



Recommendation 951 (1982)¹

Voting rights of nationals of Council of Europe Member States

Parliamentary Assembly

The Assembly,

1. Noting that an estimated 9 million nationals of Council of Europe member states do not reside in their country of origin, but in some other member state of the Council ;
2. Considering that these citizens cannot normally take part in elections or referenda held in their country of residence because they are not nationals of that country ;
3. Noting that many of them are also unable, under national legislation, to take part from the territory of their country of residence in elections and referenda held in their country of origin because they have no domicile there ;
4. Noting that some member states impede or even prohibit participation by aliens in elections and referenda held in their country of origin, even if legislation in that country permits such participation ;
5. Considering that millions of nationals of Council of Europe member states are thereby deprived of all civic rights ;
6. Mindful that one of the major concerns of the Council of Europe is to preserve and strengthen democracy and civic rights in member states ;
7. Emphasising the importance it attaches to the rights guaranteed by the European Convention on Human Rights and the First Protocol thereto, particularly freedom of expression, freedom of peaceful assembly and freedom of association, as well as the obligation for member states to hold free elections at regular intervals ;
8. Believing that steps should, therefore, be taken to ensure that every national of a member state is able to exercise his political rights, at least in his country of origin, when he resides in another Council of Europe member state,
9. Calls on the governments of Council of Europe member states to facilitate and not prevent or hinder, by administrative measures, participation and the free exercise of voting rights from their territories by other member states' nationals in elections and referenda held in the countries of origin of those nationals ;
10. Recommends that the Committee of Ministers :
 - a. support the Assembly's appeal to member states' governments regarding the free exercise of the voting rights of other member states' nationals ;
 - b. study the most appropriate instrument for establishing a European legal guarantee of the free exercise of the voting rights of member states' nationals living in another member state ;

1. Assembly debate on 1 and 2 October 1982 (13th and 14th Sittings) (see [Doc. 4934](#), report of the Legal Affairs Committee). Text adopted by the Assembly on 2 October 1982 (14th Sitting).



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- c. consider the possibility of harmonising member states' laws in the interests of maintaining the voting rights of their nationals living in another member state with regard to nation-wide elections and referenda, especially with a view to enabling votes to be cast by post or through diplomatic or consular missions ;
- d. envisage, if appropriate, the drawing up of a protocol to the European Convention on Human Rights whereby member states would undertake to respect such voting rights for their nationals living in another member state and refrain from hindering the exercise thereof by any measure whatever.