(English version)

Priority question for written answer P-000261/25
to the Commission
Piotr Müller (ECR)
(22 January 2025)

Subject: Questions surrounding the Commission's hand in the annulment of Member State elections

In recent remarks, former Commissioner Thierry Breton said that the EU had played a role in the annulment of the presidential elections in Romania. He claimed the decision was motivated by the EU's concerns about the election result and hinted at the possibility of similar action in other Member States.

In view of this, I would ask the Commission for clear answers to the following questions:

1. Legal basis: on what legal basis did it take action to annul the presidential elections in Romania?

2. Position on comments: what is the Commission's official position on the words of former Commissioner Thierry Breton? Does it support his claims?

3. Plans with respect to other countries: is the Commission contemplating action to annul or challenge the election results in Poland if the left or liberals deem the election campaign on social media too intensive or controversial?

We expect clear answers, free from sweeping statements and bureaucratic jargon, so that the general public can understand the legal bases, intentions and scope of any action the Commission may take.

Submitted: 22.1.2025

Answer given by Mr McGrath on behalf of the European Commission
(27 March 2025)

The presidential elections in Romania were annulled by the decision of the Romanian Constitutional Court. The conduct and the organisation of elections are the competence and responsibility of the Member States, in accordance with their national constitutional rules and legislation, as well as their international obligations and EU law. National authorities and courts are primarily responsible for ensuring compliance with the applicable rules.

The Commission will not comment on the alleged private statements of previous Commissioners.

The Commission supports Member States on electoral matters, mainly through the framework of the European cooperation network on elections.

This brings together national authorities with competence in electoral matters and facilitates the exchanges of information and best practices.

While the electoral processes are regulated under the Member States' national legislation enforced by their national competent authorities and courts, different EU rules are relevant in national electoral contexts within the EU, such as the Digital Services Act ([1]), the regulation 2024/900 on the transparency and targeting of political advertising ([2]) (which will become fully applicable in October 2025), the General Data Protection Regulation ([3]) (where personal data are involved), the Artificial Intelligence (AI) Act ([4]) (if AI is used, for instance, in a campaign), and the European Media Freedom Act ([5]).

Furthermore, in 2023, the Commission published a recommendation on inclusive and resilient electoral processes in the Union ([6]). In 2024, it also published Guidelines for providers of very large online platforms and very large online search engines on the mitigation of systemic risks for electoral processes ([7]).

([1]) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2065
([2]) https://eur-lex.europa.eu/eli/reg/2024/900/oj/eng
([3]) https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng
([4]) https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng
([5]) https://eur-lex.europa.eu/eli/reg/2024/1083/oj/eng
([6]) https://eur-lex.europa.eu/eli/reco/2023/2829/oj/eng
([7]) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52024XC03014&qid=1714466886277