

35th SESSION

Voting rights at local level as an element of successful long-term integration of migrants and IDPs in Europe's municipalities and regions

Resolution 431 (2018)¹

1. In the context of mass migration that currently occurs in the area of the Council of Europe for political, humanitarian and socio-economic reasons as well as due to military conflicts, an increasing number of people have settled or have been re-settled with varying degrees of permanence in countries or regions other than their country or region of origin. Considering effective integration policies for migrants and Internally Displaced Persons (IDPs), voting rights are a natural starting point for a successful long-term integration as voting encourages migrants and IDPs to actively participate in the life of their community.

2. Even though migrants are frequently disenfranchised because of their legal status as non-citizens and IDPs face legal and practical challenges with regard to voting rights, international standards and best practices recommend the enforcement of their right to political participation at local level. In this respect, the Congress acknowledges the emerging trend among Council of Europe member States towards an increasing enfranchisement of long-term foreign residents at least in local elections.

3. The Congress' political priorities for 2017-2020 focus on building secure societies that are respectful, inclusive and closer to citizens. In line with these priorities, the Congress likewise committed itself to working in favour of the integration of refugees and migrants, the active participation of citizens as well as the rights and protection of minority, underprivileged and vulnerable populations.

4. The Congress recognises the responsibility municipalities and regions bear with regard to promoting the integration, participation and non-discrimination of migrants and IDPs and encouraging good relations between them and local residents. In particular, the existence of a "genuine link" between foreigners, IDPs and the place where they cast a ballot at local level is of critical importance with respect to voting rights as a successful element of their integration.

5. In light of the above, the Congress bears in mind:

- the Universal Declaration of Human Rights and the United Nations International Covenant on Civil and Political Rights;
- the Council of Europe's Convention on the Participation of Foreigners in Public Life at Local Level (ETS No.144);

¹ Debated and adopted by the Congress on 6 November 2018, 1st sitting (see Document CG35(2018)17, explanatory memorandum), rapporteur: Jos WIENEN, Netherlands (EPP/CCE, L).

- the European Charter of Local Self-Government and its Additional Protocol on the right to participate in the affairs of a local authority (ETS No.122);
- Recommendation (2006)6 of the Council of Europe/Committee of Ministers to member States on Internally Displaced Persons;
- the Code of Good Practice in Electoral Matters (2002) of the European Commission for Democracy through Law of the Council of Europe (Venice Commission);
- the 2004 UN Guiding Principles on Internal Displacement;
- its Recommendation 115 and Resolution 141 (2002) recalling that local democracy should include participation by all residents of the community, and that consequently foreign residents who are legally and lastingly settled in the territory of European States ought not to be excluded from local public life, whatever their country of origin;
- its Recommendation 369 and Resolution 378 (2015) highlighting the importance of a “genuine link”, through predominant relations (permanent residence, central point of life interests etc.), between voters and the place where they cast their ballot at local level;
- its Recommendation 394 and Resolution 411 (2017) recognising local and regional authorities as key actors in the organisation of migrants’ reception and their integration into local communities.

6. Against this background, the Congress has specifically examined the international standards and best practices with regard to voting rights at local level of migrants and IDPs. As a consequence, it

- asks the relevant instances of the Congress to provide specific information about standards and practices regarding voting rights of migrants and IDPs at local level in the framework of training seminars and awareness-raising activities;
- invites associations of local and regional authorities in Council of Europe member States to engage in awareness-raising activities with regard to the role of local and regional authorities in promoting political participation and voting rights of migrants and IDPs at local level;
- calls on opinion leaders in the local and regional political context to advocate for voting rights of migrants and IDPs as an element of their successful long-term integration in local communities and to support their right to return to their constituencies of origin.