



EUROPEAN COMMISSION

PRESS RELEASE

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Disenfranchisement: Commission acts to defend voting rights of EU citizens abroad

The European Commission has today issued guidance to EU-Member States which have rules in place leading to a loss of voting rights for citizens in national elections, simply because they have exercised their right to free movement in the EU. Five Member States (Denmark, Ireland, Cyprus, Malta and the United Kingdom) currently apply regimes which have that effect. Whilst under the existing EU Treaties, Member States are competent to determine who can benefit from the right to vote in national elections, such disenfranchisement practices can negatively affect EU free movement rights. Such disenfranchisement practices are also at odds with the founding premise of EU citizenship which is meant to give citizens additional rights, rather than depriving them of rights.

"The right to vote is one of the fundamental political rights of citizenship. It is part of the very fabric of democracy. Depriving citizens of their right to vote once they move to another EU country is effectively tantamount to punishing citizens for having exercised their right to free movement. Such practices risk making them second-class citizens," said Vice-President Viviane Reding, the EU's Justice Commissioner. *"In letters, petitions and citizens' dialogues, citizens have made clear to us just how important this issue is to them. This is why, in the 2013 EU Citizenship Report, the Commission made a pledge to address the matter. Today we are doing our part of the job. We are calling on Member States to show greater flexibility and are issuing proportionate guidance to the five countries concerned so that citizens can get back on the electoral roll of their home country. I hope Member States will be ready to address these very concrete concerns, because disenfranchisement is a big deal for the individuals concerned."*

Five EU countries currently have national rules leading to a loss of national voting rights as a result of periods spent residing abroad (Denmark, Ireland, Cyprus, Malta and the United Kingdom). The rules vary considerably, with Cypriot citizens losing their vote if they have not resided in Cyprus six months prior to an election, while British citizens need to have been registered to vote at an address in the UK in the last 15 years (see overview in the Annex). There are other Member States which allow their EU nationals to maintain the right to vote under certain conditions, such as Austria, which requires citizens residing abroad to periodically renew their registration on the electoral roll, or Germany, which requires citizens to be familiar with and affected by national politics or to have resided in Germany for at least three months during the last 25 years.

The main justification for disenfranchisement rules – that citizens living abroad no longer have sufficient links with their home country – seems outdated in today's interconnected world.

Today's guidance issued by the Commission aims to tackle the problem in a proportionate way by inviting Member States to:

- Enable their nationals who make use of their right to free movement in the EU to retain their right to vote in national elections if they demonstrate a continuing interest in the political life of their country, including by applying to remain on the electoral roll;
- When allowing nationals resident in another Member State to apply to keep their vote, ensure that they can do so electronically;
- Inform citizens in a timely and appropriate way about the conditions and practical arrangements for retaining their right to vote in national elections.

Examples

A Danish couple moved to Poland to work there, whilst their daughter stayed in Denmark to finish her studies. They often go back to Copenhagen to see their family and friends and remain closely tuned in to political and social developments in Denmark where they intend to return eventually. However, they cannot vote in national elections, as Danish citizens leaving the country are only allowed to remain on the electoral rolls if they intend to return within two years.

A British pensioner moved to France after he retired but remains in close contact with friends and family back in the UK. He still owns a flat in the UK and follows political developments there through current affairs programmes on British radio and TV, widely available in other EU countries. However, 15 years after retiring, he can no longer vote in British national elections.

Background

EU citizenship gives EU citizens the rights to vote and stand as candidates in local and European elections in their EU country of residence under the same conditions as nationals. However, these rights do not extend to national elections, and – in the 13 Member States where regions are vested with legislative capacities – the regional elections.

In the [2010 EU Citizenship Report](#), the Commission identified the issue of 'disenfranchisement' as a problem for EU citizens making use of their free movement rights and launched a discussion on possible solutions.

On 19 February 2013, the European Parliament and the Commission held a [joint hearing on EU citizenship](#). Participants, including citizens affected, civil society representatives, Members of the European Parliament and experts underlined the need to reassess existing policies that disenfranchise citizens – and the justifications underpinning them – in the light of current developments towards more inclusive democratic participation within the EU.

In, addition, in a recent Eurobarometer on electoral rights, two thirds of respondents thought that it was not justified that they lose their right to vote in national elections in their country of origin simply because they reside in another EU country.

The [2013 EU Citizenship Report](#) set out 12 concrete ways to help Europeans make better use of their EU rights, from looking for a job in another EU country to ensuring stronger participation in the democratic life of the Union. The Commission committed in the report to working on constructive ways to enable EU citizens to keep their right to vote in national elections in their country of origin.

More information

Press pack (Commission Communication and Recommendation):

http://ec.europa.eu/justice/newsroom/citizen/news/140129_en.htm

[May 2014: Your vote counts](#)

<http://ec.europa.eu/avservices/video/player.cfm?ref=I083108>

European Commission – EU Citizenship – Electoral rights:

http://ec.europa.eu/justice/citizen/voting-rights/index_en.htm

Homepage of Vice-President Viviane Reding, EU Justice Commissioner:

<http://ec.europa.eu/reding>

Follow the Vice-President on Twitter: [@VivianeRedingEU](#)

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ANNEX

1. The situation in the Member States

COUNTRY	Estimated number of nationals living elsewhere in the EU	Disenfranchisement after	Conditions
Denmark	<i>No information available</i>	2 years	Danish citizens are only allowed to remain on the electoral roll if they register their intention to return to Denmark within 2 years.
Ireland	<i>No information available</i>	18 months	Irish citizens are only allowed to remain on the electoral roll if they register their intention to return within 18 months
United Kingdom	1 000 000	15 years	UK citizens are disenfranchised if they have not been registered to vote at an address in the UK in the past 15 years
Malta	<i>No information available</i>	18 months	Maltese citizens are disenfranchised if they have not resided in Malta for at least six months in the 18 months immediately preceding national elections
Cyprus	<i>No information available</i>	6 months	Cypriot citizens are disenfranchised if they have not resided in Cyprus during the six months immediately preceding national elections