

NGO NETWORK OF INTEGRATION FOCAL POINTS

# POLICY BRIEFING ON THE CIVIC AND POLITICAL PARTICIPATION OF REFUGEES AND MIGRANTS IN EUROPE

'At the moment I don't feel myself like refugee or asylum seeker. So I am just looking forward to the future and I feel myself like a British and so I am going to apply for British citizenship.'

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**I**n 2004, the European Council adopted the Common Basic Principles (CBPs) on Immigrant Integration and in 2005, in its Communication A Common Agenda for Integration, the European Commission developed these principles into a framework with action points at national and European levels.<sup>1</sup> This policy briefing focuses on the implementation of CBP 9: 'The participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, supports their integration.'

For the effective functioning of democratic systems it is important that individuals play an active role: as voters, community participants, workers, activists, political party members, etc. Therefore, it is important to also promote the civic and political participation<sup>2</sup> of immigrants and refugees in the host country.

The civic participation of newly arrived migrants, as well as asylum seekers and refugees, in migrant/refugee/minority community organisations can help them to settle in and to develop a social network. However, other civic organisations also have a responsibility to involve and encourage these particular groups into their work.

Participation in the political decision-making process also promotes integration. The granting of political rights is a democratic means of expression and at the same time gives responsibilities to voters. The right to vote at the municipal, regional and European level should be granted to all immigrants and refugees who have resided regularly for a specific period of time in the country. To this end, political parties also have a responsibility to more actively attract immigrants and offer training in political processes. In general, necessary mechanisms should be put in place to inform immigrants and refugees of their entitlement to vote and stand in certain elections.

The acquisition of citizenship remains the most potent measure of integration into a receiving society by foreign nationals. There are considerable differences between European states in their naturalisation and citizenship criteria and procedures. The various requirements, for example renouncing the nationality of the country of origin, make it difficult for migrants and refugees to acquire citizenship.

The civic and political participation of immigrants, asylum seekers and refugees, ultimately supports the diversity of the European community.

## Recommendations for the European Common Agenda on Integration

### THE CONVENTION ON THE PARTICIPATION OF FOREIGNERS IN PUBLIC LIFE AT LOCAL LEVEL

In 1992, the Council of Europe adopted the Convention on the Participation of Foreigners in Public Life at Local Level<sup>3</sup> with the view to encouraging the active participation of foreign residents in the life of the local community and the development of its prosperity by enhancing their opportunities to participate in local public affairs. Article 6 grants foreign residents the right to vote and stand for election in local authority elections after 5 years of residency preceding the election. However, Member States can restrict this right to voting. Member States can also stipulate a shorter period of residence (Article 7). On 19 May 2006 only 11 Member States had signed up and 8 had ratified this Convention.

All EU Member States should sign up to, ratify and implement the Convention on the Participation of Foreigners in Public Life at Local Level. The right to vote and stand for election in local authority, regional and European elections should be granted to migrants and refugees who have been lawful and habitual residents in the State concerned for three years or a shorter period of residence preceding the elections.

### POLITICAL PARTICIPATION

There are other challenges to political integration than voting rights and the right to stand for elections. Participation in politics generally requires, for example, advanced writing skills, public speaking and the ability to chair meetings.<sup>4</sup> Some states have made efforts to encourage the participation of refugees and migrants in political life through, for example, the setting up of local community councils for foreigners. These are important measures particularly where migrants and refugees represent a significant percentage of the population.<sup>5</sup> Moreover, in countries that give refugees the right to vote and stand for election, refugee issues are placed higher on the political agenda with politicians becoming more responsive and aware of the concerns of this group.<sup>6</sup> This leads to a more balanced public debate, less stigmatising of migrants and refugees and government policies that are more conducive to integration.

The promotion of migrants' and refugees' involvement in mainstream civil organisations is the duty of the whole society: legislative bodies should reduce hindrances for the civic and political engagement of migrants and refugees. Civic organisations should develop strategies to encourage migrants' and refugees' membership and active engagement. Political parties should be more active in trying to attract migrants and refugees and offer training in political processes.

## CITIZENSHIP & NATURALISATION

There are considerable differences between European states in their citizenship and naturalisation criteria and procedures. These reflect distinct historical experiences as countries of emigration or immigration, different concepts of nationhood and models of citizenship, and inclusive or exclusive policies towards long-term residents. Some countries tend to prioritise the principle of blood relationship with a citizen of the state (the principle of *ius sanguinis*), whereas most others stress the importance of territorial affiliation (the principle of *ius soli*); some combine both. There is also an emerging trend in some countries to link permanent residence and naturalisation to other criteria relating to proving a capacity for 'good citizenship', which may require the successful completion of citizenship programmes and/or passing a 'citizenship test'. Although some countries are clear as to the criteria that have to be met to become a citizen and do have a good record of allowing migrants and refugees access to citizenship in practice, other states make citizenship very difficult to obtain.

Furthermore, some states do not allow their citizens to hold the citizenship of another state at the same time, namely dual citizenship, and require them to denounce the other citizenship.<sup>7</sup> In some European countries, the belief persists that dual citizenship poses questions of loyalty and belonging. But it is a reality that migrants and refugees, as well as many other people in European societies, have cultural ties in more than one country.

Article 34 of the 1951 Refugee Convention and Council of Europe Recommendation 564 (1969) on the Acquisition by Refugees of the Nationality of their Country of Residence,<sup>8</sup> and in particular facilitate the naturalisation of migrants and refugees by:

- a) taking into account the total period of residence of a person in a country of durable protection including periods under temporary protection or as a registered asylum seeker;
- b) removing or at least reducing legal obstacles to naturalisation, such as the minimum period of residence when it exceeds five years, or requirements that applicants should prove loss of former nationality;
- c) allowing people to continue holding their original nationality where possible;<sup>9</sup>
- d) enabling migrant and refugee children to obtain at birth the nationality of the country in which they were born;
- e) removing administrative obstacles by introducing accessible procedures, transparent criteria for acceptance and low procedural fees when they exceed the financial possibilities of migrants and refugees.

## CIVIC PARTICIPATION

Civic participation in refugee community and migrant organisations can help newly arrived migrants and refugees settle and develop a social network. In addition, these organisations give refugees and migrants a voice. However, since 9/11 and the Madrid and London bombings, the fact that migrants and refugees organise themselves is not always seen as something positive, but rather a step towards self-chosen isolation, in particular Muslim organisations are perceived as negative and associated with terrorism and separatism. At the same time, other civic organisations, for example women's organisations, sports clubs, associations, e.g., should encourage migrants' and refugees' membership and participation in their activities.

It is important to continue to invest in refugee community and migrant organisations as they play an important role in empowering their communities. At the same time it is essential to incorporate these organisations in existing structures so that they become part of mainstream civic life. Increased funding and support should be made available in order to enable them to build capacity and undertake medium and long-term projects. Other civic organisations should encourage migrants' and refugees' membership and participation in their activities.

<sup>1</sup>See Council Conclusions, Immigrant Integration Policy in the European Union, 14615/04 of 19 November 2004 and the Communication from the European Commission on A Common Agenda for Integration – Framework for the Integration of Third-Country Nationals in the European Union, September 2005, COM (2005) 389.

<sup>2</sup>In this policy briefing the term civic participation relates to people's participation in public affairs through, amongst others, NGOs, associations, trade unions, local clubs and societies, as well as through informal networks. While political participation is understood as people's participation through formal democratic structures such as political parties, local authorities and parliaments.

<sup>3</sup>Council of Europe. ETS 144 – Participation of Foreigners in Public Life, 5.II.1992.

<sup>4</sup>Zafir Behlic, Strengthening our Voice: The Challenges of Refugee Participation in Politics, [http://www.refugeecouncil.org.uk/downloads/publications/inexile/samples/july04/politics partic.pdf](http://www.refugeecouncil.org.uk/downloads/publications/inexile/samples/july04/politics%20partic.pdf)

<sup>5</sup>Ibid.

<sup>6</sup>In Ireland where asylum seekers / refugees were allowed to vote and stand for election in local elections in June 2004, the political debate changed and included refugee related issues, and members of the immigrant and refugee community were successfully elected.

<sup>7</sup>It should be noted however, that sometimes it is the refugee's country of origin that prohibits dual citizenship.

<sup>8</sup>See the Parliamentary Assembly of the Council of Europe, Recommendation 564 (1969) on the Acquisition by Refugees of the Nationality of their Country of Residence.

<sup>9</sup>See the Parliamentary Assembly of the Council of Europe, Recommendation 1625 (2003) Policies for the integration of immigrants in Council of Europe member states, para. 8 (d).

<sup>10</sup><http://www.bloggen.be/minderhedenstemrecht/>

<sup>11</sup>See Caritas Italiana, Immigrati e partecipazione. Dalle consulte e dai consiglieri aggiunti al diritto di voto, Edizioni Idos, July 2005.

## EXAMPLES OF GOOD PRACTICE

### BELGIUM

In 2006, migrants of non-EU origin who fulfilled certain conditions could for the first time in Belgian history vote in the elections of October 8th, 2006. They had to hold a residence permit valid for 1 to 5 years with possible prolongation. They also had to have 5 years' continuous legal and main residence in Belgium. In the weeks before the elections NGOs and other refugee organisations tried to make refugees aware of their new political rights, and to convince them of the importance of registering.<sup>10</sup>

### ITALY

In Italy, two different systems of political representation for foreigners have been introduced at the local level:<sup>11</sup> the Consultative Body of Foreigners and the Associated Counsellor (Consigliere Aggiunto). The first is a collegial body composed of a certain number of foreigners directly elected by foreign

residents. The Consultative Body can only give non-binding advice on policies. Its President can be invited to participate in the Council Assembly. Foreign residents also directly elect Associated Counsellors. The number of Associated Counsellors differs in relation to the size of the municipality and the proportion of foreign residents. Unlike the Consultative Body, Counsellors have the right to participate in every Council's Assembly. However, both are consultative posts and therefore do not have the right to vote.

### LUXEMBOURG

In Luxembourg, social elections are organised to renew the representation of employees in 'professional chambers' and in health welfare funds (Caisses de maladie), as well as to renew staff representation in companies. All workers in the country, without distinction based on nationality or residence, participate in such social elections.

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This policy briefing has been produced by the NGO Network of Integration Focal Points, which brings together 28 non-governmental organisations in 19 European countries in the refugee and migration field with the aim of advocating for better integration policies and practices for refugees and migrants in Europe. The Network is coordinated by the European Council on Refugees and Exiles (ECRE) in liaison with Caritas Europa. The Network was established in June 2005 and received financial support from the European Commission (INTI preparatory Actions 2004) and the Network of European Foundations (European Programme for Integration and Migration) from September 2006 to February 2007.

This policy briefing is part of a series of six on the integration of refugees and migrants in Europe addressing the following topics: Housing; Introduction and language courses; Assessment of skills and recognition of qualifications; Vocational training and (higher) education; Employment and employment support; and Civic and political participation.

The European Council on Refugees and Exiles (ECRE) is an umbrella organisation for cooperation between almost 80 European non-governmental organisations in 31 countries concerned with refugees. For more information: [www.ecre.org](http://www.ecre.org)

Caritas Europa is one of the seven regions of Caritas Internationalis, a confederation of 162 Catholic relief, development and social service organisations working to build a better world, especially for the poor and oppressed, in over 200 countries and territories. For more information: [www.caritas-europa.org](http://www.caritas-europa.org)

For more information on both organisations' positions on refugee/migrant integration: ECRE's The Way Forward: Europe's role on the global refugee protection system – 'Towards the Integration of Refugees in Europe, July 2005

Caritas Europa's Integration – A process involving all, March 2004

FRONT COVER: This quote has been taken from ECRE's Refugee Stories project, which relates the experience of men and women who have sought sanctuary in one of 12 EU countries over the past ten years. More information: [www.ecre.org/refugeestories/](http://www.ecre.org/refugeestories/)

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