

Proposal for a Council Regulation on the statute and financing of European political parties

(2001/C 154 E/28)

COM(2000) 898 final — 2001/0011(CNS)

(Submitted by the Commission on 13 February 2001)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- (1) Article 191 of the Treaty acknowledges that political parties at European level are important as a factor for integration within the European Union and that they contribute to forming a European awareness and to expressing the political will of the citizens.
- (2) It is necessary to make provision for a statute for European political parties and to ensure that they respect fundamental rights and principles of democracy and the State based on the rule of law, in accordance with the Treaty, and that they have their own managing bodies.
- (3) Provision should be made for the financing of European political parties so as to cover part of their operating costs and the cost of promoting democracy in the countries applying for accession.
- (4) The conditions laid down by this Regulation should be applied on the same basis to all European political parties, but account should be taken of their actual representativeness in the European Parliament.
- (5) In accordance with the principle of subsidiarity, financing should be given solely to parties that are sufficiently representative at European level so as to avoid financing purely national parties, or parties to which financing has been refused at national level on the grounds that they do not respect democratic principles. This financing should not replace autonomous financing of the parties.
- (6) The nature of the expenditure that can be financed under this Regulation should be defined.
- (7) The appropriations allocated to financing parties should be determined in the annual budgetary procedure.
- (8) Implementation of the measures provided for by this Regulation contributes to the achievement of the objectives of the Union. The Treaty does not provide, for the adoption of this Regulation, powers other than those under Article 308.

- (9) This Regulation should expire at the end of the second financial year following its entry into force,

HAS ADOPTED THIS REGULATION:

Article 1

Statute

Any European political party or union of such parties may register a statute of a European political party (hereinafter referred to as 'statute') subject to the following conditions:

- (a) it must be established in the European Union;
- (b) it must have established itself as a political group in the European Parliament, or intend to establish one or to participate in an existing group;
- (c) its programme and its activities must respect the fundamental principles of democracy, respect for fundamental rights and the State based on the rule of law, established by the Treaty on European Union.

The statute shall define in particular the bodies responsible for the party's political and financial management.

Article 2

Independent review by eminent persons

The European Parliament shall decide on any dispute concerning compliance with the conditions referred to in Article 1 in accordance with the opinion of an 'independent committee of eminent persons' appointed every five years by agreement between the European Parliament, the Council and the Commission.

Article 3

Financing

Financing may be charged to the general budget of the European Communities for European political parties that have registered a statute and satisfy one of the following conditions:

- (a) the party or its national components are represented by elected members in the European Parliament or the national Parliaments or regional Parliaments in at least five Member States; or

(b) the party or its national components received at least five per cent of the votes at the most recent European elections in at least five Member States.

Parties satisfying those conditions shall publish their budgets and their accounts annually.

Article 4

Nature of expenditure

1. Financing granted under this Regulation may only be used to meet expenditure that is intended to achieve an objective set out in the statute of the European political party concerned.

Expenditure may include, among other things, administrative expenditure, logistical support, meetings, studies, information and publications directly linked to the objectives set out in the statute.

2. The valuation of buildings, inventory and their depreciation shall be carried out in accordance with Commission Regulation (EC) No 2909/2000 ⁽¹⁾.

Article 5

Implementation and control

Appropriations for financing parties shall be determined in accordance with the budgetary procedure and shall be implemented in accordance with the Financial Regulation applicable to the general budget of the European Communities.

Control of financing granted under this Regulation shall be exercised in accordance with the Financial Regulation and its implementing rules.

Control shall also be exercised on the basis of an annual certification by an external and independent audit. This certification shall be transmitted to the European Parliament and the Court of Auditors.

The services concerned may carry out any on-the-spot checks they may consider necessary to verify that the financing has been used in a lawful and regular manner. In carrying out their tasks, they may inspect all supporting and accounting documents and any other documents they consider relevant and may request any information they consider necessary to carry out their checks.

Any document or information required by the Court of Auditors in order to carry out its task shall be supplied to it at its request by the political parties receiving payments charged to the budget.

Article 6

Distribution

In application of Articles 1 and 3, financing shall be distributed annually as follows:

- (a) 15 % of the annual amount shall be distributed in equal shares among the parties that satisfy the conditions and make a duly substantiated request;
- (b) 85 % shall be distributed among European parties which have elected members in the European Parliament, in proportion to the number of elected members.

Financing charged to the general budget of the European Communities, including that provided for in this Regulation, may not be given to a European political party unless it can prove that it receives at least 25 % of its budget from sources other than the general budget of the European Communities.

Article 7

Report

The Commission will report to the European Parliament and to the Council within eighteen months of the entry into force of this Regulation.

Article 8

Entry into force and expiry

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

It shall expire at the end of the second financial year following its entry into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ L 336, 30.12.2000, p. 75.