

Electoral rights of mobile Union citizens in European Parliament elections

2021/0372(CNS) - 25/11/2021 - Legislative proposal

PURPOSE: to lay down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (recast).

PROPOSED ACT: Council Directive.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Council Directive 93/109/EC](#) lays down the detailed arrangements for the exercise of their electoral rights in elections to the European Parliament in their Member States of residence. In the EU Citizenship Report 2020, the Commission stressed the need to update, clarify and strengthen the rules on the exercise of the right to vote and to stand as a candidate in elections to the European Parliament.

Recurrent issues on the exercise of electoral rights by mobile EU citizens concern difficulties in obtaining correct information on how to vote and stand as candidate, burdensome registration processes, and the effect of deregistration from elections in the Member State of origin. Specifically, the information exchange between Member States on registered voters and candidates in order to prevent multiple voting in elections to the European Parliament is being hindered by an inconsistent scope and deadlines for data exchange and collection.

CONTENT: this proposal intends to **update Council Directive 93/109/EC** on the right of mobile EU citizens to vote and stand as candidate in elections to the European Parliament. The aim is to facilitate the provision of information to citizens and improve the exchange of relevant information among Member States, including to prevent multiple voting.

More specifically, the proposal seeks to:

- simplify the process of registering to vote and to stand as candidates in European elections for mobile EU citizens and reduce their costs;
- ensure that mobile EU citizens have equal access to remote and electronic voting possibilities, under the same conditions as nationals of that Member State;
- ensure that no person may stand as a candidate in more than one Member State at the same election or vote more than once at the same election;
- streamline the current information exchange system on the electoral rights of mobile EU citizens. Measures taken to that end include the establishment of a unique set of data which, in addition to the data currently exchanged, will include, the **personal identification number** issued by the home Member State (where applicable) or the **type of identity document** or travel document, and the **registration date**;
- introduce regular monitoring and reporting of implementation by Member States. Reports are to contain relevant statistical data on the participation, either as voters or as candidates, of mobile EU citizens in European Parliament elections. Member States will be expected to improve their collection of data on the

number of mobile EU citizens registered as voters and candidates, where applicable, and on the number of mobile EU citizens who voted. The proposal provides for the evaluation of the application of the Directive within two years after the 2029 elections to the European Parliament;

- support **optimisation of the technical tool for the exchange of data** on registered voters between Member States. This would primarily include a **formalised approach** to the system supporting the exchange of data that has been operationalised via the encryption tool. The whole transmission process facilitated by the encryption tool would be further strengthened through the secure transmission of data between Member States, including in case of doubts on individual cases. By doing so, the proposal facilitates the administrative tasks and ICT-related procedures for Member State administrations as main stakeholders.