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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. prev. doc.:	9425/18
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 – Adoption – Statements by Belgium and Portugal

Statement by Belgium to be entered in the Coreper minutes

The proposal based on Article 223 TFEU put forward on 11 November 2015 by the European Parliament 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 'Electoral Act'), has been discussed at length in the Council. Establishing an obligatory minimum threshold has been the last outstanding issue before reaching consensus among Member States.

Along with several other delegations, Belgium has consistently argued in favour of a facultative threshold since this would uphold the prospect of preserving political – as well as cultural and linguistic diversity, cfr. Art. 3 TEU - diversity within the European Parliament. It would also ensure trust in our citizens by protecting their ability to vote for smaller parties who would have a greater chance of gaining European political representation, and have the voice of the citizens they represent heard within Parliament.

Belgium is not in the capacity to pronounce itself on the compromise proposal with regard to the obligatory threshold. Therefore Belgium will abstain and not object the consensus.

Statement by Portugal to be entered in the Council minutes

Portugal declares that its favorable vote is based on the presupposition that the threshold established by article 3 does not apply to Portugal because it has less than 35 seats in the European Parliament, according to the current allocation. However, if the distribution of seats in the European Parliament is changed, the Constitution of the Portuguese Republic would not allow the application of a threshold such as that foreseen in article 3, inasmuch as it would limit the conversion of votes into seats by establishing a minimum percentage.