



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Constitutional Affairs

2009/2134(INI)

5.11.2010

DRAFT REPORT

on a proposal for a modification of the Act concerning the election of the members of the European Parliament by direct universal suffrage of 20 September 1976
(2009/2134(INI))

Committee on Constitutional Affairs

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CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION	3
ANNEX I - Consolidated version of the Act concerning the election of the representatives of the Assembly by direct universal suffrage annexed to the Council decision of 20 September 1976, and of the subsequent amendments thereto	8
ANNEX II - Proposal for the amendment of the Treaties.....	14
ANNEX III - Draft proposal for a Council decision adopting the provisions amending the Act concerning the election of the Members of the European Parliament by direct universal suffrage of 20 September 1976	18
Annex to the draft proposal for a Council Decision – Draft Act amending the Act concerning the election of the Members of the European Parliament by direct universal suffrage of 20 September 1976 (1976 Elections Act)	19

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on a proposal for a modification of the Act concerning the election of the members of the European Parliament by direct universal suffrage of 20 September 1976 (2009/2134(INI))

The European Parliament,

- having regard to the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to the Council decision of 20 September 1976, as amended¹, in particular Article 14 thereof,
- having regard to its previous resolutions on the electoral procedure of the Parliament, in particular its resolution of 15 July 1998²,
- having regard to its resolution of 11 October 2007 on the composition of the European Parliament³,
- having regard to the Presidency Conclusions of the European Council held on 14 December 2007,
- having regard to its resolution of 6 May 2010 on the draft protocol amending Protocol No 36 on transitional provisions concerning the composition of the European Parliament for the rest of the 2009-2014 parliamentary term: the European Parliament's opinion (Article 48(3) of the EU Treaty)⁴,
- having regard to Article 39 of the Charter of Fundamental Rights of the European Union,
- having regard to Articles 9, 10, 14(2) and 48(2), (3) and (4) of the Treaty on European Union (TEU) and to Articles 22, 223 and 225 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Protocol (No 7) on the Privileges and Immunities of the European Union,
- having regard to Rules 41, 48(3) and 74a of its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs (A7-0000/2010),

Whereas:

- A. Parliament has the right to initiate the reform of its own electoral procedure, and to give its consent thereto,

¹ Council Decision 76/787/ECSC, EEC, Euratom (OJ L 278, 8.10.1976, p. 1) as amended by Council Decision 93/81/Euratom, ECSC, EEC (OJ L 33, 9.2.1993, p. 15) and by Council Decision 2002/772/EC, Euratom (OJ L 283, 21.10.2002, p. 1).

² OJ C 292, 21.9.1998, p. 66.

³ OJ C 227 E, 4.9.2008, p. 132.

⁴ Texts adopted, P7_TA(2010)0148.

- B. Parliament has the right to initiate a change in its own composition, and to give its consent thereto,
- C. Parliament has the right to initiate a revision of the Treaties,
- D. Parliament has been directly elected every five years since 1979 and has seen its powers and influence increase throughout this period, most notably as a result of the entry into force of the Treaty of Lisbon,
- E. even without agreement on a uniform electoral procedure, there has been a gradual convergence of electoral systems over this period, notably with the universal adoption of proportional representation in 1999, the formal establishment of political parties at EU level¹ and the abolition of the dual mandate²,
- F. the concept of European Union citizenship, formally introduced into the constitutional order by the Treaty of Maastricht in 1993, included the right to participate under certain conditions in European and municipal elections in Member States other than one's own, and the Charter of Fundamental Rights, which now has binding legal force under the terms of the Lisbon Treaty, has reinforced that right and other civic rights,
- G. popular recognition of Parliament's democratic function remains limited, political parties at European level are still in the early stages of development, electoral campaigning remains more national than European, and media reportage of Parliament is irregular,
- H. overall turnout in the elections to Parliament has fallen steadily from 63 per cent in 1979 to 43 per cent in 2009,
- I. there are several differences in the systems used by States for elections to the European Parliament, particularly with respect to the organisation of constituencies and to preferential voting, but also with respect to measures aimed at increasing the representation of women and ethnic minorities,
- J. the number of EU citizens resident in Member States other than their own who vote in elections to the European Parliament is low, and the number who stand for election is negligible; residency qualifications for the franchise vary among States, as does the time after which their own nationals resident elsewhere in the EU are deprived of the right to vote in their original home State,
- K. according to the case-law of the Court of Justice, while States enjoy substantial discretion in defining who can vote in European parliamentary elections, they are nevertheless bound to respect the general principles of EU law and are precluded from treating different categories of EU citizens who are in the same circumstances in a way that discriminates between them³; likewise, while it is for each State to lay down its own conditions for the

¹ Regulation (EC) No 2004/2003 of the European Parliament and of the Council of 4 November 2003 on the regulations governing political parties at European level and the rules regarding their funding (OJ L 297, 15.11.2003, p. 1).

² Council Decision 2002/772/EC, Euratom, Article 1(7), point (b).

³ Case C-145/04 *Spain v United Kingdom* [2006] ECR I-7917 (concerning Gibraltar) and Case C-300/04 *Eman and Sevinger v College van burgemeester en wethouders van Den Haag* [2006] ECR I-8055 (concerning Aruba).

acquisition and loss of nationality, it must at the same time have regard to the status of citizenship of the Union¹,

- L. current proposals of the Commission to facilitate electoral participation by EU citizens resident in Member States other than their own are stalled in the Council²,
- M. across the 27 States the minimum age for eligibility to stand as a candidate now varies between 18 and 25, and for eligibility to vote between 16 and 18; it is important to encourage young people to participate in elections,
- N. the number of women MEPs now stands at 35 per cent; measures should be taken to further reduce the gender imbalance in Parliament, especially in certain States,
- O. there remain a number of other issues that could be reviewed in respect of the elections, including the question of thresholds, the use of electronic polling, verification of the credentials of MEPs and the filling of vacancies,
- P. Parliament has urged the Council to bring forward the date of the election to May so that it can better organise itself to expedite the election of the new Commission President and avoid the beginning of the summer vacation in several States³,
- Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to strictly respect the principle of degressive proportionality; it may be possible to reach agreement on an apolitical, mathematical formula which would respect the criteria laid down in the Treaties and spelt out in the Act⁴,
- R. Parliament lacks an autonomous system for regulating the legal privileges and immunities of its Members; the Council has previously agreed to examine the request of Parliament to revise the 1965 Protocol on Privileges and Immunities once the Members' Statute had entered into force⁵,
- S. in spite of the fact that the Council has previously agreed to keep the 1976 Act under review, the last formal review of electoral procedure by Parliament was initiated as long ago as 1998⁶,

¹ Case C-135/08 *Rottmann v Freistaat Bayern*: judgment of 2 March 2010 (OJ C 113, 1.5.2010, p. 4).

² See Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (OJ L 329, 30.12.1993, p. 34) and Parliament's resolution of 26 September 2007 on the proposal for a Council directive amending Directive 93/109/EC as regards certain detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (OJ C 219 E, 28.8.2008, p. 193).

³ As proposed in Parliament's resolution of 1 December 2005 on guidelines for the approval of the Commission (OJ C 285 E, 22.11.2006, p. 137).

⁴ Declaration No 5 annexed to the Final Act of the Lisbon Treaty IGC.

⁵ Declaration of 3 June 2005 by Representatives of the Member States meeting within the Council.

⁶ Council Declaration 6151/02 of 22 February 2002 decided 'that the provisions of this Act should be reviewed before the second elections to the European Parliament held after the entry into force of the amendments to the

- T. Parliament's electoral procedure must uphold the practice of free, fair and secret elections, achieve overall proportionality of representation, and be durable and comprehensible,
- U. Parliament's electoral system is a compromise between the democratic principle of equality ('one man one vote') and the international law principle of equality among states, and the TEU lays down the principle of the equality of its citizens while forbidding discrimination on the grounds of nationality,
- V. reform of the electoral procedure must also respect the principles of subsidiarity and proportionality and should not seek to impose uniformity for its own sake,
- W. Parliament has previously resolved to study the possibility of electing some MEPs on transnational lists, considering that this would impart a genuine European dimension to the campaign, particularly by entrusting a central role to European political parties¹,
- X. the TEU provides that '[p]olitical parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union'²,
- Y. the Lisbon Treaty changed the relevant wording concerning the composition of Parliament from 'representatives of the peoples of the States brought together in the Community'³ to 'representatives of the Union's citizens'⁴,
- Z. notwithstanding the current addition of 18 MEPs, in accordance with the provisions of the Treaty of Lisbon, the composition of Parliament will not be in line with the principle of degressive proportionality⁵,
- 1. Decides to reform its electoral procedure in good time before the 2014 elections with the aim of enhancing the legitimacy and efficacy of Parliament by strengthening the European democratic dimension and by providing for a fairer distribution of seats among the States in accordance with the Treaties;
- 2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method⁶; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

1976 Act which are the subject of this Decision' – that is, before 2009.

¹ Most recently in its above-mentioned resolution of 11 October 2007 (Lamassoure-Severin report).

² Article 10(4) TEU.

³ Article 189 of the Treaty establishing the European Community.

⁴ Article 14(2) TEU.

⁵ Paragraph 6 of its abovementioned resolution of 6 May 2010.

⁶ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

3. Proposes that a redistribution of the existing 751 seats among States will take place, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; the redistribution will be made in accordance with a mathematical formula respecting the criteria laid down in the Treaties, and will be announced at least twelve months before the end of the mandate;
4. Repeats its proposal to bring forward the timing of the election from June to May;
5. Urges States and political parties to promote the better representation of women and ethnic minority candidates at both the EU and the national level;
6. Calls on the Council, Commission and States to intensify efforts to help EU citizens resident in a State other than their own to participate in the European elections in their country of residence; in this context, requests the Commission to submit a new proposal for revision of Council Directive 93/109/EC laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals;
7. Reiterates its long-standing request that the 1965 Protocol on Privileges and Immunities be amended with a view to establishing a uniform supranational regime for Members of the European Parliament¹;
8. Submits to the Council for the amendment of the Treaties the amendments contained in Annex II;
9. Submits to the Council for the amendment of the Act concerning the election of the Members of the European Parliament by direct universal suffrage the amendments contained in Annex III;
10. Instructs its President to forward this resolution to the European Council, the Council, the Commission and the parliaments and governments of the Member States.

¹ European Parliament resolution of 6 July 2006 on modification of the Protocol on Privileges and Immunities (OJ C 303 E, 13.12.2006, p. 830), in which Parliament confirmed its intention to use the Members' Statute as a partial basis for the proposed revision (European Parliament decision of 3 June 2003 on the adoption of a Statute for Members of the European Parliament (OJ C 68 E, 18.3.2004, p. 115)).

ANNEX I - Consolidated version of the Act concerning the election of the representatives of the Assembly by direct universal suffrage annexed to the Council decision of 20 September 1976, and of the subsequent amendments thereto

**ACT¹
concerning the election of the members of the European Parliament
by direct universal suffrage**

Article 1

1. In each Member State, members of the European Parliament shall be elected on the basis of proportional representation, using the list system or the single transferable vote.
2. Member States may authorise voting based on a preferential list system in accordance with the procedure they adopt.
3. Elections shall be by direct universal suffrage and shall be free and secret.

Article 2

In accordance with its specific national situation, each Member State may establish constituencies for elections to the European Parliament or subdivide its electoral area in a different manner, without generally affecting the proportional nature of the voting system.

Article 3

Member States may set a minimum threshold for the allocation of seats. At national level this threshold may not exceed 5 per cent of votes cast.

Article 4

Each Member State may set a ceiling for candidates' campaign expenses.

Article 5

1. The five-year term for which members of the European Parliament are elected shall begin at the opening of the first session following each election.

¹ N.B.: This document is a consolidation produced by the Legal Service of the European Parliament on the basis of the Act concerning the election of the representatives of the Assembly by direct universal suffrage (OJ L 278, 8.10.1976, p. 5), as amended by Decision 93/81/Euratom, ECSC, EEC amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 (OJ L 33, 9.2.1993, p. 15), and Council Decision 2002/772/EC, Euratom of 25 June 2002 and 23 September 2002 (OJ L 283, 21.10.2002, p. 1). It differs from the consolidated version produced by the Publications Office of the European Union (CONSLEG. 1976X1008-23/09/2002) on two points: it incorporates an indent to Article 6(1) '– member of the Committee of the Regions' resulting from Article 5 of the Treaty of Amsterdam (OJ C 340, 10.11.1997) and is renumbered in accordance with Article 2(1) of Council Decision 2002/772/EC, Euratom.

It may be extended or curtailed pursuant to the second subparagraph of Article 10 (2).

2. The term of office of each member shall begin and end at the same time as the period referred to in paragraph 1.

Article 6

1. Members of the European Parliament shall vote on an individual and personal basis. They shall not be bound by any instructions and shall not receive a binding mandate.

2. Members of the European Parliament shall enjoy the privileges and immunities applicable to them by virtue of the Protocol of 8 April 1965 on the privileges and immunities of the European Communities.

Article 7

1. The office of member of the European Parliament shall be incompatible with that of:

- member of the government of a Member State,
- member of the Commission of the European Communities,
- Judge, Advocate-General or Registrar of the Court of Justice of the European Communities or of the Court of First Instance,
- member of the Board of Directors of the European Central Bank,
- member of the Court of Auditors of the European Communities,
- Ombudsman of the European Communities,
- member of the Economic and Social Committee of the European Community and of the European Atomic Energy Community,
- member of the Committee of the Regions,
- member of committees or other bodies set up pursuant to the Treaties establishing the European Community and the European Atomic Energy Community for the purposes of managing the Communities' funds or carrying out a permanent direct administrative task,
- member of the Board of Directors, Management Committee or staff of the European Investment Bank,
- active official or servant of the institutions of the European Communities or of the specialised bodies attached to them or of the European Central Bank.

2. From the European Parliament elections in 2004, the office of member of the European Parliament shall be incompatible with that of member of a national parliament.

By way of derogation from that rule and without prejudice to paragraph 3:

- members of the Irish National Parliament who are elected to the European Parliament at a subsequent poll may have a dual mandate until the next election to the Irish National Parliament, at which juncture the first subparagraph of this paragraph shall apply;
- members of the United Kingdom Parliament who are also members of the European Parliament during the five-year term preceding election to the European Parliament in 2004 may have a dual mandate until the 2009 European Parliament elections, when the first subparagraph of this paragraph shall apply.

3. In addition, each Member State may, in the circumstances provided for in Article 8, extend rules at national level relating to incompatibility.

4. Members of the European Parliament to whom paragraphs 1, 2 and 3 become applicable in the course of the five-year period referred to in Article 5 shall be replaced in accordance with Article 13.

Article 8

Subject to the provisions of this Act, the electoral procedure shall be governed in each Member State by its national provisions.

These national provisions, which may if appropriate take account of the specific situation in the Member States, shall not affect the essentially proportional nature of the voting system.

Article 9

No one may vote more than once in any election of members of the European Parliament.

Article 10

1. Elections to the European Parliament shall be held on the date and at the times fixed by each Member State; for all Member States this date shall fall within the same period starting on a Thursday morning and ending on the following Sunday.

2. Member States may not officially make public the results of their count until after the close of polling in the Member State whose electors are the last to vote within the period referred to in paragraph 1.

Article 11

1. The Council, acting unanimously after consulting the European Parliament, shall determine the electoral period for the first elections.

2. Subsequent elections shall take place in the corresponding period in the last year of the five-year period referred to in Article 5.

Should it prove impossible to hold the elections in the Community during that period, the Council acting unanimously shall, after consulting the European Parliament, determine, at least one month¹ before the end of the five-year term referred to in Article 5, another electoral period which shall not be more than two months before or one month after the period fixed pursuant to the preceding subparagraph.

3. Without prejudice to Article 196 of the Treaty establishing the European Community and Article 109 of the Treaty establishing the European Atomic Energy Community, the European Parliament shall meet, without requiring to be convened, on the first Tuesday after expiry of an interval of one month from the end of the electoral period.

4. The powers of the European Parliament shall cease upon the opening of the first sitting of the new European Parliament.

Article 12

The European Parliament shall verify the credentials of members of the European Parliament. For this purpose it shall take note of the results declared officially by the Member States and shall rule on any disputes which may arise out of the provisions of this Act other than those arising out of the national provisions to which the Act refers.

Article 13

1. A seat shall fall vacant when the mandate of a member of the European Parliament ends as a result of resignation, death or withdrawal of the mandate.

2. Subject to the other provisions of this Act, each Member State shall lay down appropriate procedures for filling any seat which falls vacant during the five-year term of office referred to in Article 5 for the remainder of that period.

3. Where the law of a Member State makes explicit provision for the withdrawal of the mandate of a member of the European Parliament, that mandate shall end pursuant to those legal provisions. The competent national authorities shall inform the European Parliament thereof.

4. Where a seat falls vacant as a result of resignation or death, the President of the European Parliament shall immediately inform the competent authorities of the Member State concerned thereof.

Article 14

Should it appear necessary to adopt measures to implement this Act, the Council, acting

¹ In the versions of Decision 2002/772/EC, Euratom as published in the Official Journal, other than the English and Spanish versions, this period is stated to be one year.

unanimously on a proposal from the European Parliament after consulting the Commission, shall adopt such measures after endeavouring to reach agreement with the European Parliament in a conciliation committee consisting of the Council and representatives of the European Parliament.

Article 15

This Act is drawn up in the Danish, Dutch, English, Finnish, French, German, Greek, Irish, Italian, Portuguese, Spanish and Swedish languages, all the texts being equally authentic.

Annexes I and II shall form an integral part of this Act.

Article 16

The provisions of this Act shall enter into force on the first day of the month following that during which the last of the notifications referred to in the Decision is received.

Udfærdiget i Bruxelles, den tyvende september nitten hundrede og seksoghalvfjerds.

Geschehen zu Brüssel am zwanzigsten September neunzehnhundert-sechundsiebzig.

Done at Brussels on the twentieth day of September in the year one thousand nine hundred and seventy-six.

Fait à Bruxelles, le vingt septembre mil neuf cent soixante-seize.

Arna dhéanamh sa Bhruiséil, an fichiú lá de mhí Mhéan Fómhair, míle naoi gcéad seachtó a sé.

Fatto a Bruxelles, addì venti settembre millenovecentosettantasei.

Gedaan te Brussel, de twintigste september negentienhonderd zesenze-ventig.

ANNEX I

The United Kingdom will apply the provisions of this Act only in respect of the United Kingdom.

ANNEX II

Declaration on Article 14

As regards the procedure to be followed by the Conciliation Committee, it is agreed to have recourse to the provisions of paragraphs 5, 6 and 7 of the procedure laid down in the joint

declaration of the European Parliament, the Council and the Commission of 4 March 1975¹.

¹ OJ C 89, 22. 4. 1975, p. 1.

ANNEX II - Proposal for the amendment of the Treaties

TREATY ON EUROPEAN UNION

Amendment A

Treaty on European Union Article 14 – paragraph 2

Treaty on European Union

2. The European Parliament shall be composed of representatives of the Union's citizens. ***They shall not exceed seven hundred and fifty in number, plus the President.*** Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision ***establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.***

Amendment

2. The European Parliament shall be composed of representatives of the Union's citizens.

2a. There shall be seven hundred and fifty one seats allocated to constituencies established in the Member States.

Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The distribution of those seats among the States shall be reviewed regularly in accordance with a formula based on the total resident population of the States. Not later than twelve months before the end of the mandate of each Parliament the European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision on the redistribution of seats.

2b. In addition, there shall be twenty-five seats allocated to a single constituency comprising the entire territory of the Union.

**PROTOCOL (NO 7) ON THE PRIVILEGES AND IMMUNITIES OF THE
EUROPEAN UNION**

Amendment B

**Protocol on the Privileges and Immunities of the European Union
Article 7**

Protocol (No 7)

Amendment

No administrative or other restriction shall be imposed on the free movement of Members of the European Parliament travelling to or from the place of meeting of the European Parliament.

Members of the European Parliament shall enjoy freedom of movement throughout the European Union.

Members of the European Parliament shall, in respect of customs and exchange control, be accorded:

This right may not be restricted by law or by order of a public authority or court.

(a) by their own government, the same facilities as those accorded to senior officials travelling abroad on temporary official missions;

(b) by the government of other Member States, the same facilities as those accorded to representatives of foreign governments on temporary official missions.

Amendment C

**Protocol on the Privileges and Immunities of the European Union
Article 8**

Protocol (No 7)

Amendment

Members of the European Parliament shall ***not*** be subject to any form of inquiry, detention or

Members of the European Parliament shall ***at no time*** be subject to any form of

legal proceedings in respect of *opinions expressed or votes cast by them in the performance of their duties.*

inquiry, detention or legal proceedings in respect of *any action taken, vote cast or statement made in the exercise of their mandate.*

The European Parliament shall decide, on an application from a Member, whether an action was taken or a statement was made in the exercise of his/her mandate.

The European Parliament shall lay down provisions for the implementation of this Article in its Rules of Procedure.

Or. en

Amendment D

Protocol on the Privileges and Immunities of the European Union Article 9

Protocol (No 7)

During the sessions of the European Parliament, its Members shall enjoy:

(a) in the territory of their own State, the immunities accorded to members of their parliament;

(b) in the territory of any other Member State, immunity from any measure of detention and from legal proceedings.

Immunity shall likewise apply to Members while they are travelling to and from the place of meeting of the European

Amendment

1. Any restriction of a Member's personal freedom shall be permitted only with the consent of the European Parliament, except where he/she is caught in the act of committing an offence.

2. The seizure of a Member's documents or electronic records or the searching of his/her person, office or place of residence or interception of his/her mail and telephone calls may be ordered only with the consent of the European Parliament.

3. A Member shall be entitled to decline to give evidence about information which that Member has obtained in the exercise of his/her mandate or about persons from or to whom he/she has obtained or given such information.

4. Investigations or criminal proceedings against a Member shall be suspended at the request of the European Parliament.

Parliament.

Immunity cannot be claimed when a Member is found in the act of committing an offence and shall not prevent the European Parliament from exercising its right to waive the immunity of one of its Members.

5. Consent pursuant to paragraph 2 may be applied for only by the authorities competent under national law.

6. Consent pursuant to paragraph 2, or suspension pursuant to paragraph 4, may be granted conditionally, for a limited period or on a restricted basis.

Or. en

**ANNEX III - Draft proposal for a Council decision adopting the provisions
amending the Act concerning the election of the Members of the European
Parliament by direct universal suffrage of 20 September 1976**

THE COUNCIL,

Having regard to Article 223 of the Treaty on the Functioning of the European Union,

Having regard to the proposal by the European Parliament,

Having regard to Parliament's consent,

Whereas:

(1) The Treaty provisions concerning the electoral procedure should be implemented,

HAS ADOPTED the provisions annexed to this decision and recommends that they be adopted by the Member States in accordance with their respective constitutional requirements.

This decision and the provisions hereunto annexed shall be published in the Official Journal of the European Union.

The Member States shall without delay notify the Secretary-General of the Council that they have carried out the procedures required under their respective constitutional rules for adoption of the provisions annexed to this decision.

The amendments shall take effect on the first day of the month following the adoption of the provisions of this Decision by the Member States, in accordance with their respective constitutional requirements.

Annex to the draft proposal for a Council Decision – Draft Act amending the Act concerning the election of the Members of the European Parliament by direct universal suffrage of 20 September 1976 (1976 Elections Act)¹

Amendment 1

**1976 Elections Act
Article 1 – paragraph 1**

1976 Elections Act

1. ***In each Member State***, members of the European Parliament shall be elected on the basis of proportional representation, using the list system or the single transferable vote.

Amendment

1. Members of the European Parliament shall be elected ***as representatives of the citizens of the Union*** on the basis of proportional representation, using the list system or the single transferable vote.

Or. en

Amendment 2

**1976 Elections Act
Article 2 a (new)**

¹ The amendments in this document are based on a consolidation produced by the Legal Service of the European Parliament on the basis of the Act concerning the election of the representatives of the Assembly by direct universal suffrage (OJ L 278, 8.10.1976, p. 5), as amended by Decision 93/81/Euratom, ECSC, EEC amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 (OJ L 33, 9.2.1993, p. 15), and Council Decision 2002/772/EC, Euratom of 25 June 2002 and 23 September 2002 (OJ L 283, 21.10.2002, p. 1). This consolidation differs from the consolidated version produced by the Publications Office of the European Union (CONSLEG. 1976X1008-23/09/2002) in two respects: it incorporates an indent to Article 6(1) '– member of the Committee of the Regions' resulting from Article 5 of the Treaty of Amsterdam (OJ C 340, 10.11.1997) and is renumbered in accordance with Article 2(1) of Council Decision 2002/772/EC, Euratom.

Article 2a

1. For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the ratio between the population and the number of seats of each State must vary in relation to their respective populations in such a way that each Member from a more populous State represents more citizens than each Member from a less populous State and also, conversely, that no less populous State has more seats than a more populous State.

2. The seats will be distributed in accordance with the mathematical formula laid down in the Annex hereto, on the basis of the total resident population of the States as established by Eurostat.

Or. en

Amendment 3

**1976 Elections Act
Article 2 b (new)**

Article 2b

1. Pursuant to Article 14(2b) of the Treaty on European Union, there shall be one additional constituency formed of the entire territory of the Union from which shall be elected twenty-five Members.

2. An electoral authority shall be established to conduct and verify the electoral process of the European Union constituency. The authority shall comprise representatives of the European

Parliament, the Commission and each Member State.

3. Transnational lists of candidates for election in the European Union constituency submitted by the European political parties shall be admissible only:

(a) if composed of candidates resident in at least one third of the States, and

(b) if balanced by gender.

4. Each elector shall have one supplementary vote that may be cast for his or her preferred candidate on the European Union-wide list. Voting shall be by the preferential semi-open list system. Seats shall be allocated in accordance with the Sainte-Laguë method.

5. Detailed arrangements for the European Union constituency election, including the delegation of powers to the electoral authority, shall be laid down in implementing measures to be adopted in accordance with Article 14.

Or. en

Amendment 4

1976 Elections Act Article 3

1976 Elections Act

Member States may set a minimum threshold for the allocation of seats. At national level this threshold may not exceed 5 per cent of votes cast.

Amendment

*1. Member States may set a minimum threshold for the allocation of seats **distributed in national and/or regional constituencies**. At national level this threshold may not exceed 5 per cent of votes cast.*

*2. **There shall be no minimum threshold for the allocation of seats from the European Union constituency.***

Or. en

Amendment 5

1976 Elections Act Article 4

1976 Elections Act

Each Member State may set a ceiling for *candidates' campaign expenses*.

Amendment

Each Member State may set a ceiling for *the campaign expenses of candidates and political parties at the national and/or regional level. The electoral authority shall set a ceiling for the campaign expenses of candidates and political parties at the European Union level..*

Or. en

Amendment 6

1976 Elections Act Article 5 – paragraph 1 – subparagraph 2

1976 Elections Act

It may be extended or curtailed pursuant to the second subparagraph of *Article 10(2)*.

Amendment

It may be extended or curtailed pursuant to the second subparagraph of *Article 11(2)*.

Or. en

Amendment 7

1976 Elections Act Article 6

1976 Elections Act

1. Members of the European Parliament shall vote on an individual and personal basis. They shall not be bound by any instructions and shall not receive a binding mandate.

Amendment

Members of the European Parliament shall *have the rights and obligations laid down in the Members' Statute and the Protocol* on the privileges and immunities of the European *Union*.

2. Members of the European Parliament shall enjoy the privileges and immunities applicable to them by virtue of the Protocol of 8 April 1965 on the privileges and immunities of the European Communities.

Or. en

Amendment 8

1976 Elections Act

Article 7 – paragraph 1 – indent 1 a (new)

1976 Elections Act

Amendment

– member of a national or regional parliament,

Or. en

Amendment 9

1976 Elections Act

Article 7 – paragraph 2

1976 Elections Act

Amendment

2. From the European Parliament elections in 2004, the office of member of the European Parliament shall be incompatible with that of member of a national parliament.

deleted

By way of derogation from that rule and without prejudice to paragraph 3:

– members of the Irish National Parliament who are elected to the European Parliament at a subsequent poll may have a dual mandate until the next election to the Irish National Parliament, at which juncture the first subparagraph of this paragraph shall apply;

– members of the United Kingdom Parliament who are also members of the

European Parliament during the five-year term preceding election to the European Parliament in 2004 may have a dual mandate until the 2009 European Parliament elections, when the first subparagraph of this paragraph shall apply.

Or. en

Amendment 10

1976 Elections Act Article 7 – paragraph 4

1976 Elections Act

4. Members of the European Parliament to whom paragraphs 1, **2 and** 3 become applicable in the course of the five-year period referred to in Article 5 shall be replaced in accordance with Article 13.

Amendment

4. Members of the European Parliament to whom paragraphs 1 **or** 3 become applicable in the course of the five-year period referred to in Article 5 shall be replaced in accordance with Article 13.

Or. en

Amendment 11

1976 Elections Act Article 9

1976 Elections Act

No one may vote more than once in any election of members of the European Parliament.

Amendment

Without prejudice to Article 2b, no one may vote more than once in any election of members of the European Parliament.

Or. en

Amendment 12

1976 Elections Act Article 11 – paragraph 1

1976 Elections Act

Amendment

1. The Council, *acting unanimously after consulting the European Parliament*, shall determine the electoral period for the *first* elections.

1. The Council shall determine the electoral period for the elections *at least one year before the end of the five-year term referred to in Article 5, in accordance with Article 14.*

Or. en

Amendment 13

**1976 Elections Act
Article 11 – paragraph 2**

1976 Elections Act

Amendment

2. Subsequent elections shall take place in the corresponding period in the last year of the five-year period referred to in Article 5.

deleted

Should it prove impossible to hold the elections in the Community during that period, the Council acting unanimously shall, after consulting the European Parliament, determine, at least one month¹ before the end of the five-year term referred to in Article 5, another electoral period which shall not be more than two months before or one month after the period fixed pursuant to the preceding subparagraph.

Or. en

Amendment 14

**1976 Elections Act
Article 11 – paragraph 3**

¹ In the versions of Decision 2002/772/EC, Euratom as published in the Official Journal, other than the English and Spanish versions, this period is stated to be one year.

1976 Elections Act

3. Without prejudice to **Article 196 of the Treaty establishing the European Community** and Article 109 of the Treaty establishing the European Atomic Energy Community, the European Parliament shall meet, without requiring to be convened, on the first Tuesday after expiry of an interval of one month from the end of the electoral period.

Amendment

3. Without prejudice to **Article 229 of the Treaty on the Functioning of the European Union** and Article 109 of the Treaty establishing the European Atomic Energy Community, the European Parliament shall meet, without requiring to be convened, on the first Tuesday after expiry of an interval of one month from the end of the electoral period.

Or. en

Amendment 15

**1976 Elections Act
Article 12**

1976 Elections Act

The European Parliament shall verify the credentials of **members of the European Parliament**. **For this purpose it shall take note** of the results declared officially by the **Member States and shall rule on any disputes which may arise out of the provisions of this Act other than those arising out of the national provisions to which the Act refers**.

Amendment

The European Parliament shall verify the credentials of **the Members of Parliament on the basis** of the results declared officially by the **electoral authority referred to in Article 2b(3) and the Member States**.

Or. en

Amendment 16

**1976 Elections Act
Article 13**

1976 Elections Act

1. A seat shall fall vacant when the mandate

Amendment

A seat shall fall vacant when the

of a *member* of the European Parliament ends as a result of resignation, death or withdrawal of the mandate.

mandate of a *Member* of the European Parliament ends as a result of resignation, death or withdrawal of the mandate.

2. Subject to the other provisions of this Act, each Member State shall lay down appropriate procedures for filling any seat which falls vacant during the five-year term of office referred to in Article 5 for the remainder of that period.

3. Where the law of a Member State makes explicit provision for the withdrawal of the mandate of a member of the European Parliament, that mandate shall end pursuant to those legal provisions. The competent national authorities shall inform the European Parliament thereof.

4. Where a seat falls vacant as a result of resignation or death, the President of the European Parliament shall immediately inform the competent authorities of the Member State concerned thereof.

Or. en

Amendment 17

1976 Elections Act Article 13 a (new)

1976 Elections Act

Amendment

Article 13a

1. In the case of the Members elected in the Member States, and subject to the other provisions of this Act, each State shall lay down appropriate procedures for filling any seat which falls vacant during the five-year term of office referred to in Article 5 for the remainder of that period.

2. Where the law of a Member State provides for a temporary replacement of a member of its national parliament on

maternity leave, that State may decide that such provisions are to apply mutatis mutandis to the Members of the European Parliament elected in that State.

3. Where the law of a Member State makes explicit provision for the withdrawal of the mandate of a Member of the European Parliament elected in that Member State, that mandate shall end pursuant to those legal provisions. Such legal provisions shall not be adopted with retroactive effect. The competent national authorities shall inform the European Parliament thereof.

4. Where a seat of a Member elected in the Member States falls vacant as a result of resignation or death, the President of the European Parliament shall immediately inform the competent authorities of the Member State concerned thereof.

Or. en

(This Amendment partly reproduces the wording of paragraphs 2, 3 and 4 of Article 13 of the 1976 Elections Act. See amendment to Article 13.)

Amendment 18

1976 Elections Act Article 13 b (new)

1976 Elections Act

Amendment

Article 13b

1. In the case of the Members elected for the European Union constituency, and subject to the other provisions of this Act, appropriate procedures for the filling of any vacancy for the remainder of the five-year term of office referred to in Article 5 shall be laid down in implementing measures to be adopted

in accordance with Article 14.

2. Where the law of the Union makes explicit provision for the withdrawal of the mandate of a Member of the European Parliament elected on the European Union-wide list, that mandate shall end pursuant to those legal provisions. The electoral authority shall inform the European Parliament thereof.

3. Where a seat on the European Union-wide list falls vacant as a result of resignation or death, the President of the European Parliament shall immediately inform the electoral authority thereof.

Or. en

Amendment 19

**1976 Elections Act
Article 13 c (new)**

1976 Elections Act

Amendment

Article 13c

The European Parliament shall rule on any disputes which may arise out of the provisions of this Act and which involve the law of the Union.

Or. en

Amendment 20

**1976 Elections Act
Article 14**

1976 Elections Act

Amendment

Should it appear necessary to adopt measures to implement this Act, the

Measures to implement this Act shall be adopted by the Council, acting by

Council, acting unanimously on a proposal from the European Parliament after consulting the Commission, ***shall adopt such measures after endeavouring to reach agreement with*** the European Parliament ***in a conciliation committee consisting of the Council and representatives of the European Parliament.***

qualified majority, on a proposal from the European Parliament, after consulting the Commission, ***and with the consent of*** the European Parliament.

Or. en

Amendment 21

1976 Elections Act Article 15 – paragraph 2

1976 Elections Act

Amendment

Annexes I and II shall form an integral part of this Act.

deleted

Or. en

Amendment 22

1976 Elections Act Article 15 – paragraph 2a (new)

1976 Elections Act

Amendment

Pursuant to the Accession Treaties, the Czech, Bulgarian, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Romanian, Slovak and Slovenian versions of this Act shall also be authentic.

Or. en

Amendment 23

1976 Elections Act ANNEX I

1976 Elections Act

Amendment

ANNEX I

deleted

The United Kingdom will apply the provisions of this Act only in respect of the United Kingdom.

Or. en

Amendment 24

**1976 Elections Act
Annex II**

1976 Elections Act

Amendment

ANNEX II

deleted

Declaration on Article 14

As regards the procedure to be followed by the Conciliation Committee, it is agreed to have recourse to the provisions of paragraphs 5, 6 and 7 of the procedure laid down in the joint declaration of the European Parliament, the Council and the Commission of 4 March 1975¹.

¹ OJ C 89, 22.4.1975, p. 1.

Or. en

ANNEX TO ARTICLE 2A [NEW]

The formula for the distribution of the 751 seats in the European Parliament is as follows:

[to follow]



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Constitutional Affairs

2009/2134(INI)

14.3.2011

AMENDMENTS 25 - 138

Draft report
Andrew Duff
(PE440.210v03-00)

Proposal for a modification of the Act concerning the election of the members of the European Parliament by direct universal suffrage of 20 September 1976 ((2009/2134(INI))

AM_Com_NonLegReport

Amendment 25

Andrew Duff

Motion for a resolution

Citation 7

Motion for a resolution

– having regard to Articles 9, 10, 14(2) and 48(2), (3) and (4) of the Treaty on European Union (TEU) and to Articles 22, 223 and 225 of the Treaty on the Functioning of the European Union (TFEU),

Amendment

– having regard to Articles 9, 10, 14(2) and 48(2), (3) and (4) of the Treaty on European Union (TEU) and to Articles 22, 223 and 225 of the Treaty on the Functioning of the European Union (TFEU), ***and to Article 3 of Protocol No 2 on the application of the principles of subsidiarity and proportionality,***

Or. en

Amendment 26

György Schöpflin

Motion for a resolution

Citation 8 a (new)

Motion for a resolution

Amendment

– having regard to the proposal of the Commission (COM(2006) 791) for amending Directive 93/109/EC of 6 December 1993 as regards certain detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals,

Or. en

Amendment 27
Roberto Gualtieri

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

***Aa. according to Art. 10.2 TEU citizens
are directly represented at Union level in
the European Parliament,***

Or. en

Amendment 28
Andreas Mölzer

Motion for a resolution
Recital D

Motion for a resolution

Amendment

D. Parliament has been directly elected every five years since 1979 and has seen its powers and influence increase throughout this period, ***most notably as a result of the entry into force of the Treaty of Lisbon,***

D. Parliament has been directly elected every five years since 1979 and has seen its powers and influence increase throughout this period,

Or. de

Amendment 29
Roberto Gualtieri

Motion for a resolution
Recital F

Motion for a resolution

Amendment

F. the concept of European Union citizenship, formally introduced into the constitutional order by the Treaty of Maastricht in 1993, included the right to participate under certain conditions in European and municipal elections in Member States other than one's own, and

F. the concept of European Union citizenship, formally introduced into the constitutional order by the Treaty of Maastricht in 1993, included the right to participate under certain conditions in European and municipal elections in Member States other than one's own, and

the Charter of Fundamental Rights, which now has binding legal force under the terms of the Lisbon Treaty, has reinforced that right and *other civic* rights,

the Charter of Fundamental Rights, which now has binding legal force under the terms of the Lisbon Treaty, has reinforced that right and *the connected* rights,

Or. en

Amendment 30
Roberto Gualtieri

Motion for a resolution
Recital G

Motion for a resolution

G. popular recognition of Parliament's democratic function remains limited, political parties at European level are still in the early stages of development, electoral campaigning remains more national than European, and media reportage of Parliament is irregular,

Amendment

deleted

Or. en

Amendment 31
Roberto Gualtieri

Motion for a resolution
Recital H

Motion for a resolution

H. overall turnout in the elections to Parliament has fallen steadily from 63 per cent in 1979 to 43 per cent in 2009,

Amendment

H. overall turnout in the elections to Parliament has fallen steadily from 63 per cent in 1979 to 43 per cent in 2009; *the new provisions of Lisbon Treaty oblige the European Parliament and all the other institutions to promote popular participation to the EU democratic process,*

Or. en

Amendment 32
Roberto Gualtieri

Motion for a resolution
Recital I

Motion for a resolution

Amendment

I. there are several differences in the systems used by States for elections to the European Parliament, particularly with respect to the organisation of constituencies and to preferential voting, but also with respect to measures aimed at increasing the representation of women and ethnic minorities,

deleted

Or. en

Amendment 33
György Schöpflin, Íñigo Méndez de Vigo, Rafał Trzaskowski, Constance Le Grip

Motion for a resolution
Recital I

Motion for a resolution

Amendment

I. there are several differences in the systems used by States for elections to the European Parliament, particularly with respect to the organisation of constituencies and to preferential voting, but also with respect to measures aimed at increasing the representation of women and *ethnic* minorities,

I. there are several differences in the systems used by States for elections to the European Parliament, particularly with respect to the organisation of constituencies and to preferential voting, but also with respect to measures aimed at increasing the representation of women and minorities,

Or. en

Amendment 34
György Schöpflin

Motion for a resolution
Recital J

Motion for a resolution

J. the number of EU citizens resident in Member States other than their own who vote in elections to the European Parliament is low, and the number who stand for election is negligible; residency qualifications for the franchise vary among States, as does the time after which their own nationals resident elsewhere in the EU are deprived of the right to vote in their original home State,

Amendment

J. the number of EU citizens resident in Member States other than their own who vote in elections to the European Parliament is low, and the number who stand for election is negligible; residency qualifications for the franchise vary among States, as does the time after which their own nationals resident elsewhere in the EU are deprived of the right to vote in their original home State; ***moreover, the exchange of information between Member States on nationals of other Member States who have been entered on electoral rolls or have stood as a candidate, is not efficient,***

Or. en

Amendment 35
Roberto Gualtieri

Motion for a resolution
Recital K

Motion for a resolution

K. according to the ***case-law of the Court of Justice, while States enjoy substantial discretion in defining who can vote in European parliamentary elections, they are nevertheless bound to*** respect the general principles of EU law and are precluded from treating different categories of EU citizens who are in the same circumstances in a way that discriminates between them¹; likewise, while it is for each State to lay down its own conditions for the acquisition and loss of ***nationality***, it must at the same time have regard to the

Amendment

K. according to the ***new provisions of the Lisbon Treaty and in particular article 10 TEU Member States must*** respect the general principles of EU law and are precluded from treating different categories of EU citizens who are in the same circumstances in a way that discriminates between them¹; likewise, while it is for each State to lay down its own conditions for the acquisition and loss of ***citizenship***, it must at the same time have regard to the status of citizenship of the Union²,

¹ Case C-145/04 *Spain v United Kingdom* [2006] ECR I-7917 (concerning Gibraltar) and Case C-300/04 *Eman and Sevinger v College van burgemeester en wethouders van Den Haag* [2006] ECR I-8055 (concerning Aruba).

status of citizenship of the Union¹,

Or. en

Amendment 36
György Schöpflin

Motion for a resolution
Recital L

Motion for a resolution

L. current proposals of the Commission to facilitate electoral participation by EU citizens resident in Member States other than their own are stalled in the Council²,

Amendment

L. current proposals of the Commission to facilitate electoral participation by EU citizens resident in Member States other than their own ***and to abolish the information exchange system as one of the current means to prevent people from voting or standing as a candidate in more than one Member State in the same elections,*** are stalled in the Council¹,

Or. en

Amendment 37
Roberto Gualtieri

Motion for a resolution
Recital M

Motion for a resolution

M. across the 27 States the minimum age for eligibility to stand as a candidate now varies between 18 and 25, and for eligibility to vote between 16 and 18; it is important to encourage young people to

Amendment

deleted

¹ Case C-135/08 *Rottmann v Freistaat Bayern*: judgment of 2 March 2010 (OJ C 113, 1.5.2010, p. 4).

² See Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (OJ L 329, 30.12.1993, p. 34) and Parliament's resolution of 26 September 2007 on the proposal for a Council directive amending Directive 93/109/EC as regards certain detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (OJ C 219 E, 28.8.2008, p. 193).

participate in elections,

Or. en

Amendment 38
Andreas Mölzer

Motion for a resolution
Recital M

Motion for a resolution

M. across the 27 States the minimum age for eligibility to stand as a candidate now varies between 18 and 25, and for eligibility to vote between 16 and 18; it is important to encourage young people to participate in elections,

Amendment

(Does not affect English version.)

Or. de

Amendment 39
Rainer Wieland

Motion for a resolution
Recital M

Motion for a resolution

M. across the 27 States the minimum age for eligibility to stand as a candidate now varies between 18 and 25, and for eligibility to vote between 16 and 18; it is important to encourage young people to participate in elections,

Amendment

(Does not affect English version.)

Or. de

Amendment 40
György Schöpflin, Íñigo Méndez de Vigo

Motion for a resolution
Recital N

Motion for a resolution

N. the number of women MEPs now stands at 35 per cent; ***measures*** should be ***taken*** to ***further reduce*** the gender imbalance in Parliament, especially in certain States,

Amendment

N. the number of women MEPs now stands at 35 per cent; ***efforts*** should be ***made*** to ***reduce further*** the gender imbalance in Parliament, especially in certain States,

Or. en

Amendment 41
Andreas Mölzer

Motion for a resolution
Recital N

Motion for a resolution

N. the number of women MEPs now stands at 35 per cent; ***measures should be taken*** to ***further reduce the gender imbalance in Parliament, especially in certain States,***

Amendment

N. the number of women MEPs now stands at 35 per cent ***and is showing a welcome upward trend,***

Or. de

Amendment 42
Andreas Mölzer

Motion for a resolution
Recital O

Motion for a resolution

O. there remain a number of other issues that could be reviewed ***in respect of the elections, including*** the question of ***thresholds, the use of electronic polling,*** verification of the credentials of MEPs ***and*** the filling of vacancies,

Amendment

O. there remain a number of other issues that could be ***discussed and*** reviewed ***in future, such as*** the question of the verification of the credentials of MEPs ***or*** the filling of vacancies,

Amendment 43

Ashley Fox

Motion for a resolution

Recital O

Motion for a resolution

O. there remain a number of other issues that could be reviewed in respect of the elections, including the question of thresholds, ***the use of electronic polling***, verification of the credentials of MEPs and the filling of vacancies,

Amendment

O. there remain a number of other issues that could be reviewed in respect of the elections, including the question of thresholds, verification of the credentials of MEPs and the filling of vacancies,

Or. en

Amendment 44

Roberto Gualtieri

Motion for a resolution

Recital P

Motion for a resolution

P. Parliament has urged the Council to bring forward the date of the election to May so that it can better organise itself to expedite the election of the new Commission President and avoid the beginning of the summer vacation in several States¹,

Amendment

P. in the light of the principles of TEU, it is up to the European Parliament to determine, with the participation of the Council, the date of the European elections,

Or. en

¹ As proposed in Parliament's resolution of 1 December 2005 on guidelines for the approval of the Commission (OJ C 285 E, 22.11.2006, p. 137).

Amendment 45
Roberto Gualtieri

Motion for a resolution
Recital Q

Motion for a resolution

Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to strictly respect the principle of degressive proportionality; it may be possible to reach agreement on an apolitical, mathematical formula which would respect the criteria laid down in the Treaties and spelt out in the Act¹,

Amendment

Q. in the light of the principles of TEU, the European Parliament must be associated to the decision on its own composition,

Or. en

Amendment 46
Gerald Häfner

Motion for a resolution
Recital Q

Motion for a resolution

Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to strictly respect the principle of degressive proportionality; it may be possible to reach agreement on an apolitical, mathematical formula which would respect the criteria laid down in the Treaties and spelt out in the Act²,

Amendment

Q. the distribution of parliamentary seats among States needs to comply with the rules and with the principle of degressive proportionality; it should be adapted regularly to reflect demographic change in the electorate of the States; it may be possible to reach agreement on a mathematical formula which would respect the criteria laid down in the Treaties and spelt out in the Act¹,

Or. de

¹ Declaration No 5 annexed to the Final Act of the Lisbon Treaty IGC.

² Declaration No 5 annexed to the Final Act of the Lisbon Treaty IGC.

Amendment 47

György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta Giannakou, Alain Lamassoure, Constance Le Grip

Motion for a resolution

Recital Q

Motion for a resolution

Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to ***strictly respect*** the principle of degressive proportionality; ***it may be possible to reach agreement on an apolitical, mathematical formula which would respect the criteria laid down in the Treaties and spelt out in the Act¹***,

Amendment

Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to ***respect strictly*** the principle of degressive proportionality;

Or. en

Amendment 48

Anneli Jäätteenmäki, Sari Essayah, Carl Haglund, Frédérique Ries

Motion for a resolution

Recital Q

Motion for a resolution

Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to strictly respect the principle of degressive proportionality; ***it may be possible to reach agreement on an apolitical, mathematical formula which would respect the criteria laid down in the Treaties and spelt out in***

Amendment

Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to strictly respect the principle of degressive proportionality,

¹ Declaration No 5 annexed to the Final Act of the Lisbon Treaty IGC.

the Act¹,

Or. en

Amendment 49
Gerald Häfner

Motion for a resolution
Recital Q a (new)

Motion for a resolution

Amendment

Qa. in addition to the principle of degressive proportionality, the distribution of seats should also be guided by the following principles agreed by Parliament in its resolution of 11 October 2007: the principle of efficiency, whereby a ceiling is imposed on the number of Members at a level which is still compatible with the role of a legislative assembly; the principle of plurality, which guarantees the citizens of each Member State that the main constituents of the spectrum of political opinion – particularly the majority and the opposition – are represented; and the principle of solidarity, whereby the more populous States agree to be under-represented in order to allow the less populous States to be represented better,

Or. de

Amendment 50
Sari Essayah, Carl Haglund

Motion for a resolution
Recital R

¹ Declaration No 5 annexed to the Final Act of the Lisbon Treaty IGC.

Motion for a resolution

Amendment

R. Parliament lacks an autonomous system for regulating the legal privileges and immunities of its Members; the Council has previously agreed to examine the request of Parliament to revise the 1965 Protocol on Privileges and Immunities once the Members' Statute had entered into force¹,

deleted

Or. en

**Amendment 51
Roberto Gualtieri**

**Motion for a resolution
Recital R**

Motion for a resolution

Amendment

R. Parliament lacks an autonomous system for regulating the legal privileges and immunities of its Members; ***the Council has previously agreed to examine the request of Parliament to revise the 1965 Protocol on Privileges and Immunities once the Members' Statute had entered into force²,***

R. Parliament lacks an autonomous system for regulating the legal privileges and immunities of its Members,

Or. en

**Amendment 52
Rainer Wieland**

**Motion for a resolution
Recital T**

Motion for a resolution

Amendment

T. Parliament's electoral procedure must

T. Parliament's electoral procedure must,

¹ Declaration of 3 June 2005 by Representatives of the Member States meeting within the Council.

² Declaration of 3 June 2005 by Representatives of the Member States meeting within the Council.

uphold the practice of free, fair and secret elections, achieve overall proportionality of representation, and be durable and comprehensible,

as does the procedure for the nomination of candidates by parties at national level,
uphold the practice of free, fair and secret elections, achieve overall proportionality of representation, and be durable and comprehensible,

Or. de

Amendment 53
Sari Essayah, Carl Haglund

Motion for a resolution
Recital W

Motion for a resolution

Amendment

W. Parliament has previously resolved to study the possibility of electing some MEPs on transnational lists, considering that this would impart a genuine European dimension to the campaign, particularly by entrusting a central role to European political parties¹,

deleted

Or. en

Amendment 54
Alain Lamassoure

Motion for a resolution
Recital W

Motion for a resolution

Amendment

W. Parliament has previously resolved to study the possibility of electing some MEPs on transnational lists, considering that this would impart a genuine European dimension to the campaign, particularly by entrusting a central role to

deleted

¹ Most recently in its above-mentioned resolution of 11 October 2007 (Lamassoure-Severin report).

*European political parties*¹,

Or. en

Amendment 55

Ashley Fox

Motion for a resolution

Recital W

Motion for a resolution

Amendment

*W. Parliament has previously resolved to study the possibility of electing some MEPs on transnational lists, considering that this would impart a genuine European dimension to the campaign, particularly by entrusting a central role to European political parties*²,

deleted

Or. en

Amendment 56

Andreas Mölzer

Motion for a resolution

Recital W

Motion for a resolution

Amendment

W. Parliament has previously resolved to study the possibility of electing some MEPs on transnational lists, considering that this *would* impart a genuine European dimension to the campaign, particularly by entrusting a central role to European political parties³.

W. Parliament has previously resolved to study the possibility of electing some MEPs on transnational lists, considering that this *could* impart a genuine European dimension to the campaign, particularly by entrusting a central role to European political parties².

Or. de

¹ Most recently in its above-mentioned resolution of 11 October 2007 (Lamassoure-Severin report).

² Most recently in its above-mentioned resolution of 11 October 2007 (Lamassoure-Severin report).

³ Most recently in its above-mentioned resolution of 11 October 2007 (Lamassoure-Severin report).

Amendment 57
Gerald Häfner

Motion for a resolution
Recital W a (new)

Motion for a resolution

Amendment

Wa. electoral equality must remain the overriding principle if transnational lists are introduced; the status of Members in Parliament should therefore remain equal regardless of whether they were elected from transnational or national lists,

Or. de

Amendment 58
Gerald Häfner

Motion for a resolution
Recital W b (new)

Motion for a resolution

Amendment

Wb. the introduction of transnational lists should not lead to further expansion of the Parliament; the number of seats will already increase by 15 Members with the impending implementation of the distribution of seats under the Lisbon Treaty; further expansion would not be compatible either with the aforementioned principle of efficiency or with the current constraints on public finances in the EU and its Member States,

Or. de

Amendment 59
Marietta Giannakou

Motion for a resolution
Recital X

Motion for a resolution

X. the TEU provides that '[p]olitical parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union'¹,

Amendment

X. the TEU provides that '[p]olitical parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union'¹, ***and to this end, European political parties are in the position to request for a common European statute,***

Or. en

Amendment 60
Roberto Gualtieri

Motion for a resolution
Recital Y

Motion for a resolution

Y. the Lisbon Treaty changed the relevant wording concerning the composition of Parliament from 'representatives of the peoples of the States brought together in the Community'² to 'representatives of the Union's citizens'³,

deleted

Amendment

Or. en

Amendment 61
Roberto Gualtieri

Motion for a resolution
Recital Z

Motion for a resolution

Z. notwithstanding the current addition of 18 MEPs, in accordance with the provisions of the Treaty of Lisbon, the

deleted

Amendment

¹ Article 10(4) TEU.

² Article 189 of the Treaty establishing the European Community.

³ Article 14(2) TEU.

composition of Parliament will not be in line with the principle of degressive proportionality¹,

Or. en

Amendment 62
Helmut Scholz

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Decides to reform its electoral procedure in good time before the 2014 elections with the aim of enhancing the legitimacy and efficacy of Parliament by strengthening the European democratic dimension and by providing for a fairer distribution of seats among the States in accordance with the Treaties;

Amendment

1. Decides to reform its electoral procedure in good time before the 2014 elections with the aim of enhancing the legitimacy and efficacy of Parliament by strengthening the European democratic dimension and by providing for a fairer distribution of seats among the States in accordance with the Treaties, ***whilst preserving the system of proportional representation in force in all Member States***;

Or. de

Amendment 63
Roberto Gualtieri

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Decides to reform its electoral procedure in good time before the 2014 elections with the aim of enhancing the legitimacy and efficacy of Parliament by strengthening the European democratic dimension and by providing for a fairer distribution of seats among the States in accordance with the

Amendment

1. Decides to reform its electoral procedure in good time before the 2014 elections with the aim of enhancing the legitimacy and efficacy of Parliament, ***in the light of article 10 TEU***, by strengthening the European democratic dimension and by providing for a fairer distribution of seats

¹ Paragraph 6 of its abovementioned resolution of 6 May 2010.

Treaties;

among the States in accordance with the
Treaties;

Or. en

Amendment 64

Helmut Scholz

Motion for a resolution

Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Urges the Member States and the European and national political parties in this context to put forward a strong case in a broad social dialogue for more uniform and clearer voting rights across Europe that will boost voter turnout, and in so doing to also agree on the means and timetable for doing away with existing national thresholds for European Parliament elections, for harmonising the right to vote and stand as a candidate in elections to the European Parliament and uncoupling this from national and Union citizenship and agreeing on a uniform method of allocating seats that effectively excludes distortions in seat allocation;

Or. de

Amendment 65

Sari Essayah, Carl Haglund

Motion for a resolution

Paragraph 2

Motion for a resolution

Amendment

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the

deleted

European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. en

Amendment 66

Ashley Fox

Motion for a resolution

Paragraph 2

Motion for a resolution

Amendment

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates

deleted

¹ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

within a list); and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. en

Amendment 67
Alain Lamassoure

Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method²; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

deleted

Or. en

¹ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

² The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

Amendment 68
Andreas Mölzer

Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

deleted

Or. de

Amendment 69
Alexandra Thein, Alexander Graf Lambsdorff

Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Proposes that *an additional 25 MEPs* will be elected by a single constituency

2. Proposes that *a number of Members, corresponding to at least one-tenth of the*

¹ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the ***preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list)***; and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

maximum permissible number of MEPs, will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the ***closed list system*** and seats will be allocated in accordance with the Sainte-Laguë method⁴; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. de

Amendment 70

György Schöpflin, Íñigo Méndez de Vigo, Rafał Trzaskowski

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and ***will be gender-balanced***; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the ***preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates***

Amendment

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and ***may ensure an adequate gender representation***; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the ***closed list proportional*** system; and seats will be allocated in accordance with the

¹ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

within a list); and seats will be allocated in accordance with the *Sainte-Laguë* method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

D'Hondt method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. en

Amendment 71

Enrique Guerrero Salom, Vital Moreira, Roberto Gualtieri

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: ***voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list)***; and seats will be allocated in accordance with the *Sainte-Laguë* method²; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Amendment

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list; and seats will be allocated in accordance with the *Sainte-Laguë* method²; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. en

¹ The *Sainte-Laguë* method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the *D'Hondt* method.

² The *Sainte-Laguë* method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the *D'Hondt* method.

Amendment 72
Gerald Häfner

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Proposes that **an additional** 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Amendment

2. Proposes that 25 **out of the total of 751** MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; **candidates will be selected in accordance with democratic principles**; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method⁵; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. de

Amendment 73
Helmut Scholz

Motion for a resolution
Paragraph 2

¹ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

Motion for a resolution

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Amendment

2. Proposes that an additional 25 MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from at least one third of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated ***without a minimum threshold*** in accordance with the Sainte-Laguë method⁶; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. de

Amendment 74
Sandrine Bélier

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Proposes that an additional **25** MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from ***at least one third*** of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide

Amendment

2. Proposes that an additional **27** MEPs will be elected by a single constituency formed of the whole territory of the European Union; transnational lists will be composed of candidates drawn from ***all*** of the States, and will be gender-balanced; each elector will be enabled to cast one vote for the EU-wide list in addition to

¹ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

list in addition to their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

their vote for the national or regional list: voting for the EU constituency will be in accordance with the preferential semi-open list system (whereby votes are allotted either to the party list or to individual candidates within a list); and seats will be allocated in accordance with the Sainte-Laguë method¹; further, proposes that an electoral authority will be established at EU level in order to regulate the conduct and to verify the result of the election taking place from the EU-wide list;

Or. fr

Amendment 75
Roberto Gualtieri

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Proposes that ***a redistribution of the existing 751 seats among States will take place, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; the redistribution will be made in accordance with a mathematical formula respecting the criteria laid down in the Treaties, and will be announced at least twelve months before the end of the mandate;***

Amendment

3. Proposes that ***the decision establishing the composition of the European Parliament shall be adopted by the European Parliament, acting by the majority of its component Members, and the European Council, acting by consensus;***

Or. en

¹ The Sainte-Laguë method uses divisors of 1, 3, 5, 7, etc, and was used in the 2009 European elections in Germany, Latvia and Sweden. It produces a slightly more proportional result than the D'Hondt method.

Amendment 76

György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta Giannakou, Alain Lamassoure, Constance Le Grip

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Proposes that a redistribution of the existing 751 seats among States will take place, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; the redistribution will be ***made in accordance with a mathematical formula respecting the criteria laid down in the Treaties, and will be*** announced at least twelve months before the end of the mandate;

Amendment

3. Proposes that a redistribution of the existing 751 seats among States will take place, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; the redistribution will be announced at least twelve months before the end of the mandate;

Or. en

Amendment 77

Gerald Häfner

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Proposes that a redistribution of the existing **751** seats among States will take place, if justified objectively by figures established by Eurostat, based on the total ***resident population***, before every election; the redistribution ***will be made*** in accordance with a mathematical formula respecting the criteria laid down in the Treaties, ***and will be*** announced at least twelve months before the end of the mandate;

Amendment

3. Proposes that a redistribution of the existing seats among States will take place, if justified objectively by figures established by Eurostat, based on the total ***electorate***, before every election; ***advocates that both*** the redistribution ***of seats, arising from a change in population size, and also the necessary reform in seat allocation caused by the introduction of transnational lists be conducted*** in accordance with a mathematical formula respecting the criteria laid down in the Treaties; ***notes that the redistribution of seats calculated using this formula can also be introduced gradually; emphasises***

that on no account may there be any greater divergence in the redistribution of seats from the degressive proportional distribution calculated before; considers that the redistribution of seats should be announced at least twelve months before the end of the mandate;

Or. de

Amendment 78

Anneli Jäätteenmäki, Sari Essayah, Carl Haglund, Frédérique Ries

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Proposes that a redistribution of the existing 751 seats among States will take place, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; ***the redistribution will be made in accordance with a mathematical formula respecting the criteria laid down in the Treaties, and will be announced at least twelve months before the end of the mandate;***

Amendment

3. Proposes that a redistribution of the existing 751 seats among States will take place, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; redistribution ***shall be made following the principle of degressive proportionality, in accordance with the provisions of the Treaty of Lisbon, that will serve as a parameter for assessing whether the decision which the competent institutions take to establish the composition of the European Parliament complies with the rules applicable; observes that the aforementioned framework makes it possible to combine the principle of efficiency, by imposing a ceiling on the number of Members at a level which is still compatible with the role of a legislative assembly, the principle of plurality, by allowing the main constituents of the spectrum of political opinion in each Member State – particularly the majority and the opposition – to be represented, and the principle of solidarity;***

Or. en

Amendment 79
Gerald Häfner

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Considers it necessary to hold further discussions on a suitable formula that must ensure a degressive proportional distribution in which the ratio between the population and the unrounded number of seats of each Member State varies in relation to their respective populations in such a way that each Member from a more populous Member State represents more citizens than each Member from a less populous Member State and vice versa, but also that no less populous Member State has more seats than a more populous Member State; the formula should ensure a regular degressive proportional distribution for all countries with more than the minimum number of seats and there should be no blips in the graph; under the current conditions it should lead to a distribution which is as close as possible for all Member States to the number of seats set out in the current Treaty on European Union, with the emphasis on the principle of solidarity whereby smaller countries receive more seats than they would be due under a purely proportional system and larger countries receive correspondingly fewer seats; the formula must comply with the criteria enshrined in the Treaties, whereby no Member State may receive fewer than 6 or more than 96 seats and the total number of seats, including those awarded under transnational lists, may not exceed 751; the formula must at any rate produce a clear result in terms of seat distribution; it must also set out general rules and not establish special rules for

any individual Member State;

Or. de

Amendment 80
Alyn Smith

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Proposes that territorial constituencies on a regional basis will be introduced in all those Member States with a population of more than 20 million;

Or. en

Amendment 81
Andrew Duff

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Calls on the Commission to bring forward a proposal for a regulation to improve the consistency and comparability of population data provided by the States;

Or. en

Amendment 82
Carl Haglund

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Calls for the non-representation of certain autonomous regions in the European Parliament, to be taken into consideration in the redistribution of seats;

Or. en

Amendment 83
Roberto Gualtieri

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Repeats its proposal to bring forward the timing of the election from June to May;

Amendment

4. Proposes that the date of the European elections shall be determined by the European Parliament, acting with the majority of its component Members and with the approval of the Council one year before the end of the five year term and not later than six months before;

Or. en

Amendment 84
Rainer Wieland

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Repeats its proposal to bring forward the timing of the election from June to May;

Amendment

4. Repeats its proposal to bring forward the timing of the election from June to May; *calls on the Council, after consulting Parliament, to determine the date of the 2014 European elections by 31.12.2011 at the latest;*

Amendment 85
Andreas Mölzer

Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. Urges States and political parties to promote the better representation of women and ethnic minority candidates at both the EU and the national level;

deleted

Amendment 86
Rainer Wieland

Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. Urges States and political parties to promote the better representation of women and ethnic minority candidates at both the EU and the national level;

deleted

Amendment 87
Carl Haglund

Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. Urges States and political parties to promote the better representation of women and ethnic minority candidates at

5. Urges States and political parties to promote the better representation of women and ethnic minority candidates at

both the EU and the national level;

both the EU and the national level;
recognizes its value for the internal and external legitimacy of the European Union;

Or. en

Amendment 88

György Schöpflin, Íñigo Méndez de Vigo, Rafał Trzaskowski, Constance Le Grip

Motion for a resolution

Paragraph 5

Motion for a resolution

5. ***Urges*** States and political parties to promote the better representation of women and ***ethnic*** minority candidates at both the EU and the national level;

Amendment

5. ***Calls on Member*** States and political parties to promote the better representation of women and minority candidates at both the EU and the national level;

Or. en

Amendment 89

Oriol Junqueras Vies

Motion for a resolution

Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Encourages member states to use the possibility of making special arrangements for the representation in Parliament of unrepresented EU autonomous regions, particularly those with the legislative responsibility to implement EU law;

Or. en

Amendment 90
Carl Haglund

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Encourages member states to arrange for representation in the European Parliament for autonomous regions with a legislative responsibility to implement EU legislation;

Or. en

Amendment 91
Gerald Häfner

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Places equal emphasis on urging political parties to adhere to democratic principles in the selection of candidates;

Or. de

Amendment 92
György Schöpflin

Motion for a resolution
Paragraph 6

Motion for a resolution

Amendment

6. Calls on the Council, Commission and States to intensify efforts to help EU citizens resident in a State other than their own to participate in the European elections in their country of residence; in this context, requests the Commission to submit a new proposal for revision of

6. Calls on the Council, Commission and States to intensify efforts to help EU citizens resident in a State other than their own to participate in the European elections in their country of residence; in this context, requests the Commission to submit a new proposal for revision of

Council Directive 93/109/EC laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals;

Council Directive 93/109/EC laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals ***and in accordance with its preceding proposal to suggest the abolishment of the current information exchange system, whose function might be taken over by an electoral roll at EU level for the elections of the European Parliament;***

Or. en

Amendment 93
Rainer Wieland

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Considers that, in view of Article 17(7) of the Lisbon Treaty and the fact that the European public knows more about Members of the European Commission than they used to, the candidature and eligibility of Commissioners-in-office and members of other bodies in Article 7 of the ‘Act concerning the election of the members of the European Parliament by direct universal suffrage’ of 20 September 1976 should be regulated in such a way that no short-term and short-lasting personnel reshuffles are carried out in the time context of a European Parliament election and institutional appointments;

Or. de

Amendment 94
György Schöpflin

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. urges Member States and the future European electoral authority to promote the development of an electoral roll at EU level for the elections of the European Parliament;

Or. en

Amendment 95
Gerald Häfner

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Submits to the Council for the amendment of the Treaties the amendments contained in Annex II;

deleted

Or. de

Amendment 96
Sari Essayah, Carl Haglund

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Submits to the Council for the amendment of the Treaties the amendments contained in Annex II;

deleted

Or. en

Amendment 97
Sari Essayah, Carl Haglund

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Submits to the Council for the amendment of the Act concerning the election of the Members of the European Parliament by direct universal suffrage the amendments contained in Annex III;

Amendment

deleted

Or. en

Amendment 98
Rainer Wieland

Treaty on European Union
Rule 14 – paragraph 2

Treaty on European Union

2. The European Parliament shall be composed of representatives of the Union's citizens. ***They shall not exceed seven hundred and fifty in number, plus the President.*** Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.

Amendment

2. The European Parliament shall be composed of representatives of the Union's citizens.

2a. There shall be seven hundred and fifty one seats allocated to constituencies established in the Member States.

Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The distribution of those seats among the States shall be reviewed regularly in accordance with a formula based on the

*Union population of the States.
The population statistics as at the end of
the third calendar year before each
European election submitted by the
Member States and by the Statistical
Office of the European Union (Eurostat)
will be examined jointly by the Council
and the European Parliament by the end
of the second calendar year at the latest,
using objective criteria, and established by
the Council, acting unanimously after
Parliament has given its consent, as the
basis for the calculations.*

*In the event of accessions, new Member
States will, until the regular elections of
the whole European Parliament following
their accession, be assigned a number of
seats over and above the ceiling of 750
Members corresponding to the number
which would have been obtained from a
complete calculation which included the
new Member States at the time of the
previous European elections. The
population figure to be used for this
purpose will be that which obtained at the
end of the third calendar year before
accession.*

*2b. In addition, there shall be twenty-five
seats allocated to a single constituency
comprising the entire territory of the
Union.*

Or. de

Amendment 99

**György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta
Giannakou**

**Treaty on European Union
Article 14 – paragraph 2**

Treaty on European Union

2. The European Parliament shall be
composed of representatives of the Union's

Amendment

2. The European Parliament shall be
composed of representatives of the Union's

citizens. ***They shall not exceed seven hundred and fifty in number, plus the President.*** Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision ***establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.***

citizens.

2a. There shall be seven hundred and fifty one seats allocated to constituencies established in the Member States.

Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The distribution of those seats among the States shall be reviewed regularly. Not later than twelve months before the end of the mandate of each Parliament the European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision on the redistribution of seats.

2b. In addition, there shall be twenty-five seats allocated to a single constituency comprising the entire territory of the Union.

Or. en

Amendment 100
Alexandra Thein, Alexander Graf Lambsdorff

Treaty on European Union
Article 14 – paragraph 2

Treaty on European Union

2. The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number, plus the President. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per

Amendment

2. The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number, plus the President. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per

Member State. No Member State shall be allocated more than ninety-six seats.

The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.

Member State. No Member State shall be allocated more than ninety-six seats.

2a. The distribution of those seats among the States shall be reviewed regularly in accordance with a formula based on the total resident population of the States. Not later than twelve months before the end of the mandate of each Parliament the European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision on the basis of this formula on the redistribution of seats.

2b. Out of the 751 seats, a number of Members corresponding to at least one-tenth of the maximum permissible number of Members of the European Parliament shall be allocated to a single constituency comprising the entire territory of the Union.

Or. de

Amendment 101

Enrique Guerrero Salom, Vital Moreira

Treaty on European Union Article 14 – paragraph 2

Treaty on European Union

2. The European Parliament shall be composed of representatives of the Union's citizens. *They shall not exceed seven hundred and fifty in number, plus the President.* Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

Amendment

2. The European Parliament shall be composed of representatives of the Union's citizens.

2a. There shall be seven hundred and fifty one seats allocated to constituencies established in the Member States. Representation of citizens shall be degressively proportional, with a minimum

The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision *establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.*

threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The distribution of those seats among the States shall be reviewed regularly accordingly with the total resident population of the States. Not later than twelve months before the end of the mandate of each Parliament the European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision *on the redistribution of seats.*

Or. en

Amendment 102
Roberto Gualtieri

Treaty on European Union
Article 14 – paragraph 2

Treaty on European Union

2. The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number, plus the President. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.

Amendment

2. The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number, plus the President. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The European Parliament, acting by a majority of its component Members, and the European Council, acting by consensus, shall adopt, on the initiative of the European Parliament, a decision establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.

Or. en

Amendment 103

Ashley Fox

Treaty on European Union

Article 14 – paragraph 2

Treaty on European Union

2. The European Parliament shall be composed of representatives of the Union's citizens. ***They shall not exceed*** seven hundred and fifty ***in number, plus the President***. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats. The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision ***establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph***.

Amendment

2. The European Parliament shall be composed of representatives of the Union's citizens. ***There shall be*** seven hundred and fifty ***one seats allocated to constituencies established in the Member States***. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats. ***The distribution of those seats among the States shall be reviewed regularly in accordance with a formula based on the total resident population of the States. Not later than twelve months before the end of the mandate of each Parliament*** the European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision ***on the redistribution of seats***.

Or. en

Amendment 104

Enrique Guerrero Salom, Vital Moreira

Protocol on the Privileges and Immunities of the European Union

Article 7

Protocol (No 7)

No administrative or other restriction shall be imposed on the free movement of Members of the European Parliament travelling to or from the place of meeting of the European Parliament.

Amendment

Members of the European Parliament shall enjoy freedom of movement throughout the European Union.

Members of the European Parliament shall, in respect of customs and exchange control, be accorded:

(a) by their own government, the same facilities as those accorded to senior officials travelling abroad on temporary official missions;

(b) by the government of other Member States, the same facilities as those accorded to representatives of foreign governments on temporary official missions.

This right should take into account the following:

1. Any restriction of a Member's personal freedom shall be permitted only with the consent of the European Parliament, except where he/she is caught in the act of committing an offence.

2. The seizure of a Member's documents or electronic records or the searching of his/her person, office or place of residence or interception of his/her mail and telephone calls may be ordered only with the consent of the European Parliament.

3. A Member shall be entitled to decline to give evidence about information which that Member has obtained in the exercise of his/her mandate or about persons from or to whom he/she has obtained or given such information, accordingly with the principle of transparency and the current legislation on the register of interest groups.

4. Investigations or criminal proceedings against a Member shall be suspended at the request of the European Parliament.

5. Consent pursuant to paragraph 2 may be applied for only by the authorities competent under national law.

Or. en

Amendment 105

Enrique Guerrero Salom, Vital Moreira

Protocol on the Privileges and Immunities of the European Union

Article 7

Protocol (No 7)

Amendment

No administrative or other restriction shall be imposed on the free movement of Members of the European Parliament

Members of the European Parliament shall enjoy freedom of movement

travelling to or from the place of meeting of the European Parliament.

Members of the European Parliament shall, in respect of customs and exchange control, be accorded:

(a) by their own government, the same facilities as those accorded to senior officials travelling abroad on temporary official missions;

(b) by the government of other Member States, the same facilities as those accorded to representatives of foreign governments on temporary official missions.

throughout the European Union.

This right should take into account the article 9.

Or. en

Amendment 106
Roberto Gualtieri

Protocol on the Privileges and Immunities of the European Union
Article 7

Protocol (No 7)

No administrative or other restriction *shall* be imposed on the *free* movement of Members of the European Parliament travelling to or from the place of meeting of the European Parliament.

Members of the European Parliament shall, in respect of customs and exchange control, be accorded:

(a) by their own government, the same facilities as those accorded to senior officials travelling abroad on temporary official missions;

Amendment

No administrative or *any* other *national or European* restriction *may* be imposed on the *freedom of* movement of Members of the European Parliament travelling to or from the place of meeting of the European Parliament.

The European Parliament, acting by means of regulations in accordance with a special legislative procedure shall lay down, on a proposal of the European Commission and after seeking the opinion of the Council, the specific conditions governing the freedom of movement of its Members.

(b) by the government of other Member States, the same facilities as those accorded to representatives of foreign governments on temporary official missions.

Or. en

Amendment 107
Roberto Gualtieri

Protocol on the Privileges and Immunities of the European Union
Article 8

Protocol (No 7)

Members of the European Parliament shall not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties.

Amendment

Members of the European Parliament shall not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties.

The European Parliament shall decide, on an application from a Member, whether an action was taken or a statement was made in the exercise of his/her mandate.

Or. en

Amendment 108
Rainer Wieland

Protocol on the Privileges and Immunities of the European Union
Article 9

Protocol (No 7)

During the sessions of the European Parliament, its Members shall enjoy:

(a) in the territory of their own State, the

Amendment

1. Any restriction of a Member's personal freedom shall be permitted only with the consent of the European Parliament, except where he/she is caught in the act of committing an offence.

1 a) The same applies to any legal action

immunities accorded to members of their parliament;

(b) in the territory of any other Member State, immunity from any measure of detention and from legal proceedings.

Immunity shall likewise apply to Members while they are travelling to and from the place of meeting of the European Parliament.

Immunity cannot be claimed when a Member is found in the act of committing an offence and shall not prevent the European Parliament from exercising its right to waive the immunity of one of its Members.

that seeks to bring a Member's mandate to an end.

2. The seizure of a Member's documents or electronic records or the searching of his/her person, office or place of residence or interception of his/her mail and telephone calls may be ordered only with the consent of the European Parliament.

3. A Member shall be entitled to decline to give evidence about information which that Member has obtained in the exercise of his/her mandate or about persons from or to whom he/she has obtained or given such information.

4. Investigations or criminal proceedings against a Member shall be suspended at the request of the European Parliament; insofar as the opening of such proceedings in accordance with a Member State's provisions against members of its parliament require the waiver of immunity, the European Parliament shall be responsible for waiving the immunity of one of its Members, deciding on the basis of a request from the competent national authorities.

5. Consent pursuant to paragraph 2 may be applied for only by the authorities competent under national law.

Or. de

Amendment 109

Enrique Guerrero Salom, Vital Moreira

Protocol on the Privileges and Immunities of the European Union Article 9

Protocol (No 7)

Amendment

During the sessions of the European Parliament, its Members shall enjoy:

1. Any restriction of a Member's personal freedom shall be permitted only with the consent of the European Parliament,

(a) in the territory of their own State, the immunities accorded to members of their parliament;

(b) in the territory of any other Member State, immunity from any measure of detention and from legal proceedings.

Immunity shall likewise apply to Members while they are travelling to and from the place of meeting of the European Parliament.

Immunity cannot be claimed when a Member is found in the act of committing an offence and shall not prevent the European Parliament from exercising its right to waive the immunity of one of its Members.

except where he/she is caught in the act of committing an offence.

2. The seizure of a Member's documents or electronic records or the searching of his/her person, office or place of residence or interception of his/her mail and telephone calls may be ordered only with the consent of the European Parliament.

3. A Member shall be entitled to decline to give evidence about information which that Member has obtained in the exercise of his/her mandate or about persons from or to whom he/she has obtained or given such information, accordingly with the principle of transparency and the current legislation on the register of interest groups.

4. Investigations or criminal proceedings against a Member shall be suspended at the request of the European Parliament.

5. Consent pursuant to paragraph 2 may be applied for only by the authorities competent under national law.

Or. en

Amendment 110
Roberto Gualtieri

Protocol on the Privileges and Immunities of the European Union
Article 9

Protocol (No 7)

During the *sessions* of the European Parliament, its Members shall enjoy:

(a) in the territory of their own State, the immunities accorded to members of their

Amendment

During the *mandate* to the European Parliament, its Members shall enjoy:

(a) in the territory of their own State, the immunities accorded to members of their parliament;

parliament;

(b) in the territory of any other Member State, immunity from any measure of detention and from legal proceedings.

Immunity shall likewise apply to Members while they are travelling to and from the place of meeting of the European Parliament.

Immunity cannot be claimed when a Member is found in the act of committing an offence and shall not prevent the European Parliament from exercising its right to waive the immunity of one of its Members.

(b) in the territory of any other Member State, immunity from any measure of detention and from legal proceedings.

A Member shall be entitled to decline to give evidence about information which that Member has obtained in the exercise of his/her mandate or about persons from or to whom he/she has obtained or given such information.

Immunity shall likewise apply to Members while they are travelling to and from the place of meeting of the European Parliament.

Immunity cannot be claimed when a Member is found in the act of committing an offence and shall not prevent the European Parliament from exercising its right to waive the immunity of one of its Members.

Or. en

Amendment 111

Alyn Smith

1976 Elections Act

Article 2

1976 Elections Act

In accordance with its specific national situation, each Member State may establish constituencies for elections to the European Parliament ***or subdivide its electoral area in a different manner, without generally affecting*** the proportional nature of the voting system.

Amendment

1. Each Member State may establish constituencies for elections to the European Parliament ***on a territorial basis***.

2. ***States with a population of at least twenty million shall subdivide their electoral area into a number of regional constituencies.***

3. ***The establishment of constituencies***

must not generally affect the proportional nature of the voting system.

Or. en

Amendment 112
Andrew Duff

1976 Elections Act
Article 2 a (new)

1976 Elections Act

Amendment

Article 2a

1. For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the ratio between the population and the number of seats of each State before rounding to whole numbers must vary in relation to their respective populations in such a way that each Member from a more populous State represents more citizens than each Member from a less populous State and also, conversely, that no less populous State has more seats than a more populous State.

2. The seats will be distributed in accordance with the mathematical formula laid down in the Annex hereto, on the basis of the total resident population of the States as established by Eurostat.

3. In the case that a State accedes to the Union during a Parliamentary term, it will be allocated seats according to the same formula which determined the apportionment of seats at the previous general election of the Parliament.

These new seats will be added to the Parliament on a transitional basis for the remainder of the mandate;

Amendment 113
Carl Haglund

1976 Elections Act
Article 2 a (new)

1976 Elections Act

Amendment

Article 2a

1. For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the ratio between the population and the number of seats of each State must vary in relation to their respective populations in such a way that each Member from a more populous State represents more citizens than each Member from a less populous State and also, conversely, that no less populous State has more seats than a more populous State.

2. The seats will be distributed following the principle of degressive proportionality, in accordance with the provisions of the Treaty of Lisbon, that will serve as a parameter for assessing whether the decision which the competent institutions take to establish the composition of the European Parliament complies with the rules applicable.

The aforementioned framework makes it possible to combine the principle of efficiency, by imposing a ceiling on the number of Members at a level which is still compatible with the role of a legislative assembly, the principle of plurality, by allowing the main constituents of the spectrum of political opinion in each Member State – particularly the majority and the opposition – to be represented, and the

principle of solidarity.

Special consideration should be taken to ensure the representation of traditional minorities and national communities in the European Parliament.

Or. en

Amendment 114

Anneli Jäätteenmäki, Sari Essayah, Carl Haglund, Frédérique Ries

1976 Elections Act

Article 2 a (new)

1976 Elections Act

Amendment

Article 2a

1. For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the ratio between the population and the number of seats of each State must vary in relation to their respective populations in such a way that each Member from a more populous State represents more citizens than each Member from a less populous State and also, conversely, that no less populous State has more seats than a more populous State.

2. The seats will be distributed following the principle of degressive proportionality, in accordance with the provisions of the Treaty of Lisbon, that will serve as a parameter for assessing whether the decision which the competent institutions take to establish the composition of the European Parliament complies with the rules applicable.

The aforementioned framework makes it possible to combine the principle of efficiency, by imposing a ceiling on the number of Members at a level which is

still compatible with the role of a legislative assembly, the principle of plurality, by allowing the main constituents of the spectrum of political opinion in each Member State – particularly the majority and the opposition – to be represented, and the principle of solidarity.

Or. en

Amendment 115

György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta Giannakou, Alain Lamassoure

1976 Elections Act

Article 2 a (new)

1976 Elections Act

Amendment

Article 2a

For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the ratio between the population and the number of seats of each State must vary in relation to their respective populations in such a way that each Member from a more populous State represents more citizens than each Member from a less populous State and also, conversely, that no less populous State has more seats than a more populous State.

Or. en

Amendment 116

Rainer Wieland

1976 Elections Act

Article 2 a (new)

Article 2a

1. For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the seats allocated to each Member State shall be distributed on the basis of the Union population of the States in accordance with the procedure described below.

2. Each Member State will first be assigned 6 seats.

3. The remaining seats, up to the ceiling of 750, will be assigned to the individual Member States on the basis of their population statistics using the 'd'Hondt system'. Member States which have attained a maximum of 96 seats in total will no longer be taken into account in the further allocation.

Or. de

Amendment 117
Enrique Guerrero Salom, Vital Moreira

1976 Elections Act
Article 2 a (new)

Article 2a

For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the ratio between the population and the number of seats of each State must vary in relation to their respective populations in such a way that each Member from a

more populous State represents more citizens than each Member from a less populous State and also, conversely, that no less populous State has more seats than a more populous State.

Or. en

Amendment 118
Roberto Gualtieri

1976 Elections Act
Article 2 a (new)

1976 Elections Act

Amendment

Article 2a

For the purposes of distributing seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union, the ratio between the population and the number of seats of each State must vary in relation to their respective populations.

Or. en

Amendment 119
Alexandra Thein, Alexander Graf Lambsdorff

1976 Elections Act
Article 2 b (new)

1976 Elections Act

Amendment

Article 2b

1. Pursuant to Article 14(2b) of the Treaty on European Union, there shall be one additional constituency formed of the entire territory of the Union from which shall be elected a number of Members corresponding to at least one-tenth of the

*maximum permissible number of
Members of the European Parliament.*

*2. An electoral authority shall be
established to conduct and verify the
electoral process of the European Union
constituency. The authority shall
comprise representatives of the European
Parliament, the Commission and each
Member State.*

*3. Transnational lists of candidates for
election in the European Union
constituency submitted by the European
political parties shall be admissible only,
(a) if composed of candidates resident in
at least one third of the States, and
(b) if balanced by gender.*

*4. Each elector shall have one
supplementary vote that may be cast for
one of the transnational lists. Seats shall
be allocated in accordance with the
Sainte-Laguë method.*

*5. Detailed arrangements for the
European Union constituency election,
including the delegation of powers to the
electoral authority, shall be laid down in
implementing measures to be adopted in
accordance with Article 14.*

Or. de

Amendment 120

Enrique Guerrero Salom, Vital Moreira, Roberto Gualtieri

1976 Elections Act

Article 2 b (new)

1976 Elections Act

Amendment

Article 2b

*1. Pursuant to Article 14(2b) of the Treaty
on European Union, there shall be one
additional constituency formed of the
entire territory of the Union from which*

shall be elected twenty-five Members.

2. An electoral authority shall be established to conduct and verify the electoral process of the European Union constituency. The authority shall comprise representatives of the European Parliament, the Commission and each Member State.

3. Transnational lists of candidates for election in the European Union constituency submitted by the European political parties shall be admissible only:

(a) if composed of candidates resident in at least one third of the States, and

(b) if balanced by gender.

4. Each elector shall have one supplementary vote that may be cast for the European Union-wide list. Seats shall be allocated in accordance with the Sainte-Laguë method.

5. Detailed arrangements for the European Union constituency election, including the delegation of powers to the electoral authority, shall be laid down in implementing measures to be adopted in accordance with Article 14.

Or. en

Amendment 121
Rainer Wieland

1976 Elections Act
Article 3

1976 Elections Act

Member States may set a minimum threshold for the allocation of seats. At national level this threshold may not exceed 5 per cent of votes cast.

Amendment

1. Member States may set a minimum threshold for the allocation of seats ***distributed in national and/or regional constituencies.*** At national level this threshold may not exceed 5 per cent of votes cast.

2. The European Parliament shall be responsible for setting the minimum threshold in the constituency described in Article 2b(1).

Or. de

Amendment 122
Roberto Gualtieri

1976 Elections Act
Article 3

1976 Elections Act

Member States may set a minimum threshold for the allocation of seats. At national level this threshold may not exceed 5 per cent of votes cast.

Amendment

1. Member States may set a minimum threshold for the allocation of seats. At national level this threshold may not exceed 5 per cent of votes cast.

2. There shall be no minimum threshold for the allocation of seats from the European Union constituency.

Or. en

Amendment 123
Roberto Gualtieri

1976 Elections Act
Article 4

1976 Elections Act

Each Member State may set a ceiling for candidates' campaign expenses.

Amendment

deleted

Or. en

Amendment 124
Rainer Wieland

1976 Elections Act
Article 4

1976 Elections Act

Each Member State may set a ceiling for
candidates' campaign expenses.

Amendment

Each Member State may set a ceiling for
*the campaign expenses of candidates and
political parties at the national and/or
regional level. The electoral authority
shall set a ceiling for the campaign
expenses of candidates and political
parties at the European Union level.*

*The provisions of Article 3(1a) shall apply
mutatis mutandis.*

Or. de

Amendment 125
Roberto Gualtieri

1976 Elections Act
Article 6 – paragraph 2 a (new)

1976 Elections Act

*2a. People finally convicted for criminal
offences linked to corruption,
embezzlement of public funds and
organized crime or have been sentenced
to a prison term for a crime punishable by
a custodial sentence or a detention order
for a maximum period of at least three
years cannot be candidates for election to
the European Parliament.*

Or. en

Amendment 126
Rainer Wieland

1976 Elections Act
Article 7 – paragraph 1 – indent 1 a (new)

1976 Elections Act

Amendment

*– member of a national or regional
parliament with legislative powers,*

Or. de

Amendment 127
Ashley Fox

1976 Elections Act
Article 7 – paragraph 1 – indent 1 a (new)

1976 Elections Act

Amendment

– member of a national parliament,

Or. en

Amendment 128
**Sonia Alfano, Luigi de Magistris, Vincenzo Iovine, Niccolò Rinaldi, Giommaria Uggias,
Gianni Vattimo**

1976 Elections Act
Article 7 – paragraph 1 – indent 11 a (new)

1976 Elections Act

Amendment

*– anyone who has been convicted, by
means of a judgment that has the force of
res judicata, of corruption, abuse of
public office, incitement to racism, crimes
relating to involvement with mafia
groups, organised crime or terrorism, or
sexual abuse;*

Or. it

Amendment 129

Sonia Alfano, Luigi de Magistris, Niccolò Rinaldi, Giommara Uggias, Gianni Vattimo

1976 Elections Act

Article 7 – paragraph 1 – indent 11 b (new)

1976 Elections Act

Amendment

– anyone who has already served three full, but not necessarily consecutive, terms as a member of the European Parliament;

Or. it

Amendment 130

György Schöpflin

1976 Elections Act

Article 9

1976 Elections Act

Amendment

No one may vote more than once in any election of members of the European Parliament.

No one may vote more than once in any election of members of the European Parliament. ***In order to ensure the respect of this principle, an electoral roll on the level of the European Union will be established. Details shall be laid down in accordance with the ordinary legislative procedure.***

Or. en

Amendment 131

Roberto Gualtieri

1976 Elections Act

Article 11 – paragraph 1

1976 Elections Act

Amendment

1. The Council, ***acting unanimously after consulting the European Parliament***, shall

1. ***The European Parliament, acting by a majority of its component Members and***

determine the electoral period for the *first* elections.

with the approval of the Council shall determine the electoral period for the elections *one year before the end of the five-year term referred to in article 5, in accordance with article 14, and not later than six months before.*

Or. en

Amendment 132
Roberto Gualtieri

1976 Elections Act
Article 13

1976 Elections Act

1. A seat shall fall vacant when the mandate of a member of the European Parliament ends as a result of resignation, death or withdrawal of the mandate.
2. Subject to the other provisions of this Act, each Member State shall lay down appropriate procedures for filling any seat which falls vacant during the five-year term of office referred to in Article 5 for the remainder of that period.
3. Where the law of a Member State makes explicit provision for the withdrawal of the mandate of a member of the European Parliament, that mandate shall end pursuant to those legal provisions. The competent national authorities shall inform the European Parliament thereof.
4. Where a seat falls vacant as a result of resignation or death, the President of the European Parliament shall immediately inform the competent authorities of the Member State concerned thereof.

Amendment

1. A seat shall fall vacant when the mandate of a member of the European Parliament ends as a result of resignation, death or withdrawal of the mandate.
2. Subject to the other provisions of this Act, *the Parliament of* each Member State shall lay down appropriate procedures for filling any seat which falls vacant during the five-year term of office referred to in Article 5 for the remainder of that period.
3. Where the law of a Member State makes explicit provision for the withdrawal of the mandate of a member of the European Parliament, that mandate shall end pursuant to those legal provisions. The competent national authorities shall inform the European Parliament thereof.
4. Where a seat falls vacant as a result of resignation or death, the President of the European Parliament shall immediately inform the competent authorities of the Member State concerned thereof.

Or. en

Amendment 133
Rainer Wieland

1976 Elections Act
Article 13 a (new)

1976 Elections Act

Amendment

Article 13a

1. In the case of the Members elected in the Member States, and subject to the other provisions of this Act, each State shall lay down appropriate procedures for filling any seat which falls vacant during the five-year term of office referred to in Article 5 for the remainder of that period.

The provisions of Article 3(1a) shall apply mutatis mutandis.

2. Where the law of a Member State provides for a temporary replacement of a member of its national parliament on maternity leave, that State may decide that such provisions are to apply mutatis mutandis to the Members of the European Parliament elected in that State.

Or. de

Amendment 134
Roberto Gualtieri

1976 Elections Act
Article 14

1976 Elections Act

Amendment

Should it appear necessary to adopt measures to implement this Act, the Council, acting unanimously on a proposal from the European Parliament after consulting the Commission, shall adopt such measures after endeavouring to reach agreement with the European Parliament in a conciliation committee consisting of the Council and

Measures to implement this Act shall be adopted by the European Parliament, acting by majority of its component Members on a proposal from the European Commission, after seeking the approval of the Council.

*representatives of the European
Parliament.*

Or. en

Amendment 135

Enrique Guerrero Salom, Vital Moreira, Stavros Lambrinidis, Roberto Gualtieri

1976 Elections Act

Annex to Article 2 a (new)

1976 Elections Act

Amendment

*(mathematical formula proposed by the
Rapporteur)*

deleted

Or. en

Amendment 136

Andrew Duff

1976 Elections Act

Annex to Article 2 a (new)

The mechanism for the apportionment of the seats in the European Parliament elected from within the Member States is as follows:

Basic allocation

Assign to each State a fixed number of seats called *base seats* and denoted *b*. The base seats amount to one less than the minimum threshold of seats as laid down in the Treaty (six, denoted as *m*).

The base allocation is the base number multiplied by the number of States.

Proportional allocation

Assign a number of additional seats to each State according to the size of its population.

For a given initial *divisor d*, assign to a State with a *population p* a further *quotient p/d*. The initial divisor is the total population of the Union divided by the maximum number of seats in Parliament to be apportioned for elections from within the States as laid down in the Treaty

(seven hundred and fifty one, denoted as H) minus the base allocation.

If the seat share $b + p/d$ is not a whole number, round it upwards to the next largest whole number. This is the initial allocation to each State, written $\lceil b + p/d \rceil$.

If any State has a seat allocation $\lceil b + p/d \rceil$ which exceeds the maximum allocation as laid down in the Treaty (ninety six, denoted as M), replace its seat allocation by that maximum.

Adjust the initial divisor to obtain a final divisor d in such a way that the total number of seats equals the Parliament's size H .

Therefore

The representation of the Union's citizens per State comprises the base seats b and adds one seat in respect of each d citizens, or part thereof, resident in the State, while respecting the maximum allocation M , so that:-

Member State i , with population p_i , receives s_i seats:

$$s_i = \min \{ \lceil b + p_i / d \rceil, M \}$$

where d is chosen so that $\sum_i s_i = H$.

Or. en

Amendment 137

Gerald Häfner

1976 Elections Act

Annex to Article 2 a (new)

Parabolic method

The calculation for the apportionment of seats in the European Parliament according to the parabolic method is as follows:

Properties and conditions:

- Give the minimum of six seats to the smallest State
- Give the maximum of 96 seats to the greatest State
- Allocate the total number of available seats
- The function is increasing since a more populated State receives no less seats than other less populated State.
- The function is convex since the less populous States (not just the least populous States) receive more seats than they would be entitled to under a more proportional system

described by a linear function, the more populous States (not just the most populous State) accordingly receive less seats.

- The function applies to all Member States in the same way; there is no special rule for a particular Member State

Notations: m is the minimum, M is the maximum, H is the total of seats, p_i is the population of State number i (in millions), n is the number of states. Currently:

$$m = 6, \quad M = 96, \quad H = 751, \quad n = 27, \quad p_1 = 81.802257, \quad \dots \quad p_n = 0.412970$$

The mechanism for the apportionment of the seats in the European Parliament elected from within the Member States using the parabolic method is as follows:

1st. Check if the straight line giving m seats to the smaller State (now, Malta) and M seats to the larger State (now, Germany), distributes in total more than H seats. In this case use the line $A(p) = m + \frac{p - p_n}{K}$ and adjust K so that the sum of rounded $A(p_i)$ is H . (For example, this case happens if a very populous State joins EU).

2nd. Check if the parabolic curve that assigns m seats to the smaller State, M to the largest State, with zero slope in the largest state, allocates less than H seats (in total). In such case use the parabolic curve

$$A(p) = M - \frac{(p - p_1)^2}{K}$$

and adjust K so that the sum of rounded $A(p_i)$ is H . (For example, this happens if $H=950$).

3th. In any other case (which is the current situation), use the parabolic curve

$$A(p) = m + \frac{(M - m)(p - p_n)}{p_1 - p_n} + \frac{(p_1 - p)(p - p_n)}{K}$$

and adjust K so that the sum of rounded $A(p_i)$ is H .

With the current data: $K = 350$, and the parabolic curve is:

$$\begin{aligned} A(p) &= 6 + \frac{90(p - 0.412970)}{81.802257 - 0.412970} + \frac{(81.802257 - p)(p - 0.412970)}{350} = \\ &= 5.44682 + 1.3407p - \frac{p^2}{350} \end{aligned}$$

If a new state joins the EU, for example in 2015, and its population is less than that of Malta, then it receives 6 seats; if its population exceeds that of Germany, then it gets 96 seats. In other cases the population in millions is replaced in the formula above and rounded to the nearest whole number.

Or. en

Amendment 138

Alexandra Thein, Alexander Graf Lambsdorff

1976 Elections Act

Annex to Article 2a (new)

The formula for the distribution of the 751 seats in the European Parliament is as follows:

$$S_{MS(i)} = GM_{(min)} + \frac{E_{MS(i)}^x}{\sum_{i=1-27} [E_{MS(i)}]^x} * (751 - 27 * GM_{(min)})$$

E: Number of inhabitants in Member State *i*;

S: Number of Members to be elected in Member State *i*;

GM (min): Number of base seats to be allocated initially to each Member State

The number of seats in addition to the base seats is measured from the share of the weighted number of inhabitants of a Member State in the total weighted number of inhabitants of all Member States, multiplied by the number of seats to be allocated on top of the base seats. With a total of 751 Members and 27 Member States and with five base seats allocated per Member State, 616 seats remain to be allocated in addition to the base seats. Weighting factor *x* is calculated by putting *S* = 96 *i* to the equation and putting in the number of inhabitants in the largest Member State. *X* can then be determined by a numerical method. If the population figures are known for all Member States, then only a value for *x* that is lower than 1 will satisfy this equation. This then gives a clear solution.

Justification:

The above formula is more complicated than the Cambridge Compromise proposed, but does result in a fairer distribution of seats to the Member States that sticks more closely to the

criterion of degressive proportionality.

Or. de



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Constitutional Affairs

2009/2134(INI)

5.4.2011

COMPROMISE AMENDMENTS

A - L

Draft report
Andrew Duff
(PE440.210v03-00)

Proposal for a modification of the Act concerning the election of the members of the European Parliament by direct universal suffrage of 20 September 1976 ((2009/2134(INI))

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PE462.754v02-00

EN

United in diversity

EN

AM_Com_NonLegCompr

Amendment A

Andrew Duff

Compromise amendment covering amendments A (rapporteur), 98 (Rainer Wieland), 99 (György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta Giannakou), 100 (Alexandra Thein, Alexander Graf Lambsdorff), 101 (Enrique Guerrero Salom, Vital Moreira), 102 (Roberto Gualtieri), 103 (Ashley Fox)

Treaty on European Union

Article 14 – paragraph 2

Treaty on European Union

2. The European Parliament shall be composed of representatives of the Union's citizens. ***They shall not exceed seven hundred and fifty in number, plus the President.*** Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision ***establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.***

Amendment

2. The European Parliament shall be composed of representatives of the Union's citizens.

2a. Seven hundred and fifty one representatives shall be elected in the Member States. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

The distribution of those seats among the States shall be reviewed regularly. Before the end of the fourth calendar year of the mandate, the European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision ***on the distribution of seats during the following parliamentary term.***

2b. In addition, twenty-five representatives shall be elected in a single constituency comprising the entire territory of the Union.

Or. en

Amendment B

Andrew Duff

Compromise amendment covering Amendments 112 (Rapporteur), 113 (Carl Haglund), 114 (Anneli Jäätteenmäki, Sari Essayah, Carl Haglund, Frédérique Ries), 115 (György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta Giannakou, Alain Lamassoure), 116 (Rainer Wieland), 117 (Enrique Guerrero Salom, Vital Moreira), 118 (Roberto Gualtieri), 135 (Enrique Guerrero Salom, Vital Moreira, Stavros Lambrinidis, Roberto Gualtieri), 136 (Rapporteur), 137 (Gerald Häfner) & 138 (Alexandra Thein, Alexander Graf Lambsdorff)

1976 Elections Act

Article 2 a (new)

1976 Elections Act

Amendment

Article 2a

1. The distribution of seats between Member States in accordance with the principle of degressive proportionality pursuant to Article 14(2a) of the Treaty on European Union shall be based on their total resident population as established by Eurostat. The ratio between the population and the number of seats of each State before rounding to whole numbers shall vary in relation to their respective populations in such a way that each Member elected in a more populous State represents more citizens than each Member elected in a less populous State and also, conversely, that there are fewer Members elected in a less populous State than in a more populous State.

2. Where a State accedes to the Union during a parliamentary term, it will be allocated seats which will be added to the number of seats provided for in Article 14(2a) and (2b) of the Treaty on European Union on a transitional basis for the remainder of the mandate.

Or. en

Amendment C

Andrew Duff

Compromise amendment covering Amendments 11 (Rapporteur) & 130 (György Schöpflin)

1976 Elections Act

Article 9

1976 Elections Act

No one may vote more than once in any election of members of the European Parliament.

Amendment

Without prejudice to Article 2b, no one may vote more than once in any election of members of the European Parliament. ***In order to ensure that this principle is respected, the European Parliament and Council, acting by means of a regulation in accordance with the ordinary legislative procedure, shall establish an electoral roll at European Union level.***

Or. en

Amendment D

Andrew Duff

Compromise amendment covering Amendments 12 (Rapporteur) & 131 (Roberto Gualtieri)

1976 Elections Act

Article 11 – paragraph 1

1976 Elections Act

1. ***The Council, acting unanimously after consulting the European Parliament***, shall determine the electoral period ***for the first elections***.

Amendment

1. ***Parliament and Council*** shall determine the electoral period ***at least two years before the end of the five year term in accordance with Article 14.***

Or. en

Amendment E

Andrew Duff

Compromise amendment covering Amendments 20 (Rapporteur) & 134 (Roberto Gualtieri)

1976 Elections Act

Article 14

Should it appear necessary to adopt measures to implement this Act, the Council, acting ***unanimously*** on a proposal from the European Parliament after consulting the Commission, ***shall adopt such measures after endeavouring to reach agreement with the European Parliament in a conciliation committee consisting of the Council and representatives*** of the European Parliament.

Measures to implement this Act ***shall be adopted by*** the Council, acting ***by qualified majority***, on a proposal from the European Parliament, ***acting by a majority of its component Members***, after consulting the Commission, ***and with the consent*** of the European Parliament.

Or. en

Amendment F Andrew Duff

Compromise amendment covering Amendments 75 (Roberto Gualtieri), 76 (György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta Giannakou, Alain Lamassoure, Constance Le Grip), 77 (Gerald Häfner), 78 (Anneli Jäätteenmäki, Sari Essayah, Carl Haglund, Frédérique Ries) & 79 (Gerald Häfner)

Motion for a resolution Paragraph 3

Motion for a resolution

3. Proposes that a redistribution of the existing 751 seats among States will take place, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; ***the redistribution will be made in accordance with a mathematical formula respecting the criteria laid down in the Treaties, and will be announced at least twelve months*** before the end of the mandate;

Amendment

3. (i) Determines that Parliament will initiate a proposal for a decision establishing the redistribution of the 751 seats among States, if justified objectively by figures established by Eurostat, based on the total resident population, before every election; ***this decision shall be adopted*** before the end of the ***fourth calendar year of the*** mandate;

(ii) Proposes to enter into a dialogue with the European Council to explore the possibility of reaching agreement on a durable and transparent mathematical formula for the apportionment of seats in the Parliament respecting the criteria laid

down in the Treaties and the principles of plurality between political parties and solidarity among States;

Or. en

Amendment G

Andrew Duff

Compromise amendment covering Amendment 83 (Roberto Gualtieri)

Motion for a resolution

Paragraph 4

Motion for a resolution

4. ***Repeats its proposal*** to bring forward the timing of the election from June to May;

Amendment

4. ***Determines*** to bring forward the timing of the election from June to May;

Or. en

Amendment H

Andrew Duff

Compromise amendment covering Amendments 87 (Carl Haglund) & 88 (György Schöpflin, Íñigo Méndez de Vigo, Rafał Trzaskowski, Constance Le Grip)

Motion for a resolution

Paragraph 5

Motion for a resolution

5. ***Urges*** States and political parties to promote the better representation of women and ethnic minority candidates ***at both the EU and the national level;***

Amendment

5. ***Calls on*** States and political parties to promote the better representation of women ***and linguistic*** and ethnic minority candidates; ***considers it important for the legitimacy of the Union that Parliament's composition reflects the diversity of Europe's peoples;***

Or. en

Amendment I

Andrew Duff

Compromise amendment covering Amendments 27 & 60 (Roberto Gualtieri)

Motion for a resolution

Recital D a (new)

Motion for a resolution

Amendment

Da. the Lisbon Treaty changed the mandate of Members of the European Parliament, making them direct representatives of the Union's citizens¹,

Or. en

Amendment J

Andrew Duff

Compromise amendment covering Amendments 45 (Roberto Gualtieri), 46 (Gerald Häfner), 47 (György Schöpflin, Íñigo Méndez de Vigo, Paulo Rangel, Paul Rübig, Marietta Giannakou, Alain Lamassoure, Constance Le Grip), 48 (Anneli Jäätteenmäki, Sari Essayah, Carl Haglund, Frédérique Ries) & 49 (Gerald Häfner)

Motion for a resolution

Recital Q

Motion for a resolution

Amendment

Q. the redistribution of parliamentary seats among States needs to take place on a regular basis in order to reflect demographic change in the resident populations of the States and to strictly respect the principle of degressive proportionality; it may be possible to reach agreement on an apolitical, mathematical formula which would respect the criteria laid down in the Treaties and spelt out in the Act,

Q. Parliament is empowered and obliged by the Lisbon Treaty to initiate a decision to redistribute seats among States within the constraints of threshold, ceiling and overall size, while respecting the principle of degressive proportionality; the current composition does not conform adequately to the principle of degressive proportionality; Parliament has previously resolved to correct historical inequalities in seat distribution and to adapt its composition on a regular basis in order to reflect changes in the demography and membership of the Union²; moreover, it considers it

¹ Articles 10(2) & 14(2) TEU.

² Resolution of 11 October 2007 on the composition of the European Parliament (Lamassoure-Severin) (OJ C 227 E, 4.9.2008, p. 132).

*important to give expression in
Parliament's composition to plurality
between parties and solidarity among
States,*

Or. en

Amendment K

Andrew Duff

Compromise amendment covering Amendment 59 (Marietta Giannakou)

Motion for a resolution

Recital X

Motion for a resolution

X. the TEU provides that '[p]olitical parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union',

Amendment

X. the TEU provides that '[p]olitical parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union'¹, *and to this end Parliament has called on the Commission, in its resolution of 6 April 2011 on the application of Regulation (EC) No 2004/2003 on the regulations governing political parties at European level and the rules regarding their funding², to initiate legislation for a common EU status for European political parties and foundations,*

Or. en

Amendment L

Andrew Duff

Compromise amendment covering Amendment 3 (Rapporteur)

1976 Elections Act

Article 2 b (new)

¹ Article 10(4) TEU.

² *Texts adopted, P7_TA(2011)0144.*

Article 2b

1. Pursuant to Article 14(2b) of the Treaty on European Union, there shall be one additional constituency formed of the entire territory of the Union from which shall be elected twenty-five Members.

2. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish an electoral authority to conduct and verify the electoral process of the European Union constituency. The authority shall comprise representatives of the European Parliament, the Commission and each Member State.

3. Transnational lists of candidates for election in the European Union constituency submitted by the European political parties shall be admissible only:

(a) if composed of candidates resident in at least one third of the States, and

(b) if balanced by gender.

4. Each elector shall have one supplementary vote that may be cast for his or her preferred candidate on the European Union-wide list. Voting shall be by the preferential semi-open list system. Seats shall be allocated in accordance with the Sainte-Laguë method.

5. Detailed arrangements for the European Union constituency election, including the delegation of powers to the electoral authority, shall be laid down in implementing measures to be adopted in accordance with Article 14.

Or. en