

Wednesday 7 February 2018

P8\_TA(2018)0029

## Composition of the European Parliament

### European Parliament resolution of 7 February 2018 on the composition of the European Parliament (2017/2054(INL) — 2017/0900(NLE))

(2018/C 463/20)

*The European Parliament,*

- having regard to Article 14(2) of the Treaty on European Union (TEU),
  - having regard to Article 10 TEU <sup>(1)</sup>;
  - having regard to its resolution of 13 March 2013 on the composition of the European Parliament with a view to the 2014 elections <sup>(2)</sup>,
  - having regard to its resolution of 11 November 2015 on the reform of the electoral law of the European Union, and the annexed 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 <sup>(3)</sup>;
  - having regard to the European Council Decision 2013/312/EU of 28 June 2013 establishing the composition of the European Parliament <sup>(4)</sup>,
  - having regard to the Good Friday Agreement of 10 April 1998;
  - having regard to Rules 45, 52 and 84 of its Rules of Procedure,
  - having regard to the report of the Committee on Constitutional Affairs (A8-0007/2018),
- A. whereas the composition of the European Parliament must respect the criteria laid down in the first subparagraph of Article 14(2) TEU, namely representatives of the Union's citizens not exceeding seven hundred and fifty in number, plus the President, representation being degressively proportional, with a minimum threshold of six members per Member State, and no Member State being allocated more than ninety-six seats;
- B. whereas Article 14(2) TEU states that the European Parliament shall be composed of representatives of the Union's citizens;
- C. whereas the TEU and the Treaty on the Functioning of the European Union emphasise the importance of equality and equal treatment of citizens by Union institutions; whereas it is essential to enhance the equality of representation with a view to increasing the legitimacy of the European Parliament as the legislative body representing Union citizens;
- D. whereas the European Parliament has examined a number of proposals for a permanent system for the distribution of seats based on mathematical formulas that were commissioned by, and presented to, it;
- E. whereas on 29 March 2017 and in accordance with Article 50(2) TEU, the UK government notified the European Council of its intention to leave the European Union and whereas the two-year timeframe for the negotiation and conclusion of a withdrawal agreement ends on 29 March 2019, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend that period;
- F. whereas, unless the current legal situation changes, the United Kingdom will no longer be a member of the European Union at the time of the next European elections in 2019;

<sup>(1)</sup> That article stipulates that 'citizens are directly represented at Union level in the European Parliament'

<sup>(2)</sup> Texts adopted, P7\_TA(2013)0082.

<sup>(3)</sup> Texts adopted, P8\_TA(2015)0395

<sup>(4)</sup> OJ L 181, 29.6.2013, p. 57.

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- G. whereas several Member States have recently voiced support for the creation of a joint constituency as from the European elections in 2019; whereas a precondition for the establishment of a joint constituency is a modification of the Act concerning the election of the members of the European Parliament by direct universal suffrage, which should be adopted at least one year before the European elections as stipulated in the Venice Commission's Code of Good Practice in Electoral Matters;
- H. whereas in its proposal of 11 November 2015 for a Council decision adopting the provisions amending the Act concerning the election of the members of the European Parliament by direct universal suffrage the European Parliament demanded the introduction of an obligatory threshold for constituencies, and for single-constituency Member States, in which the list system is used and that comprise more than a certain number of seats; considers that this threshold needs to be established taking into account the new allocation of seats;
1. Notes that the current allocation of seats in the European Parliament as established in European Council Decision 2013/312/EU only applies to the 2014-2019 parliamentary term; stresses, therefore, that a new decision on the composition of the European Parliament for the 2019-2024 parliamentary term is required;
  2. Acknowledges the fact that the current distribution of seats does not respect the principle of degressive proportionality in several instances, and therefore must be corrected for the composition of the European Parliament as of the next European elections in 2019;
  3. Recognises that a number of Member States consider that the voting system in the Council needs to be taken into consideration when deciding on the allocation of seats in the European Parliament;
  4. Underlines that, whilst the mathematical formulas display great potential for providing a permanent system for the distribution of seats in the future, it is politically unviable for Parliament to suggest a permanent system at this stage;
  5. Acknowledges the fact that, unless the current legal situation changes, the United Kingdom will no longer be a Member State at the time of the next European elections in 2019;
  6. Proposes that a new allocation of seats in Parliament, which respects the criteria laid down in Article 14 TEU, is applied as of the next European elections in 2019; considers that, in case the abovementioned legal situation concerning the United Kingdom's withdrawal from the European Union changes, the allocation of seats applied during the 2014-2019 parliamentary term should apply until the withdrawal of the United Kingdom from the European Union becomes legally effective;
  7. Underlines that the seats to be vacated by the United Kingdom upon its withdrawal from the European Union will facilitate the adoption of a new allocation of seats in Parliament, which will implement the principle of degressive proportionality; further underlines that the new allocation proposed would allow for a reduction in the size of Parliament; notes that the use of only a fraction of the seats vacated by the United Kingdom is sufficient to ensure no loss of seats for any Member State;
  8. Underlines that the reduction in the size of Parliament would leave a number of seats to accommodate potential future enlargements of the European Union;
  9. Recalls that under the Good Friday Agreement, the people of Northern Ireland have an inherent right to hold British or Irish citizenship, or both, and by virtue of the right to Irish citizenship, to citizenship of the Union as well;
  10. Recalls that degressive proportionality, as defined by the Treaties, is based on the number of seats per Member State and not on the nationality of the candidates;
  11. Calls on the Council to rapidly finalise the revision of the Act concerning the election of the members of the European Parliament by direct universal suffrage;

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12. Underlines that the reform of the Act concerning the election of the members of the European Parliament by direct universal suffrage proposed by the European Parliament will strengthen the European character of the elections and send a positive message for the future of the European project;
  13. Considers that the proposed distribution based on the principles of the Treaties provides a solid foundation for a method to determine the allocation of seats in the future respecting the criteria of Article 14 TEU, in particular the principle of degressive proportionality, as well as being fair, transparent, objective, in line with the most recent demographic shifts, and understandable to European citizens;
  14. Submits to the European Council the annexed proposal for a decision of the European Council establishing the composition of the European Parliament, on the basis of its right of initiative laid down in Article 14(2) TEU; underlines the urgent need to adopt that decision, which requires its consent, so that the Member States can enact, in good time, the necessary domestic provisions to enable them to organise the European elections for the 2019-2024 parliamentary term;
  15. Instructs its President to forward this resolution and the proposal for a decision of the European Council annexed hereto, together with the aforementioned report of its Committee on Constitutional Affairs, to the European Council, the Commission and the governments and parliaments of the Member States.
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**ANNEX TO THE EUROPEAN PARLIAMENT RESOLUTION**

Proposal for a  
DECISION OF THE EUROPEAN COUNCIL  
establishing the composition of the European Parliament

THE EUROPEAN COUNCIL,

Having regard to the Treaty on European Union, and in particular Article 14(2) thereof,

Having regard to the initiative of the European Parliament,

Having regard to the consent of the European Parliament,

Whereas:

- (1) The first subparagraph of Article 14(2) of the Treaty on European Union lays down the criteria for the composition of Parliament, namely representatives of the Union's citizens not exceeding seven hundred and fifty in number, plus the President, representation being degressively proportional, with a minimum threshold of six members per Member State, and no Member State being allocated more than ninety-six seats,
- (2) Article 10 of the Treaty on European Union provides, inter alia, that the functioning of the Union shall be founded on representative democracy with citizens being directly represented at Union level in the European Parliament and Member States being represented by their governments, themselves being democratically accountable to their national Parliaments or citizens, in the Council. Article 14(2) of the Treaty on European Union on the composition of the European Parliament therefore applies within the context of the wider institutional arrangements set out in the Treaties, which also include the provisions on decision making in the Council,

HAS ADOPTED THIS DECISION:

*Article 1*

In the application of the provisions of Article 14(2) of the Treaty on European Union, the following principles shall be respected:

- the allocation of seats in the European Parliament shall fully utilise the minimum and maximum thresholds per Member State set by the Treaty on European Union in order to reflect as closely as possible the sizes of the respective populations,
- degressive proportionality shall be defined as follows: the ratio between the population and the number of seats of each Member State before rounding to whole numbers shall vary in relation to their respective populations in such a way that each Member of the European Parliament from a more populous Member State represents more citizens than each Member from a less populous Member State and, conversely, that the larger the population of a Member State, the greater its entitlement to a large number of seats,
- the allocation of seats shall reflect demographic developments in Member States.

*Article 2*

The total population of the Member States is 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<sup>(1)</sup>.

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<sup>(1)</sup> Regulation (EU) No 1260/2013 of the European Parliament and of the Council of 20 November 2013 on European demographic statistics (OJ L 330, 10.12.2013, p. 39).

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*Article 3*

1. The number of representatives in the European Parliament elected in each Member State is hereby set as follows for the 2019-2024 parliamentary term:

Belgium	21
Bulgaria	17
Czech Republic	21
Denmark	14
Germany	96
Estonia	7
Ireland	13
Greece	21
Spain	59
France	79
Croatia	12
Italy	76
Cyprus	6
Latvia	8
Lithuania	11
Luxembourg	6
Hungary	21
Malta	6
Netherlands	29
Austria	19
Poland	52
Portugal	21
Romania	33
Slovenia	8
Slovakia	14
Finland	14
Sweden	21

2. However, in case the United Kingdom is still a Member State of the Union at the beginning of the 2019-2024 parliamentary term, the number of representatives in the European Parliament per Member State taking up office shall be the one provided for in Article 3 of the European Council Decision 2013/312/EU<sup>(1)</sup> until the withdrawal of the United Kingdom from the European Union becomes legally effective.

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<sup>(1)</sup> European Council Decision 2013/312/EU of 28 June 2013 establishing the composition of the European Parliament (OJ L 181, 29.6.2013, p. 57).

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Once the United Kingdom's withdrawal from the European Union becomes legally effective, the number of representatives in the European Parliament elected in each Member State shall be the one indicated in paragraph 1 of this Article.

All representatives in the European Parliament who fill the additional seats resulting from the difference between the number of seats allocated in the first and second subparagraphs of this paragraph shall take up their seats in Parliament at the same time.

*Article 4*

Sufficiently far in advance of the beginning of the 2024-2029 parliamentary term, the European Parliament shall submit to the European Council, in accordance with Article 14(2) of the Treaty on European Union, a proposal for an updated allocation of seats.

*Article 5*

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at ...

*For the European Council*

*The President*

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