

European Communities

EUROPEAN PARLIAMENT

Working Documents

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DOCUMENT 1-988/81/A

REPORT

drawn up on behalf of the Political Affairs Committee
on a draft uniform electoral procedure for the election
of Members of the European Parliament

PART A

Motion for a resolution

Rapporteur: Mr J. SEITLINGER

PE 64.569/A/fin.

By letter of 24 June 1980 the Secretary-General informed the Political Affairs Committee that it had been authorized to draw up a report on a uniform electoral procedure, which had been the subject of deliberations by the sub-committee on a uniform electoral procedure.

At its meeting of 18 December 1979 the sub-committee proposed that Mr Seitlinger should be appointed rapporteur. The Political Affairs Committee confirmed this appointment at its meeting of 22 and 23 January 1980. At its meeting of 2 October 1980, the sub-committee on a uniform electoral procedure unanimously decided to forward a draft report to the Political Affairs Committee.

After consideration had been given to the amended proposals submitted by the rapporteur at the meetings of 23-25 June 1981 in The Hague, 19 October 1981 in Brussels and 2 December 1981 in London, the rapporteur revised his motion for a resolution.

At its meeting on 28 January 1982 the Political Affairs Committee adopted the present draft report by 24 votes to 8 with 3 abstentions.

The following participated in the vote: Mr Rumor, chairman; Mr Haagerup, Mr Motchane and Lord Bethell, vice-chairmen; Mr Seitlinger, rapporteur; Mr Balfe (deputizing for Mrs Gredal), Mr Bettiza, Mr Bocklet (deputizing for Mr Klepsch), Mr Bournias, Mr Cariglia, Mr De Pasquale (deputizing for Mr Pajetta), Mr Deschamps, Lord Douro, Mr Fergusson, Mr Gawronski (deputizing for Mr Berkhouver), Mr Habsburg, Mr Hahn (deputizing for Mr Antoniozzi), Mr Hänsch, Mrs Hammerich, Mr von Hassel, Mrs van den Heuvel, Mr Israel (deputizing for Mr de la Malène) Mr Kyrkos (deputizing for Mr Piquet), Mrs Lenz, Mr Lomas, Mr van Minnen (deputizing for Mr van Miert), Mr Moorhouse (deputizing for Sir James Scott-Hopkins), Mr Pelikan (deputizing for Mr Zagari), Mr Plaskovitis, Mr Segre, Mr Schall, Mr Schieler, Mr J. M. Taylor, Mr Vergeer (deputizing for Mr Penders) and Mr Walter (deputizing for Mr Brandt).

The opinion of the Legal Affairs Committee is attached to Part B (Explanatory Statement) of this report.

The Political Affairs Committee hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

on a draft uniform electoral procedure for the election of Members of the European Parliament

The European Parliament,

- having regard to Article 7 of the Act of 20 September 1976 concerning the election of the representatives of the Assembly by direct universal suffrage,
 - whereas there are substantial differences in the electoral provisions currently in force for the election of Members of the European Parliament, particularly as regards the electoral system and the right to vote,
 - whereas these differences affect the composition and representativeness of the European Parliament, as well as the way in which the citizens of the Community can exercise their civic rights,
 - whereas these provisions are of a transitional nature,
 - whereas it is for the European Parliament to propose a final system,
-
1. Submits the following draft Act to the Council;
 2. Invites the Council to adopt it without delay and to forward it to the Member States so that they may adopt the provisions needed for the elections to take place in 1984 in accordance with their respective constitutional requirements ;

Proposal for an Act adopting certain provisions relating to a uniform electoral procedure for the election of Members of the European Parliament.

The Council,

- having regard to Article 21(3) of the Treaty establishing the European Coal and Steel Community;
- having regard to Article 138(3) of the Treaty establishing the European Economic Community;
- having regard to Article 108(3) of the Treaty establishing the European Atomic Energy Community;
- having regard to Article 7(1) of the Act concerning the election of the representatives of the Assembly by direct universal suffrage;
- having regard to Parliament's proposal;

has adopted the provisions annexed to this decision which it recommends the Member States to adopt in accordance with their respective constitutional requirements.

This decision and the provisions annexed to it shall be published in the Official Journal of the European Communities.

The Member States shall, without delay, notify the Secretary-General of the Council of the European Communities that they have completed the procedures called for by their respective constitutional requirements for the adoption of the provisions annexed to this decision.

This decision shall enter into force on the day of its publication in the Official Journal of the European Communities.

PART I

THE ELECTORAL SYSTEM

ARTICLE 1

The parliamentary representatives of the peoples of the States brought together in the Community shall be elected in accordance with the system laid down by this Act, by the Act of 20 September 1976 and, in the absence of Community provisions, by national provisions.

ARTICLE 2

1. In each Member State the representatives shall be elected by proportional representation.

2. The Member States shall be divided into multi-member constituencies in which a minimum of three and a maximum of fifteen representatives shall be elected.
The Member States shall decide how their territory is to be divided into constituencies.

3. The Member States shall lay down the conditions for combining at national level the lists submitted in the various constituencies.

4. The Member States shall lay down the conditions for the submission of lists.

5. Each elector shall have one vote. The Member States may make provision for preferential voting within a list.

ARTICLE 3

1. Seats shall be allocated to each list or combination of lists in accordance with the d'Hondt system, taking account of the total number of votes secured by the list or combination of lists at national level.

The seats allocated to individual lists of combined lists shall be divided between the lists concerned in accordance with the d'Hondt system on the basis of the number of votes secured in the constituencies.

2. Seats shall be allocated within a list on the basis of the order of the names on the list. In the case of preferential voting, the seats shall be allocated on the basis of the number of votes secured by each of the candidates on the list concerned.

3. If a seat falls vacant, it shall be filled in accordance with the provisions of paragraph 2.

ARTICLE 4

1. The introduction of a threshold below which a list obtains no seats shall be left to the discretion of the Member States.

2. In order to take account of special geographical or ethnic factors recognized by the written or unwritten Constitutions of the State concerned, measures deviating from the principles set out in Articles 2 and 3 may be adopted by the Member States.

PART 11

OTHER ASPECTS OF ELECTORAL PROCEDURE

ARTICLE 5

1. The Member States shall grant their citizens the right to vote irrespective of their place of residence, provided that this place of residence is situated in a Member State of the European Community.

2. The Member States shall grant the nationals of other Member States the right to vote provided they have been resident in the country for at least five years.

3. Citizens of the European Community who have been resident for less than five years in a Member State of the European Community other than that of which they are nationals shall be entitled to vote in their native country.

4. The Member States shall take all the necessary measures to ensure that citizens of the Community can exercise their right to vote pursuant to paragraphs 2 and 3 without difficulty.

ARTICLE 6

The Member States shall grant their citizens the right to stand for election irrespective of their place of residence.

ARTICLE 7

Article 9 of the Act of 20 September 1976 shall be replaced by the following provisions:

1. Elections to the European Parliament shall be held on the date fixed by each Member State. This date shall fall within the same period of two days, starting on a Sunday morning and ending on the Monday evening.

2. The counting of votes may not begin until after the close of polling stations in the Member State whose electors are the last to vote within the period referred to in paragraph 1.

ARTICLE 8

Article 7(2) and Article 12(1) of the Act of 20 September 1976 are hereby repealed.

3. Invites the Council to adopt the draft Act in accordance with the procedures laid down in Article 13 of the Act of 20 September 1976;
4. Instructs its President to forward this resolution, together with the draft Act and the report of its committee, to the Council and Commission of the European Communities and to the parliaments and governments of the Member States.

