

## European Parliament Resolution on the guidelines for the draft uniform electoral procedure (10 October 1991)

**Caption:** European Parliament Resolution of 10 October 1991 on European Parliament guidelines relating to draft uniform electoral procedures for Members of the European Parliament. According to the European Parliament, electoral procedures should be harmonised across all the Member States according to common criteria relating to the electoral system, the seat distribution adjustment system, the right to vote, incompatibilities, eligibility and the grounds for ineligibility and the electoral campaign.

**Source:** Official Journal of the European Communities (OJEC). 28.10.1991, n° C 280. [s.l.]. "Resolution on the European Parliament's guidelines for the draft uniform electoral procedure (10 October 1991)", auteur:European Parliament , p. 141.

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**Last updated:** 15/05/2014

## European Parliament Resolution of 10 October 1991 on the European Parliament's guidelines for the draft uniform electoral procedure

A3-0152/91

*The European Parliament,*

— having regard to Article 138(3) of the EEC Treaty, which requires the European Parliament to draw up proposals for its election by direct universal suffrage in accordance with a uniform procedure in all Member States,

— having regard to Article 7(1) of the Act of 20 September 1976 concerning the election of representatives of the European Parliament by direct universal suffrage, which requires the European Parliament to draw up a proposal for a uniform electoral procedure,

— having regard to Council Decision 76/787/ECSC, EEC, Euratom,

— having regard to Rule 121 of its Rules of Procedure,

— having regard to the interim report of the Committee on Institutional Affairs and the opinion of the Committee on Legal Affairs and Citizens' Rights (A3-0152/91),

A. whereas almost 12 years after the first European elections by direct universal suffrage, disagreements within the Community institutions and between the governments of the Member States have made it impossible to achieve the objective of electing the Members of the European Parliament in accordance with a uniform procedure in all the Member States,

B. whereas, therefore, in spite of past difficulties, the European Parliament should seize the initiative and successfully draw up as soon as possible a proposal that will command a broad consensus within its ranks,

C. whereas European elections by direct universal suffrage in accordance with a uniform procedure in all the Member States would strengthen the political authority of the European Parliament and consolidate its democratic legitimacy in the current phase of achieving political, economic and monetary union in Europe with a view to transforming the Community into an effective federal-style European union,

D. whereas the establishment of a uniform electoral procedure, in accordance with procedures which stimulate the expression of common political will at European level and via common procedures of representation, is a fundamental factor in strengthening people's awareness of belonging to a single European society,

E. whereas the objective of a uniform electoral system is more likely to be achieved by a step-by-step approach,

F. whereas the concept of uniformity does not require a completely identical and uniform electoral procedure in all Member States but a harmonization of the main elements of the electoral procedure,

G. whereas it is necessary first to lay down general guidelines on the draft uniform electoral procedure, before drafting and adopting the final proposal to be submitted to the Council,

H. whereas the European Parliament's position should be clearly stated so that its rapporteur has an unambiguous remit,

I. whereas its resolution of 12 July 1990 on the implications of German unification for the European Community (1) recommends that the question of the representation in the European Parliament of the people of the former GDR should be resolved in the context of the revision of the relevant Treaty provisions,

J. whereas a positive step would be for Member States to inform the Council and Parliament of their respective constitutional arrangements as regards eligibility to stand for election to the European Parliament,

1. Reaffirms that the main priority would be to achieve, as soon as possible, harmonization of common criteria for the electoral procedure, starting with the issues on which there is a possibility of consensus;

2. Has adopted the following guidelines:

(i) Voting system:

The distribution of seats shall be determined in accordance with a system of proportional representation;

(ii) A national system to redistribute supernumerary votes between constituencies may be set up for a proportion of seats;

(iii) The right to vote:

Any national of a Member State of the European Community aged 18 by the date of the election shall be entitled to vote and stand for election to the European Parliament in the Member State in which he has had his main residence for at least the previous year. However, existing special provisions in Member States allowing other resident nationals to vote and stand for election shall also be respected. Those resident outside the territory of the Community shall be subject to the national legislation of their Member State of origin. The Member States shall cooperate to make it easier to exercise the right to vote and the right to stand for election and to prevent any voter from casting two votes in an election. Any citizen may stand for election in any Member State. Elections to the European Parliament shall take place at a time set by each Member State, within a timespan which shall be the same for all Member States beginning on a Thursday morning and ending at 8 p.m. local time on the following Sunday evening. The counting of the votes may not begin before 6 p.m. on the Sunday;

(iv) Scrutiny:

The European Parliament shall scrutinize the credentials of Members on the basis of the election results officially declared by the Member States. Those concerned may appeal against the European Parliament's decision through the Court of Justice of the European Communities;

(v) Incompatibility:

The rules on incompatibility shall be those laid down in the Act of 20 September 1976. In addition, the office of Member of the European Parliament shall be incompatible with that of an executive office in a Member State or region;

(vi) Member States shall notify the Council and Parliament of the numbers of citizens who are currently ineligible to stand for election to the European Parliament and the justification for this exclusion;

(vii) Member States shall notify the Council and Parliament of any national legislation which has affected the right of citizens to stand for election to the European Parliament since the first direct elections of 1979, together with the number of those affected;

(viii) Provisions concerning the election campaign:

(a) the Member States shall bear the cost of holding the elections, in particular the printing and distribution of ballot papers and establishing the results of the vote;

(b) within the framework of its internal organization and budgetary powers, the European Parliament shall

ensure that the electorate is appropriately informed of the activities, principles and objectives of the political forces within the European Parliament;

(c) the reimbursement by the Member States of electoral expenses shall not be affected by these provisions. The Council shall, on a proposal from the European Parliament and within two years of the entry into force of the uniform electoral procedure, adopt measures, pursuant to Article 13 of the Act of 20 September 1976, on the reimbursement of electoral expenses at European level incurred in the course of direct elections to the European Parliament;

3. Instructs its President to forward this resolution to the Council, the Commission and the Governments of the Member States.

(<sup>1</sup>) OJ. No C 231, 17.9.1990, p. 154