

## AMENDMENT FORM

### Suggestion for amendment of Article III-7 :

By Mr FARNLEITNER :

Status : - Member

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#### Article III-7 (ex Article 19)

A European law or framework law of the Council shall determine the detailed arrangements for exercising the right, referred to in [Article I-8], for every Union citizen to vote and to stand as a candidate in municipal elections and elections to the European Parliament in their Member State of residence **of which he is not a national**. The Council shall act unanimously after consulting the European Parliament. These arrangements may provide for derogations where warranted by problems specific to a Member State.

The right to vote and to stand as a candidate in elections to the European Parliament shall be exercised ~~without prejudice to~~ **in accordance with** [Article 190(4)] and the measures adopted for its implementation.

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#### Explanation :

The formulation of Article III-7 is too narrow: The former Article 19 TEC defined the right to vote and to stand as a candidate of Union citizens residing in a Member State **and not being a national of that Member State**. The present meaning of this Article seems to insinuate that European law or framework law shall define the arrangements for **all citizens residing in a Member State**. Most certainly however it should remain the sovereign competence of the Member States to define the voting rights of their citizens residing on their territory, particularly as regards municipal elections.

For elections to the European Parliament, former Article 190 (4) TEC provides the basis for a uniform procedure. Article III-7 is a special provision as regards Union citizens residing in a Member State and not being a national of that Member State; this special provision should be **in accordance with** [Article 190(4) TEC].