

'European elections : proportional representation, constituencies and transnational lists' from Tribune pour l'Europe (1998)

Caption: On 15 July 1998, the European Parliament adopts a draft electoral procedure incorporating common principles for the election of MEPs.

Source: Tribune pour l'Europe. Informations du Parlement européen. Juillet-Août 1998, n° 7-8. [s.l.]. ISSN 0255-8815. "Elections européennes : Proportionnelle, Circonscriptions, Listes transnationales", p. 1.

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Last updated: 06/07/2016

European elections: proportional representation, constituencies and transnational lists

Article 1 of the Act of 20 September 1976 concerning the election of the representatives of the European Parliament (taken over in Article 190 of the Treaty of Amsterdam) provides that the representatives of the European Parliament of the peoples of the Member States brought together in the Community are to be elected by direct universal suffrage. This has been the case since 1979. Paragraph 4 of that article provides that a plan be drawn up by the European Parliament to enable election by direct universal suffrage through a uniform procedure in all the Member States or in accordance with principles common to all the Member States.

Following a number of fruitless attempts, the European Parliament adopted a draft electoral procedure by a large majority (355 votes to 146, with 39 abstentions). The system of proportional representation was approved, allowing all sectors of society to be represented. However, in order to avoid excessive fragmentation, Parliament opted to set a threshold for the number of votes that must be secured in order for a candidate to be elected. This threshold must not exceed 5 % of the votes cast. With a view to bringing the elected representatives closer to the electorate, the Parliament plans, with effect from the 2004 elections to the European Parliament, to designate territorial constituencies in the Member States with more than 20 million inhabitants. Moreover, in order to develop European political awareness and European political parties, it proposes, with effect from the European elections due to take place in 2009, the adoption of the principle of transnational electoral lists, i.e. a certain percentage of seats (and not 10 % as had been suggested by the rapporteur) may be allocated to parties by means of proportional representation within a single constituency comprising the territory of the Member States (349 votes to 173, with 14 abstentions).

The draft act adopted by the Parliament is as follows:

Article 1: In each Member State, Members of the European Parliament shall be elected by a list system of proportional representation. Election shall be by direct universal suffrage through an equal, free and secret ballot.

Article 2: Constituencies shall be established for this election without generally violating the proportional character of the system, in order to bring the elected representatives closer to the electorate and with due regard for the specific characteristics of each Member State. This provision shall apply with effect from the elections to the European Parliament scheduled for 2004. Member States whose population does not exceed 20 million inhabitants are not required to establish constituencies.

Article 3: Where a country decides to establish several electoral constituencies on its territory, the Members of the European Parliament shall remain, in accordance with Articles 137 and 138 of the Treaty (189 and 190 of the consolidated Treaty), the representatives of the peoples of the States brought together in the Community, and not the representatives of their constituencies.

Article 4: Special arrangements may be made to take account of specific regional characteristics but they must not violate the principle of proportional representation.

Article 5: A minimum threshold for the distribution of seats may be set and at national level may not exceed 5 % of the votes cast.

Article 6: Member States may permit preferential voting in accordance with procedures that they shall lay down.

Article 7: The European Parliament will consider a proposal that a certain percentage of the total number of seats within the European Parliament shall be filled by means of list-based proportional representation relating to a single constituency comprising the territory of the European Union Member States with effect from the European elections to be held in 2009. The implementing provisions shall be adopted by 1 January 2008 on a proposal from the European Parliament by the Council acting unanimously, and after obtaining Parliament's assent.

Article 8: The office of Member of the European Parliament shall be incompatible with the office of member of a national parliament.

Article 9: Each Member State may set a limit for candidates' expenditure linked to the conduct of the election campaign.

Article 10: Save where otherwise stipulated, the Act of 20 September 1976 concerning the election of the representatives of the European Parliament by direct universal suffrage shall remain in force.

It is for the Council, acting unanimously, and following assent by the European Parliament acting by a majority of its Members, to adopt the provisions which it will recommend be adopted by the Member States in accordance with their respective constitutional rules.