

RESOLUTION OF THE UEF FEDERAL COMMITTEE ON THE ELECTIONS TO THE EUROPEAN PARLIAMENT AND THE SPITZENKANDIDAT PROCESS

The UEF Federal Committee, meeting in Berlin on 21 April 2018,

Having regard to:

- the UEF FC Resolution on the European political parties (adopted on 24 November 2004), calling for a more prominent role of parties in the democratic debate and the strengthening of alliances between European and national parties and asking for the MEPs to be elected under the banner of European parties, hence proposing their candidate to the European Commission (EC) presidency;
- the UEF FC Resolution on the completion of European political unity adopted on 18 June 2017, asking for the reinforcement of the Spitzenkandidaten process by the creation of transnational lists;
- the UEF FC Resolution on a Europe-wide constituency for the 2019 European Parliament elections adopted on 22 October 2017;
- the Resolution of the European Parliament on the European Union electoral law reform adopted on 11 November 2015, proposing to improve European parties' visibility and to create a common constituency, where lists would be led by Spitzenkandidaten;
- art. 14.1. of the Treaty on European Union, which states that "The European Parliament shall elect the President of the Commission."
- art. 17.7 of the Treaty on the European Union, which states that "Taking into account the elections to the European Parliament and after having held the appropriate consultations, the European Council, acting by a qualified majority, shall propose to the European Parliament a candidate for President of the Commission. This candidate shall be elected by the European Parliament by a majority of its component members";

Considering:

- the necessity to further develop a European democratic space, particularly to have a public debate on European policies during the European elections, where political parties would play a key role;
- that the European elections are a unique momentum to further develop the feeling of a common belonging and to gather every European actor to achieve a common goal;
- that the scrutiny mode must encourage the creation of transnational political parties that would shape the public debate and interact with the institutions at the local, national and European levels;
- that the European institutional and regulatory framework is still distinguishing European and national parties;
- that the evolution toward transnational parties requires to help the European parties to play their role according to the treaties, i.e. to contribute "to the formation of a

European political consciousness and the expression to the will of Union's citizens", giving them a more prominent role for the European elections;

- that there is a need to still increase the European Parliament's role within the EU institutional order, to assert its democratic authority, and provide European citizens with greater democratic control over the decision-making process;
- the need to foster the Europeanization of national parties by encouraging them to carry on public debate over European topics, and foster synergies between national and European parties of the same political family;
- that ballots shall grant the same visibility to national and European parties' names and logos;
- that Member States are to encourage these affiliations during the electoral campaign, the communication having to refer to the common programme of the European parties;
- that European parties shall nominate their candidates to the presidency of the European Commission;
- that citizens should be allowed to express their preference for a global programme, embodied by a candidate to the presidency of the European Commission;
- the first breakthrough during the European elections of 2014 of a long expected process by which, before the parliamentary electoral campaign, each political party chooses a candidate to lead the campaign (lead candidate, or Spitzenkandidat, a German term now widely used as the term of art), so that, after the election, the European Council shall nominate the lead candidate of the first past the post party, or alternatively of the party that commands the largest coalition in the Parliament, as the President of the new European Commission;
- that the Spitzenkandidat process, experienced in 2014 European elections, paves the way to upgrade the quality of European democracy, since it can put in the hands of citizens not only the choice of the MEPs but also of the President of the European Commission and his legislature programme;
- that on the basis of a contradictory interpretation of Art. 17(7) TEU this breakthrough is now more bitterly than before challenged by the European Council members in order to keep the balance of powers in favour of the member States and their governments instead of the European Parliament;
- that in accordance to the Treaty of Lisbon, MEPs represent the overall citizenry of the Union and not just the citizens of the Member State in which they are elected;
- that transnational lists would lead to the institutionalization of the Spitzenkandidaten principle and give the right to citizens to cast a ballot for a candidate living in another EU country;
- that the move initiated in 2014 would therefore be even more consistent if those lead candidates were actually candidates in the European Parliament's election as list leaders of all the lists presented in Member States by political parties affiliated to the

same European political party, before being possibly candidates to the Commission's presidency;

- that, additionally, in order to provide a more clear-cut political image of the Commission, thereby triggering and encouraging a strong public political debate both during the elections, and during the legislature, on the basis of Art. 17(7) TEU "The Council, by common accord with the President-elect, shall adopt the list of the other persons whom it proposes for appointment as members of the Commission...", and in an attempt to overcome the current political fuzziness resulting from the current process of choice of the other members of the Commission ("They shall be selected, on the basis of the suggestions made by Member States, in accordance with the criteria set out in paragraph 3, second subparagraph –The members of the Commission shall be chosen on the ground of their general competence and European commitment from persons whose independence is beyond doubt. –, and paragraph 5, second subparagraph –reflecting the demographic and geographical range of all the Member States –"), they should be proposed to the European Council by the Commission's President-elect according to his and their political persuasion

Taking into account that:

- a majority of MEPs is required to elect the head of the European Commission;
- for a single European political party to win the largest number of votes in European elections it could not be enough to achieve a majority in the European Parliament;
- a coalition of political parties could be necessary to elect the President of the European Commission;

Calls on:

- the European Parliament to confirm and extend the above described "Spitzenkandidat" process in the coming European elections, to oppose any manoeuvre by the Member States to keep it under guardianship, so refusing the expression of the European citizens in the pace of business;
- the European political parties to restart that process, and more specifically to summon their conventions before the end of this year to approve the lead candidates proposed for the Presidency of the European Commission, and the common electoral programmes, in order to prevent the choice of the President of the European Commission from being taken secretly and behind closed doors by the European Council;
- the European political parties to make their top candidate for the Presidency of the European Commission an actual candidate to the European Parliament as the list leader in all 27 Member States electoral constituencies, including in their regional subdivisions, if any;
- the European political parties to find an agreement on the procedure to elect the President of the Commission before the European elections. After the European election and before the decision of the European Council they should find an agreement on the next President of the Commission and commit to that agreement ;

- the National and European political parties of the same political family to form partnerships during the electoral campaigns in order to foster the development of transnational parties;
- the National political parties in Member States to include their respective European political party logo in the European campaign materials and ballots, as well as to advertise in their electoral propaganda and merchandising (leaflets, billboards, online media, etc.) their respective top candidate (Spitzenkandidat);
- the European Parliament to reform the European electoral law in a way that ballots should show the logo of the European political parties to which the national parties belong and the name of the lead candidates, in order for European citizens to be aware that they vote not only to choose the MEPs, but also candidates to the Presidency of the European Commission, and in general that encourages European and national parties to create and reinforce partnerships;
- the European Parliament to reform Regulation No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties, to authorise parties to nominate candidates for the European elections;
- the Commission's President-elect to play an active role in the choice of the members of the Commission, so as to give it political consistency, and facilitate the public political debate with regard to European policies;
- Member States and government leaders to renounce on the nomination of a commissioner from their respective Member States at the end of the elections, to force the newly elected EC president to constitute a European government, disregarding the nationality of its members and the number of Member States represented;

Backs:

- the "double proportionality" proposal for the attribution of EP seats, since this method safeguards both (1) the representation of every political family according to electoral results achieved at European level, in conformity with the principle "one person-one vote" and (2) a representation of every Member State based on the results of competing political forces in that State, within its pre-ordained seat contingent as specified by provisions in force regarding the composition of the European Parliament.