

Active Civic Participation of Third Country Immigrants

Country – report: Luxembourg

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“The participation of the greatest possible number of people in the process of decision making is for us a national interest.”

Speech on the state of the nation:
Jean Claude Juncker,
Prime Minister,
speech before Parliament, May 5th, 2002 ¹

¹ Jean Claude Juncker, 2002, in: Analytical report, Chambre des Députés, May 5th, 2002
Civic Participation Luxembourg-report

Abstract

Introductory note

This paper has encountered two major difficulties. First, the political discourse and policies concerning foreigners in Luxembourg centres around the largest groups, i.e. European citizens, or more precisely, those of Portuguese nationality. Second restriction: The number of citizens from non-EU countries being too small, the latter often only figure under the category of 'other' in statistics.

In Luxembourg, with its percentage of foreign national inhabitants bordering 38%, civic participation of foreigners, EU or other, is evidently an important issue. (Unfortunately it is impossible to find out the distinctive data between the foreign borns and foreign nationals.)

Civic participation is even more important as the proportion of foreigners is continually growing and the Luxembourgian population is ageing. Hence, the electorate is becoming less representative of the actual active population.

With regards to the employment sectors, the autochthonous population is concentrated in the public sector.

Active participation by foreigners in public life centres on the right to vote on a communal level. The demands, which arose in the early 1980s, have not been successfully met due to the limited number of people concerned. Thus, Luxembourg has suffered from derogation due to its high percentage of foreigners. The government referred to this high proportion of foreigners to justify its policy of largely keeping them at bay.

To achieve this, the discourse has been turned to the consultative structures, municipal as well as national. However, after Maastricht and the acquirement of the right to vote, 18 months before the election day the registration procedure for the electoral lists presented a further 'natural' obstacle.

The public debate on the right to vote on a communal level has been reconstructed through studies and reports and by analysing the proceedings of 138 non-Luxembourgian candidates who stood for office at the first communal elections that were open to foreign candidates from EU member – states.

As the electoral lists for the communal elections of October 2005 have already been closed, a slight progress with regards to the numbers of registered foreigners can be noted.

Whereas the various trade unions count numerous foreigners among their members, there are hardly any foreigners registered with political parties.

Except a very few, NGO's are not really visible for the public opinion, their political aims are not that much known.

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Glossary

Political parties

Government coalition

CSV Christian Democrats: 25 MPs

LSAP Social Democrats: 13 MPs

Opposition

DP Liberals: 10MPs

Green party: 7MPs

ADR party that was created a dozen years ago that fights for equal pensions in the private and in the public sector: 5 MPs

The Left: no MP

Trade Unions

OGBL left wing Union, close to LSAP

LCGB Christian Union, close to CSV

CGFP Civil Servants UNION, close to DP

Employers

UEL Union of the Employers of Luxembourg, umbrella organisation

Main NGOs

ASTI composed mainly of several hundred individuals of about 25 different nationalities

CARITAS catholic welfare organisation

CLAE umbrella organisation of about one hundred NGOs

SESOPI mainly a research centre linked to the Catholic Church

Official bodies

CES social and economic council

CNE national foreigners council

STATEC government's statistical office

IGGS Inspection Générale de la Sécurité Sociale

ILReS (the only) Luxembourgian Poll- institute

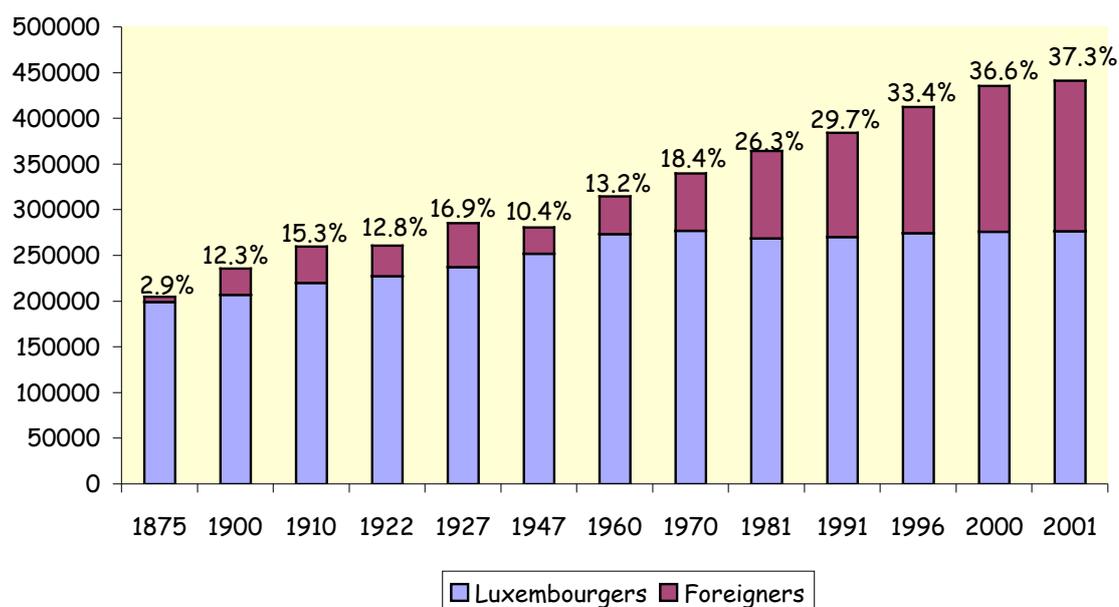
Part I: Understanding the conditions for immigrant participation

1. Key events and demographic developments in the migration history of Luxembourg

1.1. Population

Luxembourg depends largely on the expertise and work force of its foreigners. This situation has developed since the end of the 19th century. In a first step, individual workers were called upon for temporary engagements of between 1 and 3 years (rotation principle). From 1960 onwards, in a reaction to economic boom and a declining birth rate the government endorsed a policy of familial immigration. For some 15 years now the workforce represented by commuters from the neighbouring countries has come to represent some 38% of employees.

Illustration 1: Timeline



Source: Statec

Since 1960, the autochthonous population stayed constant in absolute numbers while those of foreigners have increased.

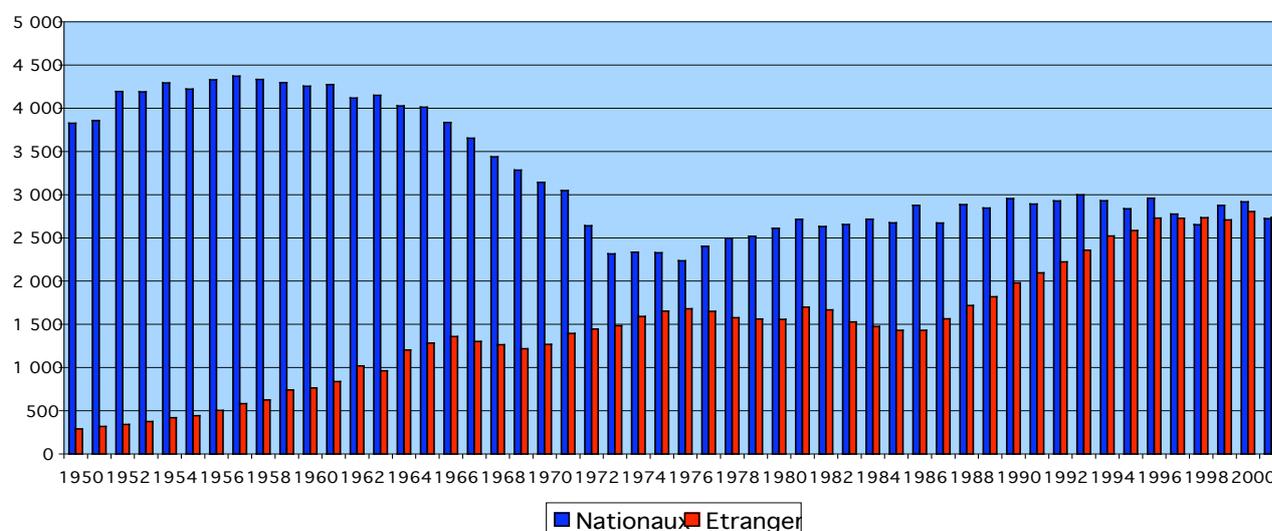
Table 1: Foreign nationals by country of citizenship as of January 1st,2003

Portuguese	66 876
French	24 603
Italians	20 658
Belgians	15 967
Germans	11 556
Yougoslaves	8 397
British	5 690
Netherlands	4 258
Spanisch	3 448
Bosnians	2 718
Danish	2 352
Cap Verdians	1 938
USA	1 703
Greeks	1 416
Swedish	1 472
Irish	1 313
Russians	1 086
Fins	941
Polnish	885
Austrians	661
Swiss	542
others	14 740

Source : IGSS au 1.1.2003

Most foreigners are ethnically white, European Catholics of which Portuguese constitute the majority. The percentage of non-EU foreigners is about 4-5 % of the local population and is made up of numerous nationalities.

Illustration 2: Birth rate among Luxembourgers and foreign nationals



Source : Statec

The overall number of births is slightly higher in 2000 than it was in 1950 for a population that has increased by 50% in the course of this half-century.

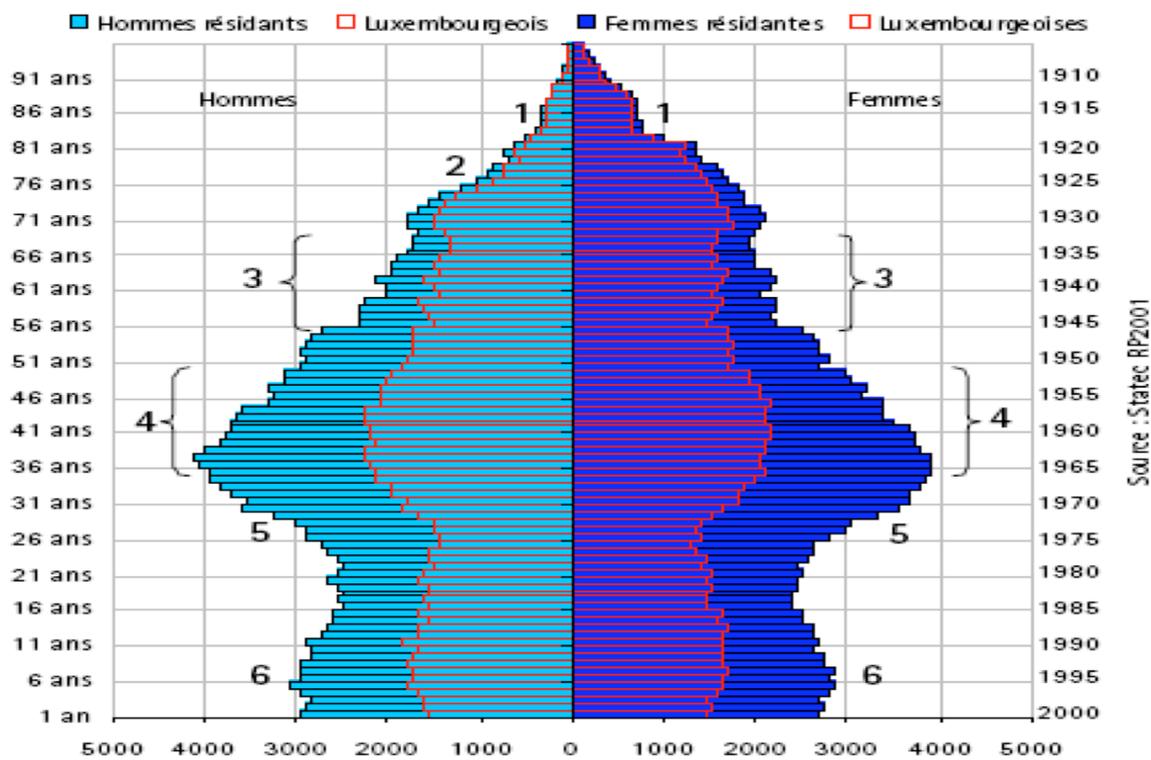
Representing 2/3 of the resident population in 2001, Luxembourgian nationals accounted for 2723 births whereas the remaining 1/3 accounted for 13 more to total 2736.

Illustration 3: Population pyramid

at left: men, at right: women

central pyramid: Luxembourgers, global pyramid : Luxembourgers and foreigners

Gr.8. Pyramides des âges des Luxembourgeois et des habitants du Luxembourg



Source : Statec RP2001



Source : ILReS

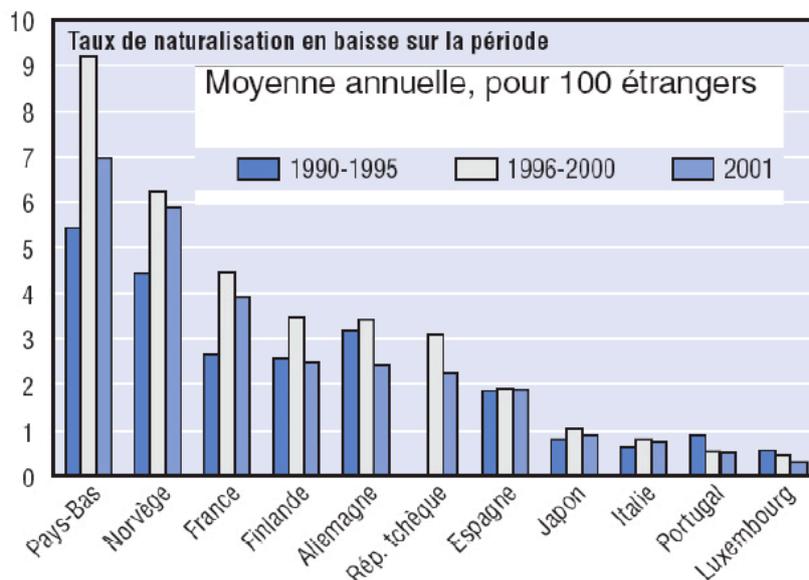
Luxembourg counts the highest percentage of foreigners among all OECD countries but at the same time it has the lowest rate of naturalisation, with a tendency to further decline in the percentage of naturalisation.

Therefore, if the requirements concerning the duration of residence have effectively been reduced, the linguistic requirements have risen considerably.

Illustration 4: Rate of naturalisation; annual average per 100 foreigners

Taux de naturalisation

source: SOPEMI OCDE 2004



source : SOPEMI , OCDE 2003

The proportion of naturalisations by country of origin shows some clear trends. It is mainly citizens from non-EU countries who chose naturalisation, to become EU citizens of Luxembourgish nationality. Citizens from other European countries who live in Luxembourg generally chose to adopt a new nationality only if requirements to do so appear reasonable uncomplicated and if they are allowed ‘double’ nationality.

Table 2: Migration balance 1995- 2002

1995	4 610
1996	3 672
1997	3 832
1998	4 056
1999	4 719
2000	3 644
2001	3 311
2002	2 649

Source: Statec

There are two major handicaps encountered by the Portuguese community: First, many Portuguese nationals still belong to the first generation of immigrants, a fact that explains their lesser degree of integration in the Luxembourgish social arena. A second handicap is the relatively low level of education of many Portuguese immigrants when compared to other large immigrant communities.

1.2. Workforce

Table 3) : Luxembourgish nationals and foreigners by economic sectors

	Luxembourgers	foreigners
Public administration	28 215	2 942
Other public services (post, municipalities)	16 419	11 406
Real estate, Services to businesses	5 929	27 540
Banks and insurances	9 971	22 553
Public transportation	9 573	12 553
HORESCA	9 479	1 189
Commerce (beyond HORESCA)	11 949	23 226
Construction	3 493	23 854
Industry (beyond construction)	12 091	23 814
Agriculture	381	877

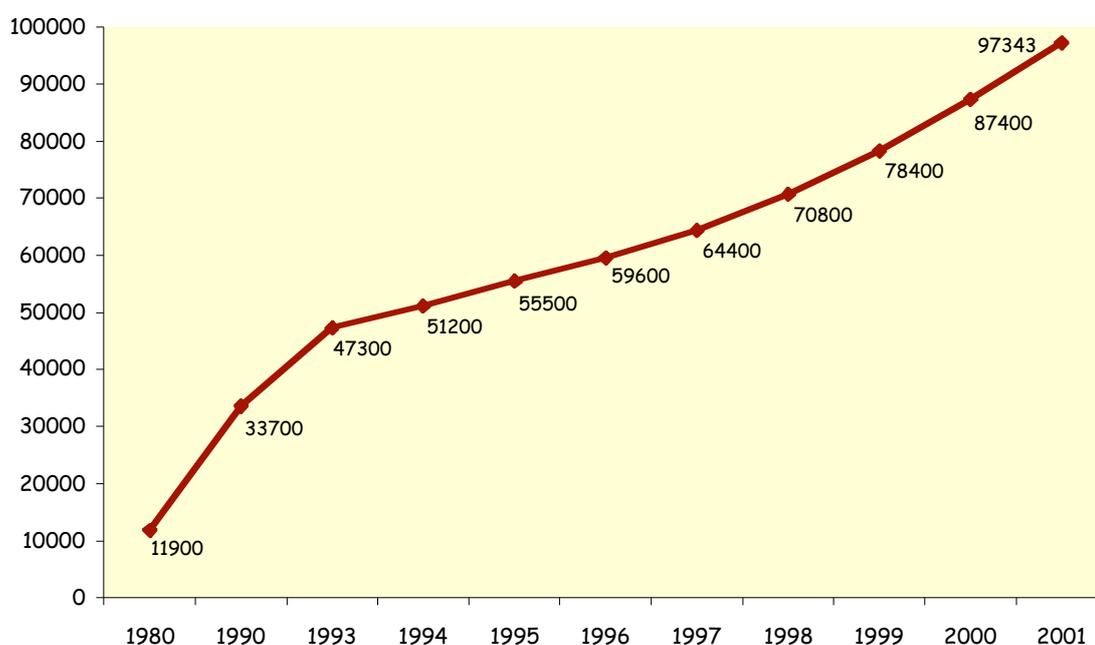
Source: IGSS March 31st, 2001

These numbers show that the Luxembourgers have taken refuge in the civil service and conceded the production and innovation sectors to others.

The local population are civil servants (literally serving the state) while at the same time conferring upon it its legitimacy.

The workforce in Luxembourg is to 1/3 composed of Luxembourgers while the rest is made up of foreigners residing in Luxembourg and by commuters from around the Luxembourgish borders.

Illustration 5: Evolution of (foreign) commuters



Source : Statec

The **admission of migrants** is based on a legislation of 1972. There are basically 3 work permits : A for 1 year and 1 employer, B for 4 years in the same economic sector, C without time and sector limit. The Residence permit is valid for 5 years.

The employer has to prove that he did not find anyone in the EU able to do the job he is asking for.

Family reunification is almost generalised . Unfortunately no data are available . Family reunification happens without any legal base.

The only seasonal workers come to the vintage along the river Moselle. An average of 600 people a year come from Poland. Wine growers get an “easy administrative way” to do so.

The **independant worker** have to prove a bank guarantee of an amount of 12 350 euros per family member.

The conditions for admitting an independant worker are written down on an information sheet edited by the Ministry of Justice, without any legal base.

The autorisation runs for 1 year : There can be another 1 year’s period being conceded if there was sufficient revenue.

The information sheet specifies in its last line that family reunification for independent workers can be realised after 3 years of stay.

1.3.asylum seekers

In the early nineties Luxembourg received a few thousand **asylum seekers** mainly from Bosnia. There was no legislation about asylum : asylum seekers were proposed to find a job and lodging and could stay, similar to migrants.

With the Kosovo war, a few other thousands of asylum seekers came. Meanwhile we did have an asylum law² . There was no more question of integrating them. We should note that there was no change in the economic situation in Luxembourg : each year five to six thousand of the new jobs created had to be occupied by newcomers crossing the border, or by immigrants.

A first reaction was a regularisation campaign : a « one-shot action » taking place in the spring of 2001. The conditions to be fulfilled were basically the followings. Proving a presence in Luxembourg dating to before July 1,1998 or having worked illegally since January 1, 2000.

People from Kosovo were entitled to this regularisation if they had arrived before January 1, 2000.

People fullfilling one of these conditions were given a 6 month term to find a job.

The « paperless » were basically a symantic creation in Luxembourg: in the prosperous years the « illegals » were legalised every day : in the early 70ies Portuguese immigration, most of them came illegally but were legalised almost as soon as they arrived. The economic needs overrun the official procedure.

The regularisation had the (non admitted) purpose to get a few hundred people out of the crowded asylum procedure. But a large part of asylum seekers were excluded : the people

² Loi du 3 avril 1996 portant création d’une procédure relative à l’examen d’une demande d’asile

from Sandjak, an area covering in the south of Serbia and in the North of Montenegro. This region has a mainly muslim population.

The regularisation campaign went over : officially 2850 people had been concerned, 2007 coming from former Yugoslavia, practically all of them asylum seekers: the total corresponding to 1554 dossiers, 64% of which got an work and residence permit. This regularisation has no specific legal base : the government published a kind of Vademecum and referred to the immigration law of 1972 : i.e. giving or not giving a permit depends of the economic situation.

So the criteria of the vademecum (date of arrival, for instance) were not necessarily decisive : the explanation for a refusal were not based on the vademecum conditions but on the vague rules of '72 legislation.

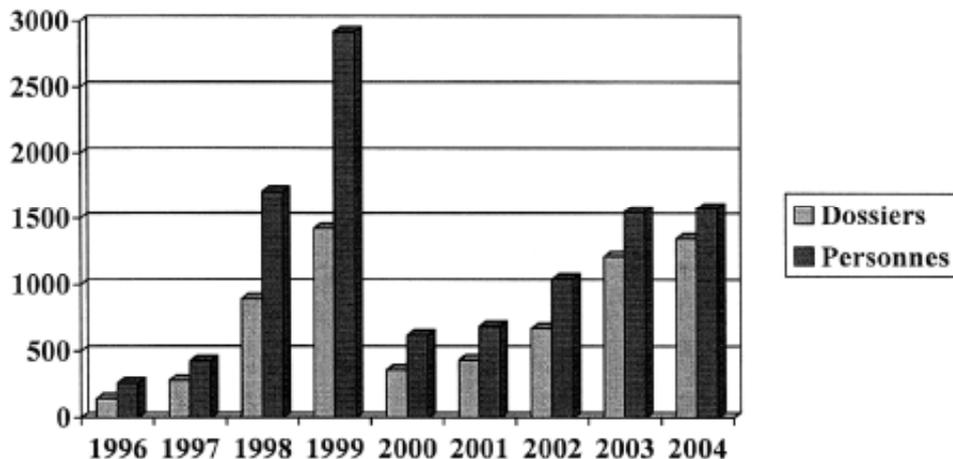
The government based its vademecum on a Parliament resolution³.

As the asylum procedure is very strict (recognition rate of the Geneva status in Luxembourg: 2 to 5 % a year) most asylum seekers receive an negative answer, which is the case for almost all Muslims from the Sandjak : hundreds and hundreds are invited to return. Those invitations not being very successful, the government began with the forced expulsions on November 5th, 2002 .

Recognised refugees get a work permit.

Illustration 6: Evolution of asylum seekers 1996 – 2004

Evolution des demandes d'asile



source: Ministry of Immigration, January 2005

Unfortunately there are no data available concerning the **length of stay** of foreigners in general and concerning third country immigrants in particular.

The arrival of a significant number of asylum seekers may have contributed to this change, especially since the end of the 1990s. The population was accustomed to a high number of foreigners who were all active working in numerous established jobs as well as in newly created ones.

The complaints about 'lazy' foreigners were all too easily made because the government failed and still fails to explain why asylum seekers were and still are not allowed to work.

³ Motion parlementaire du 22 mars 2001

The traditionally open minded attitude of the established political parties was not challenged by an openly right wing party which never obtained more than 3 percent of the votes (1999 general elections).

There is however the ADR, which receives votes from the conservative electorate such as those people who traditionally vote for the Christian party. The populist approach of the ADR is not openly xenophobe but its restrictive views on immigration influence the other parties to some extent.

After 15 years of coalition between Christians and Social Democrats the 1999 elections brought a Christian Liberal coalition. The Liberals succeeded because of the support they received from the civil servants and their influential coalition CGFP which serves as a backbone to those who wish to reserve public jobs and offices for Luxembourgish nationals.

Naturally, Luxembourg also felt the effects of the attacks in the USA of September 11, 2001. On the one hand, the Muslim community was on the verge of receiving greater public recognition and acceptance (as well as public funding), as do the Catholic, Protestant, Orthodox, and Jewish communities. At this point, the weekly Newspaper *Le Jeudi*⁴ published several accusations and speculations about islamist activities in Luxembourg, which it claimed were on the verge of legality. Although there were no openly anti-Islamic reactions, a general mood of mistrust could be felt. The fact that a large part of the Muslims in question are asylum seekers from Sandjak , a region which belongs to Serbia-Montenegro, contributed to further confuse the situation.

⁴ *Le Jeudi* 10 October 2002

2. Major issues discussed in relation to immigration

The Luxembourgish situation is non typical (little unemployment, increasing work force thanks to immigration). The continuously growing part of foreigners and the traditionally good integration seem to be accompanied by a changing discourse.

The discourse about foreigners became more uncompromising, not to say restrictive, while the foreign workforce continued to grow. In parallel, we have noted the presence of a significant number of asylum seekers in Luxembourg.

Nevertheless, the open option is being kept alive by the government (and the Christian party). The Prime Minister continues in the traditional xenophile role, while the Minister of Justice promotes a harder line to secure law and order. In June 2004, the national elections resulted in a landslide victory for the Christian party, which opted for a coalition with the Social Democrats. The Minister of Justice himself achieved a high score in these elections. In the new government, the Social Democrats took over the department of immigration and asylum being responsible for both, while the Christian party kept control over the justice department which is not anymore responsible for any topic linked with immigration or asylum except naturalisation.

The immigration of highly qualified people is not part of the official discourse. For these immigrants it is generally easier to be granted asylum and there is hardly any mention of these immigrants in the public discourse

We have further noticed that the recent regularisation campaign was essentially a way to relieve the asylum procedure.

The pragmatic approach often employed for highly qualified immigrants also functions particularly well when athletes are concerned. An example of this are non-EU basketball players which may be announced by the media on Monday and be allowed to play a league match the following Saturday. It is important to note that these procedures take place in what officially is a non-professional sector. Regularly, this procedure would take at least 2 to 3 months to complete.

Another issue in relation to immigration is language.

In the complicated linguistic situation Luxembourg finds itself in at the moment, where the Luxembourgish language is not spoken by all of the country's inhabitants, the demands for knowledge of Luxembourgish constantly rises. The tendency to ask Luxembourgish knowledges is growing too. By this way the Luxembourgish language works as an eliminating factor: a lot of jobs, in public offices for example, remain to the nationals.

In the two last OCDE PISA studies Luxembourg got a very poor result. In particular the studies show that children of modest and low economic classes are neglected by the Luxembourgian schoolsystem, in particular children of immigrants. Immigrants children count for 40% of the under 20 year old, but only 11% of high school students.⁵

⁵ Ministry of Education, 2004, Key data of schooling

Voting right

The major issue in the political debate over the last 3 decades was the voting right for non-Luxembourgers.

In the very beginning one spoke about the voting right for immigrants, meaning thereby all foreigners, may they have been EU-nationals or third country nationals.

Election platform for the right to vote, 1981

In early 1981, ASTI submitted a platform for signature to the various political parties and unions (*Forum*, no 47, 11th April 1981)

This text depicts the historical development of the right to vote in Luxembourg from its earliest to its final alteration on 27th January 1972 when the voting age was reduced from 21 to 18 years.

“By claiming the active and passive right to vote, which means the right for immigrants to choose representatives on a communal level, we (the undersigned political parties and Unions) continue the struggle to abolish all forms of discrimination. The organisation of both, public and political life can be improved by eliminating the new modes of exclusion and discrimination.

Over the last 100 years, numerous citizens from other nations have been called upon to insure production in key sectors of the Luxembourgish economy. Governments have more and more tended to encourage foreign families to permanently settle in Luxembourg.

Being conscious of the importance of the immigrants’ role in Luxembourg’s economic development, the unions have fought for the elimination discriminations. These discriminations occur on the level of economic democracy and the unions have granted immigrants the right to vote and to be elected delegate of staff and of the health insurance organisation.

In Luxembourg, immigrants have to fulfil the same duties as Luxembourgish nationals such as to pay taxes, yet they are excluded from actively taking part in politics.

It would be a step forward for democracy in Luxembourg if a further 25% of the country’s population were allowed to participate in local politics.”

The platform also cites certain E.C. initiatives and projects and mentions the constitutional elements, which would require alterations.

The platform was signed by all political parties of the time. CSV (Social Christian), LSAP (Social Democrats), KPL (Communist Party) and the unions OGBL and LCGB.

Report by the panel of experts on the review of the constitution ⁶

The government instructed 6 lawyers to ‘elaborate propositions with regards to an eventual review of those articles in the constitution that require modification required to achieve more objectivity’. They submitted their report two years later.

‘The majority of experts concludes that there is no need to review the constitutional disposition that reserves the local electoral rights for Luxembourgish nationals.’

⁶ Ministère d’Etat, 1982 Report by the panel of experts on the review of the constitution, 1982

On the one hand the experts hold the opinion that a constitutional review would be too close to that of 1979 (13th June) and that the right vote for foreigners would require the complete integration of the latter into the national community by way of naturalisation.

The experts believe that such a profound alteration should not take place without the consent of the Luxembourgish nationals of which many would consider this to interfere with their political freedom.

One member⁷ of the panel does not share this opinion and favours the granting of the right to vote on democratic grounds. He evokes the attitude of the Luxembourgian political parties, which were questioned on the topic by the ASTI. This small survey revealed that no party principally opposed the participation of immigrants in local politics. This member also shares the view of the diocesan commission that a process resulting in the granting of the right to vote and in eligibility for local offices within a reasonable timeframe and according to certain criteria assuring stability and duration of the introduction of this scheme should be initiated.

As the realisation of these plans would require legislative and constitutional changes, they would take effect at the local elections of 1993 at the earliest. The interim period could be used effectively to inform the immigrant communities.

The political parties would thus have sufficient time to prepare for the deadline and to fulfil their role as integrators.

In his report on competitiveness, which was ordered by the Luxembourg government, Lionel Fontagné, professor of economics, included the following statement among his 10 conclusions:

”In this regard, the situation, where the dynamic of employment is based essentially on employees who immigrate or commute (daily across national borders, sk), while voting is concentrated among the working and non-working populations of the public sphere, is a source of blockage, which could be solved by reexamining the questions of dual citizenship and political participation of foreigners in elections.”⁸

⁷ Delvaux, Michel, 1982 Observations about some points of the experts' report

⁸ Fontagné, Lionel, 2004 Compétitivité du Luxembourg : une paille dans l'acier [Competitiveness of Luxembourg: a Straw in the Steel], Luxembourg, page 40

3. Institutional framework for immigrant participation

3.1. The constitution

Article 11 states that any foreigner on Luxembourgish territory is guaranteed judicial protection of his/her person and property, apart from the exceptions established by law.

‘In Luxembourg, foreigners enjoy all rights which are not explicitly refused. Unless stated otherwise they are assimilated to the nationals. No right can be refused to a foreigner unless the legislator has explicitly expressed this’.⁹

3.2. Right to form associations

The 1928 law concerning non-profit associations contained a restriction which expressed that 2/3 of an association’s members had to have Luxembourgish nationality. Special permission could be granted by the ministry of justice following the necessary application. This restriction was abolished with the revised 1994 law on non-profit associations.¹⁰

3.3. Freedom of assembly

With regards to foreign nationals from EU or non-EU countries, no restrictions are imposed on this right. Public manifestations on public grounds need to be announced in advance, with no formal authorisation being required.

3.4. Right to join Unions

No restrictions are imposed. The two main Unions (OGBL left wing, LCGB Christian) form the social structures, which accommodate the highest number of foreigners.

3.5. Right to vote in communal elections

Prior to the Maastricht treaty all rights to vote, communal and national, were reserved to Luxembourgish nationals only.

It is worth mentioning that the right to vote has been conferred upon men and women in 1919. In 1977, the age limit for active participation in elections has been dropped from 21 to 18 years of age.

EC directive 94 / 80 (19th December 1994) on the municipal right to vote opens the electorate to non - Luxembourgers.

Article 12 of this directive stipulates that a member state with more than 20% of citizens from other EU citizens may obtain derogations as to the duration of stay, the passive right to vote, and the composition of electoral lists.

The same directive points out that for the December 31st, 1998 the European Commission has to submit a report on the persistence of the reasons, which justify these derogations to the European Parliament and the European Council.

⁹ Conseil d’État 4.2.1964. Pasicrisie 19. p.266

¹⁰ Law about non – profit organisations, 1994, March 4th.

As the first communal elections in which foreigners participate only take place in Luxembourg in October 1999, this report does not explicitly mention Luxembourg, just as the rest of the world has failed to comment on the persistence of these derogations. Similar derogations have been obtained by Luxembourgian authorities in the field of European elections and the admission of EU nationals to these elections.

The treaty of Maastricht contains a restrictive clause that solely applies to Luxembourg. So the EU citizen has to prove a stay of 6 years to be an elector and 12 to be a candidate. Whereas participation in elections is compulsory for Luxembourgers, they do not need to register themselves on electoral list: they are put there by the administration. Foreigners have to register 18 months before municipal elections.

The same is true for the directives concerning the communal and European right to vote. During the post-Maastricht debates, particularly with regards to amendments in the constitution and the electoral laws, the exceptions, which were granted to Luxembourg, were widely celebrated as important concessions. At the time, the main argument brought forward in support of these amendments was the particularly high percentage of foreigners in Luxembourg, which necessitates a respective policy. The critics pointed out the democratic incoherence engendered by this restrictive attitude because in no other country was a similarly high percentage of the population deprived of the right to vote. Furthermore, there existed a necessity to bridge the gap between the realm of the 'real' and the legal. The restrictive conditions produced a rather moderate number of registrations on electoral lists as we see in Part II, p)

Another clause however proved particularly efficient in restricting active civic participation by foreigners, notably the registration on the electoral lists.

3.6. Registration on electoral lists

It is important to know that voting in elections is compulsory in Luxembourg. Hence, the government automatically generates electoral lists. Citizens can visit their local town hall in order to control whether they figure on the lists. To this effect, the electoral lists are open to the public during the month of April of each year. The electoral law states that citizens need to figure on these lists by the 31st March of the year preceding the elections be these local or national. Luxembourgish nationals need to have reached the age of 18 by the 1st January of the election year.

In the absence of any form of registration procedure the legislator leaves it to the foreigner to assure he/she registers before the given deadline, i.e. the 31st March of the year preceding the elections.

As local elections are being held on the 2nd Sunday in October the foreigner has to register 18 months prior to the election itself. This also applies to European elections, which are held in June. In order to participate it is necessary to register on a separate list prior to 28th February of the preceding year.

A further requirement to be fulfilled in order to be allowed to actively participate in the elections is a residency in the Grand Duchy of 6 years for communal elections and of 5 years for the European elections. This requirement has to be fulfilled on the day of registration. These periods correspond to the terms of office in local councils, respectively the European Parliament. Thus, foreigners need to have effectively lived in Luxembourg for at least 6 years prior to a local election.

Concerning the passive right to vote the time periods are doubled to 10, respectively 12 years of residence.

Another formality that has to be taken care of is the presentation of certificates of residence proving the foreigner's presence in the country. In case he/she has lived in more than one commune, proof of residence has to be obtained from each one. These requirements have since been somewhat alleviated at the beginning of 2003. Since, non-EU citizens have been permitted to vote in local elections, however without the right to stand for office.¹¹

3.7. Access to public functions

Concerning the access to public functions, one has to note that this option is unavailable to non-EU citizens.

Access to public functions is quite rare for EU citizens. It took the 1996 decree¹² from the European Court of Justice, condemning Luxembourg because of its refusal to open public offices to citizens from other European member states, to change this situation in the sectors, which have been accorded priority by the European Commission.

The government opted for a minimalist solution and did only grant access to those sectors in question, namely research, education, health, ground transport, postal, and telecommunication services as well as water, gas and electricity distribution. This minimalist approach is mainly due to the influence of civil servants who are an important part of the electorate. Nevertheless the Chamber of Civil Servants, dominated by the CGFP – Union pretended: *'...as could not be expected otherwise, the government has eventually decided to model its reform on the much less restrictive approach which prevails in Belgium and Germany...'*¹³

Theoretically, there is no restriction for migrants to join political parties. The latter are subject to private law and are not framed by any legal or constitutional decrees.

3.8. Professional Chambers

These consultative structures are unique in Europe. Outside Luxembourg these can only be found in Austria, Bremen and Saarland. They date from the 1920s and are conceived as social organisations, which are constituted of various corporations. In Luxembourg, one counts 3 professional chambers for employees (workers, employees and civil servants) and 3 for employers (industrial, handicrafts, and agricultural). Everybody, employee or independent, is automatically a member of their respective professional chamber. The annual contributions are mandatory. These institutions of public law are called upon to express their views on legislative projects, which are submitted to them by the government. Moreover, they participate in professional training for young people and they organise training classes for their members. Furthermore, they possess the right to take indirect legislative initiative by submitting bills to the prime minister, which the latter in turn submits to the parliament. At the time of their creation, they served to canalise the various unions' impulses while today they serve to support them. While both, Luxembourgish and foreign nationals, had to pay contributions, only Luxembourgish citizens had the right to elect the representatives.

By refusing to pay the contributions of three of its employees (members of the Chamber of private employees), the Association in support of immigrant workers managed to have its case put in front of the European Court of Justice.

¹¹ Law on local elections 2002, 18th February

¹² ECJ 1996 access to public functions July 2, 1996

¹³ Chambre des Fonctionnaires, 1997 official statement about access to public functions,

The decree issued by this court on 4th July 1991 obliged the government to modify its legislation and to allow all foreign contributors, EU or not to elect their representatives.¹⁴

3.9. The Communal Consultative Commissions.

In a reaction to growing demands for the right to vote the government has created in 1989 communal consultative commissions. These commissions are mandatory in communes in which the proportion of foreigners amounts to more than 20%. For all others this is facultative. The commissions have to be constituted by half of foreigners residing in the commune and by half of Luxembourgers designated by the local council.

These commissions have the following objectives:

To inform the communal administration about the foreigners' situation.

To inform the foreigners about communal services.

To address the difficulties that foreign children may experience at school.

To organise language classes.

To address problems of reception, accommodation, hygiene and health, security and social help for foreigners.

To help the foreigners' associations the statutes of which have been recognised by the communal administration regarding the organisation of leisure activities, cultural, educational and sports events.

To organise events that target foreigners with the aim of a cultural exchange by promoting their cultural and social life.

To encourage the foreigners' participation in communal life.

Appreciation of the author : *The last of the objectives cited above is the only one having a proper political connotation allowing to be involved in the decision making process on municipal level.*

The consultative commission has to meet once per trimester.¹⁵

Concerning the pre-project of the regulation, the National Council for Immigration, an organism on equal terms that has similar competences on the national plan, asked that the communal forces enquire about all aspects of communal life. Moreover, the CNI has asked many times that the foreign members should be elected by the foreigners' universal right to vote. These requirements have not been fulfilled.

The case given a commission does not meet once a trimester, or not at all in the course of the year, there are not any sanctions taken.

Author's comment: *Despite numerous critiques and suggestions the 1989 decrees have never been revised.*

The author has analysed the functioning of the CCE by basing himself on the verbal processes of about twenty CCE. The analysis' outcome was that none of the questioned was opinionated, most of them were dedicating their work to the preparation, the realisation and the evaluation of an annual multicultural celebration.

Here one has to highlight a unique event, which occurred in Esch/Alzette : the election of the consultative commission's members. This was the 9th May 1982.

¹⁴ ECJ, 1991, ASTI/CEP July 4, 1991

¹⁵ Regulation about consultative municipal commissions 1989, August 5th,

This was the only similar election in the Grand Duchy. In Esch, as everywhere else, the communal council has since designated all the members of this commission

3.10. The National Council of Foreigners (CNE)

The 1976 law installs a national consultative organism, which is formed on equal terms by the National Council for Immigration, which since 1993 has been called the National Council of Foreigners. The foreigners are elected by the delegates of the the foreigners associations and those acting with or in favor of foreigners, which are constituted in a non-profit association. All those delegates gather in a meeting where the election takes place. The mandate of the CNE lasts 3 years. The president is in a high position in the Ministry for Family Affairs, by whom he is designated. Even though Luxembourgish nationals and foreigners base the structure of the CNE on equal terms, it is the presidency's voice that decides in case of parity.¹⁶

The goals of the CNE are the following:

The council is a consultative institution whose function is to study, by its own initiative or following governmental requests, the problems concerning the foreigners and their integration. It voices its opinion on all the legislative projects relating to the governments' policies towards foreigners as well as on those projects submitted to the CNE by the government. It has to do so within the deadlines set by the government.

It has the right to submit to the government any proposition, which it judges useful toward the improvement of the foreigners' situation and that of their families.

It submits an annual report on the integration of foreigners in Luxembourg to the government, which is then published.

Authors comment: To our knowledge the government has only consulted the CNE about a dozen times in its thirty-year history. Naturally, the CNE can autonomously submit its judgements to the government. The attempts to minimise public appearance of this organisation have received very little press coverage. The annual reports published by the CNE only allow an insight into the proceedings of the CNE and its numerous sub-organisations a long time after they took place. The associations that are not directly represented at the CNE by an elected representative do not receive information about the events that take place in their name.

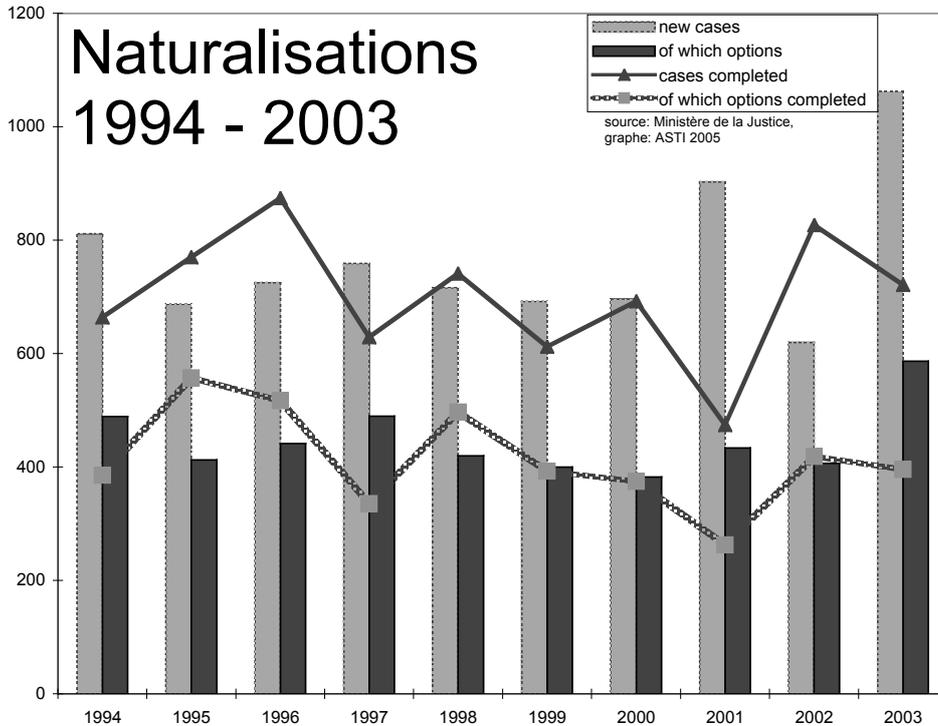
¹⁶ Law about integration, 1993 July 27th

3.11. Naturalisation procedure

The law¹⁷ decreed in 2001 reduces the required period of residence for naturalisation from 10 to 5 years, which de facto amounts to 12 to 7 years given that a successful application takes about 2 years to be completed.

Indeed, every application for naturalisation is subject to an official inquiry, an examination by the local council, which passes a resolution in a non-public session. From here, the application is submitted to the Privy Council, then to a parliamentary commission and then to the plenary assembly. This is not to forget the local commissioner's office, indispensable link between government and local councils.

Illustration 7: Naturalisations 1994-2003



The last decade has in fact been marked by a lowering of the required duration of residence for naturalisation, while at the same time the language requirements have been increased.

It is still too early to tell what the consequences of the change made in 2002 are: the first applications which have been submitted under the new provisions have only recently reached been decided. There are still too few applications to be able to draw any conclusions.

Summary evaluation: The low rate of naturalisation does not seem to excessively inconvenience the government and the political forces in general. Any increase in naturalizations by "simple" naturalisation or by dual citizenship would increase the electorate. However, the latter has been regressing in comparison to the total population, and this for a long time.

¹⁷ Law about naturalisation, 2001 July 24th

Author's comment: *Should all these authorities go about their duties in a due and respectful manner, two years go by rather quickly. However, should the application be delayed, be this through forgetfulness of a civil servant or because the latter gets worked up about the document (these are sheer speculations of cause), you're in for the long haul.*

Recent statements in parliament by the justice minister (Lord Chancellor) and the president of the CSV's parliamentary group indicate that single nationality will be awarded after 5 years' permanent residency whereas a 10 year stay may lead to 'double' citizenship.

Mister Michel Wolter, head of the parliament group of CSV: "(..) As the double nationality is different from the single one, there have to be special conditions. (..) who wants to keep his nationality and acquire the Luxembourgian one has to have lived in our view ten years in Luxembourg"¹⁸

Author's comment: *The attractiveness and effects of this provision remain to be seen.*

¹⁸ Chambre des Députés, 2004 in: Compte rendu analytique, August 5th, 2004 page 27

Part II: Active civic participation of third country (non EU) immigrants 0.Introductory note

This paper has encountered two major difficulties. First, the political discourse and policies concerning foreigners in Luxembourg centres around the largest groups, i.e. European citizens, or more precisely, those of Portuguese nationality. Second restriction: The number of citizens from non-EU countries being too small, the latter often only figure under the category of 'other' in statistics.

In Luxembourg, the debate about the civic participation of foreigners in Luxembourg focuses on the right to vote (in communal elections). It has centred on this demand and on the open discourse led by the NGO ASTI (Association in Support of Foreign Workers), which has been founded in 1979. It started to popularise this idea through debates and through a big annual celebration, the Festival of Immigration, whose slogan is 'to live, to work and to decide together'.

01. History of democracy equals economic history¹⁹

If the right to vote was historically linked to real estate, to fiscal duties, and to masculinity, in many countries the ultimate barrier is formed by nationality. In case this last requirement is softened, economic grounds speak in favour of this policy. Given the important role of foreigners to economic development, political integration of this workforce is inevitable. Without the immigrants' contributions the social and insurance system could not persist in its current form. The ageing of the electorate has had negative effects in recent years. The political parties that advocate a conservative stance towards pension policies have had the wind behind them. Their ageing voters did not favour a rearrangement of the contributions. Only through partaking of younger (foreign) voters will there be a chance for these new policies that promise modes of financing, which are geared towards the future to find an electorate. This explains why the rather surprising proposal by the Prime Minister, who after all heads a conservative party, to introduce the double nationality. Thus, he will be able to mobilise a younger electorate whose main preoccupation does not lie with the conservation of their pension rights.

By reasoning on the evolution of the right to vote and there can be but one cohesive solution: the right to vote must be bestowed upon those affected by the decisions taken by those elected. The theory behind this reasoning is that of the canonical right 'quod omnes tangit debet ab omnibus approbari' (what affects everybody must be decided upon by everybody). Today there can thus only be one requirement for the gaining of the right to vote, and this must be residency. All citizens residing in a particular country (the term of residency having to be determined) must be allowed to choose their representatives in parliament. In this case the issue of nationality would lose its importance.

¹⁹ Pauly, Michel, 2004 history of democracy equals economic history, in forum 241, October 2004, pp. 44-51

1. Society and political participation

1.1. Opinion of cities and communes in 1975

A first public stand

After the proposition of the of the European Community's Commission to confer upon migrants the full right to vote on a local level from 1980 onwards, the Home Office had asked the 'association of Luxembourgish cities and communes' to voice its opinion on this issue.

This association, which groups together the elected local representatives, forwarded the following elements:

Can the constitution accommodate these changes in its present form?

Are the public rights and liberties of foreigners sufficiently guaranteed?

Are foreigners in Luxembourg in favour of these changes?

Is it advisable to extend the influx of migrants to such an extent?

The association perceives it to be untimely to authorize the right to vote by 1980 and instead suggests to create consulting institutions.²⁰

1.2. Colloquium on the participation of foreigners in municipal elections within the European Economic Community²¹.

Luxembourgish report by Alphonse Huss, honorary chief public prosecutor (Huss, 1980)

The report draws a historic timeline of the legal situation of foreigners and points out some legal aspects, which could impede the granting of the right to vote for non-nationals. Another element is the distinction between locally elected assemblies, which are concerned with administration properly, and the political options that are dependent on the national parliament. 'Hence if the local authorities do not simply represent a diminutive of the national government, its structures are essentially of the same nature.' Mr. Huss's conclusions, as exposed below, certainly influenced the debate in the years that followed.

"Luxembourg occupies a special position among the countries of the EEC. This is due to its exceptionally high percentage of immigrants. (Mister Huss uses the term of immigrants as mostly in the Luxembourgian context for foreigners in general) Therefore, the problems that are encountered by this part of the population take on a relatively high degree of importance. The autochthonous population has grown accustomed to the present of Italian immigrants of which many decide to stay in Luxembourg and who are reputed to easily assimilate the local language and customs. Immigrants from the Iberian peninsula, notably those of Portuguese origins who have come to Luxembourg more recently and in larger numbers have brought with them numerous individuals who are determined to return to their native country after several years. As opposed to the Italian language, Portuguese is not widely spoken by members of the (indigenous) public and to employ French as an intermediary does not always have the desired facilitating effect. Interaction between the Portuguese community and the autochthonous community/ies is rather limited. Generally speaking, the Luxembourgers are not enchanted by the vices and virtues usually attributed to their fellow Portuguese citizens such as a certain sluggishness in their workmanship, their behaviour in road traffic and their attitude towards social insurances, particularly health insurance. Certain customs such as the limited role accorded to women in familial and social life give rise to incomprehension. The Minister of Justice attempted to rebuke those who allege that immigrants are

²⁰ Association of Luxembourgian cities and communes, 1975 Luxembourg, June 18th,

²¹ Huss, Alphonse, 1980 Colloquium Louvain la Neuve, Belgium,

proportionally more often involved in criminal activities. Despite these attempts, human relations between both groups are generally marked by indifference that is sometimes broken up by tentative sympathy and more rarely by blind hostility. Hence, while Italy is a member of the E.E.C, Spain and Portugal have only applied for membership. At this stage, it is difficult to predict the public reaction in case certain rights should be attributed to citizens from other E.E.C. countries.

The idea to confer 'special' rights to immigrants from E.E.C. countries, i.e. active / passive right to vote will most certainly be received favourably by many. However, its realisation does not seem without dangers as long as Europe, the way it is being conceived, has not reached and evolved beyond a confederate system to finally become a federal entity not to say a unity that does without any nation-states”.

Author's comment: *Although this is a rather old document, it is very typical for the upcoming debate on political participation and it will influence that debate for a long time.*

1.3. The right to vote for immigrants²²

At the beginning of 1981, the magazine *Forum* depicts the existent framework for immigrants in Luxembourg (forum, 1981). In 1980, 26% of the population do not possess the Luxembourgish nationality. The magazine goes on to elucidate some reasons for the granting of the right to vote. Below are some of the arguments brought forward.

The immigrant electorate might influence the ballot results in favour of those parties that guarantee the construction of more state-administered lodgings (i.e. council flats). The introduction of a new electorate would finally engage the authorities in charge of education to take into account the pupils of foreign origins to adapt its policies and to re-examine the demands of the multilingual Luxembourgish school system on those pupils. Consultation and advisory services targeted at the immigrant population and support of associations by and for foreigners are a necessity.

A guaranteed and consistent legal basis for foreign voters, which is not subject to the arbitrage of certain administrative decisions.

In the same dossier René Diederich²³, a lawyer, mentions certain constitutional obstacles ignored by others, only to conclude that this is more of a political than a legal issue.

A historian Michel Pauly²⁴, depicts the evolution of the right to vote in Luxembourg. From the initial property qualification for voting right to vote introduced in the 19th century which only allowed 2.9% of the population to vote in 1841, over the right to vote for men and women, introduced in 1919, to 1981 when 58% of citizens belong to the electorate.

A survey²⁵ is mentioned in the dossier without any other specification: it has been carried out by the OGB-L union. It postulates that 67.7% of Luxembourgers are in favour of the right to vote with 32.2% against and only 0.1% of abstentions.

Finally the authors attempt to counteract certain reactions such as 'they should naturalise' or 'they don't have any political tradition', they will transfer the problems that exist in their home countries to us' or 'they will alter the existing power structures between the Luxembourgish political parties' (non signed article in the dossier).

²² *Forum*, 1981 no 47

²³ Diederich, René, 1981, in: *Forum* 47

²⁴ Pauly, Michel, 1981, in: *Forum* 47

²⁵ OGBL, 1980, in *OGBL-actualités* 2

1.4. The Catholic Church and the right to vote for foreigners Opinion on the participation of immigrants in communal elections.

The bishop's commission²⁶ bases its argumentation on the diocesan synod and concludes positively on the initiation of a process that should eventually lead to a definite guarantee of the right to vote within an acceptable deadline. It recommends that immigrants as well as the autochthonous population should be duly informed and prepared in line with the deadline.

1.5. An overview of 7 years' press coverage on the right to vote.²⁷

This publication summarises the public stance from that of the cities and communes in 1975 to the press articles of 1982.

1.6. National immigrants conference: participation and integration (1993)

On 10th December 1993, the government organised a national immigrants conference that brought together some 200 people under the motto 'Participation and Integration'. The participants ought to examine and discuss the functioning of the communal consultative institutions.

In January 1994 the government sent out a circular note to the communes which literally took up as recommendations the Grand-Ducal regulations of 1989 without altering as much as a single comma. 'At the 11th Festival of Immigration on 19th March, the competent minister declared that the government was still favourably disposed towards an improvement of the current regulations'. According to the author, the CLAE has been caught up in the organisation of the 1993 conference (December), and has consequently lost its critical attitude.²⁸

1.7. The civil servants take a stand.

Paper on the communal right to vote by the Chamber of civil servants (20th October 1995). This consultative organ as prepared a statement concerning the legislation on the communal right to vote, which derives from the relevant EU directive. The chamber of civil servants reiterates that is in favour of the integration of non-national citizens, already present or yet to arrive in Luxembourg, into the Luxembourgish society. This implies that the advantages linked to the obtaining of the Luxembourgish nationality must be preserved. Hence, to offer the right to vote, as a present so to speak, would consequently counteract the efforts for integration, the consequences of which are elaborated upon in this document. Finally, the Chamber of Civil Servants remains opposed to the granting of the right to vote for non-Luxembourgish citizens and it reiterates its appeal to the political leaders to do all that is in their power to reverse the resolutions at the intergovernmental conference 'Maastricht II' in 1996.²⁹

²⁶ Diocesan commission for the pastoral for migrants, April 2nd, 1981.

²⁷ CIEMI, Paris, Press Review N° 28/29, March/June 1983

²⁸ Kollwelter Serge, 1996, Associations d'étrangers et pouvoirs publics au Luxembourg. In : Immigrés en Europe : le défi citoyen. L'Harmattan, Paris p.104, 116

²⁹ Chambre des Députés, 1995 in: Parliamentary document, 20th October 1995.

1.8. EC directive³⁰ on local right to vote

Article 12 of this directive stipulates that a member state with more than 20% of citizens from other EU citizens may obtain derogations as to the duration of stay, the passive right to vote, and the composition of electoral lists.

The same directive points out that for the 31st December 1998 the European Commission has to submit a report on the persistence of the reasons, which justify these derogations to the European Parliament and the European Council.

As the first communal elections in which foreigners participate only take place in Luxembourg in October 1999, this report does not explicitly mention Luxembourg, just as the rest of the world has failed to comment on the persistence of these derogations.

Similar derogations have been obtained by Luxemburgian authorities in the field of European elections and the admission of EU nationals to these elections

2. The present actors

2.1 Foreign candidates at the 1999 local and European elections³¹

As Third Country nationals are not allowed to vote, the analysis of EU-citizen participation in communal elections may give an indication on the features and level of participation of foreign nationals in Luxembourg.

Of 3226 candidates standing for election at the 1999 communal elections were 138 foreigners, which equals 4.3%. This stands in contrast to the figures for EU citizens resident in Luxembourg, which make up 32.1% of the population and the foreign voters account for 5.9% of the electorate. The level for foreigners inscribed for the local elections was 13.1%. There are foreign candidates in 42 communes which amounts to 35.6% of communes.

One has to distinguish between communes with a proportional election system and those with a majority vote system. The former count communes with more than 3500 inhabitants and the latter less than 3500. Among the 'large' communes, foreigners represent 6.1% of all candidates and 1.4% in the 'small' communes. The 138 foreign candidates are split up as follows: 31.2% Portuguese, 26.1% Italian, 10.9% Dutch, 9.4% German, 8.7% Belgian, 2.9% Spanish, 1.4% British, 0.7% Danish.

Table 4) : Partition of candidates by political affiliation.

	ADR	CSV	Déi Gréng	Déi Lenk	DP	LSAP	others
Foreigners	11,7%	15,0%	24,2%	18,3%	10,8%	15,8%	4,2%
Luxembourgers	12,8%	21,8%	12,4%	5,9%	21,1%	21,2%	3,9%
Total	12,7%	21,4	13,1	6,6%	21,%4	20,8%	3.9

³⁰ EC directive 94/80 1994

³¹ SESOPI 2001, in: RED N°6

The majority of the 3226 candidates (73%, foreigners and Luxembourgers) carry out professions that position them to the upper or middle upper class. The majority of these professions are over-represented if compared to their importance in the active population.

Workers are under-represented among the candidates in general, but even more so among the foreign candidates when compared to the part of the active population they represent.

Among the foreign candidates not practising a profession, many are housewives particularly among the 26 to 45-year olds. Among the Belgian, German and Dutch candidates the majority has completed university level studies and has carried out intermediary professions or has been active in the private sector.

Pensioners form a significant part of the 3226 candidates but are less strongly represented among the foreign-national candidates.

Among the male foreign candidates upper management, independents, workers, liberal professions, pensioners and students are predominant.

Among the female foreign candidates educational and intermediary professions as well as employees and those not carrying out a profession.

Portuguese candidates are mostly workers whereas Italian candidates are mostly independent or active in the private sector. French candidates are mostly independent whereas Belgians belong mostly to upper management. Dutch candidates also mostly carry out upper management tasks as well as intermediary tasks. The majority of students are Portuguese.

Foreign candidates are generally well trained and qualified.

Their level of training appears to be higher than the average, not only of the immigrant population, but also of the Luxembourgish population.

The level of education of the candidates' partners is at least equal if not higher than that of the candidates.

Dutch and Belgian candidates have an educational advantage as far as university qualifications are concerned.

French and German candidates mostly have a medium level of education (A-levels). Candidates of Portuguese origin often have basic levels of education (primary school, junior grades).

Nonetheless, a significant part of Portuguese candidates hold university degrees.

The high level of education among foreign candidates indicates that the latter are relatively well integrated into the social structures of the host country.

Female candidates of foreign origin have generally achieved higher levels of education than their male counterparts.

A rough outline of the study :

- Registration

Few immigrants are registered on the electoral lists (13.1%).

Few foreign candidates and under-representation of these candidates (4.3% of all candidates).

Under-representation of Portuguese and French nationals and proportional over-representation of Dutch and Italian nationals on the electoral lists and among the candidates.

- Profile of the foreign candidates

Overall rejuvenation of the candidatureship by the foreign candidates. No predominance of young candidates, regardless of their nationality.

Dominant age group across all nationalities, Luxembourgers included, are the 36 to 55 year olds.

Among foreign candidates, notably among Italian and Portuguese nationals, a certain predominance of young applicants.

The 'older generation' of Italian nationals registers on the lists whereas the middle aged Italians register as candidates.

The oldest and youngest represent the lowest number of candidates across all nationalities.

Strong variation of age groups from one nationality to another.

Strong female representation, particularly among the 25 to 45 year olds.

Women are proportionately much stronger represented among foreign nationals than among Luxembourgers.

Predominantly Dutch, Belgian, French, and German women among candidates and registered voters.

Male predominance among Portuguese and Italians.

Foreign national candidates predominantly present in the two small left-wing parties, *Lénk* and *Gréng*.

In 64% of communes, there are no foreign national candidates.

- Distribution

Under-representation of foreign candidates in all communes, even those with high proportions of foreigners from other EU countries.

Less foreign candidates and less female candidates in communes with a majority vote system.

Under-representation of foreign candidates in the 'Minette' region (southern region of the country).

Under-representation in the North, 'la grande couronne', and Luxembourg-City.

No direct link between the proportion of foreign nationals in a commune and the number of foreign-national candidates.

- In a few words:

EU citizens are underrepresented, while Non EU citizens are not represented at all in local decision making processes. Generally, local political activists with EU citizenship tend to be younger and better qualified than the average Luxembourg and foreign population, which we could also expect for active citizens in general including Third country nationals. Other characteristics differ largely by EU-country of origin.

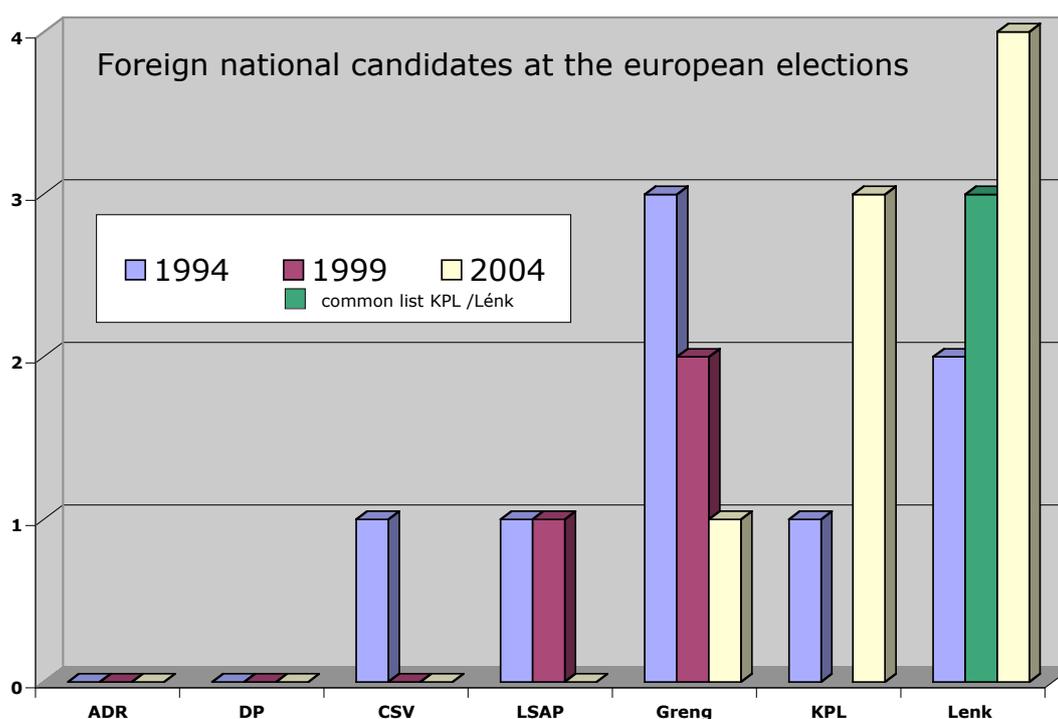
2.2. The foreign-national candidates at the 2004 European elections ³².

Since the 1994 European elections non-Luxembourgish citizens can elect and be elected through the Grand-Duchy's lists for the European Parliament.

Eight foreign candidates stood for office in 1994, six in 1999 and eight in 2004. The first eight were spread out on five different lists, the last eight on three. In 2004, none of the 'big' parties was represented by a non-Luxembourgish national.

ADR and DP have not changed their opinion: never has a non-Luxembourgish national been allowed to figure on their European lists. CSV and LSAP did not permanently adhere to the concept with only one candidate for the CSV and two successive candidates for the Socialist party to date. The Green Party appear to follow this tendency, even though in 2004 there is still one candidate left. The left wing party usually carried 2 to 4 candidates, with only one candidate once.

Illustration 8: Foreign candidates at the European elections 2004



Source: electoral lists for the European elections

Authors comment: *The 'big' parties seem to never really have believed in the concept of participation by non-nationals, which explains why they hardly put any effort into the campaigns to promote registration on the electoral lists and why their attempts to alter the existing conditions have been all but non-existent.*

2.3.Registration on the electoral lists for the elections of October 2005 ³³

'As of March 31st, 2004, deadline for the registration on the electoral lists for the local elections of October 2005 23,937 foreigners had registered of which 22,706 were EU citizens and 1251 were from third-party countries. This represents an increase of 73% over 1999. The highest increase was among Portuguese nationals (+117%), followed by

³² Kollwelter, Serge, 2004, Foreign candidates for european elections 2004, in: *Le Jeudi*, May 27th, 2004

³³ SeSoPi 2004, (not yet published document)

the Italian nationals (+82%), British nationals (+60%) and French nationals (+52%). Overall, the rate of registration for the communal elections is 15%. Among EU citizens the rate is 17% and for non-EU citizens it amounts to 6%. Among the nationalities most strongly represented are Italian (21%), Portuguese (20%) and Dutch (19%). Citizens from those countries that joined the EU in 2004 are only represented by 3%.

Among non-EU citizens, Bosnia-Herzegovina is strongly represented (13%, 243 registrations), as are Switzerland (13%, 62 registrations), as are the Cape-Verdians (8%, 115 registrations) and citizens from former Yugoslavia (7%, 380 registrations). The low rate of inscriptions among non-EU citizens can partly be explained by the requirements for residence, which are not always fulfilled as some of the migrations have only occurred recently.

The foreign electorate – a potential not to be ignored

The growing number of registrations on the communal electoral lists has direct consequences on the proportion of foreign voters in relation to the overall electorate. In 1999, out of 100 voters 6 were foreign and 94 Luxembourgish. Today the ratio is 10 foreigners to 90 Luxembourgers.

In certain communes the electoral weight of foreigners is above average. Larochette has the highest ratio with 33% of non-Luxembourgish nationals, followed by Medernach (18%) and Sandweiler (18%).

A few conclusions drawn by the author:

The debate on the apparent ignorance of politicians to tackle the issue must be revitalised. The overall increase of registrations across all social strata and geographical regions shows the positive impact of a well-targeted information campaign.

A mobilisation campaign bears its fruits only if there is sufficient political engagement, targeted proceedings and adequate sensitisation campaigns. The efforts targeted at the Portuguese community must be continued and widened to include for example the Capeverdian community whose registration rate is very low for a community that has been present in Luxembourg for three decades.

The work that has been carried out so far must be continued and the activities and meeting points should be used to their best extent as these have been proved efficient means.

2.4. Professional Chambers³⁴

Since all foreigners – citizens of the Union or of third countries – are allowed to participate in elections for the Professional Chambers, it would have been interesting to analyze the participation of both groups in the elections of 1993, 1998 and of 2003.

In 1998, 75.5% of the electors of the *Chambre du Travail* [Chamber of Employment] (C.T.), and 57.2% of the nationals of the *Chambre des Employés Privés* [Chamber of Private Employees] (C.E.P.) are foreigners. The electorate of the foreign workers reflects their majority presence as workers and as private employees in the labor market of Luxembourg. It also demonstrates the heterogeneity of the different foreign communities, which is based on socio-professional status.

The decrease in participation between 1988 and 1993, and then 1998, is primarily due to massive non-participation of foreigners. In 1988, when the electorate consisted only of Luxembourgian workers, the rate of participation for the C.T. was 79.1%. This rate dropped to 46.6% in 1993 and to 31.9% in 1998. The rate of participation for the C.E.P. fell from 72.9% in 1988 to 51.4% in 1993, and to 38.9% in 1998.

However, the rate of participation of Luxembourgers also regressed considerably in 10 years:

-16.8% for the C.T. and -14.2% for the C.E.P.

While Luxembourgers constitute one fourth of the electors of the C.T. in 1998, they make up 62.3% of the voters. Similarly, they account, on the one hand, for 43.3% of the electorate of the C.E.P., and, on the other hand, for 58.7% of the voters. These rates contrast sharply with those of foreigners, which are particularly low: 22% and 24%, respectively. In each case, the participation of non-community persons is the lowest (18.1% for the C.T. and 16.3% for the C.E.P.). One should also note the very low participation of the Portuguese, compared to the greater participation of the Italians (...).

“While it is true that one cannot compare voting in professional elections, which is not mandatory, to voting in national elections, one can nevertheless wonder how many Luxembourgers would actually participate in political elections if voting were not mandatory.

The low rate of participation of foreigners and the drop in the participation of Luxembourgers seem to confirm the general crisis of representative democracies throughout all Western democracies. One should also ask whether the potential electors are really aware of the role that the Professional Chambers play in the institutional life of Luxembourg, and, secondly, whether they ask themselves any questions about, or question, the importance and the usefulness of these institutions.”³⁵

Authors remark: *Concerning the elections for the Chambers of Employees of 2003, the author asked the Ministry of Employment for numerical data on December 3, 2004. On December 29, 2004, the Minister responded that his statistics were not available in the desired form: “Since this is a research project which originates from the European Commission, the latter normally pays for expenses associated with the research projects,*

³⁴ SeSoPi, 1999, in *Ensemble* 53, 1999 pages 13, 14

³⁵ *ibidem* page 14

consequently I ask you kindly to provide me with information on the budget available to the University of Oldenburg for the research project, in general, and the Luxembourgian part, in particular. As soon as I receive your response, I will determine whether the expenses incurred will be covered by the financial participation of the European Commission.” On January 5, 2005, I informed the Minister of the sum which will be allocated to me by the University of Oldenburg. I asked what amount the Ministry wanted and how I could pay it. No response. I mailed a reminder on February 14, 2005.

2.5.Unions

The OGBL counts some 45% of foreigners among its 57000 members.

The LCGB counts some 37.41% of non-nationals% among its 40 000 members), split up as follows:

Table 5) Nationalities in LCGB membership

American	0.05
Angolan	0.01
Austrian	0.05
Belgian	12.81
British	0.14
Bulgarian	0.02
Chilean	0.01
Columbian	0.01
Czech	0.01
Danish	0.03
Dutch	0.25
Former Yugoslavia	0.99
French	7.21
German	3.29
Greek	0.01
Hungarian	0.02
Icelandic	0.01
Indian	0.02
Irish	0.03
Italian	2.01
Moroccan	0.07
Philippine	0.01
Polish	0.10
Portuguese	9.83
Romanian	0.02
Russian	0.03
Swedish	0.00
Swiss	0.01
Thai	0.01
Tunisian	0.04
Turkish	0.01
Ukrainian	0.01
Vietnamese	0.03
Zairian	0.33

Total of non-Luxembourgers: 37.41%
Research carried out in November 2004

2.6. Political parties

Theoretically speaking, all political parties present in Parliament accept non-Luxembourgian nationals as members. It is however impossible to know how many nor to what percentage. It is important to notice that some parties such as the CSV (Social-Christian), LSAP (Social-Democrats) and the Green Party have specific internal structures for foreigners. This is notably the case for the LSAP's 'Group for Political Integration', which however does little to publicly promote its proceedings.

This information has been obtained through a mail-survey aimed at the political parties and the unions during November 2004.

Some relevant figures

The CSV (Social Christian) counts 250 foreigners for 9800 members.

The LSAP (Social Democrats) counts 5.69% of non-nationals, which are split up as follows: Portuguese (24.31%), Italians (22.15%), French (13.54%), Belgians (10.46%), Germans (15.38%) and others (14.16%).

No reply was received from the DP (liberals).

The Green Party does not classify its members by their nationality, but estimate them to make up about 10% of their members.

The ADR does not distinguish nationalities, but our correspondent refers to the level of 5.18% of foreign-nationals on the communal electoral lists of 1999, as opposed to 4.6% for the LSAP, 4.3% for the CSV and 3.1% for the DP.

No reply was received from the left wing parties.

There is no information available about non-Luxembourgian activists in the political parties.

2.7. NGO's

There are several hundred ethnic associations in Luxembourg.

In July 2004, 140 associations fulfil the requirements to take part in the votes of the CNE of which 40 used their right to vote.

2.7.1. The political spokesperson for these associations is the CLAE, the 'Comité de Liaison et d'Action des Etrangers'.

The CLAE acts as spokesperson for these associations. Its objectives are the following: 'To promote integration of foreigners into the Luxembourgian society, and to aim to gain citizenship for every foreigner residing in Luxembourg.

To defend the rights and interests of foreigners and to valorise cultural diversity in Luxembourg.

To facilitate contact between associations and institution in Luxembourg, to encourage intercultural exchanges and to support and promote associative (social) life.

To fight against any form of racism and xenophobia as well as all other forms of discrimination and exclusion.

To promote the creation of a Europe in which the rights of migrants and minorities are respected.' (Excerpt from the CLAE's statutes)

This platform has signed a convention with the Ministry for Family. This agreement has allowed it to employ 5 permanent staff for its political, cultural, and social activities.

Until 2003, the CLAE organised training and information seminars for members of communal CCEs.

The CLAE did not reply to our request for information.

It can be estimated that some 120 associations are members of the CLAE.

The civic and political activities of the remaining associations are generally monopolized by the CLAE to a high extent.

The CLAE was created in 1985 by the ASTI and generally holds a moderate public profile in terms of its political engagement.

The public perception of the CLAE is primarily shaped by the Festival of Immigration, inaugurated by the ASTI in 1981 with the aim to popularise the claim for the right to vote. This event has been organised conjointly by the ASTI and the CLAE until 1995 since when the CLAE has taken over the organisation. The political aims are no longer the main aspect of the event and have been put into the background in order to stress the cultural element, which goes hand in hand with the book festival that is held simultaneously.

Internal differences have hindered the participation of the one hundred or so associations that form the basis of the organisation, which has turned into a sort of superstructure. The CLAE is present to the public eye through its annual 'festival of cultures of immigration and of citizenship' (formerly Festival of Immigration), through its congress of associations that takes place every three years, through press releases and its bulletin HORIZON which comes out eight times a year with a print run of 5000.

One of the CLAE's handicaps is its limitation or hesitation to nominate Luxembourgish-speaking spokespeople for televised debates. It sometimes appears that the CLAE succumbs to a tendency to have a preference for EU-citizens, something it usually reproaches to the CCPL.

Thus, the CLAE has refused to participate in a programme entitled 'Pool for a democratic education' that brought together the federation of Parent-teacher associations, the teachers' union, the ASTI and the CCPL. Moreover, it refused to take part in the campaign 'Migrations: the stakes', which was supported by the press and numerous NGOs.

Again, the organisation failed to take a common stand with the unions OGB-L and LCGB on the debate on the parliamentary committee of spring 2004.

2.7.2. The ASTI (Association de Soutien aux Travailleurs Immigrés) is an NGO with some 700 members of 25 different nationalities.

Characteristic of the ASTI are its mixed composition of Luxembourgers and foreigners the work it carries out in the northern parts of Luxembourg City and its wish for independent political activity.

Some consider the ASTI's activism as rivalling that of the CLAE as the viewpoints of both organisations are reported in the press.

Below is a summary on articles by the monthly magazine HORIZON- revue de presse that is published by the CLAE.

Table 6) Articles relating the activities and initiatives of the ASTI and CLAE from January to October 2004 in Luxembourgian print media

<i>Month of 2004</i>	<i>ASTI</i>	<i>CLAE</i>
January	7	-
February	7	6
March	8	6
April	5	2
May	5	2
June	9	4
July	10	4
August	-	-
September	6	-
October	9	1
Total	66	25

2.7.3. Most Portuguese associations are grouped in the CCPL, the Confederation of the Portuguese community in Luxembourg that holds a biannual conference.

The following information has been provided by the CCPL.

The CCPL counts 10 associations for Portuguese parents of schoolchildren and 14 Portuguese folklore associations. Overall, 84 associations of all kinds belong to the membership of the CCPL. The Confederation regularly speaks out in public, notably during its congresses and in the Portuguese press in Luxembourg. Other interventions mainly take place within the communities, aimed directly at Portuguese authorities. *The CLAE has often reproached to the he CCPL to be communitarian , but the relationship seems to have normalised for some time now, the current president of the CCPL drawing his pay check from the CLAE.*

2.7.4. The ‘Amitiés Portugal – Luxembourg’

The APLs hold a particular position among the numerous friendship-organisations. Created by catholic institutions at the beginning of Portuguese immigration to Luxembourg in the 1970s, this association has taken up an important civic role and has recently taken on a leading role in promoting the registration on the electoral lists by Portuguese residents.

2.7.5. The ex-servicemen

Over the last years, the committee for Portuguese ex-servicemen has organized numerous public activities. This committee wants military service carried out in Portugal to be taken into account for the calculation of pensions.

Several demonstrations outside the Portuguese Consulate have brought this element into the political limelight.

2.7.6. The CCP

The 'Conseil des Communautés Portugaises' is a consultative organ of the Portuguese government. It represents Portuguese NGOs abroad. This council also counts among its members one elected representative of the Portuguese population in Luxembourg, elected on the 31st March 2003. This post was open to all Portuguese over 18 years of age residing in Luxembourg and being registered with their consulate. Over 700 Portuguese citizens voted at these elections, whereas only 520 voted at the Portuguese presidential elections.

2.7.7. The 'Comites'

This is the consultative organ for Italians in contact with the Italian government. It does not carry out any open political activities as it serves as an intermediary to the Italian authorities (embassy and government in Rome).

2.7.8. The Spanish CRE

The consultative organ for the Spanish government is the CRE (Consejo de Residentes en el Exterior). The Spanish residents elect its seven delegates for a three-year mandate.

One can note that hardly any political events are being organised by member organisations.

Only in dramatic situations as for example after a foreigner committed suicide in prison on the 18th December 1999 or when an African woman set herself alight on the 12th October 2004 that associations such as the 'ACOLUX' (Amitiés Congolaises au Luxembourg) take a public stance, invite to a public funeral or a public ceremony. In both cases outlined above the associative platform, of which the ACOLUX is a member, remained silent.

2.7.9. The Congolese who joined in the association "ACOLUX"

On two—dramatic—occasions, they challenged public opinion and political officials. After the suicide of one of their compatriots in detention, on December 18, 1999, ACOLUX appeared at a press conference on January 27, 2000 (Le Républicain Lorrain, January 29, 2000).

This action and its media coverage launched a debate on a detention center separate from the prison. On several occasions, the Committee for the Prevention of Torture of the Council of Europe and the Commissioner for Human Rights of the same institution criticized the government for not having a detention center other than the prison. For the time being, a grand-ducal order³⁶ has set up a special section within the prison. The new government is planning to construct a separate detention center.

Second powerful incident: the self-immolation of a woman of Congolese origin on a central square in the capital, on October 5, 2004 (Le Quotidien, October 6, 2004).

The authorization process for her husband, who was properly qualified to open a mechanical repair shop, had been dragging on for 1 year and a half. She set fire to herself out of despair, in the face of administrative slowness and the treatment she had received.

Several days later, on October 13, 2004, the Congolese community met in a silent and dignified protest on the square where the self-immolation had taken place.

2.7.10 The asylum seekers from the Balkans,

essentially from the former Yugoslavia, namely from Montenegro and from Kosovo. At the time when the Luxembourg government started to repatriate asylum seekers whose cases had been dismissed to Montenegro, it was shown that a large number of them had been living in Luxembourg for 3, 4, and even 5 years, and that their children were, in general, well integrated in Luxembourgian schools. On May 17, 2003, to influence the government, the persons whose cases had been dismissed, organized, jointly with ASTI, a human chain of 2000 persons, which linked the Ministry of Employment to the Ministry of Justice, and they demanded that the status of those individuals who had been in Luxembourg for 30 months (30 months equals legal) be regularized.

Three weeks later, the Prime Minister received a delegation of the protesters, and confirmed that the government would indeed carry out the "assisted" repatriations in the summer of 2003. To apply pressure to those persons whose claims had been dismissed,

³⁶ Regulation about detention center, 2002

and to make them leave of their own will, the government cut off their food supplies. In protest, the persons concerned met 6 times on consecutive Fridays in front of the offices of the Prime Minister, at a time when he held his weekly press conference. Media coverage was guaranteed. After 6 weeks, food supplies were restored.

2.7.12. The asylum seekers from Africa. It turned out that some of the African asylum seekers had engaged in drug trafficking. This resulted in a stigmatization, which was promoted by some statements made by Ministers on the radio. Public opinion was raised against all African asylum seekers. To react, the Africans took to the streets on two occasions: on November 9, 2004 (La Voix, 2004, "Racism denounced on the public street," November 1, 2004), and on October 22, 2004.

2.8. 'Voluntary engagement in Luxembourg' ³⁷

This study by the bishop's commission for justice and peace depicts the population's level of involvement in voluntary work for various organisations.

The study reveals that 34% of Luxembourgers are not members of any organisation, whereas the relevant numbers for foreigners show that this is true for 55% of foreigners and 62% of Portuguese nationals.

There are two major handicaps encountered by the Portuguese community: First, many Portuguese nationals still belong to the first generation of immigrants, a fact that explains their lesser degree of integration in the Luxemburgish social arena. A second handicap is the relatively low level of education of many Portuguese immigrants when compared to other large immigrant communities.

For many Portuguese immigrants the integration into the social arena is still dependent on the achieved level of education. The more education one has received the better one is integrated. This realisation is not only valid for those organisations where one could assume that education could be an important factor, but it also applies to those organisations of which one would think that everybody can participate without any restrictions. As an example one can cite membership in sports clubs, which gradually increases with the level of education (11% for those with primary school education to 29% among those with A-levels). However, the level of Portuguese members always remains below that of Luxemburgers. This correlation relieves us from the assumption that non-participation by Portuguese nationals is linked to their level of education.

Among those Luxemburgers who are not members of an organisation, 55% think it important that foreigners join Luxemburgish associations rather than establish their own associations.

The rates of voluntary engagement are higher among the Luxemburgish nationals, except for two occasions. There are huge discrepancies in cultural organisations and health organisations, which remain firmly in the hands of the autochthonous population. It is only in associations that actively champion integration of immigrants where the rate of voluntary participation is significantly higher among foreigners.

³⁷ Diocesan Commission for Justice and Peace, 2001

The world of social life is widely considered one of the keys to successful integration of foreigners into the Luxembourgish society. The authorities add to this statement by claiming that it is necessary that such organisations be multicultural to prevent reclusion on the sole identity of their home country. As to the question whether foreigners should join Luxembourgish associations or establish their own organisations, suffice to say that the social implications are very different depending on whether one considers it from the point of view of a Luxemburger or an immigrant.

2.9. Immigrants' media

The three press organs in Portuguese language, Radio Latina and the two weekly newspapers *Contacto* and *Correio* make great efforts to depict the realities of Luxembourgish life and to incite their audiences to actively participate in Luxembourgish social life.

2.10. Most prominent examples of immigrants that are active in public life.

The most known foreigner is for sure: Claude Frisoni, French, Director of the 'Centre Culturel de Rencontre Neumunster' after having coordinated the activities in 1995 when Luxembourg was the European capital of culture, he is a professional actor.

Having an official responsibility:

Walter de Toffol, Italian, engineer, and president of the independent national commission for audiovisual programs.

The following people are mostly known in their community or in the field of integration in general:

Delfina Beirao, Portuguese, journalist and author of *Les Portugais du Luxembourg* L'Harmattan, Paris, 1999, in charge of the North-South pedagogical animation

Anita Petersheim, French, exiting vice-president of the CNE, vice-president of the CLAE, former chair of ENAR – Luxembourg.

Franco Barillozzi, Italian, secretary general of the CLAE. Having actively supported the Italian associative movement of the communist branch, he now has been secretary and spokesperson of the CLAE for nearly 20 years.

Eduardo Dias, Portuguese, union secretary of the OGBL. A trained lawyer he plays a leading role in the immigrants' department of the union to whose development he has made important contributions. He is the OGBL's representative in the CNE, member of the decision-making committee of the CLAE, in charge of the Portuguese ex-militaries and elected member for Luxembourg at the CCP.

Toni Montserrat, Spanish, civil servant with the EU, president of the "Centre Catala", he is the president of the CLAE.

Pablo Sanchez, Spanish, entrepreneur and vice-president of the CNE.

José Coimbra Matos, Portuguese, chair of CCPL

Luis Barreira, Portuguese, director of radio Latina

Part III: Conclusions

Remark : The fact that very few studies exist on this matter results in short answers of this concluding part.

1. Main fields of civic activities

+ Unions

Foreigners are most strongly represented in the unions. As the numbers show, among the OGBL's 57000 members, some 45% are foreigners, in LCGB 37 % are foreigners.

Authors comment: *this adhesion is pretty high, but we have to remember that two thirds of labour force employed in the Grand Duchy are foreigners.*

Nonetheless, within these organisations they are often relegated to specialised (sub-) structures such as the department for immigrants.

They figure only rarely among the higher spheres of decision-making in the Unions.

+ Political parties

In the political parties the presence of non – Luxembourgers is very modest

+ Religions

Foreign presence in the churches is significant: unfortunately no figures are available. The many Portuguese catholic Sunday offices and half a dozen catholic priests who administer the services in portuguese language underline this presence. Portuguese testimonials of Jehova are very visible.

+Education

Specific PTAs such as the association of Portuguese pupils' parents which only regroups Portuguese members.

Language barriers are often a hindrance within 'regular' PTAs, although some attempt to facilitate integration by organising bilingual meetings.

Social differences are a further handicap. PTAs are often led by parents from the (upper) middle class whereas workers (particularly those of immigrant origins) often find it difficult to fit in.

+NGO's

Most ethnic NGO's have no explicit civic and political activities, nevertheless we find some foreigners in mixed NGO's with explicit political aims like APL (Portuguese-Luxembourg Friendship association, ASTI or ASTM (Solodarity with the Thord World)

(No studies in this field, empirical information)

2. What ethnic and national groups are particularly active and why?

Once more we have to notice the absence of studies.

Here the author's opinion:

There is of course a certain degree of civic activity among Portuguese citizens in Luxembourg, because they are so numerous. Being an immigration of only the past 30 years, they have brought nevertheless a first Member of parliament – of Portuguese descentance – Mr Felix Braz.

It will be interesting to see what the progress will be according the number of candidates running for the upcoming municipal elections of next October.

We have seen that most NGO's have no visible civic activity, except for the Congolese in dramatic situations.

We have seen the civic appearances of asylum seekers.

3. Is the degree of civic participation high or low compared to majority population?

The study about Professional Chambers shows that in this field the degree of participation is lower for immigrants compared to majority population. The lowest participation is the one of third country nationals

The study of inscription to electoral lists shows a lower rate for non-EU nationals than for EU-nationals.

4. What is the relation between engagement in ethnic or migrant organizations compared to mainstream society organizations? Are there any transitions and overlaps?

Ethnic organizations are often somewhat marginalized when compared to other mainstream organizations. Examples are the dozen or so associations for Portuguese parents of schoolchildren, which mostly have no connection to the 'Luxembourgish' PTA associations from the same area. Often this is due to language barriers, although this does not in itself explain this situation. Luxembourg, as opposed to its neighbouring countries, does not find itself in a homogenous linguistic situation. In Luxembourg the three languages Luxembourgish, German and French, not to forget other mother tongues like Portuguese are spoken all at once. Sometimes, as is the case for Portuguese, one language may suffice to live and communicate well in certain agglomerations. To organize a public meeting in one language only automatically excludes an important part of the foreigners. On the other hand, if it was organized in French, some Luxembourgers might be reluctant to attend and often they are held in two bilingually although this is not always possible.

Those associations not explicitly mentioned in this study are often solely engaged on a cultural level and are classified by the receiving society as exotic or folkloric and only rarely do ethnic organizations achieve mainstream status.

At this stage the generation issue becomes an important factor. Later generations of immigrant origins find it increasingly easy to integrate themselves into mainstream organizations.

The various national consultative structures (CNE) or local structures (CCE) to a certain extent limit foreigners, who generally find themselves in a minority position, to tackle issues that are specifically relevant to foreigners as though these issues were by their nature a problem of the immigrants rather than of the host country even though the issues might revolve around areas of general interest such as national politics, which concern all citizens.

5. What issues do you consider to be of particular interest and importance in the field?

The effective and active opening up of political parties to accommodate foreigners will be a key element in the acceptance of political rights for foreign-nationals. Should they manage to create a space for foreigners and to linguistically communicate with them they will have the possibility to follow a mode of integration to which they currently only do lip service.

The unions will play an important role. They accommodate many foreigners who find themselves largely in the company of fellow immigrants, as is the case for the building trade union or the hotel business union or even in structures specifically designed to accommodate them such as the department for immigrants.

Local sections that group members do not carry the same importance they did in the past in bringing together Union members of the same geographical area.

6. Where do you see the major research gaps?

1. The interests foreigners hold in the Luxembourgian society and their adhesion to its democratic values.

2. Education as a factor assuring social cohesion and as an instrument against social inequalities.

3. The interest of political parties and of its militants in political integration of foreigners. What would the situation be like if foreigners were not considered as opponents in the political patronage?

Appendix 1: mapping of research competences

Luxembourg holds a limited number of research centers which are active in the three fields mentioned, namely active civic participation of immigrants, civic participation in general and immigration in general.

Université du Luxembourg

162a, avenue de la Faïencerie, Luxembourg

Chancellor : Rolf Tarrach

Researchers : Philippe Poirier, political scientist

Fernand Fehlen, sociologist

Michel Pauly, historian

Denis Scuto, historian

Romain Martin, psychologist

Centre Intercommunautaire

Centre for social research linked to the Catholic Church

5, avenue Marie-Thérèse, Luxembourg

Author and editor of ‘European Value Study – Luxembourg’

Analysis of registration on the electoral lists

President: Mathias Schiltz

Research team: Michel Legrand, director

Sylvain Besch, Nénad Dubajic, Paul Estgen

CEPS: Centre d’Etudes de Population, de Pauvreté et de Politiques Socio-économiques

44, rue Emile Mark, L-4501 Luxembourg

Director: Pierre Haussmann

Research: Claudia Hartmann, socio-linguist

STATEC: Service d’études statistiques et économiques du gouvernement

L-1468 Luxembourg

Director: Serge Allegrezza

Research: Jean Langers, demographer

Paul Zahlen, historian

Aknowledgment

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*Finaly I stayed without response
from the Ministry of Labor about the participation of foreigners in the elections of
Profesionnal Chambers
from the Liberal Party (DP) about foreign membership within that party
and from CLAE about membership of associations in the plate form.*

March 10th, 2005 S.K.

Serge Kollwelter

Age 58

Teacher

Chair of ASTI

Responsable of the Intercultural Documentation Centre in Luxembourg

Author of studies for MPG, EUMC, EUROFOUND

References

- Association des Villes et Communes, 1975 avis 18.06.75
- Chambre des Députés, 2004 in: Compte rendu analytique, Double nationalité, August 5th, 2004 page 27
- Chambre des Députés, 1995 in:Parliamentary document, 20th October 1995.
- Chambre des Fonctionnaires, 1997 official statement about access to public functions, in:Document parlementaire 4325 (6.11.1997)
- CIEMI, 1983, Paris, Press Review N° 28/29, March/June 1983
- Commission Diocésaine sur la pastorale des migrants, 1981, Avis sur la participation des immigrés aux élections communales, Luxembourg, 2.4.1981
- Conseil d'État,1964, Pasicrisie 19. p.266
- Delvaux, Michel, 1982, Observations au sujet de certains points du rapport de la commission d'experts pour la révision de la constitution, Luxembourg 7 octobre 1982
- EC directive 94/80 about municipal right to vote, December 19th,1994
- ECJ, 1991, ASTI/CEP July 4,1991
- ECJ 1996, access to public functions, July 2, 1996
- Fontagné, Lionel, Compétitivité du Luxembourg : une paille dans l'acier, Luxembourg, 2004
- Forum 47, 11th April 1981
- Huss, Alphonse, 1980, rapport luxembourgeois pour le Colloque sur la participation des ressortissants étrangers aux élections municipales dans les pays de la Communauté européenne, Louvain - la - Neuve, 1980
- Kollwelter Serge, 1996, Associations d'étrangers et pouvoirs publics au Luxembourg. In : Immigrés en Europe : le défi citoyen. L'Harmattan, Paris p p.104-116
- Kollwelter, Serge, 2004 Foreign candidates for european elections 2004, in: *Le Jeudi*, May 27th, 2004
- Law about integration, 1993, July 27th
- Law about naturalisation, 2001, July 24th
- Law about non – profit organisations,1994, March 4th.
- Law on local elections 2002, 18th February
- OGBL, 1980, OGBL-actualités, 2/1980
- Regulation about consultative municipal commissions 1989, August 5th,
- Regulation about detention center, September 9th, 2002
- Report by the panel of experts on the review of the constitution, 1982, 6th December 1982
- SESOPI 2001, in: RED N°6/2001