2012 local council elections

Making my vote count
Preface

On 14 October this year, you will be able to vote for the men and women who will represent you on your local council, the Conseil Communal.

This is an important election, because it is the commune that carries out the responsibilities that most closely affect citizens: crèches, schools, the state of the streets, sports facilities, social welfare, cleansing, safety, etc.

By turning out to vote, you will have an opportunity to express your opinion, to choose the candidate(s) you feel will do the best job or the programme you prefer.

Casting a vote is a personal choice that each individual performs in accordance with his or her conscience, convictions and values. Above all, this choice should be an informed one.

This leaflet is intended to provide you with the practical information you need to exercise your right to vote effectively: what are the powers of the commune? Who is entitled to vote? How to go about voting? Where to find information? etc.

Voting is a fundamental and primordial right in a democracy.

It is also a chance for everyone to participate in the civic life of their commune.

The Minister-President of the Brussels-Capital Region

2012 LOCAL COUNCIL ELECTIONS MAKING MY VOTE COUNT
INTRODUCTION

VOTING... A CIVIC ACT

In 1998, Belgium and the other European Union member States granted EU nationals the right to vote and stand for election in communal (local council) elections. In 2004, non-European nationals resident in Belgium for five years and more were granted the right to vote in communal elections, but not to stand for election.

In 2006, 18,682 European and 6,622 non-European citizens took part in communal elections in the Brussels region, approximately 15% of the potential number of foreign voters.

The process of registering to vote may represent a constraint. It is well worth the effort, however, in terms of what that vote represents: exercising the democratic right to choose your local elected officials and thus play a part in choosing the kind of society in which you live.

“In granting the right to vote to a category of the population, the State is certainly granting the means of exerting a degree of political power (...) but, above all, it is recognising that category as an integral part of society as a whole, and of political society in particular”*

To find out more about the procedure and the issues at stake in the communal elections of October 2012, we invite you to read this leaflet, which will also be made available by the communes, local associations, schools, health centres, etc.

Let’s all make our vote count!

Christine Kulakowski
Director, CBAI

In Belgium, every citizen lives within the circumscription of a local council, the commune. The commune is the level of public authority closest to the citizen. Its responsibilities cover a very wide range of issues, everything to do with “the communal interest”, i.e. the collective needs of the commune’s residents.

Theoretically, a commune is empowered to do anything that is not expressly beyond its powers, from building a sports facility to developing roads or building a rest home. Naturally, the commune comes under the oversight of governing bodies, i.e. the Federal State, the communities, the regions and the provinces.

The powers of the commune lie particularly in the following areas:

- **Population**: issuing identity documents, driving licences, family situation documents, passports
- **Civil status**: registration and certificates of births, marriages, deaths...
- **Social welfare**: via the CPAS and other social welfare agencies (communal crèches and retirement homes)
- **Education**: communal schools
- **Security, law and order**: local police and fire services
- **Housing**: involvement in social housing management
- **Public works**: development and maintenance of communal roads, sewers, street lightin
- **Protection de l’environnement**: espaces verts, propreté publique
- **Sport**
- **Issuing various permits**: permits for activities in public places, planning permits
- **Culture** (culture centres)
- **Parking**
Voting is a right. Every citizen is free to express his or her choice. That vote directly affects the daily life of your commune for the next six years.

Before reaching a decision, electors may consult and compare the programmes put forward by each of the political parties and their candidates.

Voting is private and secret.

Voting is an obligation. Every Belgian citizen is required to vote and any foreign national who registers on the electoral roll is also under obligation to vote. Failure to meet this obligation is punishable by penalties (reprimand or fine of €25 to €50; for a repeat offence, the fine may be increased to €125; a fourth repeat offence (at least) in 15 years may be punished by removal from the electoral roll for a period of 10 years).

The principle of the right to vote (one man/one vote) as we know it today was first adopted in the wake of the First World War. Women’s right to vote was recognised in 1948.
There are several types of elections in Belgium:

- Federal elections: every four years.
- Regional and community elections: every five years.
- European elections: every five years.
- Communal and provincial elections: every six years.
On 14 October 2012, the electors of each of Belgium’s 589 communes will be invited to elect the new members of their communal council. These councillors will then elect the alderman (échevins). The Mayor (bourgmestre) will be appointed by the Brussels-Capital Region government on the nomination of a majority of communal councillors.

The communal council: each commune has a legislative body – the communal council, made up of communal councillors directly elected by local citizens. The number of councillors depends on the number of residents in the commune.

The municipal council. this is the commune’s executive body and is made up of:

→ **the aldermen**: chosen indirectly by electors. They are appointed by and from the members of the communal council. The number of aldermen depends on the number of residents in the commune;

→ **the Mayor**: chosen indirectly by electors. The Mayor chairs the communal council and the municipal council.
Who is eligible in the communal elections?

Belgian nationals

**CONDITIONS**

- Aged 18 or over on 14 October 2012.
- In full possession of civil and political rights.
- Registered as a resident of a Belgian commune on 1 August 2012.

There are no particular formalities for Belgian nationals, who will automatically receive a summons to vote.

At 1 January 2006, there were 577,446 potential voters of Belgian nationality in the Brussels-Capital region.
European nationals

Citizens of other European Union member States who are resident in Belgium and who are registered on the electoral roll acquired the right to vote under the law of 27 January 1999.

European citizens who were registered on the electoral roll for the communal elections of 2000 or 2006 do not need to renew their registration. They will automatically receive a summons to vote.

Any European citizen may stand on a list of candidates, and is therefore eligible for election as a communal councillor (conseiller communal) or for appointment as an alderman (échevin). European citizens are not eligible, however, for appointment as mayor (bourgmestre).

**CONDITIONS**

→ Aged 18 or over on 14 October 2012.
→ In full possession of civil and political rights.
→ Registered as a resident of a Belgian commune on 1 August 2012.

This applies to you if you are the holder of:
- a certificate of application for registration (annexe 19), following a residence check;
- a residence permit for EU nationals (E/E+ Card);
- for nationals of Romania and Bulgaria, an A/B card is valid;
- an annexe 35 (application for annulment);
- for EU civil servants and their family members: inclusion on the population register.

→ Registration on the communal electoral roll no later than 31 July 2012.

**IMPORTANT**

At 1 January 2012, there were 190,488 potential voters with EU member State nationality in the Brussels-Capital region.
Non-European nationals

Under the law of 19 March 2004, non-European nationals are entitled to vote in communal elections. They are not entitled, however, to stand as candidates on an electoral list.

**CONDITIONS**

- Aged 18 or over on 14 October 2012.
- In full possession of civil and political rights.
- Uninterrupted residence in Belgium over the five years preceding the application for registration on the electoral roll.

Proof of residence may be provided by one or a combination of the following documents:
- foreign national’s residence permit (card C);
- long-term resident’s permit (card D);
- certificate of registration on the register of foreign residents (CIRE) for a limited or unlimited period (Card A/B);
- an orange card (model A certificate of registration);
- an annexe 35 (application for annulment).

At 1 February 2012, there were 118,738 non-EU foreign nationals resident in the Brussels-Capital Region.

Students and those with regularised immigration status are also included. In the case of recognised refugees, the period between submission of the application for asylum and the decision in favour should be taken into consideration.

- Registration on the population register or non-nationals’ register of a Belgian commune on 1 August 2012.

This applies to you if you are the holder of:
- a foreign national’s residence permit (card C);
- a long-term resident’s permit (card D);
- a certificate of registration on the register of foreign residents (CIRE) for a limited or unlimited period (Card A/B).

- Registration on the electoral roll of the commune of residence.

Non-European nationals who were registered on the electoral roll for the communal elections of 2006 do not need to renew their registration.

They will automatically receive a summons to vote.
**VOTER: MODE D’EMPLOI**

**Registration on the electoral roll**

This formality is required of all non-Belgian nationals, whether EU or non-EU nationals, voting in Belgium for the first time.

**How to register?**

- Complete the application form that will be sent to every individual who meets the conditions to vote. The form is also available, free of charge, from the council office of every commune (Population Department). You can also download the form from the following address: www.bruxelleselections2012.irisnet.be.
- If you are a non-EU national, the form also contains a declaration to be signed signifying that you undertake to respect the Belgian Constitution, the laws of the Belgian people and the European Convention on Human Rights and Fundamental freedoms.

- Submit your application to the Population Department of your communal council no later than 31 juillet 2012.
- You will receive official confirmation of your registration from the commune.
- You will receive a summons to vote.

**What if your application for registration is rejected?**

The municipal council may reject your application if it considers that you fail to meet the required conditions. If you disagree with this decision, you may lodge an appeal with the municipal council within 10 days of the notification of rejection. If this appeal is also rejected, you may then appeal to the Court of Appeal in Brussels.

**What if you no longer wish to take part in elections?**

Your registration on the electoral roll stands unless and until you request to be removed from the roll.

If you do not wish to take part in the 2012 elections, you have until 31 July 2012 at the latest to submit a request in writing to your local council office to have your name removed from the electoral roll.
How does voting take place?

The Brussels-Capital Region* operates an electronic voting system.

Go to the polling station at the address shown on the summons to vote. Hand over your identity card to a member of the polling station staff. You will be issued with a magnetic card.

Go into the polling booth. Insert the card in the reader of the voting machine. Follow the instructions that appear on the screen.

Choose a list of candidates. Using the optical pen, “tick” the box that appears on the screen at the top of the list of your choice, or the box(es) of the candidate(s) of your choice.

Confirm your choice.

Remove your magnetic card from the reader and drop it into the ballot box.

Collect your identity card and your summons, stamped by the polling station where you cast your vote.

* The following procedure does not apply to the communes of Saint-Gilles and Woluwe St-Pierre.
To be sure your vote is valid, you should:

1. Either vote by ticking the box at the top of a list. In doing so, you are voting for the list of candidates in the order in which they appear. You may vote for only one list.

2. Or vote for one or more candidates from the same list. In doing so, you are indicating a preference for one or more candidates.

3. Or enter a blank vote, choosing no list or candidate.
Special provisions

Assistance with voting
Each polling station has a special polling booth designed for use by the disabled. A disabled voter may apply to the polling station manager to be accompanied or assisted by the person of his or her choice.

Any voter experiencing difficulties in voting may ask the polling station manager or staff for assistance.

Voting by proxy
If you are unable to vote on election day (out of the country, in prison, ill, away on business, etc.), you can designate another elector to vote on your behalf. You must provide valid proof of your inability to attend (medical certificate, employer’s certificate, etc.)

How to proceed?

→ Determine who will be your proxy.
→ Obtain the appropriate form from the communal council or online from www.bruxelleselections2012.irisnet.be.
→ You and your proxy both sign the proxy form.
→ In certain cases (holiday travel, etc.), you are required to submit the form accompanied by the necessary certificate to your communal council no later than 15 days prior to the election. If your request is accepted, you will receive confirmation from the council.
→ On election day, your proxy will attend the polling station to which you were summoned to vote and present the proxy form and appropriate certificate.
Useful addresses

Do you have any questions about how elections in Brussels are organised?

www.bruxelleselections2012.irisnet.be

You can also download from this website the various documents referred to in this leaflet.

Région de Bruxelles Capitale
www.bruxelles.irisnet.be

Questions about the content of this leaflet?

Centre Bruxellois d’Action Interculturelle (CBAI)
Avenue de Stalingrad 24
1000 Bruxelles
T. 02 289 70 67
www.cbai.be

Vragen over de inhoud van deze brochure?

Regionaal Integratiecentrum Foyer Dienst Rechtsbescherming
Mommaertsstraat 22
1080 Molenbeek
T. 02 414 04 53
www.foyer.be

Bureau de Liaison Bruxelles-Europe (BLBE)
T. 02 280.00.80
blbe@blbe.be
www.blbe.be

Centre national pour la paix et la démocratie (CNAPD)
www.cnapd.be

Centre pour l’égalité des chances et la lutte contre le racisme (CECLR)
www.diversite.be

Vous pouvez obtenir des brochures supplémentaires à l’adresse elections2012@cbai.be ou en téléphonant au 02 289 70 54.