

What remains to be done: Thinking through Reforms of the European Parliament Elections

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Introduction

Democracies all over the world seem to be going through a difficult time. In many countries, which were long considered established liberal democracies, democratic “backsliding”¹ and autocratisation² now dominate the debates among election observers and political scientists. Despite these worrying global tendencies, the European Union (EU) has managed to continue its exceptional exercise in supranational democracy through the elections to the European Parliament (EP). The EP elections, which are in fact 27 separate elections leading to a common result, are the second largest electoral exercise in the world, with about 355 million people eligible to vote in 2024. The EP elections are peculiar by nature of their political status as an entity *sui generis*, not being a nation-state but also not merely an intergovernmental institution. The election of a common multi-national parliament with significant legislative powers is unique worldwide.

However, the EP elections are far from perfect. As has been the case in the previous nine EP elections, the 2024 elections face limits on the coherent management of the elections throughout different member states (MS) and certain long-lasting democratic deficits. Moreover, new challenges such as (external and internal) electoral interference and subversion became increasingly important. This practitioner paper aims to bridge the gap between academics and election observers to better understand the root causes of contemporary limitations of the EP elections, and why certain reform efforts were more successful than others, but also to provide recommendations and best practices. Its conclusions are based on two comprehensive Election Assessment Missions conducted by Election-Watch.EU in 2019 and 2024. As we live in challenging times, it is all the more imperative to continuously improve electoral institutions and approximate EP election practices to democratic ideals and international standards. This will foster the trust of citizens in European institutions and help to respond to threats of authoritarian developments. New challenges such as (external and internal) electoral interference and subversion became increasingly important.

This paper will first give an overview of the assessment of the 2024 EP elections. In order to analyse how we got to this point, the following sections analyse the historical trajectory of previous European electoral reform efforts and discuss the legal framework of the EU and its implication for reforms. By examining the European electoral reform process, this paper will analyse how past reforms were either bolstered, such as with the Digital Services Act (DSA), the Artificial Intelligence (AI) Act, and the Transparency and Targeting of Political Advertising Regulation (TTPA), or weakened, as seen in the recent 2022 European Parliament (EP) electoral reform proposal and other pending or previous EP reform efforts. The next section will discuss several good practices that can guide future reform efforts.

¹ Nancy Bermeo. “On Democratic Backsliding.” *Journal of Democracy* 27, no. 1 (2016): 5–19; Steven Levitsky and Daniel Ziblatt. *How Democracies Die*. New York: Broadway Books, 2018.

² Anna Lührmann and Staffan I. Lindberg. “A third wave of autocratization is here: what is new about it?” *Democratization* 26, no. 7 (2019): 1095–1113; Nic Cheeseman, and Brian Klaas. *How to rig an election*. Yale University Press, 2018; Lee Morgenbesser. “The Menu of Autocratic Innovation” *Democratization* 27, no. 6 (2020): 1053–72.

Assessing the 2024 European Parliament elections

In 2024, a total of 355 million eligible voters across the 27 Member States (MS) elected 720 Members of the EP to represent the more than 425 million European citizens for the next five years.³ National political parties and candidates campaigned increasingly on shared European issues, but with little visibility of their European political families and their lead candidates in MS. European Union (EU) bodies have initiated and advanced electoral reforms, enhancing the broader rights framework. Yet, significant differences and restrictions on voting and candidacy rights remain, and important reforms aimed at increasing the cohesion of electoral rules and procedures across the Union have yet to be completed.

The distribution of the 720 EP seats among MS for the 2024-2029 term meets EU Treaty requirements and reduces disparities in the weight of the vote between MS, but a permanent seat distribution method based on objective criteria remains to be developed by 2026. Suffrage rights were expanded in a few MS. Belgium and Germany joined Austria and Malta in lowering the voting age to 16 years, resulting in a total of two million eligible voters below the age of 18. Belgium also reduced the candidacy age to 18, while it remained at 25 in Greece and Italy.

The elections were administered by the 27 national election authorities and the European Cooperation Network on Elections (ECNE) has become a valuable forum for facilitating contacts between MS, mutual learning, and inspiring improvements. National representatives are increasingly coordinating and exchanging on good electoral practices. However, in the absence of a centralised European voter register, data exchange among MS on possible multiple entries remains a challenge, not least because data about dual citizenship is not available.

Overall, the electoral system is based on degressive proportionality, which favours smaller, less populated MS and causes tensions with the principle of equality of votes. In addition, there are different minimum thresholds for obtaining a mandate in each MS. Most EU countries offer voters advanced and alternative voting options, such as voting from abroad, by post, or using a mobile ballot box, but access to alternative voting modalities and the number of options available still vary greatly and four MS do not offer any possibility of voting from abroad to their citizens.

The EU has proactively established a comprehensive regulatory framework for the digital space, including the DSA and the AI Act, setting another international norm similar to the General Data Protection Regulation (GDPR) for data protection, to fill the void in global AI or digital media regulations that is likely to remain in the near future. These new laws have been a major development for the regulation of online electoral campaigning.

Nevertheless, attempts to amend the European Electoral Act have been less successful. The May 2022 ambitious proposal by the EP for a Regulation to further reform the European Electoral Act has been subject to several working group and policy debates in the Council of the EU, with varying success under different EU presidencies. Considerable divergences remain among MS on several elements, in particular on the EU-wide constituency and transnational lists, the lead candidate (Spitzenkandidaten) process, the establishment of a single European voter register, lowering of voting age to 16 years, gender equality measures, and the obligation for all MS to provide postal voting.

³ See: Armin Rabitsch, Michael Lidauer, Tatyana Hilscher-Bogushevich. [Election-Watch.EU Final Report Election Assessment Mission 2024 European Parliament Elections](#), 2024.

In conclusion, the 2024 elections faced many similar challenges to previous elections, with certain noticeable improvements in specific areas. However, new challenges have emerged and require a more assertive reform effort.

Table 1: The ten European Parliament elections (1979 – 2024)

#	Election dates	MS	MS changes	Reg. voters	voters	turnout	seats
1	7-10 June 1979	9		184,414,900	114,340,366	62.0%	410
2	14-17 June 1984	10	plus Greece	200,505,752	122,300,000	61.0%	434
3	15-18 June 1989	12	plus ES, PT	244,951,379	143,300,000	58.5%	518
4	9-12 June 1994	12	plus new BL of DE	269,261,000	153,000,000	56.8%	567
5	10-13 June 1999	15	plus AT, FI, SE	288,000,000	143,400,000	49.8%	626
6	10-13 June 2004	25	plus 10 new MS	353,460,958	154,317,718	45.5%	732
7	4-7 June 2009	27	plus BG & RO	386,711,169	160,687,462	43.2%	736
8	22-25 May 2014	28	plus HR	396,104,240	163,551,013	42.5%	751
9	23-26 May 2019	28	prior Brexit	394,000,000	198,352,638	50.7%	751
10	6-9 June 2024	27	minus UK	355,202,244	180,275,334	50.74%	720

How we got here: the historical roots of the electoral system

Given that many of the problems facing European elections have been around for a long time, it is crucial to understand the historical development of the European electoral system. From the very beginning, the establishment of such an ambitious electoral project was a matter of compromise. The following section reconstructs the trajectory of this project.

The history of electoral reform at the EU level has been marked by a gradual yet complex evolution, deeply intertwined with the broader process of European integration. The path toward the direct election of the EP and the subsequent efforts to establish a common electoral framework reflects a continuous struggle between national sovereignty and supranational governance.

The origins of electoral reform within the European Communities can be traced back to the post-war vision of a united Europe. The notion of a directly elected European assembly was first suggested at the Hague Congress in 1948, reinforcing the belief that democratic legitimacy was essential for European integration. This idea was embedded in the Treaties of Paris (1951) and Rome (1957), which laid the foundation for the European Economic Community (EEC). However, the reality of a directly elected EP remained elusive for over two decades, as national governments preferred to retain control over the appointment of Members of the European Parliament (MEPs).

A significant turning point came with the adoption of the Electoral Act of 1976, which established the framework for the first direct elections to the EP in 1979. This was a landmark moment in European political history, marking the first instance of citizens electing a supranational legislative body by universal suffrage. The direct election of MEPs not only enhanced the democratic legitimacy of the European institutions but also increased the Parliament's authority, fostering a more politically engaged European electorate.

Despite this progress, the 1976 Act did not impose a uniform electoral procedure, leaving individual MS to determine their own rules. This resulted in significant discrepancies in electoral systems, voting ages, and representation mechanisms. Efforts to address these

inconsistencies began in the 1980s, with multiple reports advocating for a more harmonised electoral system. The Seitlinger report⁴ attempted to introduce a proportional representation system across all MS but faced resistance from national governments, particularly the United Kingdom.

The Maastricht Treaty of 1992 further solidified the role of the EP by granting it greater legislative powers and reinforcing the concept of European citizenship. This treaty also set the stage for ongoing discussions about electoral reform, culminating in the Amsterdam Treaty (1997), which revised the provisions for European elections. The treaty established that elections should be conducted under a proportional representation system, albeit with flexibility for national variations. In 2002, significant reform was introduced through Council Decision 2002/772/EC, which amended the 1976 Electoral Act, and mandated the generalisation of proportional representation and abolished the dual mandate (preventing MEPs from simultaneously holding seats in national parliaments). This reform aimed to enhance the legitimacy and coherence of European elections while allowing MS to maintain specific national electoral traditions.

The Treaty of Lisbon (2007) brought further changes, redefining MEPs as representatives of the Union's citizens rather than the peoples of the states. This linguistic shift reflected an effort to reinforce the EP's supranational identity. The treaty also strengthened the Parliament's role in the appointment of the European Commission President, further linking European elections to the executive leadership of the EU.

Given these developments until 2007, it is evident that the European electoral framework was built incrementally and pragmatically. Drawing on Claude Lévi-Strauss and Vincent Pouliot's work, it can be understood as a "bricolage."⁶ Instead of the image of an "engineer" designing a coherent policy, the bricoleur uses "what is at hand" to competently assemble policy and law in an international negotiation process involving "polysemous compromises" that take into account the diversity of views and future contestability of European integration.

Where we are now: the legal framework of European elections

After these complex incremental steps of institution building, how can we understand the current electoral framework of the EP elections? In its self-understanding, the EU is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law, and

⁴ After 1979 the European Parliament drew up a proposal for a uniform electoral procedure which was adopted on 10 March 1982 (the Seitlinger report, adopted by 158 votes to 77, with 27 abstentions). In that proposal, Parliament suggested a system of proportional representation. See: Seitlinger Report [EUI Historical Archives of the EU](#).

⁵ Following the 1984 elections, the EP decided to put forward a new proposal with the aim of reviving the debate within the Council and it appointed Mr Bocklet rapporteur. Just before the Committee on Political Affairs voted on the report the Committee on Legal Affairs adopted an opinion which was in very close agreement with almost all the basic items in the draft report adopted by the Committee on Political Affairs. However, the Committee on Legal Affairs wished the electoral procedure to be genuinely uniform and it pointed out that, from the legal point of view, the existence of a uniform procedure did not just mean that the principles, objectives and results obtained by the electoral systems should be uniform but that the actual procedures used to achieve those principles, objectives and results should be uniform as well. It also took the view that the draft report by the Committee on Political Affairs should merely regulate the right to vote and it proposed that a joint working party should be set up, comprising members of the Committee on Political Affairs and the Committee on Legal Affairs, with a view to securing an agreement on a uniform electoral procedure, so that the draft report would receive the backing of the largest possible majority of Parliament's Members. The rapporteur, Mr Bocklet, realising the extent to which views within the EP concerning the actual electoral procedure diverged, accordingly felt that it was inadvisable to invite Parliament to vote on his draft report, which had been adopted by the Political Affairs Committee on 28 February 1985 (by 16 votes to 8, with 13 abstentions). In that proposal, the rapporteur considered that the goal of a uniform electoral procedure should be attained in stages. Report on proposal for an electoral procedure incorporating common principles for the election of MEP, Committee on Institutional Affairs, Rapporteur: Mr. Georgios Anastassopoulos; https://www.europarl.europa.eu/doceo/document/A-4-1998-0212_EN.pdf?redirect

⁶Vincent Pouliot and Jean-Philippe Thérien, *Global Policymaking*, vol. 162 (Cambridge University Press, 2023).

respect for human rights, including the rights of persons belonging to minorities.⁷ All MS are party to the International Covenant on Civil and Political Rights (ICCPR), the main human rights treaty with relevance for the holding of democratic elections. The EU and all its MS, as members of the Council of Europe (CoE), have also ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which includes binding provisions on the right to “free elections”. All MS are party to the major anti-discrimination treaties, which include provisions on political rights and affirmative action.⁸ Furthermore, politically binding regional standards of the 1990 OSCE Copenhagen Document and several non-binding standards for democratic elections are applicable, including the Code of Good Practice in Electoral Matters of the European Commission for Democracy through Law (Venice Commission) of the Council of Europe.⁹

The Treaty on European Union (TEU) states that the EP is to be composed of representatives of the Union’s citizens and that its members are to be elected for a term of five years, by direct universal suffrage in a free and secret ballot. With the Treaty of Lisbon, the rights to vote and to stand as a candidate set out in the Charter of Fundamental Rights (CFR) became legally binding and have the same legal value as the EU Treaties.¹⁰

The election of MEPs is governed by European legislation that establishes general common rules for all MS.¹¹ The legal basis at the EU level comprises primarily the [Treaty of the European Union](#) (TEU; Articles 10 and 14), the [Treaty on the Functioning of the European Union](#) (TFEU; Articles 20, 22, 223), and the [Electoral Act](#) of September 1976, as [amended](#) in 2002. Detailed provisions are specified in various directives, regulations, and secondary legislation. For example, [Council Directive 93/109/EC](#), as amended in 2012, outlines the voting rights of EU citizens residing in a MS other than their own (mobile EU citizens). Additionally, [Regulation \(EU, Euratom\) 1141/2014](#), as last amended in 2019, provides the framework for European political parties and foundations.

The common rules for the European elections can be summed up as follows:

- ❖ The number of EP members (MEPs) should not exceed 750 plus the President. Representation of citizens shall be “degressively proportional” with smaller member states having at least six MEPs, and therefore more MEPs per capita, and larger member states up to 96 MEPs.¹² Thresholds not exceeding five percent of votes nationally may be set for the allocation of seats in the EP.
- ❖ EU citizens have the right to vote and to stand as candidates in EU Member States in which they reside under the same conditions as nationals of that State.¹³
- ❖ The elections must be based on proportional representation and use either the list system or the single transferable vote system.¹⁴ Preferential voting may be used.

⁷ [TEU Article 2](#) states that “These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.”

⁸ The 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD).

⁹ Besides the [1990 Copenhagen Document](#), the [1996 Lisbon Document](#), [1999 Istanbul Document](#), and the [2002 Porto Document](#) are also of relevance to elections. The Venice Commission’s [Code of Good Practice in Electoral Matters](#).

¹⁰ The [Lisbon Treaty](#) amending the TEU was signed in 2007 and came into force in 2009. The [Charter of Fundamental Rights](#) became legally binding in 2009, when the Lisbon Treaty came into force.

¹¹ See: Armin Rabitsch, Michael Lidauer, Tatyana Hilscher-Bogusevich. [Election-Watch.EU Final Report Election Assessment Mission 2024 European Parliament Elections](#), 2024.

¹² See table of comparison in the Annex II.

¹³ Article 22(2) TFEU and Article 39 CFR; the arrangements for implementing this right were adopted under Council Directive 93/109/EC, following the introduction of the concept of EU citizenship in the 1993 Maastricht Treaty.

¹⁴ Article 1 of [Council Decision 2002/772/EC](#), Euratom.

- ❖ The office of an MEP is incompatible with that of a member of the government of a Member State, a member of the European Commission, a member of a national parliament, and also EU staff, among others.¹⁵

Apart from the provisions stemming from EU legislation, the EP elections are regulated by national laws, and it is each Member State's prerogative to establish its own legal framework and details of the electoral system. Therefore, the European elections can be considered as 27 de facto separate elections to a supra-national body. These have been assessed in the past as providing a generally robust foundation for conducting democratic elections, albeit with room for improvement in various areas in most MS.¹⁶ Since the 2019 elections, the legal framework has been revised in the majority of MS. While in many cases the changes addressed broader aspects of the electoral process, several MS (CY, EE, IE, LV, PT) introduced adjustments related specifically to the European elections. Changes aimed at widening suffrage rights (BE, DE, IE, LU, SI), improving safeguards and access to alternative voting methods (AT, BG, EE, FI, FR, GR, PT), streamlining and centralising voter registration (AT, EE, IT, LV, PL, PT), and enhancing procedures for voting, counting and tabulation (AT, BG, CZ, ES, NL, SK) were among the largest groups of changes introduced by MS as assessed by the Election-Watch.EU Election Assessment Mission (EAM).¹⁷

Why reform is (not) successful: Thinking through contemporary debates

One central question of this paper is why certain reform efforts have failed while others succeeded. Understanding the dynamics of failure and success in the context of European policymaking on the electoral framework is essential to provide solid recommendations in the subsequent section. By reflecting on several recent reform debates, this section provides a qualitative approach to analysing this question.

On the one hand, there has been significant progress before the 2024 elections. Several landmark legislative acts were passed which enhanced the broader rights and safeguards framework. The Digital Services Act ([DSA](#)), effective in November 2022, was directly applicable throughout the EU from February 2024. In April 2024, a new Regulation on the transparency and targeting of political advertising ([TTPA](#)) entered into force. While most of its provisions will take effect only in October 2025, some limited elements were applicable already during the 2024 elections. Recent reforms also included the adoption of three legislative acts in the field of information and media regulation - the [European Media Freedom Act](#) (EMFA), the Directive protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings ([Anti-SLAPP Directive](#)), and the [Artificial Intelligence Act](#). While they entered into force in May 2024, they did not apply to the 2024 elections in line with the respective staggered future date application or transposition requirements.

On the other hand, the above-mentioned reforms notwithstanding, the core EU-level legal framework for the 2024 elections has remained the same as for the 2019 elections. Despite cross-institutional efforts, several longstanding and newer reforms aimed at increasing the cohesion of electoral rules and procedures across the Union were not completed. Several EU-level EAM interlocutors expressed hope that the pending reforms would see a renewed

¹⁵ According to [Article 7 of the 1976 Act](#).

¹⁶ OSCE/ODIHR [Expert Group Report to the European Parliament Elections](#) 4-7 June 2009

¹⁷ See: Armin Rabitsch, Michael Lidauer, Tatyana Hilscher-Bogushevich. [Election-Watch.EU Final Report Election Assessment Mission 2024 European Parliament Elections](#), 2024.

commitment by the incoming legislators and MS representatives for their completion ahead of the next elections.

The following sub-sections will analyse two concrete reform attempts between 2015 and 2018 and since 2022 to compare and assess their respective debates and outcomes. These findings embed a broader conclusion about political patterns inhibiting and enabling reform.

[The Pending 2018 Amendment of the European Electoral Act](#)

In November 2015, the EP initiated a reform of EU electoral law, proposing additional common rules to harmonise the European elections.¹⁸ The Hübner and Leinen Report (2015) proposed additional reforms, including the standardisation of electoral rules, the establishment of transnational lists, and measures to improve voter engagement.¹⁹ While some of these proposals have been incorporated into draft EU electoral law, others remain politically sensitive and face opposition from MS concerned about losing national control over election procedures. The proposed changes included the codifying of the lead candidates (“Spitzenkandidaten”) process, the enhancement of European political parties’ visibility, a common minimum deadline for establishing voter lists at the national level,²⁰ an obligatory electoral threshold for the allocation of seats in the EP, a uniform end of voting on election day, voting rights for EU citizens residing in MS other than their own, measures to achieve a more balanced gender representation, and the introduction of a common minimum voting age of 16 years. In addition, the EP encouraged its MS to allow postal, electronic, and Internet voting to increase the participation of all citizens including of persons with reduced mobility and for persons living or working outside their home MS.

Following the EP Resolution, and after having obtained its consent, the Council of the European Union, on 13 July 2018, adopted a less far-reaching decision amending the 1976 Electoral Act.²¹ The adoption of reform proposals faced difficulties, as MS are obliged to decide unanimously, and some reforms require constitutional changes in certain EU MS. The Council Decision enters into force once every MS has notified the Council of its adoption. Since Spain has not yet completed the approval procedures the amendment did not apply to the 2019 and 2024 EP elections and the Electoral Act 1976 (as amended 2002) remained applicable.

The agreed Council Decision sets out several common rules concerning EP elections, including a common minimum threshold between 2 and 5 percent for MS with more than 35 seats, to apply upon ratification to the elections after next.²² It also includes provisions on the possibility of different voting methods and protection of personal data; penalisation of double voting by national legislation; and a three-week deadline for the submission of lists before election day.

However, no agreement was reached on the establishment of a joint EU-wide constituency, or the lead candidates’ procedure as proposed by the EP. The possibility for EU

EP [Resolution of 11 November 2015 on the reform of the electoral law of the European Union \(2015/2035\(INL\)\)](#).

¹⁹ For further detail see European Parliamentary Research Service (EPRS): [The Reform of the Electoral Law of the European Union \(2015\)](#); European Added Value Assessment accompanying the legislative own-initiative Report (Co-Rapporteurs Danuta and Jo Leinen), Sept. 2015.

²⁰ The proposed deadlines were 12 weeks before the elections for establishing candidate lists, 8 weeks for finalising electoral rolls and 6 weeks for the exchange of information among Member States.

²¹ [Council Decision \(EU, Euratom\) 2018/994 of 13 July 2018 amending the 1976 Act](#).

²² This requirement will apply to DE, ES, FR, IT, and PL; however, of these only DE and ES currently do not have thresholds for EP elections in place. DE was also one of the last MS completing the approval procedures.

citizens to vote from third countries and the visibility of European political parties on ballot papers remained subject to (very heterogeneous) national rules.²³

The 2022 European Parliament Electoral Reform Proposal

Since the previous efforts had not yet led to sustainable results, the [2022 European electoral reform proposal](#) led by rapporteur Domènec Ruiz Devesa aimed to enhance the democratic legitimacy of European elections by addressing structural weaknesses and promoting a more unified electoral process across MS. According to EAM interlocutors the proposal was seen as too ambitious by many MS without much prospect for success. Nevertheless, various parts of the proposed reforms could be agreed on and passed as separate electoral reform packages if an incoming EU Presidency puts such a European electoral reform focus on its agenda.

However, several key aspects of the reform proposal were considered too far-reaching and polarised MS. The proposal to introduce a Union-wide constituency, allowing voters to cast ballots for transnational lists, ensuring a stronger European dimension to elections has been discussed but during the recent change of EP seat distribution not adapted. This reform was meant to foster a pan-European political debate and strengthen the role of European political parties.

Another significant element of the EP proposal was the reinforcement of the Spitzenkandidat system, which aimed at creating a direct link between voters' choices and the selection of the President of the European Commission. The proposal criticises the failure of the system in 2019 and argues that to ensure its legitimacy, European political parties must nominate their candidates well in advance, and the European Council should respect the outcome of the elections when proposing a candidate for Commission President.

Another major focus brought forward is voter accessibility and enfranchisement. The proposal emphasises the need to remove barriers preventing certain groups, such as mobile EU citizens, persons with disabilities, and citizens residing outside the EU, from fully exercising their electoral rights. It recommends practical solutions such as postal voting, digital and online voting systems, and more accessible polling stations to ensure broader participation.

The report also calls for stricter measures against disinformation and foreign interference, recognising these as serious threats to the integrity of the electoral process. It urges stronger regulation of political advertising and greater transparency in campaign financing to ensure fair electoral competition.

OSCE/ODIHR monitored the European elections in 2004, 2009, and 2024 and provided recommendations for further improvement of the European electoral legislation and practice.²⁴ As the first priority recommendation among others, OSCE/ODIHR stated in 2024: “(t)o ensure equal suffrage rights, conditions and rules for the right to vote and to be elected would benefit from further harmonisation across Member States, in particular, equal suffrage rights for persons with disabilities in elections to the European Parliament should be guaranteed.”²⁵ and

²³ For further detail see EPRS: [Reform of the electoral law of the EU; July 2018](#).

²⁴ OSCE/ODIHR [European Parliament elections reports 2004, 2009 and 2024](#).

²⁵ OSCE/ODIHR Special Election Assessment Mission Final Report p.7; <https://www.osce.org/files/f/documents/7/e/581764.pdf>

provided recommendations for further improvement of the European electoral legislation and practice.

The two discussed reform debates, the pending 2018 amendment of the Electoral Act and EP's 2022 electoral reform proposal, have led to mixed results. While certain changes were decided on and are pending implementation, the most fundamental reforms were avoided. Given the gap between ambition and implementation, what makes the European electoral system so hard to reform?

Member States and the obstruction of electoral reforms

As discussed above, European policymaking is the result of a complicated “bricolage” that has led to authority being distributed among a variety of actors depending on the specific policy field. However, the electoral process, as a particularly sensitive democratic practice commonly associated with nation-state sovereignty and constitutionality, largely remained an intergovernmental affair. Electoral reforms at the European level, particularly changes to the European Electoral Act, require unanimous approval in the Council of the EU. This means that even if the EP agrees on reforms, just one single MS would be able to block any changes.

The 2022 European Electoral Act reform (introducing transnational lists and a common European voting day among others) was approved by the EP but has since faced stagnation in the Council due to opposition from several MS. The [proposal](#) by the EP for a Regulation to further reform the Electoral Act has been subject to several working group and policy debates in the Council, including under different EU presidencies.²⁶ However, considerable divergences remain among MS on several elements, in particular on the EU-wide constituency and transnational lists, the lead candidate (*Spitzenkandidaten*).²⁷ Several EU-level EAM interlocutors expressed hope that the pending reforms would see a renewed commitment by the incoming legislators and MS representatives for their completion ahead of the next elections.

Another reason for stalled European electoral reforms is the reluctance of MS to harmonise electoral rules as they see elections as a matter of national sovereignty. For example, the proposal for a uniform voting age of 16 across the EU was met with resistance because voting ages differ across MS (e.g., 18 years in many countries, but 16 years in Austria, Belgium, Germany, and Malta for the EP elections).

Some countries, particularly smaller MS, fear that transnational electoral lists would weaken their national influence in the EP. Several national leaders (France's President Emmanuel Macron, Hungary's Prime Minister Victor Orbán, Poland's former Prime Minister Mateusz Morawiecki, and Italy's Prime Minister Georgia Meloni, among others) have also resisted the Spitzenkandidat system, which aims to give voters a more direct say in electing the Commission President, as it limits the Council's ability to select its preferred candidate.

While the EP has pushed for stricter rules on political advertising transparency and combating disinformation, MS have been slow to act, citing concerns over national legislative autonomy and the technical difficulties of enforcement. For example, proposals to regulate

²⁶ See the Spanish Presidency [discussion paper](#) for the 15 November 2023 policy debate in the General Affairs Council.

²⁷ See the results of the [Swedish presidency survey](#). Consult also EPRS: [European elections 2024: Rules of a pan-European democratic event](#), February 2024.

digital campaign financing and introduce mandatory transparency requirements for online political ads were delayed due to Council disagreements over implementation mechanisms.

The EP has supported measures to facilitate voting rights for mobile EU citizens, such as automatic voter registration for expatriates or simplified procedures for voting from abroad, however, some MS, particularly those with restrictive voting rules for non-residents, have pushed back on these reforms. In addition, the EP has endorsed gender parity requirements for electoral lists, but MS have shown reluctance to mandate such reforms, particularly in countries where gender quotas remain controversial or are absent.

Overall, the EP has been proactive in proposing electoral reforms to enhance EU-wide democratic participation and harmonisation. However, many of these reforms have been stalled by the Council of the EU and its MS, often due to national sovereignty concerns, political disagreements, and procedural barriers.

Stimulating electoral reforms: European good practices

Clearly, the European Electoral System cannot be reformed and harmonised as easily as the electoral practices of a nation-state. Reforms require unanimity among MS, difficult compromises and possible trade-offs, often paralysing negotiations due to other, higher political priorities, and the agreement of a wide range of stakeholders within and among states. Does this mean that European elections are de facto unreformable?

We argue that the EP elections can be reformed, but it requires policymakers and democracy promoters to show stamina, determination, and creativity. Existing reform efforts have often failed to deliver on the high hopes of ambitious democratic reformers. However, there have been success stories, and it is paramount to build on them. In line with established theories of Europeanisation, change in a supranational organisation like the European Union is gradual and incremental. Often reform results from critical junctures, such as external shocks or internal resistance. The recent European legislation to regulate online space and campaigning as well as uphold media freedom, including the DSA, the TTPA, the EMFA, the Anti-SLAPP Directive, and the AI Act are good examples of legislation responding to new challenges.

However, when reforms are less urgent electoral reforms slip down the priority list following elections. One way of stimulating meaningful change in elections is through the identification and structured dissemination of good practice examples. When systematically organised, such examples provide a blueprint for replication, offering election management bodies (EMBs) and observer organisations actionable strategies to improve electoral processes. The good practice examples collected by Election-Watch.EU during the EAM to the 2024 EP elections serve as valuable models that can be adapted and replicated across different MS.

These examples are not merely theoretical recommendations but tested strategies that have proven successful in real-world electoral settings. By moving beyond traditional reporting and offering a solution-oriented approach, these practices provide election administrators, policymakers, and observer organisations with practical tools to address common electoral challenges. Examples include innovations such as electronic voter registers, legal frameworks for election observation, and transnational initiatives aimed at safeguarding election integrity.

	Good Practice	Impact	Where?
1	implementation of a consolidated electoral code	enhance coherence and accessibility, closing gaps	Lithuania
2	inclusion of European political party names and symbols on ballot papers.	enhance the visibility of European politics	Lithuania
3	transition from compulsory to voluntary voting	shifting the electoral dynamic	Cyprus
4	introduction of postal voting for citizens both inside and outside the country.	make the elections more inclusive and accessible	Greece
5	reduction of the voting age to 16 and related voter information	ensuring equal participation conditions	Belgium
6	legal requirements for media to include subtitles and sign language interpretation	promoting accessibility for people with disabilities	France, Greece, and Spain
7	public funding of political parties contingent on gender equality in candidate lists.	enhancing women participation and representation	Luxembourg
8	EMB website is available in multiple languages, including Romani and Sami	enhancing inclusivity	Sweden
9	multi-pronged approach to civic education for youth, including election simulations in schools.	fostering civic and political education	Germany
10	online voter registration system for mobile EU citizens, accessible in all EU languages.	better inclusion of EU citizens	Belgium
11	establishment of an Electoral Commission	enhance election administration / oversight	Ireland
12	introduction of an electronic voter register, enabling voters to cast ballots at any polling station.	making the electoral process more accesible	Latvia
13	public disclosure of political parties' campaign finances in real-time.	enhancing transparency in campaign financing	Czech Republic
14	creating an effective oversight body	ensuring transparency and accountability in political party financing.	Estonia
15	media system reliant on self-regulation, media authority allocating free airtime.	fostering the independence of media	Netherlands
16	reforms guaranteeing scrutiny and judicial review of election results	strengthening the separation of powers	Netherlands
17	online publication of polling station results	promoting transparency	Austria
18	accreditation procedures for international and domestic election observers coupled with observer briefings.	fostering participation, accountability, and international norms (DoP)	Finland
19	effective cooperation in countering and detecting disinformation.	responding to external and internal interference in the electoral process	European Networks

A comparative approach to electoral systems fosters peer-to-peer learning, which has been facilitated by ECNE, allowing MS to reflect on their own practices and identify areas for improvement. This method serves as a catalyst for reform, equipping electoral stakeholders with tangible strategies to enhance the credibility and inclusivity of their elections. The adoption of these best practices can stimulate broader discussions on electoral modernisation and lead to concrete improvements in election administration.

Election-Watch.EU presented key good practice examples at the recent Declaration of Principles (DoP) for International Elections Observation [conference](#) hosted by OSCE/ODIHR in Gdansk in November 2024. A selection of impactful good practice examples is listed below.

These examples offer valuable insights into practical electoral innovations that can be tailored to different national contexts. They serve as the foundation for a potential handbook or toolkit that EMBs and observer organisations can use to guide improvements in electoral administration. The adaptability of these practices ensures their relevance across diverse electoral systems, providing a flexible and scalable approach to electoral modernisation.

By sharing successful practices that enhance electoral integrity and voter participation, this empowers election observers and administrators with tangible solutions to drive democratic progress. The exchange of knowledge and experience between countries reinforces the importance of electoral reforms in strengthening democracy, ensuring that best practices are not confined to single jurisdictions but serve as an international stimulus for change.

Conclusion

This paper revisits the historical trajectory of European electoral reform and examines the reasons why certain reform efforts failed and others succeeded. Analysing Europeanisation as “bricolage” suggests that incremental, gradual changes in practices may lead to the eventual transformation of electoral practices. In this spirit, this paper exposes several good practices in EU Member States as collected by the EAM to draw lessons from successful reforms in MS and stimulate reform at EU level and across MS. It aims to raise awareness among national governments and EMBs about the necessity for change and enhanced collaboration in addressing the increasing complexities of the electoral environment.

For many years, Election-Watch.EU has been advocating for a human rights-based approach to further electoral and democratic reforms, in line with international and European standards and commitments, and provides good practice examples and policy recommendations as inspiration for positive change. This is particularly important in the case of the EP elections, where reform often seems to be particularly hard to achieve. This practitioner paper contributes to this endeavour.

As laid out above, some of the most pressing issues can be best addressed by intensifying collaboration between European institutions and MS to address inconsistencies in national electoral regulations and harmonising voting eligibility criteria. The 21 EAM recommendations²⁸ emphasise increasing accessibility for persons with disabilities, enhancing women’s participation, and promoting the inclusion of national minorities, youth, and mobile EU citizens. Further, efforts should be made to harmonise voter and candidate registration, enhance the European character of campaigns, and improve campaign finance transparency and

²⁸ See: Armin Rabitsch, Michael Lidauer, Tatyana Hilscher-Bogusevich. [Election-Watch.EU Final Report Election Assessment Mission 2024 European Parliament Elections](#), 2024.

oversight. Strengthening media freedom and the implementation of the new social media regulations are also recommended, along with the need for more robust mechanisms to handle electoral complaints, ensure independent election observation, and publish detailed election results to promote transparency and public trust.