



# Toward a global compact on citizenship?

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At a historic moment on December 19<sup>th</sup>, 2018, 152 countries in the United Nations General Assembly voted in favor of the adoption of the Global Compact for Safe, Orderly and Regular Migration. The Global Compact, while not legally binding, could have far-reaching implications for the future of global migration management and could indicate a first step towards shifting migration governance from nation-states to the international community.

Although the Global Compact highlights the importance of inclusion and non-discrimination in host societies, it does not touch on the topic of citizenship. As international agreements on citizenship are limited in number and scope, the issue remains a stronghold of national sovereignty. But migration and citizenship are closely related: states' citizenship policies transform migrants and their descendants into citizens. It is thus an open question whether citizenship will remain outside the sphere of international negotiations and regulations or not. Next to the numerous valid reservations against a Global Compact on Citizenship (GCC), there are a number of arguments in favor of its realization. We would like to illustrate some of these below.

The first argument concerns *global redistributive justice*: Birthright citizenship can be viewed as a driver of global inequality. The place of one's birth is arbitrary, yet citizenship is an important indicator of an individual's life chances. Citizenship from a Western liberal democracy is considered desirable, as it offers more mobility and diplomatic protections. A GCC would not eliminate this arbitrariness; but recognize it and address some of the resulting inequality. Scholars have offered potential solutions such as a global tax on citizenship, which would redistribute resources from countries with a high-valued citizenship to level the playing field.

The second argument concerns *missed socio-economic opportunities*. Some migrants adapt their relocation preferences based on a state's citizenship policies. For instance, a Moroccan citizen might choose to relocate to Paris because France offers citizenship in five years, and allows them to retain their original citizenship. However, it may be the case that the individual would have better prospects of socio-economic integration in Germany – but becoming German takes eight years and does not permit dual citizenship. By setting a framework for national rules of access to citizenship, a GCC could help to alleviate such mismatches.

Thirdly, a GCC could also *prevent international disputes*. For example, the citizenship schemes of Malta, Cyprus and Bulgaria, which offer passports in exchange for investment, are a concern for all European Union Member States, as investors are purchasing a backdoor pass into the EU. Similarly, when states extend their citizenships to all descendants of their emigrants – as is the case in Italy – other states may get irritated. Spain even – albeit unsuccessfully – sued before the CJEU against having to recognize an Argentinian with Italian roots as a Union citizen. Furthermore, states might be concerned about the rights of their diaspora, for instance to secure remittances, and consequently care about citizenship regimes in host countries. The Philippines for instance would arguably welcome a liberalization of access to Qatari citizenship, which requires at least 25 years of residence in addition to other difficulties in order to satisfy their criteria. In all of these cases, a GCC could offer common standards, such as a range of years of residency required before a newcomer can acquire citizenship or after which a latent citizenship has to be internationally recognized.

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Finally, a GCC could address a set of problems arising from the increasing number of *dual citizens*. While dual citizenship is usually unproblematic, some states have recently debated whether they are obliged to take back foreign fighters with dual citizenship that have joined terrorists groups abroad, or whether they can strip them of their citizenship (and simultaneously avoid the obligation to re-admit them). Similarly, there are concerns about dual citizens voting for non-democratic parties in one of their countries of citizenship – an issue that arises with every Turkish election in Germany. And lastly, dual citizens of countries within supranational organizations like the EU can vote in two national

parliaments. They can thereby double their influence in Brussels, and in a way violate the democratic “one person, one vote” principle. A GCC could remedy these conflicts by strengthening the legal notion of effective nationality, which determines which citizenship prevails when and by providing rules for dual citizens’ voting behavior. For instance, both of these could be strictly tied to the country of residence.

While the GCM was drafted in intergovernmental negotiations, researchers played an important role in its development. They presented their perspective in consultations during the negotiation phase, spoke at the conference in Marrakesh, and provided an outlook on where an internationally binding agreement on migration could go one day. This shows that if we engage with policy-makers’ on-the-ground experience, we, too, might see the adoption of a Global Compact on Citizenship in the future.

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