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European Union

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Interinstitutional Files:

2021/0381(COD)
2021/0372(CNS)
2021/0373(CNS)
2021/0375(COD)

AG 52
INST 182
PE 50
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TELECOM 218
AUDIO 45
DISINFO 42
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FIN 550
CODEC 628

COVER NOTE

From: European Committee of the Regions
date of receipt: 30 April 2022
To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council
of the European Union

Subject: - COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Protecting election integrity and promoting democratic participation (COM (2021) 730 final)

- Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the transparency and targeting of political advertising (COM (2021) 731 final)

- Proposal for a COUNCIL DIRECTIVE laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (recast) (COM (2021) 732 final)

- Proposal for a COUNCIL DIRECTIVE laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by Union citizens residing in a Member State of which they are not nationals (recast) (COM (2021) 733 final)

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- Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the statute and funding of European political parties and European political foundations (recast) (COM (2021) 734 final)
 - = Opinion of the European Committee of the Regions
-

Delegations will find attached the opinion adopted by the European Committee of the Regions on the above.

Other language versions, if needed, soon available on the following website:

<https://dmsearch.cor.europa.eu/search/opinion>



**European Committee
of the Regions**

CIVEX-VII/013

149th plenary session, 27-28 April 2022

Reinforcing democracy and integrity of elections

THE EUROPEAN COMMITTEE OF THE REGIONS

- firmly supports all efforts to ensure an open, fair and pluralistic political debate, and equal democratic participation and engagement; (Article 1)
- regrets that the proposed measures in the package on Reinforcing democracy and integrity of elections do not adequately reflect their implications at the local and regional level; underscores the specific knowledge at local and regional level with regard to identifying potential threats to the integrity of democratic processes; (Article 2)
- welcomes the establishment of the "joint mechanism for electoral resilience"; furthermore, believes that the local and regional dimension should be incorporated into such cooperation given its aim to protect elections at all levels; (Article 3)
- would like to see the legislative proposals recognise the fact that local and regional authorities contribute to strengthening European democracy by promoting and facilitating the participation of European citizens in European and local elections, a task that cannot be kept solely within the remit of state authorities in the individual Member States; (Article 8)
- expects Member States to recognise the right of European citizens residing in other Member States (mobile citizens) to stand as candidates in municipal elections for all positions; (Article 9)
- advocates that the right of citizens to participate by means of advance voting, postal voting, electronic voting and internet voting should be promoted; (Article 10)
- welcomes the establishment of a contact point on electoral rights at Commission level; highlights the associated need to ensure capacity building and adequate funding for local and regional authorities; (Article 11)
- calls for related initiatives to be accompanied by capacity building of public authorities to address disinformation at all levels in a targeted manner; notes that there is a lack of recognition that local and regional authorities, being closest to the citizens, can be a valuable asset in fighting disinformation. (Article 13)

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Rapporteur

Vincenzo Bianco (IT/PES)

Member of Catania Municipal Council

Reference documents

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Protecting election integrity and promoting democratic participation

COM(2021) 730 final

Proposal for a regulation of the European Parliament and of the Council on the transparency and targeting of political advertising

COM(2021) 731 final

Proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (recast)

COM(2021) 732 final

Proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by Union citizens residing in a Member State of which they are not nationals (recast)

COM(2021) 733 final

Proposal for a regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations (recast)

COM(2021) 734 final

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Opinion of the European Committee of the Regions –
Reinforcing democracy and integrity of elections

I. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1
COM/2021/731 final
Article 7 (2)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>The transparency notice shall be included in each political advertisement or be easily retrievable from it, and shall include the following information: (a) the identity of the sponsor and contact details; (b) the period during which the political advertisement is intended to be published and disseminated; (c) based among others on information received in line with Article 6(3), information on the aggregated amounts spent or other benefits received in part or full exchange for the preparation, placement, promotion, publication and dissemination of the relevant advertisement, and of the political advertising campaign where relevant, and their sources; (d) where applicable, an indication of elections or referendums with which the advertisement is linked; (e) where applicable, links to online repositories of advertisements; (f) information on how to use the mechanisms provided for in Article 9(1). (g) The information to be included in the transparency notice shall be provided using the specific data fields set out in Annex I.</p>	<p>The transparency notice shall be included in each <i>online and offline</i> political advertisement or be easily retrievable from it, and shall include the following information: (a) the identity of the sponsor and contact details; (b) the period during which the political advertisement is intended to be published and disseminated; (c) based among others on information received in line with Article 6(3), information on the aggregated amounts spent or other benefits received in part or full exchange for the preparation, placement, promotion, publication and dissemination of the relevant advertisement, and of the political advertising campaign where relevant, and their sources; (d) where applicable, an indication of elections or referendums with which the advertisement is linked; (e) where applicable, links to online repositories of advertisements; (f) information on how to use the mechanisms provided for in Article 9(1). (g) The information to be included in the transparency notice shall be provided using the specific data fields set out in Annex I.</p>

Reason
<p>Article 7(2) of the draft regulation outlines the information that should be included in the transparency notice for every political advertisement, and that this notice is also to be easily accessible from it. Given the complexity of the information that should be provided, obligations should consider the specificities of offline and online media.</p>

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Amendment 2
COM/2021/731 final
Article 9

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>Indicating possibly unlawful political advertisements</p> <p>1. Where they provide political advertising services, advertising publishers shall put in place mechanisms to enable individuals to notify them, free of charge, that a particular advertisement which they have published does not comply with this Regulation.</p> <p>2. Information on how to notify political advertisements as referred to in paragraph 1 shall be user friendly and easy to access, including from the transparency notice.</p> <p>3. Political advertising publishers shall allow for the submission of the information referred to in paragraph 1 by electronic means. The political advertising publisher shall inform individuals of the follow up given to the notification as referred to in paragraph 1.</p> <p>4. Repetitive notifications under paragraph 1 regarding the same advertisement or advertising campaign may be responded to collectively, including by reference to an announcement on the website of the political advertising publisher concerned.</p>	<p>Indicating possibly unlawful political advertisements</p> <p>1. Where they provide political advertising services, advertising publishers shall put in place mechanisms to enable individuals to notify them, free of charge, that a particular advertisement which they have published does not comply with this Regulation.</p> <p>2. Information on how to notify political advertisements as referred to in paragraph 1 shall be user friendly and easy to access, including from the transparency notice.</p> <p>3. Political advertising publishers shall allow for the submission of the information referred to in paragraph 1 by electronic means. The political advertising publisher shall inform individuals of the follow up given to the notification as referred to in paragraph 1.</p> <p>4. Repetitive notifications under paragraph 1 regarding the same advertisement or advertising campaign may be responded to collectively, including by reference to an announcement on the website of the political advertising publisher concerned.</p> <p><i>5. Specific channels shall also be established to allow individuals to lodge complaints with the competent authorities as laid out in Article 15 of this Regulation.</i></p>

Reason
<p>Article 15 requires Member States to designate competent authorities to monitor the compliance of providers of intermediary services within the meaning of the Regulation. Given their role, these competent authorities should also be in the position to monitor notifications of non-compliance with the Regulation. This would also alleviate the possible failure of private companies to act on such notifications.</p>

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Amendment 3
COM/2021/731 final
Article 15 (7)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Each Member State shall designate one competent authority as a contact point at Union level for the purposes of this Regulation.	Each Member State shall designate one competent authority as a contact point at Union level for the purposes of this Regulation. <i>Each Member State shall ensure that contact points are established at regional and local level.</i>

<i>Reason</i>
To advocate that the national authority also have regional and local branches, establishing contact points at regional and local level.

Amendment 4
COM/2021/731 final
Article 15 (9)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Contact points shall meet periodically at Union level in the framework of the European Cooperation Network on Elections to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcements tasks pursuant to this Regulation.	Contact points shall meet periodically at Union level in the framework of the European Cooperation Network on Elections to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcements tasks pursuant to this Regulation, <i>and to explore the approximation of rules on sanctions including administrative fines and financial penalties applicable to providers of political advertising services, as laid out in Article 16.</i>

<i>Reason</i>
With a view to the goal of this Regulation to ensure harmonisation of the internal market for the provision of services in political advertising, and to create a level playing field, it could be desirable to approximate the sanctions for infringements of the provisions of this Regulation. Such an approach would also prevent sanctions from being potentially too dissuasive in some Member States so as to prevent actors from political engagement.

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Amendment 5
COM/2021/732 final
Article 12 (1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Member States shall designate a national authority with responsibility for taking the necessary measures to ensure that non-national Union citizens are informed in a timely manner of the conditions and detailed rules for registration as a voter or candidate in elections to the European Parliament.	Member States shall designate a national authority with responsibility for taking the necessary measures, <i>in cooperation with regional and, where applicable, local authorities,</i> to ensure that non-national Union citizens are informed in a timely manner of the conditions and detailed rules for registration as a voter or candidate in elections to the European Parliament. <i>Member States shall take all further measures necessary to raise awareness of, promote and facilitate the exercise of Union citizens' electoral rights, including via regional, and where applicable, local authorities.</i>

<i>Reason</i>
Account should be taken of the different structures for administering elections in the Member States. The amendment also advocates that the national authority should cooperate with regional and, where applicable, local branches in order to ensure that public information campaigns are comprehensive and far-reaching, in accordance with the proximity principle, regarding the conditions and arrangements for registering as voters or candidates in European Parliament elections.

Amendment 6
COM/2021/732 final
Article 12 (3)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
The information on conditions and detailed rules for registration as a voter or candidate in elections to the European Parliament and the information referred to in paragraph 2 shall be provided in clear and plain language. <i>The</i> information referred to in the first subparagraph shall, in addition to being communicated in one or more of the official languages of the host Member State, also be accompanied by a translation in at least one other official language of the Union that is broadly understood by the largest possible number of Union citizens residing on its territory, in accordance with the quality	The information on conditions and detailed rules for registration as a voter or candidate in elections to the European Parliament and the information referred to in paragraph 2 shall be provided in clear and plain language. <i>Provided the competent authorities have the necessary administrative capacities, the</i> information referred to in the first subparagraph shall, in addition to being communicated in one or more of the official languages of the host Member State, also be accompanied by a translation in at least one other official language of the Union that is broadly understood by the largest possible number of Union citizens

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requirements of Article 9 of Regulation (EU) 2018/1724 of the European Parliament and of the Council.	residing on its territory, in accordance with the quality requirements of Article 9 of Regulation (EU) 2018/1724 of the European Parliament and of the Council.
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Reason
This Article introduces an obligation for the competent authorities to communicate a wide range of information to mobile EU citizens, also in several languages, on, inter alia, the status of their registration; the relevant rules on voter and candidate rights and obligations; and means of obtaining further information relating to the organisation of the election. As noted in the amendment to Article 12(1), these competent authorities should not exclusively be designated at the national level. Given the extensive information provided, such an obligation could present an administrative burden to the local and regional authorities in some Member States.

Amendment 7
COM(2021) 732 final
Article 14

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Member States <i>that</i> provide for the possibilities of advance voting, postal voting, and electronic and internet voting, in elections to the European Parliament <i>shall ensure the availability of those voting methods to Union voters under similar conditions as the ones applicable to their own nationals.</i>	Member States <i>shall aim to</i> provide for the possibilities of advance voting, postal voting, and electronic and internet voting, in elections to the European Parliament. <i>Member States shall take all necessary measures to ensure access for non-national Union citizens residing in their country to advance voting, postal voting, and electronic and internet voting under similar conditions as the ones applicable to their own nationals, including through measures taken by local and regional authorities.</i>

<i>Reason</i>
The amendment seeks to emphasise the contribution that local and regional authorities can make in ensuring the availability of all voting methods to Union voters. At the same time, all Member States should hold elections in green and sustainable ways.

Amendment 8
COM(2021) 732 final
Article 15

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Member States shall designate an authority with responsibility for collecting and providing relevant statistical data to the public <i>and</i> the	Member States shall designate an authority with responsibility for collecting and providing relevant statistical data to the public, the

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Commission, on the participation of Union citizens who are not nationals in elections to the European Parliament.	Commission <i>and the European Committee of the Regions</i> , on the participation of Union citizens who are not nationals in elections to the European Parliament.
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<i>Reason</i>
To ensure the involvement of the European Committee of the Regions in the monitoring of statistics on the participation of non-national Union citizens in European Parliament elections.

Amendment 9
COM(2021) 732 final
Article 17 (1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Within six months after each election to the European Parliament Member States shall send information to the Commission on the application of this Directive in their territory. In addition to general observations, the report shall contain statistical data on the participation in elections to the European Parliament of Union voters and Union citizens entitled to stand as candidates and a summary of the measures taken to support it.	Within six months after each election to the European Parliament Member States shall send information to the Commission <i>and the European Committee of the Regions</i> on the application of this Directive in their territory. In addition to general observations, the report shall contain statistical data on the participation in elections to the European Parliament of Union voters and Union citizens entitled to stand as candidates and a summary of the measures taken to support it.

<i>Reason</i>
To ensure the involvement of the European Committee of the Regions in the monitoring of statistics on the participation of non-national Union citizens in European Parliament elections.

Amendment 10
COM(2021) 733 final
Article 2 (1) (b)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
'municipal elections' means elections by direct universal suffrage to appoint the members of the representative council and, <i>where appropriate, under the laws of each Member State</i> , the head and members of the executive of a basic local government unit;	'municipal elections' means elections by direct universal suffrage to appoint the members of the representative council and the head and members of the executive of a basic local government unit;

<i>Reason</i>
To extend the eligibility of Member State citizens to stand for all elected offices, including positions of an executive nature in basic local government units.

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Amendment 11
COM(2021) 733 final
Article 5 (3)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p><i>Member States may provide that only their own nationals may hold the office of elected head, deputy or member of the governing college of the executive of a basic local government unit if elected to hold office for the duration of their mandate.</i></p> <p><i>The Member States may also lay down that the temporary or interim performance of the functions of a head, deputy or member of the governing college of the executive of a basic local government unit may be restricted to own nationals.</i></p> <p>Having regard to the Treaty and to general legal principles, Member States may take appropriate, necessary and proportional measures to ensure that the offices referred to in the first subparagraph can only be held and the interim functions referred to in the second subparagraph can be performed only by their own nationals.</p>	<p><i>Member States may provide, in limited, exceptional and duly motivated cases, that only their own nationals may hold the office of elected head, deputy or member of the governing college of the executive of a basic local government unit if elected to hold office for the duration of their mandate.</i></p> <p><i>The Member States may also lay down, in limited, exceptional and duly motivated cases, that the temporary or interim performance of the functions of a head, deputy or member of the governing college of the executive of a basic local government unit may be restricted to own nationals.</i></p> <p>Having regard to the Treaty and to general legal principles, Member States may take appropriate, necessary and proportional measures to ensure that the offices referred to in the first subparagraph can only be held and the interim functions referred to in the second subparagraph can be performed only by their own nationals.</p>

<i>Reason</i>
<p>Restricting the eligibility of Member State citizens to stand for all elected offices, including positions of an executive nature should be limited, exceptional and duly justified by Member States in order to fight discrimination in access to elected positions in basic local government units.</p>

Amendment 12
COM(2021) 733 final
Article 10

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>Member States <i>that</i> provide for the possibility for nationals to vote by means of advance voting, postal voting, and electronic and internet voting in municipal elections <i>shall ensure that such means of voting are also available under the same conditions to voters pursuant to Article 3.</i></p>	<p>Member States <i>shall aim to</i> provide for the possibility for nationals to vote by means of advance voting, postal voting, and electronic and internet voting in municipal elections.</p> <p><i>Member States shall take all necessary measures to ensure access for non-national Union citizens residing in their country to advance voting,</i></p>

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	<i>postal voting, and electronic and internet voting under the same conditions as the ones applicable to their own nationals, including through measures taken by local and regional authorities.</i>
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<i>Reason</i>
The amendment seeks to emphasise the contribution that local and regional authorities can make in ensuring the availability of all voting methods to municipal election voters who are nationals or non-nationals of that State. At the same time, all Member States should hold elections in green and sustainable ways.

Amendment 13
COM(2021) 733 final
Article 12 (1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Member States shall designate a national authority with responsibility for taking the necessary measures to ensure that non-national Union citizens are informed in a timely manner of the conditions and detailed rules for registration as a voter or candidate in municipal elections.	Member States shall designate a national authority, <i>in cooperation with regional and, where applicable, local authorities</i> , with responsibility for taking the necessary measures to ensure that non-national Union citizens are informed in a timely manner of the conditions and detailed rules for registration as a voter or candidate in municipal elections. <i>Member States and their relevant levels of governance shall take all further measures necessary to raise awareness of, promote and facilitate the exercise of the electoral rights of non-national Union citizens residing in their country, including regional and, where applicable, local authorities.</i>

<i>Reason</i>
Account should be taken of the different structures for administering elections in the Member States. The amendment seeks to ensure the involvement of regional, and where applicable, local authorities in raising awareness of, promoting and facilitating the exercise of the electoral rights of non-national Union citizens residing in their country in municipal elections.

Amendment 14
COM(2021) 733 final
Article 14

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
1. Within three years of the entry into force of	1. Within three years of the entry into force of this

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<p>this Directive and every four years thereafter, the Member States shall report to the Commission on the application of this Directive in their territory, including on the application of Article 5(3) and (4). The report shall contain statistical data on the participation in municipal elections of voters and candidates pursuant to Article 3 and a summary of measures taken in that regard.</p> <p>2. Within five years of the entry into force of this Directive and every five years thereafter, the Commission shall submit a report to the European Parliament <i>and</i> the Council on the application of this Directive, including on the basis of the information provided by Member States pursuant to paragraph 1 of this Article.</p>	<p>Directive and every four years thereafter, the Member States shall report to the Commission <i>and the European Committee of the Regions</i> on the application of this Directive in their territory, including on the application of Article 5(3) and (4). The report shall contain statistical data on the participation in municipal elections of voters and candidates pursuant to Article 3 and a summary of measures taken in that regard, <i>as well as an overview of the administrative challenges encountered at the relevant levels of government.</i></p> <p>2. Within five years of the entry into force of this Directive and every five years thereafter, the Commission shall submit a report to the European Parliament, the Council <i>and the European Committee of the Regions</i> on the application of this Directive, including on the basis of the information provided by Member States pursuant to paragraph 1 of this Article.</p>
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<i>Reason</i>
<p>To push for the involvement of the European Committee of the Regions in the process of monitoring the implementation of the Directive by the Member States.</p> <p>The organisational matters related to elections are a matter for the Member States, and the specific arrangements regarding the conduct of elections can vary among them. In that regard, some of the obligations introduced by the recast of Directive 94/80/EC could potentially pose significant administrative burdens on local authorities. It is therefore important to track the challenges observed which could potentially inform appropriate remedies on the European, national or local level.</p>

Amendment 15
COM(2021) 733 final
Article 15

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>Within two years after the 2029 elections to the European Parliament, the Commission shall assess its application and produce an evaluation report on the progress towards achievement of the objectives contained herein.</p>	<p>Within two years after the 2029 elections to the European Parliament, the Commission, <i>after consulting the European Committee of the Regions</i>, shall assess its application and produce an evaluation report on the progress towards achievement of the objectives contained herein.</p>

<i>Reason</i>
<p>To ensure the involvement of the European Committee of the Regions in the Commission's implementation of the Directive.</p>

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Amendment 16
COM(2021) 733 final
Article 17 (1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 8 (2), (3) and (5), 9(1) and (2), 10, 11(1) and (3), 12, 14 and Annexes I, II and III by 31 December 2023. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p>	<p>Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 8 (2), (3) and (5), 9(1) and (2), 10, 11(1) and (3), 12, 14 and Annexes I, II and III by 31 December 2023. They shall immediately communicate the text of those measures to the Commission and the European Committee of the Regions.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p>

<i>Reason</i>
To push for the involvement of the European Committee of the Regions in the process of monitoring the implementation of the Directive by the Member States.

Amendment 17
COM(2021) 733 final
Article 17 (2)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.</p>	<p>Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. The Commission shall communicate to the European Committee of the Regions the information and documents received from the Member States pursuant to this Article.</p>

<i>Reason</i>
To ensure the involvement of the European Committee of the Regions in the Commission's

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implementation of the Directive.

Amendment 18
COM/2021/734 final
Article 4 (1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
1. The statutes of a European political party shall comply with the applicable law of the Member State in which it has its seat and shall include provisions covering at least the following: (j) <i>its</i> internal rules regarding gender balance.	1. The statutes of a European political party shall comply with the applicable law of the Member State in which it has its seat and shall include provisions covering at least the following: (j) <i>explicit and precise</i> internal rules regarding gender balance, <i>specifying the concrete measures applied with a view to reaching gender parity in terms of membership, political representation and the exercise of democratic mandates.</i>

Reason

European political parties should lead by example when it comes to gender balance. Therefore, their internal rules should include specific measures aimed at ensuring gender balance also in terms of party membership, political representation and overall exercise of mandates.

Amendment 19
COM/2021/734 final
Article 4 (2)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
2. The statutes of a European political party shall include provisions on internal party organisation covering at least the following: ... (e) its approach to transparency, in particular in relation to bookkeeping, accounts and donations, privacy and the protection of personal data; (f) the internal procedure for amending its statutes.	2. The statutes of a European political party shall include provisions on internal party organisation covering at least the following: ... (e) its approach to transparency, in particular in relation to bookkeeping, accounts and donations, privacy and the protection of personal data; (f) <i>a statement of commitment to pursue the values on which the Union is founded, as expressed in Article 2 TEU, to combat disinformation and to refrain from the dissemination of incorrect or misleading information, hate speech and messages that incite violence;</i> (g) the internal procedure for amending its

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	statutes.
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Reason
European political parties play an important role in strengthening European identity and the feeling of belonging to a common European political space. In this context, they are also instrumental to promoting the rights and values on which the European Union is founded, as well as fighting disinformation and refraining from any actions that incite hatred and violence. This commitment should be reflected in their statutes.

Amendment 20
COM/2021/734 final
Article 23 (9) and (10)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>Donations, contributions and own resources</p> <p>9. Contributions from members of a European political party that have their seat in, or are citizens of, a Member State <i>or from member parties that have their seat in a country belonging to the Council of Europe</i> shall be permitted. The total value of contributions from members shall not exceed 40 % of the annual budget of a European political party. The value of contributions from member parties that have their seat in a country outside the Union shall not exceed 10% of the total contributions from members.</p> <p>10. Contributions from members of a European political foundation that have their seat in, or are citizens of, a Member State <i>or from member organisations that have their seat in a country belonging to the Council of Europe</i>, and from the European political party with which it is affiliated, shall be permitted. The total value of contributions from members shall not exceed 40 % of the annual budget of a European political foundation and shall not derive from funds received by a European political party pursuant to this Regulation from the general budget of the European Union. The value of contributions from member organisations that have their seat in a country outside the Union shall not exceed 10% of the total contributions from members.</p>	<p>Donations, contributions and own resources</p> <p>9. Contributions <i>only</i> from members of a European political party that have their seat in, or are citizens of, a Member State shall be permitted. The total value of contributions from members shall not exceed 40% of the annual budget of a European political party. The value of contributions from member parties that have their seat in a country outside the Union shall not exceed 10% of the total contributions from members.</p> <p>10. Contributions <i>only</i> from members of a European political foundation that have their seat in, or are citizens of, a Member State, and from the European political party with which it is affiliated, shall be permitted. The total value of contributions from members shall not exceed 40% of the annual budget of a European political foundation and shall not derive from funds received by a European political party pursuant to this Regulation from the general budget of the European Union. The value of contributions from member organisations that have their seat in a country outside the Union shall not exceed 10% of the total contributions from members.</p>

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Reason
The newly introduced provision on allowing European political parties and foundations to be financed not only from within the European Union, but also from countries belonging to the Council of Europe raise concerns about the transparency of those contributions.

Amendment 21
COM/2021/734 final
Article 24 (2)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
The funding of European political parties and European political foundations from the general budget of the European Union or from any other source may be used to finance referendum campaigns when those campaigns concern the implementation of the Treaties of the Union.	The funding of European political parties and European political foundations from the general budget of the European Union or from any other source may be used to finance referendum campaigns when those campaigns concern the implementation of the Treaties of the Union, <i>with due regard to the principle of subsidiarity.</i>

Reason
In some Member States, referenda are held on local and regional (or state) level. This implies that referenda on those administrative levels would concern issues legally relevant in their specific area of competence. Additional safeguards need to be introduced to ensure that referendum campaigns are financed by European political parties and European political foundations only in referenda with a clear EU-wide dimension.

Amendment 22
COM/2021/734 final
Article 35

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Provision of information to citizens Subject to Articles 24 and 25 and to their own statutes and internal processes, European political parties <i>may</i> , in the context of elections to the European Parliament, take all appropriate measures to inform citizens of the Union of the affiliations between national political parties and candidates and the European political parties concerned.	Provision of information to citizens Subject to Articles 24 and 25 and to their own statutes and internal processes, European political parties <i>shall</i> , in the context of elections to the European Parliament, take all appropriate measures to inform citizens of the Union of the affiliations between national political parties and candidates and the European political parties concerned.

Reason
An obligation to promote affiliations between national political parties and candidates and the European political parties concerned seems to be more appropriate and aligned with the general aim of this Regulation, including in terms of increasing the visibility of European political parties at national level. For example, the new provision contained in Article 4 (1) lays out a requirement that member

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parties display the European political party's logo in a clearly visible and user-friendly manner, so that it is as visible as the member party's own logo.

II. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

Introduction

1. welcomes the European Commission's package of measures on Reinforcing democracy and integrity of elections; shares the goals pursued by these measures, and firmly supports all efforts to ensure an open, fair and pluralistic political debate, and equal democratic participation and engagement;
2. regrets that the proposed measures in the package on Reinforcing democracy and integrity of elections do not adequately reflect their implications at the local and regional level; underscores the specific knowledge at local and regional level with regard to identifying potential threats to the integrity of democratic processes;

Democratic resilience

3. supports the approach to strengthen cooperation and exchange of best practice in the area of democratic and electoral resilience, and in this context welcomes the establishment of the "joint mechanism for electoral resilience"; furthermore, believes that the local and regional dimension should be incorporated into such cooperation given its aim to protect elections at all levels;

Democratic participation

4. upholds in no uncertain terms the principle of non-discrimination, including in relation to electoral participation and democratic engagement in general; views this principle as well exemplified in the Conference on the Future of Europe and calls for the continuation of such practices on all levels;
5. stresses the need to overcome the democracy fatigue and to renew the interest of citizens in participating in democratic processes and engaging in local, regional, national and European political spheres, while acknowledging the importance of simplifying administrative procedures for electoral participation;

Electoral rights of mobile EU citizens

6. welcomes the steps undertaken by the Commission to increase legal certainty for mobile EU citizens in the exercise of their electoral rights; underlines in this regard that the exercise of free movement rights should not come at the expense of the exercise of other associated rights;
7. supports the inclusion of mobile EU citizens in local life and considers their engagement to be a valuable contribution to building diverse societies across Member States;

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8. would like to see the legislative proposals recognise the fact that local and regional authorities contribute to strengthening European democracy by promoting and facilitating the participation of European citizens in European and local elections, a task that cannot be kept solely within the remit of state authorities in the individual Member States;
9. expects Member States to recognise the right of European citizens residing in other Member States (mobile citizens) to stand as candidates in municipal elections for all positions;
10. as part of efforts to counter falling voter turnout and encourage young people to vote, advocates that the right of citizens to participate by means of advance voting, postal voting, electronic voting and internet voting should be promoted;
11. acknowledges the need to provide appropriate, comprehensive and targeted information to mobile EU citizens on electoral participation and in this regard welcomes the establishment of a contact point on electoral rights at Commission level; highlights the associated need to ensure capacity building and adequate funding for local and regional authorities;

Transparency and disinformation

12. while acknowledging the need for a level playing field for all actors involved, the CoR requests due attention to be given to the principles of subsidiarity and proportionality, especially taking into account the effects of the proposed Regulation on forming the political will also at the purely national, regional and local level in the Member States;
13. underscores that resolute efforts are needed to counter disinformation which can erode the very foundations of our democratic societies, and undermine free and fair elections, trust in public authorities at all levels and informed and engaged citizenry; reiterates the positions expressed in the opinion on the European Democracy Action Plan¹;
14. calls for related initiatives to be accompanied by capacity building of public authorities to address disinformation at all levels in a targeted manner; notes that there is a lack of recognition that local and regional authorities, being closest to the citizens, can be a valuable asset in fighting disinformation;

Conclusion

15. calls on the European Commission to invest further efforts in safeguarding European rights and values, including by pursuing the remaining commitments outlined in the European Democracy Action Plan; emphasises strongly the need to ensure utmost coherence among the various proposed instruments; and underscores that local and regional authorities are an indispensable building block in the European democratic structure.

Brussels, 28 April 2022

¹ <https://cor.europa.eu/EN/our-work/Pages/OpinionTimeline.aspx?opId=CDR-1278-2021>.

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The President
of the European Committee of the Regions

Apostolos TZITZIKOSTAS

The Secretary-General
of the European Committee of the Regions

Petr BLIZKOVSKY

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III. PROCEDURE

Title	Reinforcing democracy and integrity of elections
Reference(s)	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Protecting election integrity and promoting democratic participation COM(2021) 730 final Proposal for a regulation of the European Parliament and of the Council on the transparency and targeting of political advertising COM(2021) 731 final Proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (recast) COM(2021) 732 final Proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by Union citizens residing in a Member State of which they are not nationals (recast) COM(2021) 733 final Proposal for a regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations (recast) COM(2021) 734 final
Legal basis	Own-initiative opinion (Article 307(1) TFEU, Rule 41(b)(i) of the Rules of Procedure)
Procedural basis	Optional referral from the Council on COM(2021) 731 final and COM(2021) 734 final
Date of Council/EP referral/Date of Commission letter	25 November 2021
Date of Bureau/President's decision	-
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs
Rapporteur	Vincenzo Bianco (IT/PES)
Analysis	11 February 2022
Discussed in commission	-
Date adopted by commission	29 March 2022
Result of the vote in commission (majority, unanimity)	Majority

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Date adopted in plenary	28 April 2022
Previous Committee opinions	<ul style="list-style-type: none"> • (CDR 3908/2018) - Tackling online disinformation: A European Approach, rapporteur Olgierd Geblewicz (PL/EPP), February 2019 • (CDR 1053/2019) - Action Plan against Disinformation, rapporteur Randel Länts (EE/PES), December 2019 • (CDR 4989/2019) - Local and Regional Authorities in the permanent dialogue with citizens, rapporteur Declan McDonnell (IE/EA), October 2020 • (CDR 830/2020) - Strengthening local governance and representative democracy via new digital technology instruments, rapporteur Rait Pihelgas (EE/ renew E.), December 2020 • (CDR 1278/2021) – European Democracy Action Plan, rapporteur Aleksandra Dulkiewicz (PL/EPP), June 2021 • (CDR 5356/2020) - The Digital Services Act and the Digital Markets Act, rapporteur Rodi Kratsa (EL/EPP), June 2021
Date of subsidiarity monitoring consultation	N/A

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