

APPENDIX: FRANCE

DEMOGRAPHICS AND ELECTION ADMINISTRATION

France is a parliamentary democracy with a population of 63.8 million people.¹ In the 2007 presidential election, 44.4 million people — 91.4% of the voting age population — were registered to vote,² and 84% of the voting age population turned out to vote.³

At the national level, the *Ministère de l'intérieur et de l'Aménagement du Terroire* (Ministry of Interior) is charged with overseeing the technical aspects of election administration and providing electoral guidance. Election administration, however, including voter registration, is largely decentralized.⁴ Voter lists are compiled and maintained by election officials at the municipal level; there is no national voter list.⁵

VOTER REGISTRATION

Election officials assume responsibility for registering the vast majority of eligible voters.⁶ Election officials automatically register 18 year old citizens using information compiled by the department of defense for military conscription purposes.⁷ Any subsequent updates to voter information, such as address changes, are the responsibility of individuals.⁸ Voter registration for an election closes December 31 of the previous year.⁹

Adding New Voters

French election officials automatically register eligible citizens when they reach the voting age. 18 year olds are summoned and required to attend *la journée d'appel de préparation à la défense*, a day-long defense preparation day now known as Citizens Day, similar to the selective service in the United States.¹⁰ The Ministry of Defense reports information about individuals who attended to the *Institut National de la Statistique et des Études Économiques* (National Institute of Statistics and Economic Studies), the national statistics agency the agency that collects and analyzes population information and serves as an information clearinghouse for other agencies. The INSEE provides municipal election officials with the names, nationalities, dates and places of birth, and addresses of these eligible 18 year olds so that they may be added to the voter rolls.¹¹

Other new voters who may not be captured by the automatic registration mechanisms described above may register by submitting a voter registration form to election officials with documentary proof of citizenship, such as a national identity card or passport.¹²

All voters are issued a voter registration card that contains their full name, address, date and place of birth, and polling location at the end of the annual revision period (discussed in further detail below).¹³

Updating Existing Voter Entries

While election officials initiate the first instance of registration for the majority of French citizens, it is the responsibility of individual voters to keep their registration information current by submitting a new registration form for any change.

Voters who move are responsible for registering at their new address by submitting a new registration form to election officials.¹⁴ The national statistics agency, INSEE, identifies duplicate registrations resulting from re-registration at new residences by comparing lists submitted to them by municipal election officials. The INSEE then forwards information on duplicate registrations to municipal election officials.¹⁵ These officials notify voters, by registered mail with receipt acknowledgment, that they are currently registered in two locations and that unless they respond to the letter within 8 days, they will remain registered at their most recent residential address and will be removed from the other voter list.¹⁶

Election officials use official government death notifications to remove deceased voters from the rolls.¹⁷ In addition, French criminal law provides that judges may suspend the voting rights of individuals convicted of certain crimes.¹⁸ Accordingly, these individuals are removed from the rolls.

FILLING GAPS AND CORRECTING INACCURACIES IN THE ROLLS

Local officials revise the voter rolls annually from September to February of each year.¹⁹ New voter registrations and updates to existing registration are processed at this time. Local election officials cancel or correct registration records based on documents provided through the national statistics agency.²⁰ Amendments made to the voter list during this revision period are publicly posted in each municipality in January for voters to review.²¹

France also offers Election Day registration to invite corrections to names and addresses on the rolls.

PRIVACY CONSIDERATIONS

For each voter, only the following information is collected and recorded on the voter list: first and last name, residential address, and date and place of birth.²²

French electoral code provides that any voter, candidate, or political party may obtain a copy of the voter list.²³ In addition, the national statistics agency maintains a general list of all voters in France for inspection.²⁴ The voter list may not be used for commercial purposes.²⁵

ENDNOTES

¹ Population as of January 1, 2008. Gilles Pison, Institut National d'études Démographiques, *The Population of France in 2007*, POPULATION & SOCIETIES (Mar. 2008), available at http://www.ined.fr/fichier/t_telechargement/19344/telechargement_fichier_en_publici_pdf2_pesa443.pdf.

² The last presidential election was in 2007. Ministère de l'Intérieur, The Elections: Resultats de l'Election Presidentielle, Dimanche 6 Mai 2007, http://www.interieur.gouv.fr/sections/a_votre_service/resultats-elections/PR2007/FE.html. The voting age population is approximately 48.6million. International Institute for Democracy and Electoral Assistance, Country View: Voter Turnout: Country View—France, http://idea.int/vt/country_view.cfm?CountryCode=FR (last updated May 19, 2009).

³ International Institute for Democracy and Electoral Assistance, *supra* note 2.

⁴ Organization for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights, *Republic of France Presidential Election 22 April and 6 May 2007 OSCE/ODIHR Needs Assessment Mission Report, 12-14 March 2007*, at 4 (Apr. 3, 2007), available at http://www.diplomatie.gouv.fr/fr/IMG/pdf/FR_NAM_Report_Presidential_Elections_2007-1.pdf [hereinafter OSCE/ODIHR Report].

⁵ Telephone Interview by Romain Dupeyre, Dechert LLP with Mr. Girardo, Elections Officer, Bureau des élections de Paris (Mar. 16, 2007) [hereinafter Girardo Interview]; OSCE/ODIHR Report, *supra* note 4, at 2, 6.

⁶ Although by law, voter registration is compulsory in France, failure to be registered is not penalized. CODE ÉLEC. art. L9 (Fr.); Ministère de l'Intérieur, Les élections: L'inscription sur les listes électorales, http://www.interieur.gouv.fr/sections/a_votre_service/elections/comment_voter/inscription-sur-listes (last updated Mar. 2007) [hereinafter Ministry Voter Registration Description].

⁷ The voting age in France is 18. C. ÉLEC. arts. L11-1, L11-2.

⁸ A copy of the voter registration form is available at: http://www.interieur.gouv.fr/sections/a_votre_service/elections/comment_voter/inscription-sur-listes/downloadFile/attachedFile/formulaire_cerfa_francais.pdf. Applications for registration made during the year normally do not take effect until March of the following year (there are exceptions to this). Voter registration forms may be submitted in person, by mail, or by an authorized third party. Ministère de l'intérieur, *Circulaire Ministerielle Nor INT/A/07/00122/C relative à la révision et à la tenue des listes électorales et des listes électorales complémentaires*, at 14 (Dec. 20, 2007), available at http://www.interieur.gouv.fr/sections/a_votre_service/lois_decrets_et_circulaires/2007/inta0700122c/downloadFile/file/INTA0700122C.pdf [hereinafter 2007 Circular].

⁹ OSCE/ODIHR Report, *supra* note 4, at 2. Individuals who attain voting age, become naturalized, or have their voting rights restored between this date and the end of the voter list revision period may register to vote. These individuals must apply in person at the town hall. 2007 Circular, *supra* note 8, at 15-16.

¹⁰ Service-public.fr, Appel de preparation à la défense, <http://vosdroits.service-public.fr/particuliers/F871.xhtml> (last updated Sept. 10, 2004).

¹¹ Service-public.fr, Listes électorales: inscription d'office jes jeunes de 18 ans, <http://vosdroits.service-public.fr/particuliers/F1961.xhtml?&n=Elections&l=N4&n=Elections%20politiques&l=N47&n=Inscription%20sur%20les%20listes%20et%20carte%20C3%A9lectorales&l=N362> (last updated May 6, 2009); Girardo Interview, *supra* note 5. In addition to names received from the Defense Ministry, municipal election officials receive information on eligible individuals from the government agency that administers social security. C. ÉLEC. art. L17-1.

¹² 2007 Circular, *supra* note 8, at 6. European Union nationals may register to vote in European Union and municipal elections. There are separate voter rolls for these elections. *Id.* at 5. Voter registration by European Union nationals is voluntary and self-initiated. See La prefecture de Paris, Inscriptions sur les listes électorales et révision des listes électorales, <http://www.paris.pref.gouv.fr/demarches/elections.htm>.

- ¹³ Ministère de l'Intérieur, Les élections: Les cartes électorales, http://www.interieur.gouv.fr/sections/a_votre_service/elections/comment_voter/carte-electorale (last updated Sept. 26, 2005). Voters need not present this card at the polls.
- ¹⁴ Eligible citizens must reside at an address for a minimum of six months before registering to vote. C. ÉLEC. art. L11; Ministry Voter Registration Description, *supra* note 6.
- ¹⁵ OSCE/ODIHR Report, *supra* note 4, at 6; 2007 Circular, *supra* note 8, at 23; C. ÉLEC. art. L39.
- ¹⁶ C. ÉLEC. art. L39.
- ¹⁷ 2007 Circular, *supra* note 8, at 22.
- ¹⁸ OSCE/ODIHR Report, *supra* note 4, at 6. Certain criminal convictions result in disenfranchisement for five years from conviction dates. C. ÉLEC. art. L7; 2007 Circular, *supra* note 8, at 8. Individuals who did not have their voting rights suspended as part of their sentences may vote by proxy while incarcerated. OSCE/ODIHR Report, *supra* note 4, at 6. Individuals who have lost their voting rights as a result of a criminal conviction may have their rights restored only through the completion or suspension of the sentence, pardon, rehabilitation, or amnesty. 2007 Circular, *supra* note 8, at 9.
- ¹⁹ 2007 Circular, *supra* note 7, at 19. Revision activities follow a set schedule, which is available in the 2007 Circular. *Id.* at 20. During the revision period, individuals who believe they may have erroneously been left off the rolls may appeal to a judge. C. ÉLEC. art. L34; *see also* 2007 Circular, *supra* note 8, at 17.
- ²⁰ 2007 Circular, *supra* note 8, at 19.
- ²¹ *Révision des listes électorales*, available at http://www.hautes-alpes.pref.gouv.fr/elections/affiche_revision.pdf.
- ²² C. ÉLEC. art. L18; Girardo Interview, *supra* note 5; 2007 Circular, *supra* note 8, at 28.
- ²³ C. ÉLEC. art. 28. *See also* 2007 Circular, *supra* note 8, at 30.
- ²⁴ C. ÉLEC. art. L37.
- ²⁵ Ministry Voter Registration Description, *supra* note 6.