

European Parliament elections: Council reaches agreement on a set of measures to modernise EU electoral law

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The Council reached agreement on new measures to update EU electoral law.

On 7 June 2018 it approved a draft decision amending the 1976 Electoral Act which lays down a number of common rules concerning elections to the European Parliament.

Once the text has been finalised in all official languages, it will be submitted to the European Parliament, which will be asked to give its consent to the package as it stands.

The new rules seek to enhance citizens' participation in the EP elections, raise awareness of their European character and prevent irregular voting, while respecting the constitutional and electoral traditions of the member states.

Among a series of measures, the Council suggests setting an obligatory threshold of 2% to 5% for constituencies with more than 35 seats. This rule would also apply to single-constituency member states. Member states would have to comply with this obligation at the latest in time for the EP elections in 2024.

This is a welcome agreement after two and a half years of negotiations within the Council on a list of reform proposals. Member states considered it appropriate to modernise certain aspects of the EU electoral law and establish a minimum threshold at EU level, while ensuring that this will be carefully targeted.

Ekaterina Zaharieva, deputy prime minister for judicial reform and minister of foreign affairs of Bulgaria

Other changes to the EU electoral law include new provisions on 'double voting', voting in third countries, different voting methods, and the visibility of European political parties in the member states.

According to the text agreed in the Council, member states will in future have an obligation to put in place effective penalties in cases where an EU citizen votes in more than one member state. They will also have to designate contact authorities for exchanging data on citizens who are seeking to vote or stand as candidates in member states of which they are not nationals. This exchange of information will need to start at least six weeks before the EP elections.

Member states will also be encouraged to take measures to allow their citizens residing in third countries to vote in elections to the European Parliament. However, they will remain free to decide on this issue in accordance with their national law.

The new rules also recognise the right of member states to allow different forms of voting, including internet voting, provided that certain strict conditions are respected, as well as allow for the display of the name or logo of European political parties on ballot papers.

Background

The discussions within the Council have been based on a proposal adopted by the European Parliament in November 2015.

The treaties give the European Parliament a right to draw up a proposal for its electoral procedure. The necessary provisions are to be decided by the Council acting unanimously after obtaining the Parliament's consent. They enter into force after ratification in the member states.

Any changes to the 1976 Electoral Act would have to be adopted by mid-2018 at the latest for member states to be able to apply them for the 2019 EP elections.

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