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(OR. en)

9756/18

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**Interinstitutional File:**  
**2015/0907 (APP)**

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AG 8  
PE 73  
INST 210  
FREMP 95

#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee (Part 1)/Council  
Subject: Draft Council Decision 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

- Agreement in principle
- Request for the consent of the European Parliament

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1. On 11 November 2015 the European Parliament (EP) adopted a 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, accompanied by a resolution on the reform of the electoral law of the European Union.
2. The Working Party on General Affairs (GAG) has been examining the proposal since the beginning of the year 2016. Delegations have been able to reach agreement on a common approach on several provisions in the EP's proposal. A number of provisions have, however, remained unacceptable as a matter of principle and/or on legal grounds.
3. On 17 April 2018, the reform of the electoral law was discussed by the Council (GAC)<sup>1</sup>, but, as unanimity could not be reached, ministers agreed to postpone the approval, subject to delegations lifting their remaining reservations.

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<sup>1</sup> Doc. 7597/18

4. In Coreper on 7 June 2018, a unanimous agreement was reached on the Presidency compromise proposal<sup>2</sup>, based on the proposal submitted to the Council in April and taking the form of an amending Decision to the 1976 Electoral Act. The agreed text was subsequently revised by the lawyer-linguists<sup>3</sup>.
5. The Permanent Representatives Committee is, therefore, invited to recommend to the Council:
- to agree in principle on the draft Council Decision as finalised by the legal-linguists and set out in doc. 9425/18, and
  - to decide to forward the draft Council Decision as set out in doc. 9425/18 to the European Parliament for its consent.
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<sup>2</sup> Doc. 9226/18

<sup>3</sup> Doc. 9425/18.