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EHG(B2)(82)17

COPY NO. **1**

21 June 1982

EUROPEAN COUNCIL, BRUSSELS

28/29 JUNE 1982

EUROPEAN PARLIAMENT: UNIFORM ELECTORAL SYSTEM

Brief by Foreign and Commonwealth Office

OBJECTIVE

1. To avoid discussion. If the subject is raised, however, Prime Minister may wish to say that the domestic political sensitivity of this question makes a system based on proportional representation difficult for us .

POINTS TO MAKE [If raised]

2. Unlikely that we or other Member States could implement legislation necessary for a new system in time for 1984 European Parliament elections.

3. Difficult question for UK in domestic political terms, since we do not use proportional representation for elections to Westminster Parliament.

BACKGROUND

4. Article 138(3) of the EEC Treaty provides that:

"The assembly shall draw up proposals for election by direct universal suffrage in accordance with a uniform procedure in all Member States."

The Council shall, acting unanimously, lay down the appropriate provisions which it shall recommend to Member States for adoption in accordance with their respective

constitutional requirements".

5. Under Article 7 of the Act on direct election of the European Parliament of 20 September 1976, the European Parliament was asked to draw up a proposal for a uniform electoral system for elections to the European Parliament. (For the first elections in 1979 it was left to each Member State to adopt whatever system it chose). The European Parliament on 10 March adopted a resolution requesting Member States to implement a uniform proportional representation system for the next round of elections to the European Parliament in 1984. The system proposed would be based on constituencies of between three and fifteen members, with seats being allocated from regional party lists through proportional representation. The proposals also provide for the extension of the franchise to citizens of a Community Member State who are resident in another Member State.

6. It is for the Council to decide what action to take on the Parliament's proposals. It is not obliged to accept the system recommended by the Parliament, nor is there any time limit by which the Council is required to take action. Any agreement reached by the Council would then have to be approved by the national Parliaments. At its meeting on 26 April, the Foreign Affairs Council decided to set up an expert working group to examine the proposals and report back to the Council in due course. This group met for the first time on 9 June and will meet again on 23/24 June. At the first meeting, the Belgian Presidency suggested that Council consideration must be completed by the end of 1982 to allow time for implementation by 1984. Netherlands, Luxembourg, Italy and Germany thought this possible, but the others, including the UK, argued that this was too ambitious.

7. The proposals are likely to cause us great difficulty in domestic political terms and it would, in any case, given the pressures on Parliamentary time, be difficult for us to pass

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and implement the necessary UK legislation in time for the 1984 European Parliament elections. The Home Secretary, as the Minister responsible for electoral law, is taking the lead on this question. He has circulated a paper analysing the proposals and suggesting how we should handle them. This was discussed in H Committee on 14 June. The Committee decided that we could not accept the principle of proportional representation for European Parliament elections.

8. This decision will give rise to some difficulty with our partners. Since most other member states already use proportional representation for their national elections they are likely to find the proposals more acceptable than we are. In these circumstances it is likely that we shall in due course have to oppose proposals which most others will support. In practice, however, a number of Member States have made clear that it would be difficult for them to reach agreement on a common system by the end of 1982. This includes the Danes, who take over the Presidency on 1 July and are not likely to set an intensive timetable for these discussions. It is likely, therefore, that it will become apparent that there is no prospect of a uniform system being in force for the 1984 elections and we shall probably not have to reveal, at an early stage, that we cannot accept a system based on proportional representation. It would therefore be preferable for the Prime Minister not to reveal our position at the European Council as this would lead to us taking the blame. At the Experts Working Group meeting on 23/24 June our representatives will continue to take the line that they have no instructions.

Foreign and Commonwealth Office
21 June 1982

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