

## Rules on political groups in the EP

### SUMMARY

Members of the European Parliament may form political groups; these are not organised by nationality, but by political affiliation. At the start of the current parliamentary term there were seven political groups in the Parliament, as there were throughout the 2009-14 period. The formation of a new, eighth, political group, to be called Europe of Nations and Freedoms, has been announced recently.

To form a political group, a minimum of 25 MEPs, elected from at least one quarter (currently seven) of the EU's Member States is required. Those Members (MEPs) who do not belong to any political group are known as 'non-attached' (*non-inscrits*) Members.

Although the political groups play a very prominent role in Parliament's life, individual MEPs and/or several MEPs acting together also have many rights, including in respect of the exercise of oversight over other EU institutions, such as the Commission. However, belonging to a political group is of a particular relevance for the allocation of key positions in Parliament's political and organisational structures, such as committee and delegation chairs and rapporteurships on important dossiers. Moreover, political groups receive higher funding for their collective staff and parliamentary activities than the non-attached MEPs.

Political-group funding is however to be distinguished from funding granted to European political parties and foundations, which, if they comply with the requirements to register as such, may apply for funding from the European Parliament if they are represented in Parliament by at least one Member.

*This briefing updates an [earlier one](#) of June 2014.*



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## Role of political groups

Members of the European Parliament may form political groups. These are not organised by nationality, but by political affiliation. Political groups have a prominent role in shaping the political decision-making process in Parliament, organising, coordinating and supporting the activities of their members, while respecting the principle of the independent mandate enshrined in the 1976 [Direct Elections Act](#). The great majority of the total 191 national political parties represented in Parliament are integrated in a political group. Through the creation of political blocs, groups make a significant contribution to the Parliament's operational capability by preventing too strong a fragmentation and facilitating the decision-making process, even if they do not operate as strong a system of group discipline as in most national parliaments.

Notwithstanding this major role of political groups in Parliament, they do not have a direct basis in the EU Treaties; rather the rules for their formation are stipulated in [Parliament's Rules of Procedure](#).

## Formation of political groups

To form a political group, a minimum of 25 MEPs elected from at least one quarter of the EU's Member States (currently seven) is required (Rule 32); and a Member may not belong to more than one political group. Currently, Parliament does not normally assess the political affinity of members of a group, taking this as read unless the Members concerned deny it (interpretation of Rule 32). A group's formation must be notified to the President of Parliament, and its details published in the Official Journal of the EU.

If during the legislative term, a group falls below the required threshold, the President, with the agreement of the [Conference of Presidents](#), may allow it to continue to exist until Parliament's next constitutive sitting, if the Members continue to represent at least one fifth of the Member States (five) and the group has existed for a period longer than one year. This exception is not applied if there is sufficient evidence to suspect that it is being abused (Rule 32).

Non-attached MEPs (Rule 35) do not establish a separate political group, as is the case in some national parliaments which have a so called 'mixed group'. Parliament's [rejection](#) in 1999 of a Technical Group of Independent Members was confirmed, both by the [European Court of First Instance](#) and the [European Court of Justice](#), as justified, in order that Parliament be able to ensure its proper functioning.

## Rights of political groups and of non-attached members

### Advantages of belonging to a political group

Belonging to a political group is of a particular relevance for the allocation of key positions in Parliament's political and organisational structures. Non-attached Members can nominate members to **committees and delegations** (Rules 199 and 212), but they are very unlikely to be elected to committee chairs or to be appointed rapporteurs on significant dossiers. However, the smallest political groups also gain very few committee chairs.

Belonging to a political group is also important in relation to **speaking time in debates in plenary**. For the first part of a debate, a first bloc of speaking time is divided equally among all political groups; a further share is divided among the political groups in proportion to their size. Finally, the non-attached Members are allocated an overall speaking time based on the fractions allocated to each political group (Rule 162).

Moreover, submitting a **written declaration** requires at least ten Members from at least three political groups (Rule 136).

### **Rights of individual Members**

Although the political groups play a very prominent role in Parliament's life, individual MEPs and/or several MEPs acting together also have many rights. For instance, not just political groups but any 40 MEPs, can nominate candidates for the posts of President, Vice-President and Quaestor (Rule 15). Furthermore, although only the chairs of the political groups, together with the President, are members of the Conference of Presidents – Parliament's political body responsible inter alia for proposing the agenda for plenary sessions – one non-attached Member is invited to attend its meetings, but does not have a vote (Rule 26).

Any Member may table a legislative proposal on the basis of the [right of initiative](#) conferred upon Parliament under Article 225 TFEU (Rule 46). However, **legislative own-initiative reports** need to be adopted by a parliamentary committee, whose decision is prepared by the groups' coordinators in the committee concerned, with non-attached Members not participating in coordinators' meetings (interpretation of Rule 205).

Non-attached MEPs can table **amendments** for consideration in committee, like any other Member (Rule 208). Moreover, they can participate, like political groups, in the **oversight of other EU institutions**. Acting together, 40 MEPs can, for instance, put questions to the Council or the Commission for oral answer with debate (Rule 128), whilst any Member may put questions for written answer to these and other EU institutions (Rules 130 and 131). Moreover, any Member is entitled to participate in Question Time with the Commission in plenary, when this takes place, under a ballot system (Rule 129). Members can also make one-minute-long explanations of vote (Rule 183). Furthermore, at least 40 MEPs can ask for a vote to establish whether a **quorum** is present, whereas political groups are not entitled to make such a request (Rule 168).

### **Financing and staff**

The [budget](#) of the European Parliament is the sole source of funding for political groups and non-attached MEPs. Intended to cover both administrative and operational expenditure and expenditure on political and information activities conducted in connection with the Union's activities, appropriations are made available under budget item 400 of the general budget of the Union, which amounts to €59.8 million for [2015](#).

Allocations to political groups and non-attached MEPs are subject to [rules](#) laid down by the Bureau of the Parliament. In particular, they cannot be used to fund European political parties (funded through a different budget line, see below) or electoral campaigns, but rather for staffing and other parliamentary activities. The budget is allocated at the beginning of each year by the Bureau, through a key based on the number of Members in each group (and non-attached Members) as at 1 January of the year in question, according to a proposal from the chairs of the political groups.

### Changes in the composition of groups

Changes in the composition of political groups (or non-attached Members) results in a re-allocation from the beginning of the following month, but effectively takes place only at the beginning of the following financial year, when the appropriations are paid (and any recovery of sums paid is effected). Where a non-attached Member joins a political group, the balance of appropriations not used by the non-attached Member is, if appropriate, transferred to the group concerned.

Accordingly, if a new political group is formed in the course of a legislative term, its allocations for the calendar year of its formation would be funded partly from allocations paid to any non-attached MEPs joining the group and partly from a redistribution of allocations to the existing groups, with the latter taking effect only at the beginning of the following financial year, unless the Bureau decides otherwise.

Each political group receives its annual budget for political and information activities at the beginning of the year, and is responsible to Parliament for the management of its expenditure. In contrast, Parliament's Secretariat settles expenditure for non-attached Members either through direct payments to suppliers or through reimbursement of the Members. DG Finance verifies that all such expenditure for non-attached Members complies with the rules, and will not pay or reimburse if it does not comply with them. The audited annual statements of revenue and expenditure of the political groups, together with consolidated statements for all non-attached Members prepared by Parliament's Secretariat, are delivered to the Bureau and to the Committee on Budgetary Control, and published on Parliament's website. Up to 50% of the annual appropriations not used by groups or by the non-attached Members may be carried over to the following year. Any amount exceeding this limit is returned to Parliament.

The payment of salaries to MEPs' accredited assistants is covered by separate budget items, with every MEP having the same amount at their disposal to spend on assistants regardless of group membership ([Article 33\(4\)](#), Implementing measures for the statute for MEPs).

Each political group is provided with a secretariat, funded from Parliament's budget. The number and grades of the, predominantly temporary, staff are determined in proportion to the number of Members in the group. Non-attached MEPs too are provided with a secretariat paid from Parliament's budget. Political groups may also employ contractual staff using funding under item 400, whereas non-attached Members may not use such funding for this purpose.

### European political parties and foundations

The role of political parties at EU level is set out in Article 10(4) TEU and Article 12(2) of the EU Charter of Fundamental Rights, stipulating that 'Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union'. The importance of European political parties for democracy at EU level is thus twofold. On the one side, they provide the EU decision-making process with democratic legitimacy by representing the link between Union citizens and the public power in the European institutions.<sup>1</sup> On the other, European political parties are conceived of as channels for a truly European public debate in a transnational public space, thus facilitating the identification of EU citizens with the European project and fostering the creation of a 'European identity'.

European political parties gained ground in the 2014 European elections, with five European political families nominating lead candidates for the position of the President of the European Commission. This *Spitzenkandidatenprozess* led to an EU-wide electoral

campaign, and the subsequent nomination and election of the Commission President established a stronger political link between Parliament as an institution and the European executive. This is seen as leading to further politicisation of the EU decision-making system through its 'parliamentarisation'. But the support for Commission President Jean-Claude Juncker by a majority 'coalition' in Parliament, involving the distribution of further key positions in the EU institutional set-up as a result of a political bargain, put particular emphasis on the political link between some of the political families in Parliament and the Commission.<sup>2</sup>

The political groups in the European Parliament are not identical to the [European political parties](#). Most of the national parties represented within a given political group are also members of the corresponding political party at EU level, however in some political groups there is more than one European political party (e.g. the ALDE group, and the Greens/EFA group). MEPs can normally join a political group in the Parliament, even if they do not belong to a national party which is a member of the related European political party, under conditions laid down in the rules of the group concerned.

Since July 2004, European political parties have been able to receive annual funding from the European Parliament for their activities at EU level. A new [Regulation](#) on the statute of European political parties and European political foundations was adopted in October 2014, awarding registered European political parties and political foundations European legal personality, instead of the previous situation with different national legal regimes applying to political parties at EU level.

In order for a European political party to be registered as such, it needs to have its seat in an EU Member State. It also needs to be represented in at least one quarter of the Member States (seven) by MEPs, or members of national or regional parliaments, or its national member parties must have received, in at least seven Member States, at least three per cent of votes in each Member State at the most recent European elections. A European political party must also respect in its programme and activities the Union values established in Article 2 TEU. The party or its members must have participated in elections to the European Parliament or have expressed publicly the intention to participate in the next elections, and it must not pursue profit. The new statute established an independent authority, with which the European political party would need to register, which is advised by a committee of independent eminent persons on questions related to a possible breach of the Union values by the party in question.

To apply for funding from the European Parliament, a European political party needs to have at least one elected MEP. The funding granted to a European political party can cover up to 85% of the expenditure of a party, while the rest should be covered by own resources, such as membership fees and donations. The maximum available for [grants](#) to European political parties in 2015 amounts to a total of €28.35 million (item 402 of the [general budget of the Union](#)). The new rules raised the ceiling on donations from €12 000 to €18 000 per donor per year. For any donation above €3 000, donors' names and the corresponding amounts must be publicly disclosed (donations of between €1 500 and €3 000 should also be disclosed but only with the donor's agreement). European political parties may not fund, directly or indirectly, national parties and candidates, or referendum campaigns; neither can European political foundations.

European political foundations need to be affiliated to European political parties. They are intended to contribute to the debate on European public policy issues inter alia by

organising conferences and conducting studies. They can apply for funding from Parliament through the European political party to which they are affiliated and which is represented in Parliament by at least one MEP. In [2015](#), the available maximum budget for [grants](#) to European political foundations amount to €16.7 million (budget item 403).

The appropriations available to the European political parties and European political foundations that have been awarded grants are distributed annually on the basis of the following distribution key: 15% are distributed in equal shares among the beneficiary European political parties or foundations, 85% are distributed in proportion to their share of elected members of the European Parliament (Article 19 of the Regulation).

Parliament can impose penalties for misuse of EU funding, e.g. where the party or foundation has failed to transmit the list of donors or has accepted donations that are not permitted. Penalties include the listing in a database barring the European political party from EU funding for 5 years (10 in the event of a repeat offence) and/or fines ranging from 2% of the value of the grant to up to 20%.

## Main references

R. Corbett, F. Jacobs, M. Shackleton, *The European Parliament*, 8th edition, 2011.

J.P. Eickhoff, *Das Funktionsrecht des Europäischen Parlaments*, 2008.

T. Coosemans, *Les partis politiques européens*, *Courrier hebdomadaire du CRISP*, No 2201-2202 (2014), pp. 1-123.

## Endnotes

<sup>1</sup> M. Nettesheim, *Developing a Theory of Democracy for the European Union*, in *Berkeley Journal of International Law* 23 (2005), p. 358.

<sup>2</sup> See also R. Baldoli, S. Gänzle and M. Shackleton, [Overthrowing Secrecy The Spitzenkandidaten experiment and a new chance for a European party system](#), CEPS commentary, 04 August 2014, p. 2.

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