

## Towards truly European Elections through a renewed European Electoral Act

### JEF Europe,

- having regard to Art. 3, Art. 10 and Art. 14§2 of the Treaty on the European Union (TEU);
- having regard to art. 22§2 and art. 223§1 of Treaty on the Functioning of the EU (TFEU);
- having regard to Art. 39 § 2 of the European Charter of Fundamental Rights;
- having regard to The European Electoral Act of 1976 as amended in 2002<sup>1</sup> and 2018<sup>2</sup>;
- having regard to Regulation No 1141/2014;
- having regard to Directive 93/109/EC;
- having regard to its own resolutions “Structure of the European Parliament” adopted in Autumn 2016 in Cologne and readopted March 2019 in London; and “From the Spitzenkandidaten to renewed European democracy” adopted in Paris October 26th 2019;

### JEF Europe,

- *Emphasising* the universal right to vote for all European citizens, no matter their place of residence;
- *Convinced that* the elections of the European Parliament present a key factor of the democratic life of the European Union;
- *Strongly believing that* the nation state is an obsolete institutional entity, whose sovereignty is not suited anymore to deal with global and supranational issues like the ones we are currently facing, and its borders in the past have been a pretext for conflict and war, representing still today a threat to peace;
- *Reaffirming the importance of* a strong federal and democratic European Parliament as it directly and democratically represents the will of European citizens;
- *Regretting that* electoral campaigns and public debates preceding European elections often relate to domestic issues instead of genuine European topics;
- *Welcomes* the changes made to Council Decision (EU, Euratom) 2018/994, whereby Member States may allow for the display, on ballot papers, of the name or logo of the European political party to which the national political party or individual candidate is affiliated, however regrets that this choice remains optional;

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<sup>1</sup> Act concerning the election of the members of the European Parliament by direct universal suffrage, September 29th 2002, OJ L 283, P. 0001 – 0004.

<sup>2</sup> Council Decision (EU, Euratom) 2018/994 of 13 July 2018 amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, OJ L 178, 16.7.2018, p. 1–3; The Council Decision 2018/994 however is not yet in force, as it yet has to be ratified by Member States in accordance to their respective constitutional requirements.

- *Concerned about* the constantly low turnout of the European elections, revealing public indifference regarding the EU and the European Parliament in particular, although encouraged by the higher turnout in 2019;
- *Welcoming that* political parties nominate Spitzenkandidaten for the presidency of the European Commission as a way to increase public awareness and to illustrate the transnational dimension of the European elections;
- *Considering that* the European elections are governed to a great extent by national rules that are insufficiently harmonised by EU legislation;
- *Further welcomes* the improvement made by Council Decision (EU, Euratom) 2018/994 whereby a deadline for the submission of candidacies for election to the European Parliament is set, which shall be at least three weeks before the date fixed by the relevant Member State; however regrets that no common deadline could be agreed upon<sup>3</sup>;
- *Considering that* some of the proposals, currently debated, regarding the reform of the electoral law might require modifying the Treaties;

**JEF Europe, therefore,**

- *Affirms that* European elections can only be truly federal if based upon three pillars, namely: truly European Parties, a renewed European Electoral Act (EEA), and a democratically composed federal European Parliament;

**JEF Europe, with regard to a truly European Political Party System,**

1. Calls for European party families to structure themselves federally and become cohesive European Political Parties rather than a coalition of national parties;
2. Calls upon European parties to draft genuine European political programmes on transnational issues, on the basis of which they would run for elections;
3. Expects from the European Political Parties to organise party primaries in which they elect their respective Spitzenkandidaten in advance of the elections to the European Parliament;
4. Further calls for changes to Regulation 1141/2014, to enable European Parties to choose transnational candidates and finance transnational electoral campaigns;

**JEF Europe, with regard to a renewed European Electoral Act,**

5. recommends it be structured around (a) general provisions, (b) provisions concerning the respective national candidate lists for the European Elections, as well as (c) provisions outlining transnational lists;

**a. As to the general provision of a renewed European Electoral Act, JEF Europe**

- i. Believes that elections to the European Parliament shall be by direct universal suffrage and shall be free, fair and secret;
- ii. Encourages all member states to lower the voting age to 16;
- iii. Calls for a common and uniform voting age across the whole Union;
- iv. Calls for an increased information campaign advertising the European Election Days, as well as for facilitating voters' access to the polling stations and ability to take part in voting procedures, including through regulatory measures special attention should be paid to facilitating the participation of EU citizens resident in Member States other than their own;
- v. Demands that all European citizens eligible to vote in the European elections have their right to vote granted equally in all Member States

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<sup>3</sup> changes made by the insertion of Art. 3a by the above mentioned Council decision of June 2018

and in all possible vote modality, it being by post or digitally, as long as the necessary security measures are ensured;

- vi. Demands that a single, EU-wide transnational constituency be established, in addition to existing national or regional ones, for the election of the European Parliament;
- vii. Demands, accordingly, that European citizens be given the right to two votes, one for their respective national or regional list, a second one for a common EU transnational list;
- viii. Calls on European and national legislators to establish common guidelines for the shape of constituencies for the European elections, in particular in terms of size of their population, in order to ensure equal representation of EU citizens, as well as considering reducing the size of constituencies to ensure a closer connection between elected representatives and their voters;
- ix. Urges European and national legislators to consider the establishment of cross-border constituencies for the European elections;
- x. Encourages Member States to reform their electoral rules so that the name and logo of the national parties' respective European political parties would, at a minimum, be displayed on the European election ballot papers;
- xi. Asks to set a common deadline for the submission of candidacies at eight weeks before election days to ensure that a European campaign can effectively take place;
- xii. Endorses the establishment of a minimum threshold for the allocation of seats for constituencies;
- xiii. Calls on the relevant national and European legislators and authorities to take all necessary measures to ensure that every European citizen can vote in European elections when living in another EU country or a third country.
- xiv. Keeps in mind that a common Election Day would strengthen the transnational dimension of the elections to the European Parliament;

**b. in relation to the national candidate lists, JEF Europe**

- i. Encourages Member States to further harmonise their national electoral laws by ensuring a common minimum age for candidates to stand in elections;
- ii. Encourages national political parties to further make use of existing provisions, which allow for non-nationals to stand in European elections in national lists of their country of residence;

**c. With respect to common transnational lists, JEF Europe**

- i. Demands transnational lists be introduced in time for the coming 2024 European Elections and that each European Party Family establish their own transnational list for that time;
- ii. Suggests, as a minimum, that 46 seats within the European Parliament be allocated to transnational MEPs;
- iii. Urges European political parties to ensure that their respective transnational lists reflect the diversity of the Union, by drawing candidates from at least one quarter of the 27 Member States;
- iv. Further urges European political parties to limit the percentage of candidates from a single Member State with respect to the total candidates on each respective transnational list, in order to dispel fears

of too much influence by the bigger and more populous Member States;

- v. Considers that each transnational list should be headed by a candidate for the European Commission Presidency, the so called Spitzenkandidat, which would strengthen the Spitzenkandidaten system as a whole and give citizens a “European face” in the electoral campaign with whom they could identify;
- vi. Consequently believes that the respective transnational list must be closed in order to preserve the Spitzenkandidaten system and not confuse the electorate with an open preferential list, which could change the Spitzenkandidat after the announcement of the election results;

**JEF Europe, with regard to a democratically composed federal European Parliament,**

- 6. Reaffirms its commitment that the total number of Members of the European Parliament shall not exceed 751 as enshrined in Art. 14 § 2 TEU;
- 7. Further recalls that, as stated in its Political Platform, a federal Europe should have a bicameral Parliament, whereby the first chamber would be the “Chamber of European Citizens”, composed of representatives of European citizens as a whole, elected nationally and transnationally, and the second chamber the “European Senate”, composed of representative of the Member States;

**Finally JEF Europe**

- 8. Supports all federalist-minded Members of the European Parliament in their work towards a renewed European electoral reform;
- 9. Calls on European and national legislators, alongside other relevant political stakeholders, to initiate the process to achieve the aforementioned reforms;
- 10. Invites other transnational organisations to join the campaign for a renewed way of electing the European Parliament and European democracy.