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# REPORT ON POLITICAL PARTICIPATION OF MOBILE EU CITIZENS: BELGIUM

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# Report on Political Participation of Mobile EU Citizens

## Belgium

Daniela Vintila,<sup>1</sup> Jean-Michel Lafleur,<sup>2</sup> Louise Nikolic<sup>3</sup>

### Abstract:

In Belgium, EU citizens and third-country nationals have the right to vote in local elections. Third-country nationals only gain this right after five years of continuous residence in Belgium. EU citizens also enjoy passive electoral rights in local elections. Furthermore, EU citizens have the right to vote in and stand for the European Parliament (EP) elections held in Belgium. The electoral rights for non-resident Belgian citizens are more restrictive. Non-resident citizens have the right to vote, but not to stand for national legislative elections. Belgian citizens also have the right to vote for EP elections, whether they reside in another EU Member State or a third country, but only those residing in other EU Member States can stand as candidates for these elections. Once registered, all voters are obliged to vote in Belgium. Despite the dissemination efforts made by different institutions and civil society organizations for past elections in Belgium, a key difficulty that voters still face is the lack of information about the Belgian registration procedures and the political process more generally. Possible facilitators to encourage the political participation of non-citizen residents would be to formalise information dissemination strategies and communicate with new residents in different languages.

### Résumé:

En Belgique, les citoyens de l'UE et les ressortissants de pays tiers ont le droit de voter aux élections locales. Les ressortissants de pays tiers jouissent de ce droit après cinq ans de résidence ininterrompue en Belgique. Les citoyens de l'UE ont également le droit de se présenter comme candidat aux élections locales. De plus, ces derniers ont le droit de voter et de se présenter comme candidats aux élections européennes. Les droits électoraux des citoyens belges résidant à l'étranger sont plus restrictifs. En effet, les citoyens non-résidents ont le droit de voter mais pas de se

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présenter comme candidats aux élections législatives. Les citoyens belges ont également le droit de voter aux élections européennes s'ils résident dans un pays membre de l'UE ou dans un pays tiers mais seuls les Belges résidant dans un autre Etat Membre de l'UE peuvent se présenter comme candidats. En Belgique, une fois inscrits, tous les électeurs sont obligés de voter. Malgré les campagnes de sensibilisation menées par différentes institutions et des associations de la société civile lors des dernières élections, une difficulté majeure à laquelle restent confrontés les électeurs est le manque d'information concernant les procédures d'inscription et le processus politique de manière plus générale. Une manière d'encourager la participation politique des résidents non-belges serait de formaliser les stratégies de diffusion de l'information et de communiquer avec les nouveaux résidents dans différentes langues.

#### Abstract:

In België hebben EU-burgers en niet-EU-onderdanen stemrecht bij lokale verkiezingen. Niet-EU-onderdanen genieten dit recht na vijf jaar ononderbroken verblijf in België. EU-burgers hebben ook het recht om zich kandidaat te stellen bij de lokale verkiezingen. Bovendien hebben ze het recht om te stemmen en zich kandidaat te stellen bij de Europese verkiezingen. Kiesrechten voor niet-ingezetene Belgische burgers zijn restrictiever. Niet-ingezetene burgers hebben het recht om te stemmen, maar niet om kandidaat te zijn bij parlementsverkiezingen. Belgische burgers hebben ook het recht om te stemmen bij Europese verkiezingen, ongeacht of ze in een EU-lidstaat of in een derde land wonen (maar alleen Belgische burgers wie in een EU-lidstaat wonen zich kandidaat kunnen stellen). In België zijn alle kiezers na registratie verplicht om te stemmen. Ondanks de inspanningen die verschillende instellingen en maatschappelijke organisaties hebben geleverd voor eerdere verkiezingen in België, blijft het gebrek aan toegankelijke informatie over registratieprocedures en het politieke proces in het algemeen een groot probleem voor kiezers. Een manier om de politieke participatie van niet-Belgische ingezetenen aan te moedigen zou eruit bestaan om strategieën voor informatieverbreiding te systematiseren en om in verschillende talen te communiceren met nieuwe inwoners.

## 1. Introduction

Non-resident Belgian citizens have the right to vote, but not to stand as candidates in national legislative elections held in Belgium (see Table 1). A one-off registration at Belgian consular authorities is required. The registration is valid for all subsequent elections, unless the voter has failed to vote in the previous election, is no longer registered at that specific diplomatic mission or has chosen the postal voting method for the previous election but has not confirmed his/her voting modality before the deadline. Non-resident Belgian voters may cast the ballot through in-country voting, personal voting at diplomatic missions, postal or proxy voting. Citizens resident in other EU Member States or in third-countries also have the right to vote for European Parliament (EP) elections, but only those residing in other EU Member States can stand as candidates for these elections. Those eligible to vote have to register with Belgian consular services. The voting modalities available for non-resident Belgians voters for national legislative elections also apply for EP elections.

Non-citizen residents enjoy some voting rights in Belgium. Both resident EU citizens and third-country nationals who have resided in Belgium for at least five years may vote in local elections. However, only EU citizens may stand as candidates. EU citizens and third-country nationals have to register to vote with their municipality of residence. In addition, third-country nationals have to submit a written declaration swearing to respect the Belgian Constitution, Belgian laws and the European Convention on Human Rights. Once registered, non-citizen voters have the obligation to vote. Only EU citizens have the right to vote or stand as a candidate in EP elections. EU citizens have to register once to vote; their registration is valid for all subsequent EP elections.

Table 1. Conditions for electoral rights of non-resident citizens and non-citizen residents in Belgium

Type of voter	Election type	Right Voting	Right Candidacy	Automatic registration	Remote voting
Non-resident citizens	National Legislative	YES	NO	NO <sup>1</sup>	YES <sup>2</sup>
Non-resident citizens	European Parliament	YES	YES <sup>3</sup>	NO <sup>4</sup>	YES <sup>5</sup>
Non-citizen residents	Local Legislative	YES <sup>6</sup>	YES <sup>7</sup>	NO <sup>8</sup>	NA
Non-citizen residents	European Parliament	YES <sup>9</sup>	YES <sup>10</sup>	NO <sup>11</sup>	NA

<sup>1</sup> A one-off active registration procedure is required. This registration is valid for subsequent elections unless the citizen failed to vote in the previous election, is no longer registered at that specific consulate/diplomatic mission or has chosen the postal voting method for the previous election but has not confirmed his/her voting modality before the deadline. Non-resident citizens have to register to vote in Belgian consular authorities.

<sup>2</sup> In-country voting, personal voting at diplomatic missions, and postal and proxy voting are available.

<sup>3</sup> Only Belgian citizens residing in another EU Member States are eligible to stand as candidates.

<sup>4</sup> An active registration procedure is required. Non-resident citizens may register to vote through consular services.

<sup>5</sup> In-country voting, personal voting at diplomatic missions, and postal and proxy voting are available.

<sup>6</sup> Only EU citizens residing in the Belgian municipality where the election is held; third-country citizens who have resided in Belgium for at least five years and who have submitted a written declaration swearing to respect the Belgian Constitution, Belgian laws and the European Convention on Human Rights.

<sup>7</sup> Only EU citizens residing in the Belgian municipality where the election is held.

<sup>8</sup> A one-off active registration procedure is required. Resident Belgian citizens are automatically registered and have the obligation to vote whereas EU citizens and third-country nationals voluntarily register to their municipality of residence. Once registered, the principle of mandatory voting also applies to third-country nationals and EU citizens.

<sup>9</sup> Only EU citizens residing in Belgium.

<sup>10</sup> Only EU citizens residing in Belgium.

## 1.1. Demographic Characteristics of Non-citizen Resident and Non-Resident Citizens

### *Non-citizen residents*

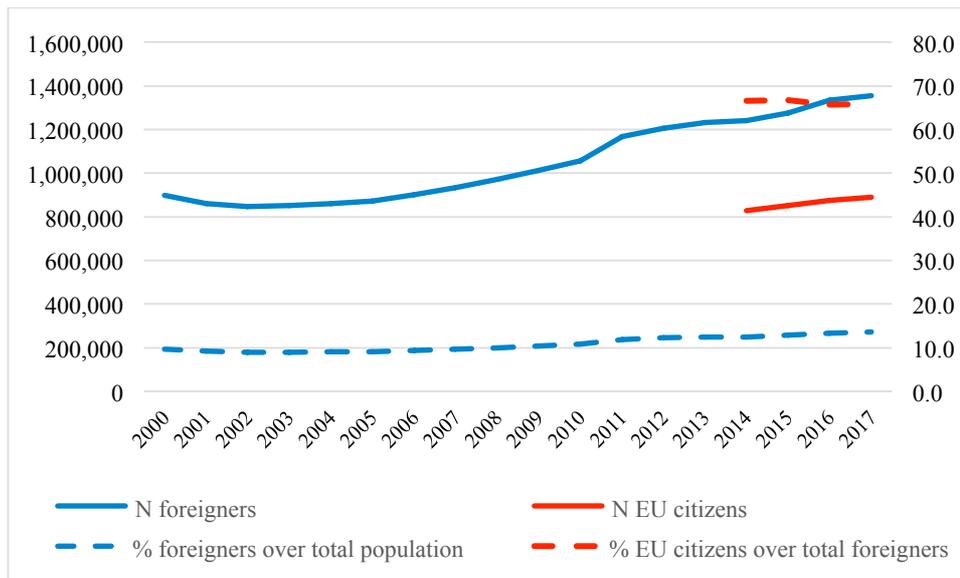
Belgium represents a relevant case study for the analysis of the electoral rights of mobile EU citizens for several reasons. To begin with, this country has had a long tradition of immigration. After World War II, Belgium attracted large numbers of foreign workers via ‘guest workers programmes’. During the 1950s, the foreign labor force originated mainly from Southern Europe and between 1948 and 1958, almost a half of all inflows came from Italy (Bousetta et al., 1999). The composition of the migrant population diversified during the 1960s and 1970s with the recruitment of foreign workers from non-European countries (especially Morocco). Similarly, the arrival of asylum seekers and the processes of family reunification both diversified and intensified the migration stocks in the country. By 1970, foreigners already accounted for 7% of the total population in Belgium and by the beginning of the 1980s, the stock of non-national residents doubled in comparison to the one registered two decades before (Vintila, 2015). After this date, the stock of foreigners started to stabilise due to the combined effect of the end of labor recruitment programmes and the increase in naturalisation rates (Jacobs, Martiniello, and Rea, 2002; Bousetta and Bernès, 2009).

Figure 1 shows the Eurostat data (2018) regarding the evolution of the stocks of foreigners in general, and EU citizens, in particular, residing in Belgium since 2000. As observed, both groups increased their demographic presence during the last years. By 2017, foreigners represented almost 14% of the total population in Belgium. Up to 66% of them originate from other EU Member States. A large proportion of mobile EU citizens come from neighbouring countries, such as France (18% of the stock of non-national EU citizens in 2017) or the Netherlands (17%). However, Italians (18% of all EU citizens residing in the country), Romanians (9%), Polish (8%), Spaniards (7%), and Portuguese (5%) also constitute important segments of the stock of intra-EU migrants (Eurostat, 2018). In 2017, 73% of mobile EU citizens residing in the country were between 15 and 64 years old, compared to only 63% of Belgian nationals within the same age group. Furthermore, almost a half (49%) of all EU foreigners were women, although this share was slightly lower than the one observed for their Belgian counterparts (51%) (Eurostat, 2018). By contrast, the stock of non-EU foreigners is more limited, partly due to their higher naturalisation rates (Phalet and Swyngedouw, 2003). According to the 2018 Eurostat data, the largest groups of third-country nationals residing in Belgium originate from Morocco (6% of the foreign population) and Turkey (3%).

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<sup>11</sup> A one-off active registration procedure is required. Resident Belgian citizens are automatically registered and have the obligation to vote, whereas EU citizens voluntarily register to their municipality of residence. Once registered, the principle of mandatory voting also applies to EU citizens.

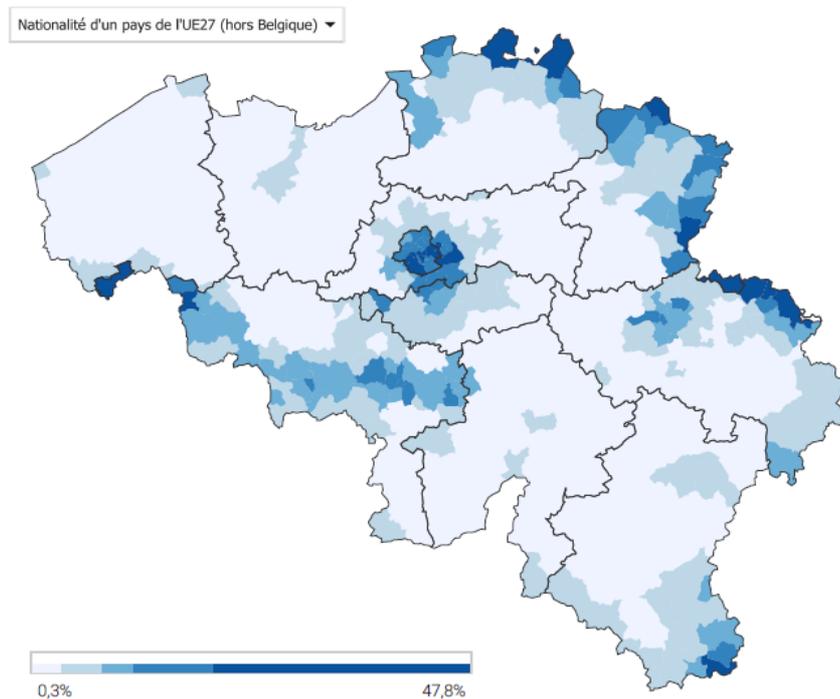
Figure 1. Evolution of the stocks of non-national residents in Belgium, 2000-2017



Source: Own elaboration from Eurostat (2018): *Population on 1 January by age group, sex and citizenship* [migr\_pop1ctz]. Available at: <http://ec.europa.eu/eurostat/data/database>.

Figure 2 shows the map of Belgian municipalities by the percentage of non-national EU citizens over the total population, based on the 2011 Belgian Census data (STATBEL, 2011). As observed, there are different patterns of territorial distribution of the demographic presence of mobile EU citizens in Belgium. Generally speaking, their demographic share is much higher in the region of Brussels (20% of the overall population in 2011) than in Flanders (4%), Wallonia (7%) or the country as a whole (7% in 2011). The provinces of Hainaut, Limburg, Liege, and the Walloon Brabant display high percentages of EU citizens (more than 7% of the total population in each case). The proportion of EU foreigners is much lower in the provinces of Namur, Occidental Flanders and Oriental Flanders (3% or less in each case). In 2011, there were six Belgian municipalities in which more than 30% of all residents were nationals of another EU Member State: Raeren (48% of EU citizens within the total population), Baerle-Duc (47%), La Calamine (34%), Ixelles (32%), Etterbeek (32%), and Saint-Gilles (31%). At the opposite pole, Lierde, Lichtervelde and Herzle were the only Belgian municipalities in which non-national EU citizens accounted for less than 0.5% of the total population in 2011.

Figure 2. Share of non-national EU citizens over the total population in Belgian municipalities (2011 Census data)



Source: Census 2011, *Direction générale Statistique- Statistics Belgium, SPF Economie*, [http://www.census2011.be/data/fresult/foreigners-h\\_fr.html](http://www.census2011.be/data/fresult/foreigners-h_fr.html)

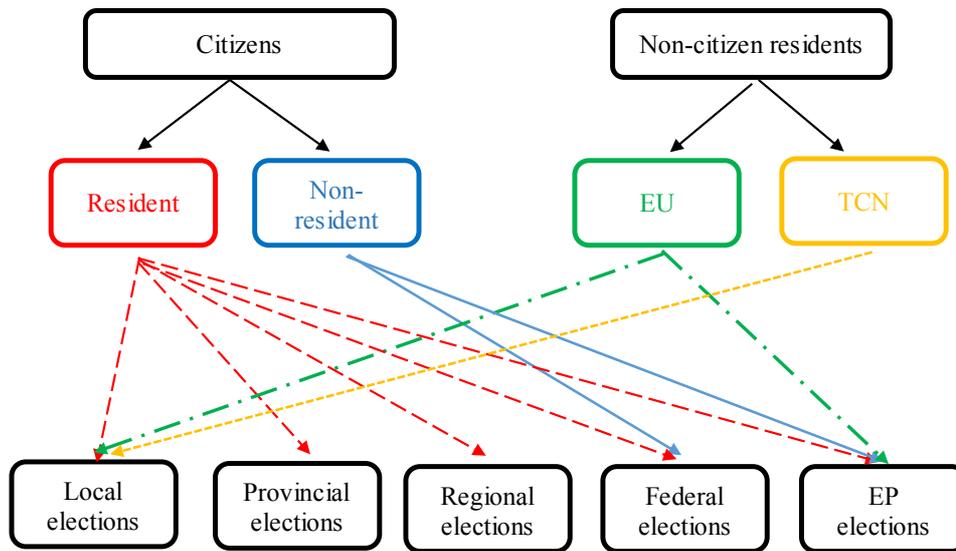
According to the 2011 Census data, more than a half of non-national EU citizens residing in each one of three Belgian regions were not economically active. The share of EU foreigners who were either working or seeking a job in 2011 was slightly higher in Flanders (46% of all non-national EU citizens in this region) and Wallonia (45%) when compared to Brussels region (42%). However, the proportion of EU citizens who were economically active across all three regions was still much higher when compared to that of non-EU foreigners (less than 30% of third-country nationals residing in each region were either working or seeking a job in 2011).<sup>12</sup>

## 1.2. Brief Summary of the Electoral Rights

This specific socio-demographic make-up has led to large numbers of new residents (EU and non-EU citizens) with an ability to be actively involved in the decision-making process in Belgium. Yet, as in many EU countries, the topic of the political integration of immigrant-origin residents has historically been a controversial issue in Belgian politics. Currently, four groups of individuals have access to electoral rights in Belgium: Belgian citizens residing in Belgium, Belgian citizens residing abroad, non-national EU citizens residing in Belgium, and third-country nationals residing in Belgium. However, their electoral entitlements still vary substantially between different types of elections (see Figures 3 and 4 below).

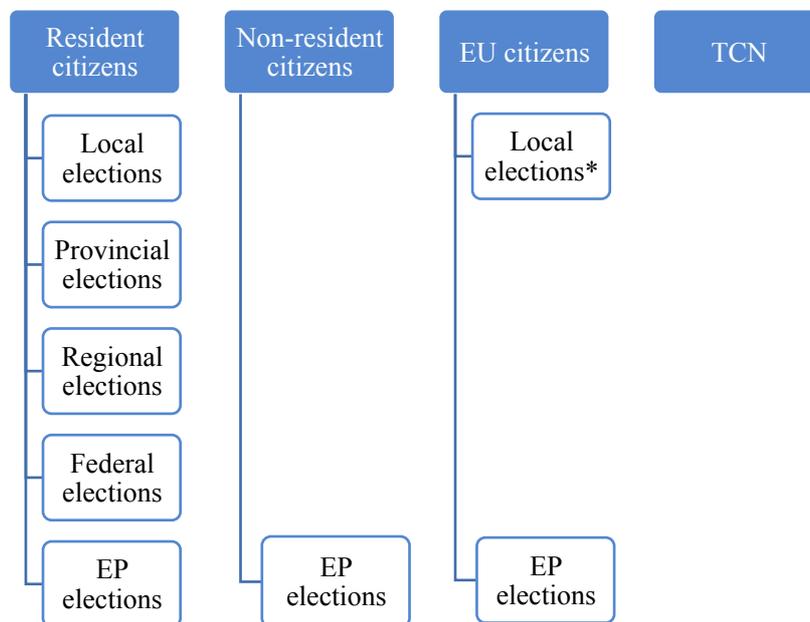
<sup>12</sup> See STATBEL data on population by place of residence, gender, position in the household, education level, situation in the labor market and country of nationality (*Population par lieu de résidence (province), sexe, position dans le ménage (C), niveau d'instruction, situation sur le marché de l'emploi (A) et pays de citoyenneté*) here: <https://bestat.statbel.fgov.be/bestat/crosstable.xhtml?view=d32c6c55-57a6-4dbc-8b42-ff51f691e437>

Figure 3. Access to active suffrage in elections held in Belgium, by categories of beneficiaries



Source: Own elaboration. For non-resident citizens, the figure captures the situation of those permanently residing abroad.

Figure 4. Access to passive suffrage in elections held in Belgium, by categories of beneficiaries



Source: Own elaboration. \*For local elections, non-national EU citizens can hold the office of city councilor (*conseiller communal*) and alderman/alderwoman (*échevin*), but they cannot hold the position of mayor (*bourgmestre*).

*Resident citizens*

To begin with, resident nationals have the right to active and passive suffrage for all elections held in Belgium, namely local, provincial, regional, federal, and EP elections.<sup>13</sup> Residence is a key concept that conditions their access to electoral rights. According to Article 61 of the Belgian Constitution,<sup>14</sup> Article 1 of the Belgian Electoral Code,<sup>15</sup> and Article 1.1 of Law of March 1989 regarding European Parliament Elections (with amendments),<sup>16</sup> national citizens who have the domicile in a Belgian municipality, are at least 18 years old, and have not been deprived of their civil and political rights, can vote in Belgian elections. Those who comply with these requirements are automatically registered as voters on the electoral lists<sup>17</sup> for all elections organised in the country. All registered voters (independently of their residence and nationality) have the legal obligation to cast the ballot on election day, due to the compulsory voting system in Belgium. This obligation to vote is stipulated in Article 62 of the Constitution and in the Belgian Electoral Code. The obligation is equally applied for all elections held in the country and comes with penalties in case of abstaining (Articles 209 and 210<sup>18</sup>). Such penalties are, however, rarely enforced.

The candidacy rights of resident nationals are also closely linked to residency. For EP, federal, provincial and local elections, only Belgian nationals who can prove their residence in a Belgian municipality, are at least 18 years old (for national and sub-national elections, 21 years old for EP elections) and enjoy their civil and political rights can exercise the right to passive suffrage (see Articles 64 and 69 of the Belgian Constitution, Article 227 of the Belgian Electoral Code, Article 41 of Law of March 1989 regarding EP elections). These eligibility conditions also apply for candidacy rights for regional elections (see Article 24bis of the Special Law of August 1980 on institutional reforms for the Walloon and Flemish Parliaments, with amendments;<sup>19</sup> Article 12 of the Special Law of January 1989 regarding the

<sup>13</sup> Resident nationals received the right to active and passive suffrage for local, provincial and general elections since the adoption of the universal suffrage for men (1919) and women (1948). Their electoral rights have been further extended with the 1988 constitutional reform which allowed them to vote and stand also for regional elections. The first regional elections were held in 1989 in Brussels and 1995 in Flanders and Wallonia, respectively. Federal elections (for the Belgian Federal Parliament), regional elections (for the regional legislative assemblies of Wallonia, Flanders, Brussels, and the German-speaking Community) and EP elections are held every five years, whereas local and provincial elections are held every six years. According to Article 117 of the Belgian Constitution, regional elections are held in the same day as EP elections. Since the implementation of the law on automatic voting (Law of 11 of April 1994), Belgium has progressively introduced an electronic voting system for all elections held in the country and for all types of resident registered voters. The list of municipalities equipped with devices for electronic voting is available here:

<http://www.elections.fgov.be/index.php?id=1666&L=266>

<sup>14</sup> *La Constitution Belge*. Available here: [http://www.senate.be/doc/const\\_fr.html](http://www.senate.be/doc/const_fr.html)

<sup>15</sup> *Code electoral*. Available here:

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=1894041230&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1894041230&table_name=loi)

<sup>16</sup> *Loi relative à l'élection du Parlement européen, 23 Mars 1989*. Available here:

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=1989032333&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1989032333&table_name=loi)

See also:

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&table\\_name=loi&cn=2014010711](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&table_name=loi&cn=2014010711)

<sup>17</sup> According to Article 10 of the Belgian Electoral Code, the electoral list includes the full name, date of birth, gender, main residence and identification number of all those who satisfy the condition for being entitled to vote.

<sup>18</sup> A first unjustified absence is penalised with a fine that could be of up to 55 euros, an amount which increases for the following unjustified absences. If the unjustified absence is repeated at least four times during 15 years, the voter is excluded from the electoral lists for a period of ten years.

<sup>19</sup> *Loi spéciale de réformes institutionnelles du 8 août 1980 – Parlement wallon et Parlement flamand*. Available here: <https://wallex.wallonie.be/index.php?doc=3144>

Brussels institutions;<sup>20</sup> and Article 5 of Law of July 1990 regarding the election of the Parliament of the German-speaking Community<sup>21</sup>); with the only difference that, in this case, candidates are also required to reside in one of the municipalities of the region in which they are running.

According to Article 8 of the Belgian Constitution, non-national residents can also enjoy electoral rights in Belgium, but only for elections held for the sub-national and/or supranational legislative assemblies. More specifically, whereas non-national EU citizens have the right to active and passive suffrage for local and EP elections, third-country nationals who comply with specific residence requirements can only exercise the right to active suffrage for local elections. Given the strong link between franchise and residence for elections organised in Belgium, non-resident nationals also have restricted access to electoral rights, their enfranchisement depending on their residence status abroad and the type of elections considered. Hence, whereas nationals permanently residing abroad are excluded from the active suffrage for all sub-national elections and from the passive suffrage for both sub-national and federal elections, those who find themselves temporarily abroad can still vote by proxy for these electoral contests. Despite these important limitations *vis-à-vis* the possibility of non-resident citizens to vote in national and sub-national elections, this group does have access to the right to active and passive suffrage for EP elections held in Belgium.

#### *Non-resident citizens*

Given that franchise is closely linked to residence in a Belgian municipality, national citizens residing abroad have restricted access to electoral rights for federal and sub-national elections held in Belgium (see detailed explanations in Section 3). According to the Electoral Code, nationals who reside abroad on a permanent basis are unable to vote for local, provincial or regional elections in Belgium or to stand as candidates for local, provincial, regional or federal elections. However, Belgians residing abroad can vote for Belgian federal elections if they register as voters with the Belgian consular services in their countries of residence. Their right to active suffrage for federal elections was granted by the Law of December 1998 modifying the Electoral Code;<sup>22</sup> and it was further regulated by the Law of 7th of March 2002<sup>23</sup> aiming to simplify the voting procedure for non-resident nationals. Accordingly, Belgian citizens residing abroad can choose between five different voting modalities for Belgian federal elections: voting in person in a Belgian municipality, by proxy in a Belgian municipality, in person at the Belgian diplomatic or consular offices abroad, by proxy at diplomatic or consular offices, or by postal voting.

In the case of Belgian citizens who find themselves temporarily abroad on the election day, Article 147bis of the Belgian Electoral Code allows them to vote by proxy in national and sub-national elections held in Belgium if their absence is justified by medical reasons, professional reasons, studies, or other reasons such as holidays. In these cases, their absence

<sup>20</sup> *Loi spéciale du 12 janvier 1989 relative aux Institutions bruxelloises*. Available here:

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=1989011230&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1989011230&table_name=loi)

<sup>21</sup> *Loi du 6 juillet 1990 réglant les modalités de l'élection du Parlement de la Communauté germanophone*.

Available here: <http://www.elections.fgov.be/index.php?id=1182>

<sup>22</sup> *Loi modifiant le Code électoral en vue d'octroyer le droit de vote aux Belges établis à l'étranger pour l'élection des chambres législatives fédérales*. Available here:

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=1998121838&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1998121838&table_name=loi)

<sup>23</sup> *Loi modifiant le Code électoral en vue d'octroyer le droit de vote aux Belges résidant à l'étranger pour l'élection des Chambres législatives fédérales et instaurant la liberté de choix du mandataire en cas de vote par procuration*. Available here:

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=2002030749&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2002030749&table_name=loi)

must be authorised by the mayor of the Belgian municipality in which they reside upon presenting a proof of absence (if this proof cannot be produced, a sworn statement is required). It should be noted also that a reform to extend suffrage to Belgians residing abroad in regional elections was discussed in the 2014-2019 legislative term but, in spite of the governing parties' agreement on the matter, it has not yet been approved at the time of writing.

The situation was, for a long time, different for EP elections held in Belgium for which non-resident citizens are entitled to vote and stand as candidates. Until the 2014 EP elections, citizens residing abroad had to meet all the eligibility conditions that applied for resident nationals and, in addition, they had to reside in another EU Member State. Belgians residing outside the EU were thus *de facto* excluded. In 2016, this obligation of the residence condition was removed via legislative reform<sup>24</sup> and all Belgians residing abroad — independently of their country of residence — have now the possibility to register as voters for EP elections.

### *Non-national resident EU citizens*

Since the institutionalisation of the EU citizenship status in the Maastricht Treaty, non-national EU citizens are allowed to vote and stand for EP and local elections in Belgium, thus benefitting from more favourable conditions of access to electoral rights when compared with their non-EU counterparts residing in this country. Council Directive 93/109/EC regulating their electoral rights for EP elections has been implemented in Belgium by Law of 23rd of March 1989 on European Parliament elections (with amendments); whereas Directive 94/80/EC on local elections has been transposed in the Belgian legislation by Law of 27th of January 1999.<sup>25</sup> Yet, as detailed in Section 2 below, the rights of non-national EU citizens to active suffrage for EP and local elections is still conditioned by their voluntary registration as voters in Belgium, a requirement with which national residents do not have to comply as in their case the registration is automatic. Once registered as voters, non-national EU citizens must also comply with the compulsory voting regulation. In compliance with the European Directives, their registration is required only once for each type of elections (EP and local elections); and is automatically renewed for the following electoral contests in each case. However, EU citizens also have the possibility to deregister from the list of voters, if they wish. For both EP elections and local elections, non-national EU citizens who are registered as voters have the possibility to cast the ballot either in person or by proxy in the municipality in which they have their main residence.

Their right to passive suffrage can be exercised under the same eligibility conditions as for national residents. However, for EP elections, non-national EU citizens must also submit a signed declaration mentioning their nationality, the address of their main residence, and certifying that they are not at the same time standing as candidates in another EU Member State. This declaration should be accompanied by a certificate from the competent authorities of the EU country of nationality confirming that the candidate has not been suspended of his/her electoral rights (see Article 21.2 of the amended version of Law of March 1989 on EP elections). The same applies for local elections: according to Article 13 of

<sup>24</sup> *Loi du 17 novembre 2016 modifiant le Code électoral et la loi du 23 mars 1989 relative à l'élection du Parlement européen*

<sup>25</sup> *Loi modifiant la loi du 19 octobre 1921 organique des élections provinciales, la nouvelle loi communale et la loi électorale communale, et portant exécution de la directive du Conseil de l'Union européenne n° 94/80/CE du 19 décembre 1994*. Available here: [http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=1999012730&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1999012730&table_name=loi)

the Law of 27th of January 1999, non-national EU citizens are required to accompany the act of acceptance of their candidacy for local elections with a personal declaration certifying that: 1) they do not hold an elected office equivalent to that of a local councillor, alderman/alderwoman, or mayor in a municipality of another EU Member State; 2) they do not have a position in another EU Member State which could be considered incompatible with holding an elected office; and 3) they have not been deprived of their electoral rights in the country of nationality. Moreover, unlike Belgian nationals, non-national EU citizens are not allowed to hold the position of mayor in Belgium, but can hold a seat in the city council and be appointed as alderman or alderwoman.

### *Resident third-country nationals*

The access of third-country nationals to electoral rights in Belgium is regulated by Law of 19th of March 2004<sup>26</sup> that granted them the right to vote for the first time for the 2006 local elections. The delay in the recognition of their electoral entitlements has been generally attributed to the electoral struggle for the anti-immigrant vote that emerged since late 1980s and culminated with the electoral success of the Flemish extreme right-wing party *Vlaams Blok* (Jacobs, Martiniello and Rea, 2002; Bousetta, Gsir and Jacobs, 2005; Lafleur, 2013; Vintila, 2015). Currently, third-country nationals are allowed to vote only for local elections and, unlike non-national EU citizens, they are excluded from the passive suffrage for any Belgian electoral contests. Moreover, their possibility of exercising the active suffrage remains conditioned by three criteria: prior residence in the country, active and voluntary registration as voters, and the submission of a formal declaration to the local authorities of the municipality in which they reside. Regarding the first requirement, Article 2.2 of the Law of March 2004 stipulates that only third-country nationals who have established their main residence in Belgium for at least five continuous years preceding the local elections can register as voters. Secondly, just like non-national EU citizens, third-country nationals face an important additional barrier for exercising their right to vote, as they must request their registration as voters to be able to cast the ballot (Article 2.1 of the Law of March 2004). Once registered, third-country nationals are subject to compulsory voting, just like all other registered voters in Belgium. Thirdly, Article 2.1 of Law of March 2004 also stipulates that their electoral registration form<sup>27</sup> must be accompanied by a formal declaration by which third-country nationals commit themselves to respecting Belgian laws, the Belgian Constitution and the European Convention of Human Rights.

<sup>26</sup> *Loi visant à octroyer le droit de vote aux élections communales à des étrangers*, 19 Mars 2004. Available here:

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=2004031952&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2004031952&table_name=loi)

<sup>27</sup> For the 2018 local elections, the registration form is available here :

[http://www.elections.fgov.be/index.php?id=1649&L=0&tx\\_ttnews%5Btt\\_news%5D=1182&cHash=77e86d391c675fd88e17b58726e2c867#inscription](http://www.elections.fgov.be/index.php?id=1649&L=0&tx_ttnews%5Btt_news%5D=1182&cHash=77e86d391c675fd88e17b58726e2c867#inscription)

## 2. Non-national EU citizens' Franchise in EP and Local Elections

### 2.1. Overview of Relevant Administrative Regulations

Non-national EU citizens were the first group of foreigners allowed to vote in Belgium and they still represent the only group of non-national residents entitled to stand as candidates for Belgian elections. As previously mentioned, Belgium successfully implemented the arrangements specified in Directive 93/109/EC on electoral rights of non-national EU citizens for EP elections by the time of the 1994 elections. However, the transposition of Directive 94/80/EC regulating their electoral rights for local elections was delayed until 1999, after the Court of Justice condemned Belgium for non-compliance.<sup>28</sup> Hence, the Law of 27th of January 1999 enabled non-national EU citizens to vote for the first time for the Belgian local elections held in 2000.

### 2.2. Voter Registration

To be able to vote in EP and local elections in Belgium, non-national EU citizens of more than 18 years old must be enrolled in the population census or the census for foreigners of a Belgian municipality (*commune*) and register on the list of voters (*liste des électeurs*). Unlike Belgian citizens who are automatically registered as voters, non-national EU citizens must actively request their electoral registration. For both EP and local elections, this can be done via an application that they must fill in and submit to the local administration of the municipality in which they reside, generally up to three months before the election day. To register on the list of voters for EP elections, EU citizens must fill in the form C1 (*Formule C/I*)<sup>29</sup> indicating their full name, address, nationality, the specific Belgian municipality in which they want to register, a sworn statement that they have not been deprived of their voting rights in the country of nationality, and that they will vote only for the Belgian lists for the EP, as well as the electoral district, municipality or consulate in which they were registered as voters for the last elections. To register as voters for local elections, EU citizens must fill in a form<sup>30</sup> indicating their full name, date of birth, address, and nationality. This registration form for local elections is different than the one used for EP elections, although EU citizens have the possibility to submit both registration forms at the same time.

In practice, there are different options through which EU citizens can register for EP and local elections. For EP elections, the form C1 can be submitted in person at the city council of the municipality of residence (in this case, they might be asked to show an identity document<sup>31</sup>) or it can be sent by post, fax or email to the municipality (in this latter case, the registration form must be accompanied by a copy of an identity document). The municipal administrations examine the electoral registration requests and send out an official notification with their decision. For local elections, the registration form can be submitted in person at the city council of the municipality of residence or it can be sent by post to the

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<sup>28</sup> Case C-323/97, *Commission vs. Belgium*, 9 July 1998. Available here: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A61997CJ0323>

<sup>29</sup> The C/1 form for the 2014 EP elections is available here: <http://www.elections.fgov.be/index.php?id=3444>. The form for the 2019 EP elections is available here: <http://www.elections.fgov.be/index.php?id=3812&L=17>

<sup>30</sup> The registration form for the 2018 local elections is available here: [www.elections.fgov.be/fileadmin/user\\_upload/Elections/communales2012/fr/AM-CITOYENS-EUROP-communales-annexe.doc](http://www.elections.fgov.be/fileadmin/user_upload/Elections/communales2012/fr/AM-CITOYENS-EUROP-communales-annexe.doc)

<sup>31</sup> See: <http://www.elections.fgov.be/index.php?id=3281&L=762>

municipal administration (in both cases, the local administration may request an identity document, although this is not stipulated in the regulations<sup>32</sup>). For local elections, some municipalities also accept electoral registration forms submitted via email, if they are accompanied by a copy of an identity document (Nikolic, 2017). Furthermore, some municipalities also accept that NGOs or candidates submit several registration forms at once for different individuals (*envois groupés*), although there is no legal obligation to do so. According to previous studies (Nikolic, 2017), for the 2012 local elections held in Belgium, more than 80% of Belgian municipalities actually accepted *envois groupés*.

For both EP and local elections, the electoral registration of non-national EU citizens is voluntary. However, once registered, EU citizens also become subject to the compulsory voting system, just like Belgian nationals. Their electoral registration for both EP and local elections remains valid for the following elections, unless they are no longer residents in Belgium or they have specifically submitted in writing their intention of renunciation to the status of voters. Just like their Belgian counterparts, mobile EU citizens can also vote by proxy on the election day if they are temporarily abroad and their absence is justified (Article 147bis of the Electoral Code).

Three main obstacles can be identified for the electoral registration of mobile EU citizens in Belgium. The first one is the lack of information regarding the registration process. The federal government has made efforts to encourage the voter registration of non-national residents especially by posting information online regarding the conditions for exercising the right to active and passive suffrage for EP and local elections.<sup>33</sup> By way of example, for the 2014 EP elections, online brochures translated in seven different languages (in addition to French, Dutch, and German) were made available on the website of the Belgian Electoral Service.<sup>34</sup> Apart from that, the responsibility of organising awareness campaigns to inform foreigners about their electoral rights was left almost entirely for the Belgian municipalities.<sup>35</sup> Thus, the mobilising role of municipalities has been fundamental for ensuring higher levels of electoral registration of EU voters. Nonetheless, for the past local elections, the level of involvement of municipalities has also varied substantially: while some of them have been very proactive in terms of incentivising the electoral registration of mobile EU citizens, others opted for a much more passive role of simply posting a circular that explains the procedure and conditions under which foreigners can register to vote (in fact, this is the only legal obligation that all Belgian municipalities have for the registration process- see Nikolic, 2017).

A second important obstacle for the electoral registration of EU citizens is the compulsory voting system applied in Belgium. As previously mentioned, once registered as voters, non-national EU citizens must comply with the compulsory voting system which

<sup>32</sup> See the Circular of 4<sup>th</sup> of September 2017 which stipulates that even if the local administrations request EU citizens who register by post to provide a copy of their identity document, failing to do so cannot constitute a reason for rejecting their electoral registration application:

[http://www.elections.fgov.be/index.php?id=1649&L=0&tx\\_ttnews%5Btt\\_news%5D=1182&cHash=77e86d391c675fd88e17b58726e2c867#inscription](http://www.elections.fgov.be/index.php?id=1649&L=0&tx_ttnews%5Btt_news%5D=1182&cHash=77e86d391c675fd88e17b58726e2c867#inscription)

<sup>33</sup> For the 2014 EP elections, see: <http://www.elections.fgov.be/index.php?id=3444&L=0> For the 2018 local elections, see

[http://www.elections.fgov.be/index.php?id=1649&L=0&tx\\_ttnews%5Btt\\_news%5D=1182&cHash=77e86d391c675fd88e17b58726e2c867#inscription](http://www.elections.fgov.be/index.php?id=1649&L=0&tx_ttnews%5Btt_news%5D=1182&cHash=77e86d391c675fd88e17b58726e2c867#inscription)

<sup>34</sup> See the brochures in English, Italian, Spanish, Portuguese, Greek, Polish, and Romanian here:

<http://www.elections.fgov.be/index.php?id=3281&L=0>

<sup>35</sup> Since 2002, the regions have competencies for the regulation and the organization of local elections, although the federal level remains fully competent for the right to vote and the determination of the electoral conditions. For more information, see Zibouh and Martiniello (2007).

includes penalties in case of abstaining. This compulsory voting system is not in line with the political tradition of most EU residents and it is often perceived as an element that constrains their decision to register to vote for Belgian elections. As highlighted in past research (Rea et al., 2015), although the fine in case of abstaining has not been enforced in Belgium for decades, many EU citizens are still unaware of the potential consequences of their electoral abstention once they officially register as voters.

A third obstacle for EU citizens' registration in Belgium – and especially so in Brussels – derives from their short length of stay and frequent mobility abroad. For non-national EU residents who are engaged in business travels and are unsure whether or not they will be in Belgium on the election day, committing to vote by registering on the electoral lists months in advance can still appear constraining (Nikolic, 2017). Furthermore, many of them also consider their residence in Belgium only as another step in their migratory career, with the idea of moving again in the future (Rea et al., 2015). In interviews conducted for past research (Nikolic, 2017), civil servants attached to European institutions also emphasised that they are not settled in Belgium for many years, and therefore do not feel “well integrated” in their respective municipalities. This often translates into limited contacts with the Belgian population and a certain unwillingness to participate in Belgian elections (Rea et al., 2015).

Last but not least, the negative experiences that mobile EU citizens have with the Belgian municipal authorities could also hinder their decision to register as voters. As shown in previous studies (Nikolic, 2017), the nature of contacts (either positive or negative) with ‘street-level bureaucrats’ in Belgium reinforces or diminishes the level of integration into the society, thus leading to variable levels of enthusiasm for participating in Belgian elections. The negative contacts that EU residents in Brussels have had with the employees of local administrations contribute to dissuade them from registering as voters. These negative experiences create a general context of distrust towards the Belgian administration which is also reinforced by the complexity of the Belgian political system, an argument that EU citizens often highlight in interviews as an obstacle for their electoral registration (see Rea et al., 2015).

***Research excerpt: Voting here and there, an obstacle to active citizenship of foreigners at the local level in Belgium?***

For the 2006 and 2012 local elections, the authors of this report have conducted dozens of interviews with non-national voters, civil servants and NGO representatives involved in Belgian elections. A recurring question in academic and policy debates on the participation of foreigners in elections held in the host countries is whether citizens' involvement in one country necessarily occurs at the expense of their participation in the other. In other words, is political participation a zero-sum game by which foreigners' involvement in local elections would necessarily entail giving up their political involvement in the country of origin? Examining the participation figures of two large migrant communities in Belgium (French and Italians) gives a more complex picture of the electoral behavior of mobile EU citizens, with similar levels of political participation in home and host country elections. In 2012, 25,327 French citizens registered to vote in Belgian local elections and 33,140 of them voted in the 2012 French presidential elections from Belgium. Similarly, 44,768 Italians residing in Belgium registered for Belgian local elections, while 48,390 of them voted in the 2013 Italian legislative elections. Political parties are increasingly aware of the existence of voters across multiple polities and have started to cooperate in order to reach out to this transnational electorate. This is the case, for instance, for the Belgian *Parti Socialiste* and the Italian *Partito Democratico* which agreed to contact their Italian members living in Belgium to promote candidates of their sister parties whenever one of the two parties is running for elections in which Italians living in Belgium have a voice. Overall,

individuals using their voting rights in multiple polities (Belgium and their country of nationality) illustrate the persisting desire among foreigners to participate in local politics where they live, while still keeping a say in the national politics in their home countries.

For more information about the experience of foreign voters who vote both in Belgium and their home country elections, we invite you to watch this short video clip in French made by the authors:

<https://dox.ulg.ac.be/index.php/s/uQdD8yEbHhwPprZ>

Password to unlock the video: GLOBALCIT

## 2.3. Information during the Election Campaign

### *EP Elections*

Concerning the information that EU citizens receive regarding their electoral rights in Belgium, it is worth mentioning that the awareness-raising initiatives developed by Belgian authorities and civil society organisations have generally been more frequent and diversified for local elections than for EP elections. As previously mentioned, the federal government has systematically posted information online regarding the conditions for the electoral registration of non-national EU citizens for EP elections. For the 2014 EP elections, online brochures were made available in different languages (French, German, Dutch, English, Italian, Spanish, Portuguese, Greek, Polish, and Romanian); and the Minister of Interior circulated a note<sup>36</sup> to the municipalities inviting them to ensure sufficient publicity about the registration conditions via their own information channels (local newsletters, the communal electronic offices, etc.) and in collaboration with the local media.

### *Local elections*

As for local elections, the results of a survey conducted with Belgian municipalities in the context of a past research (see Nikolic, 2017) indicate that some Belgian municipalities have proactively informed EU citizens about their electoral rights by putting forward different information initiatives such as: postal letters informing foreigners about their electoral rights, postal reminders of the registration process, online information posted on city councils' websites,<sup>37</sup> proactive outreach efforts done by the municipal employees when foreigners presented themselves at the city councils for other administrative purposes, information sessions, information stands, leaflets distributed during several awareness-raising events and at city councils, or collaboration with local NGOs for setting up information campaigns.<sup>38</sup> However, in other cases, the level of involvement of municipalities was far more limited and some of them did not even send the postal letters to inform EU citizens about their right to

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<sup>36</sup> Available here: <http://www.elections.fgov.be/index.php?id=3281&L=0>

<sup>37</sup> Examples for the 2018 local elections in Brussels municipalities:

<http://www.ixelles.be/site/269-Elections-communales>

<http://bruxelleselections2012.irisnet.be/electeurs-1>

<http://www.stgilles.irisnet.be/fr/services-administratifs/etat-civil-et-population-2/service-des-affaires-electorales/>

<sup>38</sup> Some municipalities worked in close partnership with immigrant associations or commissioned the information brochure designed by regional immigrant organizations (e.g. *Dispositif de concertation et d'appui aux Centres Régionaux d'Intégration* - DISCRI) in Wallonia, *Kruispunt migratie integratie* in Flanders).

vote in Belgian local elections (Nikolic, 2017).

For local elections, several initiatives have also been taken at the regional level. For instance, in 2006, the Minister of Internal Affairs of Wallonia responded to many parliamentary interpellations by taking the initiative to send to all potential foreign voters (EU and non-EU citizens) residing in Walloon municipalities personal letters including the registration form and further explanations regarding the registration procedure (Zibouh and Martiniello, 2007). This initiative was accompanied by additional actions taken in the Walloon Region such as the publication of an information booklet (*Le Dico de l'Electeur*), the organisation of several information sessions for municipal administrations, or funding projects in Wallonia aiming to inform foreigners about their electoral rights (Zibouh and Martiniello, 2007). For the 2018 local elections, the region of Wallonia also posted information online regarding the registration procedure.<sup>39</sup> As for Flanders, for the 2006 local elections, the Flemish Minister of Internal Affairs strongly emphasised that the region would not organise any campaign to inform potential non-national voters about their voting rights (Zibouh and Martiniello, 2007). However, for the 2012 and 2018 local elections, the Flemish Region decided to display information about registration procedures on their website<sup>40</sup> and posted an electronic brochure in Dutch encouraging foreigners to register to vote.<sup>41</sup> For the 2012 and 2018 local elections, online information and electronic brochures regarding the registration procedure were also posted on the website of the Brussels region.<sup>42</sup> For the 2018 local elections, brochures and online information for potential foreign voters were also made available in English on the website of the Brussels Commissioner for Europe and International Organisations, in the framework of the information campaign “Think European, Vote Local”.<sup>43</sup> The German-speaking community also posted information in German for the 2018 local elections on their website.<sup>44</sup>

In addition to the initiatives proposed by local or regional administrations, many associations working with citizens with an immigrant background have also been very active in organising outreach activities to inform foreigners about the voter registration procedure. In Wallonia, the Regional Integration Centers of the Walloon Region (*Centres Régionaux d'Intégration*, CRI) played a major role in the organisation of electoral awareness campaigns for the 2006, 2012 and 2018 local elections. For the 2018 local elections, for instance, the Regional Integration Centre for Foreigners in Liege (CRIPEL) has been very active in providing information regarding the registration procedure via information sessions, collaboration with immigrant associations and a workshop organised for International Migrants' Day, particularly focused on foreigners' participation in Belgian local elections.<sup>45</sup> For the 2012 and 2018 local elections, the Coordination and Support Institution for Regional Integration Centers (DISCRI) published awareness-raising booklets entitled “Voters' passport: my municipality, I live here, I vote here” (*Le Passeport de l'électeur: ma commune*,

<sup>39</sup> Available here: <http://electionslocales.wallonie.be/electeur/qui-peut-voter>

<sup>40</sup> See <https://www.vlaanderenkiest.be/> For the 2018 local elections, see: <https://vlaanderenkiest.be/faq/mogen-niet-belgische-eu-onderdanen-stemmen-op-14-oktober-2018>

<sup>41</sup> Available here:

[http://www.vlaanderenkiest.be/sites/default/files/Folder\\_stemrecht\\_nietBelgen\\_drukkwaliteit.pdf](http://www.vlaanderenkiest.be/sites/default/files/Folder_stemrecht_nietBelgen_drukkwaliteit.pdf)

<sup>42</sup> For the 2012 local elections, see: <http://bruxelleselections2012.irisnet.be/electeurs> For the 2018 local elections, see: <https://elections2018.brussels/electeur/le-vote/electeurs-citoyens-d%27etats-membres-de-l%27union-europ%C3%A9enne> and the information in English provided on the website of the Brussels Commissioner for Europe: <http://www.commissioner.brussels/i-am-an-expat/communal-elections-2018>

<sup>43</sup> Available here: <http://www.commissioner.brussels/i-am-an-expat/communal-elections-2018>

<sup>44</sup> See: <http://www.gemeindewahlen.be/desktopdefault.aspx/tabid-5566/>

<sup>45</sup> For further details, see: <http://blog-interne.cripel.be/?p=2495> and <http://blog-interne.cripel.be/?p=2163>

*j'y vis, j'y vote*).<sup>46</sup> DISCRI also took the initiative of distributing flyers and posters regarding the registration procedure, and it circulated radio spots and video clips aimed at informing potential voters about their electoral rights.

In Flanders, *Vlaams Minderhedenforum*<sup>47</sup> and *Kruispunt migratie integratie* were very active during the 2006 foreign voter outreach campaign. According to the study of Hooghe and Reeskens (2006), these associations developed information booklets and posters that municipalities could use to inform non-national residents about their electoral rights (yet, for the 2006 elections, only 70 out of the 308 Flemish municipalities actually used the information leaflets of these associations). The two organisations' information actions were organised in partnership with other civil society organisations such as *Minderhedenforum*, *het Centrum voor Gelijkheid van Kansen en voor racismebestrijd*, *De Wakkere Burger*, *Toemeka*, among others. In 2012, *Kruispunt migratie integratie* explained in interviews conducted for a past research (see Nikolic, 2017) that they had only displayed basic information on their website about the right to vote of non-national residents. For the 2018 local elections, *Minderhedenforum* collaborated with *ORBITvzw* for the information campaign "I am voting too" which also consisted of online brochures and video clips in different languages detailing the conditions for electoral registration.<sup>48</sup>

Similar initiatives were also taken in Brussels Region. For example, the association *Foyer* developed its own brochure and organised different awareness-raising actions for the 2012 local elections (Nikolic, 2017). The same applies for the 'Be European, Be Brussels' (*Bureau de liaison Bruxelles-Europe*) that distributed 200,000 information leaflets in different languages to inform EU citizens residing in Brussels about the registration procedure. The association *Objecti(e)f* – in collaboration with *Lire et Ecrire*, ENAR (European Network Against Racism), *Bon* (Reception agency for integration in Brussels), among others – was also very active in informing foreigners about their voting rights for the 2006 and 2012 elections by developing its own communication tools (leaflets, posters, etc.), organising information sessions, setting up information stands and distributing leaflets during various events in Brussels. For the 2018 local elections, *Objecti(e)f* developed an information campaign entitled "I vote, I register" consisting in online information, trilingual information brochures in English, French, and Dutch, and video clips.<sup>49</sup> For the 2018 elections, a media campaign *VoteBrussels*<sup>50</sup> co-funded by the EU and organised with the support of the Migration Policy Group has been put forward in Brussels. In the framework of this campaign, teams of volunteers have been recruited to raise awareness among non-national EU citizens about their electoral rights via online information, social media campaigns, meetings with groups of EU citizens, information sessions, contact with embassies, etc. According to the information made available by representatives of this campaign, in just few months, the number of non-national voters doubled in Brussels, reaching up to 49,406 registrations. *VoteBrussels* estimated that around one third of these new registrations for the 2018 local elections were the result of the proactive campaign developed with non-partisan collaborators.

<sup>46</sup> For the 2012 local elections, see:

[http://elections2012.wallonie.be/docs/passeport\\_des\\_electeurs\\_elections\\_2012.pdf](http://elections2012.wallonie.be/docs/passeport_des_electeurs_elections_2012.pdf) For the 2018 local elections, see: <http://www.discr.be/elections-locales.html>

<sup>47</sup> The Minorities Forum is an umbrella organization of ethnic minorities associations and their federations that was created by the Flemish government to allow its members to prepare joint positions to allow for interest representation at the regional level.

<sup>48</sup> The online brochures are available here: <http://www.ikstemook.be/> The list of Youtube videos in different languages is available here: <http://www.ikstemook.be/voer-mee-campagne/videos/>

<sup>49</sup> More details about this campaign are available here: <http://www.allrights.be/campagne>

<sup>50</sup> <https://www.facebook.com/VoteBrussels/>

In addition to these outreach campaigns initiated by civil society organisations, for the 2018 local elections, different groups of mobile EU citizens also mobilised to encourage the voter registration. An example comes from the Romanian community, whose members have shown a quite limited level of electoral engagement in general (see Vintila and Soare, 2018) and very low registration rates for past elections in Belgium despite their increasing demographic presence in the country. For the 2018 local elections, attempts to mobilise the Romanian community were made via the social media information campaign entitled “Drept la vot” (*The right to vote*) and the special coverage that diaspora’s newspapers offered to the topic of the electoral participation of Romanian citizens in Belgian elections.<sup>51</sup>

## 2.4. Political Parties and Candidacy Rights

Non-national EU citizens residing in Belgium are guaranteed the same basic political liberties as national residents in terms of creating and joining political associations or parties.<sup>52</sup> To stand as candidates for EP elections, non-national EU citizens must be at least 21 years old, have the residence in an EU Member State, enjoy his/her electoral rights in the Member State of nationality, not having presented his/her candidacy in any other EU country, and confirm his/her linguistic affiliation to either the French-speaking, Dutch-speaking or German-speaking community in Belgium (see the text of Law of March 1989 on EP elections). Non-national EU citizens who stand as candidates for local elections must comply with the same eligibility requirements as Belgian candidates and some additional conditions stipulated in Law of 27th of January 1999. More specifically, upon registration as candidates for local elections, EU citizens are required to submit a form stating that: 1) they do not hold any elected office in another EU Member State; 2) they do not hold any position considered to be incompatible with holding an elected office in another EU country; and 3) they are not deprived of their right to passive suffrage in the country of nationality (a proof of the later may be requested by the Belgian authorities). Also, unlike national residents, non-national EU citizens cannot hold the position of mayor in Belgium.

Given the increased electoral potential of foreigners in Belgium, it is also interesting to note that several Belgian political parties have decided to include specific references to non-national residents in their statutes;<sup>53</sup> and they often approach non-national voters (including both EU citizens and third-country nationals) during their electoral campaigns. Fielding foreign nationals on party lists, especially for local elections, has been one direct strategy through which parties have aimed to target this specific niche of the electorate.

<sup>51</sup> See: <https://www.facebook.com/DreptLaVot/>; [https://www.stiridiaspora.ro/gabriela-mara-a-cucerit-belgia-este-singurul-consilier-local-roman-i-candideaza-din-nou\\_2933.html](https://www.stiridiaspora.ro/gabriela-mara-a-cucerit-belgia-este-singurul-consilier-local-roman-i-candideaza-din-nou_2933.html);

<sup>52</sup> See, for instance, Law of 4 of July 1989 modified by Law 56/2014.

<sup>53</sup> By way of example, Article 56 of the statute of the Socialist Party (PS) emphasizes that one of the objective of this party is to encourage the political participation of non-Belgians in the political life (see [https://www.ps.be/#/maison\\_du\\_parti/Les\\_Statuts/6804](https://www.ps.be/#/maison_du_parti/Les_Statuts/6804)). A similar objective is stipulated in Article 2 of ECOLO’s statute ([https://ecolo.be/wp-content/uploads/2017/11/20160604\\_STATUTS.pdf](https://ecolo.be/wp-content/uploads/2017/11/20160604_STATUTS.pdf)). On the other hand, Article 1 of the statute of the Humanist Democratic Centre (CdH, <http://www.lecdh.be/content/statuts-du-cdh>) stipulates that this party is open to any person, independently of their nationality, social background, language, culture and religious or philosophical beliefs. However, no such references have been identified in the statute of the Reformist Movement (MR, <http://www.mr.be/les-statuts/>), NVA (<https://www.nva.be/sites/default/files/statuten20180625.pdf>), CD&V (<https://www.cdenv.be/storage/main/statuten-2013.pdf>), Open VLD ([https://www.openvld.be/library/1/files/4408\\_statuten\\_2011.pdf](https://www.openvld.be/library/1/files/4408_statuten_2011.pdf)), People’s Party (PP, <https://partipopulaire.be/>) or the Democratic Federalist Independent (Defi, <https://defi.eu/regles-et-fonctionnement/statuts-de-defi/>).

Especially for the 2018 local elections, many of these non-national candidates have been quite proactive in terms of mobilising the electoral participation of their own groups of origin.<sup>54</sup>

## 2.5. Turnout

There is no official data on how many non-national EU citizens voted for elections held in Belgium. However, some estimations can be made drawing on their registration rates as voters for both EP and local elections.<sup>55</sup>

### *EP elections*

Figure 5 below shows the overall number and shares<sup>56</sup> of non-national EU citizens registered to vote for the EP elections held from 2004 to 2014, based on the data provided by the Electoral Service of the Belgian Federal Public Service in the framework of a past research (see Vintila, 2015). As observed, EU citizens made a quite limited use of their electoral rights. During the period considered, the registration rates amongst non-national EU citizens were fairly low (see dotted-line in Figure 5), especially when compared with the general turnout that was above 85% for all EP elections analysed, due to the mandatory voting system.<sup>57</sup>

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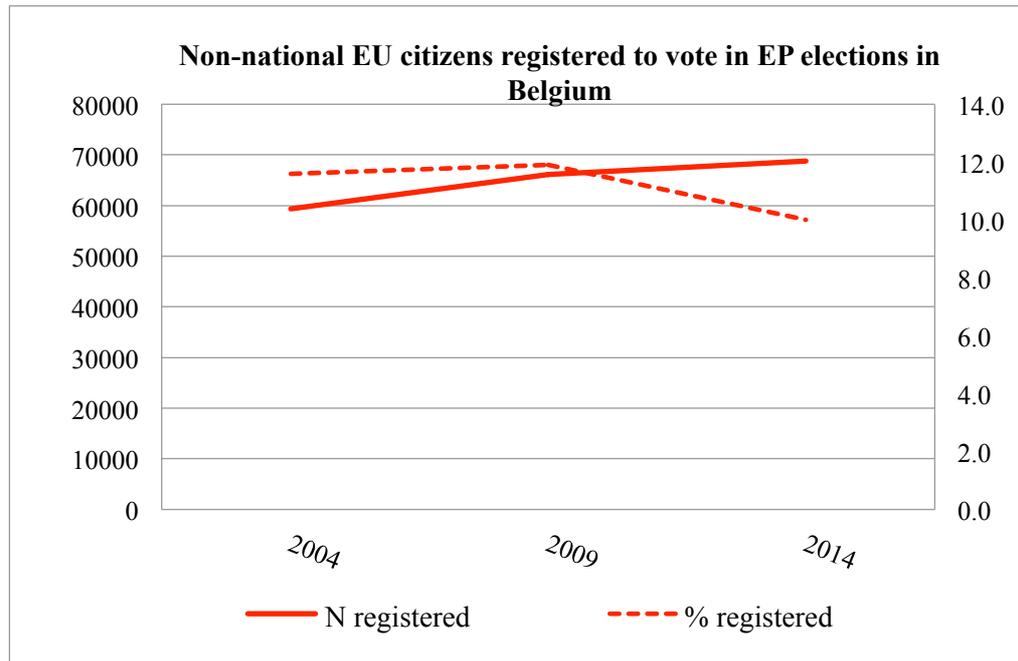
<sup>54</sup> By way of an example, the Socialist Party (PS), *CdH-cdV* and *MR* have nominated several non-Belgian candidates for the 2018 local elections in Brussels and most of these candidates have actively campaigned on social media and diaspora newspapers encouraging members of their respective groups of origin to register to vote for these electoral contests. The representatives of the Green Party in Brussels have also put forward an information campaign (Go Vote, [https://www.groen.be/govote\\_english](https://www.groen.be/govote_english)) aiming to encourage the voter registration of non-national residents for the 2018 elections. This campaign consisted of online information in French, Dutch, and English, as well as a video encouraging non-national potential voters to exercise their right to active suffrage.

<sup>55</sup> These registration rates can be reasonably considered as a good proxy for turnout, especially since foreigners' registration automatically leads to the obligation to vote, given the compulsory voting system applied for Belgian elections.

<sup>56</sup> The registration rate is calculated based on the following formula:  $\text{Registration rate} = N \text{ non-national citizens registered to vote} / N \text{ non-national EU citizens entitled to vote} * 100$ .

<sup>57</sup> See the overall turnout for EP elections in Belgium here: <https://www.idea.int/data-tools/question-countries-view/523/60/ctr>

Figure 5. Overall number and percentage of non-national EU citizens registered to vote for EP elections in Belgium (2004-2014)



Source: Own elaboration based on Vintila (2015).

For the 2014 EP elections, 68,771 non-national EU citizens registered to vote out of a total number of 686,370 non-national EU citizens entitled to vote (potential voters) for these elections. This implies a low registration rate of around 10%, even lower than for the 2009 EP elections. The breakdown of the 2014 data by electoral districts shows that non-national EU citizens counted with a higher electoral potential in Flanders (with 249,638 non-national EU citizens entitled to vote) when compared to Wallonia (221,409), Brussels Capital (204,122) or the German-speaking community of Belgium (11,201). Interestingly enough, the regions in which the number of non-national EU citizens entitled to vote was lower were precisely the ones retuning the highest registration rates as 14.5% of all non-national EU citizens entitled to vote registered to cast the ballot in Wallonia and 11.1% did so in the German-speaking community. The average registration rate of EU nationals was smaller in Flanders and Brussels Capital (8% in each case). The distribution of the data by nationalities also indicates that, out of the total number of 68,771 non-national EU citizens who registered for the 2014 EP elections, the large majority (70%) originated from Italy (with 20,709 Italian nationals registered to vote), France (17,493), and the Netherlands (10,208). By contrast, only 1,209 Romanians registered to vote for these EP elections, despite the rapid increase of the demographic presence of the Romanian community in Belgium during the last years.<sup>58</sup>

### Local elections

As for municipal elections, Table 2 below shows the overall number and shares of the EU potential voters<sup>59</sup> and of EU citizens registered to vote for the 2012 local elections across Belgian regions, based on the data provided by the Electoral Service of the Belgian Federal

<sup>58</sup> See also: <http://www.elections.fgov.be/index.php?id=3286>

<sup>59</sup> The share of EU potential voters is calculated based on the following formula:  $N \text{ EU potential voters} / N \text{ total potential voters (Belgian, EU and non-EU)} * 100$ .

Public Service Interior in the framework of a past research (see Nikolic, 2017).

Table 2. Overall number and percentage of potential EU voters and of non-national EU citizens registered to vote for the 2012 local elections

	<b>Potential EU voters (% &amp; N)</b>	<b>EU citizens registered to vote (% &amp; N)</b>
<b>Flemish Region</b>	4,1 (231.973)	13,9 (32.212)
<b>Walloon Region</b>	6,2 (229.313)	27,2 (62.465)
<b>Brussels-Capital Region</b>	22,2 (192.672)	13,6 (26.150)
<b>Belgium</b>	10,8 (653.958)	18,5 (120.826)

Source: Own elaboration based on Nikolic (2017).

Concerning potential EU voters, the Flemish Region hosted the largest number of EU potential voters (231,973), followed by the Walloon Region (229,313). In relative numbers, Brussels has by far the largest proportion of potential EU voters (22%) compared to the other two regions (6% for Wallonia and 4% for Flanders, respectively). On average, 18.5% of non-national EU citizens registered to vote for the 2012 local elections, with the Walloon region returning the highest registration rate (27%). The registration rates were much smaller in Flanders and Brussels Capital; in both cases, only 14% of all eligible non-national EU voters registered for the 2012 local elections.

For the 2018 Belgian local elections, some newspapers have emphasised the strong electoral potential of non-national voters, especially in Brussels which returns a very high share of EU citizens who are entitled to vote for local elections.<sup>60</sup> The absolute number of potential EU voters for the 2018 local elections has increased in all regions, compared to the previous elections. Overall, 17.5% of them registered to vote in 2018 (1% less than in 2012), with some important regional disparities. The Flemish Region has shown the lowest registration rates of mobile EU citizens (11% in 2018). The Walloon Region still scored the highest with 26% registered non-national EU citizens in 2018. In the Brussels Region, almost 17% of mobile EU citizens registered to vote for the 2018 local elections, this implying an increase of more than 3% in the registration rate when compared to the 2012 elections.

<sup>60</sup> See, for instance: <https://www.politico.eu/article/brussels-local-government-push-for-more-foreigners-to-vote-in-2018-municipal-elections/>; <https://www.theparliamentmagazine.eu/articles/news/deadline-looms-brussels-expat-voter-registration>; <http://www.brusselstimes.com/brussels/11397/campaign-launched-to-encourage-brussels-expats-to-vote>; <http://plus.lesoir.be/174435/article/2018-08-22/communales-faut-il-aller-vers-une-inscription-automatique-des-non-belges>; <http://plus.lesoir.be/156617/article/2018-05-14/un-tiers-des-bruxellois-ne-voteront-pas-en-octobre>;

### 3. Non-resident Citizens' Franchise in National and EP Elections

#### 3.1. Overview of Relevant Administrative Regulations

As previously mentioned, there are important differences in terms of access to electoral rights for Belgian elections between nationals residing abroad on a permanent basis and those who are temporarily abroad. The first category of permanent non-resident citizens is the most disadvantaged one in terms of the possibility to participate in Belgian elections as they are not entitled to vote for local, provincial nor regional elections. Moreover, Articles 64 and 69 of the Constitution also prohibits them from standing as candidates in local, provincial, regional or federal elections held in Belgium. However, the Law of 18th of December 1998<sup>61</sup> allowed Belgian citizens permanently residing abroad to vote in Belgian federal elections after a rather complicated registration procedure that allowed only 18 non-resident citizens to vote for the 1999 elections. The electoral system was later reformed by the Law of 7th of March 2002<sup>62</sup> and, more recently, by the Law of 19th of July 2012.<sup>63</sup> With the 2002 electoral reform, Belgian nationals living abroad on a permanent basis have the possibility to voluntarily register with the consular authorities to vote for Belgian federal elections. Once registered, they become subject to the mandatory voting, just like resident citizens (Article 180 of the Belgian Electoral Code).

The situation is different for Belgian citizens who find themselves temporarily abroad on the election day as this specific group still has the possibility to vote by proxy for elections held in Belgium. Article 147bis of the Belgian Electoral Code stipulates that only one voter can be designated as a proxy and no voter can vote in the name of more than one absent voter.<sup>64</sup> Furthermore, the Electoral Code allows for the vote by proxy by nationals temporarily residing abroad in three situations. The first case is when a citizen finds himself/herself abroad on the election day for professional reasons (related to the individual or his/her family members) and his/her absence is justified by a letter from the employer. The second scenario applies for students who are unable to go to the polling stations on the election day due to their studies. In this second case, their use of proxy must be justified by a letter from their educational institution. Thirdly, in all other cases in which registered voters find themselves abroad during the election day for any other reason (for instance, holidays), they must request the authorisation to do so in advance from the mayor of the municipality in which they reside. In all three situations, the proxy is required to submit the voter registration form signed by the person who is temporarily absent to the polling station in which the latter was supposed to vote in person. In doing so, the proxy is also required to attach a proof that the person who is absent is indeed abroad.

As for the enfranchisement of non-resident citizens for EP elections held in Belgium, this has not been a particularly sensitive issue in Belgian politics. This differs from the debates on their enfranchisement for national and sub-national elections. In these latter cases,

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<sup>61</sup> *Loi du 18 décembre 1998 modifiant le Code électoral en vue d'octroyer le droit de vote aux Belges établis à l'étranger pour l'élection des Chambres législatives fédérales*

<sup>62</sup> *Loi du 7 mars 2002 modifiant le Code électoral en vue d'octroyer le droit de vote aux Belges résidant à l'étranger pour l'élection des Chambres législatives fédérales et instaurant la liberté de choix du mandataire en cas de vote par procuration.*

<sup>63</sup> *Loi du 19 juillet 2012 portant modification du Code électoral, en ce qui concerne le vote des Belges à l'étranger*

<sup>64</sup> The form used for the vote by proxy needs to include the full names, dates of birth and the address of the absent voter and the voter designated as proxy. The form is available here: <http://www.elections.fgov.be/index.php?id=1662&L=14>

expatriate enfranchisement has always been perceived by some political parties as a threat to the existing electoral equilibrium and by others as an ethnic issue because it risked opening the way to allowing French-speaking Belgians living abroad to vote in Flanders (Arrighi and Lafleur, 2017). Hence, the Law of 23rd of March 1989 and its subsequent amendments historically limited external franchise in EP elections only to Belgian nationals residing in other EU Member States. This differential treatment between Belgian citizens living inside and outside the EU ended with the 17th of November 2016 legislation on EP elections<sup>65</sup> (see next section). With regards to passive electoral rights, Article 21 of the 1989 law on EP elections indicates that non-resident citizens are also entitled to stand as candidates for EP elections held in Belgium if they are at least 21 years old, they reside in another EU Member State, they enjoy their political rights in Belgium, they are not standing as candidates in another EU Member State for the same EP elections and have the support of federal Belgian MPs or Belgian voters belonging to either the Dutch, French or German-speaking constituencies.

### 3.2. Voter Registration

The Law of 23rd of March 1989 on EP elections allows non-resident citizens who wish to participate in EP elections in Belgium to voluntarily register as voters with the Belgian authorities. This law represented a major breakthrough as it gave for the first time the right to Belgian nationals living abroad to participate in any election held in Belgium despite their absence from the national territory. The voter registration form can be submitted to the Belgian consular authorities 60 days prior to the election day. In addition, a sworn statement must be attached to the registration form by which voters indicate their municipality of attachment in Belgium (see below). Only registered voters have to comply with the compulsory voting system. Belgian nationals who have not officially declared their residence abroad are *de facto* excluded as external voters from Belgian EP elections. Given that they are still considered as living in Belgium by the Belgian authorities, they can still exercise their active suffrage for EP elections in Belgium either in person or by proxy.

The registration rules for voters abroad in federal elections has experienced several changes during the past decade. It is a contentious topic in Belgian politics because of the long-established fear among Flemish nationalist parties that voters living abroad could strategically choose to register in specific electoral districts (Lafleur, 2013; Arrighi and Lafleur, 2017). Indeed, the original system in place for the 2003 elections granted citizens living abroad much autonomy by letting them register in the electoral district of their choice (based on the selection of a municipality of which the expatriate considered her/himself to be a member without having to justify biographic ties to the place). Since the 2014 reform, and following many parliamentary debates underscoring risks that voters abroad select the electoral district where their impact can be maximised, nationals residing abroad now have to justify their choice based on (personal or their ancestors') biographic ties with the Belgian municipality in which they wish to register as voter from abroad. To register as voters from abroad in national elections, non-resident citizens voluntarily register as voters with the Belgian consular authorities in the country of residence. The electoral college in which citizens residing abroad register is determined by the municipality where they resided before leaving Belgium, alternatively by the municipality where her/his parents last resided, or the municipality where her/his spouse last resided, or the municipality where a relative of up to the third degree resided or was born, or the municipality of Brussels.

Additional criteria for EP elections include the obligation of committing to vote only for the EP elections held in Belgium and not standing as candidates in another EU Member State. The electoral college in which citizens residing abroad register (Dutch, French or German-speaking) is determined by similar rules of municipal attachment as those applicable for federal elections.

Reaching potential voters residing abroad has been a challenging task for Belgian authorities. Before 2002, Belgium did not have a reliable consular register it could use to contact citizens residing abroad to invite them to register. This register now exists and consulates systematically contact nationals listed in the register personally to invite them to register as voters before each election. This is not an obligation, however, for nationals residing abroad to be listed in the consular register and a share of the Belgian population living abroad is therefore unreachable. This is particularly true for citizens who live in destination countries that are not too distant from Belgium who have little incentives to make use of consular services (unlike nationals living in developing countries for instance). To overcome these limitations, Belgian authorities have relied on two main expatriate organisations that have historically heavily lobbied in favour of external voting and now encourage nationals abroad to register (see section 3.3).

### 3.3. Turnout

Nationals residing abroad who register voluntarily as voters for elections in Belgium are — similarly to resident nationals— subject to the obligation to vote. This combination of voluntary registration with the obligation to vote has produced mixed results in terms of electoral participation. Historically, Belgians residing abroad have had the right to vote in EP elections in Belgium before their gained the right to vote in federal elections. Looking back, few Belgian expatriates used their newly-gained right for the 1994 EP elections for which 1,452 national citizens registered to vote from abroad.<sup>66</sup> Limited turnout combined with the supposed cost of 20€ per vote cast abroad turned external voting into a controversial topic in Belgian politics. Indeed, some parties later used this first limited experience of the 1994 EP elections as an argument to oppose the extension of external voting rights for federal elections. According to the data of the Electoral Service of the Belgian Federal Public Office, for the latest EP elections held in Belgium in 2014, only 239 non-resident Belgian citizens registered to vote by post for these electoral contests.<sup>67</sup>

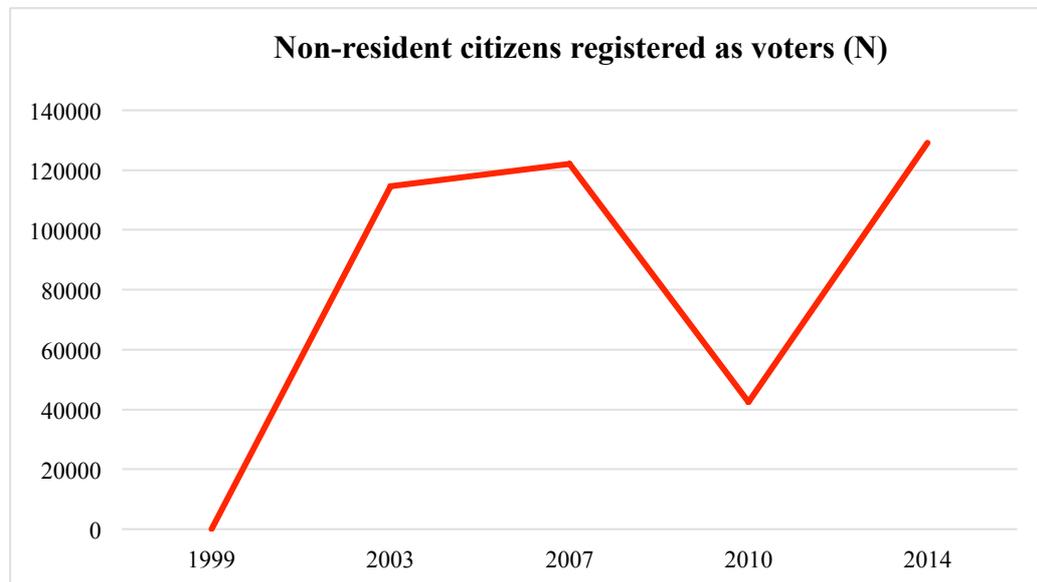
As clearly demonstrated in Figure 6 below, the number of Belgians abroad registered to vote for federal elections tends to increase over time with the notable exception of the 2010 elections which were snap elections following a governmental crisis that significantly shortened the Ministry of Foreign Affairs' (MFA) and the Ministry of the Interior's ability to reach out to nationals abroad and register them on time. These two actors are indeed key in the registration process of Belgians residing abroad. The MFA has been proactive before each election in contacting nationals abroad to inform them about the registration process and provide them with the registration form. In particular, consulates have been writing nationals residing abroad to inform them about their right to vote, the registration process and the deadlines. As shown in previous work (Lafleur, 2013), Belgian emigrant communities are not characterised by a strong organisation through ethnic associations nor do they tend to concentrate in specific cities or neighbourhoods like other emigrant communities do. Yet, two

<sup>66</sup> See: <http://www.dekamer.be/FLWB/pdf/49/1742/49K1742003.pdf>

<sup>67</sup> Data available here: <http://www.elections.fgov.be/index.php?id=3286>

major non-profit organisations have historically been very active in terms of promoting the voting rights of Belgians abroad: *Union francophone des Belges à l'étranger* (UFBE) and *Vlamingen in de Wereld* (VIW). Both organisations recurrently invite people to register via publications and e-mailing campaigns, and, before each election, they inform voters abroad about the positions of parties on key issues of interest for non-resident Belgian nationals. UFBE, in particular, has a long tradition of asking key questions on issues of relevance to Belgians abroad to representatives of major democratic parties. These answers are published online and in the magazine sent to the members of the organisation. In addition, UFBE also has representatives of political parties on its board which further stimulates the dialogue between the organisation, its members, and political parties. Over the years, VIW has become increasingly close to the Flemish authorities in terms of funding and support and has therefore tended to take a least proactive approach with regards to voting rights of citizens abroad beyond mere communication of information on procedures and registration deadlines.

Figure 6. Overall number of non-resident nationals registered to vote for federal elections in Belgium (1999-2014)



Source: Own elaboration based on data of the Belgian Electoral Service.

Beside these organisations, some Belgian political parties have also actively encouraged nationals residing abroad to register and have developed different instruments to do so such as the creation of a specific party section for nationals abroad, the appointment of a party delegate for this population, the opening of party sections in foreign cities but these initiatives are usually characterised by their very small scale and their limited visibility (Lafleur, 2013). Unsurprisingly, however, the engagement of political parties in encouraging citizens to register as voters is strongly determined by their expectation about the electoral behaviour of these candidates. French-speaking and Flemish liberal parties have historically been the most prominent supporters of external voting in Belgium. Their position was based on a strongly held belief that Belgian expatriates had a similar socio-economic profile to that of their resident electorate. Accordingly, these parties were the most proactive in developing targeted messages for this electorate. Over the years, as results demonstrated that the Flemish nationalist party N-VA and Flemish and French-speaking Green parties also had significant support abroad, these parties also developed stronger messages towards voters residing abroad (Arrighi and Lafleur, 2017).

Controversies around the participation of citizens abroad have also occurred in recent

years. The Flemish extreme right party *Vlaams Belang* for one has been extremely vocal about the supposed registration of French-speaking expatriate voters who deliberately chose to register in Flemish electoral districts around Brussels to increase the French-speaking vote there. While these controversies concerned exclusively federal elections, they eventually led to changes in registration rules (i.e. introduction of biographic criteria to justify the municipality of attachment) for both federal and EP elections (Lafleur, 2008).

## 4. Conclusion

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This report has shown that the extension of suffrage to new categories of ‘mobile’ voters such as non-national EU citizens and non-resident nationals has been a difficult and incremental process in Belgium. It is characterised by a certain level of reluctance among political parties fearing the potential impact of new voters on electoral results. Supranational pressure to allow both the participation of non-national EU citizens in local and EP elections and the participation of non-resident nationals in EP elections held in Belgium has opened the way for future extensions of suffrage. Indeed, both the right to vote of third-country nationals in local elections and the right to vote of non-resident nationals in federal elections came only after these first extensions. Next to this supranational incentive to act, the role of non-national EU citizens and non-resident citizens themselves has been key to pressure authorities for granting voting rights. To this day, these individuals continue to have a voice within Belgian politics beyond voting rights, particularly through their involvement in migrant organisations and trade unions.

Beyond the classic electoral cost-benefit analysis, Belgian parties have also been anxious about the impact of new voters on the balance of power between the two main ethnic communities in the country (Flemings and Walloons). This additional layer of complexity not only slowed down the extension of the suffrage to non-nationals and non-residents but also often entailed that, after voting rights were granted, parties did not necessarily play an active role in promoting the exercise of this right. As shown in different experiences in local elections, municipalities run by parties that are unfavourable to the participation of non-nationals tend to be less proactive in their registration strategies towards this population. Lastly, while registration for non-resident nationals and non-national EU citizens is voluntary, the other Belgian specificity of the obligation to vote that applies to all registered voters has been underlined many times as a possible obstacle by causing hesitations among citizens accustomed to different electoral systems.

Summing up the Belgian experience, we can conclude with four recommendations on how to foster the electoral participation of non-resident citizens and non-national residents in the future:

1. **Formalise information dissemination strategies and exchange best practices between municipalities:** important variations can be observed between municipalities when it comes to the registration of non-nationals in local elections. This situation calls for greater formalisation of the information campaigns to make sure that similar messages are spread across the country and give equal chances to potential voters of knowing their rights. Similarly, best performing municipalities should be given the opportunity to share their experience with other municipalities and create a virtuous circle for future elections.
2. **Engage with the civil society:** many NGOs (ethnic based or not) have dense and frequent contacts with potential voters and are often in the best position to discuss electoral

participation with them. Providing these actors with the right information and enabling them to help registering voters directly can thus potentially improve registration figures.

3. **Tap in the potential of new technologies:** while new technologies are often seen as a mere additional output to spread a message that was designed for diffusion via regular mail or interpersonal contact, they also offer new possibilities. As demonstrated by the *#Ibrulvote* campaign running in 2018 in the Brussels region, social media can help build momentum and raise awareness about the need to further expand franchise while also engaging with voters in a much more personal way by highlighting how political participation directly affects their daily lives as non-nationals living in a Belgian municipality.
4. **Engage with potential voters between elections:** while municipalities and NGOs often find it more relevant to register non-national voters as election approaches, this also means that there is often a gap of several years between registration campaigns. In Belgium, nothing prevents municipalities from registering foreign voters all year long. Implementing processes by which citizens are systematically invited to register as voters whenever they deal with their local administrations could not only raise awareness about this right but also improve registration figures.
5. **Encourage non-electoral participation as a potential first step towards electoral participation:** Historically, Belgium has seen many foreign and foreign-origin trade union and association leaders reaching prominent political positions. Engagement in such activities is therefore often a first step to raise non-citizens' awareness about the importance of actively participating in their polity of residence. More recently, new modalities of participation have arisen at the municipal level with the right of individuals to ask questions to municipal council members during their public assemblies. Encouraging non-citizens to enter in a dialogue with authorities on issues that concern their daily is thus another avenue that could lead to formal political participation.
6. **Communicate with newcomers about their rights in languages they understand:** while the use of language by public administrations is a sensitive and highly regulated topic in Belgium, producing basic information about the right to vote and the registration procedure in languages spoken by large foreign communities allows to raise awareness about citizenship right from the very early days of settlement in Belgium. Doing so, administrations would not be condemned to rely on the acquisition of sufficient knowledge of the host country languages before informing them about their rights. Since many foreign origin candidates already campaign in foreign languages, it would thus be in the interest of public administration and NGOs to also inform potential voters about their rights in key foreign languages.
7. **Encourage transnational cooperation between parties:** while several Belgian parties are reluctant to engage with these new voters about whom they are less informed, promoting awareness among parties that their voters may have voting rights in different polities can create a strong incentive for them to mobilise and encourage their members/supporters to register and vote in elections held in other countries where sister parties are running.

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