



1.9.2009

NOTICE TO MEMBERS

Subject: Petition 1746/2008 by Maksim Reva (Estonian), on the rights to vote in the European elections of persons with undetermined citizenship living in Estonia

1. Summary of petition

The petitioner denounces the situation of persons with undetermined citizenship living in Estonia who are not entitled to vote in the European elections. The petitioner considers that the fundamental rights of persons with non-Estonian ethnic origin are being breached and that the principle of non-discrimination on the grounds of ethnic origin must be regarded as a general principle of Community law. He asks the European Parliament to intervene with the Estonian authorities in order to have them allow persons in this category to participate in the European elections.

2. Admissibility

Declared admissible on 30 March 2009. Information requested from Commission under Rule 202(6).

3. Commission reply, received on 1st September 2009.

‘The petitioner denounces the situation in Estonia where persons with undetermined citizenship are not entitled to vote in the European elections. According to the petitioner this results in a democratic deficit. He recalls that the principle of democracy, as enshrined in Article 6(1) TEU, is a common principle to all Member States on which the Union itself is founded.

In electoral matters, European Community law grants the right of the citizens of the Union to participate in municipal and European Parliament elections in their Member State of residence, under the same conditions as the nationals of that Member State. These rights were put into effect by Directive 94/80/EC and 93/109/EC respectively.

European Community law does not grant electoral rights to persons who are not citizens of the Union. Therefore, the Commission cannot intervene in the issue of granting electoral rights in Estonia for persons not holding citizenship of the Union.’