

JOINT SESSION OF THE COMMITTEES ON CONSTITUTIONAL
AFFAIRS, PRESIDENCY OF THE COUNCIL OF MINISTERS AND HOME
AFFAIRS AND ON EUROPEAN UNION POLICIES

Final document, pursuant to article 127 of the Rules of Procedure, on “A
proposal for a Regulation of the European Parliament and the Council on
the statute and the funding of European political parties and European
political foundations”

Adopted on December 20, 2012

Final document approved by the Committees

The joint session of the Committees on Constitutional Affairs, Presidency
of the Council of Ministers and Home Affairs and on European Union
Policies,

Having examined the proposal for a Regulation of the European
Parliament and of the Council on the statute and funding of European
political parties and European political foundations (COM(2012)499 final),
pursuant to Rule 127 of the Chamber of Deputies Rules of Procedure;

Noting that the proposal is designed to contribute towards establishing a
full-fledged European political space in which the main political families
can debate strategic issues for the future of Europe, thereby strengthening
the democratic legitimacy of the decision-making processes of the
European Union;

Considering that:

Article 10 (3) and (4) of the Treaty on European Union provides that every
citizen has the right to take part in the democratic life of the Union, and

that “political parties at European level contribute to forming European political awareness and to expressing the will of the citizens of the Union”. The same principle is also enshrined in article 12 (2) of the Charter of Fundamental Rights of the European Union;

Pursuant to article 224 of the Treaty on the Functioning of the European Union (TFEU) the European Parliament and the European Council shall adopt Regulations, following the ordinary legislative procedure, laying down the statute of the political parties at the European level and in particular the rules governing their funding;

Emphasising the need for this final document to be forwarded promptly to the European Parliament, to the European Council and also to the European Commission, as part of the political dialogue;

Expresses a positive opinion with the following qualifications:

a) thought should be given to whether equating the representatives of Regional Parliaments and Regional Assemblies with members of the European Parliament and the national Parliaments, as envisaged in article 3 of the proposal for a Regulation, might not unduly benefit those Member States with a more marked regional structure; in this connection, consideration should be given to the possibility – as is the case for citizens’ initiatives pursuant to article 24 of the TFEU and as per Regulation (EU) 211 of 2011 – of linking the criterion of representation in a minimum number of Member States with a weighting system linked to population size;

b) thought should be given to whether the provisions of article 7 of the Proposal for a Regulation, according to which the European Parliament shall decide with a majority vote of its members on ascertaining compliance with the values on which the European Union is founded, are compatible with article 231 TFEU, which provides that the Parliament shall resolve with a majority of the votes cast, save where the Treaty provides

otherwise, and with Rule 210(3) of the Rules of Procedure of the European Parliament, which establishes the majority of votes cast for the same procedure;

c) The scope of article 10 of the proposal for a Regulation should be clarified, where it introduces European legal personality for European political parties. In particular, it should be made clear whether recognition of this personality confers upon political parties a specific uniform legal subjectivity valid throughout the territory of the Union, or whether it should be construed to mean that the political parties themselves are to possess a legal personality in each Member State according to the conditions and constraints placed on them by their respective legal systems; in this case, they could be given a “variable geometry” kind of legal personality, since at the present time there are no regulations governing legal personality in the European legal system;

d) thought should be given to whether keeping the threshold for contributions to a European political party from its members at 40% of the annual party budget, as envisaged in article 15 of the proposal for a Regulation, and as already provided by Regulation (EC) no. 2004 of 2003, might not make the European political parties excessively dependent on funding from the European budget.