in fact opposing trends. The first is the awareness that countries can more effectively defend their own interests and prosperity if they work much closer together than in the past, to the point, actually, of merging some of their national competences within a supranational political structure: namely, the European Union, a body which has progressed to a level of integration at which it has eliminated border controls between its member states, established a common currency and a common citizenship (Taljūnaitė, 2005).

The second trend would seem to take the opposite direction. It stresses the need for decisions to be taken as close as possible to the people affected by them,

which means strengthening smaller political units such as regional authorities or even breaking up big states into smaller but more coherent ones. As examples of such moves might be cited the establishment of regional parliamentary assemblies in the United Kingdom, the pressures in the Basque region of Spain, the secession of Slovakia, and the bitter experiences in South-East Europe. These examples vary considerably in detail and motivation; but seen from a long-term, historical viewpoint, the underlying message is remarkably similar. Although these two trends may appear opposing they are in fact complimentary and must be considered as important elements in developing an innovative, multi-layered political structure for Europe. All these new states and regions, while emphasizing their own separate identities and in several cases their new nationality, see their future as being within the European Union and voluntarily accept the merging of sovereignty in certain key areas, including aspects of citizenship.

The question of citizenship is particularly sensitive. Most states are jealous of their right to provide for their own nationals. But the idea of a supra-national code of individual rights, binding on all signatory states, is not new. In modern Europe the first step came in 1950 with the Council of Europe's Convention on Human Rights backed up by the European Court of Human Rights in Strasbourg which gave citizens the right to appeal against rulings made by their own government. At roughly the same period the treaty establishing the European Coal and Steel Community was being negotiated, setting up the supranational institutions which are still existing today in the European Union. Its immediate task was the coordination of an important but limited range of economic activities but its long-term purpose, as stated in the treaty's Preamble was to create "the basis for a broader and deeper community among peoples long divided by bloody conflicts". It outlawed discrimination between nationals of the member states employed in the coal and steel industries and thereby, perhaps unwittingly, took the first step towards a European citizenship.

Six years later in the Treaty of Rome these provisions were extended to cover employment in all occupations, including the self-employed, thereby making freedom to work without discrimination on nationality grounds available for all member states' citizens. In addition, the Rome treaty banned discrimination between men and women in the matter of equal pay for equal work. A series of rulings by the Court of Justice subsequently extended this principal to cover retirement age, pensions and equality of treatment in other, work-related respects. In effect, the roots of this embryo European citizenship, though that term was not yet used, lay in the concept of non-discrimination. It was not until the Maastricht Treaty that EU citizenship was formally introduced as a legal concept. All nationals of a member state also

automatically become EU citizens who shall enjoy the rights imposed by this Treaty and shall be subject to the duties imposed thereby. This is not a citizenship based on ethnicity but purely on a person's legal status. It gives EU citizens the legal right, subject to enabling legislation, to "move freely and reside in any member state within the territory of the Union". In other words, freedom of movement was no longer confined to economic activities but became a general right to be enjoyed by students, pensioners, and indeed anyone with adequate financial means (Junevičius, Schafer, 2005). They may take employment or run a business, and vote or even stand as a candidate in municipal and European parliamentary elections in the member state where they now live, though not in national elections. When EU citizenship was first introduced many people feared it was an attempt to replace national citizenship and would undermine their national identity. A later treaty amendment therefore made it clear that "Citizenship of the Union shall complement and not replace national citizenship." Legally, therefore, a multi-layered citizenship is in existence.

The question of identity is more complex. A person's identity is easier to recognize than to define, involving as it does questions of language, culture, religion and a whole range of other factors. When shared, it can bring with it a sense of confidence and of belonging to a group. Many different identities may co-exist happily within the same country though there is always the danger of discrimination which in times of crisis can lead to open conflict. It is characteristic not only of events in South-East Europe, but also of Northern Ireland and of the riots which took place in certain industrial cities in England as well as the frequency of racial attacks in many parts of Europe and elsewhere. The bitterness and residual hatred which result from such conflicts are not easy to heal.

In the modern, industrial world attempts to maintain ethnically "pure" and culturally monotone societies have usually been associated with dictatorships, mostly short-lived. Democracy, in its essence, allows people to develop as individuals, therefore accommodating a potentially wide variety of opinions, faiths, and ways of life (Kymlicka, 2004). This variety is most noticeable in the European Union which by its very nature is faced with the challenge of providing security for people with very different traditions and cultures. This multicultural aspect of the EU is evident in the many different languages spoken, and in the great diversity of religious faiths ranging from several versions of Christianity - Roman Catholic, Orthodox, Lutheran or Calvinist - to Judaism, Islam and several others. Enlargement will further increase the Union's diversity. In recognition of this diversity the European Union has in recent years placed an increased emphasis on what is best described

as citizenship values. They are broadly the common values of "liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law". Recent directives express these values in more concrete terms. To the earlier legislation banning discrimination on the grounds of nationality and gender the new directives now in force add a guarantee of equal treatment - regardless of racial or ethnic origin, disability, age, or sexual orientation - in employment and access to services and also a ban religious discrimination in employment. This legislation applies to all persons legally resident in the EU, whether nationals of member states or not. The full version of such rights is codified in the EU Charter of Fundamental Rights (Charter of fundamental rights of the European Union, 2010). In addition, certain rights available to EU citizens only, such as the freedom to seek work or reside in any other member state, may soon also be extended to any third country nationals who have lived legally in the EU for a qualifying period of time.

The European Union today offers the world a vision of how people of many different cultures, countries and regions can live together in mutual respect. But there is still a long way to go, for the structure is far from perfect. In particular, what started as an agreement between governments must now involve the citizens more directly in their own future, hence the Laeken Summit decision that the next round of EU reforms should be prepared by a convention of citizens' representatives both from the member states and from the European level, including observers from the applicant countries. Whereas, at the beginning, closer economic integration provided the means for a closer union between peoples, the emphasis today lies equally on involving the citizens in the debate (European Council Meeting in Laeken, 2001).

Racism and Xenophobia in the EU Member States

The Annual Report in 2005 covers information and developments for the year 2004 concerning the occurrence of, and responses to, racism, xenophobia, anti-Semitism and anti-Muslim manifestations in the 25 EU Member States (Annual Report, 2005). The five thematic areas of legislation, employment, housing, education, and racist violence and crimes are covered. The addition of the ten new Member States to the EU on 1 May 2004 has resulted in a major change in data collection for this report, with ten new sets of information to be collected in each of the above areas. While not all ten of the new Member States were in a position to provide data on each of the five main topic areas, a great deal of new data from the new Member States has been included.

A. Legislation

European Union Monitoring Center (EUMC) Annual Report examines the state-of-play of the transposition of the Directives after the first full year of operation, and also observes the forms of practical implementation. Four Member States – Germany, Luxembourg, Austria and Finland – were referred to the European Court of Justice (ECJ) for their failure to satisfy the requirements of the Racial Equality Directive, and later in the year the same four were referred to the ECJ for their failures regarding the Employment Equality Directive (Council Directive, 2000). Several Member States failed to establish a specialized body with responsibility for promoting equal treatment and providing assistance to victims of discrimination. In nearly half of the Member States an existing body has undertaken the relevant responsibilities. Others have established a completely new body, most of these having a multi-stranded remit to deal with all the grounds of discrimination set out in the Directives. This issue has engendered arguments as to the relative advantages and disadvantages of combined-issue equality bodies as opposed to those specialized on one issue. Another issue is the scope of the legislation that has been introduced, with arguments in several countries that particular areas of coverage have been omitted, as well as questions as to whether the changes regarding the shift in the burden of proof are adequate, and whether the available sanctions are truly ‘dissuasive’.

Although Member States have introduced legislation affording improved protection to racial/ethnic minorities and populations of migrant origin under the terms of the EU Directives, some have also chosen to introduce other legislative measures which serve to restrict various rights and opportunities of migrants and minorities, variously covering issues such rights to entry and citizenship, or rights to wear clothing signifying religious faith. In some Member States there have been moves to re-define national minorities, advantaging some minority groups over others. If adopted, such measures would in more than one case undermine the rights of the Roma population (ENAR Schadow Report, 2005).

At the same time, there is encouraging evidence that some Member States are introducing legislation that focuses on racist offenders. Some Member States (e.g. Lithuania) have introduced legislation and other activities to combat and punish illegal Internet use by extreme right-wing groups. There have also been various moves among Member States to make it easier to prosecute racist crimes, and to increase sanctions against them.

B. Employment

There are mixed messages emerging from, on the one hand, policies to combat discrimination in the

labor market, and, on the other hand, policies in certain Member States that restrict the rights of third country nationals, and, for example, limit family unification and marriage for non-nationals. There appears to be a conflict between the need for immigrant labor, working without discrimination, and the desire by Member States be seen to be doing something to limit and control immigration. Whilst awareness of the illegality of racial discrimination appears to be slowly increasing, large numbers of workers hold a legal status, such as restricted work permit, which renders them more vulnerable to exploitation and discrimination, and, particularly in the case of undocumented workers, creates exclusion. In turn, exclusion can foster racist attitudes in the majority population.

The national reports from most Member States broadly concur on the emergence of labor markets that are segmented according to ethnic or national origin. Migrant or minority ethnic workers are disproportionately grouped in the lowest occupational categories within the least prestigious employment sectors. While each Member State has its own patterns, certain groups are over-represented as victims of discriminatory treatment in employment. Typically, migrant workers from Africa, the Middle East, Asia, and Central or Southern America experience high levels of discrimination. There is also evidence pointing to discrimination against recent migrants from eastern European countries such as Russia and the Ukraine. In some of the new Member States, the Roma are particularly vulnerable to discrimination in employment, and experience extremely high levels of unemployment (Belz, 2008).

Evidence of inequality in employment is often explained solely with reference to people’s ‘human capital’ – for example, their level of education. This one-sided explanation has come under increasing critical scrutiny through research, including ‘discrimination testing’ experiments, and in 2007 there were a number of these reported in various Member States, taking a variety of forms. There were also specific cases of discrimination at work, concerning unjustifiable treatment, racist bullying, and dismissal, which came to light during 2007 through court and tribunal cases. Although direct discrimination in recruitment is usually disguised and invisible in its operation to the victim, it was noticeable that several blatant examples concerned incidents of refusal specifically to recruit Roma.

On the other side, encouraging evidence of a variety of initiatives to prevent discrimination in employment has been noted. Many of these are linked to European funding and/or are related to national programmes which set out to implement European Directives. In a number of Member States, governments, employers’ associations and individual companies have developed charters, codes, or incentives for good practice against racism and discrimination.

C. Housing

For the EU27, available information indicates that in the housing sector, minority groups, migrants, refugees and asylum seekers are regularly affected by discrimination and racism. There is also ample evidence to indicate that the Roma are the most vulnerable group to be confronted with discrimination and racism in the housing sector.

According to both official and unofficial information sources, direct examples of discrimination manifest themselves in a number of ways. Examples include discriminatory housing advertisements, discrimination in the administration of accommodation waiting lists, and outright refusal by landlords, real estate agents and housing associations. In common with the employment sector, one regular method of identifying this kind of direct discrimination in the housing sector has been by experiments of discrimination testing. Partly as a result of these processes of exclusion, migrants and minorities often suffer inappropriate housing conditions. Statistics shows that it is more usual for foreigners than the majority population to live in small and overcrowded flats and under unhygienic and poor infrastructural conditions. There is also evidence from a number of Member States that foreign nationals are asked to pay higher rents than nationals. This situation is exacerbated by the fact that foreigners are not eligible for social housing in some Member States and, therefore, are forced to find accommodation in the private rental sector where rents can be pushed up. At the other end of the housing sector, information from Member States such as Germany and the UK indicates that home ownership is less widespread among minority ethnic and foreign populations. Isolation in the housing sector is prevalent throughout the EU. Examples of segregation are offered for Spain, Cyprus, Portugal, and Sweden. It seems that territorial segregation is particularly acute for the Roma population in the Czech Republic, Spain and Hungary. In comparison with the above, examples of indirect discrimination in housing appear far less frequently, but it can be noted with respect to access to housing which is made dependent on nationality, duration of residence, and the financial status and economic situation of the applicant (Fordman Law Review, 2010).

Reported initiatives of 'good practice' in housing were provided by national and local governments and NGOs. Some programs construct housing or buy and restore empty flats and have specific initiatives to make them available to previously excluded minorities. Some municipalities in Austria have special policies to over-ride the more 'normal' exclusion of third country nationals from council housing, and make sections of them available to foreigners. In housing projects in several countries there are agreements and contracts for the tenants on working for diversity and against racism,

and there are codes of practice for municipalities to combat discrimination in access to housing.

D. Education

Where data is available, it is evident that the educational achievements of a number of migrant and minority groups lag behind those of majority populations in Member States. Some evidence also points to the fact that minorities are subject to discriminatory treatment. In particular, it is the migrants from non-EU countries, as well as some national minority groups, who suffer from high rates of educational under-achievement. The disadvantaged position in education of pupils with a migrant background can also be seen in the results of the OECD PISA (The Program for International Student Assessment) study published in December 2005. In general, this even holds true for those students whose parents are foreign born but who themselves have grown up in the reception country and have spent their entire school career there. The most vulnerable groups experiencing racism and discrimination in education are the Roma and Travelers. However, other non-migrant minority groups can also be identified in individual Member States as being vulnerable to disadvantage and underachievement in education, such as the Muslim minority in Greece.

In reports on educational inequality, two of the main concerns are those of segregation, and the over-representation of certain groups in 'special education'. Whilst several member states report these as issues for various migrant/minority groups, by far the largest number of references to these problems specifically concerns the Roma. The issue of religious symbols in schools, in particular the wearing of headscarves, became rather controversial in some Member States (although not in others) during 2007. The French law banning the wearing of conspicuous religious symbols in schools came into effect in 2007. In Austria an attempt by one school principal to prohibit a girl from attending the school wearing a headscarf failed after school authorities made it clear that such a ban was a violation of the principle of religious freedom. In the UK there is a general tradition of tolerance towards the wearing of religious symbols, although there was one on-going dispute going through the courts during 2007 over a pupil's desire to wear an ankle-length garment in keeping with her religious beliefs.

The national reports describe a range of initiatives in education. Some Member States are introducing a new inter-cultural education syllabus, and new parts of the curriculum designed to address racism and anti-Semitism. There are many reported initiatives to address discrimination against Roma children, such as the project to integrate Roma children into mainstream education in Slovenia, which is already producing positive results, and a new law in the Czech Republic which is addressing the

problem of the extreme segregation of Roma children in education. EU-sponsored projects in the area of minority education are likely to have a positive impact in the 'new' Member States by stimulating debates and opening doors for more open dialogue on minorities.

E. Racist violence and crime

A number of incidents took place in that had repercussions on intercommunity relations and the manifestation of racist sentiments and crimes at the level of individual Member States and beyond, most notably, the Madrid train bombings and the murder of Theo van Gogh in the Netherlands. Among the EU there is no publicly available official data on incidents of racist violence and crime for Greece, Spain, Italy and Portugal. Member States with effective data collection mechanisms and broad-based legal definitions of 'racist incidents', such as the UK, encourage reporting and recording of incidents. As a result, the UK, with 52,694 racist incidents reported to the police in the period 2005-2006, has the highest number of reported racist incidents among the EU25. Germany has the next highest number of officially registered crimes among the EU25, with 6,474 crimes. In general, the enormous difference across the 27 EU Member States in numbers of recorded incidents of racist violence and crime tells us as much about the inadequacy and inconsistency of data collection as it does about the actual extent of racist violence and crimes in the EU (Jo Goodey, 2007).

According to both official and unofficial reports on racist violence and crime, the most vulnerable victim groups in the EU are ethnic minorities within the national population, undocumented immigrants, Jews, Muslims, North Africans, people from the former USSR and the former Yugoslavia, refugees/asylum seekers, and Roma/Gypsies/Travelers. The particular histories and population characteristics of the new Member States mean that the Roma and people from the former USSR are often the targets of racist sentiments and acts. Available evidence from the EU1 indicates that it is both members of extremist politically-motivated organizations, and young males and others not affiliated to such groups, who are the perpetrators of racist violence and associated crimes.

An additional issue is that one third of the Member States include some reference to violent and aggressive acts against ethnic minority and foreign groups by public officials – namely the police and immigration officers. Against these disturbing reports, a range of positive police initiatives is reported that set out to combat racism within the police, build community relations, and/or assist victims of racist violence and crime. Amongst the ten new Member States a number of 'good' practice initiatives specifically set out to tackle the problem of police relations with the Roma community.

Conclusions

In order to create a more relevant, more equal and more inclusive citizenship within the Union a number of different features has to be mentioned. There is an alternative which would bring Union citizenship not only into the orbit of the transnational dynamics of liberal citizenship, but would turn it into a motor of this development. This alternative would consist of a combination of reforms. First, it would retain a distinct status of Union citizenship that comes along with citizenship of a member state, but would put the harmonization of rules for acquisition, transmission and loss of national citizenships on the agenda of the Union. Naturalization could remain a matter of national law, but a common interest in controlling access to Union citizenship would produce a European guideline fixing maximum requirements for naturalization and for citizenship acquisition at birth.

Secondly, such a guideline could establish the general toleration for a multiple citizenship among member states. The same principles could then be applied to dual citizenship between a member state and a third country. Problems of legal pluralism, lack of protection or unjustified accumulation of duties and rights would be addressed in the framework of international conventions and bilateral commissions.

The third and most important reform would supplement, rather than replace, Union citizenship with a harmonized status of Union denizen ship for resident aliens from third countries. Ideally such a status would contain all the present rights attached to Union citizenship apart from the permit for the European Parliament. Yet even a more modest list of rights focused on secure residence, free access to employment, free movement across internal Union borders, full civil and political liberties and equal social welfare benefits would bring considerable improvement and extend important rights of Union citizenship beyond the formal status. Such commendations of enhanced denizen ship would remove the present perverse incentives for naturalization as an escape route from discriminatory laws against foreigners. Naturalization could only then express a desire for full political integration into a national political community as well as an emerging European policy.

The European vision, therefore, is not of a new continent-wide nation but of a different kind of political and social structure from any known in the past: a multi-layered, multi-national, multi-regional and multicultural democracy organized on federal principles and based on mutual respect between its diverse peoples and cultures. For this new European Union to function properly citizens and their organizations will need to maintain a constant watch on what is being done in their name, but this is the true meaning of a citizens' Europe. It is not simply a matter of rights but also of participation.

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