

Municipal elections: right to vote and to stand as candidate of the Union citizens

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In accordance with the requirements of Directive 94/80/EC, the Commission presents a report on the application of Directive on the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals.

The previous report on the transposition and implementation of the Directive was adopted by the Commission in 2002. This report touches upon the broader issue of participation in local democracy and assesses the state of transposition and implementation of the Directive in the Member States which were not yet members of the Union in 2002, when the first report was adopted. The report also assesses whether the grant of the derogation pursuant article 22(1) of the TFEU is still warranted. The [last report on the derogation](#) was adopted in 2005.

In most Member States, a turnout lower than 50% has been recorded in recent European elections. The trend is similar in many Member States as regards recent local elections. The Commission **considers it essential to invert this trend in order to strengthen the link between voters and elected representatives** and to enhance legitimacy of decisions taken by the latter. The report assesses the awareness and the use of the electoral rights of EU citizens in municipal elections and it focuses on the information measures put in place by the Member States in compliance with the provisions of the Directive. It also highlights **best practices** in the Member States in conducting information campaigns and initiatives to encourage EU citizens who are non-nationals to take part in institutional and political life at local level.

Awareness and participation: the majority of the citizens in the Member States are aware of the right to vote and to stand as a candidate in municipal elections in their Member State of residence. The awareness of electoral rights at the local level has increased significantly in four years in all Member States. At EU level, the average percentage of the citizens who are aware of such rights has almost doubled from 37% (2007) to 69% (2010).

Generally, however, **data on the turnout in local elections reveal a tendency for political disaffection of the citizens**. Remedying the 'democratic deficit' remains a challenge for the Member States and the European institutions as well as for the elected local authorities across the Union.

The report states that, comparing data provided in the first report with data gathered through a questionnaire in 2011, the number of EU citizens of voting age residing in a Member State other than their own has increased from 4.7 million (2000) to 8 million (2010), mainly due to enlargement of the EU. Despite this significant increase in the number of non-nationals EU citizens of voting age who reside in a Member State other than their own, **only a relatively low number of these citizens actually exercised their electoral rights** in the municipal elections that have been held in recent years in their State of residence.

In order to participate in municipal elections, the individual has to be registered on the electoral roll. The detailed procedures for registration vary from one Member State to another. In those Member States where registration is not automatic, the data provided show that only **an average of 10% of resident non-national EU citizens asked to be entered on the electoral rolls**. No data are available on the percentage of the resident non-national EU citizens who actually voted after being entered on the electoral rolls.

The report notes that renewed efforts must be made to provide citizens with **targeted information about their electoral rights** and the administrative procedures to be fulfilled to exercise them. All initiatives aimed at strengthening awareness of electoral rights and at encouraging participation in local elections are to be considered as a useful and effective support, including participation in the programmes managed by the Commission, as above indicated in chapter.

Transposition and implementation: on the basis of the national transposition measures communicated by the Member States, the level of transposition of the Directive in the legislation of all the Member States can be considered **satisfactory**. Nevertheless, some issues of incorrect or incomplete transposition, detailed in the report, have to be addressed in order to avoid incorrect implementation, which would represent an obstacle to the full exercise of electoral rights.

Derogation: Luxembourg is the only Member State that has availed itself of the derogation by restricting the right to vote to non-national EU citizens who have had their legal domicile in the territory of Luxembourg and have resided in the territory for at least five years before registration. The report states that the **granting of a derogation to Luxembourg is still warranted** since the proportion of non-national EU citizens to the total number of EU citizens of voting age is 42.9%, beyond the threshold of 20% set by Directive.

Future action: the Commission will continue working in close cooperation with the Member States in order to monitor the correct transposition and implementation of the Directive and to help Member States adopt all the necessary measures to ensure the full exercise of electoral rights, while removing obstacles to the right to be informed in good time and in an appropriate manner of their electoral rights. The proposal for an **European Year for Citizens in 2013** represents a real opportunity to enhance the efforts to encourage participation at elections, with the involvement of the interested national and local authorities, as well as key stakeholders shaping the political life of the Member States and their citizens.

To this end, the Commission intends to make use of an **informal platform of cooperation** aimed at facilitating a direct dialogue between the Commission, the Committee of the Regions and national associations of local and regional authorities. This platform will allow the Commission to identify any ongoing difficulties encountered by local authorities in implementing EU citizens' electoral rights and to directly draw on the ideas and expertise of these authorities and the best practices they have developed, with a view to enhancing the effective exercise of these rights on the ground.