



# First Xamer *der Staten- Generaal*

President of the European Parliament  
Ms Roberta Metsola  
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*date 13 July 2022*

*subject Reasoned opinion (subsidiarity) on the legislative resolution amending the Act concerning the election of the members of the European Parliament by direct universal suffrage our mark 171699U*

Dear Ms Metsola,

In accordance with the procedure laid down for that purpose, the Senate of the States-General examined the legislative resolution amending the Act concerning the election of the members of the European Parliament by direct universal suffrage in the light of the principle of subsidiarity. Article 5 of the Treaty on European Union and Protocol 2 to the Lisbon Treaty on the application of the principles of subsidiarity and proportionality have thus been applied.

This letter serves to inform you of the opinion of the Senate of the States-General.

The majority of the Eerste Kamer considers that the proposal for the amendment of the European Electoral Act, as contained in the European Parliament's legislative resolution of 3 May 2022, goes beyond the legal basis and does not comply with the principle of subsidiarity. I should like to inform you of the reasons underlying this view.

In the opinion of the majority of the Senate, it is very important that the national parliament has and holds control over elections organised in their own country, even if they concern elections to the European Parliament.

The majority of the Senate considers that the European Parliament's legislative resolution on removing or limiting the power of the national parliament over matters such as the day on which elections to the European Parliament take place, how to vote, the rules on campaigning for those elections and on the control of political parties over their lists of candidates unnecessarily limits the power of the National Assembly.



In view of the above reasoning, the Eerste Kamer takes the view that the proposal of the European Parliament does not comply with the principle of subsidiarity.

Identical letters have been sent to the European Commission, the Council and the Dutch Government.

Eighth,

Mr Jan Anthonie Bruijn  
President of the Senate of the States-General