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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE
COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE
COMMITTEE OF THE REGIONS**

**Towards more democratic European Parliament elections
Report on the implementation of the Commission's recommendations of 12 March 2013
on enhancing the democratic and efficient conduct of the elections to the European
Parliament**

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1.   INTRODUCTION

The European elections are the cornerstone of the democratic process in the EU as laid down in the Treaties[1]. A majority of EU citizens consider that participating in European Parliament elections is the best way of ensuring that their voice is heard by EU decision-makers[2].

The 2014 elections will be particularly important. They will be the first since the entry into force of the Lisbon Treaty, which strengthened the democratic foundations of the Union and reinforced the role and the powers of the European Parliament. They are also taking place at a key moment for European integration, in a context where the EU is taking decisive action to exit the crisis which has far reaching consequences amongst citizens.

Important decisions will be made for the further development of the EU based on the results of this year's European elections. It is more important than ever that EU citizens vote in large numbers. Decisive steps must therefore be taken to bridge the gap between EU politics and citizens. Citizens will only cast their ballot if they see that they are offered a choice and that their vote will make a difference[3].

All European institutions are seeking to make the European democratic process more transparent and encourage greater ownership by European voters..

On 12 March 2013 the Commission adopted Recommendation 2013/142/EU on enhancing the democratic and efficient conduct of the elections to the European Parliament[4], which was addressed to the Member States and to the European and national political parties. The European Parliament has also adopted resolutions to this effect[5].

Recommendation 2013/142/EC was divided into two main strands:

The first set of recommendations aimed to **strengthen the transparency of the elections and the democratic legitimacy of the decision-making process in the Union**. The Commission recommended that ahead of the elections voters are told about the affiliation between national and European political parties. National and European political parties should also set out their preferred candidate for President of the European Commission, and give details of their candidate's programme. National political parties should use their political broadcasts to inform citizens about their party's candidate and the candidate's programme. Such measures would establish practical and visible links between the citizens' vote and the European political parties. They would add to the democratic legitimacy of the EU decision-making process and encourage a genuine pan-European debate around the candidates' vision for

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[1]   Article 10 of the Treaty on European Union.
[2]   Almost 6 out of 10 EU citizens believe that voting in European elections is the best way of ensuring that their voice is heard by EU decision-makers. European Parliament Eurobarometer EB/EP 77.4, 'Two years to go to the 2014 European elections' Brussels, 20 August 2012.
[3]   More than 7 out of 10 EU citizens believe that if national political parties displayed in all campaign materials to which European political party they are affiliated, voter turnout would be higher and more than 8 out of 10 EU citizens say that receiving more information on the programmes and objectives of candidates and parties in the European Parliament, on the impact of the EU on their lives and on the elections themselves would boost their motivation to vote in European elections. Flash Eurobarometer 364 on electoral rights of EU citizens, Fieldwork in November 2012.
[4]   OJ L 79, 21.3.2013, p. 29.
[5]   European Parliament resolution of 22 November 2012 on the elections to the European Parliament in 2014 (2012/2829(RSP)); European Parliament resolution of 4 July 2013 on improving the practical arrangements for the holding of the European elections in 2014 (2013/2102(INI).

Europe. The Commission also recommended that a common voting day across the EU be agreed upon.

The second set of recommendations was addressed to Member States and aimed to **increase the efficiency of the elections** by streamlining procedures for the implementation of the right of EU citizens to vote and stand as candidates in their Member State of residence, laid down in Directive 93/109/EC[6]. These recommendations, when implemented by Member States, should further improve the efficiency of the elections and, at the same time, decrease the administrative burden on Member States.

This report looks at how these recommendations were implemented by Member States and the national and European political parties. It also looks at how they were taken up by other institutions and by civil society.

2.   DEMOCRATIC CONDUCT OF THE ELECTIONS

In September 2013, the Commission asked the Member States to submit information on the state of implementation of the first set of recommendations; a majority of Member States responded to this request[7]. The Commission also gathered information from national experts on elections, as well as from European political parties[8].

An overview of the information gathered at the time of this report can be found in the table in the Annex. The online version of the table[9] will be updated regularly based on further input from the Member States.

2.1.   Information for voters on the affiliation between national and European political parties

The Commission recommended that **Member States** "*encourage and facilitate the provision of information to the electorate on the affiliation between national parties and European political parties before and during the elections to the European Parliament, inter alia, by allowing and encouraging the indication of such an affiliation on the ballots used in those elections.*"

The Commission recommended further that **national political parties** "*make publicly known ahead of those elections their affiliation with European political parties"* and *"prominently display their affiliation with European political parties in all campaign materials, communications and political broadcasts*".

In their responses, Member States generally welcomed this recommendation and agreed that an in-depth campaign would be important to better inform citizens and raise awareness. The

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[6]   Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals. OJ L 329, 30.12.1993, p. 34.

[7]   At the time of this report, eighteen Member States submitted information in reply to the Commission's letter: Belgium, the Czech Republic, Denmark, Estonia, Greece, Spain, Finland, Croatia, Hungary, Luxembourg, Latvia, Malta, the Netherlands, Poland, Portugal, Slovenia, Slovakia, the United Kingdom.

[8]   The Commission wrote to all European political parties during February 2014, in preparation of this report. In reply to the Commission, the following parties provided information: European People's Party (EPP), Party of European Socialists (PES), Alliance of Liberals and Democrats for Europe (ALDE), Alliance of European Conservatives and Reformists (AECR), Movement for a Europe of Liberties and Democracy (MELD), European Democratic Party (EDP).

[9]   http://ec.europa.eu/justice/citizen/voting-rights/index_en.htm.

vast majority of Member States who responded reported that they had told national political parties about the need to increase transparency and improve information for voters to enhance the democratic conduct of the European elections.

However, it appeared that electoral legislation in several Member States[10] does not allow ballot papers to display the names or logos of European political parties. Amongst these Member States three are considering amending their legislation to allow this information to be displayed.

Certain Member States[11] believe that national political parties are best placed to inform their electorate on their party's affiliation. One Member State questioned the potentially discriminatory effect of highlighting links between national and European political parties on national parties who have not established such alliances.

- Belgium, Croatia, Estonia, Germany, Greece, Finland, Luxembourg, Malta, the Netherlands, Portugal, Spain and the United Kingdom **have told** their national parties about the recommendation to make the affiliation between national and European parties more visible.

- Austria, Belgium, Ireland, the Netherlands, Spain, the United Kingdom, and since recently Slovenia[12], **allow** names and/or logos of European political parties on voting ballots.

- Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Germany, Greece, Finland, Hungary, Latvia, Luxembourg, Malta, Romania, Slovakia and Sweden **do not allow** the names or logos of the European political parties on voting ballots.

- Croatia, Greece and Romania are **assessing future amendments** to their national law to allow names and logos on voting ballots.

In the opinions received so far within the framework of the political dialogue with the European Commission, national parliaments[13] also welcomed the Recommendation and positively assessed its objectives, including notably the positive impact of electoral arrangements for informing the electorate on the affiliation between European and national political parties.

European political parties told the Commission that they would encourage and support political campaign messages which emphasise national parties' affiliation. However, some of them made clear that, as not all Member States' election laws allow the inclusion of European political parties' names or logos on voting ballots, they would not promote a unified strategy amongst their national affiliated parties. Some European parties responded that, should there be any change to the legislative framework, they would take a more consistent approach towards encouraging national parties to make use of this option. One European political party said it did not see the value of adding such logos, and other methods should be considered for informing about affiliation between national and European political parties.

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[10]   See Annex.
[11]   See Annex.
[12]   Slovenia informed about the intention to change their law and subsequently notified the Commission of this amendment on 20 February 2014.
[13]   Opinion of the Parliament of Portugal, the Committee for European Affairs (4 June 2013); Opinion of the Parliament of Romania, the Chamber of Deputies (25 June 2013) and the Senate (30 September 2013).

2.2. Support for a candidate for President of the European Commission

The Commission recommended that **European and national political parties** "*make known, ahead of the elections to the European Parliament, the candidate for the function of the President of the European Commission they support and the candidate's programme*" and that **national political parties** "*ensure that their political broadcasts in view of the European Parliament elections are also used to inform citizens about the candidate for the function of President of the European Commission they support and about the candidate's programme.*"

The **European political parties** have followed up on the recommendation to make known their candidates for President of the European Commission. To date, six European political parties have nominated their candidate(s): Mr Jean-Claude Juncker for the European People's Party (EPP), Mr Martin Schulz for the Party of European Socialists (PES), Mr Guy Verhofstadt for the Alliance of Liberals and Democrats for Europe (ALDE) and for the European Democratic Party (EDP) Mr José Bové and Ms Ska Keller for the European Green Party and Mr Alexis Tsipras for the European Left. The Movement for a Europe of Liberties and Democracy (MELD) and the Alliance of European Conservatives and Reformists (AECR) informed they will not nominate a candidate.

European political parties are also planning to raise awareness about their candidates and their programmes. Some parties have already issued manifestos and launched campaign websites featuring their candidate's programme and main upcoming events. Other parties announced they will do so shortly. Social media will be used to reach out to the electorate. Major EU-wide campaigns and events will be organised. Candidates will participate in public electoral events in different EU countries, with national parties, who will be key players in the campaigns. As part of the **European Parliament's institutional communication campaign** for the elections[14], the European Broadcasting Union (EBU) will produce a debate between the main candidates for the Presidency of the Commission on 15 May 2014. Other media activities, including activities involving social media, will be launched, possibly in cooperation with activities planned by the Member States.

A European Youth Event involving several thousand young people will be organised in Strasbourg by the European Parliament on 9-11 May 2014 in cooperation with the European Youth Forum, the European Commission and other partners[15]. Candidates for the Commission Presidency may also be involved.

Other EU institutions are also supporting the debate. The European Summit of Regions and Cities organised by the Committee of the Regions, in Athens on 8 March 2014 hosted a high-level debate on the upcoming European elections. The European Economic and Social Committee will organise debates in Member States and bring their website and messages into line with the European Parliament's campaign. It also plans to give its national communication contact points specific training on European elections. The European Ombudsman organised an event on 4 March 2014 "Your wish list for Europe"[16] to engage with citizens, together with the Presidents of the Commission and the European Parliament, in view of the 2014 European elections.

Member States told the Commission about wider communication measures they were taking to increase voter participation such as information campaigns for first-time voters, webpages on the elections, media briefings, and round–table discussions and seminars.

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[14]   http://www.elections2014.eu/en.
[15]   http://www.europarl.europa.eu/eye2014/en/news/news.html.
[16]   http://www.ombudsman.europa.eu/en/activities/calendarevent.faces/en/818/html.bookmark.

> **Examples of best practice:**
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> - **Finland** has launched a website dedicated to the European elections, providing comprehensive information about the European Parliament, the European political parties and their possible affiliation to national parties (www.vaalit.fi). The website also contains guidance for non-Finnish EU citizens on how to exercise their right to vote. The Finish Parliament has allocated € 100.000 to non-governmental organisations to run information campaigns during the European elections.
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> - **Poland** will link the voting campaign to the 10th anniversary of EU membership. It has made promoting the European elections a priority and aims to increase voter turnout. The campaign will highlight the success of one decade of EU membership and use concrete examples to show the impact that the EU has on the daily lives of Polish citizens. A TV programme is planned, explaining the principles of the EU and what 10 years of membership of the EU has meant for Poland and its citizens. Poland will also communicate with Polish citizens who live in other EU countries to raise their awareness of their ability to vote in their current country of residence.

2.3. The common voting day

The Commission recommended that **Member States** "*agree on a common day for elections to the European Parliament with polling stations closing at the same time*", to address fragmentation issues and create a more coherent pan-European election by holding polls on the same day across the EU.

While some Member States have agreed to hold polls on Sunday 25 May 2014, others have rejected the idea explaining that voting on week days or Saturdays would increase turnout. National traditions were also put forward to explain rejection of a common voting day[17].

EU law sets strict rules on the timing for publication of the election results[18]. These rules prohibit, in particular, the official publication of results in one Member State before polls have closed in all Member States. The aim is to avoid EU voters being influenced by results in Member States where polling has already closed, and thus to protect the principle of free suffrage. The Commission is closely monitoring Member States' implementation of these rules and has taken action[19] to ensure that these rules are complied with for the 2014 European Parliament elections.

The aggregated results of the elections will be published by the European Parliament on the evening of 25 May, with one common message across the EU.

2.4. The role of civil society

Beyond the Commission's Recommendation addressed to the Member States and to the European and national political parties, civil society organisations are taking action as valuable multipliers to inform citizens about the new democratic impetus to the 2014 European elections. Civil society organisations are well placed to discuss with their members

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[17]   See Annex.

[18]   The 1976 Act on the election of the members of the European Parliament by direct universal suffrage, which is annexed to Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 and was last amended by Council Decision 2002/772/EC, Euratom (OJ L 283, 21.10.2002, p. 1).

[19]   The Netherlands did not comply with these rules for the 2009 European elections. Following the Commission's intervention, the Netherlands committed in writing to take measures for complying with these rules and issued the relevant instructions to municipal authorities for the 2014 European elections.

the pros and cons of different candidates' manifestos. A number of these organisations see the campaigns for the European Commission Presidency as a valuable opportunity to get their messages across and influence the candidates' programmes. This can encourage discussion between citizens and candidates and lead to clear support for a specific candidate, while also encouraging European public spaces and pan-European debates around the elections.

Civil society more generally plays a strong role in **informing citizens about the importance and benefit of participating in the European elections**. A number of relevant initiatives have been launched or are currently being prepared.

Examples of best practice:

Voting guides and information:

- AEGEE-Europe (The European Students' Forum): 'Y Vote 2014'. Organised activities will include the creation of a guide to voting, bus tours and youth conventions[20].

E-voting tools/profiling tools:

These e-tools help voters to select a candidate by matching their profile and preferences with the profile and programme of candidates.

- European Youth Forum - League of Young Voters and VoteWatch e-tool[21].

- The European Union Democracy Observatory Euandi voting profiler[22].

- WeCitizens voting profiler[23].

Debates, forums, and online chats with candidates:

- Debating Europe[24] will organise online debates, live chats, and face-to-face events, enabling EU citizens to question MEPs and prospective MEPs on the issues facing Europe and help citizens make an informed choice in the European elections.

- Move Europe by the Young European Federalists[25] will involve debates and campaigning aimed at young people.

- The European Citizen Action service (ECAS) is managing the JoiEU project ('Joint Citizen Action for a Stronger, Citizen-Friendly Union') focussing on participation in the EU elections[26].

- The Alliance for the European Year of Citizens (EYCA)[27] will organise a civil society day in March 2014 inviting the main candidates to attend.

In addition to other initiatives to strengthen the European public space, including more than 50 citizens' dialogues[28] reaching out directly or indirectly to more than 500.000 citizens, the Commission has delivered on its commitment in the 2013 EU Citizenship Report (action 12 a)

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[20]   http://www.aegee.org/aegee-europe-launches-y-vote-2014/.
[21]   http://www.myvote2014.eu/en.
[22]   http://www.eui.eu/Projects/EUDO/EUandI/Index.aspx/.
[23]   http://www.wecitizens.be/fr/elections-2014/.
[24]   http://www.debatingeurope.eu/vote2014/.
[25]   http://www.jef.eu/activities/projects/moveurope2014/.
[26]   http://joieu.net/.
[27]   http://ey2013-alliance.eu/.
[28]   Report from the Commission "Citizens' Dialogues as a Contribution to Developing a European Public Space", COM(2014) 173.

to publish a user-friendly handbook in all official EU languages on EU citizens' main rights, including their right to vote and to stand in European elections[29].

3. EFFICIENT CONDUCT OF THE ELECTIONS

3.1. Streamlining the administrative processes

To ensure the legitimacy of European elections, Directive 93/109/EC[30] requires procedures to make sure that EU citizens do not vote or stand as candidates in both their Member State of origin and in their country of residence in the same elections. Drawing on discussions with experts from Member States, the Commission set out in Recommendation 2013/142/EU a list of measures to simplify the data exchange mechanism in place for this purpose[31], lightening the administrative burden on Member States when implementing it and making it more secure and more effective at preventing abuses.

The Commission recommended in particular that Member States set up a single contact authority in each Member State to facilitate a smoother exchange of voters' data with other Member States; Member States of residence were encouraged to transmit additional personal data which may be necessary for more efficient identification of voters by the authorities of their home Member State; Member States should all use the same electronic format for recording data and a secure, encrypted electronic method of exchanging data to protect voters' personal data; Member States should send the data in one single package per home Member States, with one further transmission at a later stage where necessary; Member States should take into account the different electoral calendars in place across the EUs when exchanging data.

Since these recommendations were adopted, the Commission has worked with Member States' experts to assist them in implementing them. For the 2014 European elections, all Member States have agreed to put in place a single contact authority for sending and receiving notifications through the information exchange mechanism, except the United Kingdom, which plans to send notifications about EU voters via local electoral authorities.

The Commission ensured that all Member States were fully informed of the type of data required by Member States to efficiently verify the identity of their nationals who have registered to vote in the Member State where they reside.

Almost all Member States improved the security of the data exchange taking place in the run up to the elections, by implementing a common electronic format and using an encryption tool recommended by the Commission.

The Commission also made available to all Member States the electoral calendars used across the EU, to indicate the appropriate timing of notifications.

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[29]   http://bookshop.europa.eu/uri?target=EUB:NOTICE:NA0414127:EN.

[30]   Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals, OJ L 329, 30.12.1993, p. 34.

[31]   The mechanism consists of exchanges of data between the Member States on EU citizens registered to vote or stand as candidates in their Member State of residence. On the basis of data sent by the Member State of residence, the Member State of origin must remove from its electoral roll the citizens concerned (or prevent them by other means from casting their vote or standing as candidates).

The vast majority of the Member States undertook substantial work to prepare for implementing these recommendations. These measures, when implemented for the European Parliament elections, should help streamline the electoral processes and reduce administrative burden.

3.2. Further measures taken by the Commission for more efficient conduct of the elections

In addition to the Recommendation, further measures have also been taken in view of the more efficient conduct of the European Parliament elections. Directive 2013/1/EU[32] makes it easier for EU citizens to stand as candidates in their Member State of residence, as they will only need to produce an identity document and a declaration that they fulfil the eligibility conditions, instead of having to provide certification from the relevant authorities in their home Member State.

The Commission considers the timely transposition of this Directive to be a priority, so that EU citizens can benefit from the improved process from the 2014 European Parliament elections onwards. The Commission has been closely monitoring measures taken by Member States on transposition. Following the expiry of the deadline for transposing the Directive, on 28 January 2014, the Commission decided on 5 February 2014 to launch infringement proceedings against the 14 Member States which had not notified it of their transposition measures on time. In the meantime, the vast majority of the Member States notified their transposition measures.

The Commission has been discussing with Member States transposition issues relating to Directive 93/109/EC that it had previously identified[33]. In particular, these include imposing additional requirements to register to vote (which therefore result in obstacles to EU citizens' exercise of the right to vote), and the incorrect transposition of provisions to protect the legitimacy of elections.

All but two of these cases have now been closed. In the remaining cases, one Member State recently adopted new legislation addressing the transposition issues[34], and the other Member State will adopt such legislation imminently[35].

4. CONCLUSIONS

The Commission's Recommendation on enhancing the democratic and efficient conduct of European elections was generally well received. This is a preliminary report on initiatives that Member States and national and European political parties are developing, to increase transparency, raise citizens' awareness and promote pan-European campaigns around candidates and their programmes. This report aims to stimulate exchanges of best practice and to encourage new initiatives to enhance the democratic life of the EU in light of the upcoming 2014 European elections.

The Commission will continue to monitor Member States' and political parties' implementation of its Recommendation in the run-up to the elections, and will regularly

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[32] Directive 2013/1/EU amending Directive 93/109/EC as regards certain detailed arrangements for the exercise of the right to stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals, OJ L 26, 26.1.2013, p. 27.

[33] Report under Article 25 TFEU "On progress towards effective EU Citizenship 2011-2013", COM(2013) 270.

[34] The Commission is examining the recently communicated Slovakian law.

[35] The Czech Republic.

update the online table[36] with further information from Member States, in particular the ten that had not responded to the Commission's request for information at the time of this report.

The Commission will produce a full report after the European elections, assessing the implementation of relevant EU law, including the implementation of the Recommendation. It will highlight further initiatives that were taken in the run-up to the European elections and look at the role of civil society organisations. This should help identify possible new avenues for the future, towards ever more democratic European elections.

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[36]   http://ec.europa.eu/justice/citizen/voting-rights/index_en.htm.