

Evaluating European Citizenship through participation of Non-National European Citizens in local elections: case studies of France and the UK*

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Abstract: Twenty years after the introduction of European Citizenship, the European Year of Citizens in 2013 provides an excellent opportunity to assess its impact on ordinary citizens. One of the key rights granted under this heading was the right for non-national European Citizens to vote and to stand as a candidate in local elections in their Member-State of residence. Addressing the lack of empirical research into the actual take-up of this right by non-national EU citizens (NNEUCs), this paper innovates by proposing a first step towards an EU-wide analysis, based on case studies of the UK and France. It will show how national institutions and procedures impact on levels of participation and points the way to future qualitative analysis exploiting the data presented here.

Keywords: European Citizenship, voting, participation, local elections, France, UK.

Resumen: Veinte años después de la introducción de la Ciudadanía Europea, el Año Europeo de los Ciudadanos en 2013 ofrece una excelente oportunidad para analizar su impacto en el ciudadano de a pie. Uno de los derechos claves garantizados bajo este epígrafe fue el derecho de los Ciudadanos Europeos no-nacionales a votar y presentarse como candidatos a las elecciones locales en su Estado

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Miembro de residencia. Este artículo aborda la falta de investigaciones de carácter empírico sobre la utilización real de este derecho por los ciudadanos no nacionales de la UE, e innova realizando un primer paso hacia un análisis a nivel de la Unión Europea, basado en estudios de caso del Reino Unido y Francia. Mostrará el impacto de instituciones y procedimientos nacionales en los niveles de participación y abre vías para futuros análisis cualitativos a partir de los datos presentados aquí.

Palabras clave: Ciudadanía Europea, votaciones, participación, elecciones locales, Francia, Reino Unido.

I. Introduction

Twenty years after the introduction of European Citizenship by the Treaty of Maastricht, the European Year of Citizens in 2013 provides an excellent opportunity to assess its impact on ordinary citizens. One of the key rights granted under this heading was the right for non-national European Citizens (NNEUCs) to vote and to stand as a candidate in local elections in their Member-State of residence: this measure is of particular interest since it offers mobile EU citizens the possibility of engagement both with the European polity, through the exercise of European Citizenship rights, and also with the host polity in their country of residence, through participation in local politics. This innovation was preceded and accompanied by much political controversy across the EU and has continued to inspire prolific academic debate across a range of disciplines. Yet as Jo Shaw has pointed out (Shaw, 2007 pp. 123-131 & 147-153) relatively little scholarly research has been devoted to ascertaining the actual impact of this measure in the twenty years since its implementation, with academics preferring to engage in theoretical and normative debates rather than empirical research. This paper seeks to address this situation by making a first step towards an EU-wide analysis of the levels of participation in local elections by NNEUCs, based on two case studies carried out in the UK and France. These two countries offer an interesting set of points of comparison on several levels: opposite attitudes towards implementation of the 1994 Directive; very diverse patterns and structures of local government including definitions of 'local units', and local electoral systems; contrasting background situations regarding voting rights at local elections for Third Country Nationals (TCNs); different voter registration procedures, and methods of data collection. These various categories will form the basis of the comparative framework of analysis adopted, after which, the paper will present the quantitative data collected in both countries relating to the extent of take up of European Citizenship voting rights. But before the case

studies of France and the UK are developed, a first section will explain why the main research question addressed by this paper, must be approached at the level of Member-States rather than on the basis of data collected and disseminated at EU level.

II. The limits of the EU institutions in monitoring participation of NNEUCs in local elections

Whilst it might seem logical for the institutions of the EU to monitor the participation of NNEUCs in local elections across all Member States, the necessary data is in fact inaccessible on an EU wide basis, thereby limiting the possibilities for comparative assessments. This is because the Council Directive 94/80/EC² adopted in December 1994, which covers the right to vote and stand as a candidate in local ('municipal') elections, gave responsibility for development of EU Citizenship to the Member States rather than the EU institutions. And although Article 11 of the Directive obliges them to carry out a campaign of information aimed specifically at non-national EU eligible voters, there is no Directive requiring Member States to report comprehensively on implementation. Even though the Commission is obliged under Article 22 EC (25 TFEU) to report to the Council, EP and Economic and Social Committee every three years on the development of EU citizenship in the Member States, it has to rely on the information that the Member States provide in order to do so, and the following summary of the Commission Reports to date will demonstrate why this data is insufficient for the rigours of academic research.

There have so far been six Commission Reports on Citizenship of the Union, the first three (1993, 1997 & 2001) being mainly concerned with questions relating to transposition and implementation of the Directive³. The first statistical analysis of the impact of the new Directive was provided in a special report to the EP and Council, published in 2002, following the requirement of Article 13 of the Directive to report on its implementation within a year of municipal elections being held in all of the Member States

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31994L0080:EN:HTML>

³ COM (93) 702 final <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:1993:0702:FIN:EN:PDF>

COM (97) 230 final http://europa.eu/legislation_summaries/justice_freedom_security/citizenship_of_the_union/123031_en.htm

COM (2001) 506 final <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2001:0506:FIN:EN:PDF>

(the last election in the then 15 Member States was in 2001 in France)⁴. For the purposes of this report a questionnaire was circulated to all Member States in Spring 2001, consisting of questions concerning statistics at national and local level (including requests for specific information on the ten municipalities with the highest percentage of NNEUCs of voting age), and requests for qualitative data on information campaigns and changes in the electorate; since Denmark and France failed to submit any responses, the report is based on the other 13 Member States only. It began by giving details of transposition measures and derogations applied in certain Member States, and provided some general data for the numbers of potential voters in the EU in 2000, suggesting that about 4.7 million citizens then enjoyed the right to vote and stand as candidate in local elections across the EU, but it pointed out significant variations in numbers of NNEUCs registered on the electoral roll within the Member States due to differences in registration procedures. In the nine Member States where registration was not automatic but required a voluntary act by the voter, the average rate of registration (calculated using Eurostat population figures from the Community Labour Force Survey 2000) was 26.7%, but this figure, broken down, showed wide national variations, with Portugal recording the lowest level at 9.8 and Austria the highest at 54.2%. No data was available for actual turnout of NNEUC voters except for a few examples in Germany and Sweden, yet the report claimed that 'Since it can be assumed that a great majority of the citizens applying for registration also intend to vote in practice, the above-mentioned percentages of non-national citizens registered give a fairly accurate picture of participation' (p. 12).

On the basis of my research so far, this claim looks to be highly misleading, as will be shown below in the discussion of registration procedures in the UK. It is therefore also quite plausible that some of the anomalies pointed out in the report such as the allegedly low rate of registration in Portugal or Luxembourg (12.4%), or the high rates in Austria and Ireland (52.3%) might be better explained by further analysis of the specificities of each Member State. Nor was the data requested for the ten 'sample' municipalities sufficiently complete to justify any general conclusions, but rather, highlighted the complexity of local situations both between and within the responding Member States. Similarly, statistics on numbers of NNEUC candidates and elected councillors, even in the ten sample municipalities, were patchy and unconvincing. With regard to information campaigns, details of which were provided in Annex 3, the

⁴ Commission report to the European Parliament and the Council on the application of Directive 94/80/EC, http://europa.eu.int/comm/dgs/justice_home/index_en.htm. For details of transposition issues see also Shaw (2007) pp.129-131, & 147-153.

report noted the huge effort required for these first elections, but concluded that because of the local nature of the campaigns, it was difficult to evaluate their full scope. Altogether then, this report was largely unhelpful in providing useful data for an EU wide analysis.

The Fourth (2004)⁵ and Fifth (2008)⁶ Reports did not add any significant data to that provided in the 2002 special report, but the Fifth Report did include reference to the 2007 Flash Eurobarometer public opinion survey on EU citizenship⁷. This gave mixed messages about awareness of the status and rights associated with European Citizenship, but revealed that only 37% of respondents were aware of electoral rights relating to local elections, as opposed to 54% for EP elections. It noted the adaptation of the 1994 Directive, replaced after the 2004 enlargement by Directive 2006/106⁸ adding references to basic local government units in the new Member States, and raised the question for the first time of 'effective participation of Union citizens in the political life of their Member State of residence', which was in some cases thought to be inhibited by discriminatory practices of political parties. The Sixth report, published in 2010, took the slightly different title of 'Report on progress towards effective EU Citizenship 2007-2010'⁹, and was accompanied by a separate report on 'Dismantling the obstacles to EU citizens' rights'¹⁰. The former emphasised the enhancement to European Citizenship that came with the Lisbon Treaty, and discussed this, with a specific focus on the new European Citizens' Initiative (ECI). Any further reference to participation in local elections was eclipsed, except in the accompanying report, in which two of the recommended '25 actions to improve the daily lives of EU citizens' referred to the need to ensure enforcement of full voting rights for NNEUCs in their country of residence (no. 18), and the intention to propose the simplification of procedures for candidates for elections to the EP (no. 19).

Most recently, the Commission's second special report on the application of Directive 94/80/EC post 2004 enlargement, promised for publication in 2011, was finally published on March 9th, 2012¹¹. This 2012 report underlined

⁵ COM (2004) 695 final <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2004:0695:FIN:EN:PDF>

⁶ COM (2008) 85 final <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0085:FIN:EN:PDF>

⁷ http://ec.europa.eu/public_opinion/flash/fl_213_en.pdf

⁸ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:363:0409:0410:EN:PDF>

⁹ COM (2010) 602 final http://ec.europa.eu/justice/citizen/files/com_2010_602_en.pdf

¹⁰ COM (2010) 603 final http://ec.europa.eu/justice/citizen/files/com_2010_603_en.pdf

¹¹ Commission, 'EU Citizenship Report 2012. Dismantling the obstacles to EU citizens' rights', COM (2010) 602 final.

the importance of participation in local elections ‘where the decisions taken directly affect citizens’, whilst acknowledging that ‘decreasing participation in democratic life in terms of a low turnout in the elections may have the undesired effect of weakening the status of representative democracy’ (p. 3). It reported generally low levels of participation in local elections across Member-States of the EU, commenting that remedying the democratic deficit remains a challenge at all levels, EU, national and sub-national. But significantly, on the question of the participation of Non-National EU Citizens (NNEUCs) in their Member States of residence, the report offered only very limited statistics on electoral registration, and none at all on actual turnout. The reason given for this paucity of data was that the Member-States, ‘generally do not collect such data so as to avoid discrimination (p. 8)’. The same reason was put forward for the lack of data on EU citizens standing as candidates and being elected.

However, whilst it is true that the Commission depends on the quality and accuracy of statistics provided by the Member-States in the ‘questionnaire’ sent to them for this purpose (since implementation of the Directive remains the responsibility of Member-States), the authors of the report must surely have to take responsibility for the very mediocre standard of analysis offered in it: the limited data collected is not presented either clearly or comprehensively, and certain conclusions are drawn without any evidence base. Thus, for example, the report asserts that ‘Despite the significant increase in the number of non-national EU citizens of voting age who reside in a Member State other than their own, only a relatively low number of these citizens actually exercised their electoral rights in the municipal elections that have been held in recent years in their State of residence’ (p. 6). Yet it also claims that ‘No data are available on the percentage of the resident non-national EU citizens who actually voted after being on the electoral rolls (p. 7). It also makes the blanket claim that ‘once entered on the electoral roll, there is no distinction between national and non-national voters’, yet this paper will show that in the case of France and the UK at least, this is simply incorrect. Also inaccurate and unsubstantiated is the assertion that ‘In those Member-States where registration is not automatic, the data provided show that only an average of 10% of resident non-national EU citizens asked to be entered on the electoral rolls (p. 7).’ Here again, the paper will show this to be not the case in the UK or France. All in all, the very sketchy picture presented of the take up of electoral rights in local elections across the EU is not concomitant with the high degree of political importance apparently attached to it by the Commission, and in 14 pages it could not hope to deliver a satisfactory evaluation of the impact of voting in local elections across the 27 Member States.

It is therefore clear that if we are to obtain a more accurate assessment of the exercise by European Citizens of their electoral rights in local

elections, there must be a more concerted and determined effort to collect the necessary data and present it in a more systematic and accessible form, and academic researchers are more likely to be able to do this than bureaucrats. Given the political importance attached to the question of political participation of EU citizens, particularly in the run up to the European Year of Citizens in 2013, what is surely necessary is a major EU-wide survey that brings together in some form of comparative framework, a series of detailed national studies carried out by committed researchers which would all seek to answer the same set of questions: how many EU citizens voted in local (and EP) elections in that Member-State? Why did some vote and others not? What are the factors that determined their choice to vote or not? Can a set of typologies of EU citizens as voters be drawn up across nationalities and across territorial boundaries?

A few case studies have already been carried out relating to participation in local elections of NNEUCs with reference to specific nationalities and Member States: Sylvain Besch (2004) on the Portuguese in Luxembourg, and Monica Méndez Lago (2005) on the impact of lifestyle migration in Southern Spain. The most extensive work has however to date been carried out on the case of France, where Sylvie Strudel published quite extensively on the local elections of 2001, the first to be held in France after implementation of the new Directive (Strudel, 2002, 2003, 2004a & b, Strudel & Bideray, 2002). My own research on France used Strudel's work as a starting point for further analysis, which involved comparing the 2001 elections with those of 2008, extending the scope of investigation beyond the 2857 *communes* of more than 3500 inhabitants assessed previously by political scientists, to include all 36,799 *communes* (Collard, 2010). This paper will use some of the findings of that research and will present them by way of comparison with the UK, for which I have carried out new research as part of a project which is still ongoing, funded by the British Academy¹².

III. A framework for comparative analysis of France and the UK

1. *Implementation of Directive 94/80/EC*

The question of implementation of the 1994 Directive in France and the UK is an interesting starting point for this comparison because it reveals how these two countries were at opposite ends of the spectrum with regard to

¹² British Academy Small Grant, awarded April 2012, on 'The Participation of Non-National EU Citizens in Local Elections in the UK'.

their to attitudes and actions. Member States were supposed to put in place the necessary legislation by January 1st 1996, and the UK was one of only four of the then twelve which actually complied with this deadline, along with Denmark, Ireland, and Luxembourg. By contrast, while France was not quite the last to comply (this was Belgium, in January 1999, after a case was brought against it in the Court of Justice by the Commission in 1998 (Shaw, 2007, pp. 148-9)), it did not do so until May 1998, after infringement proceedings from the Commission¹³. The delay resulted from a combination of the lack of political continuity due to several changes of government in 1993, 1995 and 1997, and also a considerable measure of ideological resistance from the defenders of French sovereignty on both Left and Right of the political spectrum. A constitutional amendment had already been passed in 1992 adding an article to the Constitution,¹⁴ specifying that NNEUCs were not able to become mayor or deputy-mayor,¹⁵ or participate in the elections for members of the Senate, and these exclusions were subsequently sanctioned by the 1994 directive along with special derogations for Belgium and Luxembourg. But the resistance of the French political authorities revealed a strong attachment to a conception of national sovereignty as ‘indivisible’, and a traditional reluctance to dissociate the notions of citizenship and nationality (Strudel, 2003, 18). Thus France was in the end the last Member State to organise local elections on the basis of this Directive, which was applied for the first time for the municipal elections of 2001 (Collard, 2010, p. 95; Strudel, 2002 & 2003).

2. *Patterns and structures of local government, units of organisation of ‘local’ elections and electoral systems used*

Member States determine what constitutes, for the purposes of voting rights in local elections, the ‘basic unit of local government’ as defined in Article 2 of the Directive, and these are listed in the Annex (and

¹³ Organic law no. 98-404, 25th May 1998 & decree of application no. 98-1110, December 8th 1998.

¹⁴ Constitutional law no. 92-554, 25 June 1992. This law adds a ‘titre’ on the European Communities and the European Union to the constitution, in which article 88.3 states that ‘On the condition of reciprocity, and according to the procedures set down in the Treaty for European Union signed on 7th February 1992, the right to vote and stand in municipal elections can only be accorded (*peut être accordé aux seuls citoyens de l’Union*) to citizens of the Union residing in France. This cautious use of language is indicative of the difficult political climate in which the change was introduced.

¹⁵ Thus, whilst there is one highly publicised case of a British mayor in France (Ken Tatham in Normandy), he in fact holds dual nationality so is considered statistically as French.

its subsequent amendment in 2006). Thus, while France has quite a simple and restrictive interpretation of 'local' (in spite of the fact that there are three levels of directly elected local government at municipal, 'departmental' and regional levels), the UK takes a more generous approach. In France, the situation is on the one hand straightforward, in that NNEUCs are allowed to participate in only the lowest unit of local government known as the *commune*, but on the other hand is complex, in that there are a striking 36,779 of these *communes*, making France quite 'exceptional' when compared to any other Member State. Indeed, French *communes* account for 41% of all local government units in the EU¹⁶. The vast majority of *communes* are inevitably very small and, since the numbers of councillors even in small (especially rural) *communes* is extremely high in proportion to the number of inhabitants, it generates a very high level of accessibility to the process of local government, though this obviously decreases with the size of the *commune*, as can be seen in the table below. The 'proximity' of local government in rural areas where there are significant numbers of 'lifestyle' migrants from (mainly Northern) other EU Member States is of great relevance to our study of NNEUCs, as will be demonstrated in the section below on participation rates. In the cities of Paris, Lyon & Marseilles, which are governed by the separate 'PLM law' of 1982, there are sub-divisions called *arrondissements*, each of which has an elected and semi-autonomous *maire d'arrondissement* and a council in addition to the mayor and council of the *commune*; Paris has 20, Lyon has 9 and Marseilles has 16 (but redivided as 8 *secteurs*). One third of the *conseillers d'arrondissement* are also municipal councillors and all are elected by the same electoral process. Paris has, since 1975, had the unique status not only of a *commune* but also of a *département*. This means that the 'Conseil de Paris' (Paris City Council) acts as both a *Conseil municipal* and as a *Conseil général* (a 'departmental' council roughly equivalent to an English county).

With regard to the electoral system used for municipal elections in France, a list system operates, but with three different methods of application depending on the size of the population in the *commune*. In *communes* with over 3500 inhabitants (including Paris, Lyon & Marseilles),

¹⁶ <http://www.vie-publique.fr/decouverte-institutions/institutions/approfondissements/collectivites-locales-au-sein-union-europeenne.html> Germany has 14%, Spain and Italy 9% each, and the Czech Republic 7%. These five countries together account for 80% of the municipalities in the EU. France and the Czech Republic both have the lowest average number (1600) of inhabitants per municipality. The highest is the UK with 135,000. http://www.dgcl.interieur.gouv.fr/Publications/CL_en_chiffres_2006/accueil_CL_en_chiffres_2006.htm

Table 1
 Number of *communes* by number of inhabitants
 and number of councillors by size of *commune*

No. inhabitants	No. communes	No. of councillors*
0-99	3,907	9
100-299	11,200	11
300-499	5,632	11
500-999	6,780	15
1,000-1,499	2,812	15
1,500-2,499	2,439	15
Sub-total 0-2,499	32,770	
2,500-3,499	1,152	23
Sub-total 0-3,499	33,922	
3,500-4,999	876	27
5,000-9,999	1,029	29
10,000-19,999	511	33
20,000-39,999	268	35
40,000-49,999	55	43
50,000-59,999	83	45
60,000-79,999	32	49
80,000-99,999	16	53
100,000-149,999	17	55
150,000-199,999	9	59
200,000-249,999	4	61
250,000-299,999	2	65
300,000 +	5	69
Lyon		73
Marseille		101
Paris		169
Total	36,779 ¹⁶	approx 500,000 ¹⁷

* Including the mayor.

¹⁷ The precise number of *communes* is hard to pin down, as a range of official sources gives different figures.

¹⁸ This is the figure estimated in DROUIN, V., *Les fantassins de la République, nos 500,000 conseillers municipaux*, Editions Autrement, Paris, 2006. There is no official number cited in any of the obvious official literature, presumably due to the complexity of the calculation.

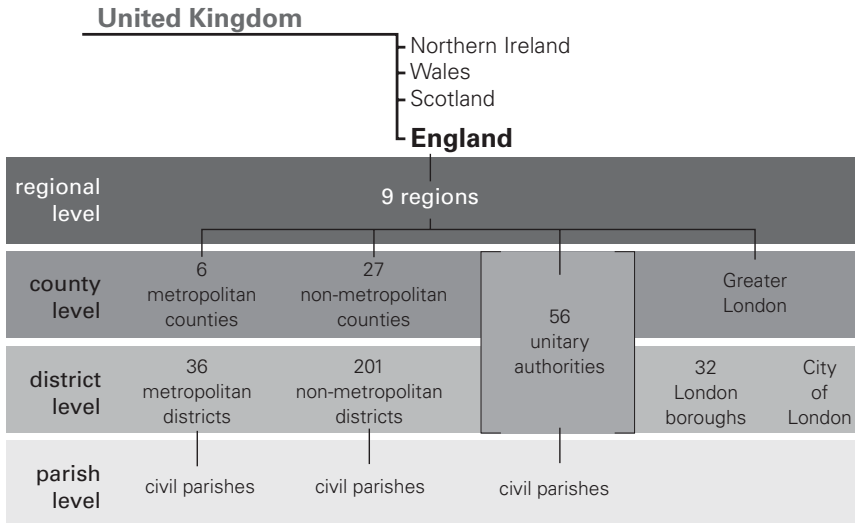
there is a complicated two-ballot system with proportional representation based on party lists, involving special procedures to try to ensure both stable majority local government and accurate representation¹⁹. In *communes* of under 3,500 inhabitants (with separate rules for those between 2500-3500), the arrangements are too complicated to be explained here, but they allow for highly personalised elections which, as we will see later, have enabled NNEUCs to get elected in significant numbers especially in rural areas²⁰. The mandate for all municipal elections is normally six years, but the last elections were held not in 2007 but 2008, due to the timing of the presidential and legislative elections in 2007, thus extending the mandate to seven years. The next municipal elections are due in 2014. Since 2001, lists for local elections in communes of over 3500 inhabitants must abide by the law on 'gender parity' introduced by the Socialist government of Lionel Jospin in an attempt to increase the representation of women in politics. There is evidence that this has been beneficial to female NNEUC voters and candidates, as we shall see in the section on participation. Significant reform of local government planned by the Sarkozy government was abandoned by the current socialist government, but in any case does not directly affect this analysis.

In the UK, the organisation of local government is far more complex and irregular than in France, and the size of the basic unit is generally much bigger. This complexity can be identified immediately from the definition of 'basic local government unit' in the Annex to the 1994 Directive, which lists: 'counties in England; counties, county boroughs and communities in Wales; regions and islands in Scotland; districts in England, Scotland and Northern Ireland; London boroughs; parishes in England; the City of London in relation to ward elections for common councilmen'. The picture has been further complicated since the late 1990s when the devolution programme of the Blair government led to the creation of so-called 'regional' assemblies for Scotland, Wales and Northern Ireland, for which, as we will see, NNEUCs are entitled to vote.

The following diagram shows the interplay of these different combinations for England:

¹⁹ For details of these complexities, see either STEVENS, A., *The Government and Politics of France*, Macmillan, 1996, pp. 152-3 or DREYFUS, F. and D'ARCY, François, *Les Institutions politiques et administratives de la France*, Economica, 1996, pp. 287-290.

²⁰ My full explanation of the voting system in municipal elections for communes of under 3500 inhabitants can be found at <http://www.anglophone-direct.com/A-more-detailed-look-at-the-French>



Regional Development Agencies.

England: 9 regions including London
(elected Assembly & Mayor); other regions are not elected

In England, all local elections use the multi-member plurality system: electoral areas are divided into wards, with specific numbers of seats allocated according to population size. A certain degree of proximity in local democracy is thus achieved by the election of ‘ward councillors’ responsible for their specific areas. The mandate is normally four years, and councils may be elected wholly every four years or by ‘thirds’: in this case elections take place every year for three years and not the fourth. Recently, election ‘by halves’ has been allowed, ie half the council every two years. London has had a directly elected mayor since 2000, who leads an Assembly of 25 members (together they form the Greater London Authority or GLA), responsible for the strategic government of Greater London, while the 32 boroughs and City of London Corporation are responsible for delivery of most local services. NNEUCs in London are allowed to vote in elections to both levels of local government.

In Scotland, local government is organised through 32 unitary authorities designated as councils, with councillors elected every four years. In addition, since 1998, the Scottish Parliament has 129 Members elected every four years under the mixed member proportional representation system; 73 of them represent individual geographic constituencies elected

by the First Past the Post System, with a further 56 returned from eight additional member regions, each of which elects seven members. NNEUCs will be able to vote in the upcoming referendum on Scottish independence.

Wales has since 1996 been divided into 22 'principal' council areas, with councillors being elected every four years by the First Past the Post System. Since 1999, Wales has had a National Assembly with 60 members elected every four years; voters have 2 votes, with 40 members being elected by the First Past the Post System in individual constituencies, and a further 20 members being elected by the Regional Top-Up system in which voters have an extra vote for their particular region of residence: South Wales East, South Wales Central, South Wales West, Mid and West Wales, and North Wales. Each region elects four members based on the proportionality of the vote.

The Northern Ireland Assembly was established by the Good Friday Agreement of 1998 which put an end to the 'Troubles' lasting 30 years, though it has been suspended on a number of occasions. It has 108 members elected under the single transferable vote form of proportional representation, from 18 six-member constituencies that are the same as those used for elections to the Westminster Parliament.

These 'regional' assemblies were the product of the devolution process initiated by the Blair government elected in 1997, and although they are not considered as constituting local government in the traditional mould, they are important here because NNEUCs are (unusually) allowed to vote in these elections as well as in referendums held since 1997 (Shaw, 2007, pp. 275-6). The UK therefore operates a fairly generous regime towards its NNEUC voters: this is possibly due to the desire for successful outcomes of the new assemblies, especially when set against a backdrop of notoriously low turnout in local elections generally across the UK, but it also reflects the continuation of a traditionally open policy towards voting rights for certain TCNs, as we will see below.

3. Standing as a candidate in local elections

The technical process of nomination as a councillor to any of the elected bodies in the UK discussed above (except the GLA) is a cost-free and relatively straightforward matter for NNEUCs, either as independent candidates or as representatives of a political party, and nationality is not even requested in the paperwork, providing the candidate is registered on the electoral roll (which means that nationality data for NNEUC candidates is not easily available). However, to be chosen as a candidate by a political party implies a high level of political engagement over a considerable

number of years preceding the election, and / or personal notoriety in the locality, so whilst this applies to nationals as well as NNEUCs, the latter are more likely to be recent arrivals and will have to work harder to gain the necessary credentials.

In France the requirements for potential NNEUC candidates depends on the size of their *commune*; in those over 3500, a formal application must be made through the ‘prefectoral’ services of the state in each ‘department’ which control elections, and given that lists are drawn up on a party basis, the same requirements as in the UK pertain in this respect. Nationality is requested in the paperwork, making national data on NNEUC candidates available. However, the complex and personalised nature of elections in *communes* of under 3500 inhabitants means that there is no formal procedure for standing as a candidate: indeed, some councillors find themselves getting elected without even having put themselves forward. My research shows that most NNEUC candidates were invited to be on a list either by the outgoing mayor or head of a rival list, but since in many *communes* there are no actual lists, there are no formal candidates either, simply word of mouth.

4. *Voting rights at local elections for TCNs*

The granting of voting rights to NNEUCs at local elections must be set in the broader context of the situation with regard to other Third Country Nationals (TCNs), since this has an impact in various ways, and France and the UK once again have contrasting experiences in this respect. For historical reasons, the UK gives voting rights in all local, national and European elections to all ‘qualifying’ Commonwealth citizens²¹, and to Irish citizens. Thus for citizens of Ireland, Cyprus & Malta who are now EU citizens, voting in local elections as NNEUCs is not a novelty. As we saw above, the UK also allows NNEUCs to vote in the ‘regional’ assemblies born out of devolution, and in the London mayoral elections, but it does not grant voting rights to non-Commonwealth TCNs. This otherwise fairly generous regime contrasts with the tighter restrictions in France where no TCNs are allowed to vote in local elections. However, since large numbers of immigrants from France’s former colonies have in fact taken French (or dual) nationality, the picture is not quite as restrictive as it might seem. Indeed, the question of dual nationality has recently provoked a

²¹ An eligible Commonwealth citizen is a person who either does not need leave to remain in the United Kingdom, or has indefinite leave to remain in the United Kingdom.

highly politicised controversy, and there have been calls from those on the moderate and far Right to restrict the numbers of naturalisations²².

The question of voting rights for ‘foreigners’ at local elections has been somewhat of a political minefield since it first appeared in François Mitterrand’s election manifesto in 1981, and political opposition has meant that it has never been implemented. The Socialist Party put it back on the parliamentary agenda in February 2011²³, refuting the objection that citizenship cannot be dissociated from nationality on the grounds that this distinction was already made with the introduction of EU citizenship. This confirmed the fears of the *souverainistes* in the Maastricht debate that this line of argument would be used as the thin end of the wedge to extend voting rights to TCNs. François Hollande included the proposal in his presidential election manifesto in 2012. However, despite declarations of intent from the Prime Minister on two occasions to pursue this goal, the President announced on 13 November 2012 that he would not put forward a legislative text until he was sure to have the 3/5 majority required in both houses of Parliament to introduce the constitutional amendment that would be the necessary corollary of any such law. Given the strength of opposition on the Right, a law is unlikely to be forthcoming during the current mandate.

5. Voter registration procedures

Procedures for voter registration are important to this study because they have a significant impact on how many NNEUCs actually register to vote in local elections, and once again, we see contrasting positions in the UK and France in this respect. Although registration is not automatic in either country, it is more ‘voluntary’ in France than in the UK: in France, the act of registration for NNEUCs requires a visit to the local town hall, during the months of September to December preceding the election (usually in March the following year), without any official prompting, other than in some of the more open-minded municipalities such as the city of Paris, which posts registration reminders on electronic billboards. NNEUCs are registered on separate lists to those for French citizens (which contradicts the Commission Report’s claim included earlier that ‘there is no distinction

²² See for example the report by UMP parliamentarian Claude Goasguen, widely reported in the French press around the 23rd June 2011, and available on the National Assembly website at <http://www.assemblee-nationale.fr/13/rap-info/i3605.asp>

²³ See the article in *Le Monde* on 15th Feb. 2011 by Michel Delberghe, ‘Des maires relancent le débat sur le droit de vote des étrangers’, and the text of the proposal for a constitutional law at http://www.senat.fr/senateur/borvo_cohen_seat_nicole95011x.html

between national and non-national voters'). In the UK by contrast, there is a proactive, nationally organised registration policy in the form of an Annual Canvass, which involves each local council sending a letter to every household from August onwards every year, asking them to complete the enclosed registration form, which requires information based on residents in occupation addresses on October 15th of that year²⁴. The form makes it clear that by law, the information asked for must be given, and that failure to do so could involve a fine of up to £1,000. This threat of sanctions is accompanied by the 'enticement' that 'You will also have difficulty applying for credit (such as a mortgage, personal loan or even a mobile telephone) if you do not register each year'. Failure to return the Voter Registration form prompts first the sending of a reminder, which if not returned is then followed up by a personal visit from a canvasser, who carries a translation of the main questions in all the main European (and non-European) languages. After the end of the Annual Canvass period from August to December each year, the process is complemented by a 'Rolling Registration' procedure, which encourages registration, right up to two weeks before an election. Anecdotal evidence suggests that large numbers of residents who register (both national and NNEUC) do so even though they have no intention of voting, partly in response to the local authority efforts, but largely also because credit and phone companies will only accept customers who are on the electoral register. Thus we can see that whilst France & the UK both use registration procedures that require an initiative on the part of the voter, the level of initiative in both cases is significantly different: registering on the electoral roll in France, is much more likely to be an indicator of the intention to vote for NNEUCs than in the UK. This analysis further underlines the unreliability of the 2002 Commission Report referred to earlier, in which it was claimed for the UK that 'Since it can be assumed that a great majority of the citizens applying for registration also intend to vote in practice, the [above-mentioned] percentages of non-national citizens registered give a fairly accurate picture of participation'.

6. *Data collection*

On the question of data collection, the UK and France are once again at opposite ends of the spectrum. In France, where election figures are collected from the *communes* by the prefectural services of each department, they are then centralised by the Ministry of the Interior's elections department. In the 2001 local elections, data was collected on the NNEUCs who registered

²⁴ This system, known as 'household registration', will be replaced from Summer 2014 by 'Individual Electoral Registration' (IER), in an attempt to cut down on electoral fraud.

to vote in all *communes*, but figures for those who stood as candidates, as well as those who were elected, were only available for the *communes* of over 3500 inhabitants. Strudel's research referred to above was therefore limited to these 2857 *communes*. For the 2008 elections, data collection was extended to *communes* of under 3500 inhabitants for elected councillors (but not candidates since there is no formal nomination process). The quality of this data is quite remarkable in that names, addresses, and nationalities of all elected NNEUC councillors are fully accessible to researchers, providing the basis for a data-base of all registered NNEUCs in France that can be used for further qualitative research. Predictably however, given the huge number of *communes* and reliance on full compliance and competence of all mayors, the data is not 100% accurate: my own records (compiled during the field work in 2008) contain names and addresses which do not appear on the lists provided by the Ministry, and I estimate the margin of error to be around 10%. This means that numbers of NNEUC elected councillors are probably somewhat higher than the statistics suggest. As regards numbers of registered voters, there is probably a much higher level of accuracy because of the registration process for NNEUCs described above: and since registration is pro-active, we can in this case go along with the Commission's assumption that a high proportion of those registered to vote will in fact have done so.

In the UK, by contrast, once again there is complexity and dispersion at the level of the relevant data: the Office of National Statistics (ONS) (which since April 2008 has become the executive branch of the UK Statistics Authority), collects data for registered voters in England and Wales from the Annual Canvass submitted by the local authorities, using form RPF29. Nationality of voters is not captured on this form, therefore the ONS can only provide aggregate figures of NNEUC voters for each electoral authority. Figures for Scotland are dealt with by the Scottish Government, and those for Northern Ireland by the Northern Ireland Statistics and Research Agency (NISRA). One important anomaly to note in the data for NNEUCs registered to vote in the UK is that it does not include nationals of Ireland, Malta or Cyprus, who, for historical reasons as described above, are considered separately. As regards NNEUC candidates and elected councillors, no data is available nationally since the information is not recorded by the electoral authorities. Therefore, if we are to get a more detailed picture of NNEUC voters, candidates and elected councillors, as provided in the French case by the Ministry of the Interior, we must look to the individual electoral authorities themselves.

A pilot study of the Unitary Authority of Brighton & Hove, based on local elections that took place in May 2011, showed that it is possible to obtain statistics from the local electoral services offices that show the breakdown of registered NNEUCs by nationality. Consultation of the 'marked

registers,' which identifies NNEUC voters by a 'G', and which 'marks' the names of those who have voted, is open to any member of the public in the Town Hall for one year following any election, and although tedious, this procedure makes it possible to make a very accurate calculation of how many registered NNEUCs actually voted. The method used for Brighton & Hove was then reproduced across a sample of UK cities thanks to funding provided by the British Academy Small Grant referred to earlier, the results of which are presented in the following section.

IV. Data on participation in local elections by NNEUCs in France and the UK

1. Registered NNEUCs and registration rates: France

As explained above, the fact that the Ministry of the Interior centralises all electoral data collected from the *communes* via the prefectural services makes access to this data very simple for research purposes. The analysis here concerns the two elections that have taken place since the implementation of Directive 94/80/EC, in 2001 and 2008. The following graph shows the evolution between these elections in the number of registered voters by nationality, for the 14 relevant Member-States. The numbers of voters by nationality in all new Member States post 2004 enlargement are not shown here because they did not represent a significant presence, undoubtedly due to the temporary restrictions invoked by France on workers from these countries (unlike the UK which welcomed them).²⁵ The total number of registered NNEUCs was 166,122 in 2001, rising to 264,137 in 2008²⁶.

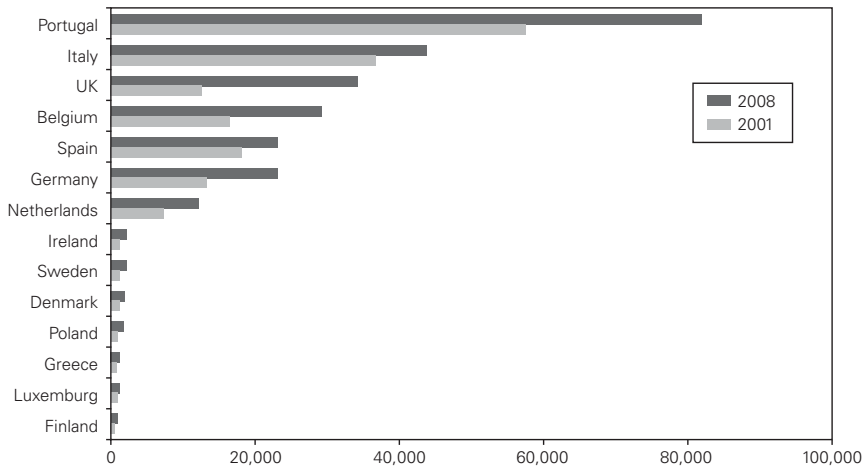
In 2001 it was possible to estimate the average registration rate for NNEUCs by comparing them with numbers of applications for residence permits²⁷. The average registration rate using this data works out at 13.8% (much higher than for the EP elections: 3.8% in 1994 and 5.9% in 1999),²⁸ but with wide variations across nationalities, as shown in Table 2.

²⁵ Given the significant wave of Polish migration to France in the early 20th century, especially between the wars, it is surprising that the numbers of Polish citizens is not higher in 2008. This might be explained by their having taken French nationality.

²⁶ This figure excludes the department of the Vendée which did not return data as requested.

²⁷ These estimations are to be treated with caution: since permits could be given for 10 years, holders may have moved elsewhere before expiry date. On the other hand, given the rule that a permit was not technically necessary if you left the country every three months, together with the abandonment of stamping passports of NNEUCs, and the desire to avoid long queues in the *préfecture*, it is highly likely that large numbers did not request residence permits.

²⁸ Strudel, 2002, p. 57.



Source: French Ministry of the Interior, Electoral Division.

Registered NNEUC voters 2001-2008 from 14 member-states

Table 2

Estimated registration rates of NNEUCs by nationality in 2001

Country of origin	Registered voters by nationality	Potential voters by nationality	Registered voters as % of potential voters by nationality	Registered voters as % of total NNEUC potential voters
Austria	705	4,137	17.0	0.42
Belgium	16,399	63,731	25.7	9.87
Denmark	966	5,321	18.1	0.58
Finland	402	2,705	14.9	0.24
Germany	12,995	73,035	17.8	7.82
Greece	579	5,668	10.2	0.34
Ireland	971	5,621	17.3	0.58
Italy	36,570	204,160	17.9	22.01
Luxembourg	632	2,776	22.8	0.38
Netherlands	7,090	24,058	29.5	4.26
Portugal	57,478	566,078	10.1	34.59
Spain	17,948	167,807	10.7	10.80
Sweden	948	8,014	11.8	0.57
UK	12,439	68,095	18.3	7.48
Total	166,122	1,201,206	13.8	100.00

Source: Strudel (2002). (There are slight discrepancies in the figures between these statistics and those provided directly by the Ministry of the Interior).

It should be noted that it was not possible to calculate the registration rate in the same way in 2008 because residence permits for NNEUCs were abandoned in 2003.

The balance of nationalities amongst the NNEUCs registered partly reflects the patterns of European labour migration to 20th century France (Italians, Spanish & Portuguese), but also the prevalence of border migration (Germans & Belgians), and to a lesser extent, lifestyle migration (British & Dutch)²⁹. These observations are confirmed by the following breakdown of the results by gender, showing that both sexes are roughly equally represented in the case of the British, the Dutch, the Germans and the Belgians, where border and retirement migration essentially concern family clusters or couples, whereas in the case of the Spanish, the Italians and the Portuguese, there are many more male voters than female. This could be explained either by the fact that these

Table 3
Registered NNEUCs by nationality and gender in 2001

Country of origin	Men	Women	Total
Austria	301	404	705
Belgium	8,225	8,174	16,399
Denmark	432	534	966
Finland	113	289	402
Germany	6,128	6,867	12,995
Greece	325	254	579
Ireland	403	568	971
Italy	22,812	13,758	36,570
Luxembourg	310	322	632
Netherlands	3,172	3,918	7,090
Portugal	33,810	23,668	57,478
Spain	10,139	7,809	17,948
Sweden	400	548	948
UK	6,572	5,867	12,439
Total	93,142	72,980	166,122

Source: French Ministry of the Interior, Electoral Division.

²⁹ For a fuller analysis of these figures see Collard (2010).

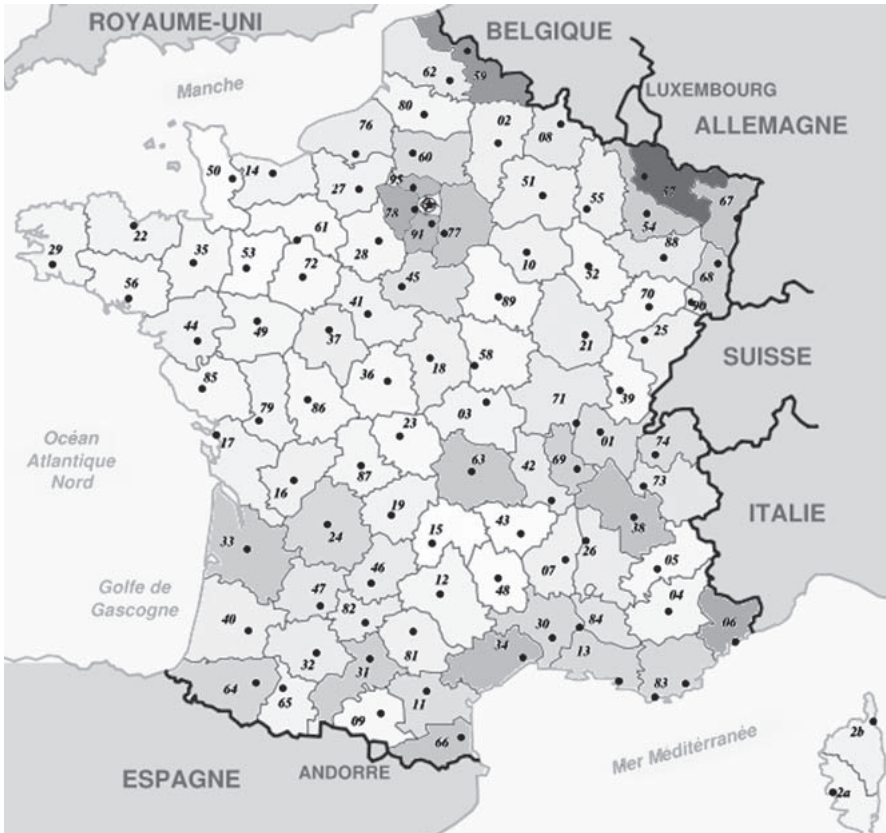
Table 4
Registered NNEUCs by nationality and gender in 2008

	Registered NNEUCs 2008		
	Women	Men	Total
Austria	793	553	1,346
Belgium	14,530	14,341	28,871
Bulgaria	188	137	325
Cyprus	33	22	55
Czech Republic	204	168	372
Denmark	965	773	1,738
Estonia	27	6	33
Finland	448	154	602
Germany	12,493	10,331	22,824
Greece	492	485	977
Hungary	94	67	161
Ireland	1,025	894	1,919
Italy	17,105	26,566	43,671
Latvia	47	42	89
Lithuania	73	24	97
Luxemburg	441	457	898
Malta	18	10	28
Netherlands	5,993	5,914	11,907
Poland	895	618	1,513
Portugal	34,449	47,233	81,682
Romania	453	326	779
Slovakia	99	102	201
Slovenia	13	30	43
Spain	10,598	12,293	22,891
Sweden	1,101	801	1,902
UK	16,516	17,495	34,011
Total	119,093	139,842	258,935

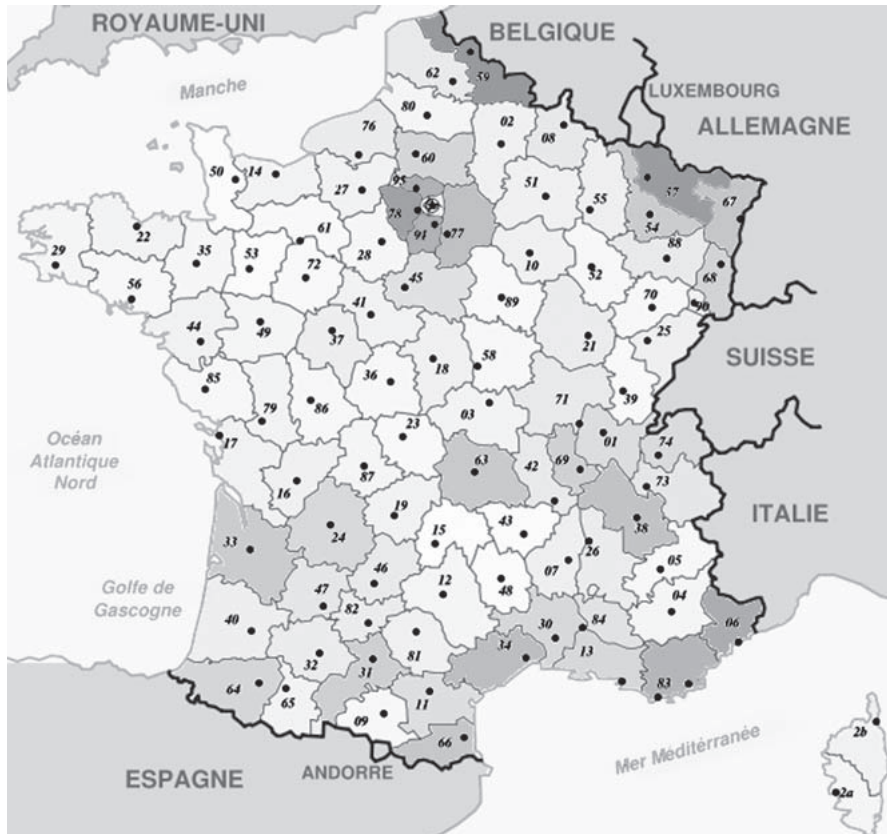
economic migrants came as single men and remained single or married women of French nationality, or by cultural factors (a greater reluctance of women in Mediterranean cultures to engage in politics).

The geographical distribution across the country of these registered NNEUCs, and the increase in numbers between 2001 and 2008, is illustrated by the following maps, created using the detailed breakdown of the data by department, nationality and gender (Collard, 2010). These maps show the unsurprising attraction of the Paris region in attracting migrants, but they also confirm the importance of border migration, especially on the Belgian and German borders, and lifestyle migration, particularly along the southern coast.

If we were to produce separate maps for each of the nationalities present, it would become clear that certain nationalities are attracted to certain areas, and the British provide a good example of this. Apart from those based in the capital city and its region, they are largely dispersed across parts of rural France with low density of population, and along what they have



Geographic distribution of registered NNEUCs in France in 2001



Geographic distribution of registered NNEUCs in France in 2008

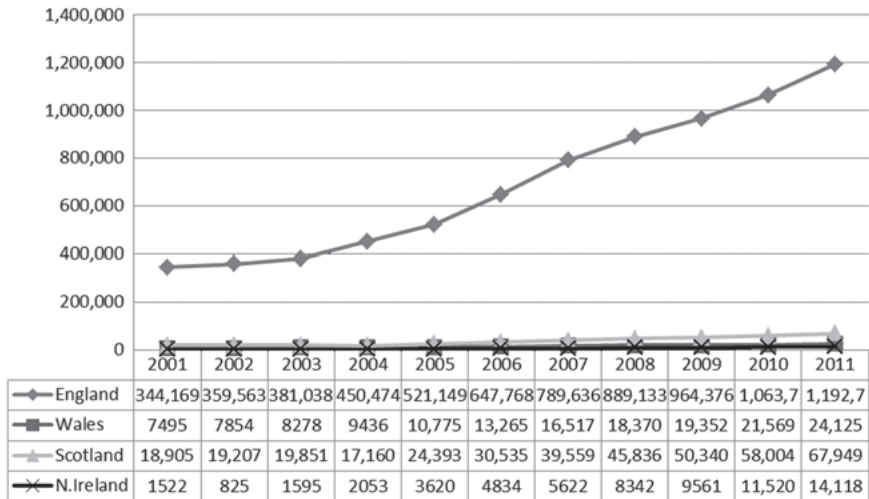
called ‘the Riviera’ in the south. This distribution illustrates the phenomenon of lifestyle migration from the UK to France, demonstrated by the tripling of numbers of British nationals from 12,439 in 2001 to 34,011 in 2008, thus moving up from sixth to third place. This growth can be explained by the arrival of a ‘second wave’ of lifestyle migrants from the turn of the century onwards, that I have described elsewhere as the ‘Ryanair generation’ (the first, ‘Peter Mayle generation’ being in the late 1980s and early 1990s) (Collard, 2008). In particular, the British have been attracted to the Lot and the Dordogne area, often now referred to in the UK as ‘Dordogneshire’, but then spread, due to rising property prices, to the cheaper Charente and Limousin areas, as well as to the Pyrenees and Brittany, whilst retaining a strong long established presence along the Riviera and in the Alps, dating back to the days of the first aristocratic ‘tourists’ of the early 18th century.



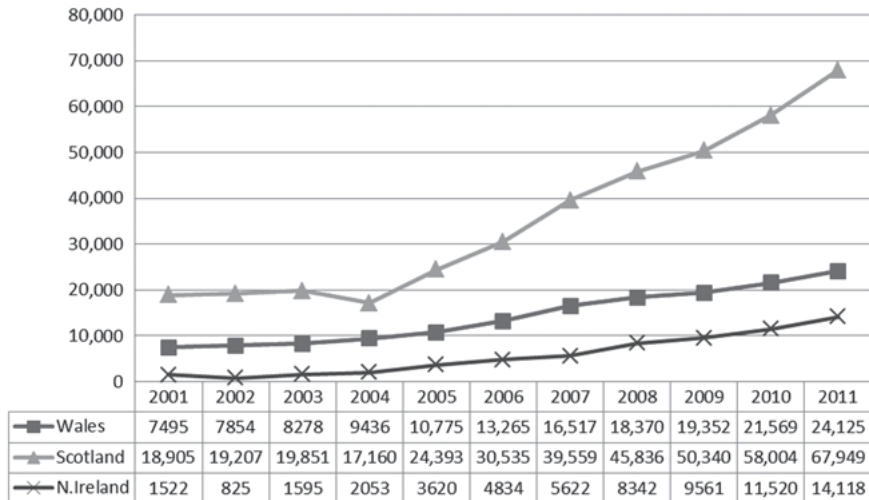
British registered voters in France: 2001 & 2008

2. Registered NNEUCs and registration rates: UK

Numbers of registered NNEUCs are recorded on an annual basis and are available from the Office of National Statistics for the period from 2001 onwards, as shown in the following graphs.



Numbers of registered NNEUCs in the UK 2001-2011



Numbers of registered NNEUCs in Scotland, Wales & N. Ireland 2001-2011

Given the very different type of data on registration of NNEUCs at local elections that is available for the UK, the breakdown of these numbers by nationality is only possible at the level of individual electoral authorities, so a direct comparison by nationality cannot be made with the French data. As

regards the total number of registered NNEUCs in the UK, this increased from 372,091 in 2001 to 1,298,909 in 2011. This means that even in 2001, before the 2004 enlargement, the UK had roughly twice as many registered NNEUCs as France (166,122); by 2008, France had 264,137 compared to 961,681 in the UK. This could be partly the result of the pro-active registration system applied across the UK, or may be a reflection of a greater number of NNEUCs resident in the UK. However, Eurostat figures claim that in 2000, there were 1,004,00 NNEUCs resident in France compared to 790,000 in the UK³⁰. A more recent Eurostat report on 'Population and Social Conditions' gave figures for NNEUC residents in 2010, as 1,317,600 in France and 1,922,500 in the UK³¹. If these figures are accurate, it would imply that registration rates are indeed (currently at least) much higher in the UK (59.47%) than in France (20.04%).³² The UK's Electoral Commission estimates that in 2011, 56% of NNEUCs were registered compared with 84% of UK nationals³³. This is somewhat lower than the figure obtained by basing a calculation on ONS data as presented in the following table:

Table 5
Registered NNEUCs in the UK in 2011
as % of total electorate and estimated number of NNEUC residents

1st December 2011	NNEUCs registered on electoral roll	Total electorate at local elections	NNEUCs as % of local electorate	Estimated number of NNEUCs resident (ONS Annual Population Survey / Labour Force Survey 2011)	% of NNEUCs registered
UK	1,298,909	47,383,500	2.74	2,081,000	62.4
England	1,192,717	39,825,800	2.99	1,835,000	64.9
Wales	24,125	2,322,100	1.03	43,000	56.1
N. Ireland	14,118	1,227,121	1.15	41,000	34.4
Scotland	67,949	4,008,411	1.69	139,000	48.8

Source: www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcn%3A77-235204. ONS Annual Population Survey / Labour Force Survey, March 2011.

³⁰ Community Labour Force Survey 2000.

³¹ http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-11-034/EN/KS-SF-11-034-EN.PDF This report has interesting data on both NNEUCs and TCNs resident in the EU.

³² I have made the calculation using the figure of 1,143,329 for UK registered voters (England, Wales & Scotland in 2010) and 264,137 for French registered voters in 2008.

³³ UK, Electoral Commission (2011) *Great Britain's Electoral Registers December 2011*, London: The Electoral Commission, p. 33, available at: www.electoralcommission.org.uk/__data/assets/pdf_file/0007/145366/Great-Britains-electoral-registers-2011.pdf

3. Candidates and elected councillors: France

The following table shows numbers of NNEUC candidates and elected councillors for the 2001 elections in *communes* of over 3500 inhabitants, since figures were not available for the smaller ones.

Table 6
NNEUC candidates and elected councillors
in communes of over 3500 inhabitants in 2001

Country of origin	Number of candidates	% of total EU candidates	Number of elected councillors	% of elected candidates
Austria	3	0.30	0	0.00
Belgium	100	10.09	21	10.29
Denmark	6	0.61	1	0.49
Finland	5	0.50	1	0.49
Germany	106	10.70	17	8.33
Greece	7	0.71	1	0.49
Ireland	8	0.81	2	0.98
Italy	144	14.53	28	13.73
Luxembourg	4	0.40	0	0.00
Netherlands	32	3.23	8	3.92
Portugal	389	39.25	83	40.69
Spain	99	9.99	23	11.27
Sweden	9	0.91	3	1.47
UK	79	7.97	16	7.84
Total	991	100.00	204	100.00

Source: French Ministry of the Interior, Electoral Division.

Of the 991 candidates, 204 were elected: the numbers for each nationality were roughly proportionate to the numbers of registered voters. The total number of NNEUC elected councillors contrasts starkly with the total number of 83,445 elected councillors in the same category of *communes*, of which it represents only 0,24%. Thus, in Strudel's analysis of these results, she observed that the spectre of the votes of French people being drowned in a tidal wave of NNEUC voters and candidates (as imagined

by the *souverainistes*), had failed to materialise, and she suggested that, in fact, election as a councillor tended to indicate a strong desire to integrate in the host community, rather than representing a challenge to it (Strudel, 2002).

In 2008, as Table 7 below shows, the number of NNEUC elected councillors in *communes* over 3500 almost doubled, to 396 (from 204) despite the fact that the number of candidates had not increased proportionately as much (from 991 to 1205). Thus the relative success rate was greater in 2008 and, although we do not know the gender profiles of the 2001 candidates, it is clear that the introduction of the parity law has worked to the advantage of female NNEUC candidates: of 625 female candidates, 232 were elected, compared to 580 male candidates winning 163 seats. In terms of nationality, the number of councillors elected from Spain, Italy and Portugal decreased as a proportion of the total, even though in real terms their numbers increased. Greece increased its councillors from 1 to 8, despite only having 909 registered voters. The only two new Member-States to have elected candidates were Poland and Romania (in bold): Poland only has one, for 1,039 registered voters, whereas Romania has 4, all women, for only 555 registered voters and seven candidates. This result is all the more impressive given that there were only 7 candidates. There are significantly more female NNEUC councillors than male, which can probably be explained by Strudel's observation made of the 2001 elections, that a number of these candidates were taken on to lists for their symbolic value, and that in this respect it made sense to prefer women to men in order to comply with the parity rules (Strudel, 2004a, p. 75)³⁴. The fact that the number of candidates in these *communes* has not increased proportionately to the increase in registered voters suggests that parties have not made any great efforts to recruit amongst the NNEUC population. Indeed, it is notable that the vast majority of NNEUC candidates were affiliated to either the 'Various Left' or the 'Various Right', rather than to any of the big parties (see Table A.2, Collard, 2010, p. 116).

The major innovation in the 2008 elections was that the Ministry of the Interior was able for the first time to collect data for the 33,922 *communes* of under 3500 inhabitants and this revealed some highly interesting results of great significance to our analysis. Whilst the figures in the Table 8 should be treated with a little caution as regards total accuracy, they nevertheless provide hard evidence that European citizens are integrating well into rural France and participating in the process of local democracy³⁵.

³⁴ 'quitte à être « l'europpéen de service », il vaut mieux être « l'europpéenne de service »'.

³⁵ For more detailed analysis see Collard (2010).

Table 7Numbers of candidates and elected councillors by gender and nationality in *communes* of over 3,500 inhabitants in 2008

	NNEUC candidates			% total NNEUC candidates (2001 figures for comparison)	NNEUC elected councillors			% NNEUC elected councillors (2001 figures for comparison)
	Men	Women	Total		Men	Women	Total	
Austria	1	6	7	0.58 (0.30)	—	2	2	0.50 (0.00)
Belgium	56	74	130	10.78 (10.09)	20	38	58	14.60 (10.29)
Bulgaria	1	1	2	0.16	—	—	—	—
Cyprus	—	—	—	—	—	—	—	—
Czech Rep.	—	—	—	—	—	—	—	—
Denmark	6	4	10	0.82 (0.61)	—	3	3	0.70 (0.49)
Estonia	—	—	—	—	—	—	—	—
Finland	—	3	3	0.24 (0.50)	—	2	2	0.50 (0.49)
Germany	41	95	136	11.28 (10.70)	8	36	44	11.10 (8.33)
Greece	6	10	16	1.32 (0.71)	4	4	8	2.00 (0.49)
Hungary	2	1	3	0.24	—	—	—	—
Ireland	6	6	12	0.99 (0.81)	1	—	1	0.25 (0.98)
Italy	122	77	199	16.51 (14.53)	24	15	39	9.80 (13.73)
Latvia	—	—	—	—	—	—	—	—
Lithuania	—	—	—	—	—	—	—	—
Luxemburg	2	—	2	0.16 (0.40)	—	—	—	—
Malta	—	—	—	—	—	—	—	—
Netherlands	17	36	53	4.39 (3.23)	10	21	31	7.80 (3.92)
Poland	7	3	10	0.82	—	1	1	0.25
Portugal	209	180	389	32.28 (39.25)	64	62	126	31.80 (40.69)
Romania	—	7	7	0.58	—	4	4	1.00
Slovakia	—	1	1	0.08	—	—	—	—
Slovenia	—	—	—	—	—	—	—	—
Spain	45	61	106	8.79 (9.99)	11	21	32	8.00 (11.27)
Sweden	3	8	11	0.91 (0.91)	—	4	4	1.00 (1.47)
UK	56	52	108	8.96 (7.97)	21	20	41	10.30 (7.84)
Total NNEUC	629	576	1,205	100.00	163	233	396	100.00

Table 8

Number of NNEUCs elected as municipal councillors
in *communes* of under 3,500 inhabitants in 2008, by nationality and gender

Country of origin	Men	Women	Total
Austria			6
Belgium	172	119	291
Bulgaria	1		1
Cyprus			4
Czech Republic		1	1
Denmark	3	5	8
Estonia			2
Finland	3	4	7
Germany	38	57	95
Greece			5
Hungary			5
Ireland	10	3	13
Italy	33	12	45
Latvia			0
Lithuania			1
Luxembourg	4	1	5
Malta	4		4
Netherlands	53	77	130
Poland	1	1	2
Portugal	71	26	97
Romania	1		1
Slovakia			1
Slovenia			0
Spain	14	6	20
Sweden			5
UK	167	238	405
Total	575	549	1,154

My own research suggests that this total figure is likely to be somewhat higher, possibly 1500 or even 2000, due to inaccuracies derived from the complexity of the data collection process; thus in all, there are possibly as many as 2500 NNEUC local councillors in France at present. Whilst this may sound an impressive step forward for European Citizenship, it should be set against the total figure of approximately 500,000 municipal councillors elected in France, and it should also be noted that the *commune* is rapidly being stripped of its powers through the process of ‘intercommunality’ by

which the central state is trying to rationalise the complex and expensive system of local government that history has passed down to it. Moreover, my fieldwork (involving semi-structured interviews with 50 British councillors elected in 2001) showed quite clearly that very few respondents were aware that their right to vote in local elections was derived from the EU and the majority did not see themselves in any way as ‘pioneers of European Citizenship’. Nevertheless, they all identified themselves in some way as being ‘European’ and felt that their participation was a positive aspect of their integration into their host communities. Clearly there is a need for more extensive qualitative research if we are to build a more comprehensive picture, across all the EU nationalities concerned, of how these ‘pioneers’ of European citizenship may (or may not) be contributing to the building of some kind of Eurodemocracy at grass-roots level, and whether or not any links between local democracy and the wider European framework can be meaningfully established.

4. *Candidates and elected councillors: the UK*

No national data is available for the UK relating to nationality of candidates, and numbers of NNEUC elected councillors can only be obtained by making individual requests to all the electoral authorities, which has so far only been possible for my home town Brighton and Hove, where the following observations were made:

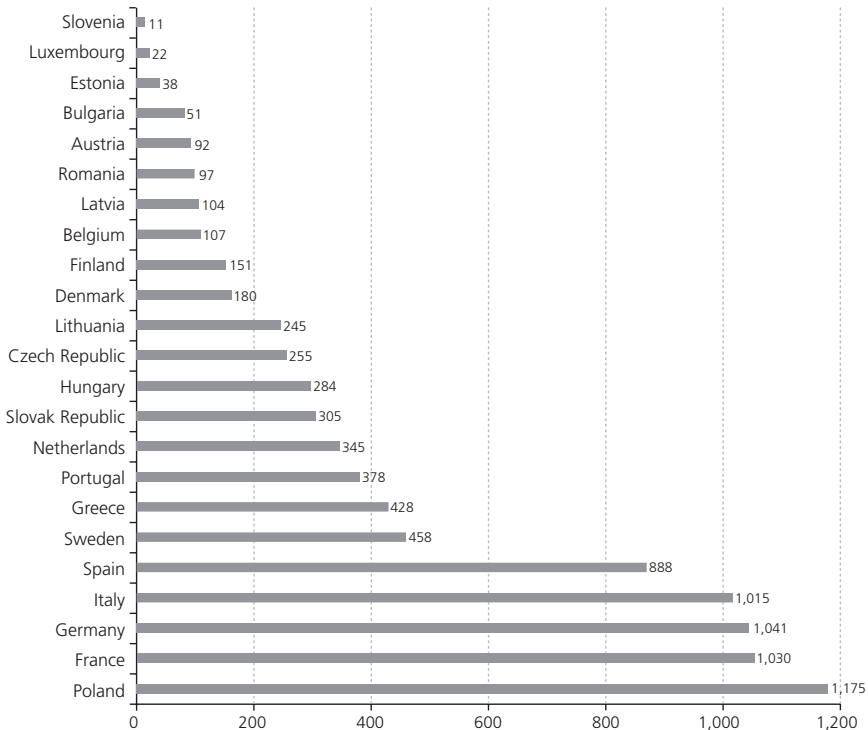
Anja Kitcat	Polish	Regency Ward	Green Party
Amelia Mills	Italian	Moulsecoomb	Green Party
Yuri Borgmann-Prebil	German	Preston Park	European Citizens Party

The first of these was the only one to be elected, along with her British husband (now Leader of the Council), in Regency Ward. Anja has lived in the UK since 1994 and does not in any way claim to speak for the Polish residents in Brighton & Hove, who, she accepts, tend not to engage much with the local community. She is the first European Citizen to be elected to Brighton & Hove Council.

5. *Participation rates of NNEUCs at local elections in the UK*

By contrast to the generality of the national data, my close empirical analysis of the local elections results in a sample of UK cities, using the method outlined earlier, allows us to get a closer look at the extent to which

NNEUCs took advantage of exercising their right to vote in recent local elections. The graphs below show for each city the number of registered voters by nationality, as well as the actual turnout of NNEUCs compared to that of the total electorate. The selection of cities in the sample was determined by various factors, the main criterion being to have a significant number of NNEUCs on the electoral register. The city with the highest number of NNEUCs on the electoral register was unsurprisingly London, with nearly 500,000 (7.95% of the total electorate) in 2011, but because of the cost of exploiting this amount of data, it could not be included in this project. For the pilot study, conducted to test the methodology, Brighton & Hove was the obvious choice for practical reasons, being my home town, but it also had a good representation of NNEUCs (4.32%).



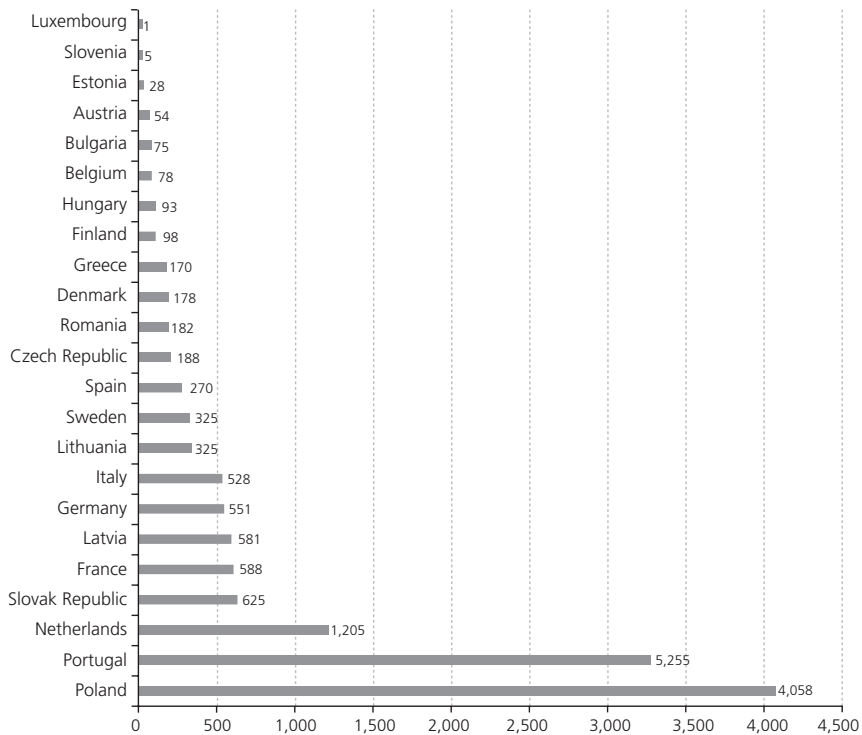
Total local electorate: 203,437. Total NNEUCs: 8718 (4.23%)

NNEUC turnout: 26.16%. Total electorate turnout: 44.19%

NNEUC voters as % of total voters: 2.56%

Registered NNEUCs by nationality in Brighton & Hove: March 2010

Leicester was chosen because the population has a very multi-ethnic and multi-cultural base, and will therefore provide an interesting case study of how NNEUCs integrate with other non-EU migrants. The nationality data revealed an unusually high number of Portuguese and Dutch citizens, for which there is no immediately obvious explanation: further research will seek to determine, whether these nationalities were acquired in those two countries by previously non-EU migrants, as the surnames on the register would suggest.



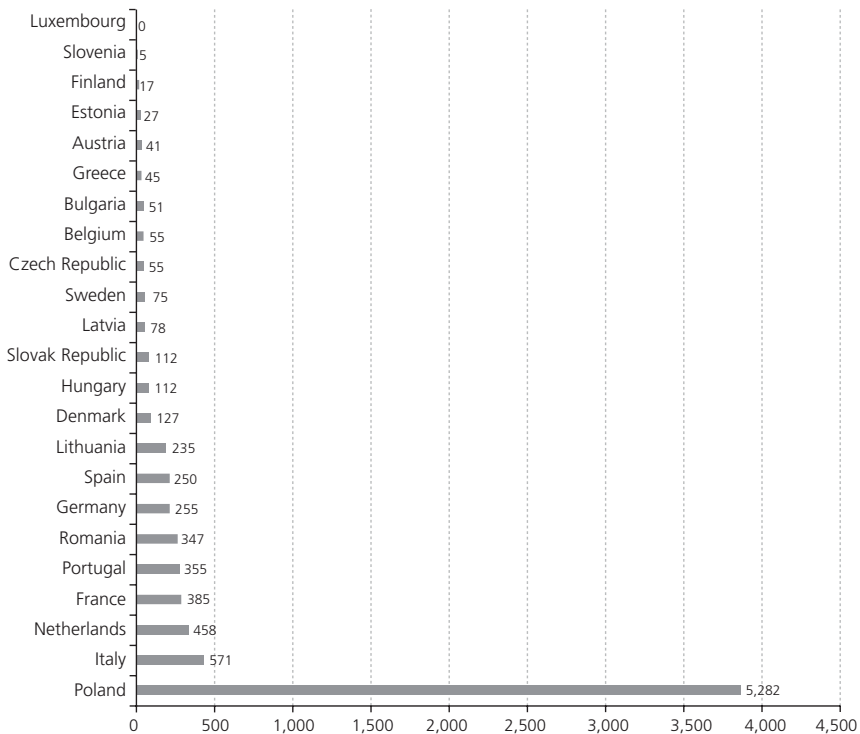
Total local electorate: 228,252. Total NNEUCs: 13,614 (5.96%)

NNEUC turnout: 24.45%. Total electorate turnout: 41%

NNEUC voters as % of total voters: 1.45%

Registered NNEUCs by nationality in Leicester: May 2010

Slough was selected because it has one of the highest proportions of NNEUCs in the country (9.83%). The nationality data revealed that Polish citizens outnumber all other nationalities by far, so it is not surprising, given the lack of political engagement by Poles already noted (but still to be explained in the qualitative research to follow), that Slough recorded the lowest turnout of NNEUCs in the sample, at 17.23%.



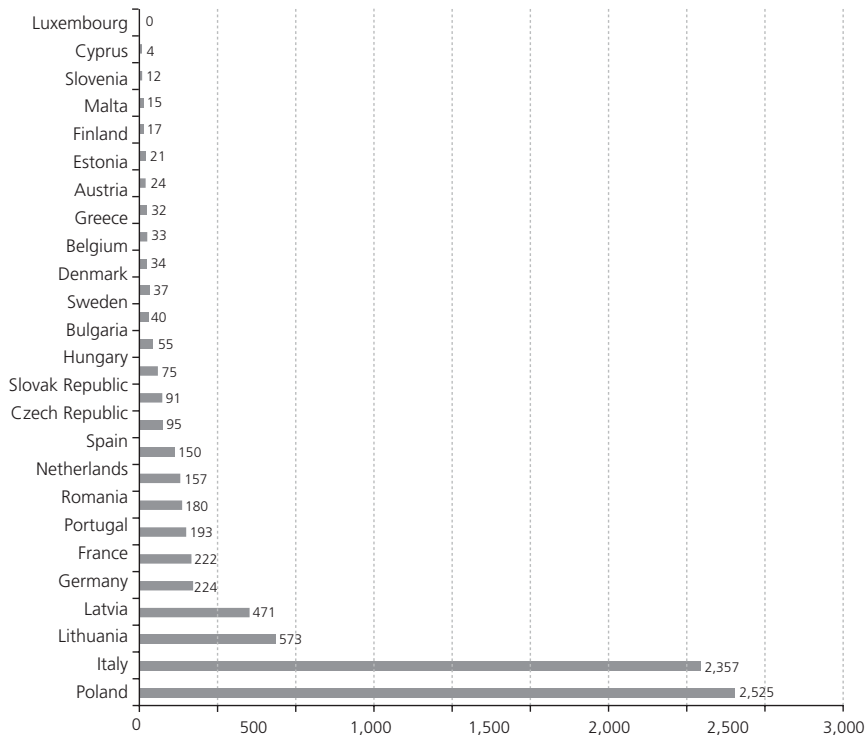
Total local electorate: 90,653. Total NNEUCs: 8918 (9.83%)

NNEUC turnout: 17.23%. Total electorate turnout: 28%

NNEUC voters as % of total voters: 5.02%

Registered NNEUCs by nationality in Slough: November 2011

Bedford was selected because it is widely known to have a long established Italian community, making it an interesting case study of the interaction between an 'old' community and a 'new' wave of migrants. The data shows that Italians are indeed the second largest nationality group after the Poles: the qualitative research will seek to establish whether many of the 'old' migrants took British nationality, and what motivated the choice to become British or remain Italian.



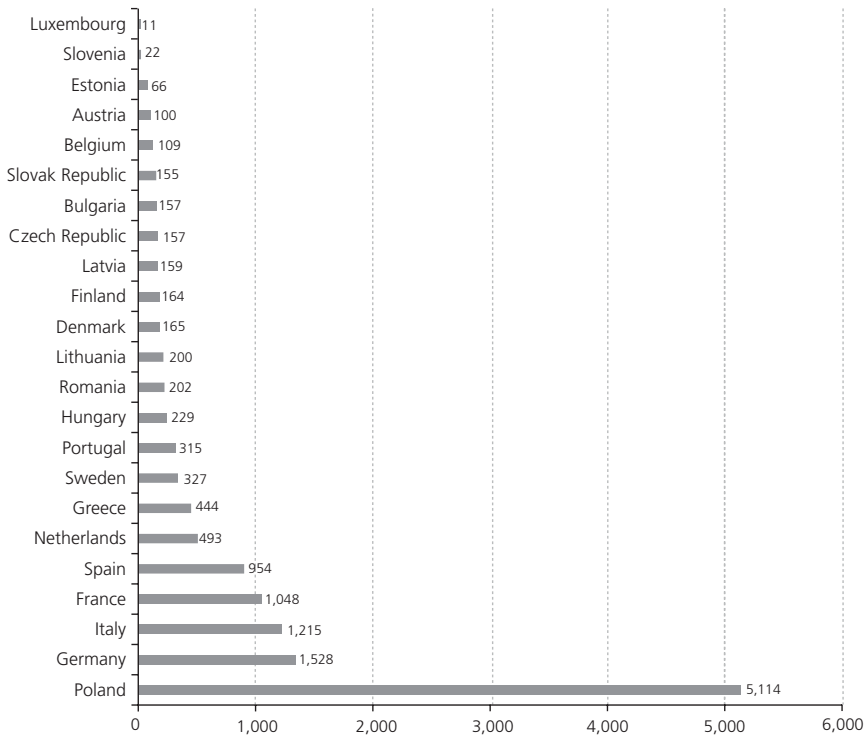
Total local electorate: 118,691. Total NNEUCs: 7699 (6.48%)

NNEUC turnout: 24.27%. Total electorate turnout: 47.55%

NNEUC voters as % of total voters: 3.37%

Registered NNEUCs by nationality in Bedford: May 2012

Edinburgh was selected because it is the capital city of Scotland and a good comparison with English cities. These results will be of particular comparative interest with respect to the upcoming Scottish referendum on independence in 2014, in which NNEUCs will be allowed to vote. The NNEUC turnout was higher in Edinburgh (32.7%) than in any of the other cities sampled.



Total local electorate: 331,954. Total NNEUCs: 13,035 (3.92%)

NNEUC turnout: 32.7%. Total electorate turnout: 42.6%

NNEUC voters as % of total voters: 3.01%

Registered NNEUCs by nationality in Edinburgh: May 2012

Analysis of data for Cambridge and Manchester is currently underway: Cambridge was selected not only because it has a very high proportion of NNEUCs (9.45%), but because it is a city whose population is dominated by the university. Manchester was chosen because the city (as opposed to Greater Manchester) it is also dominated by the university and also has the highest proportion of NNEUCs (10.94%) of all UK cities.

Overall, these initial findings for the UK suggest that the actual participation rates of NNEUCs hover on average around 25% of those registered. Ongoing research for this project will extend the sample of cities analysed, whilst also in the next stage carry out a more qualitative analysis of NNEUCs and their motives for voting or not, using an on-line survey to be followed up by semi-structured interviews with a sample of respondents.

V. Conclusions

In this paper I have shown that if we are to know and understand more about the significance of voting in local elections for mobile European citizens, we cannot rely on information produced at EU level, but rather, that more academic research should be carried out at national and sub-national levels, since this is the most likely way to produce accurate and considered results. The investigations I have carried out in France and the UK have produced original data that identifies individual NNEUCs by name and address, who are mobile through their residence in another Member State, and who in some cases, are known to have used their right to participate in the democratic process of their host community. However, the research has also highlighted the difficulties and limits involved in comparing two sets of national data which cannot produce directly comparable results.

For France, we have excellent detailed data on the candidates in larger *communes*, on those elected as councillors in all *communes*, and on the nationality, geographical location, gender, and even age of registered NNEUCs; all of this could be further exploited for qualitative enquiry, yet we have no data on actual turnout. This problem could possibly be addressed by carrying out a few sample investigations in a selection of localities where the local authorities were supportive of the aims of the research, since they could probably facilitate access to the '*listes d'émargement*' which could in theory provide the necessary data. But given the sheer number of local authorities in France, and their disparate sizes, it would be hard to know what would constitute a meaningful sample. For the UK, although we have established a methodology for obtaining data on actual turnout by NNEUCs in a sample of cities, it would be a costly exercise to replicate across the whole country. As regards obtaining data on candidates and elected

councillors, this would require a change in the law demanding individual local authorities to collect this information, which is highly unlikely since there is no political demand for it.

Thus the research so far indicates that a direct comparison of participation in local elections by NNEUCs in France and the UK is highly problematic. Any attempt to extend the comparison to other Member-States would no doubt reveal yet more limitations and complexities in this respect. Yet this should not be a reason to abandon the project. If Member-States could be persuaded to set in place the necessary mechanisms for collecting all the relevant data, an EU-wide comparison would surely be possible. It is clearly the role of the Commission to take on the responsibility for such a task, since it cannot seriously evaluate the development of European Citizenship without assessing the level of participation in local elections. Meanwhile, despite the incompatibilities of data which prevent direct comparisons, the two case studies presented have revealed new data which is interesting *per se*, and if more case studies were carried out in other Member-States, we would have a much richer picture of the state of participation in European Citizenship across the EU, even if they could not produce a uniform set of comparisons.

Moreover, the statistical research carried out so far is just a starting point in a much more ambitious project which aims to exploit the data in order to refine and enrich the picture presented thus far: future research will seek answers to a set of questions assessing NNEUCs' awareness of European Citizenship rights, and evaluating their impact on ordinary mobile EU citizens. To what extent have participation rates in local elections been informed by cultural practices associated with nationality, modes of access (such as registration procedures) and levels of information in the country of residence? What do these voting rights represent for the individuals concerned, when compared to the other benefits that constitute the reality of European citizenship for mobile EU citizens more generally (such as free movement, the right to work, access to health and welfare benefits)? Does political inclusion in the local democratic process enhance integration of NNEUCs into their local communities? Do they feel their human rights are enriched by having access to local voting rights? To what extent are they aware of European Citizenship and the rights it confers on them, and does mobility increase the level of awareness? Do NNEUCs associate their right to vote and stand in local elections with the European polity or do they see it as a concession granted by the host polity? What role do European Citizenship rights play in encouraging the development of a transnational European identity? Can a set of typologies be developed to frame the responses to all these questions? The pace of progress on this research will inevitably be determined by access to further funding. If this cannot be

secured at EU level, it will have to be sought at national or sub-national levels. For it is only with more dedicated research that we can hope to have a clearer sense of the full impact at grass roots level of the introduction of voting rights for NNEUCs by the Treaty of Maastricht.

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