# Commission Implementing Decision (EU) 2020/396 of 4 March 2020 on the proposed citizens' initiative entitled 'Voters Without Borders, Full Political Rights for EU Citizens' (notified under document C(2020) 1298) (Only the English text is authentic)

## COMMISSION IMPLEMENTING DECISION (EU) 2020/396

of 4 March 2020

on the proposed citizens' initiative entitled 'Voters Without Borders, Full Political Rights for EU Citizens'

*(notified under document C(2020) 1298)*

(Only the English text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative[1], and in particular Article 6 thereof,

Whereas:

(1) The objectives of the proposed citizens' initiative entitled Voters Without Borders, Full Political Rights for EU Citizens' refer to the following:

> We demand reforms to strengthen the existing rights of EU citizens to vote and stand in European and municipal elections in their country of residence and new legislation to extend them to regional, national elections and referenda. Main objectives:
>
> — Remove barriers to registration of EU citizens to vote and stand in European and local elections either in their country of residence or origin.
>
> — Reaffirm Universal Suffrage as a fundamental right and value. EU citizens should have the right to choose whether to vote in their country of residence or origin for all elections and referenda.
>
> — Research the impact of such genuine Europeanization of voting rights, the necessary safeguards, and how they could include third-country nationals. These reforms remove a stain on European democracy and create a space for transnational politics.

(2) An annex provided by the organisers on the proposed citizens' initiative contains further information on these objectives. It states that the number of EU citizens living and working in Member States other than that of their nationality is increasing but that due to the barriers and obstacles in the exercise of their voting rights in their country of residence they often feel unrepresented in local politics. According to the annex, 'the low turnout of mobile EU citizens in local and European elections is not surprising, since they are still only given the right to vote in municipal and European elections in their country of residence but are excluded from the elections and democratic

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/396. (See end of Document for details)*

choices which really count'. The proposed initiative therefore strives to 'make European citizenship a real citizenship', 'to take a step towards universal suffrage' by giving EU citizens full political rights, 'to encourage better integration' and 'to help build a transnational European democracy'.

(3) The organisers have submitted additional information in the form of a brochure.

(4) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.

(5) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.

(6) As regards the objective quoted in paragraph 1 under the first bullet point, notably to 'remove barriers to registration of EU citizens to vote and stand in European and local elections either in their country of residence or origin', the Commission would have the competence to adopt a proposal for a legal act of the Union in that area on the basis of Article 22 TFEU.

(7) As regards the objective quoted in paragraph 1 under the second bullet point, notably to 'reaffirm Universal Suffrage as a fundamental right and value. EU citizens should have the right to choose whether to vote in their country of residence or origin for all elections and referenda', the Commission would have the competence to adopt a proposal for a legal act of the Union in that area on the basis of Article 25(2) TFEU.

(8) As regards the objective quoted in paragraph 1 under the third bullet point, notably to 'research the impact of such genuine Europeanization of voting rights, the necessary safeguards, and how they could include third-country nationals', Article 79(4) TFEU authorises the Union 'to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States'. Article 79(4) TFEU would thus allow for the adoption of a Commission proposal for a research programme on EU democracy/voting rights that would include a component considering the extent to which it might be possible to enhance civic rights of third country nationals resident in the territory of the Union.

(9) For these reasons, none of the parts of the proposed initiative manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties in accordance with Article 6(3)(c) of Regulation (EU) 2019/788.

(10) The group of organisers has been formed and the contact persons have been designated in accordance with Article 5(1)-(3) of the Regulation.

(11) The proposed initiative is neither manifestly abusive, frivolous or vexatious nor manifestly contrary to the values of the Union as set out in Article 2 TEU and rights enshrined in the Charter of Fundamental Rights of the European Union.