



Doc. 13029

27 September 2012

For more democratic elections

Committee Opinion¹

Committee on Migration, Refugees and Displaced Persons

Rapporteur: Mr Giacomo SANTINI, Italy, Group of the European People's Party

A. Conclusions of the committee

1. The Committee on Migration, Refugees and Displaced Persons congratulates Mr Jean-Charles Gardetto on his report "For more democratic elections" and agrees with the rapporteur's main conclusions.
2. It agrees wholeheartedly that democratic elections are decisive for ensuring that the will of the people is respected in the shaping of the legislature and government at all levels and that elected bodies are effectively representative.
3. The committee wishes to highlight that for elections to be truly "democratic" and to reflect the will of the "people", it is necessary to ensure that the maximum number of persons concerned are able to participate. With immigration becoming an increasingly important phenomenon across Europe, it is important to make sure that immigrants also have a possibility of "participating", whether this be through facilitating citizenship, through giving them voting rights or by supporting other forms of political participation.
4. The committee proposes only one amendment, intended to supplement the text of the draft resolution.

B. Proposed amendment

Amendment A (to the draft resolution)

In the draft resolution, after paragraph 8.1.6, insert the following paragraph:

"facilitating access to nationality as advocated in the European Convention on Nationality (ETS No. 166) and granting migrants voting rights and/or other possibilities for political participation as proposed in the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144). Democratic legitimacy is not served by excluding large numbers of migrants from political life and democratic elections."

1. Reference to committee: Decision by the Bureau of the Assembly, Reference 3629 of 25 January 2010. Reporting committee: Committee on Political Affairs and Democracy. See [Doc. 13021](#). Opinion approved by the committee on 14 September 2012.



C. Explanatory memorandum by Mr Santini, rapporteur for opinion

1. Introduction

1. I would like to congratulate our colleague Mr Gardetto on his report “For more democratic elections” and I fully support the conclusions contained in the draft resolution.
2. My opinion is focused on the issue of migrants and how to ensure that they participate and are represented so far as possible in democratic elections. In this respect I would like to highlight the importance of paragraph 1 of the draft resolution. In this paragraph, the Parliamentary Assembly “emphasises once more that democratic elections are decisive for ensuring that the will of the people is respected in the shaping of the legislature and government at all levels and that elected bodies are effectively representative”.
3. Furthermore, I welcome the fact that the fostering of participation is listed as one of the three main imperatives to improve the democratic character of elections (paragraph 7) and that “gender” and “ethnicity” need to be taken into account when seeking to better reflect the opinion of the people (paragraph 8.1.5).

2. The will of the people

4. The “will of the people” is essential, but one has to ask, who are the people? Over the last centuries and even more over recent decades, “the people” is a term that has become increasingly inclusive as universal suffrage has developed, with suffrage becoming detached from, for example, wealth, sex or owning land.
5. Nevertheless, migrants still have many limits on their right to vote and participate in elections. However, the European Union’s Maastricht Treaty has taken universal suffrage a step further, giving European Union nationals resident in another member State the right to vote in local elections and in elections for the European Parliament. Furthermore, the Council of Europe, in its European Convention on Nationality (ETS No. 166) and its convention on the Participation of Foreigners in Public Life at Local Level (ETS No.144), has promoted both citizenship for migrants and voting rights and participation for migrants.
6. Member States have increasingly become countries of immigration and have recognised the necessity either of allowing residents who are not nationals the possibility of becoming nationals, or of increasing the opportunities for their participation in democratic life (for example voting, participation in consultative bodies, etc.).

3. How many migrants are potentially excluded from democratic participation?

7. The Russian Federation has over 12 million migrants,² Germany over 10 million, France, the United Kingdom and Spain each have over 6 million and Ukraine has over 5 million.³ According to the Organisation for Economic Co-operation and Development (OECD), immigrants account for 13% of the population in OECD countries, with 37.6% in Luxembourg, 26.6% in Switzerland, 13% in Germany, 11.5% in the United Kingdom, 8.6% in France and 8% in Italy.⁴ A large number of these people do not have a right to vote and have limited possibilities of participating in political life. It thus becomes increasingly difficult to say that the “will of the people” is taken into account.

4. Drawing from the past work of the Parliamentary Assembly to propose solutions

8. It is therefore important that measures be taken to improve the democratic participation of migrants, and in this it is possible to draw on the previous work of the Assembly, and in particular [Resolution 1618 \(2008\)](#) “State of democracy in Europe. Measures to improve the democratic participation of migrants”.
9. This resolution highlighted the need to encourage the integration of migrants in order to facilitate their democratic participation. It also highlighted a number of steps to remove the impediments to democratic participation. These steps included facilitating access to nationality, granting long-term residence status to those who have been in the country for five years or less, regularising the situation of irregular migrants who

2. According to the Russian Delegation, it is impossible to put a figure on the number of migrants in the Russian Federation as the status of migrant is not clearly defined in national law.

3. MPI (Migration Policy Institute) data hub.

4. International Migration Outlook 2012, p. 51, and OECD International Migration Database.

are not going to be returned to their countries of origin, granting voting rights, including the right to vote and stand in local and regional elections after a residence period of five years (or less), signing and ratifying the Convention on the Participation of Foreigners in Public Life at Local Level, and, finally, lifting restrictions in order to encourage migrants to join political parties or other forms of political association.

10. More recent research indicates the importance of these measures highlighted by the Assembly in the above-mentioned resolution. The limited data available indicate that migrants are under-represented among likely voters, elected officials and members of political parties.⁵ It is also clear that migrants need to have greater political opportunities, but these depend on matters such as the political discourse of the day, opportunities for education, migrants' length of residence, their background, etc.⁶ A recent survey found that most migrants would vote if they had the right and that they want more diversity in politics (including parliamentarians from immigrant backgrounds who would better understand and represent them).⁷

5. Conclusion

11. In conclusion, there is a democratic deficit by not facilitating the participation of migrants in political life, including voting and participating in democratic elections. The number of migrants in member States without voting rights is substantial and thus any steps seeking to achieve more democratic elections need to look at how to have a more inclusive approach to migrants. The effective disenfranchisement of many migrants does not lead to more democratic elections: it leads to less democratic elections.

12. It is for this reason that I am putting forward the amendment contained in this opinion.

5. Thomas Huddleston and Jasper Dag Tjaden, with the support of Louise Callier, *How immigrants experience integration in 15 European cities*, a joint publication of the King Baudouin Foundation, Brussels, and the Migration Policy Group, Brussels, 2012, p. 44.

6. Ibid., p. 44.

7. Ibid., p. 45.