



Picture © European Union 2021

ENHANCING THE EUROPEAN FOCUS OF EUROPEAN ELECTIONS

An easy to implement Proposal

Klaus FELDMANN
Moritz WILLE
MeetEU.eu
13th August 2021

Recognizing the challenges facing the approval and introduction of Transnational Electoral Lists this paper discusses and proposes an alternative, capturing their positive effects regarding the Europeanization of Elections to European Parliament while at the same time nearly completely avoiding their introductory hurdles.

This proposal is not a counterproposal to Transnational Electoral Lists. If at some later point the European political landscape is ready for their introduction the acceptance of this proposal now will facilitate that later step greatly.

ABSTRACT:

The Elections for European Parliament lack focus on Europe. They are run nationally, by national politicians on national campaign platforms focusing on national issues. With our proposal, this could be changed easily.

Without being a counterproposal, this proposal contains an alternative approach to the widely known and advertised introduction of transnational electoral list. While the initial scope of Transnational Electoral List proposal only influences up to 10% of seats of the European parliament, this proposal is expected to impact the campaign for every single EP seat and therefore at least have a comparable enhancing effect on the elections as well as the European body politics. At the same time, it can be expected to face a significantly lower extent of formal and legal introductory hurdles.

The expected positive impact of Transnational Electoral Lists on European elections rests on two columns:

- Column 1 being the actual transnational list of European candidates eligible from citizens in every member state.
- Column 2 is much less advertised. It is the obvious fact that a European transnational list will need to have a common campaign platform, focusing primarily on issues of European relevance considered to be acceptable as well as necessary by all candidates on the list whichever member state they hail from.

The enhancing effect on elections to European Parliament is primarily the result of column 2: A common European political Platform associated with all candidates on the list, making it possible to put forward a Lead Candidate (Spitzenkandidat) without forcing this person to put his/her name on 27 different partially conflicting national programs. Column 1, even though desirable, brings with it a multiplicity of obstacles: Issues with composition of parliament, sequence of national candidates on list, regional representation, legal changes up to required constitutional changes in some member countries. It is column 1 that is in the way of getting Transnational Electoral Lists approved.

This perspective is backed up by a reflection on the system for federal elections in Germany. German political parties do not have national election lists. Each state has its own list of candidates. But they all campaign on a common national platform and jointly present a Lead Candidate for chancellor.

Building preeminently on the positive effects Column 2 this proposal avoids almost all the obstacles to introduction associated with Column 1. **Instead, this proposal brings European focus to campaigns for European Parliament, it fosters a European public sphere, it supports the Lead Candidate Concept, it strengthens Parliament and by reducing the frequently confusing complexity of political maneuvering in Parliament it brings European Political Parties, European Parliament and its political groups closer to the European citizen.**

Lastly this proposal suggests leverage for its implementation: Making the establishment of a Political Group in the European Parliament contingent on having run a campaign on a common platform. This condition can be implemented by simple change of the Rules of Procedure of the European Parliament (change of Rule 33).

Content

1. Abbreviations.....	4
2. Status Quo	4
3. The proposal – Introduction of Transnational Campaign Platforms as a requirement to form an EP Political Group (EPPG).....	5
I. The central thought of the proposal	5
II. Condition to be met to qualify for EPPG status and verification	5
4. Benefits, shortcomings, considerations	6
I. Effect of proposal on Lead Candidate Concept (Spitzenkandidat).....	6
II. First Effect to Europeanize the campaign.....	7
III. Second Effect to Europeanize the campaign.....	7
IV. Effect to Europeanize political discussions within national parties	7
V. Effect on European Public sphere	7
VI. Effect on EuPoPas and the party landscape in member states.....	8
VII. Effect to Europeanize parliamentary work	8
VIII. Effect on improving EuPoPa and EPPG credibility.....	8
IX. Effect to strengthen Parliament.....	8
X. Formal approval of this proposal	8
XI. Impact on number of MEPs in EP per member country.....	8
XII. Impact on Electoral Process, Electoral laws in member countries	8
XIII. Impact on Campaign financing of EuPoPas or national political parties.....	8
XIV. No need to wait.....	9
XV. How independent is the EP in changing its Rules of Procedure?.....	9
5. Analogies in the existing political landscape	9
6. The mechanism to reach a new equilibrium in parliament after the change of rule 33.....	10
7. European Political Parties.....	11
8. Sizing up the proposed concept against TEL (Transnational Electoral Lists).....	12
9. Possible problem points	14
10. Who would oppose the change?.....	16
11. What can be done to acquiesce the opponents?.....	16
12. Legal considerations	16
13. Appendix.....	17

This document is a working paper:

- outlining the proposal,
- reviewing benefits and shortcomings,
- exploring introductory hurdles as well as
- documenting related considerations
- being updated continuously according to new insights

1. Abbreviations

The following abbreviations will be used.

- TEL Transnational Electoral Lists
- TLP Transnational List Proposal
- TCPP Transnational Campaign Platform Proposal
- LCC Lead candidate concept
- LC Lead candidate
- EuPoPa European Political Party
- EPPG Political Group of the European Parliament
- EP European Parliament
- RPEP Rules of Procedure of European Parliament
- EPP European Peoples Party
- S&D Socialists & Democrats

2. Status Quo

Aspect 1. The problem we want to address: It is our perception that Elections for European Parliament lack focus on Europe and issues of European importance. They are run nationally, by national politicians on national campaign platforms focusing on national issues. In the not so rare worst case, parties in member states focus their election campaign on which benefits can be extracted from the European project for the respective home nation.

Aspect 2. The project to introduce transnational electoral lists to address this problem has been under discussion since the 1990s. While it currently again it is being brought forward in the EP, there is no expectation that, even if successfully introduced, it will affect even close to 10% of the parliamentary seats.¹

¹ Maria Diaz Crego, EPRS February 2021, [Transnational Electoral lists – Ways to Europeanise elections to the European Parliament](#)

Aspect 3. According to Rule 33 of the Rules of Procedure of the EP parties can apply to form a EPPG. Their affinity, the lone precondition for forming an EPPG, is assumed with application for the status and proof does not have to be given.²

Aspect 4. Joining forces to form a EPPG brings benefits as to financial support, speaking time, committee seats.

3. The proposal – Introduction of Transnational Campaign Platforms as a requirement to form an EP Political Group (EPPG)

I. The central thought of the proposal

Only give EPPG status to parties that have a common transnational European campaign platform and have built their campaign to EP on it. Use a change of Rule 33 of RPEP to require this condition as proof of affinity for granting the EPPG status.

This proposal does not affect national election law, the national electoral process, the way national lists are established etc. It only establishes a requirement to obtain EPPG status.

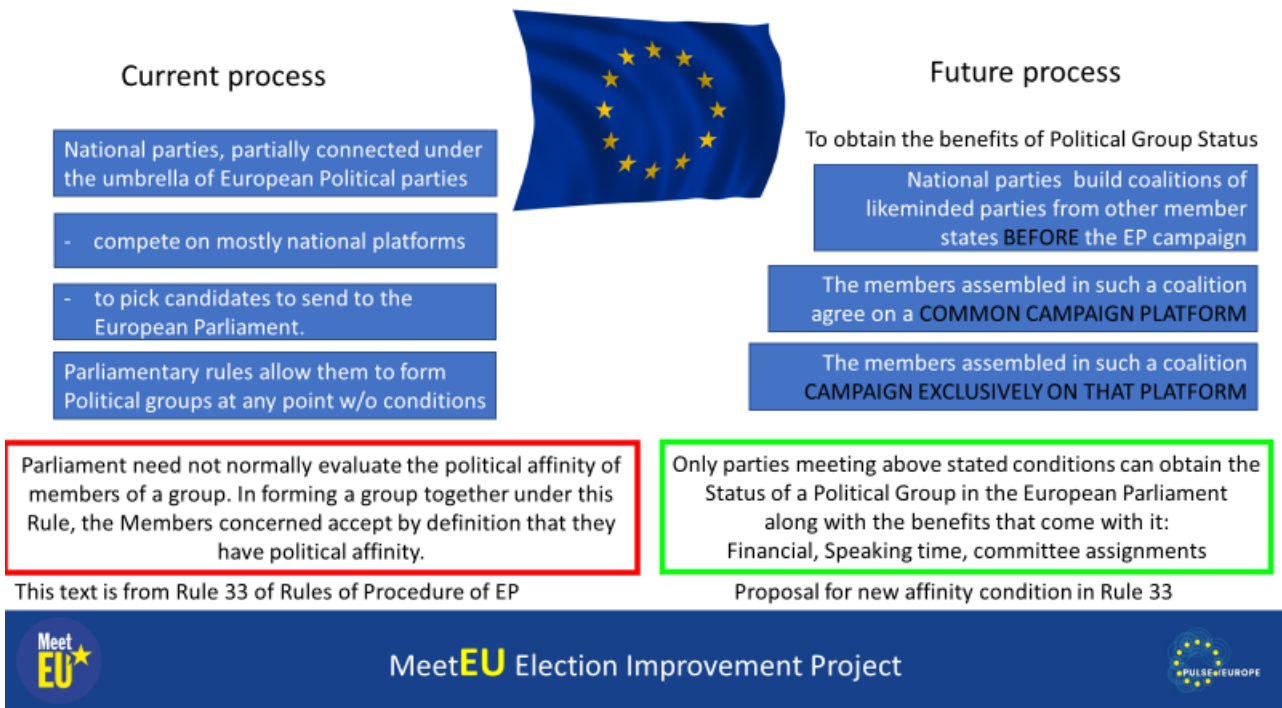
II. Condition to be met to qualify for EPPG status and verification

While currently Rule 33 of the Rules of the EP assumes the affinity of parties applying for EPPG status the proposal requires parties to prove their affinity. Proof must be brought in 2 ways:

1. The parties willing to enter the EPPG status, and thus partake in its benefits, need to have a common campaign platform specific for that election cycle.
 - a. Common statements of value (like the EPP manifesto 2019) are desirable but do not count as a campaign platform. A campaign platform needs to be more specific
 - b. The common campaign platform needs to be approved by democratic process by the membership of each applying member party
2. The parties willing to enter the EPPG status must (i) publish the common campaign platform and (ii) run their campaign based on it!
 - a. The second part of this condition (ii) is hard to validate. Did they? Did they not?
 - b. The assumption is, that if a party has participated in the composition of the common platform, has approved the common European platform by democratic process, the projects and ideas of the platform have been rooted firmly in the membership
 - c. This proposal remains vulnerable to personalities like Viktor Orbán, who are willing sign the common campaign platform, sign the EU treaties and still act in brash violation.
3. The EP has to establish a committee to exert judgement on applications for joined EPPG membership. This requires a change to Rule 33 of the Rules of Procedure of EP, which currently assumes affinity if so declared.

² European Parliament, January 2021, [Rules of Procedure of the European Parliament](#)

GRAPHIC DESCRIPTION OF PROCESS OLD AND NEW:



The proposed change of Rule 33 requires only the introduction of a definition of the term "affinity" used in Rule 33 (1). See Appendix.

In order to reach this definition, we refer to Rule 33 (5), where the requirement is documented groups applying for EPPG status have to submit a political declaration which "shall set out the values that the group stands for and the main political objectives which its members intend to pursue together in the framework of the exercise of their mandate. The declaration shall describe the common political orientation of the group in a substantial, distinctive and genuine way."

How could that requirement be better satisfied than by a common campaign platform as requested by this proposal?

A proposal for the reworded Rule 33 as well as a suggestion for decision criteria, if parties applying for EPPG status have met the condition, is supplied in the Appendix.

4. Benefits, shortcomings, considerations

1. Effect of proposal on Lead Candidate Concept (Spitzenkandidat)

The Lead Candidate Concept (LCC) has been advertised quite intensively in Germany and by German politicians. In other countries the LCC was by far less visible or accepted by the general population. One of the shortcomings of the LCC was the lack of a common European campaign platform, applicably alike to all member countries, for the LC to campaign on and be associated with. Instead, the LC had to put his/her face on a different, sometimes conflicting, political program in each member country.

The proposed transnational campaign platform (TCPP) would do away with this shortcoming of the current approach. The alternative approach with Transnational Lists (TL) does not remedy the shortcoming of the current approach regarding the LCC.



II. First Effect to Europeanize the campaign

Working on the assumption, that it is desirable for parties to attain the status of EPPG that would require most of them to band together not only to apply for EPPG status, but in order to qualify they would have to agree on a common European campaign platform.

Entering this process with the intention of finding common ground it is fair to assume that issues of overlapping interest, i.e., issues of European interest, will move center stage:

- Which project can we take on that benefits all, or at least a wide majority of us?
- Which change to the treaties is in the interest of all, or at least a wide majority of us?
- What can we do jointly to confront the next big challenge (Climate, Pandemic, migration etc.)?

The litmus test for the participating politician will be: Will I be able to sell this to my home country electorate? Will my colleague from country X be able to do the same thing? What can I give?

That would not leave a lot of room for forcing in goodies for nationalistic reasons. At least it would force compromise: The parties from Mediterranean countries would not want to enter such a platform with parties from the north or east that flat out reject any responsibility for incoming refugees.

III. Second Effect to Europeanize the campaign

Since at least currently it is desirable for parties to join forces in the EP and form a EPPG, the TCPP can be expected to affect the whole campaign, i.e. the campaign for 100% of the seats, whereas the TLP only effects the number of seats set aside for TL. Currently the number discussed is between 15 and 73 of 700+, less than 10%.

IV. Effect to Europeanize political discussions within national parties

Discussions on national party campaign platforms traditionally are no shallow processes. They are serious attempts to match underlying party beliefs with perceived voter expectations. And different party subgroups engage in serious battles to establish their beliefs as the official party position. Examples in Germany would be demands for property taxes, infrastructure projects and the like.

The proposal interjects into this process the European component: National issues would lose significance. Instead, the parties intending to form an EPPG need to identify issues of relevance for all or most of them to compose a common platform. Questions of the following type will determine what constitutes a European Campaign platform: Introduction of a common tax on stock trades, how to deal with refugees, development of the treaties, energy-supply, corporate minimum tax, coping with international crime etc.

This would lead to the debate on issues of European relevance entering national party discussions with representatives of congenial parties from other member states at the table. In this way European issues would be discussed nationally under European perspectives as opposed to merely national perspectives.

V. Effect on European Public sphere

The effect described under point IV. will at the same time contribute to the development of a European public sphere, where media report on the process of creating common European campaign

platforms. This would be a more than welcome, urgently needed step towards the existence of a broader European citizenry.

VI. Effect on EuPoPas and the party landscape in member states

If the proposal were accepted EuPoPas would have to reapply for EPPG status for all their member parties. That could provide them with a welcome opportunity to shed toxic member parties and at the same time encourage alternative, possibly new parties to orient their party platform towards existing EuPoPas and thus become member of an EPPG. As an example, I would like to cite the current S&D membership of ESB, the thoroughly corrupt successor party to the former Bulgarian communist party with Eurosceptic positions. An open Bulgarian spot could easily be occupied by one of the newcomers in the Bulgarian party landscape.

VII. Effect to Europeanize parliamentary work

Being voted into Parliament on platforms of this nature topics of top interest to the European electorate make it on the itinerary of Parliament, because citizens gave their consent and desire, their request to address them.

VIII. Effect on improving EuPoPa and EPPG credibility

Currently EuPoPas and specifically EPPGs are not political groups joined together for pursuing common political goals. What holds them together is the desire to represent a larger bloc and improve access to funds, speaking time and committee seats. That goes to the effect that in some EuPoPas and EPPGs even strong contradictions on politics, values are acceptable. From a citizen's point of view, this fundamentally undermines the credibility of these EuPoPas and EPPGs and in this way the credibility of the EP. The proposal would do away with that.

IX. Effect to strengthen Parliament

A new European Parliament elected under the terms of this proposal would see EPPGs authorized by the European citizenry to pursue European policies as laid out in their respective common Europe focused Campaign Platform. This will strengthen the EP relative to the European Council, whose members attain membership not via a European but via a national mandate instead.

X. Formal approval of this proposal

Formal approval only requires a change of Rule 33 of the RPEP which requires a simple EP majority. (Approval requirements of the TLP are far more extensive, up to constitutional changes in member countries [ex. because citizens elect non-citizens to represent them])

XI. Impact on number of MEPs in EP per member country

There is no impact. The number of MEPs per country stay the same.

XII. Impact on Electoral Process, Electoral laws in member countries

None. The electoral process of the member countries can remain untouched.

XIII. Impact on Campaign financing of EuPoPas or national political parties

None. The laws and regulations on campaign financing in different member states are not affected and can stay the same.

XIV. No need to wait

Any EuPoPa or any other group of parties willing to cooperate in their parliamentary work can start this process right now. They can jump ahead of a change in Rule 33 and get started on that Joint European Transnational Campaign Platform. As pointed out in subpoint point 5. the party Volt does exactly that. Equally it does not stretch the imagination to see the European Greens working that path right now. Political formations with less overlap like Mr. Janša in EPP or Mr. Babis in Alde might have to deal with the issue of EPPG coherence first.

XV. How independent is the EP in changing its Rules of Procedure?

While it appears clear that formally the EP is sovereign with respect to changing its RPEP, we are aware that politically that independence probably is limited.

Our proposal has a major impact on the way the European political actors, i.e., the EuPoPas and national parties, can go about doing their job. And typically, it is the head of a national party who stands in the office of Chancellor or Prime Minister and is a member of the European Council. This leads to the conclusion that it will be hard for Parliament to go through this change against explicit opposition from the EC. In addition, national parties hold sway over their MEPs via the power of providing them with promising positions on the national election lists.

Realistically therefore the support of most national parties will be required for Parliament to effect the change of Rule 33.

5. Analogies in the existing political landscape

I. Volt

From the Volt homepage: „*We make politics for a federal Europe across European borders.*“

In 2019 Volt competed for the first time for the 2019 European Elections and led a cross-border election campaign with a European election program.

The underlined sentence captures the spirit of this proposal. While Volt had to register as separate parties in all European member states where they are present, they ran their campaign on a single, common platform.

II. Germany

The German political election landscape in some respects is quite comparable to the European situation, just one level down. There are national parties (CDU, SPD...) with party organizations in each state. State elections are run on state issues with state campaign platforms. The federal election is run by state parties, but on a joint national platform and coordinated by the national party. Even in federal elections parties have only state election lists, which serves to ensure regional representation in the Bundestag.

The case of the CSU in Bavaria is exemplary for the negative effect of an independent state party running on its own, with some equivalence we see on EU level with national parties, not hesitating to run on “We first”. That was a CSU slogan in the last EU elections: “Bayern zuerst”.

National party lists, which in this analogy correspond to transnational electoral lists on the European level, do not exist. Even the lead candidate concept has a like counterpart in Germany: The parties nominate a candidate for the office of chancellor, who in turn is only on the ballot at the top of his/her state electoral list.

6. The mechanism to reach a new equilibrium in parliament after the change of rule 33

The proposal has the objective to incentivize the political actors in Europe and in European elections to deemphasize national optimization and instead put joint European interest front and center. We suggest considering the resulting changes of the political landscape as the adaptation of a complex social system to a new boundary condition, i.e., the change of Rule 33, in the end finding a new equilibrium.

The current state, or pre change equilibrium (A), is what we have observed running up to the 2019 EP elections, the election campaigns, the election itself and during the phase of the new EP establishing itself. If Rule 33 can be changed by Parliament in time before the 2024 election we expect that a new equilibrium (B) will be found via the following process:

I. EuPoPas will be the natural agents of the necessary adaptation

To qualify for EPPG status in the new parliamentary session, they will use their existing consultation process to draft the required joint campaign platform. It can be expected that this will be a cumbersome and partially painful process, during which it may be necessary to end the membership of one or more participating parties because their membership was not based on a common understanding of the European future and the necessary steps to get there. As a result, there will be more coherent European political parties with a common campaign platform across all member parties with the capacity to carry a joint Lead Candidate.

II. Based on Europe centered and Europe wide Campaign Platforms the character of the campaign will change

Compared to the 2019 campaign the number of competing campaign platforms will be drastically reduced by the factor 27. There will not be 27 faintly related national skirmishes, but one Europe wide election campaign carried out in 27 member states, with actors, i.e., politicians, in particular the Lead Candidate, easily moving from one "battlefield" to another. She or he can be identified with the one campaign platform she represents.

III. The election is done – what happens in Parliament?

The biggest change in EP will be that European political parties cannot join forces anymore to form an EPPG. The right to build an EPPG has been reserved to parties having competed in the campaign on a joint platform. EPPGs will build around a single EuPoPa with a small number (less than 5% or 10%) of non EuPoPa-MEPs to accommodate for smaller or new-comer parties. With only a limited number of "outside" seats available we would expect EuPoPas to be selective in whom to take on board.

In effect the previous difference between EuPoPas and EPPGs will mostly vanish.

IV. No need for fixed coalitions between EuPoPas (like previously in EPPGs)

Contractual majority coalitions are a necessity in situations in which a majority in Parliament provides support for a government, like in Italy or in Germany. In absence of an EU Government this need does not exist.

Instead, new obvious topic related cooperation opportunities will emerge between EuPoPas/EPPGs in areas where positions in Campaign platforms overlap. So EPPG X may cooperate with EPPG Y on

topic m and at the same time cooperate with EPPG Z on topic n. Cooperation will vary on a case-by-case basis and when objectives are similar, but the solutions laid out in Campaign platforms may differ. There will be negotiations on courses of action to promote common goals. This is nothing new, just parliamentary standard employed by more aligned actors.

V. The new equilibrium (B)

Other than the current state the new equilibrium (B) will see

- More coherent EuPoPas, mostly identical with EPPGs
- No ongoing, formalized coalitions of different EuPoPas in EPPGs
- Topic-focused cooperations/coalitions

A critical advantage with the new state we see in the more direct link between what a citizen voted for and what she sees happening in Parliament. She voted for an issue, and she can see the EuPoPa she voted for engage in getting it implemented.

7. European Political Parties

In the previous chapter we identified the existing European Political Parties as the potential agents of change. Obviously, this expectation can be challenged.

We suggest looking at that question from 2 angles:

- I. Is this job part of the purview of EuPoPas as currently defined in the Treaties and Regulations? To get to an answer to this question it probably is best to go back to Regulation (EU, EURATOM) No 1141/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 October 2014 on the statute and funding of European political parties and European political foundations³. In its point (1) it states:

Article 10(4) of the Treaty on European Union (TEU) and Article 12(2) of the Charter of Fundamental Rights of the European Union (the Charter) state that political parties at European level contribute to forming European political awareness and to expressing the political will of citizens of the Union.

And in point (4) it states:

Truly transnational European political parties and their affiliated European political foundations have a key role to play in articulating the voices of citizens at European level by bridging the gap between politics at national level and at Union level

Then it adds in point (7)

As a recognition of the mission attributed to European political parties in the TEU and in order to facilitate their work, a specific European legal status should be established for European political parties and their affiliated European political foundations

From these 3 articles we take away that it is the intention of the treaties to make the EuPoPas take on that very role. This is their intended mission.

Lastly, we want to include here Chapter 2 Article 3, Conditions for Registration (as EuPoPa), subpoint 1, c. of above-mentioned Regulation. It states : (an EuPoPa) *must observe, in*

³ Regulation (EU, Euratom) No 1141, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014R1141>, EUR-Lex, 2014

particular in its program and in its activities, the values on which the Union is founded, as expressed in Article 2 TEU, namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities;

Below the line we have no doubt that the job our proposal assigns to EuPoPas is fully in line with what the signatories of the treaties had in mind!

- II. Are the current EuPoPas up to the job? This obviously is a loaded question. Currently EuPoPas have not taken on the job suggested by the proposal as well as the treaties even though there is nothing in place that keeps them from doing it.
Why? The answer is quite simple: Under the current regimen of boundary conditions they feel they are better off integrating as many member parties as possible (even at the price of lack of consistency) than by assembling a coherent group of member parties and vying for the citizens vote with a consistent transnational election campaign offering.
This obviously and sadly contributes to the citizen's perception, that the political actors are more interested in playing influence games (to whichever end) in Brussels than in bringing on board the citizen with an attractive and future oriented policy offering.
- III. The proposal tips the balance in favor of making the citizenry a coherent, transnational offering. It is trying to tip the scale in favor of the second option, in favor of quality of content vs. Political positioning. It does so by attenuating the advantage of size (number of MEPs, member parties) in favor of quality (coherent transnational political program).
In short: You do not anymore increase the number of MEPs in your Group and thus your influence by holding your nose and bringing on board the Orbáns and Kaczinkis of this world but instead by winning citizens votes in free and fair elections with an attractive, consistent and Europe-wide policy offering.

8. Sizing up the proposed concept against TEL (Transnational Electoral Lists)

This comparison measures the proposed concept against the pros and cons of the concept of transnational electoral lists as documented thoroughly in the ERPS report on “Transnational Electoral Lists”, authored by Maria Diaz Crego.

1. Pros

- **ERPS report:** *TELS enhance the European dimension of European elections by giving the electors the opportunity to vote for European (and not only national) candidates in a truly European contest*
The proposal would enhance the European dimension by offering the opportunity to vote on truly all-European platform offerings. That does not include the possibility to vote for European (and not only national) candidates
- **EPRS report:** *TELS provide clear guidance on the preferences of EU citizens on EU policies*
The proposal makes an equivalent offering, yet for the full EP, not only for a limited number of seats (15 – 73)

- **EPRS report:** *TEs strengthen European political parties*
The **proposal** makes an equivalent offering, yet for the full EP, not only for a limited number of seats (15 – 73)
- **EPRS report:** *TEs facilitate truly European campaigns*
The **proposal** makes an equivalent offering, yet for the full EP, not only for a limited number of seats (15 – 73)
- **EPRS report:** *TEs give voters wider range of choices*
The proposals impact on the range of choices needs to be explored.
- **EPRS report:** *TEs enhance EU citizens' awareness as to the political context in other Member States.*
The **proposal** makes an equivalent offering, yet for the full EP, not only for a limited number of seats (15 – 73)

2. Concerns

- **EPRS report:** *They might create different level of legitimation among Members of Parliament*
The **proposal** does address this concern. This concern does not apply to the proposal.
- **EPRS report:** *They introduce Members without a real constituency*
The **proposal** does address this concern. This concern does not apply to the proposal.
- **EPRS report:** *By creating greater distance between Members and citizens, they might potentially benefit populist and nationalist parties' arguments that rely on that disconnection*
The **proposal** does address this concern. This concern does not apply to the proposal.
- **EPRS report:** *They might favor candidates from larger Member States – with a bigger electorate*
The **proposal** does address this concern. This concern does not apply to the proposal.
- **EPRS report:** *Finally, more practical difficulties are linked to the way European political parties would nominate their candidates, or how they would create a Union-wide campaign across all Member States and in all the official languages of the EU*
The **proposal** addresses these concerns partially. The way parties would nominate their candidates is of no concern at all. The challenge of creating a union wide campaign program is at the core of the proposal.
- **EPRS report:** *The report thoroughly elaborates extensively the hurdles the TEL proposal has to take and what contributed to its not being accepted by now.*
The **proposal:** This point represents a significant advantage of the proposed solution compared to the TEL proposal: formal approval does not require anything but the change of Rule 33 of the RPEP according to Rule 237 of the RPEP with simple majority of the European Parliament.
- **Additional concern 1:** *Transnational lists face an electorate, which in large parts presumably is not ready now to put their mark to a list, on which their own national candidate is not among the top 10 or even in the top 1 or 2 spots. Only top motivated and pro-European voters may*

overcome this psychological hurdle. Actually, this may have an adverse effect on votes in spite of an overall agreement with the platform associated to that list.

The proposal takes out this concern completely! The voter in the voting booth sees on his vote sheet his well-known national or even local candidate committed to a truly European platform and, in agreement will trust his candidate/party to deliver in his interest.

9. Possible problem points

- Argument:** Currently the EPP has about 50 member parties. That is more than 1 per member country. The question will come up how these 2 or more parties in 1 member state, which want to be part of the same EPPG, can differentiate themselves in their national campaign if they must run on the same platform.

Counterargument: This is indeed the case. The question remains how much weight it carries.
- Argument:** Withholding EPPG status advantage is not strong enough an encouragement to make parties agree on a joined program.

Counterargument: As to MEP's Daniel Freund's comment that is not the case. Being part of an EPPG is a must to develop any degree of effectiveness in parliamentary work.
- Argument:** European political parties do have already something like political program statements. So, what the proposal asking for does already exist. The EuPoPas might argue: Your proposal is exactly what we have already!

Counterargument: The existing European political parties' platforms are way too general to match the need for an actual campaign platform. Ex. The EuPoPa the Greens platform is just a few pages. The German Green party felt the need to develop a 100+ page campaign platform for the election.

They are so general that even an Orbán, a Borrisov or a Janša can sign the EPP platform. So, there must be a problem.

What Orbán, Borrisov, Janša is for EPP, Babis Czechia is for EuPoPa Alde and EPPG Renew Europe
- Argument:** There is the argument that the lack of coherence within EuPoPas and EPPGs accompanied by the absence of the whip (Fraktionszwang) principle makes it easier to build one-issue coalitions in order to successfully move laws through parliament.

Counterargument 1: More coherent and predictable behavior of EPPGs probably would have an even more positive effect for issues emanating from the campaign platforms.

Counterargument 2: This seems to be an argument pro muddling-through as opposed to making the parliamentary process more transparent and predictable.
- Argument:** Would it be of concern that via the proposal parties of the extreme left and right would be pushed to consolidate further?

Counterargument: This effect is hard to predict. Currently for example the parties of the extreme right form the ID EPPG. If they were required to put a joined European program together this task might as well blow them apart.

6. **Argument:** In effect this proposal makes it harder for parties to change EPPG affiliation between elections. This can be construed to be a violation of the freedom of the mandate.
Counterargument: Currently EPPG affiliation is only in a very limited way an indication of a certain political program. So, for the remainder of a legislative session the member who would like to change affiliation can stick to the old affiliation, pursue its new political conviction, and not lose the EPPG benefits. So, there is no factual limit on the freedom of the mandate.
7. **Argument:** Currently there is a strict separation between European Political parties and Political Groups in the European Parliament, where it is only permitted for EuPoPas to run a campaign for EP. This proposal suggests doing away with this separation.
Counterargument: While as a statement of fact this argument is correct, there is no acceptable or pressing reason why this has to stay that way. We are not aware this situation is laid down in the form of a rule, a law, a written agreement anywhere. As a matter of fact, this current state appears to be a barrier between the vote of the citizen and the acting agents in EP.
8. **Argument:** This proposal will make it harder for new parties to be formed, gain traction on the European level.
Counterargument: This concern is not convincing. The process of forming new parties and thus giving a voice to new citizen expectations is not impacted by this proposal. What happens though is that new parties not associated with an existing EPPG winning a sufficient number of votes to gain a seat in EP do not have access to the benefits of membership in an EPPG. This would hamper the efficiency of their parliamentary work.
This shortcoming could be addressed by allowing EPPGs to accept a limited number (for example under 5% of Number of MEPs in EPPG or less than 5 additional MEPs without proven affinity.
But the EPPGs probably will be pickier in terms of whom to offer membership. As an example, look at the new party VOLT. There is nothing in this proposal that would have limited their advance in their national as well as European campaigns. And the suggested <5%<5 clause would have facilitated their membership in the Parliamentary Group Greens-EFA.
9. **Argument:** This proposal focuses exclusively on political groups in the European Parliament, and not on European political parties. Yet for a solid representative democracy the connection between acting political parties in and out of parliament and the citizenry is of critical importance.
Counterargument: While the proposal focuses on EPPGs and uses the EPPG status as leverage for change it will be the EuPoPas to be the agent of this change. Who else but the EuPoPas (think about the European Greens/EFA or S&D) would be in the position to drive the generation of a common transnational campaign platform? In fact, the proposal probably would lead to stronger and acting EuPoPas in Parliament seeking coalitions with other EuPoPas. In this way, after an introductory phase the cooperation within EPPGs would be replaced by topic-focused cooperation between EuPoPas. For EPP and S&D that would be a small change only. For Renew Europe or the Greens/EFA the change would be larger because they, being a cooperation of different EuPoPas would split in separate EPPGs running separate

election campaigns. After a transition period a status for coalitions in Parliament needs to be defined.

10. Who would oppose the change?

- a. Parties and politicians who have advanced their political cause at the expense of the union (but they could band together as well, jointly stating their goal of hurting the union. This would be no different from now)
- b. Parties and politicians who have based their appeal on national or even nationalistic thought because they will hardly find partners in other member states with which to agree on a common platform.
- c. Current EuPoPas, which currently are not held together by political affinity but by tactical considerations: EPP and Borisov, Gerb (Bulgaria) or Janša, SDS (Slovenia), SD and Ninova, BSP (Bulgaria), Alde and Babis, Ano (Czechia)
- d. Parties in member states which compete on similar platforms for the same part of the electorate (referring to point 9.1)
- e. EuPoPas which under the current regimen have joined forces with others to meet the minimum EPPG criteria (min 23 MEPs from $\frac{1}{4}$ of MS) and who fall short under the proposal.

11. What can be done to acquiesce the opponents?

- a. The opposition according to 10 a. and b. is an obvious reaction. But addressing this stance is at the very heart of this proposal.
- b. The opponents according to 10 c. could see an advantage in the possibility of using the introduction of the proposal to shed toxic membership parties during the reestablishment of new EPPGs and possibly look for parties with a better match in that MS.
- c. Opponents according to 10 d. could see beneficial effects in cases, where there is an opposition, divided in several warring factions, and thus not able to unite against an overreaching party in power (Hungary, Poland). The European incentive to join forces and become member of a strong European party family might help to overcome petty infighting.
- d. Reason 10.e. for opposition can be addressed by either lowering the bar for building an EPPG or by introduction of a second type of political group, a small EPPG with a lower entry bar and comparable/modified privileges, specifically adapted to the needs of smaller factions. Both should be in the regulatory authority of the EP via the Rules of Procedure.

12. Legal considerations

Up to now we have not been able to obtain a sound legal evaluation of our proposal by an expert in European law. The proposal rests on the judgement of engaged citizens and we are aware that we have no way of providing sound legal judgement on the issue.

At the same time, we can state today that we have not come about legal provisions that stand against our proposal. Neither have we come about sound arguments contradicting our assumption that other

than changes to the Rules of Procedure of the European Parliament with regards to the setup of EPPGs further changes are required in national or European law.

It is our critical next step to obtain a legal evaluation by an expert in European law.

13. Appendix

Appendix 1: Proposal for the reworded Rule 33

Rule 33 (new)

Establishment and dissolution of political groups

1. Members may form themselves into groups according to their political affinities.

Political affinity for this purpose is defined as having run the election campaign to the current session of Parliament on a common European campaign platform. Criteria see appendix.

2. After confirmation a political group can invite up to 10 % of its headcount of unaligned MEPs to participate as group members.

3. A political group shall consist of Members elected in at least one-quarter of the Member States. The minimum number of Members required to form a political group shall be 25.

4. If a group falls below one of the required thresholds, the President, with the agreement of the Conference of Presidents, may allow it to continue to exist until Parliament's next constitutive sitting, provided the following conditions are met:

- the members continue to represent at least one-fifth of the Member States;
- the group has been in existence for a period that is longer than a year.

The President shall not apply this derogation where there is sufficient evidence to suspect that it is being abused.

5. A Member may not belong to more than one political group.

Appendix 2: Suggestion for decision criteria, if parties applying for EPPG status have met the condition of Rule 33, (1) (new)

1. A common European campaign platform exists

2. It has been developed specifically for and targeted to the ongoing election.

3. It has been approved by members of participating parties via democratic process.

4. It has been used as the basis of the election campaign of all participating parties. This has become visible through

4.a. the common European campaign platform gets published as the national campaign platform

4.b. national campaign publications predominantly reference the topics of the common campaign platform

4.c. national campaign publications give equal visibility to the names and logos of national parties as well as those of the European political parties, European political movements, with which they plan to form an EPPG

4.d. a common, multilingual internet campaign presence espousing the common platform and giving the names and logos of participating National and European Parties and groups equal prominence.

Citation recommendation:

Feldmann, Klaus. and Wille, Moritz. (2021). *Enhancing the European Focus of European Elections - An easy to implement Proposal*. MeetEU



This proposal was created by **Klaus Feldmann, Tina Löhr (Munich) and Moritz Wille (Jena)** as a result of workshops, brainstorming and debate with Europeans from different backgrounds and countries on our platform.

MeetEU is a pan-European discussion platform, not financially supported by any political party or institution. It is a project that is completely realized by volunteers.

We welcome your feedback:
niceto@meeteu.eu

More information on
<https://meeteu.eu/>

August 2021

All pictures are (if not marked) from MeetEU and/or free to use.

Page 1: Photo © European Union, 2016 / Source: EC- Audiovisual Service