

# Var Village Voice

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## **VOTES FOR EXPATS – NO TAXATION WITHOUT REPRESENTATION By Anita Rieu-Sicart Editor VAR VILLAGE VOICE Monthly Magazine circulating throughout the Var, South of France. Reprint of article appearing in the August issue of VAR VILLAGE VOICE**

It was quaintly ironic, and very salutary, to see that, President Sarkozy, who in reaching out to his thousands of expatriate French citizens, giving them proper representation in the French Senate, by way of their own Senators to represent their interests, found this action was about to boomerang spectacularly, biting him perhaps in the nether regions, when he attempted to impose a tax on second home owners.

As his Ministers quite rightly pointed out to him, the well over three hundred or so thousand French citizens now resident and working in the UK, many of whom now owned what had become a "second home", in France, were more than likely due to this legislation to react violently by voting against him. And bingo, he performed an incredible U turn and dropped the tax.

Does this give British citizens now resident in France and elsewhere who after 15 years have lost their right to vote in the UK pause for thought. I do hope so. It shows the power of Democracy, and the ability of voting citizens to change legislation.

VVV readers of other nationalities, as far as I know still retain their right to vote in their home country,

and have not had their votes taken away from them because they choose to live in France.

### **New Votes for Expats Website**

However a new campaign started recently in the UK to revoke this legislation, backed by several MP's, and a new website has been created to lobby and campaign for the Vote to be restored to all British Citizens wherever they live. To quote from the website, <http://votes-for-expat-brits.com/>

"The Institute for Public Policy Research (IPPR) estimates the size of the British community abroad at 5.6 million. The largest British expat populations are in Australia (more than a million), Spain, the United States, Canada and France. Communities of more than 1,000 Britons exist in more than 100 countries around the world.

Most British emigrants tend to move abroad for work-related reasons – 55 per cent of all British emigrants in 2008. Approximately a quarter are students, and around 20% are pensioners. **In fact, British pensioners living abroad represent nearly 10 per cent of all British pensioners.**

Most British expats living abroad are unofficial ambassadors, promoting British values to their host countries. International civil servants, English language teachers, foreign correspondents of British newspapers, businessmen and businesswomen, English governesses: all project an image of their Britishness around them. All face the voting ban after they have lived abroad for more than 15 years.

Mixed-nationality marriages are often a factor in emigration decisions. People who marry someone of a different nationality usually have to choose which of the two countries will become their future home.

The decision of a Spanish-British couple to live in the UK (as in the case of Nick Clegg MP, the Deputy Prime Minister, and his Spanish wife) has no undesirable consequences in terms of expat voting rights, because the Spanish spouse has a lifelong right to vote in Spanish national elections. But a decision made by a similar couple to live in Spain would, under the present legislation, lead to the denial of voting rights to the British spouse after 15 years. \*\*

In the IPPR's view, "Brits abroad are not a burden or an embarrassment: they are in many ways the best of Britain and we should be proud and supportive of them."

\*\*British Citizen James Preston, together with his British wife, have both lived and worked in Spain for UK companies since 1995. His children attend a British school and his estate will pay tax to the British Government when he dies. Yet he lost his right to vote in the UK in 2009.

He has brought a case against the UK Government in the High Court due to be heard this autumn. His QC Daniel Jowell **argues that the law penalizes British citizens** in the exercise of free movement and establishment rights guaranteed by the European Union, in violation of European Law. "A spokeswoman for the Cabinet Office, which co-ordinates government policy, said: "The length of the time limit has been changed over the years - from five to 20 years, then to 15 years from 1 April 2002, but on each time it considered the issue Parliament has accepted the view that generally, over time, a person's connection with the UK is likely to diminish if they are living permanently abroad."

Do you agree with this statement, do you feel less British because you have lived somewhere else for 15

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years? And why should that entail losing your right to vote?

However this statement is somewhat contradicted by the FCO, The Foreign & Commonwealth Office, responsible for issuing passports who just recently stated,

*“We recognise the affinity British nationals overseas have with the UK as demonstrated by their strong desire to retain a British passport, either as a mono or dual national.”*



## WWII Veteran Harry Shindler takes his case to the European Court of Human Rights.

Harry Shindler fought in Italy during WWII, and later married an Italian lady, they retired to Italy, but as he has lived there for over 15 years he has lost his right to vote in the UK.

He says "Universal suffrage is set out in the Universal Declaration of Human Rights. Universal to my mind, and in every dictionary I've seen, means 'everybody'". In an interview with the BBC he said "At a time in the UK when there's great concern about participatory democracy, for the government to find reasons not to vote is curious indeed. One would think they'd be looking for reasons to get people to vote, because there is a danger to democracy if people don't vote. "Expats abroad pay their taxes at home. There are those who have property and haven't sold it because they believe they'll be coming back. They pay taxes on that property. They pay council tax. "The pensions we get, government and private, come from the UK and those

pensions, when they reach a certain limit, are taxed in the UK. "So here we have expats who pay their taxes and are not allowed to vote. It's unacceptable." Mr Shindler, a representative of the Italy Star Association for veterans, served for six years with the Royal Fusiliers and the Royal Electrical and Mechanical Engineers.

## Lesley Joines of the BA Cannes Branch wrote on the Votes-for-expat

**brits.com website** "I moved to France in 1976 and so I have not been able to vote in the UK for many years. I now vote and participate in the Council and European Elections in my country of residence : France. I am also lobbying French and European Politicians so that we as EU citizens living in France should be able to vote up to regional level. I am a member of The Committee for Les Français de l'Etranger PACA Region, French citizens never lose their right to vote in French Elections however long they have been abroad. They even have Députés and Sénateurs to represent them. As Secretary of The British Association of The Alpes-Maritimes Cannes Branch. I will pass the link to this site on to all our members as well as to all other British connected associations that I am in contact with. I hope everybody will do the same, we need as many yes votes as possible. We must all lobby our political contacts, so that our voting rights will be reinstated. We are one of the only country's in Europe who deprives their citizens of voting rights."

The previous Labour administration not so long ago made it possible for the many thousands of Polish nationals, living and working in the UK to vote in their own home election, financing and setting up 62 polling stations for them. Ironic isn't it.

And now Morocco, hardly noted for its democratic principles, is making it

possible for its citizens, wherever they are, to vote on their constitution.

Yet the UK, theoretically the cradle of Democracy" - at will disenfranchises those who have worked, paid in, and supported the UK, after 15 years residence abroad, many of whom work for UK companies, and contribute to and support the UK economy.

Now is the time to act, lobby, campaign and sign up, particularly after all the scandalous events of the past few years. One prays for a new Hercules to arrive, and clean up the Augean stables of the present dreadful mish-mash of Politics, Press and Police.

You CAN do something about it, sign up to the website, <http://votes-for-expat-brits.com/>

write to your MP, and also to the Minister for Political and Constitutional Reform, MP Mark Harper, at:

[harperm@parliament.uk](mailto:harperm@parliament.uk), and the EU Commissioner for Justice, Fundamental Rights and Citizenship, Viviane Reding, at:

[viviane.reding@ec.europa.eu](mailto:viviane.reding@ec.europa.eu)

A number of MP's are fighting this issue, including Roger Gale, who for the past few years, has been fighting a valiant battle on behalf of expats, to get their benefits restored.

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