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POLITICAL INCLUSIVENESS OF NON-CITIZENS. THE CONSEQUENCE OF REFERENDUM IN LUXEMBOURG

Introduction

The issue of giving the right to vote to individuals that reside in a given country without citizenship has raised many questions especially in Western Europe. In most countries passive and active suffrage is restricted to citizens². The increase of migratory flows especially in Luxembourg influenced on widening the gap between the number of inhabitants of the country without political rights and the number of its citizen. As Garcia Soriano pointed out “Not recognizing the right to political participation of a large percentage of individuals in full possession of their civil rights questions the legitimacy of power”³. The Luxembourgish government made an attempt through referendum to further extend voting right to non-citizen by allowing them to vote in national elections.

This article analyses the case of voting right for non- nationals in Luxembourg. The author argues that despite the rejection of expansion of voting rights in Luxembourg, political inclusiveness of non-nationals is a work in progress.

Extension of voting rights to non-national

The idea of democracy is rooted in the notion that the government articulates the will of the people who are the sovereign. This will is expressed through the right to vote which constitutes the most essential political right. Generally the right to vote is reserved to those who possess the citizenship. As it is observed, during centuries

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² There is a terminological confusion in the study of citizenship. Generally the term citizenship refers to legal status of an individual in a state. In this paper the terms citizenship or nationality will be used as synonyms of a legal status and the terms: non-citizens, foreign-nationals, non-nationals, aliens will be alternatively used to describe persons who live without citizenship in a foreign country.

³ Carlos Flores Juberias, Pedro Ten Alonso, “Extending Voting Rights to Foreigners: Reinforcing Equality or Reinventing Citizenship”, *Cuadernos constitucionales de la Cátedra Fadrique Furió Ceriol*, no 62-63, (2008): 158.

this right has been expanding especially in liberal democracies. The previous qualifications based on gender, race, property have disappeared. Currently suffrage is generally granted to all citizens once they have reached the voting age.

Due to the process of globalization, the movement of labour and disparities of wealth between the countries more people have been settling in a country that they are not citizen. Immigration to Europe increased substantially in the late 20th century. Especially Western European countries have been affected by the inflow of foreigners. For years, the foreigners have been residing there, paying taxes, fulfilling compulsory obligations but they have been excluded, as foreign-nationals, from the conduct of public affairs, directly or through chosen representatives. Tomas Hammar noticed that there is growth of people- Denizens who are not full member of the society because of the lack of citizenship. Denizens are the people who have become member of and have rights in their adopted countries to a substantial extent – in other word they have gained a degree of citizenship but they are not citizen in a formal status sense⁴. Furthermore Will Kymlicka, rightly points out that so far, citizenship was a prerequisite for the recognition of the legal and political rights, but today many groups without citizenship also seek such a recognition. Nowadays there are two main ways to secure political representation for immigrants. The first is to provide them voting rights, the second is a liberalization of naturalization procedure⁵.

So far most of the international instruments that provide general principles of equality of rights and non-discrimination provisions limit the exercise of rights only to nationals of the states. The Article 21.1. of the Universal Declaration of Human Rights⁶ refers to the right to political participation but excludes from its protection the foreigners living in a country other than their own. Similarly the Article 25 of the International Covenant on Civil and Political Rights⁷ specifies that only citizens have the right and the opportunity without restrictions to take part in public affairs, public service or in elections. It means that this Covenant exempts the states to grant voting rights to non-citizens. Additionally, both the Declaration on the Human Rights of Individuals Who are Not Nationals of the Country in which They Live⁸ and the International Convention on the Protection of the Rights of all Migrant Workers and Members of Theirs Families⁹ fall short of guaranteeing non-nationals political rights.

⁴ Tomas Hammar, *Democracy and the nation-state: aliens, denizens and citizens in a world of international migration*, (Aldershot: Avebury, 1990), 12-14.

⁵ Will Kymlicka, *Contemporary Political Philosophy*, 2 ed. (Oxford: Oxford University Press, 2002), 284-377.

⁶ Universal Declaration of Human Rights, UN Resolution 21 A [III] December 1, 1948.

⁷ International Covenant on Civil and Political Rights, UN Resolution 2200 A [XXI], December 16, 1966.

⁸ Declaration on the Human Rights of Individuals Who are Not Nationals of the Country in which They Live (UN Resolution 40/44, December 13, 1985).

⁹ Convention on the Protection of the Rights of all Migrant Workers and Members of Theirs Families (UN Resolution 45/157, December 18, 1990).

On the European level the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)¹⁰ has guaranteed the right to free election only to citizens of the states since 1950. In the 1990s the Council of Europe took into account that the residence of foreigners on the national territory is a permanent feature of European societies. The Convention on the Participation of Foreigners in Public Life at Local Level¹¹ adopted by the Council of in 1992 recognized the political rights of foreigners on the local level. The Convention encourages the states to facilitate the establishment of consultative bodies representing foreign residents at the local level and the granting every foreign resident the right to vote and to stand for in local elections.

The European Union supported the position taken by the Council of Europe regarding non-citizens. The 1994 Council Directive set out detailed arrangements for the exercise of the right to vote and stand as a candidate in municipal elections by citizens of the EU residing in another EU state¹². In order to take part in the elections a non-national must registered on the electoral list and must be a resident for a minimum period. The country may refuse registration if a candidate has already lost passive and active voting rights in the country of origin or cannot produce a proof of a nationality and residence. The Directive also established possibility of derogations. The country can make a restriction that the office of elected head of the executive body or certain senior positions on the local level can be held only by its own nationals. Furthermore, if more than twenty percent of the eligible electors are non-citizen the state might require an additional periods of residence for taking part in local elections. These provisions were included into the Article 22 of the Treaty on European Union¹³. However the rights guaranteed by the Article 22 are challenged by some of the EU countries because of rights incapability with their constitutional provisions. For example the Greek Council of State ruled in 2011 that only Greek citizens are entitled to participate in elections¹⁴. In *Emman and Servinger* the European Court of Justice ruled that although Member State could subject the right to vote to stand in European parliament election to a requirement of residence in the territory in which elections were held, the principle of equal treatment required that there should not be unjustified differences of treatment of national who were in

¹⁰ European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), ETS No 005, Rome 04/11/1950.

¹¹ Convention on the Participation of Foreigners in Public Life at Local Level, Council of Europe, European Treaty Series no.144, 1992.

¹² Directive 94/80/EC, OJ L 368, 31.12.1994, 38-47.

¹³ Article 22 of the Treaty on EU and the Treaty on the Functioning of the EU 2012/C 326/01 states: Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate at municipal elections in the Member State in which he resides, under the same conditions as nationals of that State. Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate in elections to the European Parliament in the Member State in which he resides, under the same conditions as nationals of that State.

¹⁴ Paul Craig, Grainne de Burca, *EU Law. Text, cases and materials*, 5th ed. (Oxford: University of Oxford Press, 2011), 848.

comparable situations¹⁵. Additionally the Articles 39 and 40 of the EU Charter of Fundamental Rights¹⁶ assure every EU citizen right to vote for and stand as a candidate in municipal and European Parliament elections in whichever EU country the citizen resides under the same condition as nationals.

The strengthening electoral rights has been set out as one of the political priorities in the Stockholm Programme. The Stockholm Action Plan of 20 April 2010 underlines how “Facilitating and encouraging citizens” participation in the democratic life of the Union is crucial for bringing the citizens closer to the European project. Increased turnout at European Parliament elections is a shared ambition. The right of citizens to vote and be elected for local and European elections where they reside should be further promoted and strengthened¹⁷.

In many countries the non-citizens have become more vocal in pursuit of political rights, especially the right to vote. There is also a tendency to lower the passive or active voting age. In 2003 as David C. Earnest indicated there were twenty- two states in which aliens have at least some voting rights, and two others whose constitutions explicitly permit their legislatures the discretion to enfranchise resident aliens¹⁸. Today approximately 40 countries have approved some form of immigrant suffrage. The practice of voting rights for foreigners especially to national parliaments is limited and varies between the countries. Currently only four countries in the world: Chile, Malawi, New Zealand and Uruguay granted equal voting rights to non-nationals¹⁹.

Regardless of the extended electoral rights of EU citizens, the impact of the electoral rights of EU citizens has not been very substantial. The Commission noted very low rates of voter registration and low number exercising the right to vote in both municipal and European Parliament elections in a host state²⁰. Kees Groenedijk after reviewing of the effect of non- national voting right in 15 EU states confirms that extending voting rights only marginally reduces the political power of old voters and so far none of the states has abolished this right because of its presumed or real negative effect²¹.

¹⁵ Case C-300/04 *Eman and Sevinger* [2006] ECR I-8055.

¹⁶ Article 39 and 40 of the Charter of Fundamental Rights of the European Union 2012/C 326/02 confirm that every citizen of the EU has the right to vote and stand as a candidate at elections to the European Parliament and at municipal election in the member state in which he resides under the same conditions as nationals of the state.

¹⁷ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Delivering an area of freedom, security and justice for Europe's citizens – Action Plan Implementing the Stockholm Programme – COM(2010/0171 final.

¹⁸ David C. Earnest, *Noncitizen Voting Rights: A Survey of an Emerging Democratic Norm*, 1 retrieved 20.08.2016, http://ww2.odu.edu/~dearnest/pdfs/Earnest_APSA_2003.pdf

¹⁹ H Patrick Glenn, *The Cosmopolitan State*, (Oxford: Oxford University Press), 2013, 199

²⁰ COM(2010) 605,5

²¹ Kees Groenedijk, “Voting rights and political participation of non-national immigrants”, *Policy Brief*, no 26, May 2014, 8.

Social structure and voting rights in Luxembourg

Luxembourg or Grand Duchy is one of the smallest European countries with an area of 2586 sq.km and 563 thousand inhabitants, among them there are 259 thousand foreigners²². As most of the Western European countries Luxembourg has been experiencing an increase in the migratory flows. One hundred years ago there were around 10 percent of immigrants in Luxembourg, this percentage grew to 45,3 percent in 2015. Data regarding the geographical origin of foreigners residing in Luxembourg reveals that roughly most of them are European citizens. Foreigners from outside Europe constitute around 7 percent of all immigrants. With regard to specific nationalities after the Portuguese (92 thousand), who account for 16,4 per cent of the population, the Grand Duchy is made up of French nationals (7 percent), Italians (3.5 per cent), Belgians (3.3 per cent) and Germans (2.3 percent). The increase of migratory flows, as the EU integration deepened, causes a diversification of the ethnic composition of the social structure in Luxembourg. The social structure has become highly diverse, hosting many different cultures, languages and religions.

In Luxembourg fair and free elections are held regularly to the national parliament – Chamber of Deputies, municipal councils and to the European Parliament. Additionally Luxemburgish can vote in referendums. The participation in elections and referendums is not only a right but also an obligation since it is compulsory for all voters that are registered on the electoral list. Luxemburgish are automatically registered. The voters have to be eighteen years of age on the election day and be in full possession of political rights.

Only Luxemburgish citizens are qualified as electors in the national elections. Luxemburgish nationality is also a condition for being a member of a national parliament or a member of the government, for entering the civil service and magistrate appointment. The unicameral Chamber of Deputies consists 60 deputies that are elected for a five year term in multi-seat constituencies²³. Seats are allocated by proportional representation that uses the Hagenbach-Bischoff system. It is required to be a resident in Luxembourg to stand for election to the Chamber. Deputies are elected in four constituencies: Centre, East, North and South. There are several political parties that compete for power but traditionally the Christian Social People's Party (CSV) has been the most influential. It has been always the largest party in the legislature. In the 2013 although CSV gained the most seats in the parliament it couldn't form a majority government. The Democratic Party with the Luxembourg Socialist Worker's Party and the Green formed a coalition (compare: table 1.) Due to compulsory voting the turnout was 91,15 percent²⁴.

²² Le portail des statistiques, Grand-Duché de Luxembourg, Population par sexe et par nationalité au 1^{er} janvier 2015, retrieved 05.09.2015, http://www.statistiques.public.lu/stat/TableViewer/tableView.asp?ReportId=384&IF_Language=fra&MainTheme=2

²³ Constitution du Grand- Duché de Luxembourg du 17 octobre 1868, art.51-53

²⁴ Résultats officiels, Elections législatives 2013, retrieved 10.06.2015, <http://www.elections.public.lu/fr/elections-legislatives/2013/resultats/index.html>

Tab. 1. Election results of 2013, percent of votes, numbers and percentage of seat won and seat change

Party	% of votes	No of seats	% of seats	+/-
Christian Social People's Party	33,68	23	38,33	-3
Luxembourg Socialist Worker's Party	20,28	13	21,67	0
Democratic Party	18,25	13	21,67	+4
The Greens	10,13	6	10,00	-1
Alternative Democratic Reform Party	6,64	3	5,00	-1
The Left	4,94	2	3,33	+1
Other	6,08	0	0	0
Total	100	60	100	

Source: Résultats officiels, Elections législatives 2013

Non-Luxembourg nationals may participate under certain conditions in local (communal) and European Parliament elections. In the already mention EU Directive 94/80 of 1994 the exception: “if more than twenty percent of the eligible electors are non-citizen the state might require an additional periods of residence for taking part in local elections” was brought about on Luxembourg request. The country first introduced long residence requirements (six years for the right to vote and twelve years for the right to be elected) as a barrier for participation. In 1999 after the first municipal elections where nationals of other EU states could vote, it reduced the residence requirement to five years both for the right to vote and to stand for election. As Kees Groenedijk pointed out fears for “polarization between lists of national and non-national candidates”, used as justification for the exception in 1994, apparently, were overcome²⁵.

There are 118 communes in Luxembourg with councils that are directly elected for a six-year term by inhabitants who are registered Foreign nationals who reside officially in Luxembourg for at least 5 years can apply for registration on the electoral roll and vote. The passive electoral right is reserved for Luxembourgish citizens or nationals of another European Union member state who have been habitually resident in the commune for six month and have resided in Luxembourg for at least 5 years.

Since 1979 Luxemburg has elected members to the European Parliament. Currently Luxemburg is entitled to select six members. Nationals of another members state of the UE in order to be eligible to vote and stand for election in Luxemburg in the European Parliament must live officially in Luxemburg for at least five years at the time of application to register²⁶.

²⁵ Kees Groenedijk , “Voting rights and political participation of non-national immigrants”, *Policy Brief*, no 26, May 2014, 3

²⁶ *About...Political Institutions*, Service Information et Presse du gouvernement luxembourgeois, 8-9, Access 10.02.2016, www.gouvernement.lu

According to the Luxemburgish Office of Statistics (Statec) only 42 percent of inhabitants enjoy right to vote in the national election.²⁷ It means that only 40 per cent of the populations elects its representatives. In the last local elections of 2011 there were registered 263 063 electors, among them there were only 31 019 were foreign nationals²⁸. This data confirms that non-nationals in Luxembourg are underrepresented in political institution on both national and local level. As the prime minister of Luxemburg Xavier Bettel pointed out “no other country in the world, apart from Dubai has our level of democratic deficit”²⁹.

The naturalization procedure is the simplest way to obtain political rights. The current law on Luxembourg nationality that entered into force on 1 January 2009 lays down several conditions to be fulfilled by an applicant. A person must be over 18 years of age, officially resided residence in Luxembourg for seven consecutive years, passed an oral test in the Luxemburgish language, attended three civic instruction sessions and meet integrity requirements³⁰. This law further simplified and harmonised the procedure to acquire nationality of Luxembourg. What is important it introduced the principle of dual nationality, it means that receiving Luxemburgish nationality doesn’t require the renouncement of nationality of origin. As the former Prime Minister Claude Juncker underlined: Integration and cohesion this double requirement is particular in our life shared with those who are not Luxembourgers³¹.

Referendum of 2015 and its consequences

Long term residence of foreigners with lack of formal citizenship significantly affected Luxembourg. This noticeable contradiction between using potential of non-nationals on the labor market while excluding them from participation in democracy promoted non-nationals to fight for the voting rights. Non-governmental organizations, trade unions, business leaders pressured the government to accommodate non-national rights to participate in national politics. Especially the Chamber of Commerce and the Greens strongly promoted the liberalization of voting rights. In the rapport of 2012 “*Actualité & tendances*”, the Chamber of Commerce analyzed the contribution of foreigners to Luxembourg economic success. The rapport emphasized that only net migration and natural increase of younger foreigners make that Luxembourg does not experience population decline.

²⁷ “Actualité & tendances”, *Bulletin économique de la Chambre de Commerce*, 12, 2012, 3

²⁸ Elections communales 2011, électeurs inscrits, access, 10.08.2015 <http://www.elections.public.lu/fr/elections-communales/2011/electeurs-inscrits/index.html>.

²⁹ “Luxemburg turns down plan to become first EU country to grant voting rights to foreigners”, *The Telegraph*, 07.06.2015.

³⁰ Acquérir la nationalité luxembourgeoise par voie de naturalisation, access 10.08.2016 <http://www.guichet.public.lu/citoyens/fr/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/naturalisation/index.html>

³¹ The Luxembourg nationality, law of 23 October, Luxembourg, Information and Press Service of the Luxembourg Government, 2008, 11.

Additionally three employee and entrepreneur in four in the market sector are foreign nationals. Between 2004 and 2009 foreign residents created and filled 93 percent of jobs in Luxembourg and this contribution is necessary to sustain the Luxembourgish socio-economic model. In 2010 Luxembourgish consisted only 29 percent of the labor force³². The rapport also highlighted the deficit of political representation since electors represents only 45 percent of the inhabitants of the state. It also turned attention to discriminatory procedure in civil servants and public sector appointments. Almost all civil servants and 90 percent of employees in public sector are Luxembourgish, meanwhile in the economy sector non-Luxembourgish nationals significantly prevail. The Chamber of Commerce proposed reforms to strengthen social cohesion and integration capacity of the country to ensure that the socio-economic contribution of foreigners balances also politically. It strongly supported the non-nationals inclusion in the national elections as well called the government to open civil and public service for foreigners that reside in Luxembourg. A non –governmental organization ASTI³³ that was created in 1979 to fight for the right to vote for immigrants and equal rights for all, backed the Chamber and the Green in pursuit to equalize voting rights. Together they commenced a political debate Right to vote for all (*Le droit de vote pour tous*) addressed to all political parties in Luxembourg.

The deficit of democracy was recognized by the Prime Minister Bettel. The government determined that this issue cannot be solved through public consultations but it requires a strong public support. The Democratic Party with the Socialists and the Green coalitions decided to ask the public in a consultative referendum, whether is in favour of opening up the vote for foreigners and to teenagers from the age of 16 and limiting ministerial mandates to a period of 10 years. The government formulated three questions:

1. Do you approve of the idea that people of Luxembourg aged between sixteen and eighteen should have the right to optionally register on electoral lists in order to participate as voters in the elections to the Chamber of Deputies, the European elections, municipal elections and referendums?"
2. Do you approve that non- Luxembourgish residents should have the right to optionally register on electoral lists in order to participate as voters in the elections to the Chamber of Deputies, on the double condition that they have resided at least ten years in Luxembourg and that they have previously participated in European or municipal elections in Luxembourg?
3. Do you approve that non- Luxembourgish residents should have the right to optionally register on electoral lists in order to participate as voters in the elections to the Chamber of Deputies, on the double condition that they have resided at least ten years in Luxembourg and that they have previously participated in European or municipal elections in Luxembourg?

³² Actualité & tendances", *Bulletin économique de la Chambre de Commerce*, 12, 2012, 9.

³³ ASTI- Association de Soutien aux Travailleurs Immigrés.

A “yes” to the questions was supported by the three governing parties: Democratic Party, Socialist Worker’s Party and the Greens and the Chamber of Commerce backup by ASTI and over 50 Luxembourg business leaders. The leading political party the Christian Social People’s with the Alternative Democratic Reform Party promoted a vote “no”. In April and May 2015 public opinions pools indicated that the public opinion was evenly split between voting “yes” and “no”³⁴. The polls in the run-up to the referendum showed the “no” side prevailed on all three questions³⁵.

The constitutional, consultative referendum was held on the 7th of June 2015. Luxemburgish citizens overwhelmingly rejected the proposed three constitutional amendments (see: table 2).

Tab. 2. Official results of the 7th of June 2015 referendum in Luxembourg

Question	For		Against		Invalid/ blank	Total	Regi- stered voters	Turn- out
	Votes	%	Votes	%				
Lowering the voting age to 16	40,102	19,13	169,899	80,87	4,835	214,836	246,974	86,99
Extending voting rights to foreigners	46,031	21,98	163,362	78,02	5,443			
Introducing term limits	62,835	30,07	146,096	69,93	5,905			

Source: Memorial, Journal Officiel du Grand-Duché de Luxembourg, B- no 66, 17.06.2015

With a triple “no” the government withdraw from introducing constitutional amendment. X. Bettel said that government got a message after an overwhelming majority voted “no”. He acknowledged that it was a clear signal which the government would respect. Nevertheless the government said that it would continue efforts in favour of political participation of young people and the integration of non-Luxembourgish residents who represent around 45 percent of the population³⁶.

The failure of the referendum prompted the government to relax the requirement for foreign residents to acquire Luxembourgish nationality. The Luxembourgish government has prepared the new version of the nationality bill. It might enter into force January 1.2017. The aim of the bill, as Justice Minister Feliz Braz advocated,

³⁴ “Polimonitor survey”, *Luxembourger Wort*, 07.05. 2015.

³⁵ “Count begins after polling stations close”, *Luxembourger Wort*, 07.06 2015.

³⁶ “We got the message”, says PM Xavier Bettel”, *Luxembourg Wort*, 07.06.2015.

was to grant access to the Luxembourgish nationality in a fair manner that encourages changes social cohesion³⁷.

This new bill brings fundamental changes to the naturalization process by applying rules of *jus soli*³⁸. Most of the European states uses *jus sanguinis* as the principle for acquiring the nationality³⁹. The new bill opens a possibility to acquire Luxembourgish citizenship for people born in Luxembourg to non-Luxembourgish nationals when they turn 18, if they resided in Luxembourg for at least five consecutive years, or from the age of 12 if they have lived in Luxembourg for the five preceding years, under the condition that one of the parent lived in Luxembourg for minimum one year prior to the child's birth. Children born to foreign parents but who have one parent who was born in Luxembourg will automatically have access to Luxembourgish nationality.

The bill also simplifies the naturalization procedure. It gives everyone a chance to apply for Luxembourgish nationality provided that they have lived in Luxembourg for the past five years, passed a Luxembourgish language test and passed the course "Living together in the Grand Duchy of Luxembourg". Additionally the citizenship can be acquired by a marriage to a Luxembourger, studying at a state school in Luxembourg for at least seven years and 20 years' residency. Refugees, stateless people and anyone with subsidiary international protection may also get it provided that they lived in Luxembourg for five years passed the language test and completed courses.

As we can observe the current legislative reforms in Luxembourg adapt the law on nationality to changes that have occurred in Luxembourgish society. This law might consolidate the integration of foreigners residing in Luxembourg.

Final remarks

Today it is still challenging for any government to introduce passive and active voting rights for non-citizens that resides on its territory even on the local level. The EU managed to protect the political rights of every EU citizen on the local and European level by enabling them to vote and stand as a candidate at local and the European Parliament elections. Due to the unique structure of the Luxembourgish society where almost half of the population do not have Luxembourgish citizenship the government of Luxembourg, supported by the Chamber of Commerce and several non-governmental organizations undertook a democratic initiative to expand national voting right to include foreigners that reside in Luxembourg and younger people.

³⁷"Live in Luxembourg for 5years and you could gain nationality", *Luxembourger Wort*, 12.03.2016.

³⁸ *Ius soli* is the principle that the country of citizenship of the child is determined by its country of birth.

³⁹ *Jus sanguinis* is the principle that the country of nationality of the child is determined by the country of nationality of the parent.

The 2015 referendum results showed that Luxembourgish were not ready to accommodate non-foreigners political rights. The observers indicated it was not the vote against political participation of the foreigners in Luxembourg but rather the method how they should be able to do so. As a result the government decided to introduce second way to secure political representation for immigrants which is the simplification of naturalization process.

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Abstract

Today it is still challenging for any government to introduce passive and active voting rights for non-citizens that resides on its territory even on the local level. The EU managed to protect the political rights of every EU citizen on the local and European level by enabling them to vote and stand as a candidate at local and the European Parliament elections. Due to the unique structure of the Luxembourgish society where almost half of the population do not have Luxembourgish citizenship the government of Luxembourg, supported by the Chamber of Commerce and several non-governmental organizations undertook a democratic initiative to expand national voting right to include foreigners that reside in Luxembourg and younger people.

The author argues that despite the rejection of expansion of voting rights in Luxembourg political inclusiveness of non-nationals is a work in progress.

Polityczna inkluzja obcokrajowców. Konsekwencje referendum w Luksemburgu

Współcześnie wprowadzenie praw wyborczych dla nie obywateli, zarówno czynnych jak i biernych nawet na poziomie lokalnym, stanowi duże wyzwanie dla każdego państwa. Kwestia rozszerzenia praw wyborczych dla cudzoziemców jest wciąż dyskusyjna, chodzi bowiem o włączenie obcokrajowców w proces podejmowania decyzji politycznych o randze państwowej.

W Unii Europejskiej zdołano zabezpieczyć wszystkim obywatelom, niezależnie od miejsca zamieszkania, prawa wyborcze na poziomie lokalnym, jaki i wyborach do Parlamentu Europejskiego. Rząd Luksemburga, ze względu na szczególną strukturę społeczną, gdzie cudzoziemcy stanowią niemal połowę mieszkańców, podjął próbę rozszerzenia praw wyborczych dla cudzoziemców na szczeblu krajowym. O wyrażenie zgody na tę inicjatywę zwrócił się do obywateli Luksemburga, którzy w referendum nie poparli tej inicjatywy. W artykule tym na tle refleksji o prawach wyborczych dla obcokrajowców autor wskazuje, iż wciąż poszukiwane są nowe rozwiązania.

Key words

citizenship, right to vote, migration, naturalisation, Luxembourg

Słowa kluczowe

obywatelstwo, prawo wyborcze, migracje, proces naturalizacji, Luksemburg

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