

European Communities

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EUROPEAN PARLIAMENT

# Working Documents

1983-1984

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29 April 1983

DOCUMENT 1-121/83

REPORT

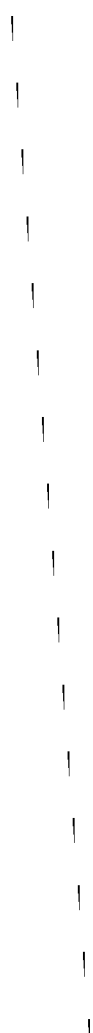
drawn up on behalf of the Legal Affairs Committee

on the right of citizens of a Member State residing in a  
Member State other than their own to stand for and vote  
in local elections

Rapporteur: Mrs M.-A. MACCIOCCHI

PE 81.688/fin.

English Edition



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At its sitting on 22 October 1979, the European Parliament referred, pursuant to Rule 47 of the Rules of Procedure, the motion for a resolution tabled by Mr Ceravolo and others (Doc. 1-382/79/rev.) to the Political Affairs Committee as the committee responsible and to the Legal Affairs Committee for an opinion.

At its meeting of 20 November 1979 the Legal Affairs Committee appointed Mrs Macciocchi draftsman.

As a result of a request by the enlarged Bureau, Mr Rumor, chairman of the Political Affairs Committee, and Mr Ferri, chairman of the Legal Affairs Committee, agreed on 19 June 1980 that the Legal Affairs Committee would be the committee responsible and the Political Affairs Committee would give its opinion. On 15 February 1980 the Committee on Social Affairs and Employment was asked to deliver an opinion.

At its meeting of 25 June 1980, the Legal Affairs Committee considered the matter on the basis of a document (PE 62.650) drawn up by Mrs Macciocchi.

Mrs Macciocchi was appointed rapporteur for all purposes on 8 July 1980.

At its sitting of 6 July 1981, the European Parliament referred the motion for a resolution tabled by Mr Cariglia and others (Doc. 1-322/81) to the Legal Affairs Committee as the committee responsible and to the Committee on Social Affairs and Employment for an opinion.

At its meeting of 14 and 15 July 1981, the committee appointed Mrs Macciocchi rapporteur.

The draft report was considered at the meetings of 19 and 20 January 1983 and 15 and 16 March 1983.

At the latter meeting the committee adopted the draft report by 8 votes to 6 with 4 abstentions.

Present: Mr Luster, acting chairman and vice-chairman; Mr Turner and Mr Chambeiron, vice-chairmen; Mrs Macciocchi, draftsman; Mrs Cinciari Rodano, Mr Cottrell (deputizing for Mr Dalziel), Mr D'Angelosante, Mr Del Duca (deputizing for Mr Ercini), Mr Forth (deputizing for Mr Tyrell), Mr Enright (deputizing for Mr Craxi), Mr Janssen van Raay, Mr Geurtsen, Mr Malangré, Mr Megahy, Mr Mommersteeg (pursuant to Rule 101(7) of the Rules of Procedure), Mr Poniridis, Mr Prout, Mr Schwenke (deputizing for Mr Alfonsi), Mr Sieglerschmidt, Mrs Vayssade, Mr Vetter and Mr Vié.

The opinion of the Political Affairs Committee is attached.

By letter of 16 March 1983 the chairman of the Committee on Social Affairs and Employment stated that the Committee on Social Affairs and Employment would not deliver an opinion at this stage, but would give its views on the matter in a report on the current problems of migrant workers (rapporteur: Mrs T. Nielsen).

This report was submitted on 30 March 1983.

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The Legal Affairs Committee hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

on the right of citizens of a Member State residing in a Member State other than their own to stand for and vote in local elections

The European Parliament,

- having regard to the motion for a resolution contained in Doc. 1-382/79/rev.,
  - having regard to the motion for a resolution contained in Doc. 1-322/81,
  - having regard to the final communiqué of the Summit of Heads of State and of Government of 9 and 10 December 1974,
  - having regard to the 'action programme for migrant workers and their families'<sup>1</sup> submitted by the Commission to the Council,
  - having regard to the resolution 'on the granting of special rights to the citizens of the European Community' adopted on the basis of the report drawn up by Mr Scelba on behalf of the Political Affairs Committee (Doc. 346/77)<sup>2</sup>
  - having regard to the report by the Legal Affairs Committee and the opinion of the Political Affairs Committee (Doc. 1-121/83),
- A. Considering that, especially with regard to political rights, complete equality of treatment between citizens, whatever their nationality or their residence, is an objective which is inherently essential to a Community whose ultimate aim is political integration;
- B. Considering that, although this objective seems remote at present, it is necessary to take action to ensure that citizens have those rights which can be protected in the present state of Community law;

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<sup>1</sup> COM 74/2250 of 18 December 1974.

<sup>2</sup> OJ No. C 299 of 12 December 1977, p. 26.

- C. Considering that these rights do not yet include the right to stand for and vote in local elections which would permit citizens of one Member State residing in another Member State for an appropriate length of time to influence, through their vote or by taking an active part in politics, public affairs in their place of residence;
  - D. Considering that the grant of this right certainly corresponds to one of the objectives of the European Community laid down in the preamble to and in Article 2 of the EEC Treaty, which are not only economic but also social;
  - E. Considering, however, that the EEC Treaty has not provided 'the necessary powers';
  - F. Considering, therefore, that the conditions for the application of Article 235 of the Treaty are fulfilled;
1. Calls on the Commission of the European Communities to report to the European Parliament on the progress reached in according the right to stand for and vote in local elections to Community citizens residing in a Member State other than their own;
  2. Instructs its President to forward this resolution and the report of its Committee to the Council and Commission of the European Communities.

EXPLANATORY STATEMENT

1. This is by no means the first time that the Community authorities have addressed themselves to the problem of giving citizens of the Community resident in a Member State other than their own the right to stand for and vote in local elections; it would be useful, here, to give a brief summary of the action taken in this connection so far.

2. At the Summit of 9 and 10 December 1974 in Paris, the Heads of State and of Government announced, in the final communiqué, that a working party would be instructed 'to study the conditions and the timing under which the citizens of the nine Member States could be given special rights as members of the Community'<sup>1</sup>.

3. Some months later, the Commission in a short report with the ambitious title 'Towards European citizenship'<sup>2</sup>, attempted to define these 'special rights'<sup>3</sup>: the Commission (which, it will be recalled, attended the Summit) indicated that 'special rights' were to be understood in particular as 'the right to vote and to stand for election at municipal level, as well as the access to public office connected with this right to stand for election'.

This Commission report has the merit of identifying some of the difficulties which are involved in granting the rights in question and which it was the working party's task to discuss and to resolve.

4. The European Parliament has also long been dealing with the problem of identifying special rights; after more than two years' work, it adopted (on 16 November 1977) the motion for a resolution<sup>4</sup> contained in the report (Doc. 346/77) drawn up by Mr SCELBA on behalf of the Political Affairs Committee.

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<sup>1</sup> Bulletin of the European Communities, No. 12/1974, point 1104.

<sup>2</sup> Bulletin of the European Communities, Supplement No. 7/75, Part 2: 'Report on the granting of special rights',

<sup>3</sup> An expression which, because it is completely new, has quite understandably led to markedly different interpretations.

<sup>4</sup> OJ No. C 299 of 12 December 1977, p. 26.



While Parliament's resolution recognized a far wider range of 'special' rights than the report by the Commission of the European Communities, it, too, included 'the right to stand for and vote at elections and to hold any public office for which they [Community citizens] would normally be eligible at local authority level' (see paragraph 3(d)).

5. It should also be pointed out that, on Parliament's initiative, a Round Table conference on special rights was held in Florence from 26 to 28 October 1978<sup>1</sup>.

6. Lastly, both the Council and the Commission have repeatedly been asked in questions from Members of Parliament for a progress report on the matter under consideration.

The laconic answers from the Council (for example: 'the problem ... is being examined within the Council following the Conference of Heads of Government in Paris on 9 and 10 December 1974. The European Parliament will be informed of the outcome of these discussions.')

<sup>2</sup> suggest that the working party has failed to make much headway.

As for the Commission, although its answers to questions from Members of Parliament are more informative, they are nevertheless worded in such a way as to be no more than a list of the problems and obstacles confronting the attainment of the objective of the right for migrant workers to stand for and vote in elections<sup>3</sup>.

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7. With regard to the objective to be attained, the majority of the Legal Affairs Committee considered that a proper view of Europe's present and its future implied that migrant workers ('the first citizens of Europe', as they have been called) should as far as possible be placed on an equal footing with the citizens of the host country; in particular, they should have the means of influencing, through their vote, the running of public affairs in the place in which they have opted (or have been obliged) to establish their residence.

<sup>1</sup> See Notice to Members No. 13/79 - PE 59.452.

<sup>2</sup> Answer to Written Question No. 313/79 by Mr GLINNE.

<sup>3</sup> See for example the answer to Written Question No. 1041/81 by Mr COSTANZO and Mrs CASSANMAGNAGO CERRETTI, OJ No. C 12 of 18 January 1982, p. 10.

8. The question that must be answered, in view of the repeated failures - or at least the 'deadlock' - of the past nine years, is this: what can the European Parliament do to help achieve the desired objective, which is to give the right to vote and the right to stand for election in local elections to citizens of one Member State who are resident in another?

9. Before considering this problem, we must first make a few observations on the role and the function of the European Council which, as has been seen, produced the original proposal.

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10. The European Council<sup>1</sup> has been meeting and working under this name for about nine years - to be exact, since the Summit of 9 and 10 December 1974 referred to above, at the end of which a Head of State proclaimed: 'The Summit is dead, long live the European Council!'.

11. The main reasons<sup>2</sup> for deciding that the Heads of State and of Government should meet at regular intervals (three times a year) were:

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<sup>1</sup> With regard to the observations below, see also the opinion (draftsman Mr Ferri) for the Political Affairs Committee on relations between the European Parliament and the European Council (annex to Doc. 1-739/81); this opinion was adopted unanimously by the Legal Affairs Committee at its meeting of 26 and 27 October 1981. On the basis of the opinion, the Legal Affairs Committee tabled an amendment to the motion for a resolution. By adopting that amendment the European Parliament stressed the need 'to ensure that, while respecting the institutional balance stipulated in the Treaties, the role of the Commission and political control of its activities by the European Parliament remain unimpaired'.

<sup>2</sup> See the interesting observations on this matter in the 'Report of the Three Wise Men' (October 1979).

- the almost chronic inability of the 'ordinary' Council to reach decisions, a situation that had grown steadily worse since 1966, the year of the 'Luxembourg agreements'<sup>1</sup>;
- a certain lack of dynamism in the Community's activities, owing to the irresoluteness of the organ which, from the institutional point of view, was empowered to initiate action: the Commission. However, the attitude of the Commission was justified, in part, by the inertia displayed by the Council.

12. The European Council has, in fact, partially come up to expectations; it has, for instance, taken decisions on particularly delicate problems, on which the Council of Ministers had failed to reach agreement (e.g., the decision on the creation of the Regional Fund).

As for its role in stimulating action, the European Council has also had a few notable successes (e.g. in promoting the creation of the European Monetary System).

13. It cannot, then, be maintained that, on balance, the work of the European Council is, in terms of the results achieved, unsuccessful<sup>2</sup>.

It should be stressed, however, that the European Council, a body for which there is no provision in the Treaties, takes traditional international law, not Community law, as its frame of reference.

This is demonstrated most clearly by the proposal to grant the right to vote and the right to stand for election to migrant workers: the European Council launches the idea and then sets up a working party consisting of officials of the national administrations and assisted by a Commission representative. This working party has been in existence for years, yet no information (or scarcely any information)<sup>3</sup> has been given to the 'public' - and the concept of 'public' includes the European Parliament - on the progress of its discussions, the main difficulties encountered, the likely time-scale of its proceedings, etc.

<sup>1</sup> A declaration by the governments to the effect that they wished to do away with the majority voting system, where this was required under the Treaty, 'in respect of matters in which the vital interests of a Member State were at stake'. This led to a situation in which the Council had to seek unanimity as a matter of course - since each Member State virtually had a right of veto - and, hence, to its inability to reach decisions.

<sup>2</sup> Notwithstanding a few clear cases of disagreement.

<sup>3</sup> See, for example, the answer to Written Question (H-87/79) by Mr BETTIZA on the vote for emigrants in local elections; Debates of the European Parliament, Annex to OJ 245, September 1979, p. 268.

The mechanisms and procedures that apply here are altogether typical of the classical rules governing inter-State relations: the preliminary bilateral contacts, the secrecy, the absence of arrangements whereby directly elected representatives of the people can influence decisions or act in an advisory capacity.<sup>1</sup>

14. The manner in which the procedure for elaborating Community 'law' is codified (in the Treaties) is, by contrast, completely different. A proposal by the Commission, which is by nature public, is followed by a request for the opinion of Parliament (where this is laid down by the Treaty) and then, in accordance with well-defined rules, by the decision of the Council of Ministers, which may approve or reject the Commission's proposals, but may not amend them except unanimously (see first paragraph of Article 149 of the EEC Treaty). Once an act has been adopted by the Council, its legality is subject to review by the Court of Justice (see in particular Article 173 of the EEC Treaty).

15. None of these features can be found in the procedure followed hitherto in considering the problem of granting the right to vote and the right to stand for election in local elections to citizens of one Member State who are resident in another.

Consequently, the question arises whether the most useful course of action might not be for the European Parliament, on the strength of its powers of control in respect of the action which the Commission of the European Communities takes or fails to take, to insist most strongly that the methods and the guarantees laid down by the Treaty are henceforth followed and complied with.<sup>2</sup>

16. This approach would be possible only if the object of the measures envisaged fell within the field of application of the Treaties (it could in fact be argued that the European Council of December 1974 dealt with the matter as a political cooperation issue).

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<sup>1</sup> See also paragraphs 5 and 6 of Mr Ferri's opinion, above.

<sup>2</sup> This is precisely the request contained in the motion for a resolution tabled by Mr CARIGLIA and others (Doc. 1-322/81).

The majority of the committee considered that the attempts made fully to integrate citizens of one Member State not only into the economic life, but also into the social and political life of the host State are in keeping with the objective in the preamble to the EEC Treaty:

'...the constant improvement of the living and working conditions of ... peoples';

that they are consistent with Community action aimed at '... the abolition, as between Member States, of obstacles to freedom of movement for persons ...' (Article 3(c))<sup>1</sup>;

that, in more general terms, they help 'to lay the foundations of an ever closer union among the peoples of Europe' (preamble to the EEC Treaty).

17. The majority of the committee consider that, before taking any further action whatsoever, the European Parliament must be fully informed of the progress achieved as regards the attempts already being made to obtain the grant of the right for citizens of one Member State residing in another to stand for and vote in local elections.

18. If however, the European Parliament should wish to request the Commission to draw up a formal proposal to be submitted to the Council of Ministers and to Parliament itself, that proposal must be based on Article 235 of the EEC Treaty, which provides that:

'If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the Assembly, take the appropriate measures'.

From what has been said in Point 16 above, granting the right to vote to Community citizens residing in a Member State other than their own is indeed 'one of the objectives of the Community' and the Treaty has not 'provided the necessary powers' to achieve that objective.

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<sup>1</sup>In addition, free movement of persons is one of the objectives of the Community, according to the case-law of the Court.

It should be added, for the sake of clarity, that the application of Article 235 is not discretionary; once the Community institutions acknowledge, each as far as it is concerned, that the conditions for the application of that provision are fulfilled, they are under a duty to act accordingly ('... the Council shall ... take the appropriate measures').

19. A minority of the committee considered that Article 235 of the EEC Treaty could not be applied to such a proposal.

20. The majority of the Legal Affairs Committee decided not to propose that Parliament should request the Commission to submit a formal proposal, owing to the extent of the problems involved in drawing it up, for example:

- defining the concept 'local elections' in all Member States;
- the possibility of extending the vote to regional elections as well;
- the constitutional character, in some Member States, of the law linking the right to vote to nationality;
- the special position of those countries in which voting is obligatory;
- the possible need to take precautions against the risks of a dual vote;
- (as regards the right to stand for election) the right of access to public offices connected with the right to stand for election in local elections;
- the essential rights deriving from the right to vote and the right to stand for election (e.g. the right of association and assembly, trade union rights, etc.); these rights are moreover laid down in the European Convention on Human Rights. The European Parliament recently expressed a desire that the Community should accede to that Convention.<sup>1</sup>

21. A minority of the committee, and the rapporteur, are however convinced, especially having noted the Commission's willingness to deal positively with the above-mentioned problems<sup>2</sup>, that the Commission, the institution which has the power to propose legislation, will be able, in accordance with its role and the tasks assigned to it by the Treaty, to draw up the necessary proposal in a relatively short time (also drawing on the experience it has gained from its participation in the meetings of the working party) after the necessary consultations.

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<sup>1</sup> By adopting the motion for a resolution contained in the report drawn up by Mr Gonella (Doc. 1-547/82) (minutes of the sitting of Friday, 29 October 1982).

<sup>2</sup> Meetings of 19 and 20 January and 15 and 16 March 1983.

If it takes this course, the European Parliament should not at this juncture express its views on the details of the problem of granting the right to vote and the right to stand for election to migrant workers until it has been consulted on the Commission's proposal.

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22. From a more general point of view, the Legal Affairs Committee wishes to state that it is firmly convinced that the easiest way to reconcile the special characteristics of the European Council and the proper functioning - in conformity with the provisions of the Treaties - of the Community institutions is to require that, at least as regards the implementation of those measures introduced by the European Council that fall within the ambit of Community activities, the normal procedures for elaborating Community legislative provisions should be followed.

## MOTION FOR A RESOLUTION

tabled by Mr CERAVOLO, Mrs SQUARCIALUPI and Mr BONACCINI

pursuant to Rule 25 of the Rules of Procedure

on the right of migrant workers to vote and to stand for election

The European Parliament,

- considering that in none of the Community Member States do foreign migrants resident in those states have the right to vote or to stand for elections,
  - considering that, despite the fact that section three of the action programme in favour of migrant workers and their families, submitted by the Commission to the Council on 18 December 1974 and revised by the latter on 9 February 1976, stated that 'the objective to be attained is the granting to migrants, at the latest by 1980, of full participation in local elections', nothing has so far been done to achieve this objective,
  - considering that, despite the endorsement given by the European Parliament to the report by the Political Affairs Committee on the granting of special rights, paragraph 3 (d) of which stated that Community citizens should be granted the 'right to stand for and vote at elections and to hold any public office for which they would normally be eligible at local authority level', no action has been taken on the question of special rights,
1. Calls on the Council to adopt coordinated measures as soon as possible to give all Community citizens residing in a Member State other than their own the right to stand for and vote in local elections;
  2. Requests that this right should at the same time be extended to the citizens of the countries applying for accession, of countries with which the EEC has association and cooperation agreements and then, taking account of the problems involved, to all foreign migrants residing within the EEC;
  3. Instructs its President to forward this resolution to the Council and Commission of the European Communities.



## MOTION FOR A RESOLUTION

tabled by Mr GARIGLIA, Mr FERRI, Mr ORLANDI and Mr PULETTI  
pursuant to Rule 47 of the Rules of Procedure

on the need for the Commission to submit formal proposals to the Council of Ministers  
and the European Parliament on the exercise by migrant workers of the right to vote  
and to stand for election

The European Parliament,

- whereas full exercise of the right to freedom of movement for the citizens of Europe implies recognition of the right of migrant workers to vote and stand for election in local government elections,
  - whereas the failure to recognize this right diminishes the civil and political rights of a large section of the resident population,
  - whereas the legislation in force in Ireland (Section 5(2) of the 1963 Electoral Law; Section 1 of the 1972 Local Election Act; Section 2, Electoral (Amendments) 1973) has for some time recognized the right of all foreign residents without distinction to vote and stand for election in local elections; whereas, moreover, this right is similarly recognized in legislation recently introduced in Denmark (Lovtidende, Lov om ændring af lov om Kommunale valg, Lov No. 143, 30 March 1981, Chapters 1 and 2),
  - whereas recognition of the 'right to stand for and vote at elections and to hold any public office for which they [Community citizens] would normally be eligible at local authority level' was expressly recommended in the resolution of 16 November 1976 'on the granting of special rights to citizens of the European Community in implementation of the decision of the Paris Summit of December 1974 (point 11 of the final communiqué)' (OJ No. C 299, 12 December 1977, p. 27, paragraph 3 (d)),
  - whereas, by submitting to the Council of Ministers a special action programme to assist migrant workers and their families (COM(74) 2250 of 18 December 1974, p.22), the Commission made a start on action to remedy this unsatisfactory situation,
1. Calls on the Commission to submit, on the basis of Article 235 of the Treaty and as a matter of urgency, formal proposals for the effective implementation of the aforesaid action programme, with particular emphasis being placed on the need to enable migrant workers to participate fully in local elections, subject to a number of conditions still to be determined, especially as regards the initial period of residence;
  2. Instructs its President to forward this resolution to the Commission.

MINORITY OPINIONS<sup>1</sup>

I. A minority of the Legal Affairs Committee maintained that granting citizens of the Member States residing in a Member State other than their own the right to stand for and vote in local elections is a problem which the Community institutions should not deal with as a priority owing, on the one hand, to the difficulty of achieving positive results within a short time and, on the other, to the fact that there are other more specific and urgent problems to be resolved.

In addition, persons residing in a Member State other than their own may, under the conditions laid down by the law of the host country, take the nationality of that country.

II. A minority of the Legal Affairs Committee, though reassured by the extremely positive opinion of the Political Affairs Committee, maintained that it should be possible for the Commission to submit a proposal within a short time: the end of 1983 was indicated as a suitable date for submitting the proposal, which would then have had the positive secondary, but invaluable, effect of reviving the interest and confidence of the general public in the European Community a few months from elections to the European Parliament.

This opinion was also based on the encouraging statements made at two committee meetings by the representative of the Commission of the European Communities who said that he agreed in principle with Parliament's request to the Commission that the latter should submit a proposal by the end of 1983.

III. A suggestion was also put forward - and rejected - that the Commission should be requested to submit a proposal for the granting of the right to vote and stand for election at all levels higher than local elections.

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<sup>1</sup> See also points 19 and 21

# EUROPEAN PARLIAMENT

## OPINION OF THE POLITICAL AFFAIRS COMMITTEE

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Luxembourg, 3 March 1983

Dear Madam Chairman,

At its meeting of 22, 23 and 24 February 1983 in Brussels, the Political Affairs Committee considered the motion for a resolution tabled by Mr CERAVOLO and others on the right of migrant workers to vote and to stand for election (Doc. 1-382/79/rev.), for which yours is the committee responsible.

The committee heard the views of its draftsman, Mr MOMMERSTEEG, and, following an exchange of views, approved the attached document by 18 votes to 7 with 3 abstentions<sup>1</sup>.

Yours sincerely,

Mariano RUMOR

### Annex

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<sup>1</sup> The following took part in the vote: Mr Rumor, chairman; Mr Haagerup, 1st vice-chairman; Mr Mommersteeg, draftsman; Mr Antoniozzi, Mr Barbi, Lord Bethell; Mr Bournias, Mr Cariglia, Mr Croux (deputizing for Mr Deschamps), Lord Douro (deputizing for Lady Elles), Mr Ephremidis, Mrs Gredal, Mr Habsburg, Mr Hänsch, Mrs Hamrich, Mr von Hassel, Mr Jaquet, Mr Lalor, Mr Majonica (deputizing for Mr Kleusch), Mr van Minnen (deputizing for Mr Schieler), Mr Moorhouse (deputizing for Sir James Scott-Hopkins), Mr Newton Dunn, Lord O'Hagan, Mr Plaskovitis, Mr Prag (deputizing for Mr Fergusson), Mr Romualdi, Mr Schall and Mr Segre.

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7.3.1983

At its meeting of 19/20 October 1982 the Political Affairs Committee appointed Mr MOMMERSTEEG draftsman and, at its meeting of 28 to 30 April 1982, the Political Affairs Committee unanimously adopted a draft opinion on the same subject drawn up by Lord DOURO for the Committee on Social Affairs and Employment.

The Political Affairs Committee takes the view that - in keeping with the preamble to the EEC Treaty - migrant workers from other Member States of the European Community must be granted fundamental civil and human rights in the country in which they work and reside, in accordance with the provisions of Community law and the European Convention on Human Rights.

The committee considers that these rights should not for the time being be extended to the right to vote in general elections, which, owing to the way in which it is closely associated with citizenship, would be institutionally or politically unacceptable in a number of Member States.

The committee does feel, however, that migrant workers from other Member States of the Community must have the right to stand for and vote in local elections insofar as such elections do not in any way directly affect the composition of the national parliament. Decisions taken at municipal level do, after all, have the most direct implications for the living conditions of migrants and their interests must therefore be represented at that level.

It recognizes that desirable though it may be for the sake of social harmony, such extensive rights cannot for the moment be granted under Community

law to migrant workers from countries which do not belong to the Community. To solve this problem, bilateral agreements should be negotiated along the lines of those which already exist between Member States and third countries, failing which unilateral national arrangements could be made.

In this connection, the committee feels, moreover, that particular account must be taken of the accession of Spain and Portugal.

At this stage in the debate the Political Affairs Committee does not wish to express any views on the requirements which might be laid down for participation in local elections.

Finally, the Political Affairs Committee lends its support to the request made by Mrs MACCIOCCHI that the Commission draw up a proposal on this subject by the end of 1983. In this connection, it takes the view that such a proposal should be based on the preamble to the EEC Treaty.

PRESENT SITUATION REGARDING THE RIGHT OF FOREIGNERS TO VOTE OR STAND FOR  
ELECTION IN LOCAL ELECTIONS IN THE COUNTRIES OF THE EUROPEAN COMMUNITY

Denmark:- Right to vote and stand for election for all non-Danish residents  
Requirements: 18 years of age and 3\_years' residence in Denmark.

Ireland:- Right to vote and stand for election for all foreigners.  
Requirements: 6\_months' residence in Ireland

Netherlands: The constitutional obstacles have been removed and a new electoral law is being drawn up which should come into force in 1986.

None of the other Member States of the Community grant foreigners the right to vote in local elections. The United\_Kingdom is somewhat of an exception in this respect inasmuch as citizens of the Irish Republic who are registered as voters in the United Kingdom are entitled to vote in local elections and also to stand for election subject to the same age, residence and other requirements as British subjects.

In Belgium and Italy legislation has been drawn up but has not yet been debated in Parliament.

FOREIGNERS RESIDENT IN EACH COUNTRY OF THE COMMUNITY

= 1981 =

(in thousands)

	Gr.	FRG.	Fr. (1975)	ITALY	NL	B	LUX. (1979)	UK	IRL. (1977)	DK	EUR 10
<u>TOTAL MEMBER STATES</u>	198	1234	614		138	529	56	673	49	24	3515
GREECE	—	299				21					320
F.R. GERMANY	5	—	43		42	27	9	42		8	176
FRANCE		72	—			103	11	25			211
ITALY		625	463	—	21	280	23	94			1506
NETHERLANDS		109			—	66					175
BELGIUM			56		23	—	8				87
LUXEMBOURG							—				—
UK	8	89			38	23		—	44	10	212
IRELAND								469	—		469
DENMARK										—	—
<u>TOTAL NON-MEMBER STATES</u>	62	3396	2828		382	349	35	1464	16	78	8610
SPAIN		177	497		23	58		23			778
PORTUGAL		109	759			10	28				906
TURKEY		1546	51		138	64				16	1815
ALGERIA			711			11					722
MOROCCO			260			105					365
TUNISIA			140								140
<u>TOTAL FOREIGNERS</u>	260	4630	3412 (1975)	89	520	878	91 (1979)	2137	65 (1977)	102	12214

Source: EUROSTAT (unofficial figures)

