

(English version)

**Question for written answer E-000107/25
to the Commission
Virginie Joron (PFE), Catherine Griset (PFE)
(14 January 2025)**

Subject: Is freezing the bank accounts of elected citizens and political opponents in France anti-democratic?

For a number of years, French banks have targeted certain opposition figures and political parties with no economic grounds for doing so ⁽¹⁾. Consumers in comparable financial situations are not subjected to similar exclusion measures.

The forced account closures have even affected elected citizens who are not as well known. Worse still: their children's accounts have also been closed. Political liberty is, however, named in the preamble to the Statute of the Council of Europe as one of the three 'principles which form the basis of all genuine democracy', together with individual freedom and the rule of law ⁽²⁾.

In its 2024 Rule of Law Report chapter on France ⁽³⁾, the Commission highlights the financial pressure put on certain civil society organisations (such as Anticor ⁽⁴⁾), but fails to mention the banking discrimination suffered by critical political opponents or the removal of broadcasting slots from television channels (C8) ⁽⁵⁾.

In view of Commission President Ursula von der Leyen's announced intention to introduce a European democracy shield ⁽⁶⁾:

1. Will the Commission look into which banking operators in Europe discriminate against political opponents or their children by unilaterally closing their bank accounts?
2. Are such closures in line with EU consumer law?

Submitted: 14.1.2025

**Answer given by Ms Albuquerque on behalf of the European Commission
(6 June 2025)**

Banks and credit institutions, like other economic operators, have in principle the freedom to decide with whom they want to enter into a contract or maintain a business relationship.

To ensure the right of consumers to have access to financial services, Article 16 of the Payment Accounts Directive (PAD) ⁽¹⁾ gives all consumers legally resident in the EU the right to open and use a payment account with basic features (PABF), subject to certain derogations, including in view of anti-money laundering rules. Article 19 of PAD also lays down the specific circumstances under which a PABF can be unilaterally terminated ⁽²⁾.

The Commission is also committed to safeguarding non-discrimination of citizens with regards to their access to a payment account. Article 15 of PAD requires Member States to ensure that credit institutions do not discriminate against consumers legally resident in the EU by reason of their nationality or place of residence or of any other ground as referred to in Article 21 of the Charter of Fundamental Rights (including political opinion) when consumers apply for or access a payment account.

The responsibility for the enforcement of these provisions in individual cases lies with the national authorities and courts. The Commission, in case of suspicion of a breach of EU law by the national authorities, may decide to investigate the matter further and contact the national authorities to obtain further information.

¹ <https://www.france24.com/fr/20171122-marine-pen-denonce-fatwa-bancaire-clotures-comptes-front-national-fn>

² https://www.venice.coe.int/images/SITE%20IMAGES/Publications/Rule_of_Law_Check_List.pdf

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52024SC0810>

⁴ The Commission was informed about government pressure regarding accreditation for anti-corruption association Anticor; https://www.bfmtv.com/politique/lutte-anticorruption-anticor-retrouve-son-agrement-apres-plus-d-un-an-de-lutte-et-de-multiples-recours_AD-202409060597.html; <https://urlr.me/9FcSj3>

⁵ Appeals brought by the C8 and NRJ 12 broadcasters were rejected by the Conseil d'État on Monday 30 December 2024. The two channels were challenging the fact their digital terrestrial television licences were not renewed by ARCOM; <https://urlr.me/pwEutg>

⁶ <https://fr.euronews.com/my-europe/2024/07/18/ursula-von-der-leyen-annonce-aux-eurodeputes-un-bouclier-pour-la-democratie>

⁽¹⁾ Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features Text with EEA relevance, OJ L 257, 28.8.2014, p. 214-246.

⁽²⁾ Including the deliberate use of the account for illegal purposes, no transaction for more than 24 consecutive months, incorrect information provided where the correct information would have resulted in the absence of such a right, the consumer is no longer legally resident in the EU, the consumer has subsequently opened a second payment account.