

Conference

## EU CITIZENSHIP, FEDERALISM AND RIGHTS

17–18 November 2017, Court of Justice of the European Union / University of Luxembourg

*Convenors:*

**Prof. Dimitry Kochenov** (University of Groningen) and **Prof. Eleftheria Neframi** (University of Luxembourg)

*Organisers:*

**Amicale des Référendaires de la Cour de justice de l'UE**

**Université du Luxembourg**

**University of Groningen**

Union citizenship is undergoing continuous evolution, given the constant tension between the EU's origins as an international economic organisation and its federal aspirations. EU law adopts a "constitutional" approach to citizenship, as Union citizenship is meant to be the fundamental status of nationals of the Member States. There is the risk, however, that in the context of the division of competences between the Union and the Member States the rights derived from EU citizenship, instead of being universally bestowed on all EU citizens, turn into a compensatory device to enhance the life chances of those who are perceived as "contributing to the internal market", leaving all the most vulnerable citizens in need of protection by definition outwith the scope of EU law.

The Conference organized by the *Amicale des référendaires* of the Court of Justice of the European Union, the University of Luxembourg and the University of Groningen aims at providing an opportunity of dialogue on the developments of EU citizenship law.

## PROGRAMME

### DAY ONE: Friday 17 November

### Court of Justice of the European Union

Rue du Fort Niedergrünwald, Luxembourg  
Entrée Erasmus  
Grande salle d'audiences du Tribunal

#### 14:00 – WELCOME ADDRESS

14:15 – KEYNOTE SPEECH: Advocate General **Eleanor Sharpston** (Court of Justice of the EU)

#### 15:00 - 16:00 – PANEL 1: THE PROMISE AND REALITY OF EU CITIZENSHIP

Chair: **tbc**

15:00 - 15:15 - **Dimitry Kochenov** (University of Groningen)

*The Moral Dilemmas of the Citizenship of Personal Circumstances in Europe*

15:15 - 15:30 - **José-Antonio Gutiérrez-Fons** (Référéndaire, Court of Justice of the EU)

*EU Citizenship in the light of demoi-cracy*

15:30 - 16:00 – Debate

#### 16:00 - 16:30 – COFFEE BREAK

#### 16:30 - 18:00 – PANEL 2: EU CITIZENSHIP IN THE BROADER CONTEXT OF EUROPEAN INTEGRATION

Chair: Judge **Páll Hreinsson** (EFTA Court)

16:30 - 16:40 - **Daniel Thym** (University of Konstanz)

*The Methodologies of Approaching EU Citizenship Law*

16:40 – 16:50 - **Martijn van den Brink** (Max Planck Institute, Göttingen)

*The Inconsistent Interpretation of Secondary Legislation: The Case of EU Citizenship*

16:50 - 17:00 - **Eleftheria Neframi** (University of Luxembourg)

*Citizenship in the European Economic Area*

17:00 - 17:10 - **Panagiota Micheli** (The United Nations Institute for Training and Research, UNITAR)

*EU Citizenship and Tax law: Recent Developments and New Challenges*

17:10 - 18:00 - Debate

## DAY TWO: Saturday 18 November

### University of Luxembourg, Faculty of Law, Economics and Finance

4 rue Alphonse Weicker, Kirchberg, Luxembourg – Room B001 (Ground floor)

#### 9:00-9:30 – WELCOME COFFEE

*Faculty of law, Economics and Finance - Atrium (Ground floor)*

#### 9:30 - 10:45 – **PANEL 3: BREXIT AND EU CITIZENSHIP**

*Chair: Laurence Gormley (University of Groningen)*

9:30 - 9:40 - **Jörg Gerkrath** (University of Luxembourg)

*Rights of European Citizens vs Right of the Member State to Withdraw from the Union*

9:40 - 9:50 - **Suzana Pecin** (University of Ljubljana)

*How will the Case Law of the Court of Justice and of the ECtHR Impact Citizenship of the European Union in Brexit?*

9:50 – 10:00 - **Clelia Lacchi** (University of Luxembourg)

*EU Citizens' Rights after Brexit – Which Court Should Guarantee Them?*

10:00 – 10:10 - **Stéphanie Lulhé Shaelou** (UCLan Cyprus)

*EU Citizenship and Withdrawals from the Union*

10:10 - 10:45 – Debate

#### 10:45 – 11:15 – COFFEE BREAK

#### 11:15 - 12:30 – **PANEL 4 CITIZENSHIP RIGHTS (I)**

*Chair: Robert Harmsen (University of Luxembourg)*

11:15 - 11:25 - **Charlotte O'Brien** (York Law School)

*EU Citizenship and Disability*

11:25 - 11:35 - **Nathan Cambien** (Référéndaire, Court of Justice of the EU)

*EU Citizenship and the Right to Care: A Citizenship Right Par Excellence?*

11:35 - 11:45 - **Tony Marguery** and **Hanneke van Eijken** (University of Utrecht)

*EU Citizenship in the Context of EU Criminal Law*

11:45 - 11:55 - **Stephen Coutts** (Dublin City University)

*Shared Rights and Shared Wrongs: Principles of Federal Citizenship in EU Criminal Law*

11:55 - 12:30 - Debate

**12:30 – 14:00 – BUFFET / LUNCH**

*University of Luxembourg, Faculty of law, Economics and Finance - Atrium (Ground floor)*

**14:00 – 15:30 – PANEL 5: CITIZENSHIP RIGHTS (II)**

*Chair: Judge Krystyna Kowalik-Bańczyk (General Court of the EU)*

14:00 - 14:10 - **Katerina Kalaitzaki** (University of Cyprus)

*EU Citizenship as a Means of Empowerment for Fundamental Rights during the Financial Crisis*

14:10 – 14:20 - **Antonio Ianni** (University of Venice)

*The European Citizens' Initiative in the Light of the European Debt Crisis: The Anagnostakis Case*

14:20 - 14:40 - **Sébastien Platon** (University of Bordeaux)

*EU Citizens' Right to Participate in the European Elections after the Delvigne Case: Opening the Door to Federal Citizens' Rights?*

14:40 - 14:50 - **Barbara Gagliardi** (University of Torino)

*Academic Freedom and European Citizens' Right to Education*

14:50-15:30: Debate

**15:30 – 16:00– COFFEE BREAK**

**16:00 -17:45 – PANEL 4: CITIZENSHIP RIGHTS (III)**

*Chair: Dominik Dürsterhaus (Référéndaire, Court of Justice of the EU)*

16:00 – 16:10 - **Hester Kroeze** (University of Ghent)

*The Substance of Rights: New Pieces of the Ruiz Zambrano Puzzle*

16:10 – 16:20 - **Sara Iglesias Sánchez** (Référéndaire, Court of Justice of the EU)

*The Right to Stay at Home*

16:20 – 16:40 - **David de Groot** (University of Bern)

*The Free Movement of Dual EU Citizens*

16:40 – 16:50 - **Moritz Jesse** and **Daniel Carter** (University of Leiden)

*Formalising Formulas-Back to the Market Roots for « Legal Residence » of Citizens of the Union?*

16:50 – 17:00 - **Araceli Turmo** (University of Nantes)

*The Pernicious Influence of Citizenship Rights on Workers' Rights in the EU - The Case of Student Finance*

17:00 – 17:45 - Debate