

Municipal elections: right to vote and to stand as candidate of the Union citizens

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This report complies with that obligation by assessing the application of the Directive in law and in fact. It covers the period from 1 January 1996 to 31 May 2001. The report starts with a description of the main features of the Directive and an assessment of its legal implementation. The Commission received the information concerning transposition into national law when the Member States communicated their national implementing measures under Article 14 of the Directive. This assessment in the first part of the report covers the situation in all Member States. As regards application in practice, the Directive does not place the Member States under an explicit obligation to report to the Commission on implementation. However, the Commission depends on their cooperation in order to be able to assess application of the Directive and changes in the electorate. Therefore, to gather the necessary information, a questionnaire prepared in cooperation with electoral experts from the Member States was sent to all Member States in spring 2001, requesting replies by the end of May 2001. The questionnaire consisted of two sets of questions, one concerning statistics at national and local level and the other concerning qualitative data on information campaigns and on changes in the electorate. Thirteen Member States replied to this request for information: Belgium, Germany, Greece, Spain, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden and the United Kingdom. No information was received from Denmark and France. The second part of the report thus examines the practical application of the Directive in the above-mentioned thirteen Member States. The questionnaire requested both statistical and qualitative information. The report contains an assessment based on the statistical information on participation in the municipal elections. As regards the complaints, the Commission has received only a few complaints during the five years in which the Directive has been in force. The small number of complaints seems to indicate that the Member States have applied the Directive fairly well. In conclusion, the report highlights that as regards legal application, all the Member States have transposed the Directive and there are only a few problems of non-compliance. Thus, the implementation of the Directive has successfully served as a legal basis for extending the right to vote and to stand as a candidate in municipal elections to cover a further four million citizens of the Union. Legal implementation can be considered satisfactory and does not call for any changes to the Directive. This is borne out by the fact that the number of complaints concerning the application of the Directive has been low. Application in practice has not been so successful, since the proportion of non-national citizens of the Union entered on the electoral rolls is in general rather low in the thirteen Member States covered by the report. The Commission is specifically concerned about the situation in Greece and Portugal. However, the Commission does not consider that this would necessitate new legislative measures, but improvements can be achieved by applying the requirements of the existing Directive correctly and efficiently, with special reference to appropriate and sufficient information campaigns. In order to improve the awareness of non-national citizens of the Union concerning their political rights, the Commission recommends sending personalised information by post or providing Union citizens with appropriate information whenever they have contact with the local authorities.