

How EU judges ignored the Danish deal 79 times

Summary

- After Denmark rejected the Maastricht Treaty in 1992, the EU did a deal with Denmark and promised it that EU citizenship would not replace national citizenship and that national law alone would settle whether a person possessed national citizenship.
- Number 10 is now planning to use the Danish model in its renegotiation, saying it will be 'legally-binding'.
- But EU judges have shown that they will overrule any such deal by completely ignoring the agreement the EU struck with Denmark on 79 separate occasions, including by:
 - declaring in 2001 that EU citizenship 'is destined to be the fundamental status of nationals of the Member States';
 - ruling in 2002 that the ECJ can take control over the surnames that national citizens were allowed to be given;
 - ruling in 2010 that countries cannot automatically strip immigrants of national citizenship – even when they obtained it fraudulently;
 - ruling in 2014 that the UK cannot require family members of EU citizens coming to the UK to have a residence permit issued by UK authorities. Instead, they ruled that anyone should be entitled to enter the UK with a permit from any EU state, despite the fact that the UK's High Court had found the forgery of such permits was 'systemic'.

All of these rulings were in direct breach of the Danish deal.

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The 1992 Danish deal with EU after referendum rejects the Maastricht Treaty

After Danish voters narrowly rejected the Maastricht Treaty in a June 1992 referendum, the EU made certain promises to Denmark which convinced its citizens to endorse the Treaty in a second referendum. At the Edinburgh European Council in December 1992, EU Heads of Government issued a supposedly legally binding Decision on the Danish question. This included a guarantee that the provisions on EU citizenship in the Maastricht Treaty:

*do not in any way take the place of national citizenship. The question whether an individual possesses the nationality of a Member State will be settled solely by reference to the national law of the member state concerned.*¹

¹ 'Decision concerning certain problems raised by Denmark on the Treaty on European Union', (December 1992), p. 57, Section A <http://www.europarl.europa.eu/summits/edinburgh/b1_en.pdf>.

Downing Street says that it will use the same model for its renegotiation

The Government has strongly relied on the guarantees given to Denmark in 1992 as evidence that it can secure 'legally binding and irreversible' changes to the UK's terms of EU membership before the referendum. In a briefing against Vote Leave of 11 November 2015, Downing Street claimed that 'the 1992 Edinburgh Agreement, which the Danish government secured, proves the opposite; it gave Denmark opt-outs that were legally-binding. Twenty three years later these opt-outs still hold.'² In his letter to the President of the European Council, Donald Tusk, the previous day, the Prime Minister stated that 'with the protocols and other instruments agreed for Denmark ... the EU was able to arrive at a settlement, which worked for each country.'³

In fact, the 1992 Decision has not deterred the ECJ from attempting to establish the primacy of EU citizenship over national identities, as it pushes for political union.⁴ The ECJ has found that EU citizenship is an increasingly potent mechanism for it to override member states' power to control national citizenship and to make public policy, in breach of the Danish deal.⁵

EU judges rip up Danish deal 79 times over

In a judgment in September 2001, the ECJ declared that 'Union citizenship is destined to be the fundamental status of nationals of the Member States'.⁶ In a stroke, and without any democratic mandate, the ECJ said that it was the destiny of every Danish national that his or her fundamental identity would be as an EU citizen. They have then gone on to use this to strike down national legislation in a number of controversial areas such as border controls, visa controls and benefit entitlements. They have overruled the deal with Denmark on 79 occasions in total. The relevant excerpts from the court's judgments and opinions of its Advocates General are provided in the Annex.

In 2010, the ECJ ruled that the deprivation of national citizenship by a member state raises questions of EU law. It stated that 'member states must, when exercising their powers in the sphere of nationality, have due regard to European Union law'.⁷ A member state may no longer, for example, apply an automatic policy of depriving national citizenship from those who acquired that status fraudulently. The ECJ was referred to the 1992 Agreement with Denmark but nevertheless chose to ignore it.⁸

The ECJ's decision to make it more difficult for member states to strip citizenship from their nationals will have major implications for Government policy. In 2014, Parliament gave the Home Secretary the power to strip British citizenship from naturalised citizens who conduct themselves

² Prime Minister's Office, '16 mistakes in Vote Leave's cobbled together rebuttal document', (11 November 2015), <https://d3n8a8pro7vhmx.cloudfront.net/voteleave/pages/24/attachments/original/1447245251/16_MISTAKES_IN_VOTE_LEAVE.pdf?1447245251>.

³ D Cameron, 'A new settlement for the United Kingdom in a reformed European Union', (10 November 2015), <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/475679/Donald_Tusk_letter.pdf>.

⁴ TFEU, art. 20(1).

⁵ Treaty on European Union (TEU), art. 9; Treaty on the Functioning of the European Union (TFEU), arts 20-25.

⁶ *Grzelczyk v Centre Public D'Aide Sociale D'Ottignies-Louvain-La-Neuve* [2000] ECR I-06193, at [31] <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1439914746455&uri=CELEX:61999CJ0184>>.

⁷ *Rottmann v Freistaat Bayern* (Case C-135/08) at [45]

<<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1439915500439&uri=CELEX:62008CJ0135>>; [2010] QB 761, 783.

⁸ *Ibid*.

in a fashion that is 'seriously prejudicial to the vital interests' of the UK, if they could acquire citizenship from another state.⁹ The ECJ's growing control over decisions to deprive persons of national citizenship will fetter this new power to protect the UK's 'vital interests'.

The ECJ has also used EU citizenship to transfer further control from the member states to the EU. Using the formula that EU citizenship is destined to be 'the fundamental status' of British citizens, the ECJ has made a series of highly significant rulings:

- **Preventing member states removing convicted criminals:** In 2004, the ECJ held that member states could not automatically expel EU citizens convicted of offences and sentenced to a term of imprisonment of at least two years. It stated that member states cannot even have a presumption that those convicted of specified offences are dangerous and should be removed. The ECJ invoked its claim that EU citizenship was the 'fundamental status of nationals of the Member States' to justify its decision.¹⁰
- **Allowing illegal immigrants to remain:** In 2011, the ECJ decided that third country nationals who had entered an EU member state unlawfully could not be removed because their children had EU citizenship. The ECJ recalled that 'citizenship of the Union is intended to be the fundamental status of nationals of the Member States'.¹¹
- **Requiring social security to be paid to EU migrants:** In 2012, the ECJ issued a highly significant ruling on entitlements to an unemployment allowance given to school leavers to help them find work. The Belgian authorities refused to grant a French national the allowance because she had not completed six years' studies in Belgium. The ECJ stated that this condition was illegal and inconsistent with 'the fundamental status' of EU citizenship.¹² This suggests the ECJ could strike down any requirement agreed by EU leaders that the UK will not have to pay in-work benefits to migrants during their first four years in the UK.
- **Undermining the UK's border controls:** In 2014, the ECJ ruled that the UK could not require family members of EU citizens coming to the UK to have a residence permit issued by UK authorities. Instead, such persons are entitled to enter the UK with a permit from an EU state, despite the fact that the High Court had found the forgery of such permits was 'systemic'. The ECJ used its claim that 'citizenship of the Union is intended to be the fundamental status of nationals of the Member States' to reach its conclusions.¹³
- **Expanding prisoner voting rights:** In October 2015, the ECJ ruled that the EU's Charter of Fundamental Rights contains a right to vote in elections to the European Parliament.¹⁴ Experts confirmed the ruling had weakened the UK's ban on all convicted prisoners voting in all elections.¹⁵ The Advocate General, whose opinion the ECJ followed, stated that 'the status of

⁹ British Nationality Act 1981, s. 40(4A), as inserted by the Immigration Act 2014, s. 66(1)

<<http://www.legislation.gov.uk/ukpga/2014/22/section/66/enacted>>.

¹⁰ *Orfanopoulos v Land Baden-Württemberg* [2004] ECR I-5257 <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1449145766098&uri=CELEX:62001CJ0482>>.

¹¹ *Zambrano v Office national de l'emploi* [2011] ECR I-1177 <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62009CJ0034>>.

¹² *Prete v Office national de l'emploi* (Case C-367/11) <<http://curia.europa.eu/juris/celex.jsf?celex=62011CJ0367&lang1=en&type=TEXT&ancre=>>>.

¹³ *McCarthy v Secretary of State for the Home Department* (Case C-434/09) <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62009CJ0434>>.

¹⁴ *Delvigne v Commune de Lesparre-Médoc* (Case C-650/13)

<<http://curia.europa.eu/juris/celex.jsf?celex=62013CJ0650&lang1=en&type=TEXT&ancre=>>>.

¹⁵ M Holehouse, 'EU's top court "weakens" Britain's ban on prisoner voting', *Telegraph*, (6 October 2015),

<<http://www.telegraph.co.uk/news/worldnews/europe/eu/11914341/Prisoners-can-be-stripped-of-the-vote-EUs-top-court-rules.html>>.

citizenship of the Union has made significant progress with regard to the fact that it is “destined to be the fundamental status of nationals of the Member States”.¹⁶

More significantly, the ECJ has allowed national citizens to invoke the concept of EU citizenship against their own governments even where there is no element of free movement.¹⁷ The consequence is to transform EU citizenship from a status to be invoked when nationals of one member state live or reside in another into a tool for the ECJ to manage the relationships between national government and their own citizens. In 2010, Advocate General Sharpston said the ECJ’s assertions about EU citizenship were ‘of similar significance’ to the ECJ’s invention of the doctrine of the supremacy of EU law in the 1960s.¹⁸

The ECJ is also using the concept of EU citizenship to micromanage the activities of national governments in seemingly arcane or minor fields of policy. For example, it has relied on the concept, and its supposed ‘fundamental status’, to declare that national laws regulating permissible surnames raise questions of EU law for the ECJ.¹⁹ It has stated that:

*Although ... the rules governing a person's surname are matters coming within the competence of the Member States, [they] must none the less, when exercising that competence, comply with [EU] law.*²⁰

For example, in 2008, the ECJ said that Germany’s ban on a child having the double-barrelled surname ‘Grunkin-Paul’ was illegal under EU law.²¹ In 2002, it said that Belgium could not stop people changing their surnames from ‘Garcia Avello’ to ‘Garcia Weber’.²²

The reaction of British courts

The ECJ’s claim, that decisions by the UK to deprive persons of British nationality raise questions of EU law, is at such variance with the wording of the Treaties that both the Court of Appeal and UK Supreme Court have questioned whether or not they could apply it in the UK.²³ Lord Justice Laws has stated:

The distribution of national citizenship is not within the competence of the European Union ... EU citizenship has been attached by Treaty to citizenship of the Member State. It is wholly parasitic upon the latter. I do not see how this legislative circumstance can of itself allocate the grant or withdrawal of State citizenship to the

¹⁶ *Delvigne v Commune de Lesparre-Médoc* (Case C-650/13)

<<http://curia.europa.eu/juris/celex.jsf?celex=62013CC0650&lang1=en&type=TEXT&ancre=>>.

¹⁷ *Zambrano v Office National de l'Emploi* (Case C-34/09) <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1439914978194&uri=CELEX:62009CJ0034>>; [2012] QB 265.

¹⁸ *Zambrano v Office National de l'Emploi* (Case C-34/09)

<<http://curia.europa.eu/juris/celex.jsf?celex=62009CC0034&lang1=en&type=TEXT&ancre=>>

¹⁹ *Garcia Avello v Etat Belge* (Case C-148/02) <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1440503007871&uri=CELEX:62002CJ0148>>; [2004] 1 CMLR 1.

²⁰ *Grunkin* (Case C-353/06) <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1440503169457&uri=CELEX:62006CJ0353>> at [16]; [2009] 1 CMLR 10, 341.

²¹ *Grunkin* (Case C-353/06) <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1440503169457&uri=CELEX:62006CJ0353>> at [16]; [2009] 1 CMLR 10, 341.

²² *Garcia Avello v Etat Belge* (Case C-148/02) <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1440503007871&uri=CELEX:62002CJ0148>>; [2004] 1 CMLR 1.

²³ *Regina* ((G1 (Sudan)) v Secretary of State for the Home Department [2012] EWCA Civ 867.

<<http://www.bailii.org/ew/cases/EWCA/Civ/2012/867.html>>; [2013] QB 1002 (CA); *Pham v Secretary of State for the Home Department* [2015] UKSC 19 <<http://www.bailii.org/uk/cases/UKSC/2015/19.html>>; [2015] 1 WLR 1591 (SC).

*competence of the Union or subject it to the jurisdiction of the Court of Justice ... The conditions on which national citizenship is conferred, withheld or revoked are integral to the identity of the nation State. They touch the constitution; for they identify the constitution's participants. If it appeared that the Court of Justice had sought to be the judge of any procedural conditions governing such matters, so that its ruling was to apply in a case with no cross-border element, then in my judgment a question would arise whether the European Communities Act 1972 or any successor statute had conferred any authority on the Court of Justice to exercise such a jurisdiction.*²⁴

Lord Mance has added, with the concurrence of the majority of the UK Supreme Court:

*[I]t is clearly very arguable that there are under the Treaties jurisdictional limits to European Union competence in relation to the grant or withdrawal by a member state of national citizenship. Fundamental though its effects are where it exists, citizenship of the Union is under the Treaties a dependant or derivative concept—it depends on or derives from national citizenship... There is nothing on the face of the Treaties to confer on the EU, or on a Union institution such as the Court of Justice, any power over the grant or withdrawal by a member state of national citizenship... A domestic court faces a particular dilemma if, in the face of the clear language of a treaty and of associated declarations and decisions... the Court of Justice reaches a decision which oversteps jurisdictional limits which member states have clearly set at the European Treaty level and which are reflected domestically in their constitutional arrangements.*²⁵

Conclusion: EU judges will tear up any deal that the UK is able to obtain

EU judges tore up the agreement that the EU made with Denmark in 1992 about EU citizenship. They will do the same to any deal the UK obtains from the EU in the coming months. If we vote to remain in the European Union, there is a growing danger that British citizenship will be superseded by EU citizenship as the ECJ pushes relentlessly for political union.²⁶ The ECJ will continue to use EU citizenship to take control over an ever increasing number of policy areas as it purports to uphold EU citizens' rights. The Government has no proposals to change this as part of its renegotiation.²⁷ The only way to restore the exclusive ability of the UK Parliament to control British citizenship and to prevent the ECJ taking more control is to Vote Leave.

²⁴ *G1 (Sudan)*, at [38], [39], [43] <<http://www.bailii.org/ew/cases/EWCA/Civ/2012/867.html>>.

²⁵ *Pham*, at [84], [85], [90] <<http://www.bailii.org/uk/cases/UKSC/2015/19.html>>.

²⁶ Amendments to the citizenship provisions can only occur under the 'ordinary revision procedure' (TEU, art 48(2)). This requires an intergovernmental conference and ratification by all the member states in accordance with their constitutions. The Government and the EU have made clear that this will not happen before the EU referendum.

²⁷ D Cameron, 'A new settlement for the United Kingdom in a reformed European Union', (10 November 2015), <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/475679/Donald_Tusk_letter.pdf>.

Annex: Claims by EU courts that EU citizenship is destined to be the ‘fundamental status’ of the nationals of the member states

Number	Date	Case	Type	Quote
1	20/09/2001	<i>Grzelczyk v Centre public d'aide sociale d'Ottignies-Louvain-la-Neuve</i> Case C-184/99 [2001] ECR I-06193	Court of Justice	‘Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.’
2	21/02/2002	<i>D'Hoop v Office national de l'emploi</i> Case C-224/98 [2002] ECR I-06191	Advocate General	‘The Court has held that the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States.’
3	11/07/2002	<i>D'Hoop v Office national de l'emploi</i> Case C-224/98 [2002] ECR I-06191	Court of Justice	‘Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (Case C-184/99 <i>Grzelczyk</i> [2001] ECR I-6193, paragraph 31).’
4	17/09/2002	<i>R v Secretary of State for the Home Department, Ex parte Baumbast</i> Case C-413/99 [2002] ECR I-07091	Court of Justice	‘Under Article 17(1) [T]EC, every person holding the nationality of a Member State is to be a citizen of the Union. Union citizenship is destined to be the fundamental status of nationals of the Member States (see, to that effect, Case C-184/99 <i>Grzelczyk</i> [2001] ECR I-6193, paragraph 31).’
5	27/02/2003	<i>Ninni-Orasche v Bundesminister für Wissenschaft, Verkehr und Kunst</i> Case C-413/01 [2003] ECR I-13187	Advocate General	‘As the Court has since repeatedly held, Union citizenship within the meaning of Article 17 [T]EC is destined to be the fundamental status of nationals of the Member States.’
6	27/02/2003	<i>Secretary of State for the Home Department v Akrich</i> Case C-109/01 [2003] ECR I-09607	Advocate General	‘Baumbast and R completes a development in the Court's case-law in which increasing value is being accorded to citizenship. A significant step in that connection was taken in the <i>Grzelczyk</i> judgment. Union citizenship is destined to be the fundamental status of nationals of the Member States.’
7	02/10/2003	<i>Garcia Avello v Belgium</i> Case C-	Court of Justice	‘As the Court has ruled on several occasions (see, <i>inter alia</i> , Case C-413/99 <i>Baumbast</i> and R [2002] ECR I-7091, paragraph 82), citizenship of the Union is destined to be the fundamental status of nationals of the Member States.’

		148/02 [2003] ECR I-11613		
8	11/12/2003	<i>Baldinger v Pensionsversicherungsanstalt der Arbeiter</i> Case C-386/02 [2004] ECR I-08411	Advocate General	'So far, there is scant case-law on the question of Union citizenship, which is destined to be the fundamental status of nationals of the Member States.'
9	23/03/2004	<i>Collins v Secretary of State for Work and Pensions</i> Case C-138/02 [2004] ECR I-02703	Court of Justice	'Citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (see, in particular, Grzelczyk, cited above, paragraphs 31 and 32, and Case C-148/02 Garcia Avello [2003] ECR I-0000, paragraphs 22 and 23).'
10	29/04/2004	<i>Orfanopoulos v Land Baden-Württemberg</i> Joined cases C-482/01 and C-493/01 [2004] ECR I-05257	Court of Justice	'It must be added that a particularly restrictive interpretation of the derogations from that freedom is required by virtue of a person's status as a citizen of the Union. As the Court has held, that status is destined to be the fundamental status of nationals of the Member States (see, in particular, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31, and Case C-138/02 Collins [2004] ECR I-0000, paragraph 61).'
11	29/04/2004	<i>Pusa v Osuuspankkien Keskinäinen Vakuutusyhtiö</i> Case C-224/02 [2004] ECR I-05763	Court of Justice	'As may be seen from the Court's case-law, Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy within the scope ratione materiae of the Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (see, inter alia, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; Case C-224/98 D'Hoop [2002] ECR I-6191, paragraph 28, and Case C-148/02 Garcia Avello [2003] ECR I-0000, paragraphs 22 and 23).'
12	19/10/2004	<i>Chen v Secretary of State for the Home Department</i> Case C-200/02 [2004] ECR I-09925	Court of Justice	'Union citizenship is destined to be the fundamental status of nationals of the Member States (see, in particular, Baumbast and R, paragraph 82).'
13	21/10/2004	<i>Oulane v Minister voor Vreemdelingenzaken en Integratie</i> Case C-215/03 [2005] ECR I-01215	Advocate General	'However, let me add that, although the protection given by the status of citizen of the Union does not have to be systematically called on as such, the development of Community law on the freedom of movement of persons, in the broad sense, which that entails cannot be disregarded. That is why Union citizenship, which 'is destined to be the fundamental status of nationals of the Member States,' is a factor which must be actively taken into account for interpreting all the Community rules on the freedom of movement of persons, in particular those relating to the freedom to provide services.'

14	11/11/2004	<i>R (Bidar) v Ealing LBC</i> Case C-209/03 [2005] ECR I-02119	Advocate General	'In its judgments in cases concerning Article 18(1) [T]EC, the Court has repeatedly emphasised that Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.'
15	20/01/2005	<i>Commission v Austria</i> Case C-147/03 [2005] ECR I-05969	Advocate General	'The Court held that 'Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for'.'
16	15/03/2005	<i>R (Bidar) v Ealing LBC</i> Case C-209/03 [2005] ECR I-02119	Court of Justice	'Citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraphs 30 and 31, and Case C-148/02 Garcia Avello [2003] ECR I-11613, paragraphs 22 and 23).'
17	30/06/2005	<i>Heirs of van Hilten-van der Heijden v Inspecteur van de Belastingdienst/Particulieren/Onderneming en buitenland te Heerlen</i> Case C-513/03 [2006] ECR I-01957	Advocate General	'Indeed, as is evident from the case law of the Court, the status of citizen of the Union is intended to be the fundamental status of the nationals of Member States and it reinforces the prohibition of discrimination, since it permits such nationals who find themselves in the same situation to obtain the same legal treatment in relation to the same matters, regardless of their nationality and without prejudice to the exceptions expressly laid down in that regard.'
18	30/06/2005	<i>Standesamt Stadt Niebüll</i> Case C-96/04 [2006] ECR I-03561	Court of Justice	'It thus seems to me totally incompatible with the status and rights of a citizen of the European Union – which, in the Court's phrase, is 'destined to be the fundamental status of nationals of the Member States' – to be required to bear different names under the laws of different Member States.'
19	07/07/2005	<i>Commission v Austria</i> Case C-147/03 [2005] ECR I-05969	Court of Justice	'Case-law has moreover established that Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31, and D'Hoop, cited above, paragraph 28).'
20	12/07/2005	<i>Schempp v Finanzamt München V</i> Case C-403/03 [2005] ECR I-06421	Court of Justice	'Citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraphs 30 and 31, Case C-148/02 Garcia Avello [2003] ECR I-11613, paragraphs 22 and 23, and Case C-209/03 Bidar [2005] ECR I-0000, paragraph 31).'

<u>21</u>	25/10/2005	<i>Commission v Belgium</i> Case C-408/03 [2006] ECR I-02647	Advocate General	'Union citizenship, which is of a secondary nature, is the 'fundamental status' of the Community individual. That view, expressed for the first time in Grzelczyk (paragraph 31), has become settled Community case-law.'
<u>22</u>	01/02/2006	<i>Cipolla v Fazari</i> Joined cases C-94/04 and C-202/04 [2006] ECR I-11421	Advocate General	'Freedom to provide services therefore forms part of 'the fundamental status of nationals of the Member States' constituted by European citizenship, of which it represents the transnational dimension.'
<u>23</u>	30/03/2006	<i>Tas-Hagen v Raadskamer WUBO van de Pensioen- en Uitkeringsraad</i> Case C-192/05 [2006] ECR I-10451	Advocate General	'As already stated, the Court has consistently held that 'Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for''
<u>24</u>	30/03/2006	<i>Vassilopoulos AE v Dimosio</i> Joined cases C-158/04 and C-159/04 [2006] ECR I-08135	Advocate General	'It is important that the freedoms of movement fit into the broader framework of the objectives of the internal market and European citizenship. At present, the freedoms of movement must be understood to be one of the essential elements of the 'fundamental status of nationals of the Member States''
<u>25</u>	31/03/2006	<i>N v Inspecteur van de Belastingdienst Oost/kantoor Almelo</i> Case C-470/04 [2006] ECR I-07409	Advocate General	'In its consistent case-law the Court has emphasised that Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.'
<u>26</u>	18/05/2006	<i>Pirkko Marjatta Turpeinen</i> Case C-520/04 [2006] ECR I-10685	Advocate General	'According to settled case-law, the status of citizen of the Union, which every national of a Member State enjoys, is destined to be the fundamental status of that national.'
<u>27</u>	12/09/2006	<i>Spain v United Kingdom</i> Case C-145/04 [2006] ECR I-07917	Court of Justice	'Moreover, while citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31), that statement does not necessarily mean that the rights recognised by the Treaty are limited to citizens of the Union.'

28	14/09/2006	<i>Lyyski v Umeå universitet</i> Case C-40/05 [2007] ECR I-00099	Advocate General	'It is after all settled case-law that, in order to assess the scope of application of the Treaty within the meaning of Article 12 EC, that article must be viewed in conjunction with the provisions concerning citizenship of the Union. Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the EC Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.'
29	09/11/2006	<i>Pirkko Marjatta Turpeinen</i> Case C-520/04 [2006] ECR I-10685	Court of Justice	'According to settled case-law, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (see, in particular, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31, and Case C-224/02 Pusa [2004] ECR I-5763, paragraph 16).'
30	30/05/2007	<i>Morgan v Bezirksregierung Köln</i> Joined cases C-11/06 and C-12/06 [2007] ECR I-09161	Advocate General	'The judgment in Grzelczyk declared the importance of citizenship, designed to be 'the fundamental status of nationals of the Member States' (paragraph 31) which has gained in significance from the prohibition of discrimination laid down by Article 12 [T]EC, which, as a result of the judgment in Martínez Sala, may be relied upon by any person holding a Community passport in all situations 'which fall within the scope <i>ratione materiae</i> of Community law' (paragraph 63), although not in purely internal situations.'
31	07/06/2007	<i>Commission v Netherlands</i> Case C-50/06 [2007] ECR I-04383	Court of Justice	'It should be recalled, first of all, that the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States (Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraphs 30 and 31, and Case C-209/03 Bidar [2005] ECR I-2119, paragraph 31).'
32	19/06/2007	<i>Davis v Council</i> Case F-54/06	Civil Service Tribunal	'Article 18 [T]EC guarantees Community nationals the right to move and reside freely within the territory of the Member States, a right which stems directly from the status of citizen of the European Union conferred by Article 17 [T]EC, which is destined to be the fundamental status of nationals of the Member States.'
33	28/06/2007	<i>Government of the French Community v Flemish Government</i> Case C-212/06 [2008] ECR I-01683	Advocate General	'As the Court first held in Grzelczyk and confirmed most recently in <i>Commission v Netherlands</i> , citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality.'

34	11/09/2007	<i>Schwarz v Finanzamt Bergisch Gladbach</i> Case C-76/05 [2007] ECR I-06849	Court of Justice	'According to settled case-law, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy the same treatment in law within the area of application <i>ratione materiae</i> of the EC Treaty irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (see, in particular, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; Case C-224/98 D'Hoop [2002] ECR I-6191, paragraph 28; Case C-148/02 Garcia-Avello [2003] ECR I-11613, paragraphs 22 and 23; and Case C-224/02 Pusa [2004] ECR I-5763, paragraph 16).'
35	11/09/2007	<i>Commission v Germany</i> Case C-318/05 [2007] ECR I-06957	Court of Justice	'According to settled case-law, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (see, in particular, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; Case C-224/98 D'Hoop [2002] ECR I-6191, paragraph 28; Case C-148/02 Garcia-Avello [2003] ECR I-11613, paragraphs 22 and 23; and Case C-224/02 Pusa [2004] ECR I-5763, paragraph 16).'
36	11/12/2007	<i>Minister voor Vreemdelingen zaken en Integratie v Eind</i> Case C-291/05 [2007] ECR I-10719	Court of Justice	'That interpretation is substantiated by the introduction of the status of citizen of the Union, which is intended to be the fundamental status of nationals of the Member States.'
37	14/02/2008	<i>Ministerul Administrației și Internelor – Direcția Generală de Pașapoarte București v Jipa</i> Case C-33/07 [2008] ECR I-05157	Advocate General	'Under Article 17(1) [T]EC, every person holding the nationality of a Member State is a citizen of the Union. It is settled case-law of the Court that Union citizenship is destined to be the fundamental status of nationals of the Member States.'
38	28/02/2008	<i>Wood v Fonds de garantie des victimes des actes de terrorisme et d'autres infractions</i> Case C-164/07 [2008] ECR I-04143	Advocate General	'The status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard.'
39	28/02/2008	<i>Nerkowska v Zakład Ubezpieczeń Społecznych Oddział</i>	Advocate General	'The difference in treatment seems to me to be even less acceptable given that citizenship of the Union is destined to be the fundamental status of Member State nationals to which the fundamental freedom to move and reside in the whole of the Community area is attached.'

		<i>w Koszalinie</i> Case C-499/06 [2008] ECR I-03993		
40	03/04/2008	<i>Huber v Bundesrepublik Deutschland</i> Case C-524/06 [2008] ECR I-09705	Advocate General	'Union citizenship is destined to be the fundamental status of nationals of the Member States' (my emphasis).'
41	24/04/2008	<i>Grunkin</i> Case C-353/06 [2008] ECR I-07639	Advocate General	'Whilst I fully agree with Advocate General Jacobs that it is 'totally incompatible with the status and rights of a citizen of the European Union – which, in the Court's phrase, is "destined to be the fundamental status of nationals of the Member States" – to be required to bear different names under the laws of different Member States', I recognise also the widely expressed concern that the delicate edifice of private international law rules concerning personal status within the European Union should not be thrown into utter confusion.'
42	10/07/2008	<i>Förster v Hoofddirectie van de Informatie Beheer Groep</i> Case C-158/07 [2008] ECR I-08507	Advocate General	'As the Court has declared, Union citizenship is destined to be the fundamental status of nationals of the Member States and enables those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality... It is thus fair to say that the concept of Union citizenship, as developed by the case-law of the Court, marks a process of emancipation of Community rights from their economic paradigm. That is in fact the objective invoked by the statement of the Court that Union citizenship is destined to become the 'fundamental status of nationals of the Member States'.'
43	16/12/2008	<i>Huber v Bundesrepublik Deutschland</i> Case C-524/06 [2008] ECR I-09705	Court of Justice	'As a preliminary point, it should be noted that, according to settled case-law, citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (see, to that effect, Grzelczyk, paragraphs 30 and 31; Case C-148/02 Garcia-Avello [2003] ECR I-11613, paragraphs 22 and 23; and Bidar, paragraph 31).'
44	23/04/2009	<i>Rüffler v Dyrektor Izby Skarbowej we Wrocławiu Ośrodek Zamiejscowy w Wałbrzychu</i> Case C-544/07 [2009] ECR I-03389	Court of Justice	'According to settled case-law, the status of citizen of the European Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (see, in particular, Case C-224/02 Pusa [2004] ECR I-5763, paragraph 16; Case C-76/05 Schwarz and Gootjes-Schwarz [2007] ECR I-6849, paragraph 86; and Case C-524/06 Huber [2008] ECR I-0000, paragraph 69).'
45	25/06/2009	<i>Bressol v Gouvernement de la Communauté</i>	Advocate General	'Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality.'

		<i>française</i> Case C-73/08 [2010] ECR I-02735		
46	30/09/2009	<i>Rottman v Freistaat Bayern</i> Case C-135/08 [2010] ECR I-01449	Advocate General	'It is true that Union citizenship, even if it constitutes 'the fundamental status of nationals of the Member States', is not intended to extend the scope <i>ratione materiae</i> of the Treaty to internal situations which have no link with Community law.'
47	01/10/2009	<i>Gottwald v Bezirkshauptmannschaft Bregenz</i> [2009] ECR I-09117	Court of Justice	'As a preliminary point, it must be borne in mind that, in accordance with settled case-law, citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (Case C-209/03 Bidar [2005] ECR I-2119, paragraph 31, and Case C-403/03 Schempp [2005] ECR I-6421, paragraph 15 and the case-law cited).'
48	02/03/2010	<i>Rottman v Freistaat Bayern</i> Case C-135/08 [2010] ECR I-01449	Court of Justice	'As the Court has several times stated, citizenship of the Union is intended to be the fundamental status of nationals of the Member States (Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; Case C-413/99 Baumbast and R [2002] ECR I-7091, paragraph 82).'
49	20/05/2010	<i>Zanotti v Agenzia delle Entrate - Ufficio Roma 2</i> Case C-56/09 [2010] ECR I-04517	Court of Justice	'The status of citizen of the European Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy the same treatment in law within the area of application <i>ratione materiae</i> of the Treaty irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (see, in particular, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31, and Schwarz and Grootjes-Schwarz, paragraph 86).'
50	30/09/2010	<i>Zambrano v Office national de l'emploi</i> C-34/09 [2011] ECR I-01177	Advocate General	'In 1992, the Maastricht Treaty introduced European citizenship as a novel and complementary status for all Member State nationals. By granting to every citizen the right to move and reside freely within the territory of the Member States, the new Treaty recognised the essential role of individuals, irrespective of whether or not they were economically active, within the newly created Union. Each individual citizen enjoys rights and owes duties that together make up a new status – a status which the Court declared in 2001 was 'destined to become the fundamental status of nationals of the Member States'.'
51	25/11/2010	<i>McCarthy v Secretary of State for the Home Department</i> Case C-434/09 [2011] ECR I-03375	Advocate General	'It cannot of course be ruled out that the Court will review its case-law when the occasion arises and be led from then on to derive a prohibition on discrimination against one's own nationals from citizenship of the Union. Citizenship of the Union is after all destined to be 'the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for'.'

52	22/12/2010	<i>Sayn-Wittgenstein v Landeshauptmann von Wien</i> Case C-208/09 [2010] ECR I-13693	Court of Justice	'It is, in principle, incompatible with the fundamental status of citizenship of the Union conferred on nationals of the Member States to refuse to allow citizens of the Union who have exercised their right to freedom of movement to use, in their Member State of origin, a family name lawfully acquired by adoption in another Member State'.
53	08/03/2011	<i>Zambrano v Office national de l'emploi</i> Case C-34/09 [2011] ECR I-01177	Court of Justice	'As the Court has stated several times, citizenship of the Union is intended to be the fundamental status of nationals of the Member States (see, inter alia, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; Case C-413/99 Baumbast and R [2002] ECR I-7091, paragraph 82; Garcia Avello, paragraph 22; Zhu and Chen, paragraph 25; and Rottmann, paragraph 43).'
54	05/05/2011	<i>McCarthy v Secretary of State for the Home Department</i> Case C-434/09 [2011] ECR I-03375	Court of Justice	'Indeed, the Court has stated several times that citizenship of the Union is intended to be the fundamental status of nationals of the Member States (see Case C-34/09 Ruiz Zambrano [2011] ECR I-0000, paragraph 41 and case-law cited). Furthermore, the Court has held that Article 20 TFEU precludes national measures which have the effect of depriving Union citizens of the genuine enjoyment of the substance of the rights conferred by virtue of that status (see Ruiz Zambrano, paragraph 42).'
55	12/05/2011	<i>Runevič-Vardyn v Vilniaus miesto savivaldybės administracija</i> Case C-391/09 [2011] ECR I-03787	Court of Justice	'Recognising the importance attached by primary law to the status of citizen of the Union, the Court has stated on several occasions that that status is intended to be the fundamental status of nationals of the Member States (see Case C-413/99 Baumbast and R [2002] ECR I-7091, paragraph 82; Case C-135/08 Rottmann [2010] ECR I-0000, paragraphs 43 and 56; and Ruiz Zambrano, paragraph 41).'
56	21/07/2011	<i>Stewart v Secretary of State for Work and Pensions</i> Case C-503/09 [2011] ECR I-06497	Court of Justice	'The status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to receive, as regards the material scope of the Treaty, the same treatment in law irrespective of their nationality, subject to such exceptions as are provided for in that regard (see, to that effect, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; D'Hoop, paragraph 28; and Case C-544/07 Rüffler [2009] ECR I-3389, paragraph 62).'
57	15/11/2011	<i>Dereci v Bundesministerium für Inneres</i> Case C-256/11	Court of Justice	'Indeed, the Court has stated several times that citizenship of the Union is intended to be the fundamental status of nationals of the Member States (see Ruiz Zambrano, paragraph 41, and the case-law cited).'
58	01/12/2011	<i>Staatssecretaris van Financiën v van Putten</i> Joined cases C-578/10 to C-580/10	Advocate General	'As the Court has ruled on several occasions, citizenship of the Union is destined to be the fundamental status of nationals of the Member States.'

59	08/12/2011	<i>Ziebell v Land Baden-Württemberg</i> Case C-371/08	Court of Justice	‘By contrast, the very concept of citizenship, as it results from the mere fact that a person holds the nationality of a Member State and not from the fact that that person has the status of a worker, and which, according to the Court’s settled case-law, is intended to be the fundamental status of nationals of the Member States (see, inter alia, Case C-413/99 Baumbast and R [2002] ECR I-7091, paragraph 82, and Case C-34/09 Ruiz Zambrano [2011] ECR I-0000, paragraph 41), as described in Articles 17 [T]EC to 21 [T]EC, is a feature of European Union law at its current stage of development and justifies the recognition, for Union citizens alone, of guarantees which are considerably strengthened in respect of expulsion, such as those provided for in Article 28(3)(a) of Directive 2004/38.’
60	03/10/2012	<i>Onuekwere v Secretary of State for the Home Department</i> Case C-378/12	Court of Justice	‘As stated in my Opinion in Ziolkowski and Szeja, recitals 3 and 17 in the preamble to that directive make clear that its objective is to achieve a system which focuses on strengthening social cohesion, in which the right of permanent residence is a key factor, being an element of Union citizenship, which should be the fundamental status of nationals of the Member States when they exercise their right of free movement and residence.’
61	04/10/2012	<i>Commission v Austria</i> Case C-75/11	Court of Justice	‘As the Court has held on numerous occasions, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to receive, as regards the material scope of the FEU Treaty, the same treatment in law irrespective of their nationality, subject to such exceptions as are provided for in that regard (see, to that effect, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31, and Case C-224/98 D’Hoop [2002] ECR I-6191, paragraph 28).’
62	16/10/2012	<i>Hungary v Slovakia</i> Case C-364/10	Court of Justice	‘In order to rule on the first head of complaint, it should be stated from the outset that citizenship of the Union is intended to be the fundamental status of nationals of the Member States (see, inter alia, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; Case C-135/08 Rottmann [2010] ECR I-1449, paragraph 43; and Case C-256/11 Dereci and Others [2011] ECR I-11315, paragraph 62).’
63	25/10/2012	<i>Prete v Office national de l’emploi</i> Case C-367/11	Court of Justice	‘Citizenship of the Union is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (see, in particular, Collins, paragraphs 61 and case-law cited).’
64	06/12/2012	<i>O and S v Maahanmuuttovirasto</i> Joined cases C-356/11 and C-357/11	Court of Justice	‘Since citizenship of the Union is intended to be the fundamental status of nationals of the Member States, the children of the previous marriages of Ms S and Ms L, as nationals of a Member State, enjoy the status of Union citizens under Article 20(1) TFEU and may therefore rely on the rights pertaining to that status, including against the Member State of which they are nationals (see McCarthy, paragraph 48, and Dereci and Others, paragraph 63).’

65	15/01/2013	<i>Alarape v Secretary of State for the Home Department</i> Case C-529/11	Advocate General	'Directive 2004/38 consolidates the existing instruments and integrates the existing case-law on free movement of persons, basing freedom of movement on the status of Union citizenship, which, according to a formula stated for the first time by the Court in Grzelczyk, and since repeated many times, is destined to be the fundamental status of nationals of the Member States.'
66	21/02/2013	<i>LN v Styrelsen for Videregående Uddannelser og Uddannelsesstøtte</i> Case C-46/12	Court of Justice	'As the Court has held on numerous occasions, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to receive, as regards the material scope of the FEU Treaty, the same treatment in law irrespective of their nationality, subject to such exceptions as are provided for in that regard (see, to that effect, Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31, and Case C-224/98 D'Hoop [2002] ECR I-6191, paragraph 28).'
67	21/03/2013	<i>Alokpa v Ministre du Travail, de l'Emploi et de l'Immigration</i> Case C-86/12	Advocate General	'In those circumstances, it is inconceivable that the French authorities might refuse to allow Ms Alokpa to accompany her children to the Member State of which they are nationals and to reside there with them, a fortiori because she is the only person with whom they have had a family life since their birth. Any other outcome would render redundant the rights linked to the full enjoyment of the fundamental status of citizen of the Union.'
68	18/07/2013	<i>Prinz v Region Hannover</i> Joined cases C-523/11 and C-585/11	Court of Justice	'As the Court has repeatedly held, Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy within the scope ratione materiae of the TFEU the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for (Case C-184/99 Grzelczyk [2001] ECR I-6193, paragraph 31; Case C-224/98 D'Hoop [2002] ECR I-6191, paragraph 28; and Case C-46/12 N [2013] ECR, paragraph 27).'
69	24/10/2013	<i>Meneses v Region Hannover</i> Case C-220/12	Court of Justice	'As the Court has held on numerous occasions, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy as regards the material scope of the FEU Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (Case C-224/98 D'Hoop [2002] ECR I-6191, paragraph 28; Case C-46/12 N [2013] ECR, paragraph 27; and Prinz and Seeberger, paragraph 24 and the case-law cited).'
70	24/10/2013	<i>Elrick v Bezirksregierung Köln</i> Case C-275/12	Court of Justice	'As the Court has held on numerous occasions, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to receive, as regards the material scope of the FEU Treaty, the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (Case C-224/98 D'Hoop [2002] ECR I-6191, paragraph 28; Case C-46/12 N [2013] ECR, paragraph 27; and Prinz and Seeberger, paragraph 24).'

71	12/12/2013	<i>Saint Prix v Secretary of State for Work and Pensions</i> Case C-507/12	Advocate General	'However, mindful of the fundamental status of Union citizenship in the European construction, the Court nonetheless held in that instance that a Union citizen who does not enjoy a right of residence in the host Member State under what is now Article 45 TFEU may nonetheless, simply as a result of his citizenship of the Union, enjoy a right of residence there by direct application of what is now Article 21(1) TFEU.'
72	20/05/2014	<i>R (McCarthy) v Secretary of State for the Home Department</i> Case C-202/13	Advocate General	'The status of citizen of the Union is 'destined to be the fundamental status of nationals of the Member States'.'
73	05/06/2014	<i>Haralambidis v Calogero Casilli</i> Case C-270/13	Advocate General	'As the Court has stated in the landmark case Grzelczyk, 'Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.'
74	11/11/2014	<i>Dano v Jobcenter Leipzig</i> Case C-333/13	Court of Justice	'As the Court has held on numerous occasions, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the FEU Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (judgments in Grzelczyk, C-184/99, EU:C:2001:458, paragraph 31; D'Hoop, C-224/98, EU:C:2002:432, paragraph 28; and N, EU:C:2013:9725, paragraph 27).'
75	26/02/2015	<i>Martens v Minister van Onderwijs, Cultuur en Wetenschap</i> Case C-359/13	Court of Justice	'As the Court has held on numerous occasions, the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy, within the scope <i>ratione materiae</i> of the FEU Treaty, the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (judgments in D'Hoop, C-224/98, EU:C:2002:432, paragraph 28, and Prinz and Seeberger, EU:C:2013:524, paragraph 24 and the case-law cited).'
76	26/03/2015	<i>Jobcenter Berlin Neukölln v Alimanovic</i> Case C-67/14	Advocate General	'It continues with reference to its settled case-law in accordance with which 'the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the FEU Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (judgments in Grzelczyk, C-184/99, EU:C:2001:458, paragraph 31; D'Hoop, C-224/98, EU:C:2002:432, paragraph 28; and N, C-46/12, EU:C:2013:97, paragraph 27).'

77	04/06/2015	<i>Delvigne v Commune de Lesparre Médoc</i> Case C-650/13	Advocate General	'On this point, the status of citizenship of the Union has made significant progress with regard to the fact that it is 'destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to receive the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for', as the Court pointed out in <i>Spain v United Kingdom</i> , C-145/04, EU:C:2006:543, paragraph 74.'
78	04/06/2015	<i>Vestische Arbeit Jobcenter Kreis Recklinghausen v García-Nieto</i> Case C-299/14	Advocate General	'It then referred to its settled case-law, in accordance with which 'the status of citizen of the Union is destined to be the fundamental status of nationals of the Member States, enabling those among such nationals who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the FEU Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for in that regard (judgments in <i>Grzelczyk</i> , C-184/99, EU:C:2001:458, paragraph 31; <i>D'Hoop</i> , C-224/98, EU:C:2002:432, paragraph 28; and <i>N</i> , C-46/12, EU:C:2013:97, paragraph 27)'. '
79	06/10/2015	<i>Commission v United Kingdom</i> Case C-308/14	Advocate General	'As the Court has held on many occasions, Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy within the scope <i>ratione materiae</i> of the FEU Treaty the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.'