



C/2024/508

23.1.2024

P9\_TA(2023)0243

## Composition of the European Parliament

### European Parliament legislative resolution of 15 June 2023 on the composition of the European Parliament (2021/2229(INL) — 2023/0900(NLE))

(C/2024/508)

*The European Parliament,*

- having regard to Article 14(2) of the Treaty on European Union,
  - having regard to Article 106a(1) of the Treaty establishing the European Atomic Energy Community,
  - having regard to European Council Decision (EU) 2018/937 of 28 June 2018 establishing the composition of the European Parliament <sup>(1)</sup>,
  - having regard to its resolution of 7 February 2018 on the composition of the European Parliament <sup>(2)</sup>,
  - having regard to its legislative resolution of 3 May 2022 on the 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 <sup>(3)</sup> (‘legislative resolution of 3 May 2022 on the reform of European electoral law’),
  - having regard to the Code of Good Practice in Electoral Matters of the Venice Commission of the Council of Europe,
  - having regard to Rules 46, 54 and 90 of its Rules of Procedure,
  - having regard to the report of the Committee on Constitutional Affairs (A9-0214/2023),
- A. whereas the composition of the European Parliament must respect the criteria laid down in Article 14(2), first subparagraph, of the Treaty on European Union (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 Parliament has the right of initiative regarding the composition of the European Parliament;
- C. whereas Article 14(2) TEU states that the European Parliament is to be composed of representatives of the Union’s citizens;
- D. whereas Article 10 TEU provides inter alia that the functioning of the Union is to be founded on representative democracy, with citizens being directly represented at Union level in the European Parliament;
- E. whereas Parliament’s legislative resolution of 3 May 2022 on the reform of European electoral law proposes the establishment of a Union-wide constituency;
- F. whereas the establishment of a potential Union-wide constituency requires the Act concerning the elections of the members of the European Parliament by direct universal suffrage to be amended;
- G. whereas the determination of the number of seats of a potential Union-wide constituency falls within the remit of a European Council decision on the composition of the European Parliament based on Article 14(2) TEU, while the provisions necessary for its establishment are based on Article 223(1) of the Treaty on the Functioning of the European Union;
- H. whereas the allocation of seats among Member States in the current and past legislative terms was not the result of a permanent calculation system, but of political negotiations; whereas, as a result, the current method of allocation of seats to Member States does not automatically comply with the principle of degressive proportionality; whereas a permanent calculation mechanism reflecting the population figures in the Member States of the Union would ensure future compliance with that principle;

<sup>(1)</sup> OJ L 165 I, 2.7.2018, p. 1.

<sup>(2)</sup> OJ C 463, 21.12.2018, p. 83.

<sup>(3)</sup> OJ C 465, 6.12.2022, p. 171.

- I. whereas the European Council Decision establishing the composition of the European Parliament must be ready sufficiently in advance of polling day in order to enable Member States to enact the necessary legal provisions to organise the elections to the European Parliament for the 2024-2029 parliamentary term;
  1. Notes that the current allocation of seats in the European Parliament as established in Decision (EU) 2018/937 applies to the 2019-2024 parliamentary term; stresses, therefore, that a new decision on the composition of the European Parliament for the 2024-2029 parliamentary term is required without delay;
  2. 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;
  3. Points out that, in line with its proposal for a Council Regulation annexed to its legislative resolution of 3 May 2022 on the reform of European electoral law, the 28 additional seats for Members elected in a Union-wide constituency are only to be effectively established after the elections following the entry into force of a revised European electoral law, along with the necessary provisions for a Union-wide constituency;
  4. Strongly underlines the need in the future for a permanent system, based on a clear mathematical formula, that would allocate the seats of the European Parliament in an objective, fair, durable and transparent way, respecting the principle of degressive proportionality as defined in Article 1 of Decision (EU) 2018/937; considers that it is not politically viable at this stage for Parliament to propose such a permanent system whilst it needs further deliberation and should be introduced well in advance of elections of the European Parliament; calls on the Committee on Constitutional Affairs to resume its work on such a permanent system, within this legislature, including exploring the possibility for Eurostat to be involved;
  5. Considers that any further delay in the work of the Council on the modification of European electoral law would run counter to the principle of sincere cooperation as enshrined in Article 4(3) TEU since the Council's decision is expected to have an impact on the elections of the European Parliament and may have an impact on its composition;
  6. Underlines the urgent need for the European Council to adopt the decision on the composition of the European Parliament so that Member States can enact, in good time, the necessary domestic provisions to enable them to organise the elections to the European Parliament for the 2024-2029 parliamentary term; stresses that Parliament is committed therefore to proceed swiftly with the consent procedure, in the spirit of mutual sincere cooperation;
  7. Adopts, and submits to the European Council, the annexed proposal for a European Council decision establishing the composition of the European Parliament, on the basis of its right of initiative laid down in Article 14(2) TEU; points out that such a decision may only be adopted with Parliament's consent, and therefore requests the European Council to immediately inform it, if it intends to deviate from the submitted proposal, and in what way;
  8. Instructs its President to forward this legislative resolution and the proposal annexed hereto to the European Council and the Commission, and to the parliaments and governments of the Member States.

## ANNEX TO THE LEGISLATIVE RESOLUTION

Proposal for a

## EUROPEAN COUNCIL DECISION

**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 Treaty establishing the European Atomic Energy Community, and in particular Article 106a(1) thereof,

Having regard to the proposal of the European Parliament <sup>(1)</sup>,Having regard to the consent of the European Parliament <sup>(2)</sup>,

Whereas:

- (1) Article 14(2), first subparagraph, of the Treaty on European Union (TEU) lays down the criteria for the composition of the European Parliament, namely that representatives of the Union's citizens are not to exceed seven hundred and fifty in number, plus the President, that representation is to be degressively proportional, with a minimum threshold of six members per Member State, and that no Member State is to be allocated more than ninety-six seats.
- (2) Article 10 TEU provides, inter alia, that the functioning of the Union is to 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.
- (3) Article 14(2) TEU 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.
- (4) An appropriate number of representatives in the European Parliament to be elected in a Union-wide constituency should be laid down subject to the adoption of the legal basis for that constituency,

HAS ADOPTED THIS DECISION:

*Article 1*

In the application of Article 14(2) TEU, the following principles shall be respected:

- the total number of seats in the European Parliament shall not exceed 750 in number, plus the President,
- the allocation of seats to Member States shall be degressively proportional with a minimum threshold of 6 seats and a maximum threshold of 96 seats per Member State while reflecting as closely as possible the sizes of the respective populations of the Member States,
- degressive proportionality is defined as follows: the ratio between the population and the number of seats of each Member State before rounding up or down to the nearest whole number 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 of the European Parliament 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 in the European Parliament.

---

<sup>(1)</sup> Proposal adopted on ... (not yet published in the Official Journal).

<sup>(2)</sup> Consent of ... (not yet published in the Official Journal).

*Article 2*

The total population of the Member States is calculated by the Commission (Eurostat) on the basis of 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>(3)</sup>.

*Article 3*

1. The number of representatives in the European Parliament elected in each Member State for the 2024-2029 parliamentary term is set as follows:

Belgium	21
Bulgaria	17
Czech Republic	21
Denmark	15
Germany	96
Estonia	7
Ireland	14
Greece	21
Spain	61
France	79
Croatia	12
Italy	76
Cyprus	6
Latvia	9
Lithuania	11
Luxembourg	6
Hungary	21
Malta	6
Netherlands	31
Austria	20
Poland	52
Portugal	21
Romania	33
Slovenia	9
Slovakia	15
Finland	15
Sweden	21

2. In addition to the number of Members of the European Parliament elected in each Member State as set out in paragraph 1, and subject to the entry into force of 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, providing for the establishment of a Union-wide constituency, 28 representatives in the European Parliament are elected in a Union-wide constituency in the first elections following that event, as provided for in that Regulation.

---

<sup>(3)</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).

*Article 4*

Sufficiently far in advance of the beginning of the 2029–2034 parliamentary term, the European Parliament shall submit to the European Council, in accordance with Article 14(2) TEU, a proposal for an updated allocation of seats in the European Parliament.

*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*

---