

# Electoral rights of mobile EU citizens in European Parliament elections

During the February II plenary session, under the consultation procedure, the Parliament is due to vote on the report on a Commission proposal concerning the right of 'mobile' EU citizens, that is, those residing and voting in a Member State of which they are not nationals, to vote in European Parliament elections. Under this procedure, the Council – expected to adopt the proposal by unanimity – is not bound by Parliament's opinion.

## Background

Articles [20\(2\)\(b\)](#) and [22\(2\)](#) of the Treaty on the Functioning of the European Union set out EU citizens' right to vote in European Parliament elections in their Member State of residence, even if that is not their Member State of nationality. [Council Directive 93/109/EC](#) lays down the specific rules for exercising this right. Nearly [13.7 million](#) EU citizens – of whom about 11 million are of voting age – reside in a Member State other than that of their nationality. The right of those EU citizens to vote in European Parliament elections has been enshrined in the Treaties for three decades, yet [many barriers](#) to exercising this right still exist. These include lack of accessible information, burdensome registration processes, and the effects of deregistration in the Member State of origin. Inconsistent scope and deadlines hamper the exchange of information between Member States with the aim of preventing multiple voting.

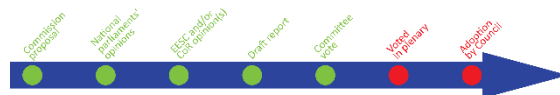
## European Commission proposal

On 25 November 2021, the Commission put forward a [proposal](#) to modify Council Directive 93/109/EC. The proposal, which ties in with Commission President Ursula von der Leyen's priority of a new push for European democracy, sets higher standards for providing electoral information to mobile EU citizens. It requires the appointment of authorities that will inform mobile EU citizens proactively of the conditions and detailed rules for registration as a voter or candidate in European Parliament elections. This has to be done in the Member State's official language and in an official EU language that is broadly understood by the largest possible number of EU citizens residing on its territory. The proposal further introduces standardised templates for the formal declarations EU citizens have to make to register as voters or candidates. Moreover, it streamlines the current system for information exchange on mobile EU citizens' electoral rights, with the possibility of changing these with delegated acts. It also requires Member States to ensure mobile EU citizens' access to the same means of advance, postal, electronic and internet voting available to their own nationals, and introduces regular monitoring and reporting of implementation by Member States.

## European Parliament position

The Committee on Constitutional Affairs (AFCO), taking the lead on the file in Parliament, adopted its [report](#) on 12 January 2023. The report seeks coherence with other pending legislative proposals, such as the [reform of the EU electoral law](#). It requires that information on registration and voting be provided in all EU official languages and reach marginalised groups. It also asks that obstacles to accessing voting booths and polling stations be addressed. According to the report, minimum residence requirements, where they still exist, should be abolished. Furthermore, civil society organisations should play an important role in assisting the designated authorities in Member States to reach out to citizens through information campaigns.

Report (consultation): [2021/0372\(CNS\)](#); Committee responsible: AFCO; Rapporteur: Damian Boeselager (Greens/EFA, Germany). For further information see our 'EU Legislation in progress' [briefing](#).



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