

# The Perils of considering yourself an EU Citizen

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At the risk of sounding like the grammar police (which isn't my intent) we often see people posting comments about them being an EU Citizen and/or having the rights of an EU Citizen etc & it cannot be denied that EU legislation is littered with that phrase..... but equally, it cannot be denied the expression can often be a minefield of trouble for those that consider themselves as such.

If you look at the definition of the word 'Citizen' it's "a person who is a member of a particular country and who has rights because of being born there or because of being given rights, or a person who lives in a particular town or city:"

However; whilst every EU member state is a country in it's own right, each member state has it's own very different variation of citizen's rights & therein, lies that minefield I mentioned.

Portugal (for example) has very welcoming laws regarding reunification of family & as long as the relationship can be proved to be genuine then residency for spouse & dependents is a right that's relatively easily granted whereas, Holland has very different Citizen's rights to Portugal with regard to several things, including reunification of family & has time restrictions on how long the applicants have been married (etc) & also (IIRC) a language test requirement before granting residency.

So if (for example) a Portuguese citizen moved to Holland & tried to claim reunification (for his non EU member state passport holding spouse) as a right according to the Citizen's rights of Portugal, then Holland would refuse just as soon as they had stopped laughing.

However, that said, there are also EU legal rights, and those rights can (in theory at least) be exercised by people who are nationals of other EU member states, and are moving (or in some cases, have moved) from one EU state to another.

Most of the administrators/issuing officers you meet in your new EUMS country won't be familiar with the intricacies of these because, (as previously mentioned) each member state has its own different variation of citizen's rights. And those are the ones you can expect the government representative you're talking to, to be familiar with.

If you do need to rely on EU law, and want to try to argue that it overrules the national law, then this isn't for the faint-hearted (& certainly not for the impatient). But there is some help out there.

The European Commission has a website (link below) which does have some really useful info on citizen's rights & there is the Charter Of Fundamental Rights Of The EU (link below & PDF copy also in the files section) & the EU Parliament can be a good source of advice and/or your MEP might also be able to help in some cases.

The Commission also runs a dispute resolution service which is a good way to deal with incompatible national bureaucracies rubbing up against each other.

Here's what it says about SOLVIT.

SOLVIT is a service provided by the national administration, which deals with cross-border problems related to the misapplication of Union law by national public administrations in the Internal Market.

There is a SOLVIT centre in every EU country, as well as in Norway, Iceland and Liechtenstein. Your EU country will try to solve the problem with the other EU country concerned. Going through SOLVIT might take less time than making a formal complaint to the European Commission and can solve your individual problem. If a problem goes unresolved, or you consider that the proposed solution is unacceptable, you can still pursue legal action through a national court or lodge a formal complaint with the European Commission. Please be aware that addressing the issue to SOLVIT does not suspend time limits before national courts.

So although the term EU Citizen doesn't sound important at first, it often can be very important in some cases.

Therefore my advice is to rather to primarily consider yourself a citizen of the EU member state you are a citizen of rather than the diamond studded unicorn of being an EU Citizen because (IMO) neither (almost certainly) exists in real life.

<https://dictionary.cambridge.org/dic...nglish/citizen>

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN>

[https://ec.europa.eu/info/index\\_en](https://ec.europa.eu/info/index_en)

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