Basic information

2020/2220(INL) INL - Legislative initiative procedure	Procedure completed
Proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that decision **Subject** 8.40.01.01 Elections, direct universal suffrage	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFCO Constitutional Affairs	RUIZ DEVESA Domènec (S&D)	19/11/2020
	Shadow rapporteur SIMON Sven (EPP) VERHOFSTADT Guy (Renew) BOESELAGER Damian (Greens/EFA) DZHAMBAZKI Angel (ECR) ANNEMANS Gerolf (ID) CHAIBI Leila (The Left)	

European Commission

Commission DG	Commissioner
Justice and Consumers	-- --
Reform and Investment Task Force	-- --

Key events

Date	Event	Reference	Summary
26/11/2020	Committee referral announced in Parliament		
29/03/2022	Vote in committee		
04/04/2022	Committee report tabled for plenary	A9-0083/2022	Summary
02/05/2022	Debate in Parliament		

03/05/2022	Decision by Parliament	T9-0129/2022	Summary

Technical information	
Procedure reference	2020/2220(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Legislative initiative
Legal basis	Rules of Procedure EP 46 Treaty on the Functioning of the European Union TFEU 223-p1
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/9/04472

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE693.622	01/07/2021	
Amendments tabled in committee		PE699.299	11/11/2021	
Amendments tabled in committee		PE699.325	11/11/2021	
Committee report tabled for plenary, single reading		A9-0083/2022	04/04/2022	Summary
Text adopted by Parliament, single reading		T9-0129/2022	03/05/2022	Summary

Additional information

Source	Document	Date
European Parliament	Briefing	27/09/2022
European Commission	EUR-Lex	

Proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that decision

2020/2220(INL) - 04/04/2022 - Committee report tabled for plenary, single reading

The Committee on Constitutional Affairs adopted an own-initiative report by Domènec RUIZ DEVESA (S&D, ES) on the proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that decision.

Despite the provisions of the Electoral Act, elections to the European Parliament are largely determined by national rules, which differ considerably across Member States, resulting in a range of different electoral systems. Elections for the European Parliament take place on different days, and

votes are cast for national parties with national candidates on the basis of national programmes. Approximation of those different electoral systems through the adoption of a more unified European electoral law based on clear common principles and rules would ensure voter equality for all citizens of the Union and strengthen the European public sphere.

The turnout registered in the 2019 European elections was the highest of any elections to the European Parliament in the last 20 years. However, the participation rate hides wide disparities between Member States.

The report stressed that **communication efforts** must be made to increase citizen's interest in European issues and the role of European political parties and foundations.

Reform of the electoral procedure

Members suggested the reform of its electoral procedure with the goal of shaping in a concrete way a European public sphere, by suggesting common minimum standards and legislative changes ahead of the 2024 European elections. They consider it essential to improve the **transparency and democratic accountability of the Parliament**, by strengthening the European dimension of the elections, notably by transforming the European elections into a **single European election**, especially with the establishment of a Union-wide constituency, as opposed to the collection of 27 separate national elections, which is the way that European elections are organised today.

Recalling that diverging electoral cultures have resulted in a range of different electoral systems and different voting rights across the Union, Member consider that a **common framework, with benchmarks and minimum standards for election rules** across the EU can promote a genuine public European debate and ensure equality of the Union citizens, including as regards: the right to vote, the right to register a party, association of voters or other electoral entities and to stand for elections, access to ballots, the fielding of candidates, including gender equality, accessibility of voting for all citizens, especially for persons with disabilities, or what happens on the day of the elections.

Members also considered:

- it essential that both European and national political parties and associations of voters and other European electoral entities adopt democratic, informed and transparent procedures for the selection of candidates to the European Parliament, including the **lead candidate**, ensuring the direct involvement of individual citizens who are party members, including, but not limited to, the election of delegates;

- that all European voters should be allowed to vote for their **preferred candidate for the President of the Commission**, and that lead candidates should be able to stand in all Member States on Union-wide lists, nominated by a European political party, by a European association of voters or by other European electoral entity, putting forward a common electoral programme.

The European political parties, European associations of voters and European electoral entities are called on to nominate their candidates for the position of President of the Commission at least **12 weeks before the election day**.

EU-wide constituency

The establishment of a Union-wide constituency in which lists are headed by each political family's candidate for the post of President of the Commission is proposed. This would strengthen European democracy and further legitimise the election of the President of the Commission and his /her accountability. This could contribute to the construction of a **European political space** and to make the elections for the European Parliament truly based on European issues and not on issues of exclusively national interest.

The report considered that the **funding** of European political parties and other European electoral entities from the general budget of the European Union or from any other source may be used to finance campaigns conducted by the European electoral entities in the context of elections to the European Parliament in the Union-wide constituency in which they or their members participate.

Voting age

Members call for the introduction of a single, harmonised age for voting rights across Member States. The **minimum age of voting rights is proposed at 16** which would reflect current rights and duties that the European youth already has in some Member States.

European Electoral Authority

Members proposed establishing a European Electoral Authority in charge of coordinating information on the European elections, managing the European electoral roll, proclaiming the electoral results, and supervising the exchange of information on voting by citizens of the Union outside their home country.

Accessibility

Members stressed the need to facilitate access to voting in European elections and to guarantee that all those who have the right to vote are able to exercise this right. Member States are called on to ensure access to information and voting on an equal basis for all citizens, including for persons with disabilities by allowing for instance the renting of adapted premises when public structures are not adapted. They should also introduce common requirements allowing all citizens of the Union living or working in a third country to be granted the right to cast their vote in elections to the European Parliament.

The report stated that the introduction of **postal voting** is needed for voters who are unable to go to the polling stations on election day, making the conduct of European elections more efficient and more appealing for voters in specific or exceptional circumstances. Advance physical voting and proxy voting, as well as **electronic and online voting**, should also be considered.

Lastly, Members considered that establishing a common European voting day would create a more coherent pan-European election and therefore suggest fixing **9th May as the European election day**.

Proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that decision

2020/2220(INL) - 03/05/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 331 votes to 257, with 52 abstentions, a legislative resolution on the proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that Decision.

Reform of the electoral procedure

Parliament suggested reforming its electoral procedure by proposing **common minimum standards and legislative changes** for the 2024 European elections. It proposed to strengthen the European dimension of the elections, in particular by transforming the European elections into a **single European election**, including the creation of a Union-wide constituency, as opposed to the collection of 27 separate national elections, which is the way European elections are organised today.

Union constituency

Under the new electoral system, each voter would have **two votes**: one to elect Members of the European Parliament in a national constituency, the other to elect Members of the European Parliament in the Union-wide list constituency.

Members believe that the creation of a Union-wide constituency, in which **28 Members** would be elected to the European Parliament without prejudice to the Members elected in each Member State and in which the lists would be headed by the candidate of each political family for the post of President of the Commission, would provide an opportunity to strengthen the democratic and transnational dimension of European elections.

In order to ensure a **geographical balance** between large and small Member States, Parliament suggested introducing a binding geographical representation in the lists for the Union constituency and encouraged European political parties, European voters' associations and other European electoral bodies to present candidates from all Member States on transnational lists.

Gender equality

While welcoming the overall improvement in gender equality in the last elections, Members pointed out that there are significant differences between Member States, with some not having elected a single woman to Parliament. They called for measures to ensure equal opportunities for women and men to be elected without infringing the rights of non-binary people, through the use of **zipped lists or quotas**.

Other proposals include:

- the right for European voters to **vote for their preferred candidate for President of the Commission**, and the right for leading candidates to stand in all Member States on Union-wide lists, submitted by a European political party, or a European association of voters, and proposing a common electoral programme;

- setting the date for the adoption of the electoral lists for the European elections at 14 weeks before polling day at the latest;

- **information to citizens**, 12 weeks before the elections, on the candidates standing for European elections and on the affiliation of national political parties or electoral associations to a European political party or electoral association;

- a mandatory minimum electoral threshold of 3.5% for constituencies of 60 seats or more;

- the adoption by both European and national political parties and electoral associations of **democratic and transparent procedures** for the selection of candidates for the European Parliament, including the lead candidate;

- the enhancement of the **visibility** of European political parties, European voters' associations and other European electoral entities through media campaigns as well as on ballot papers and all electoral material;

- the inclusion of common provisions governing European election campaign **expenditure** for each entity entitled to submit a list of candidates for the seats of Members of the European Parliament in the Union's constituency;

- the introduction of a **single, harmonised age** for passive and active voting rights respectively in all Member States; Member recommended setting the minimum voting age at 16, without prejudice to existing constitutional orders setting the minimum voting age at 18 or 17;

- the establishment of measures and safeguards to avoid foreign interference in the electoral process;

- the creation of a **European Electoral Authority** to coordinate information on the European elections, to supervise the process and to ensure compliance with the new rules;

- **equal access to the elections for all citizens**, including people with disabilities; everyone with the right to vote, including EU citizens living outside their country of origin and those without permanent residence, should be able to exercise this right;

- the introduction of **postal voting** and the improvement of the system through tools such as early voting in person and proxy voting, as well as electronic and online voting.

Lastly, Members believe that setting a common election day would make these elections more harmonised across Europe. They therefore suggest that European election day be set on **9 May**, regardless of the day of the week on which it falls, and possibly as a public holiday.