

Parliament of Romania

Chamber of Deputies

No 1/1526/V8

16 April 2013

OPINION

On 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

Having regard to the Treaty of Lisbon, in particular Articles 5 and 12 TEU and Protocols 1 and 2 annexed to the Treaty,

Having regard to Decision No 1/2011 of the Chamber of Deputies,

Having regard to the Constitution of Romania, republished, in particular Article 148 thereof,

Having regard to the opinion of the Legal Affairs Committee, expressed in the draft opinion drawn up following the discussion of the document at the meeting of 30 October 2012,

Having regard to the information sheet drawn up by the Ministry of Foreign Affairs concerning 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,

Having regard to the information sheet drawn up by the Chamber of Deputies' EU Law Directorate concerning the funding of European political parties and European political foundations,

Having regard to the Ministry of Foreign Affairs' position on initiating discussion and negotiations concerning 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 (6 November 2012),

Having regard to the opinion expressed by Partidul Conservator [the Conservative Party] concerning 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,

Taking into account the final draft opinion adopted by the Committee for European Affairs at the meeting of 3 April 2013,

Having regard to the approval given by the Permanent Office of the Chamber of Deputies on 8 April 2013,

The Chamber of Deputies, acting in accordance with Article 40 of its Decision No 11/2011 of 27 April 2011, hereby adopts this Opinion:

1. The Chamber of Deputies welcomes this initiative, which is an important step in achieving a single European political space and contributes to the substantial progress made in consolidating democracy in the European Union.

2. The Chamber of Deputies regards as both appropriate and necessary the introduction of a European legal statute for European political parties and European political foundations that will:

- allow them to obtain a uniform legal status based on EU law;
- give them full legal capacity and recognition in all the Member States;
- enable them to accomplish the specific mission attributed to them by the Treaties;
- constitute an element of democratisation and strengthen legitimacy for the European funding that European political parties already receive.

3. The Chamber of Deputies welcomes the public funding of political parties, which will help to prevent discrimination between parties and act as an incentive against the use of illegal funding.

4. In the view of the Chamber of Deputies, the granting of a European legal statute to European political parties and foundations that is conditional on their strict compliance with the values on which the EU is founded and, in the case of political parties, on their fulfilling the obligation to meet high standards in terms of internal party democracy, governance, transparency and responsibility, is a welcome and necessary initiative.

5. The Chamber of Deputies welcomes the pursuance of gender balance in the internal representation of European political parties, by ensuring room for manoeuvre and the establishment of minimum criteria as a condition for granting the status of European political party.

6. The Chamber of Deputies considers it appropriate that European political parties should participate in campaigns for national referendums, if the referendums relate to the functioning of the EU, and that they should be able to support campaigns by its members in national parties, provided that the campaigns deal with European issues.

7. The Chamber of Deputies regards as appropriate the discontinuation of the European political parties' annual activity programme, the need to roll over financial resources from one year to the next, the provision of pre-financing and the increase in the level of financing.

8. The Chamber of Deputies regards as necessary and supports the use of ex post checks and the imposition of strict penalties, under the aegis of OLAF or the Court of Auditors, if political parties and foundations breach European values, in the interest of greater democratisation and legitimacy of European funding in this field.

9. The Chamber of Deputies believes that it is necessary to provide further clarification concerning the penalty of exclusion from EU funding for up to five years, because the

wording of the text is not explicit as to which body has the power to impose such a decision.

The Chamber of Deputies also highlights the need for:

- greater detail concerning the statute and definition of European political parties, in order to avoid confusion further down the line and to ensure equal and non-discriminatory treatment of political parties and political foundations;
- an independent decision-making mechanism for the procedures concerning registration (Article 6(5)), verification of registration (Article 7(1)), penalties (Article 22) and right of appeal (Article 26) with regard to European political parties and foundations, so that such decisions are not left to the European Parliament in their entirety, considering that Article 224 TFEU also grants powers in this field to the Council;
- consultations with the EEAS with regard to Article (2(4)(c) relating to European political foundations active in third countries for the purpose of developing cooperation in order to promote democracy, given that such activities relate to EU foreign policy;
- verification of the statute of a European political party or foundation before amendments are made to its statute or programme documents, and not only during the annual verification, as provided for in the Regulation;
- details to be provided, in the case of penalties that can be imposed by the European Parliament according to a scale determined by certain criteria, as to what these criteria are and how they will affect the scale;
- clarifications regarding donations and donors (Article 16) from the point of view of Article 155 TFEU.

This opinion is addressed to the Presidents of the European Parliament, the Council and the European Commission and to the Romanian Government.

President

Valeriu Ștefan Zgonea