



## ECI Proposal

A proposal for 1 million signatures to support

### **FULL POLITICAL RIGHTS**

for EU citizens on the move

- ▷ To claim EU citizenship
- ▷ To remove a stain on EU democracy
- ▷ To do something for Europe

*“For Europe’s sake, at least let us vote”*

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## **TITLE OF THE PROPOSED EUROPEAN CITIZENS' INITIATIVE (ECI)**

Full political rights for European citizens on the move.

## **SUBJECT-MATTER**

Ask the Commission to use Article 25 to propose full political rights for European citizens, granting those residing in another Member State the right to vote in all levels of elections and referenda.

## **OBJECTIVES OF THE ECI**

The ECI aims to strengthen European citizenship by giving citizens who reside in another Member State, a general right to vote, and not just in local and European elections. It is essential to act now due to nationalists and populists using elections as a way of sabotaging the EU and fragmenting the continent. The effects would be:

- complete the political rights of European Citizenship,
- remove a stain on European democracy, and
- give the EU more prominence in electoral and democratic contests.

## **PROVISIONS OF THE TREATIES CONSIDERED RELEVANT BY THE ORGANISERS**

Article 25 of the Treaty on the Functioning of the EU (TFEU).

## **WHY THIS ECI?**

In the past few years, electoral campaigns and votes all over Europe have seen a strengthening of the most extremist wings and a rise of demagogic anti-EU political discourse. Little has been done to counteract the appeal to fascism, racism and xenophobia, which can become accepted as “normal” in the public debate. Furthermore, these forces are using democratic elections not to enhance democracy but to undermine its foundation on the rule of law and to fragment the continent. The counter-offensive must come from assertion of European values which can no longer be taken for granted. In a culturally and linguistically diverse continent, only a shared citizenship can give European values substance.

We believe that governments and mainstream parties are failing to rise to this challenge and are instead either burying their heads in the sand or giving way to nationalistic demands. How else can one explain the timidity of the European Parliament in failing to support transnational lists for the European elections in May 2019? Why are governments reluctant to accept even the timid reform introduced at the 2014 European elections whereby the lead candidate with the most votes becomes President of the next Commission? Why is nothing being done to develop the first transnational citizenship of the modern era, as the answer to resurgent nationalism and a Europe of centrifugal forces? What else can keep Europe together? Why do attempts at reform of the EU end up either as a dead letter or as half measures? The alarm is sounding and that is why we need your support.

## INCOMPLETE CITIZENSHIP

In 1993, with the entry into force of the Maastricht Treaty, EU citizenship was created and included the right for European citizens to vote and stand as candidates in local and European elections in a country other than their own in which they are resident. The addition of European political rights to the economic and social rights associated with freedom of movement was only a partial step forward, since it did not include regional elections or the ones which really count - the national or presidential ones. Furthermore, European citizens do not generally have the right to vote in referenda in their country of residence, even though there have been several on European issues over the last generation. In addition, we can no longer ignore the fact that whatever the geographical level of the democratic contest, the same forces are involved, and elections are interconnected.

## LEGAL BASE OF THE INITIATIVE

This proposed European citizens' initiative is based on Article 25 of the Treaty on the Functioning of the EU (TFEU) which gives a mandate to the European Commission to report every three years on the development of European citizenship and make proposals for its development. The next citizenship report is due in 2019. The Commission already accepted an ECI called 'Let Me Vote' based on Article 25, which was limited to the right to vote in national elections - this initiative goes further in demanding full political rights.

## WHY SUPPORT THIS ECI?

- **To claim European citizenship.** Political rights are the defining feature of any citizenship. Having only partial political rights is a subtle reminder that you are still a foreigner and not equal to citizens in your host country. It is not surprising that the existing rights are insufficiently used and receive very little attention from political parties. However, EU citizenship has deeper historical roots, greater legal substance and is more widely practised than suggested by the official statistics of those living or working in another EU Member State. For these reasons, there is the need to finally *give* full political rights to all EU citizens. In fact, in a series of landmark judgements making this a real citizenship, the Court of Justice of the EU has repeatedly declared: "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...". The court and legislation, such as the so-called citizenship directive (no 2004/38), have allowed EU citizenship to go beyond its purely economic origins in the free movement of labour in a common market to cover all categories of the population. It is time political rights caught up.
- **To remove a stain on European democracy.** Ensuring that people who use their rights to move freely or to migrate do not lose their voting rights is the last hurdle to guarantee universal suffrage and apply in full the principles of no taxation without representation and of one person, one vote. The courts are showing the way forward: "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 judgment of 7 May 2013 in the case

of Schindler v the UK). The argument that people who move abroad lose touch with the society and politics back home and should therefore be disenfranchised was never strong. In a true democracy, the right to vote is no longer conditional on such factors as land ownership or the degree of connection to the body politic. Cheaper transport and digital technologies have allowed migrants to keep in touch more easily with politics back home, where they should be considered as an asset and source of soft power. Similarly, in host country societies, granting full political rights to European citizens will on balance encourage their integration.

- **To do something for Europe.** Giving European citizens full political rights will help ensure that the EU is given more prominence in electoral and democratic contests. Nevertheless, in the current situation, Europeans are excluded from most electoral contests where the issues of “more or less Europe” are played out. National elections – look at Greece, Austria, the Netherlands, France or Italy – are no longer purely national affairs and even regional contests whether in Catalonia or Scotland can have profound implications Europe-wide and indeed are being used to raise European issues. Turning European citizens from passive by-standers to actors in the struggle for political power obliges political parties and public opinion to pay attention to their wishes. In some cases, such as the 2016 referendum in the UK on membership of the EU, that could also have changed the result. Support for this citizens’ initiative is to put up a barrier against the nationalising of the political process to undermine Europe and to act in favour of citizenship and democracy beyond the nation-state.

### **IF WE ARE SUCCESSFUL IN COLLECTING 1 MILLION SIGNATURES, WHAT HAPPENS NEXT?**

This ECI makes the case for full political rights and argues that disenfranchisement is unacceptable just because people use the right to live and work anywhere in Europe. 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. We want to win the argument on all three points and will publish the technical supporting evidence as the campaign develops. 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 four 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 choice between a. and b.;
- d. European citizens should have a fair opportunity of acquiring the nationality of the Member State of their residence if they wish to vote there

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. **The message is: for Europe's sake, at least let us vote!**

If there is support for this initiative, ECIT will put together the citizen's committee of 7 members and plan the next stages.

Please, let us know if you wish to become involved or have suggestions by contacting us at [ecit.found@gmail.com](mailto:ecit.found@gmail.com).