

**Question for written answer E-002919/2018
to the Commission**

Rule 130

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Subject: Terrorism as proof of a lack of any genuine connection to Europe

According to the International Court of Justice¹, 'nationality (...) implies a genuine connection of existence and sentiments, together with the existence of reciprocal rights and duties. It may be said to constitute the juridical expression of the fact that the individual (...) is in fact more closely connected with the population of the State than with that of any other State.' (p. 23). The International Court of Justice therefore considers that nationality is only valid internationally if it is effective.

In the same vein, the European Parliament has reaffirmed that EU citizenship 'implies the holding of a stake in the Union and depends on a person's ties with Europe'². The Commission also considers there must be a 'genuine link' or 'genuine connection'³.

1. Does the Commission consider the 497 individuals convicted of terrorism in 2017⁴ by various Member States to have shown they have no 'connection of sentiments', 'genuine connection of existence' or 'genuine link'?
2. Accordingly, can Member States refuse access to their territory to a foreign terrorist - even if they hold the nationality of another EU Member State - on the basis of their citizenship no longer being 'effective'?

¹ "nationality is a legal bond having as its basis a social fact of attachment, a genuine connection of existence, interests and sentiments, together with the existence of reciprocal rights and duties. It may be said to constitute the juridical expression of the fact that the individual upon whom it is conferred (...) is in fact more closely connected with the population of the State conferring nationality than with that of any other State."
<http://www.gdr-elsj.eu/2014/01/27/liberte-de-circulation/les-programmes-nationaux-de-vente-de-passeports-la-citoyennete-europeenne-a-lencan/>

² <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2014-0038+0+DOC+XML+V0//EN>

³ [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/2995\(RSP\)&l=EN#tab-0](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/2995(RSP)&l=EN#tab-0)

⁴ Source: Eurojust, April 2018.