

ELECTORAL RIGHTS OF EU MOBILE CITIZENS FACING HOMELESSNESS

This article discusses the challenges faced by EU mobile citizens, particularly those experiencing homelessness, in exercising their electoral rights. It highlights a range of EU directives allowing citizens to vote and run for office in their host countries but also underscores a number of obstacles such as language barriers, the complex registration processes, and a lack of awareness. The article puts forward several strategies to improve participation including better information dissemination, simplified registration procedures, and targeted campaigns.



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Citizens of the EU benefit from certain rights which are directly attached to their citizenship, such as the right to free movement, the right to petition, or political rights that they can benefit from in the country where they reside. However, vulnerable populations, such as EU mobile citizens facing homelessness, experience obstacles in the exercise of their EU citizenship rights.

The right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals dates back to the Council Directive 94/80/EC of 19 December 1994.¹ In a similar vein, the Council Directive 93/109/EC of 6 December 1993² lays down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals. These rights are enshrined in the Charter of Fundamental Rights of the European Union on the 1st of December 2009.³

In practice, this means that EU mobile citizens can choose to vote or stand as candidates in the Member State where they reside, even if they possess the nationality of another Member State. But who are these EU mobile citizens, and how can marginalised communities fully benefit from these rights?

EU mobile citizens are citizens who are originally from one Member State of the European Union (EU), whom they are nationals of, but reside in another Member State of the EU, where they stay legally but do not hold the nationality. They should not be confused with dual citizens who have the nationality of two or more Member States of the European Union.

1 [Directive - 94/80 - EN - EUR-Lex \(europa.eu\)](#)

2 [Directive - 93/109 - EN - EUR-Lex \(europa.eu\)](#)

3 [EUR-Lex - 12016P/TXT - EN - EUR-Lex \(europa.eu\)](#)

Among the EU mobile community, citizens experiencing homelessness constitute a particularly vulnerable group, as they often do not speak the local language, and are unable to register due to a lack of information or the absence of digitalisation. Also, as homeless EU mobile citizens are confronted with discrimination issues, they do not receive adequate support to exercise their political rights.

As mentioned above, according to EU legislation, EU mobile citizens have the right not only to vote but also to stand as candidates both in the municipal and the European Parliament elections. This is of particular importance for two reasons.

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With regard to the municipal elections, in most countries, citizens of voting age lose the right to participate in municipal elections once they deregister from the municipality they used to reside in, in their home Member State. Therefore, once they leave their country of origin to move to another country in the EU, they are deprived of the right to take part in local elections.

As far as the European Parliament elections are concerned, a different yet comparable issue occurs in countries where going to the polling station is mandatory, for example when citizens need to go back physically to their home Member State to vote in person, or when they need to reach a Consulate, which might be far away from the place where they reside. In such a case, citizens may feel discouraged from exercising their right to vote, and even more discouraged to run as a candidate for the European Parliament elections.

Granting the right to vote and stand as candidates to EU mobile citizens in their host Member States should therefore guarantee that citizens of voting age can cast a ballot at both the European and the municipal levels under any circumstances. However, some obstacles remain, making it sometimes difficult for EU mobile citizens to fully exercise their voting rights, especially those in precarious situations.

According to the 2020 Eurobarometer,⁴ only 71% of EU citizens know that they can vote or stand as candidates in the European Parliament elections. Moreover, according to the flash Eurobarometer survey conducted at the request of the European Commission's Directorate-General for Justice and Consumers as part of the Citizenship and

4 [EuroCom_ Citizenship and Democracy _2020_v4 \(europa.eu\)](#)

Democracy report⁵, 'about two-thirds of respondents (67%) correctly identify that a citizen of the EU living in their country has the right to vote or stand as a candidate in European Parliament elections. An appreciably lower majority – 55% – correctly identify that such a citizen has the right to vote or stand as a candidate in municipal elections.'

The European Citizen Action Service (ECAS) has conducted focus groups in the past years, gathering civil society, policymakers, and EU mobile citizens, to try to understand the reasons why there is a lack of participation of EU mobile citizens in both the municipal and the EU political landscapes. Through a crowdsourcing exercise, ECAS has also invited citizens to share their thoughts and recommendations to foster the political participation of EU citizens.

First of all, it appears that in most Member States, during the registration process upon arrival, little to no information is provided concerning voting rights. Furthermore, requirements to register on the electoral roll of host Member States are often available in the language of the host country only. It appears that online or offline information is not communicated; neither in English nor in the most widely spoken language of the EU mobile community of each Member State. Therefore, newcomers cannot easily access information concerning the registration requirements and do not feel involved. Additionally, civil servants are often not able to express themselves in any other language, leading to confusion for EU mobile citizens who wish to raise questions about their political rights.

5 [Flash Eurobarometer FL528 : Citizenship and democracy - Data Europa EU](#)

Language issues also concern political parties who do not always take the time to ensure that their manifestos are translated and available in different languages.

In certain Member States, the complexity of registration requirements both at the town hall and on the electoral roll does not allow EU mobile citizens to fully enjoy their political rights. The absence of a streamlined process across Member States may lead to confusion, especially for highly mobile citizens. The administration burden is even more complex for the European elections, as citizens need first to deregister from the electoral lists of their home country, in order to be able to register on their host country. The aforementioned shows that there is a lack of cooperation between local authorities to ensure that EU mobile citizens have a clear understanding of registration processes on both sides of the border, even in cross-border regions.

Registration issues, furthermore, have a particularly negative impact on the political participation of EU mobile homeless citizens. Indeed, most Member States do not offer automatic registration on the electoral roll upon arrival in the host country. According to the study on homeless migrants and EU mobile citizens in Europe from GIS Bremen⁶ 'Mobile EU citizens experiencing homelessness often find themselves in a vicious circle and bureaucratic maze where various actors point to each other and from which it is almost impossible to escape without external support and/or an authority taking ownership.' Moreover, the study on obstacles to participation in elections commissioned by the European Parliament⁷ adds that more than half of EU Member States impose an obligation for non-national EU voters to register themselves separately on the electoral roll. This means that voters who have not registered 'cannot vote or that they have to go through higher hurdles of voting'. The complexity of registration formalities combined with the lack of support from local authorities, prevents EU mobile citizens facing homelessness from engaging in the local political landscape.

⁶ [EJH_18-1_A03_v02.pdf \(feantsaresearch.org\)](#)

⁷ [*Obstacles to participation in elections and the exercise of voting rights, inside the E.U. \(europa.eu\)](#)

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Precise data on the percentage of people facing homelessness among the EU mobile citizens community is missing. However, as mentioned in the PRODEC press release from December 7th 2021:⁸ 'in Barcelona, 27% of the rough sleepers interviewed by Arrels in November 2020 were EU migrants, a larger percentage than the overall mobile EU citizens living in Barcelona; in Stockholm, only 21% of the respondents to the 2020 Stadsmission survey among homeless mobile EU citizens had a Swedish Social Security number⁹; in Brussels, 63% of the homeless mobile EU citizens supported by DIOGENES in 2020 were irregularly residing; and in Münster (Germany), 88% of the homeless mobile EU citizens interviewed by BISCHOF-HERMANN-STIFTUNG at the end of 2020 have experienced homelessness for at least 6 months.'

This illustrates that in some European cities, the percentage of EU mobile citizens facing homelessness is high. Among this group, a lot of citizens are facing the destitution of their rights because of registration issues. Indeed, citizens who are having trouble registering at the town hall in their Member State of residence, are de facto deprived of the right to exercise any voting rights.

Furthermore, the results of the focus groups conducted by ECAS have shown that the EU mobile community is diverse and may concern different regions or language communities. There is a lack of precise data and statistics on the percentage of EU mobile citizens actively using their right to vote in the European and municipal elections in their host Member State, which makes it difficult to target specific groups to reach out to ahead of electoral periods. Campaigns should be adapted, taking into consideration the level of knowledge of the local language, and the level of digitalisation of the targeted group.

8 [PRODEC_November_Infosession_Press_Release.pdf \(feantsa.org\)](#)

9 [Personal identity numbers | Skatteverket](#)

On a general note, surveys on the reasons why there is such a low engagement of the EU mobile community in the political landscape of their host countries should be conducted to have a better understanding of the reasons why citizens of voting age do not make use of their political rights. Special attention should be given to citizens in precarious situations, including statistics on EU mobile citizens who are unable to complete their registration process at the town hall and are therefore deprived of the rights derived from their EU citizenship, including the right to vote. In order to target disengaged citizens and raise awareness accordingly, a better understanding of the level of engagement of underrepresented communities within the EU mobile citizens population would be necessary.

Finally, EU mobile citizens should be encouraged to raise their voices at different steps of the decision-making process, through consultations or crowdsourcing exercises. Involving all EU mobile citizens, including marginalised communities, outside of electoral periods, would help to gain a better understanding of the political landscape of the host country, and, at the same time, encourage citizens to make use of their right to vote and stand as candidates in municipal and European elections when the time comes.