

RESEARCH

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FIDELE MUTWARASIBO

# **DIVERSITY IN EUROPE: THE CHALLENGE OF DEALING WITH THIRD COUNTRY NATIONALS' POLITICAL PARTICIPATION**

**INSTITUTE OF  
PUBLIC AFFAIRS**

## **Diversity in Europe: The Challenge of Dealing with Third Country Nationals' Political Participation**

### **1. Introduction**

Diversity is the norm in many European Cities and towns. However, this diversity has not been reflected in political institutions so far. This is at the heart of the debate on the political rights of migrants who live among us. This paper explores the policy framework of migrants' political integration. International policy and legal instruments promoting political integration are also discussed. The paper, furthermore, explores the arguments for and against migrants' voting rights. Discussions on this issue are lively and, unsurprisingly, the courts have also become involved in them when asked to clarify the legality or otherwise of migrants' voting rights.

The continuum of political participation is also explored in detail by focusing on both the participation through electoral processes in countries where it is possible to do so and non-electoral political participation in various European countries. Case studies on the Republic of Ireland and the Bologna Foreign Citizens' Council are discussed in the paper. The Irish case study has been included in order to demonstrate, in practical terms, the implications of affording migrants the right to vote in local elections. The Bologna case study, on the other hand, highlights a practical way to deal with issues pertaining to migrants' political inclusion in countries where they don't have voting rights.

### **2. Policy Framework for Migrants' Political Integration**

There are a number of international instruments that highlight the need for migrants' political inclusion and representation. These include the 1948 Universal Declaration on Human Rights. Article 21(1) of the Declaration states

that “every one has the right to take part in the government of his/her country, directly or through freely chosen representatives”. The civil and political rights of migrant workers are also covered in Articles 11; 12; 13; 14; 15; 16.1, .2, .4 and .8; 17; 18; 22; 25; 27; and 31 of the International Convention on the Protection of All the Rights of Migrant Workers and Members of Their Families. Closer to home, in 1992, the Council of Europe adopted the Convention on the Participation of Foreigners in Public Life at the Local Level, with the aim of encouraging active participation of foreign residents in the life of the local community. Article 6 recommends granting foreign residents the right to vote and stand for election in local authority elections after five years of residence. However, Member States can restrict voting rights and can stipulate shorter periods of residence. As at 19 May 2006, only 11 Member States had signed the Convention, with a mere eight ratifying it (NGO Network of Integration Focal Points, 2007). Furthermore, the ninth European Union Common Basic Principle on Integration states that “the participation of immigrants in democratic process and in the formulation of the integration policies and measures, especially at the local level, supports their integration” (Council of the European Union, 2004).

Within the European context, it is important to differentiate between the voting rights of EU nationals living in other EU Member States and non-EU nationals (commonly known as Third Country Nationals) living in EU Member States. The Maastricht Treaty granted voting rights to Non-National EU Citizens. Article 8(b) of the TEU [Treaty on European Union] in its sub-section 1 provides citizens and representative associations among other things the opportunity to make known and publicly exchange their views in all areas of Union action. Embedded in these civic and political rights is the provision for “European citizens residing in other Member States to vote and stand in European and local elections, under the same conditions as the nationals of those countries” (Vintila, 2012 p.5). Bauböck argues that “[t]he case for external voting rights is particularly strong in the EU for three reasons. First, because it can be linked to the core of EU citizenship, which is right of free movement; second, because it respects the principle that EU citizenship is derived from Member State nationality rather than from residence; and third because [it ensures that] ...free movers will not

lose their indirect representation in EU legislation through the vote of their national government in the Council” (Bauböck, 2012, p. 59).

The debate on the voting rights of foreign residents has even gone before the courts for clarification and legal interpretation. In 1990, “the German Constitutional Court declared the local voting rights legislation of certain federal states (Länder) to be unconstitutional. The Court argued that the constitutional clause granting voting rights to the German people had to be interpreted as covering only persons with German nationality (judgement of 13 October 1990. BVerfGE 8 3: 37). The Constitutional Court of Austria handed down a similar judgement in 2004 (Verfassungsgerichtshof 30 June 2004. C118/03) ... [these cases were not limited to Germany and Austria]. In 1992, the French Constitutional Council held that it would be contrary to the Constitution to extend voting rights to non-nationals” (Groenendijk, 2008 p. 5).

### **3. Debates on Migrants’ Political Inclusion in Receiving countries**

Debates on the merits of political participation of foreigners have not been limited to international conventions, civil society, policy makers and courts. In 2006, the newspaper Le Monde reported that residents of Saint-Denis (France) were in favour of extending voting rights to foreigners. In a non-legally binding local referendum on migrants’ right to vote in the local elections held on March 26<sup>th</sup>, 2006, 64.11% of Saint-Denis’ residents approved the motion. In the same year, in South Korea, for the first time, foreigners who had lived in the country for three years or more after acquiring permanent residence participated in the local elections (Rahn, 2006). In Italy, ANSA (2006) reported that the government was studying a proposal to extend voting rights in the local elections to migrants. The city of Rome took the leap and organised elections for its migrant population to vote for migrant representatives to act as their city and district representatives. Four non-voting seats on the Rome City Council were earmarked for representatives of Africa, Asia, Latin America and Eastern Europe (Associated Press, 2004).

Opponents of extending voting rights to migrants argue that allowing migrants to vote would remove the incentive to become a citizen and hence obtain voting rights. Proponents of migrants' voting rights suggest that voting rights promote civic education and participation among the migrant communities. The main arguments for extending voting rights to resident foreigners include: no taxation without participation; equal treatment over time; more political participation of the whole society; immigrants are permanent members of society; and pathways to citizenship (Groenendijk, 2008 p. 5). Opponents of extending the right to vote to foreign residents have raised the following points: voting rights should be an earned privilege and foreign influence and ethnic parties should be prevented; immigrants should not disturb power relations; the possibility of the domino effect should be taken into account and naturalisation should be encouraged instead (Groenendijk, 2008 p. 5). Other arguments put forward by those who oppose migrants' voting rights include: the loyalty question; lack of preparation for voting and the possibility of electoral fraud (Hayduk and Wucker, 2004).

In some European countries, the political elites have welcomed migrants into the political system because political integration ensures "better information about the policy preferences of ethnic groups" (Fennema & Tillie, 1999, p. 704). It is argued that "early and active participation of migrants in decisions concerning their lives is critical; a well-established dialogue with authorities and civil society at all levels will ensure mutual respect and understanding and help all concerned to live up to their responsibilities" (Society for International Development-Netherlands Chapter, 2002, p. 7). There is no doubt that migrants' participation in local elections helps to strengthen their trust and confidence in the political system of their country of residence. The extension of voting rights in local elections to migrants offers an incentive for involvement in local communities, and also promotes inclusiveness among the wider society. It is argued that "participation in the political processes is one of the most important elements of active citizenship. Political participation of immigrants provides opportunities for integration and should be supported in its different forms, including acquisition of nationality, local electoral rights and consultative structures" (Niessen & Huddleston, 2004, p. 40). Integration is about learning how

to deal with competing interests; it requires a framework that allows all voices to be heard, not only the loudest ones.

#### **4. Migrants' Political Participation Through Electoral Politics**

Within the European context, “17 [Member States] allow some categories of resident non-nationals to participate in local elections... These states are Belgium, Denmark, Estonia, Finland, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Norway, Portugal, Slovakia, Slovenia, Spain, Sweden, six cantons in Switzerland and the United Kingdom. Eight of these states (Denmark, Hungary, Norway, Portugal, Slovakia, Sweden, six cantons in Switzerland, and the United Kingdom) allow non-nationals (EU nationals and third country nationals) to vote in elections for regional or national representative bodies. Five of these 17 states (Belgium, Estonia, Hungary, Luxembourg, and Slovenia), do not allow third-country nationals to stand as candidates in municipal elections” (Groenendijk, 2008 p. 3-4). Details on political rights of foreigners can be found in Table 1 below.

Fifteen European Union Member States allow foreign nationals to vote in local elections. These are: Belgium, Estonia, Denmark, Finland, Hungary, Ireland, Lithuania, Luxemburg, the Netherlands, Portugal, Slovakia, Slovenia, Spain, Sweden and the United Kingdom. Seven of these (Denmark, Hungary, Portugal, Slovakia, Sweden and the United Kingdom) allow non-nationals (EU and third-country nationals) to vote in regional elections. Some of the countries allowing participation in local elections impose a residency condition. In Denmark, Estonia, Portugal and Sweden, migrants are required to fulfil a three-year residency condition. In Belgium, Luxemburg and the Netherlands, the residency condition is five years. The United Kingdom does not impose a residency condition. Moreover, EU and Commonwealth Citizens living in the United Kingdom are specifically named as eligible voters. Similarly, the Czech Republic, Malta, Portugal and Spain apply a reciprocity condition. In terms of the right to stand as candidates in elections, Belgium, Estonia, Hungary, Luxembourg and Slovenia do not allow third country nationals to stand in municipal elections. Austria, Bulgaria, Cyprus, Czech Republic, France, Germany, Greece, Italy, Latvia,

Malta, Poland and Romania do not allow migrants to participate in local elections. The constitutional law of the Czech Republic, Italy and Malta permits non-nationals to vote, but the necessary national legislation or international agreements have yet to be adopted, preventing migrants from participating in local elections (Groenendijk, 2008, pp. 3-5).

According to Groenendijk (2008 p. 5-6), in terms of registration on the electoral register and eligibility, there are variations. In Ireland and the UK, a simple registration process similar to that used by citizens is sufficient. In Belgium, non-citizens have to make an application and sign a declaration pledging respect for the Belgian Constitution and legislation. Estonia, Hungary, Slovakia and Slovenia require more than just simple residence: only third country nationals with permanent residence have voting rights. The Czech Republic, Malta, Portugal and Spain apply the reciprocity condition. The Czech Republic and Malta have no agreement with third countries and in the case of Spain, Norway is the only non-EU member state with the relevant arrangement. Portugal, on the other hand, has concluded agreements with many countries outside the European Union.

Table 1: Non-Citizens' voting rights (Source: the Immigrant Voting Project - see Hayduk and Wucker, 2004)

Polity/Year	Eligibility
Belgium (2004)	Local elections
Austria (2002)	Local elections in Vienna
European Union (1992)	Reciprocal local and European parliament elections for all member nations
Barbados (1990)	Citizens of British Commonwealth can vote in national elections
Hungary (1990)	Local elections for permanent residents
Chile (1989)	Local and national elections
Iceland (1986)	Nordic Union citizens can vote in local elections

Spain (1985)	Local elections
Venezuela (1983)	10-year residents can vote in local and state elections
Finland (1979)	Nordic Union can vote in local elections (expanded in 1991 to all four-year residents)
Netherlands (1979)	Local elections in Rotterdam (expanded nationwide in 1985)
Norway (1978)	Local elections for Nordic Union (expanded in 1995 to three-year residents)
Denmark (1977)	Local elections for Nordic Union (expanded in 1981 to all foreign residents)
Portugal (1976)	National and some local elections (expanded in 1997 to all foreign residents)
Sweden (1975)	Local and regional elections, plus some national referenda
New Zealand (1975)	Local and national elections
Ireland (1963)	Local elections (expanded in 1985 to remove six-month residency requirement and to allow British citizens a national vote)
Uruguay (1952)	National elections for 15-year residents
Israel (1950)	Local elections for Jewish residents only
United Kingdom (1948)	National elections for Commonwealth and Irish citizens
Switzerland (1849)	Five-year residents in Neuchatel canton (expanded in 1979 to include 10-year residents in Jura canton)

#### 4.1. Case Study: Republic of Ireland

In Ireland, the provision of voting rights to non-nationals reflects a belief in the importance of local integration. According to the Electoral Act of 1992 (Part II, section 10), “a person shall be entitled to be registered as a local government elector in a local electoral area if he/she has reached the age of eighteen years

and he/she was, on the qualifying date, ordinarily resident in that area” (see Table 1). It should be noted that provisions for the participation of foreign nationals in local elections have existed in Ireland since 1963. Voting rights in Ireland are covered in detail in Table 2 below.

Table 2: Voting Rights in the Republic of Ireland

Election	Eligibility
General Elections	Irish and UK Citizens
Seanad Elections	Graduates of Trinity College Dublin and the National University of Ireland (NUI), Outgoing Seanad, Incoming Dáil, Members of County Councils
Local Elections	All those who are ordinarily resident in the Irish State of any Nationality
Referenda and Presidential Elections	Irish Citizens only
European Elections	EU Nationals

Source: Mutwarasibo & McCarthy (2002); Kenny (2003)

As highlighted in Table 1 above, the extension of voting rights to migrants in Ireland dates as far back as 1963; the issue gained prominence following the Irish inward immigration experience that became a prominent feature of the economic boom that started in the mid-1990s. Initially, it was the migrants themselves and a few NGOs that mobilised the migrants and encouraged them to participate in local elections. Moreover, between the 2004 and 2009 local elections, other actors joined the campaign to encourage the political participation of migrants. The Migrant Voters Campaign initiated by the Integration Office of Dublin City Council, launched in 2008, was aimed at raising awareness among migrants of their voting rights, the need to register to vote and how to vote on the day of elections (Dublin City Council, 2008). In the run-up to the 2009 local elections, the *Ceann Comhairle* (Speaker of the Parliament), John O’Donoghue, and the Minister for Integration, John Curran, hosted fourteen candidates from nine countries, including Nigeria, Russia, Colombia, South Africa

and Zimbabwe for a seminar on the importance of immigrant participation in politics (MacCormaic, 2009). In his address, John O'Donoghue argued, "it is also important that ... [ethnic minorities'] views and opinions are aired and their needs addressed" and commended the fact that migrants were taking an active role in politics in Ireland. He went on to say, "the decision ... to stand for election should serve as an example and encouragement to those from other countries who come to live in Ireland" (MacCormaic, 2009).

Over 40 candidates of migrant backgrounds stood in the 2009 local elections. The majority stood as political party candidates: Fianna Fáil (9); Fine Gael (8); Labour (4) and the Green Party (8). Eight candidates stood independent of political parties. Migrant candidates came from a wide range of countries of origin including: Nigeria (14), India (1), Poland (8), Russia (2), Colombia (1), Pakistan (1), Lithuania (2), Latvia (2), Zimbabwe (1), USA (1), Moldova (1), Netherlands (1), Congo DRC (1) and South Africa (1). Only one in ten migrant candidates was successful compared to one in three for the established population candidates (Mutwarasibo, 2009). In one constituency in West Dublin, three Nigerian candidates ran, preventing any of the migrant candidates from receiving enough votes for victory. Idowu Sulyman Olafimihan stood for Fianna Fáil, Adeola Ogunsina for Fine Gael, and Ingatius Okafor stood as an independent candidate. It is reasonable to assume that Nigerians who voted for candidates of Nigerian backgrounds as their first preference gave secondary priority to other candidates with the same political affiliation as their preferred candidate. Proportional representation means that in a multiple seat constituency, a voter can indicate her/his first and subsequent choices. Those who reach the quota are elected automatically and the votes of those who score lowest are distributed to the remaining candidates until the quota is reached. The cross-transfer of votes helps those with reasonable scores in the first preference count. In the case of the three candidates of Nigerian extraction, their first preference vote did not give them the opportunity to benefit from the tally of second, third and subsequent preferences.

The work of immigrant organisations between the 2004 and 2009 local elections effectively encouraged political parties to engage with migrants in preparation

for the 2009 local elections (for details see Mutwarasibo 2012). As a result, most of the migrant candidates ran as members of political parties in the 2009 local elections. Fine Gael and Fianna Fáil went as far as recruiting Polish migrants to help them reach out to migrant communities.

Migrants have been involved in a continuum of civic and political participation that involves electoral and non-electoral political practices (Mutwarasibo, 2010). Conventional (electoral) politics includes involvement in political parties' activities, voting, canvassing, distributing campaign material, standing for elections and so forth. Infra-politics (non-electoral), on the other hand, includes protests, demonstrations, sit-ins, hunger strikes, boycotts, trade union politics, pressure groups, the direct mobilisation of ethnic communities, humanitarian movements, environmentalist movements, neighbourhood committees and customers' associations, among others. Infra-politics is particularly relevant in Ireland because politics is dominated by local politics and clientelism. Local politics underpin politics both at the local level and at the national level. The use of proportional representation ensures that even within the political parties there is competition at the local level. The uniqueness of the Irish political scene may explain why Taiwo Matthew and Rotimi Adebari were elected to the local town council in Ennis and Portlaoise respectively in 2004, having lived in Ireland for four years. In June 2007, his fellow town councillors elected Rotimi Adebari to the position of mayor long before he acquired Irish citizenship. His election did not follow the model of migrant political participation observed by Zappala (1999) in Australia. His research revealed that political representation of migrants in mainstream institutions can take up to twenty years due to the challenges of initial survival and settlement, and the amount of time it takes to fulfil the requirements to apply and acquire citizenship through naturalisation.

## **5. Migrants' Political participation Through Non-Electoral Politics**

The European Inclusion Index suggests that institutions across Europe have failed to keep up with the growing diversity of their societies (Leonard & Griffith, 2003). According to Rudiger and Spencer (2003), special consultation mechanisms for minorities ranging from engaging the minority ethnic voluntary sector to

electing or appointing individuals as community representatives to advisory or decision-making roles have been put in place across the EU. Many of these consultative bodies have held only advisory roles and this has proved to be somewhat frustrating to the participants. In order to move forward, consultations must address the needs of minorities and not merely those of decision-makers. In some countries, “advisory councils have been established, in which representatives of various ethnic minorities participate and an attempt is made to register the preferences of ethnic groups” (Finnema & Tillie, 1999, p. 704). In multi-ethnic societies, it is appropriate to give all members of society a say in how the country is run. Migrant networks and mainstream NGOs providing services to migrants “are important for the individuals within the groups and for integration activities, bridging the gap between immigrants and wider society” (Penninx, 2006, p. 129). Ethnic minorities can work directly with politicians; they can do so through intermediaries or so-called “alternative facilitators” (Zappala 1998). Alternative facilitators are “people who emerge from the ‘natural processes of ethnic communities’, and generally play a type of leadership role within their communities because of business or professional success” (Zappala, 1998, p. 693 as cited in Jupp *et al.*, 1989, p. 5). Historically, trade unions have also been active in advocating the rights of migrants. According to Martiniello, “immigrant presence in unions is an older and better-known phenomenon” (2005, p. 12). Migrant interests have been represented in civil society in Ireland since the late 1990s. Non-electoral political participation and representation is important, but political participation through the electoral process brings migrants into mainstream political institutions and decision-making circles.

Participation of migrants in policy making and public debate is not limited to the ability to participate in elections. The 1992 Council of Europe Convention gives a list of options open to governments to consult foreign nations. Chapter A outlines the obligations of all signatory states in relation to: freedom of speech, assembly, association and the right to be involved in local public inquiries, planning procedures, and consultation procedures. Chapter B, although it included an opt out option at the time of signature, stipulates the obligation to encourage and facilitate local consultation bodies of foreign residents. Finally, Chapter C, which also had an opt-out option at the time of signature, suggests

granting the right to vote at local level after a maximum of five years. The granting of the right to stand as candidates to migrants was left to the discretion of signatory states in Chapter C of the Convention. According to Huddleston (2010, p. 5), European countries started working on immigrant consultative bodies when Ministers agreed the Common Basic Principles for Integration in 2004. Two principles are worth mentioning at this stage:

- Common Basic Principle 7: *Frequent interaction between immigrants and Member State citizens is a fundamental mechanism for integration. Shared forums, inter-cultural dialogue, education about immigrants and immigrant cultures, and stimulating living conditions in urban environments enhance the interactions between immigrants and Member State citizens.*
- Common basic Principle 9: *The participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, supports their integration.*

Furthermore, “[t]he European Commission’s 2005 Agenda on Integration suggested the creation of advisory platforms of Third Country Nationals as one way to implement this principle with national and EU policies and funding ... The European Integration Forum, launched in April 2009, could become a key mechanism to promote greater opportunities for immigrant consultation at national and EU level” (Huddleston, 2010, p. 5). “National governments consult their foreign residents in 10 EU member States, as well as Norway and Switzerland ... consultation frameworks exist in Germany and Italy ... Austria, France and Greece ... have legal framework and bodies at local but not (yet) national level ... the oldest national bodies (in Benelux countries and the Nordics) date back to the 1970s and 1980s. Several of these earlier official bodies have disappeared ... [for example in] Estonia and Sweden” (Huddleston, 2010, p. 6).

Huddleston (2010, p. 10) suggests that “[a]ll structural bodies react to government requests for consultation on laws, policies, and proposals as part of their legal obligations ... most national bodies ... have the formal right to initiate

their own reports and recommendations, even when not consulted. Bodies in Norway and Spain have a right to a response from government”.

In terms of composition and membership of the consultative bodies, Huddleston (2010, p.10) “embraces those composed entirely or partly of foreign residents ... [such bodies] tend to be independent NGOs or umbrella organizations that are entirely organized and led by residents themselves ... [they] may - and sometimes must - include immigrants who have naturalized or been born in the country”. On the other side of the spectrum, Huddleston (2010, p. 10) claims that “bodies only partly composed of foreign residents mix democratic and technocratic approaches to consultation. They bring together representatives of different ministries in order to better ‘mainstream’ integration into different policies”. Setting the agenda and convening the meeting is critical when it comes to having effective and meaningful consultation. “Weak consultative bodies may divert immigrant associations out of mainstream policies and debate and into marginalized and government-dominated structures. Three national bodies are led by foreign residents (Denmark, Netherlands, Norway) while chairing is shared in Finland and Switzerland. ... In all countries ... immigrants tend to be given the lead at local level bodies, while national ministers want to keep the key leadership role”. In his conclusion, Huddleston (2010, p. 14) claims that, countries with robust bodies: do more to promote civic participation; support the emergence of immigrant civil society; grant basic political liberties to all; and open voting rights and citizenship. Details on consultative bodies across the European Union can be found in Table 3 below.

Table 3: National Consultative Bodies (and where also present, local and regional ones) - Note: \*= similar structures at national and local/regional level - see Huddleston (2010, p. 7)

Country	Structures
Belgium	Consultative Committee for Foreigners Minorities Forum (Flanders)
Denmark	Council for Ethnic Minorities in Denmark*
Finland	Advisory Board for Ethnic Relations (ETNO)*
Germany	Framework for Consultation (e.g. Integration Summit, Islamic Conference) Regional and Local Foreigners' Advisory Council (e.g. AGAH Hesse)*
Ireland	Council on Integration - <i>Ministerial Council</i> - [added by the author] (begun summer 2010) New Communities partnership Forums (e.g. Dublin, Cork, Limerick)
Italy	Legal Framework for Consultation (Legislative Decree 286/98) Adjunct Councillors to city Council (Rome)
Luxembourg	National Council on Integration*
Netherlands	National Dialogue Structure with Minorities
Norway	Contact Committee for Immigrants and Authorities (KIM)*
Portugal	Consultative Council for Immigrant Affairs*
Spain	Forum for the Social Integration of Immigrants*
Switzerland	Federal Commission for Migration Questions*

### 5.1. Case Study: Bologna (Italy)

Bologna is one of the forerunners in giving migrants a voice through the Foreign Citizens' Council. The Council has 30 seats subdivided among three electoral districts, i.e. Bologna itself, the 10 municipalities that form the arrondissement of Imola and the rest of the province. The electorate is made up of residents of the province who are neither Italian citizens nor citizens of other EU member States. In 2007, 32 lists competed in the elections. The turnout was 21%, "in line

with similar experiences in Italy” (Sredanovic, 2012 p. 2). Most of those elected were from the top 20 nationalities. The exception was a Croatian candidate who is likely to have benefited from inter-ethnic votes because of her activism. Since the election, a number of councillors have resigned, mainly after gaining Italian citizenship (Sredanovic, 2012 p. 9). Although there was a gender quota on the list, only 4 out of the 30 elected councillors were women. Furthermore, women had a turnout of 16.8%, compared to 25.2% of their male counterparts (Sredanovic, 2012 p. 10). Table 4 below highlights variations in participation levels of Third Country Nationals from the top 20 countries of origin in the 2007 elections of the Bologna Foreign Citizens’ Council.

Table 4: Electors, turnout and councillors for the top 20 countries of origin of migrants – Bologna Foreign Citizens’ Council 2007 (adapted from Sredanovic, 2012 p. 9).

Country of origin	Electors		Turnout	Councillors	
	N	%		N	%
Morocco	8,773	20.0	28.8	11	37
Albania	4,622	10.6	10.9	2	7
Russia	3,342	7.6	7.2	0	0
Philippines	3,172	7.2	32.7	3	10
Tunisia	2,511	5.7	14.6	0	0
Pakistan	2,433	5.6	40.7	7	23
Bangladesh	2,430	5.5	55.1	3	10
China	2,292	5.2	15.1	1	3
Yugoslavia	1,263	2.9	6.9	0	0
Sri Lanka	1,168	2.7	32.7	1	3
Ukraine	1,109	2.5	7.4	0	0
Moldova	901	2.0	6.8	0	0
Peru	751	1.7	8.1	0	0
Ethiopia	623	1.4	19.3	0	0
Brazil	610	1.4	4.1	0	0
Nigeria	497	1.1	22.9	0	0
Senegal	495	1.1	26.7	0	0

Egypt	478	1.1	8.8	1	3
India	460	1.0	12.6	0	0
Cuba	329	0.7	3.3	0	0

The fact that the Province of Bologna is obliged to consult the Foreign Citizens' Council, albeit without obligation to follow its recommendations, means that in theory migrants are consulted in the development of policies that affect them. There would also be concerns about the representation of migrant communities without representation on the council. Nevertheless, in the absence of migrants' voting rights in the local elections, the council offers an important vehicle for the migrants to engage with policy makers at local level.

## **6. Looking beyond the current migrant generation**

Huddleston (2011) claims that migrants are encouraged to participate politically as foreigners in countries that encourage them to become citizens, such as Nordic countries, Benelux countries, Anglophone countries and Portugal. He further argues that where the governments are only accountable to citizens, it is most of the time harder for migrants to become citizens. He gives the examples of Central Europe, Baltic and Eastern Mediterranean countries. As Table 5 below shows, in the countries highlighted the share of voters of migrant extraction has increased over time. This is not only true in local elections, but also in general elections.

Table 5: Estimates of the Share of Voters of First or Second-Generation Immigrant Origin among the National and Local Electorates in 10 Countries, 1980-2008 - % (Koopmans, Michalowski and Waibel, 2012 appendix TABLE A1)

	1980		1990		2002		2008	
	Nat.	Loc	Nat.	Loc.	Nat.	Loc.	Nat.	Loc
Austria	.9	.9	2.0	2.0	4.9	8.3	7.4	11.3
Belgium	.7	.7	2.2	2.2	6.1	11.7	8.1	14.3
Denmark	.7	2.6	1.4	4.3	2.0	6.9	3.2	9.0
France	2.5	2.5	4.8	4.8	7.3	9.2	9.9	11.9
Germany	.2	.2	.5	.5	1.8	4.9	2.8	5.7
Netherlands	2.5	2.5	4.8	9.1	9.5	13.8	10.3	14.7
Norway	.4	2.3	1.1	4.4	3.4	7.8	5.1	11.5
Sweden	2.2	7.3	4.5	10.1	9.1	14.4	11.4	17.5
Switzerland	3.0	3.0	5.2	5.2	8.6	8.6	11.9	11.9
UK	2.1	2.1	4.3	4.3	6.7	8.3	10.2	12.6

Qualitative and quantitative research suggests that migrants' registration and participation rates in elections in countries where they are eligible to vote are lower than those of established communities, but the situation tends to improve with time and naturalization. Furthermore, according to the European Social Survey, the difference disappears once researchers take on board less conventional and visible forms of participation (Huddleston, 2011).

## 7. Conclusion

Fabbrini reminds us of the words of wisdom of Thomas Jefferson in the 1776 Declaration of Independence, where he argued that "governments are instituted among men deriving their just powers from the consent of the governed". Who ought to be considered as the "governed" has nonetheless remained a largely unsettled question in legal practice" (Fabbrini, 2010 p.1). This quotation is reminiscent of the debate on the political rights of migrants in our midst. Some countries have made moves to include foreigners in the political sphere,

whereas others have maintained the importance of the privilege of citizenship and its attached voting rights.

Some countries, as discussed in the case study on Bologna, have come up with mechanisms to ensure that the voice of migrants is heard. International instruments clearly indicate the pivotal importance of political participation of all residents, including migrants. It is time to have an open debate on the issue and, more importantly, it has to be stressed, new countries of immigration should look at what is happening in countries that have explored the idea of opening the political space to migrants. Furthermore, more efforts need to be made across the European Union to encourage EU nationals living outside their countries of origin to use their voting rights in their countries of residence.

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The Institute of Public Affairs  
Address: 5 Szpitalna St., # 22, 00-031 Warsaw, Poland  
tel. +48 022 556 42 99  
fax +48 022 556 42 62  
e-mail: [isp@isp.org.pl](mailto:isp@isp.org.pl); [www.isp.org.pl](http://www.isp.org.pl)