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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	COMMISSION RECOMMENDATION of 14.2.2018 on enhancing the European nature and efficient conduct of the 2019 elections to the European Parliament

Delegations will find attached document C(2018) 900 final.

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Brussels, 14.2.2018
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COMMISSION RECOMMENDATION

of 14.2.2018

**on enhancing the European nature and efficient conduct of the 2019 elections to the
European Parliament**

COMMISSION RECOMMENDATION

of 14.2.2018

on enhancing the European nature and efficient conduct of the 2019 elections to the European Parliament

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Article 10(2) of the Treaty on European Union states that citizens are directly represented at Union level in the European Parliament.
- (2) Article 10(3) of the Treaty on European Union states that every citizen shall have the right to participate in the democratic life of the Union and that decisions shall be taken as openly and as closely as possible to the citizen.
- (3) Article 17(7) of the Treaty on European Union states that the European Council must take into account the elections to the European Parliament when proposing a candidate for President of the European Commission.
- (4) To further enhance the European nature and efficient conduct of the elections to the European Parliament, it is necessary to update and complement some elements of the Commission Recommendation 2013/142/EU of 12 March 2013¹ in good time ahead of the 2019 elections.
- (5) Reinforcing the democratic legitimacy of the EU and ensuring the participation of citizens in the political life at European level is essential. Citizens would be readier to vote in the elections to the European Parliament if they were more aware of the impact of EU policies in their day-to-day life, and if they would trust that they can have their say on the Union's most important choices, such as the selection of the leaders of the EU institutions and the establishment of priorities for the future of the Union.
- (6) The need to strengthen accountability and transparency also has implications for the Commission. The Commission has reviewed the Code of Conduct for the Members of the Commission². The new Code allows Members of the Commission to stand as candidates in the elections to the European Parliament without having to take a leave of absence. The relevant rules of the Framework Agreement on relations between the European Parliament and the European Commission, have been revised to take account of this change³.
- (7) Policies decided at European level have direct implications for citizens' everyday lives and are felt at local level. Citizens need to know what is at stake at European level to

¹ OJ L79, 31.3.2013, p.29.

² Commission Decision of 31.1.2018 on a Code of Conduct for the Members of the European Commission (C(2018) 700 final).

³ European Parliament decision of 7 February 2018 on the revision of the Framework Agreement on relations between the European Parliament and the European Commission (2017/2233(ACI)).

make their choice in the elections to the European Parliament. Engaging with citizens on European issues encourages democratic participation of citizens in EU policy-making. Since January 2015, the current Commission has held 478 Citizens' Dialogues across all Member States, also in cooperation with institutional partners such as the European Parliament, national Parliaments, the Committee of the Regions and the European Economic and Social Committee. Between February 2018 and 9 May 2019, the Commission will be organising or helping to organise around 500 additional Dialogues in cooperation with the Member States, regional, local authorities as well as with the European Parliament and other European institutions.

- (8) Several Member States have announced their readiness to engage in broad public discussions on the future of Europe, and such national dialogues are already taking place in a number of Member States. By engaging with citizens across Europe and holding outreach events, organised according to their respective political structures and practices, Member States could help raise awareness among citizens on the importance of their vote in determining which vision would best advance the European project. Such events should take place over the period between the Leaders' meeting of 23 February 2018 and the Summit in Sibiu on 9 May 2019, just ahead of the elections to the European Parliament, where Heads of State or Government are expected to draw conclusions on the next steps for the Union.
- (9) European political parties play a key role in forming European political awareness, encouraging voter participation and in expressing the will of the citizens of the Union. This role could be enhanced if, over the months to come, European political parties would reach out to their national affiliate parties and civil society and raise awareness on choices regarding the future of Europe and the interests of the citizens they are representing.
- (10) The system of lead candidates for President of the Commission – "Spitzenkandidaten" – was implemented for the first time in the 2014 elections to the European Parliament.
- (11) This process has helped to reinforce the Union's efficiency and its democratic legitimacy, which rests on the dual pillars of direct representation of citizens in the European Parliament and their indirect representation by governments of the Member States in the European Council and the Council. It has also contributed to strengthening the Commission's accountability, in line with Article 17(7) of the Treaty on European Union. It should be continued and improved in view of the 2019 elections to the European Parliament.
- (12) European and national political parties should announce well ahead of the start of the electoral campaign, ideally by the end of 2018, the candidate for President of the Commission they support and, ideally by early 2019, the candidate's own programme. This would make more transparent the link between the individual vote of a citizen of the Union for a particular political party in the elections to the European Parliament, the candidate for President of the Commission supported by that party and his/her vision for the future of Europe.
- (13) By selecting their lead candidates in an open, inclusive and transparent way, e.g. through "primary" elections, European political parties and their national member parties would further strengthen this process. This would also help to raise wider attention as well as to mobilise voters.
- (14) Article 10(4) of the Treaty on European Union and Article 12(2) of the Charter of Fundamental Rights of the European Union assigns a key role to European political

parties. The statute and funding of European political parties and European political foundations is regulated at European level. For reasons of transparency, scrutiny and democratic accountability of European political parties, the Commission has proposed to change relevant rules ahead of the 2019 elections to the European Parliament⁴. In particular, access to funding from the general budget of the European Union should be made conditional upon the publication by the affiliated parties of the programme and logo of the European political party concerned. Citizens should be offered clear and relevant information upfront, in order to understand the impact of their votes at the European party level. Party events, such as congresses, and the electoral campaigns of the national parties are appropriate and efficient additional means of making this affiliation known and giving it clear visibility.

- (15) Starting the campaigns for the elections to the European Parliament much earlier than in the past and making known the European affiliations of participating national parties ahead of the campaign, should contribute to increasing the European dimension of these elections.
- (16) While taking account of the specificities of the national party political landscapes of the Member States, European political parties are encouraged to make known ahead of the start of the campaign, and preferably when announcing their candidates for President of the Commission, which political group in the European Parliament they intend to join or create in the next legislature. This would further increase transparency of the link between national parties, European political parties and political groups in the European Parliament.
- (17) By encouraging and facilitating the provision of information to the electorate on the affiliation of national parties to European political parties during campaigns for the elections to the European Parliament and, where possible, also on the ballots used in those elections, Member States would increase the visibility of the European political parties and the platforms they propose during the whole European electoral process. .
- (18) Article 22(2) of the Treaty on the Functioning of the European Union states that citizens of the Union have the right to vote and to stand as candidates in elections to the European Parliament in the Member State where they choose to live, with 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 nationals⁵.
- (19) In order to support citizens' participation and the European dimension of the elections to the European Parliament, it is encouraged to foster the identification and dissemination of Member States' best practices and measures implemented by Member States in the preparation and administration of those elections, including with regard to the right to vote of European citizens resident in another Member State as well as the promotion of the exercise of electoral rights of underrepresented groups, including persons with disabilities.

⁴ Proposal for a Regulation of the European Parliament and of the Council amending Regulation No. 1141/2014 of the European Parliament and the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations – COM(2017) 481 of 13 September 2017.

⁵ OJ L329, 30.12.1993, p. 34.

- (20) In the light of risks to the electoral process from cyber attacks and disinformation seen in recent elections and campaigns, sharing experience among Member States on related issues should be encouraged.
- (21) Member States, as well as European and national political parties, have a particular responsibility in enhancing the democratic and efficient conduct of the elections to the European Parliament,

HAS ADOPTED THIS RECOMMENDATION:

Engaging with European citizens in debates on European issues ahead of elections to the European Parliament

1. Starting from the Leaders' meeting of 23 February 2018, and taking into account the respective national political structures and practices, Member States should hold outreach events to engage with citizens in public debates concerning European Union issues and the future of Europe. These outreach events should continue until the Leaders' meeting in Sibiu of 9 May 2019, shortly before the elections to the European Parliament.

In the same period, European political parties and national parties should help raise citizens' awareness on the issues at stake at Union level and on how they intend to address them during the upcoming legislature.

Support for a candidate for President of the European Commission

2. Sufficiently early ahead of the elections to the European Parliament, ideally by the end of 2018, each European political party should make known the candidate for the function of the President of the European Commission they support. Ideally by early 2019 they should also make known the candidate's own political programme.

European political parties and their national member parties are encouraged to select their lead candidates in an open, inclusive and transparent way.

National political parties should ensure that their political information, including their political broadcasts, in view of the elections to the European Parliament are also used to inform citizens about the candidate for the function of President of the European Commission they support and about their candidate's programme.

Informing voters about the affiliation between national parties and European political parties

3. While taking account of the specificities of the national party political landscapes of the Member States, national political parties participating in the elections to the European Parliament should make publicly known ahead of those elections and before the start of the electoral campaign, if and with which European political party they are affiliated and which lead candidate they support.

To the extent possible, national political parties should prominently display this information, including, where appropriate, the logo of the European political party, in all campaign materials, communications and political broadcasts.

European political parties are encouraged to make known ahead of the start of the campaign, and preferably when announcing their candidates for President of the Commission, which political group in the European Parliament they intend to join or create in the next legislature.

Encouraging and facilitating information for voters on the affiliation between national parties and European political parties

4. Member States should encourage and facilitate the provision of information to the electorate on the affiliation between national parties and European political parties as well as their lead candidates before and during the elections to the European Parliament, such as by allowing and encouraging the indication of such an affiliation in the campaign material, on the websites of national and regional member parties, and, where possible, on the ballots used in those elections.

Efficient conduct

5. To ensure that European citizens resident in another Member State can use their right to vote in that Member State, to promote the exercise of electoral rights of underrepresented groups, including persons with disabilities, and overall to support democratic conduct and a high turnout, the competent national authorities are encouraged to meet in spring 2018, with the support of the Commission, to exchange best practices and practical measures.

The competent national authorities are further encouraged to identify, based on the experiences of Member States, best practices in the identification, mitigation and management of risks to the electoral process from cyber attacks and disinformation.

This Recommendation is addressed to the Member States and to the European and national political parties.

Done at Brussels, 14.2.2018

For the Commission

The President