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# Voters *without* Borders



**WHY THIS EUROPEAN  
CITIZENS' INITIATIVE?**

# 17.6M

The number of EU citizens living and working in another Member State. The number has doubled in 10 years (Eurostat 2018)

# 81%

EU citizens that support the principle of Freedom of Movement in 2019 (Eurobarometer 486)

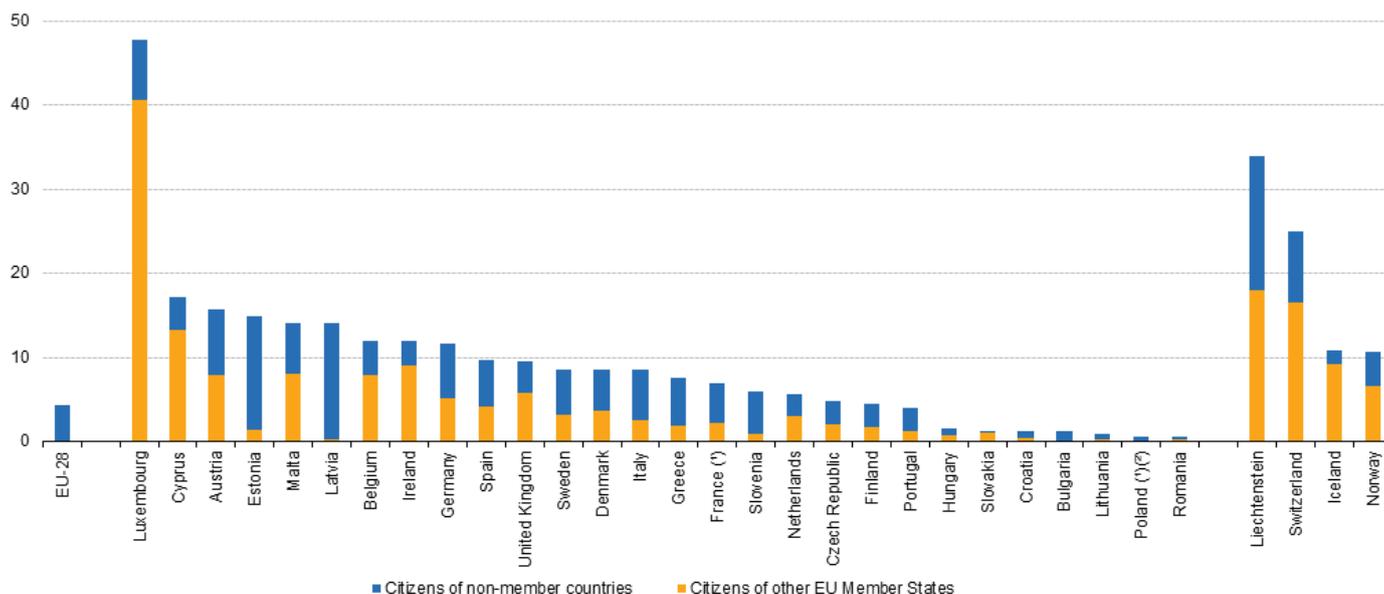
# 73%

The people in the EU who feel European in 2019 ( Standard Eurobarometer 91)

# 42%

The increase among young people aged under 25 between the 2014 and the 2019 European Elections (European Parliament, 2019)

**Share of non-nationals in the resident population, 1 January 2018**  
(%)



(\*) Provisional.  
(\*) Estimate.

Source: Eurostat (online data code: migr\_pop1ctz)

# "EUROPE, WE HAVE A PROBLEM."

**Our problem** is that existing rights to vote and stand as candidates in local and European elections are not working and -we believe- will not do so until EU citizens on the move have full political rights.

The number of EU citizens living and working in other Member States of the EU has doubled in the last ten years, reaching 17 million people. Of this 17 million, only 8% register in the country of residence and an unknown number (the EP does not aggregate this data and many states do not even make it public) go back to the country of origin on the occasion of the EP election.

All the signs are that with 73% of people recognising, according to Eurobarometer surveys, that they feel -to different extents- European, the number of mobile citizens will increase in the future. The same opinion poll also shows consistently that freedom of movement is seen as the most outstanding of the EU's achievements.

**Our problem** is that democratic participation is still seen through national eyes and has not caught up with increasing transnational mobility. People living in another Member States other than their own often feel unrepresented in politics.

The cause of this under-representation is twofold.

**Firstly**, there are still many barriers and obstacles in the exercise of voting rights of EU citizens residing in a different Member State, coupled with the recent worrying developments of electoral irregularities in some Member States.

**Secondly**, the low turnout of mobile EU citizens in local and European elections is not surprising, since they are still only given the right to vote in municipal and European elections in their country of residence but are excluded from the elections and democratic choices which really count. They are therefore still made to feel more like foreigners than full members of the community.

In election times politicians must campaign to win the electorate. As long as only national citizens can vote for national parties, parties are inclined to respond only to the interests of this national electorate, and this often pays off with political parties highlighting national populists' messages and threats from "the external others".

But responsible policies mean keeping up with the increasing transnational flow and interdependencies, by producing policies which take into account marginalised groups whose voices and worries are not made present by most national parties, and by **ensuring that all European citizens can be equally represented in the decision-making process.**

**European** citizens are becoming increasingly conscious of the need to be better represented and make their voice heard in a more divided and politically unpredictable Europe. For this, they need to be recognized as equal and have full political rights.

This ECI's objectives are **value-driven**, and contribute:



## I. TO MAKE EUROPEAN CITIZENSHIP A REAL CITIZENSHIP

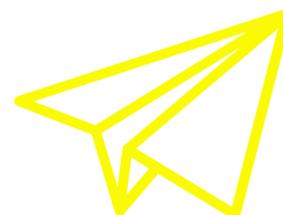
Political rights are the defining feature of any citizenship and the means by which other rights can be represented and extended. Leaving an increasing number of people with only partial political rights is inconsistent not only with the popularity of this transnational citizenship, but also with the substance it has developed as a result of the case-law of the Court of Justice of the EU, and the fact European Citizenship is being strengthened by the recognition of professional qualifications and access to social security entitlements in one's country of residence.

EU citizenship has developed beyond its economic origins and free movement of labour to cover all categories of the population. EU citizens should no longer be considered just as guest workers but as full and equal members of society.

*“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....”*

(European Court of Justice 2001).

It is high time political rights caught up with these developments!



## II. TO TAKE A STEP TOWARDS UNIVERSAL SUFFRAGE

EU citizens like other migrants are for the most part in work contributing with their taxes, sending their children to the same schools and using the same services, as their national neighbours.

Giving them full political rights would be consistent with the ban under EU Law of any discrimination on the grounds of nationality and the principles of "**No Taxation Without Representation**", and "**one person, one vote**".

It is illogical that European citizens can vote and stand in local elections but not in the regional ones which concern many of the same public services which impact on everyday life.

They can elect members of the European Parliament from the city where they live but not the government that participates in the Council of Ministers of the Union, where many would argue the real power lies.

*"The right to vote is not a privilege. In the twenty-first century, the presumption in a democratic state must be in favour of its inclusion."*

(European Court of Human Rights 2013).

## III. TO ENCOURAGE BETTER INTEGRATION OF EU CITIZENS WITH LOCAL COMMUNITIES

Granting people full political rights where they live can help favour their integration in society. The political differentiation between EU and national citizens gives the wrong signal to policies of integration and does nothing either to help tackle the integration of migrants and refugees from outside the EU in European society.

The wider aim of scaling up and equalising political rights for all legally resident migrant communities goes beyond what is legally possible for this initiative.

This ECI should nevertheless be seen as a step towards that aim, in order to avoid discrimination between EU citizens and third-country nationals.



## IV. TO HELP BUILD A TRANSNATIONAL EUROPEAN DEMOCRACY

Our ECI addresses the fundamental issue of how to ensure that effective electoral rights are made compatible with freedom of movement. It should be a part of the 6th priority of the new Commission: [“a new push for European democracy”](#).

Building on the record turnout in the 2019 European elections, the new Commission does recognise the need to give European citizens a stronger role in decision-making and is asking them to take on a role as a third party alongside civil society and the EU institutions in the Conference on the Future of Europe.

The need to reform the system of lead candidates and introduce transnational lists for elections to the European Parliament is recognised.

This ECI goes in the same direction and should be part of the European democracy action plan promised.

There is a greater willingness shown by the EU and national governments to share concerns about elections.

Protecting the security and public trust in electoral processes from the attempts coming from within countries and across borders to influence outcomes and undermine democratic processes with fake news should go hand in hand with concerns that everyone always has the chance to vote in the first place.

## WHAT NEEDS TO BE DONE?

### YOUNG GENERATION ON BOARD!

The average increase of some 8% in turnout in the 2019 European Elections conceals a far more significant increase among new and first-time voters (+42%). Concern about Europe and doubts about the future have at least one positive effect: there are more active European citizens who want to continue the campaign on the European elections and stay involved. In particular, young people are urging the Institutions to listen to their growing concern regarding the climate crisis and the need for a more “user-friendly” Europe.

For the last years, [ECIT Foundation](#) has been preparing for this ECI, discussed in its annual Summer University, and has decided to turn it over to the young generation to take the lead.

Our task force of 12 young volunteers, which have come together to support the ECI with their diverse set of research and practical skills, transnational experience and language knowledge, knows well all the concerns young people have about a dubious future and responds with one way forward: **more involvement!**

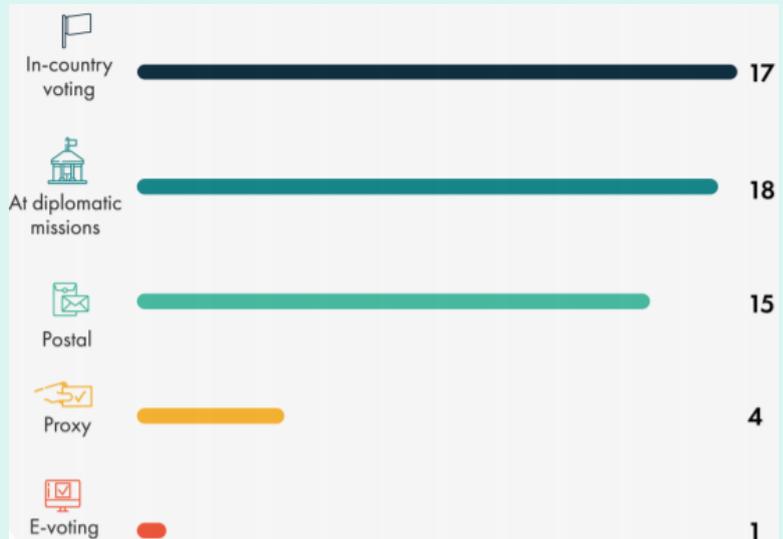
## RESEARCH. FACT-FINDING. DATA.

Surprisingly as it may seem for such a basic issue as political rights, there are many questions to which there are no clear answers until further research is done. For example, although the almost 17 million potential voters living and working in another country is a significant number, the impact of making sure all can vote in all democratic contests among a population of some 450 million in EU-27 is in general not so much as to make a decisive impact.

Nevertheless, in certain areas or in certain elections the impact can be significant. Not enough detailed mapping has been done of intra-EU migration flows. It is clear that patterns are very uneven, heavily concentrated on certain trajectories or in certain regions. Some 4.4% of EU citizens live and work in another Member State but the proportion of all those congregating in a destination of choice can be significant. Whilst 1% of Germans of working age live in another Member State, the figure is 21.3% for Romanians (Eurostat 2019).

Therefore, the impact of some people living abroad on voting back home or in the country of residence is insignificant, whereas in other cases it is decisive.

Account should also be taken of diverse patterns of freedom of movement and attachment to the body politics so that EU citizens are given the choice where possible of voting back home or in their country of residence provided there are proportionate safeguards against double voting.



Voting methods available for EP Elections, Ostling 2019

Some free movers have taken the decision to settle permanently in their adopted country of residence, others may have moved around a number of countries for shorter periods, including countries outside the EU.

From the perspective of the populations on the move, choice about where you vote in all elections and referenda would appear to be the right approach. **The 17 million cannot all be forced into the same mould.** There may also be some conditions placed on who can stand as a candidate for particular posts. More research and statistical analysis should accompany the ECI with a scoreboard and maps of Europe's blackspots.

This research is also necessary to assess what would be the impact not only for extending electoral rights for EU citizens but also for third-country nationals.

## STRENGTHENING THE CURRENT RIGHTS

Directives 94/80/EC and 93/109/EC on the right to vote and stand as a candidate in municipal and European Parliament elections are not working. Three reforms are essential :

### Establish an obligation

for all EU Member States to inform European citizens individually and in their own language about their voting and eligibility rights (cf. Article 34 of Directive 2004/38/EC).

### Make registration

on the electoral roll automatic for all EU citizens in their country of residence, unless they have chosen to vote in their country of origin, in order to remove barriers to freedom of movement.

### Create a network

of Member States' authorities to share best practice and remove obstacles to increasing the turn-out of EU mobile citizens.

The Commission should regularly provide guidelines for citizens and electoral authorities. These guidelines should encourage cooperation among Member States, to improve cross-border electoral processes by taking into account technological progress and changes in electoral law.

## 1. LESSONS FROM THE APPLICATION OF EXISTING RIGHTS

One advantage of the grant of partial political rights is that they do provide answers as to what could be the impact of extending the rights to other elections and referenda. The directives on participation in European and municipal elections do provide precedents for safeguards on voting and eligibility of voters.

A **paradox of European democracy** is that those who are probably more affected by European decisions and legislation than most other groups are making the least use of their voting rights.

Increasing turnout among people living and working in other Member States should be a priority for the next European elections. Positive action by political parties to include more EU citizens as candidates, introducing transnational lists and other reforms to make the elections more European, as well as the changes proposed above to the legislation on the right to vote and stand in European election, would encourage more turnout among mobile EU citizens.

## 2. REGIONAL ELECTIONS

Since the Maastricht Treaty came into force a generation ago in 1993 and allowed EU citizens to participate in local elections, the regional level or city level has become more important, often taking over competences for services divided amongst local authorities to achieve connectivity and economies of scale. The role of regions and cities has been strengthened by the EU dimension in which they increasingly compete and work together, stressing their contribution and place in Europe. For the local and mobile populations, cities and regions become, as a result, more of a focus of attention than just the parts where they happen to live.

Extending rights to vote and stand in municipal elections for EU citizens to regional elections should appear to be a natural process of democracy keeping up with the distribution of power among different levels of governance.

Since the Maastricht Treaty, the EU has created a Committee of Regions where elected representatives come together and play an increasingly important advisory role in EU decisions.

Paradoxically, however, EU citizens cannot generally vote in regional elections in their country of residence.

Some countries such as Sweden and some cities elsewhere have shown that it is possible to extend the franchise to EU citizens. In the Brussels Region, a motion has passed to entitle both European voters and non-Europeans resident in Belgium for at least five years to vote at a regional level.

Political parties at the regional level are likely to differ in their attitudes to such a proposed reform, some being protective of their specific regional identity, others seeing the region as the level at which to welcome and promote European participation.

### 3. NATIONAL ELECTIONS

A previous ECI called “Let me vote”, launched in 2013, did not manage to collect enough signatures but did pave the way to encourage debate about the issues surrounding free movement and political rights.

Should acquiring citizenship be the only way to access the right to vote?

For many EU citizens living for a short time in different EU countries, this would simply not be an option. For longer-term residents, there are significant obstacles, especially when faced with different national procedures for naturalisation requiring for example periods of prior residence between 5 and 12 years.

With Brexit, there has been a significant increase in the numbers of UK citizens acquiring other EU nationalities to keep their EU citizenship but still, the numbers run in tens rather than hundreds of thousands. Naturalisation is not the answer to disenfranchisement. There is very little chance that in order to encourage voting in national elections EU governments will agree to harmonise their legislation and make the acquisition of nationality easier.

This ECI argues that disenfranchisement is unacceptable just because people use the right to live and work anywhere in Europe and puts forward a **EUROPEAN SOLUTION TO A EUROPEAN PROBLEM.**

## 4. REFERENDA

The majority of referenda since the Maastricht Treaty have not been about purely internal national issues. The majority appear to have concerned Europe, ranging from approval of accession treaties to the EU in the countries of Central and Eastern Europe, to approval or rejection of EU treaty changes in Denmark, Ireland, France or the Netherlands and finally to the UK referendum of June 2016 which decided on withdrawal from the EU.

If all the 3 million EU citizens resident in the UK and the 1.2 million British citizens resident in the EU had been able to vote in the referendum, the result could have gone in favour of remaining in the EU. Other referenda have been about moral choices and reforms about which the views of residents would appear just as valid as those of national citizens.

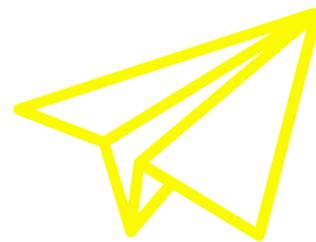
Although over the last generation many referenda have been on European issues, EU citizens are generally excluded. Only nationals can participate in referenda but as with regional elections, there are exceptions. For example, eligibility to vote in the referendum of 18 September 2014 on independence for Scotland, the terms of which were decided jointly by the Scottish and UK legislatures, determined that all persons entitled to vote in local elections and therefore EU citizens could also vote in the referendum.

There is a logic in deciding that all those living in a territory should be able to vote in a decision as to where its future allegiance should lie since the outcome will also influence their own future. On the other hand, there is some logic to the position that only nationals can participate in a referendum which is about choosing an option purely to do with the internal organisation of the State, such as a change in the way a government is elected, the reform of national institutions, or a change in the constitution of the regions.

At all levels of elections, one could argue that Europe has been much more of an issue than in the past. Both the media and politicians are paying much more attention to elections in neighbouring countries which are often a precursor to trends within their own. **It is high time that voting transnationally caught up and that the democratic blackspots on Europe's political map were painted green.**



## WHAT IF WE SUCCEED?



If this ECI succeeds, there will be a public hearing in the European Parliament, and the Commission will take up a position and publish its response.

Our objective is to assert the principle by claiming European citizenship, removing a stain on European democracy and doing something for Europe. How these aims should be implemented is another issue.

It will take time and will vary depending on the country concerned and the type of election or vote. In theory, reform to secure full political rights for European citizens can follow any of the three following options:

- a. European citizens retain full voting rights in their country of origin;
- b. They acquire such rights in their country of residence after a certain number of years;
- c. All European citizens of voting age have a choice between a. and b.

Which option is better will depend not only on the nature of the electoral contest but also on whether politicians see Europe as more or less federal or intergovernmental. For citizens, having democratic rights is more important than the question of where and under what conditions they are practised provided these are fair and non-discriminatory. The best option is the third one, giving citizens a choice on where they can vote, provided there are rules against double voting, which are properly enforced.

Reforms should be secured to strengthen existing rights, before the next European Elections, to avoid that in 2024 the failure to include all EU citizens in the democratic process may doom its outcome.

Although practically speaking the impact of the initiative, is likely to be limited, symbolically its significance will be huge! The message is:

## For Europe's sake, at least let us vote!

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