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DRAFT REPORT

on the reform of the electoral law of the European Union
(2020/2220(INL))

Committee on Constitutional Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the reform of the electoral law of the European Union (2020/2220(INL))

The European Parliament,

- having regard to the Declaration of 9 May 1950 that proposed the creation of the European Coal and Steel Community (ECSC) as a first step in the federation of Europe,
- having regard to the Act concerning the election of the members of the European Parliament by direct universal suffrage ("the Electoral Act") annexed to the Council decision of 20 September 1976, as amended by Council Decision 2002/772/EC, Euratom, of 25 June and 23 September 2002, and by Council Decision (EU, Euratom) 2018/994 of 13 July 2018,
- having regard to the Treaties and in particular to Articles 9, 10, 14 and 17(7) of the Treaty on European Union (TEU) and to Articles 20, 22, 223(1) and 225 of the Treaty on the Functioning of the European Union (TFEU), and to Article 2 of Protocol No 1 on the role of national parliaments in the European Union,
- having regard to Protocol No 7 on the Privileges and Immunities of the European Union,
- having regard to 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 nationals¹,
- having regard to its previous resolutions on the European Parliament's electoral procedure, and in particular its resolution of 15 July 1998 on a draft electoral procedure incorporating common principles for the election of Members of the European Parliament, its resolution of 22 November 2012 on the elections to the European Parliament in 2014², its resolution of 4 July 2013 on improving the practical arrangements for the holding of the European elections in 2014³, and its resolution of 11 November 2015 on the Reform of the electoral law of the EU⁴,
- having regard to its resolutions of 13 March 2013⁵ and 7 February 2018⁶ on the composition of the European Parliament,
- having regard to its resolution of 6 November 2020 on stocktaking of European elections⁷,

¹ OJ L 329, 30.12.1993, p. 34.

² OJ C 419, 16.12.2015, p. 185.

³ Texts adopted, P7_TA(2013)0323.

⁴ OJ C 366, 27.10.2017, p. 7.

⁵ OJ C 36, 29.1.2016, p. 56.

⁶ OJ C 463, 21.12.2018, p. 83.

⁷ Texts adopted, P9_TA(2020)0327.

- having regard to Regulation 1141/2014 of the European Parliament and the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations, and in particular Articles 13, 21 and 31 thereof,
 - having regard to the Framework Agreement of 20 October 2010 on relations between the European Parliament and the European Commission, as modified on 7 February 2018,
 - having regard to the European Economic and Social Committee report on real rights of persons with disabilities to vote in European Parliament Elections adopted in its plenary session on 20 March 2019 and its opinion on the need to guarantee real rights for persons with disabilities to vote in European Parliament Elections adopted on 2 December 2020,
 - having regard to Commission Communication 2020/790/EU of 3 December 2020 on the European democracy action plan,
 - having regard to the Charter of Fundamental Rights of the European Union (Charter), and in particular Articles 11, 23 and 39 thereof,
 - having regard to Rules 46 and 54 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs (A9-0000/2021),
- A. whereas since 1976, when the European Electoral Act paved the way for the election of the representatives of the European Parliament by direct universal suffrage for the first time, the EP has continuously requested the reform of EU electoral law and moves towards a more a genuine, uniform and European electoral procedure;
 - B. whereas the Lisbon Treaty has offered a positive step forward by confirming the right of the EP to initiate a proposal on the Electoral Act as well as on its composition;
 - C. whereas other important changes in the Lisbon Treaty concerned in particular the wording of Article 14 TEU, stating that the Parliament is to be composed of representatives of the citizens of the Union and not peoples of the Member States, as well as the reference to the Parliament's role in the election of the President of the European Commission, who should be elected taking into account the results of the EP elections;
 - D. whereas the procedure for the 2014 elections set a precedent for the role of the Parliament in the selection of the EC President; whereas it was not possible for that procedure to become part of an overall reform of EU electoral law, which contributed to creating the political background for the unexpected disapplication of the lead candidate principle following the European elections of 2019, which resulted from the lack of a common indication from the European political parties and parliamentary groups in support of one of the lead candidates and the European Council's lack of agreement on nominating any of the lead candidates;
 - E. whereas some existing common provisions in the current European Electoral Act show the way towards necessary improvements, including those which provide for candidates to be elected by proportional representation using a list system or a single transferable vote system; for the freedom to establish constituencies at national level; for the

introduction of a maximum non-obligatory electoral threshold of 5%, and for the prohibition of MEPs to hold a dual mandate in national and European Parliament;

- F. whereas, despite some steps forward in defining common standards of electoral procedures for the European Parliament, today EU elections are still mostly governed by national laws and therefore more improvements are needed to establish a genuinely uniform procedure for European elections;
- G. whereas the turnout registered in the 2019 European elections was the highest of any elections to the European Parliament in the last 20 years; whereas increased turnout is a positive signal shows that citizens of the Union are taking an increasing interest in the development of the European integration, as indicated also by the results of the special Eurobarometer of 9 March 2021;
- H. whereas the trend of a growing voter turnout can be maintained if the connection and accountability between voters and candidates are strengthened and the EU-wide dimension is fostered;
- I. whereas a functioning electoral system builds trust and support among the population and increases the confidence of citizens of the Union in their capacity to change society democratically by voting;
- J. whereas the conclusion of the ratification process for Council's Decision 2018/994 of 13 July 2018 is still pending but cannot hold back the necessary changes in the Union's electoral systems;
- K. whereas growing political momentum and changing conditions among the Member States could offer the possibility of finally introducing into election procedures stronger elements and provisions that highlight the European dimension of the elections;
- L. whereas an appropriate approach to reforming the European electoral law should be based on respect for the principles of subsidiarity and proportionality and the introduction of common minimum standards ;
- M. whereas the reform of the European Parliament's electoral procedure should aim to enhance the democratic and transnational dimension of the European elections and the democratic legitimacy of the Union decision-making process, reinforce the concept of citizenship of the Union, improve the functioning of the European Parliament and the governance of the Union, make the work of the European Parliament more legitimate, strengthen the principles of electoral equality and equal opportunities, enhance the effectiveness of the system for conducting European elections, and bring Members of the European Parliament closer to their voters, and in particular the youngest amongst them;
- N. whereas the possibility of developing a uniform electoral procedure based on direct universal suffrage has been enshrined in the Treaties since 1957;
- O. whereas the right of all citizens of the Union to participate, on an equal basis, in the democratic life of the Union would be promoted by a genuine harmonisation of the procedure for elections to the European Parliament in all the Member States , which would also strengthen the political dimension of European integration;

- P. whereas European political parties are best placed to "contribute to forming European political awareness" and should therefore play a stronger role in the campaigns for Parliament elections in order to improve their visibility and to make clear the link between a vote for a particular national party and the impact it has on the size of a European political group in the European Parliament;
- Q. whereas the procedure for nominating candidates for elections to the European Parliament varies considerably from Member State to Member State and from party to party, in particular as regards transparency and democratic standards: whereas, however, open, transparent and democratic procedures for the selection of candidates are essential for building trust in the political system;
- R. whereas the deadlines for finalising electoral lists ahead of European elections vary greatly among Member States, currently ranging from 17 days to 83 days; whereas this puts candidates and voters across the Union in an unequal position when it comes to the time they have to campaign or to reflect on their voting choice;
- S. whereas the deadlines for finalising the electoral roll ahead of European elections vary greatly among Member States and could render the exchange of information between Member States on voters (which is aimed at the avoidance of double voting) difficult, if not impossible;
- T. whereas the establishment of a joint constituency in which lists are headed by each political family's candidate for the post of President of the Commission would greatly strengthen European democracy and further legitimise the election of the President of the Commission;
- U. whereas not all Member States give their citizens the possibility of voting from abroad, and among those that do, the conditions for depriving them of their right to vote vary greatly; whereas granting all citizens of the Union residing outside the Union the right to participate in elections would contribute to electoral equality; whereas, however, Member States need to coordinate their administrative systems better in order to prevent voters from voting twice in two different Member States;
- V. whereas any barriers to the right to vote for persons with disabilities, especially legal barriers for adults with intellectual disabilities declared legally incapacitated, should be removed, guaranteeing physical and sensory accessibility in polling stations as well as alternative participation systems to exercise the right to vote, in particular through postal voting;
- W. whereas an electoral authority, acting as a network of Member States' single contact authorities, should be set up at Union level, as this would facilitate access to information on the rules governing the European elections, as well as streamlining the process, managing the joint constituency and enhancing the European character of those elections;
- X. whereas postal, electronic and internet voting could make the conduct of European elections more efficient and more appealing for voters, whilst ensuring the highest possible standards of data protection;

1. Suggests the reform of its electoral procedure with the goal of shaping in a concrete way a European public sphere, by suggesting common minimum standards and legislative changes ahead of the 2024 European elections;
2. Considers it essential to improve the transparency and democratic accountability of the Parliament, by strengthening the European dimension of the elections, notably by shifting the debate in election campaigns away from national topics towards genuinely European issues; in addition, considers it essential to transform the European elections into a single European election, as opposed to the collection of 27 separate national elections, which is the way that European elections are mainly perceived today;
3. Believes that European political parties and movements should play a more central role in the European elections process and should become clearly visible for voters;
4. Observes that diverging electoral cultures have resulted in a range of different electoral systems; considers therefore that common minimum standards are needed, in order to ensure approximation towards a unified European electoral law and equality of the vote for citizens of the Union, including as regards: the right to register a party and to stand for elections; access to ballots; the fielding of candidates; accessibility of voting; or what happens on the day of the elections;
5. Calls for the establishment of a common framework, with benchmarks and minimum standards for election rules across the EU, and suggests focusing on a strong coordination with national measures for implementing the core of its proposals;
6. Notes the role of the Commission as facilitator in the institutional talks between the EP and the Council on the reform of the European Electoral Law; considers it essential to engage in a constructive dialogue with the Commission *inter alia* in order to evaluate and take inspiration from the results of the European Cooperation Network on Elections, as established in 2019;
7. Highlights the links between the suggested measures for the review of the Electoral Act, and the European Parliament' rules of procedure, the regulation on European Political Parties and the European Commission Democracy Action Plan of December 2020, notably the links between elements such as:
 - the way in which elections are largely governed by rules applicable only within a particular jurisdiction or that might not have been formulated taking into consideration the borderless online space,
 - stronger cooperation between regulatory authorities of the Member States is needed,
 - the goal of more transparency in political advertising and communication should also be reflected in the provisions of the Electoral Law;
8. Considers gender equality to be a key horizontal element for improving the quality of EU democracy and enhancing a European public space; calls on Member States to apply this principle and the provisions contained in the Parliament's proposal in the attached legislative act in a comprehensive way, in accordance with their own competences; calls

for the introduction of lists of candidates with an equal number of male and female candidates for the electable places, for example through the use of zipped lists or other equivalent methods, since, in many Member States, there is no legislation that ensures political gender parity in elections;

9. Considers it essential that both European and national political parties and movements adopt democratic, informed and transparent procedures for the selection of candidates to the European Parliament, including the lead candidate, ensuring the direct involvement of individual citizens who are party members, including, but not limited to, the election of delegates; considers that such democratic selection should be accompanied by the necessary information as regards the capacities and performance of the aspiring candidates;
10. Believes that all European voters should be allowed to indicate their preferred candidate for the President of the Commission, and that leading candidates should be able to stand in all Member States, nominated by a European political party, by a movement or by a coalition of European parties, putting forward a common electoral programme;
11. Calls on European political parties and movements to nominate their candidates for the position of President of the Commission - or common candidates of a coalition of European parties and movements - at least 12 weeks before the start of the electoral period; considers that binding democratic procedures and transparency in the selection should be ensured; expects candidates to be placed in the first position of the corresponding list of the joint constituency;
12. Calls for enhancing the visibility of European parties and movements through media campaigns and on ballot papers and all electoral materials; determines that national parties shall indicate their affiliation to the European political parties and to the corresponding lead candidate during the electoral campaign;
13. Expects the leaders of the European political parties and parliamentary groups to agree on a common indication to the European Council on the basis of the outcome of the European elections as well as on the availability of a potential majority in the newly elected Parliament as regards the nomination of a candidate for President of the European Commission; expects the President of the European Council to consult the said leaders of the European political parties and parliamentary groups in order to inform the nomination process, considers that this process could be formalised by a political agreement between the European political parties and by an Inter-Institutional Agreement between Parliament and European Council;
14. Proposes establishing the practice for interested parliamentary groups to conclude a “legislature agreement” in order to ensure a political follow-up to the European elections and as a way to secure a majority within the Parliament ahead of the appointment of the Commission;
15. Considers that the introduction of a joint constituency from which forty-six members of the European Parliament shall be elected and in which lists are headed by each political family’s candidate for the post of President of the Commission could offer an opportunity to enhance the democratic and transnational dimension of the European elections; believes that the goal of establishing a joint constituency is achievable only if

geographical, demographic and gender balance is ensured, by guaranteeing that smaller Member States are not put at a competitive disadvantage compared to the larger Member States; suggests in this respect introducing binding demographic representation in the lists for the joint constituency, such as maximum thresholds for candidates residing in the same Member State and a minimum obligatory representation of nationals of different Member States; encourages European parties and movements to appoint candidates in the joint lists coming from all Member States;

16. Believes that transnational lists are a lever that can be used to bring about the formation of true and effective European political parties and movements;
17. Suggests including common provisions governing expenditure linked to the European electoral campaign for each entity admitted for the purpose of tabling a list of candidates for members of the European Parliament in the Union-wide constituency; calls for strong coordination with the upcoming revision of Regulation (EU, Euratom) No 1141/20214 on this matter;
18. Recalls that the minimum age for eligibility to stand as a candidate across the 27 Member States varies between 18 and 25; calls for the introduction of a single, harmonised age for passive and active voting rights across Member States as a way to ensure real voting equality and to avoid discrimination in the most fundamental area of citizenship, namely the right to participate in the democratic process;
19. Considers transparency of the electoral process and access to reliable information to be essential elements for raising European political awareness and securing an election turnout that is high enough to constitute a mandate from the electorate; highlights that citizens shall be informed well in advance - notably 12 weeks before the elections - about the candidates standing in the European elections and about the affiliation of national political parties to a European political party;
20. Highlights that the deadlines for finalising the electoral roll ahead of European elections vary greatly among Member States; suggests setting a common standard for the establishment and finalisation of the electoral roll no later than fourteen weeks before the election day, in order to render the information on voters more accurate and to make its exchange between Member States easier, as well as to facilitate the prevention of double voting, ensuring that such double voting, whether the result of an administrative mistake or breaches of electoral law is subject to effective, proportionate and dissuasive penalties at national level, and results in corrective measures by the Member States;
21. Proposes establishing a European Electoral Authority in charge of coordinating information on the European elections, monitoring the implementation of the common standards of the European electoral law and supervising the exchange of information on voting by citizens of the Union outside their home country; considers that such a body could facilitate an efficient exchange of information, and in particular the sharing of best practices, between national bodies; suggests that an essential task of the Authority would be the management of the register of electoral lists for joint constituencies;
22. Suggests that common minimum standards should be defined to introduce uniform requirements for the establishment of electoral lists;

23. Considers it essential to facilitate access to voting in European elections and to guarantee that all those who have the right to vote, including, if they are granted such a right in accordance with national laws, citizens of the Union living outside their country of origin, homeless people and prisoners, are able to exercise this right; calls on Member States to improve access to polling stations and the right to vote for persons with disabilities;
24. Calls on Member States to introduce common requirements allowing all citizens of the Union living or working in a third country to be granted the right to cast their vote in elections to the European Parliament;
25. Believes that the introduction of postal voting is needed for voters who are unable to go to the polling stations on election day, and that this could make the conduct of European elections more efficient and more appealing for voters in specific or exceptional circumstances; calls on Member States to consider the possible introduction of complementary enhancing tools such as electronic or internet voting, in accordance with their own national traditions, and with appropriate safeguards;
26. Believes that establishing a common European voting day would create a more coherent pan-European election and therefore suggests fixing 9th May as the European election day, regardless of the day of the week on which it falls, with the possibility of that day becoming a public holiday; considers it important that the first official projections of the electoral results are announced simultaneously in all Member States on the election day at 21:00 hours CET;
27. Considers it important to ensure that, following each election, an implementation report is drawn up with the aim of evaluating the functioning of the European elections as well as suggesting improvements, if needed;
28. Submits to the Council the annexed proposal for amendment of the Act concerning the election of the Members of the European Parliament by direct universal suffrage;
29. Instructs its President to forward this resolution to the European Council, the Council, the Commission and the parliaments and governments of the Member States.

ANNEX TO THE MOTION FOR A RESOLUTION

Proposal for a

COUNCIL REGULATION

on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that decision, and amending Regulation (EU, Euratom) No 1141/2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 223(1) thereof,

Having regard to the proposal from the European Parliament,

After transmission of the draft legislative act to the national parliaments,

Having regard to the consent of the European Parliament,

Acting in accordance with a special legislative procedure¹,

Whereas:

- (1) The Act concerning the election of the members of the European Parliament by direct universal suffrage² ('the Electoral Act'), annexed to Council Decision 76/787/ECSC, EEC, Euratom³, entered into force on 1 July 1978 and was subsequently amended by Decision 2002/772/EC, Euratom⁴ and Council Decision (EU, Euratom) 2018/994 of 13 July 2018⁵.
- (2) According to Article 223(1) of the Treaty on the Functioning of the European Union (TFEU), the provisions necessary for the election of the members of the European Parliament by direct universal suffrage are laid down by the Council acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European Parliament upon a proposal drawn up by the European Parliament.
- (3) The Treaty of Lisbon has not only conferred on the European Parliament the power of

¹ Position of the European Parliament of ... (not yet published in the Official Journal) and decision of the Council of ...

² OJ L 278, 8.10.1976, p. 5.

³ Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 (OJ L 278, 8.10.1976, p. 1).

⁴ Council Decision 2002/772/EC, Euratom of 25 June and 23 September 2002 amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to Decision 76/787/ECSC, EEC, Euratom (OJ L 283, 21.10.2002, p. 1).

⁵ Council Decision (EU, Euratom) 2018/994 of 13 July 2018 amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 (OJ L 178, 16.7.2018, p. 1), not in force.

initiative regarding the provisions on the election of its members, but has also changed the nature of the mandate of the members of the European Parliament, making them direct representatives of the citizens of the Union instead of “representatives of the peoples of the States brought together in the Community”. These constitute fundamental changes that should be reflected in a modernised European electoral law by inserting new elements that aim to enhance democratic legitimacy and to more accurately reflect the breadth of the role and competences of the European Parliament.

- (4) In spite of the provisions of the Electoral Act, elections to the European Parliament are largely determined by national rules, which differ considerably across Member States, resulting in a range of different electoral systems. Elections for the European Parliament take place on different days, and votes are cast for national parties with national candidates on the basis of national programmes. Approximation of those different electoral systems through the adoption of a more unified European electoral law based on clear common principles and rules would ensure voter equality for all citizens of the Union, and strengthen the European public sphere.
- (5) Article 17(7) of the Treaty on European Union (TEU) gives the European Parliament the right to elect the President of the European Commission. In order to give that right its appropriate expression, the European public sphere should be developed in such a way that all European voters are allowed to indicate their preferred candidate for the President of the European Commission. For this to happen, the lead candidates nominated by a European political party, by a movement or by a coalition of European parties, need to be able to stand behind a common electoral programme in all Member States. Likewise, a Union-wide constituency, in which lists are headed by each political family’s candidate for President of the Commission, should be created, in order to enhance the democratic and pan- European dimension of the European elections. That Union-wide constituency should be subject to clear rules ensuring gender and demographic proportionality, with particular attention to small and medium sized Member States.
- (6) According to Article 10(4) of the TEU, political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union. European political parties and movements should therefore play a more central role in the European elections’ process, including by giving them the possibility of tabling pan-European lists in the Union-wide constituency, so that they become known by and more visible to electors, both on ballot papers and in campaign materials and publications.
- (7) In the European democracy action plan⁶, the Commission has committed to promoting access to democratic participation, which entails inclusiveness and equality in democratic participation, as well as gender balance in politics and decision-making. In its 2020-2025 gender equality strategy⁷, the Commission stated that equal opportunity in participation is essential for representative democracy at all levels. Gender equality and democratic, informed and transparent procedures for the selection of candidates to

⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European democracy action plan (COM(2020)0790).

⁷ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions “A Union of Equality: Gender Equality Strategy 2020-2025” (COM(2020)0152).

the European Parliament elections, including the lead candidate, are key horizontal elements for reinforcing representativeness and democracy.

- (8) Transparency of the electoral process and access to reliable and timely information on voters and on candidates are important for ensuring the reliability of the electoral process, for raising European political awareness and for securing a solid election turnout. It is important to facilitate the exchange of information between Member States on voters in order to avoid double voting. Moreover, citizens of the Union should be informed well in advance of elections to the European Parliament about the candidates standing in those elections and about the affiliation of national political parties to a European political party. Mandatory time-limits for the establishment of the electoral roll and the lists of candidates should therefore be established.
- (9) A European Electoral Authority should be established for the management of the Union-wide constituency. Such a European Electoral Authority would be essential for coordinating information on the European elections and monitoring the implementation of the common standards of the European electoral law, by ensuring an efficient exchange of information and best practices between national bodies. In addition.
- (10) In order to encourage voter participation in elections to the European Parliament, Member States should provide for advance and postal voting. To fully take advantage of the possibilities offered by technological developments, Member States could also permit electronic and internet voting, while ensuring the reliability of the result, the secrecy of the vote and the protection of personal data, in accordance with applicable Union law.
- (11) Citizens of the Union have the right to participate in its democratic life, in particular by voting or standing as candidates in elections to the European Parliament. Member States should take the measures necessary to allow those of their citizens residing or working in third countries, those who are homeless or who are serving a prison sentence in the EU, to exercise the right to vote in elections to the European Parliament. Access to polling stations should also be facilitated for all citizens, and in particular for persons with disabilities.
- (12) The minimum age for the exercise of active passive voting rights varies across the 27 Member States. A single harmonised age for active and passive voting should be introduced across the Union in order to ensure equality and to avoid discrimination in the most fundamental civic and political right - the right to vote.
- (13) The 1976 Electoral act established a common electoral period, giving the Member States the power to set the exact date and the time for the elections within that period. A truly pan-European election requires not just a common period, but a common European voting day. The elections for the European Parliament should be held on 9 May, Europe Day, marking the anniversary of the Schuman Declaration of 9 May 1950.
- (14) The Electoral Act should be repealed and replaced accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes the provisions necessary for the election of members of the European Parliament by direct universal suffrage in accordance with a uniform electoral procedure and principles common to all Member States.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘political party’ means an association of citizens which pursues political objectives and which is either recognised by, or established in accordance with, the legal order of at least one Member State and that intends to form or to join a European coalition of national political parties and/or national political movements in order to table a list of candidates to, and campaigning for, the Union-wide constituency;
- (2) ‘political movement’ means an association of citizens which pursues political objectives which, rather than being established as a political party, is registered as an association of voters in accordance with applicable national provisions and which intends to form or joining a European coalition of national political parties and/or national political movements in order to table a list of candidates to, and campaigning for, the Union-wide constituency;
- (3) ‘European coalition of national political parties and/or national political movements’ means an electoral alliance by a number of national political parties and/or national political movements equal to one quarter of the Member States, where necessary rounded up to the nearest whole number, that tables a candidacy to, and campaigns for the Union-wide constituency;
- (4) ‘European political party’ means a political alliance of national political parties which pursues political objectives and is registered with the Authority for European political parties and foundations in accordance with Regulation (EU, Euratom) No 1141/2014 ⁽⁸⁾ for the purposes of tabling a candidacy to, and campaigning for, the Union-wide constituency;
- (5) ‘European political movement’ means a transnational association of citizens present in at least a quarter of the Member States, representing at least a number equal to 0.01% of the voting population in the relevant Member States, which pursues political objectives, but is not established as a European political party, and is recognised for the purpose of tabling a candidacy to, and campaigning for, the Union-wide constituency;
- (6) ‘European electoral coalition’ means an electoral alliance by two or more European political parties and/or European political movements that fields a list of candidates for and campaigns in the Union-wide constituency. National political parties and/or national political movements can also join such an electoral alliance provided that they

⁸ Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations, OJ 2014/L 317/1.

are not affiliated to a European political party and there is no other affiliated national political party to any of the European political parties of the electoral alliance;

- (7) “European electoral entity” means a European political party, a European political movement, a European electoral alliance, or a European coalition of national political parties and/or national political movements;
- (8) ‘Transnational list’ means the candidacy/list of candidates fielded in the Union-wide constituency;
- (9) ‘Electoral period’ means the period starting fourteen weeks before Election day and ending on Election day;
- (10) ‘Funding from the Union budget’ means a grant awarded in accordance with Title VIII or a contribution awarded in accordance with Title XI of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (‘the Financial Regulation’).

Article 3

National provisions

Subject to the provisions of this Regulation and regarding the elements not provided for in it, the electoral procedure shall be governed in each Member State by its national provisions.

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

Article 4

Voting rights

Every European Union citizen from 18 years of age shall have the right to vote and to stand as a candidate for election to the European Parliament, in both the national and in the Union-wide constituency, without prejudice to those Member States that, at the date of the entry into force of this Regulation, have set the minimum age that is lower than 18 for eligibility to vote and for eligibility to stand as a candidate.

Article 5

Exercise of the right to vote

Member States shall ensure that all citizens of the Union, including those living or working in a third country and those who are homeless or who are serving a prison sentence in the EU, are entitled to and are able to exercise their right to vote in elections to the European Parliament, and, with regard to those citizens serving a prison sentence, without prejudice to national law or court decisions handed down in accordance with national law.

Article 6

Single vote

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

in the national constituencies.

2. Member States shall take measures necessary to ensure that double voting in elections to the European Parliament in the national constituencies is subject to effective, proportionate and dissuasive penalties.

Article 7

Accessibility

Member States shall ensure physical and sensory access to polling stations for all citizens, in particular for persons with disabilities.

Article 8

Postal voting

1. Member States shall provide for postal voting in elections to the European Parliament, including for citizens living in a third country, and shall adopt measures that ensure that postal voting is accessible, in particular for persons with disabilities. Member States shall adopt all necessary measures to ensure the reliability and secrecy of the vote, and the protection of personal data in accordance with applicable Union law.

2. Member States may provide additional possibilities of voting by way of electronic and internet systems, without prejudice to the possibility of proxy voting as allowed by applicable national provisions at the time of the entry into force of this Regulation. In the event of electronic, internet, and proxy voting, Member States shall adopt all necessary measures to ensure the reliability and the secrecy of the vote, and the protection of personal data in accordance with applicable Union law.

Article 9

Establishment of the electoral roll

The deadline for the establishment and finalisation of the electoral roll in each Member State shall be no later than fourteen weeks before the Election day as referred to in Article 19(1).

Article 10

Principles of selection of candidates

All political parties and political movements and European electoral entities participating in elections to the European Parliament shall observe democratic procedures and transparency in selecting their candidates for election to the European Parliament.

The lists of candidates for election to the European Parliament shall ensure gender parity. This shall be ensured through the introduction of lists of candidates with an equal number of male and female candidates for the electable places. The names of the male and female candidates shall appear alternately on the ballot paper.

Article 11

Tabling of candidates

The deadline for tabling the lists of candidates for election to the European Parliament shall be twelve weeks before the Election day as referred to in Article 19(1).

Article 12

Electoral system

1. Elections shall be by direct universal suffrage and shall be free and secret.
2. Members of the European Parliament shall be elected as representatives of the citizens of the Union on the basis of proportional representation, in each Member State and in the Union-wide constituency.
3. In each Member State, Members of the European Parliament shall be elected using the list system or the single transferable vote. Member States may authorise voting based on a preferential list system in accordance with the procedure that they decide to adopt.
4. In the Union-wide constituency, Members of the European Parliament shall be elected using the closed list system.

Article 13

Electoral threshold

1. Member States may set a minimum threshold for the allocation of seats in the national constituencies. At national level, this threshold may not exceed 5 % of the total number of valid votes cast.
2. There shall be no minimum threshold for the allocation of seats in the Union-wide constituency referred to in Article 15.

Article 14

National constituencies

In accordance with its specific national situation and without prejudice to Article 15, each Member State may establish single 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.

Each Member State shall regulate and set a ceiling for candidates' electoral campaigning expenses in the respective national constituency, in accordance with the respective national provisions.

Article 15

Union-wide constituency

1. There shall be one constituency formed of the entire territory of the European Union from which forty-six members of the European Parliament shall be elected.

2. The election in respect of the Union-wide constituency shall be without prejudice to the number of members of the European Parliament elected in each Member State.
3. A uniform electoral procedure shall be used for the election of members of Parliament in the Union-wide constituency.
4. European political parties, European political movements, European electoral coalitions, or European coalitions of national parties and/or national political movements may submit registration lists to the European Electoral Authority established in Article 27.
5. No later than 12 weeks before Election day, the European electoral entities shall provide the European Electoral Authority with a document indicating that all the candidates consent to their inclusion in the list. Such a document shall indicate the candidates' names in full, identity card or passport number, date, place of residence, place of signature and personal signature.
6. Whenever a candidacy is submitted by a European political movement, the list of candidates shall be supported in at least one quarter of the Member States by a number of voters that is at least equal to 0.01 % of the voting population in the relevant Member States.
7. Whenever the candidacy is submitted by a European electoral coalition, it shall comprise at least either two European political parties or two European political movements, or one European political party and one European political movement.
8. Whenever the candidacy is submitted by a European coalition of national political parties and/or national political movements, it shall comprise at least a number of national political parties and/or national political movements equal to a quarter of the Member States, where necessary rounding up to the nearest whole number.
9. The European Electoral Authority shall verify that the lists of candidates submitted meet the requirements set out in this article, and shall proclaim the candidacies eleven weeks before Election day.
10. No European electoral entity may submit more than one candidacy.
11. The ballots comprising the list of candidates for the Union-wide constituency shall bear the name and logo of the respective European electoral entity.
12. The lists of candidates for the Union-wide constituency shall consist of the names of candidates who, in accordance with EU law, are citizens of the Union.
13. For candidates living in a third country, the candidate's place of residence for the purposes of the composition of the list shall be their one before leaving the European Union. For citizens of the Union born and resident in a third country, the place of residence for the purposes of drawing up of the list shall correspond to that of the candidate's Member State of nationality.
14. The lists of candidates for the Union-wide constituency shall include a number of candidates equal to the number of mandates as provided for in paragraph 1.
15. The lists shall include candidates resident in at least half of the Member States without

repetition of residency up to the position corresponding to the number resulting from dividing the total number of Member States by two.

16. In order to ensure demographic balance in the list of candidates, an equal number of candidates shall appear successively from any of the Member States in each of the five groups of Member States included in Annex 1, up to the list slot corresponding to the number resulting from dividing the total number of Member States by two, where necessary rounding up to the nearest whole number.

17. The order of candidates from any of the Member States in each of the five groups of Member States included in Annex 1 shall vary in each list section of five slots up to the list slot corresponding to the number resulting from dividing the total number of Member States by two, where necessary rounding up to the next whole number.

18. The total population of the Member States shall be calculated by the Commission (Eurostat) on the basis of the most recent data provided by the Member States, in accordance with a method established by means of Regulation (EU) No 1260/2013 of the European Parliament and of the Council.

19. Campaigning for the Union-wide constituency shall start eight weeks before Election day. No electoral campaigning shall be allowed on Election day.

20. European and national public broadcasters shall accord broadcasting time in proportion to the results of the preceding election to the Union-wide constituency, ensuring minimum broadcasting time for every list of candidates.

21. Member States shall forward the electoral results obtained by each list of candidates to the European Electoral Authority. The European Electoral Authority shall aggregate the national results and proclaim the candidates elected as members of the European Parliament after apportioning the seats in accordance to the D'Hondt method, as stated in paragraph 22.

22. The allocation of seats based on the results of the scrutiny is carried out in accordance with the following rules:

(a) The numbers of votes obtained by the candidates are ordered from highest to lowest, in a column;

(b) The number of votes obtained by each candidacy is divided by 1,2,3, etc., up to a number equal to the number of seats corresponding to the constituency, forming a table similar to the one that appears in Annex 2. The seats are attributed to the candidates that obtain the highest ratios in the table, attending to a decreasing order;

(c) When two seats corresponding to different candidacies coincide in the list of quotients, the seat will be allocated to the list with the highest total number of votes obtained. If there are two candidates with the same number of votes, the first tie will be resolved by lottery and the successive ones alternatively.

23. In the event of death, resignation, or withdrawal of the mandate of a member of Parliament elected in the Union-wide constituency, the vacancy shall be filled by the next candidate in the list of candidates in which the member who has died, resigned or withdrawn was originally elected.

24. To this end, whenever a seat of a Member elected in the Union-wide constituency falls vacant as a result of death, resignation, or withdrawal of the mandate, the President of the European Parliament shall immediately inform the European Electoral Authority.

Article 16

Union-wide constituency electoral campaign financing

1. Each European electoral entity permitted by the European Electoral Authority to table a list of candidates for members of the European Parliament in the Union-wide constituency shall appoint a general electoral administrator responsible for drawing up a general accounting plan for the income and expenses of the electoral campaign.

2. The general electoral administrator shall be a citizen of the Union who has not been convicted of crimes resulting in their disqualification from election or employment in public office in their Member State of residence.

The general electoral administrator shall not be a candidate for elections.

3. The general election administrator shall register a bank account at least 12 weeks prior to the Election day. That bank account shall be opened in a financial entity domiciled in the same city in which the electoral entity has its headquarters.

All funds destined to finance electoral expenses shall be deposited and all expenses shall be paid from that bank account.

4. Without prejudice to Article 21(1) of Regulation (EU, Euratom) No 1141/2014, the electoral campaign of European electoral entities shall be exclusively financed from the general budget of the European Union.

An initial amount of EUR 0,50 shall be allocated for each vote obtained by the Union-wide constituency in the previous election to the European Parliament to those European electoral entities that have obtained at least one seat in the election. Every five years, the Commission shall adjust that initial amount in line with the average of inflation.

Any electoral financing amount that is not fully spent on the campaign shall be reimbursed to the general budget of the European Union.

5. Expenditure linked to the European electoral campaign shall be clearly identified as such by the European political parties in their annual financial statements in accordance with the Regulation (EU, Euratom) No 1141/2014.

6. Within six months of the election, European electoral entities shall submit the electoral campaign accounts to the European Court of Auditors, including financial statements and accompanying notes, covering the revenue, expenditure, assets and liabilities of the campaign on the basis of the international accounting standards defined in Article 2 of Regulation (EC) No 1606/2002⁹.

7. The electoral campaign accounts shall be published by the Authority on a website created

⁹ Regulation (EC) No 1606/2002 of the European Parliament and of the Council on the application of international accounting standards (OJ L 243, 11.9.2002, p. 1).

for that purpose.

8. The European electoral entities shall provide any information requested by the European Court of Auditors for the purpose of the audit.

9. The European Court of Auditors shall inform the European Electoral Authority, the Authority for European Political Parties and European Political Foundations and OLAF of any suspected illegal activity, fraud or corruption, which may harm the financial interests of the European Union.

10. The Electoral Authority may impose sanctions of up to three times the amount irregularly spent by any European electoral entity for electoral campaigning to the Union-wide constituency, following the findings of the European Court of Auditors.

11. Upon the findings of the European Court of Auditors, and where at least three infringements have been established, the European Electoral Authority may prevent the European electoral entity concerned from tabling a list to the Union-wide constituency in the following elections to the European Parliament.

12. The decisions taken by the European Electoral Authority may be contested before the Court of Justice of the European Union, in accordance with the relevant provisions of the TFEU.

Article 17

Common campaign provisions

1. Electoral campaigning shall not start until eight weeks before Election day. Electoral campaigning comprises, in particular, the request of a vote for an election to the European Parliament by way of print or digital material and other formats of public communication, media advertising, and public events. Electoral campaign materials shall include a reference to the manifesto of the European electoral entity, if any, to which the national party is affiliated.

2. In the national constituencies, the ballot papers used in elections to the European Parliament shall give equal visibility to the names and logos of national parties and if applicable, national political movements, and to those of the European political parties, European political movements, and European electoral alliances, when affiliated to any of them.

Member States shall encourage and facilitate the provision of those affiliations in television and radio campaign broadcasts and on electoral campaign materials.

3. The rules concerning the posting of electoral materials to voters in elections to the European Parliament shall be the same as those applied for national, regional and local elections in the Member State concerned.

4. Member States shall ensure that European electoral entities are given equal treatment and opportunities as national parties and national political movements regarding the electoral campaign related to the Union-wide constituency.

Article 18

National authorities responsible for exchanging data on voters and candidates

1. Each Member State shall designate a contact authority responsible for exchanging data on voters and candidates with its counterparts in the other Member States and with the European Electoral Authority established under Article 27.
2. The national authority referred to in paragraph 1 shall, in accordance with the applicable EU law concerning the protection of personal data, begin transmitting to those counterparts and the European Electoral Authority, no later than six weeks before the Election day as defined in Article 19(1), the data indicated in Council Directive 93/109/EC¹⁰ concerning citizens of the Union who, in a Member State of which they are not nationals, have been entered on the electoral roll or are standing as candidates.

Article 19

Election day

1. Elections to the European Parliament shall be held on 9 May of the last year of a parliamentary term, as referred to in Article 20. The election shall end in all Member States by 21:00 hours local time on that day.
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 until the time indicated in paragraph 1.
3. The Election day shall be without prejudice to any activity organised to celebrate Europe's Day in the Member States.

Member States may declare the Election day a national holiday.

Article 20

Parliamentary term

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

Article 21

Convening of Parliament

In addition to the obligation set out in Article 229 of the Treaty on the Functioning of the European Union, the European Parliament shall meet, without requiring to be convened, on

¹⁰ 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).

the first Tuesday after expiry of an interval of one month from the Election day.

Article 22

Verification of credentials

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 by the European Electoral Authority, and shall rule on any disputes which may arise out of the provisions of this Regulation other than those arising out of the national provisions to which this Regulation refers.

Article 23

Incompatibilities

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

- member of the government of a Member State,
- member of a national or regional parliament or assembly vested with legislative powers,
- member of the European Commission,
- Judge, Advocate-General or Registrar of the Court of Justice of the European Union,
- member of the Executive Board of the European Central Bank,
- member of the Court of Auditors,
- European Ombudsman,
- member of the Economic and Social Committee,
- member of the Committee of the Regions,
- member of committees or other bodies set up pursuant to the Treaty on the Functioning of the European Union or the Treaty establishing the European Atomic Energy Community for the purposes of managing the Union's 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 Union or of the specialised bodies attached to them or of the European Central Bank.

2. In addition, each Member State may adopt rules at national level concerning incompatibility with the office of member of the European Parliament.

3. Members of the European Parliament to whom paragraphs 1 and 2 become applicable in the course of the parliamentary term, as referred to in Article 20, shall be replaced in accordance with Article 25.

Article 24

External parliamentary activities

Upon election, Members of the European Parliament shall designate the municipality and in the event region, within their Member State of residence, from which they will conduct external parliamentary activities,

Article 25

Personal and independent vote

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. They shall represent all citizens of the Union.

2. Members of the European Parliament shall enjoy the privileges and immunities applicable to them by virtue of Protocol (No 7) on the privileges and immunities of the European Union, annexed to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community.

Article 26

Vacancies

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

2. Subject to the other provisions of this Regulation, each Member State shall lay down appropriate procedures for filling any seat which falls vacant during the parliamentary term as referred to in Article 20, 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.

5. Where Parliament establishes a vacancy of a seat of a member elected from the Union-wide constituency, the President shall inform the European Electoral Authority thereof, and invite it to fill the seat without delay.

Vacancies of seats of members elected from the Union-wide constituency shall be filled by the next candidate in the relevant list, according to the order of precedence.

European Electoral Authority

1. A European Electoral Authority is hereby established for the purpose of coordinating the exchange of information on the European elections across the EU, monitoring the implementation of this Regulation and supervising the exchange of information on citizens of the Union voting outside their home country, as well as conducting and monitoring the electoral process of the Union-wide constituency.

2. The Authority shall be independent and shall exercise its functions in full compliance with this Regulation.

The Authority shall exercise all the functions related to the electoral process of the Union-wide constituency and liaise with the authorities referred to in Article 18.

The Union-wide constituency lists of candidates shall be submitted to the Authority, who shall verify that the conditions laid down in this Regulation are fully met. The Authority shall establish and manage a Register of the different Union-wide constituency lists submitted by the European Electoral Entities whose information from the register shall be public.

Without prejudice to Article 18, the authorities referred to thereof shall transmit to the Authority, no later than six weeks before the Election day, the data regarding their respective national electoral rolls.

In its decisions, the Authority shall give full consideration to the fundamental rights to vote and to stand as a candidate.

3. The Authority shall be composed of one member appointed by each Member State, who shall be professors of law or political science. The members of the Authority will elect its president, vice-president, and secretary by simple majority, in a separate vote. The Authority shall take decisions by consensus or, if that is not possible, by simple majority.

The members of the Authority shall not be members of the European Parliament, hold any electoral mandate or be a current or former employee of any EU institution or of any European political party or movement, or of any European political foundation.

4. The Authority shall be represented by its president who shall take all decisions of the Authority on its behalf.

If the president of the Authority no longer fulfils the conditions required for the performance of his or her duties, he or she may be dismissed by common accord by at least 3/5 of the members of the Authority and on the basis of a report drawn up by the alternative majority reasoning its proposal of dismissal.

The president of the Authority shall be independent in the performance of his or her duties. When acting on behalf of the Authority, the president shall neither seek nor take instructions from any institution or government or from any other body, office or agency. The president of the Authority shall refrain from any act which is incompatible with the nature of his or her duties.

The members of the Authority shall be appointed for a five-year, non-renewable term.

The five-year term of the Authority shall begin 30 days after the beginning of the parliamentary term as referred to in Article 20.

A vacancy in the Authority caused by resignation, retirement, dismissal or death shall be filled in accordance with the same procedure as for the initial appointment.

5. The Authority shall be physically located in the European Parliament which shall provide the Authority with the necessary offices, staff, services and administrative support facilities.

6. The Authority shall submit a report to the European Parliament on the organisation of the European elections and on the implementation of this Regulation and the attainment of its aims, within one year after the European elections. The European Electoral Authority will supervise the procedure established in Article 15.

7. The European Electoral Authority shall be financed by the general budget of the European Union, including the remuneration of the members of the Authority during the electoral period.

The appropriations shall be sufficient to ensure the full and independent operation of the Authority. A draft budgetary plan for the Authority shall be submitted to the European Parliament by its president, and shall be made public. The European Parliament shall delegate the duties of Authorising Officer with respect to those appropriations to the president of the Authority.

Article 28

Amendment to Regulation (EU, Euratom) No 1141/2014

Regulation (EU, Euratom) No 1141/2014 is amended as follows:

in Article 21, paragraph 1 is replaced by the following:

“1. Subject to the second subparagraph, the funding of European political parties from the general budget of the European Union or from any other source may be used to finance campaigns conducted by the European electoral entities in the context of elections to the European Parliament in which they or their members participate.

In accordance with Article 16 of Council Regulation ... on the election of the members of the European Parliament by direct universal suffrage, the funding and possible limitation of election expenses for all political parties, candidates and third parties in the national constituencies, in addition to their participation in elections to the European Parliament, is governed in each Member State by national provisions.”

Article 29

Repeal

1. The Act concerning the election of the members of the European Parliament by direct universal suffrage, as well as Council Decision (76/787/ECSC, EEC, Euratom) laying down that Act, is repealed.

2. References to the repealed Act shall be construed as references to this Regulation.

Article 30

Transitional provision

For the purposes of the provisions of Article 16(4) second subparagraph, and as regards only the 2024 election to the European Parliament in the Union-wide constituency, the electoral financing in favour of European electoral entities shall be calculated on the basis of aggregating the total number of votes cast for the national political parties and national political movements affiliated to them in the 2019 election to the European Parliament. In the case of European coalitions of national political parties or movements, the electoral financing shall be calculated on the basis of the votes cast for each national political party or movement affiliated to the standing coalition in the 2019 election to the European Parliament.

Article 31

Entry into force

1. This Regulation shall take effect on the first day of the month following that of its approval by the Member States, in accordance with their respective constitutional requirements.
2. Member States shall notify the General Secretariat of the Council of the completion of their national procedures.

Article 32

Revision clause

The list of Member States in each of the five groups included in Annex 1 to this Regulation shall be modified in the event of population changes connected to enlargement of the European Union with new Member States, in accordance with Article 49 TEU.

ANNEX 1. TABLE - 27 EU MEMBER STATES BY POPULATION CATEGORIES

Categories	Member State	Total population
Group A (37,9 million - 83,1 million)	Germany	83.166.711
	France	67.320.216
	Italy	59.641.488
	Spain	47.332.614
	Poland	37.958.138
Group B (10.7 million - 19,3 million)	Romania	19.328.838
	Netherlands	17.407.585
	Belgium	11.522.440
	Greece	10.718.565
	Czechia	10.693.939
Group C (6.9 million - 10,2 million)	Sweden	10.327.589
	Portugal	10.295.909
	Hungary	9.769.526
	Austria	8.901.064
	Bulgaria	6.951.482
Group D (2.7 million - 5.8 million)	Denmark	5.822.763
	Finland	5.525.292
	Slovakia	5.457.873
	Ireland	4.964.440
	Croatia	4.058.165
	Lithuania	2.794.090
Group E (500.000 - 2.1 million)	Slovenia	2.095.861
	Latvia	1.907.675
	Estonia	1.328.976
	Cyprus	888.005
	Luxembourg	626.108
	Malta	514.564

Source: <https://ec.europa.eu/eurostat/databrowser/view/tps00001/default/table?lang=en>

ANNEX 2

Practical example - D'Hont Method

Practical example: 1.000.000 valid votes cast in a constituency that elects 5 deputies.

A (350.000 votes), B (300.000 votes), C (150.000 votes), D (100.000 votes), E (70.000 votes), F (30.000 votes)

Division	1	2	3	4	5
A	350.000	175.000	116.666	87.500	70.000
B	300.000	150.000	100.000	75.000	60.000
C	150.000	75.000	50.000	37.500	30.000
D	100.000	50.000	33.333	25.000	20.000
E	70.000	35.000	23.333	17.500	14.000
F	30.000	15.000	10.000	7.500	6.000

In consequence, A obtains 2 seats, B obtains 2 seats and C obtains 1 seat.

ANNEX 3

Practical example of Transnational list using the five categories group with 46 seats.

A1, A2, A3, A4, A5, B1, B2, B3, B4, B5, C1, C2, C3, C4, C5, D1, D2, D3, D4, D5, D6, E1, E2, E3, E4, E5, E6 are examples of candidates from the E Member States by population categories

Example of Transnational List		
Sections	Slot number	Candidates from
Section 1	1	B3
	2	A2
	3	E6
	4	D3
	5	C4
Section 2	6	A1
	7	B1
	8	C1
	9	E1
Section 3	10	D5
	11	D2
	12	B4
	13	A4
	14	C3
Section 4	15	E3
	16	E2
	17	D1
	18	A3
Section 5	19	B2
	20	C2
	21	A5
	22	E4
	23	D4
Section 6	24	C5
	25	B5
	26	E5
	27	D6
Section 7	28	B4
	29	A2
	30	C3
	31	E6
	32	A1
Section 8	33	B5
	34	D1
	35	C1
	36	D2
Section 9	37	B3
	38	E3
	39	C4
	40	A4
Section 10	41	E5
	42	D3
	43	A3
	44	C5
	45	B2
	46	A5

