

Electoral rights of mobile Union citizens in municipal elections

2021/0373(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 municipal elections by 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 94/80/EC](#) sets down the detailed arrangements for the exercise of their electoral rights in municipal elections in the Member State 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 municipal elections in order to ensure that they support the broad and inclusive participation of mobile Union citizens.

Despite the measures currently in place, mobile EU citizens still face difficulties in exercising their electoral rights in municipal elections. Problems include difficulties for mobile EU citizens to obtain correct information on how to exercise their electoral rights, burdensome registration processes and the effect of deregistration from elections in the Member State of origin. It is necessary to revise the Directive's Annex due to changes in some Member State's 'basic local government units' and to the withdrawal of the United Kingdom from the European Union.

CONTENT: this proposal intends to **update Council Directive 94/80/EC** on the right to vote and to stand as a candidate in municipal elections. The main aim is to facilitate the provision of information to citizens and to update outdated and obsolete provisions in the Annex to the Council Directive.

More specifically, the proposal seeks to:

- simplify registration requirements and improve information provision and awareness on voting for mobile EU citizens supports free movement and integration;
- guarantee higher standards for providing electoral information to mobile EU citizens. The proposal requires Member States to appoint authorities that will proactively inform mobile EU citizens residing on their territory of the conditions and detailed rules for registration as a voter or candidate in municipal elections, before and after their registration. This could also entail the provision of information and the use of means of communication adapted to specific voter groups such as young voters;
- provide for an obligation for the authorities appointed by Member States to **communicate to mobile EU citizens** who were registered as voters or as candidates, specific and tailored information on the following: (i) the status of their registration; (ii) once available, the date of the election and how and where to vote; (iii) the relevant rules on voter and candidate rights and obligations, including prohibitions and incompatibilities, and applicable sanctions in the case of violation of electoral rules; (iv) means of obtaining further information on the organisation of the election including the list of candidates;

- **reduce administrative barriers** faced by mobile EU citizens by putting in place standardised templates for the formal declarations that have to be produced by mobile EU citizens in order to register as voters and candidates;
- **limit the scope of registration** of mobile EU citizens on the electoral rolls of the host Member State, preventing de-registration from electoral rolls of the home Member State solely on this basis;
- require regular monitoring and reporting of implementation by Member States. Reports will contain relevant statistical data on the participation in municipal elections of voters and candidates and a summary of measures taken in that regard. This will allow the Commission to assess the efficiency of the methods employed by Member States and offer alternatives for improvement;
- provide for an evaluation of the application of the Directive within two years after the 2029 elections to the European Parliament;
- confer upon the Commission the power to adopt delegated acts to ensure that the list of basic local administrative units remains up-to-date and that the templates of the formal declarations submitted by mobile EU citizens at their registration as voters or candidates continue to comprise relevant data;
- require Member States to ensure access for mobile EU citizens to the same means of advance voting, postal voting, electronic voting and internet voting, that is available to their own nationals in municipal elections.