ECR PARTY

aIde
I PARTY
ALLIANCE OF LIBERALS AND
DEMOCRATS FOR EUROPE

PES
SOCIALISTS &
DEMOCRATS

epp
european people's party

ecpm
European Christian Political Movement

logos project

European Democracy Consulting

European
Free
Alliance

PDE
EDP
European Democratic Party

EuropeanLEFT

European
Greens

Volt

REPORT

THE λOGOS PROJECT

A survey by

European Democracy Consulting

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ABSTRACT

Article 18(2a) of Regulation 1141/2014 on European political parties requires national member parties to display the logo of their European party of affiliation on their website "in a clearly visible and user-friendly manner". EU public funding for European parties is conditioned upon the provision of evidence that this requirement is met. The λogos project aims at assessing the implementation of this article.

Following a presentation of the European party system and of the current legal framework, the λogos project discusses the concept of online visibility and goes on to analyse the websites of the 264 national parties which are members of European political parties.

The λogos project finds that national member parties overwhelmingly fail to properly implement the Regulation's display requirement and ensuring the necessary visibility of their link to their European party of affiliation.

This is attributed to an unclear provision in Regulation 1141/2014, vague implementation guidelines and lax enforcement by the European Parliament, and national parties' own reluctance to clearly display the logo of their European party. The λogos project concludes with a series of actionable recommendations to address this major shortcoming during the upcoming review of Regulation 1141/2014.

KEY WORDS European parties, national parties, online visibility, branding, identity, logo

KEY FIGURES

- With the exception of the EDP, **all European parties have national member parties which do not display their logo** on their webpage. Close to 52% of ALDE's member parties do not display its logo at all; the ECR places second with 44%.

- A whopping **85% of member parties do not display the logo of their European party of affiliation in a "clear and user-friendly" manner** — understood as in the top screen of national parties' webpages. The PES has over 93% non-complying member parties and ALDE has 100%. The EPP has 43 non-compliant member parties. Conversely, logos of European parties are over-represented in the bottom screen, with close to 58% found there, and as high as 67% for the EPP.

- An **overwhelming majority of logos are clearly "not visible"** (60%, and over 69% if we include websites not displaying any logo). Focusing only on logos "clearly visible" or "moderately visible", 71% logos fail the test, and up to 78%, if we include websites not displaying any logo.

- As a result of the current state of play, **not a single European party should have had its application for EU funding approved**.

For transparency purposes, the λogos project makes its full [dataset](#) and [screen captures database](#) available.

RECOMMENDATIONS

1. **Amend the text of Regulation 1141/2014.** Article 18(2a) must be rephrased to provide a more specific display requirement. In particular, it should indicate that the logo of the European political party should be located in the top section of the frontpage and in the same size and manner as the member party's own logo.

2. **Draft clear guidelines to improve compliance.** The APPF should draft clear and detailed guidelines for the interpretation of the display requirement, going beyond the current guide provided by the European Parliament. Guidelines would focus on visibility and user-friendliness and contain specific requirements and display examples, in line with the text and intent of Article 18(2). The guidelines should be made public on the APPF's website and periodically reviewed to ensure proper compliance. Finally, in addition to self-reporting, the APPF and the European Parliament should reserve the right to monitor member parties' compliance themselves as necessary.

3. **Make European parties' applications for funding publicly-available.** Since European parties' case for their compliance is made in their application, every European party's application for EU funding must be made publicly-available on the APPF's website. at the time of their submission or soon after (in this case, a clear deadline should be specified), and, in any case, well ahead of the European Parliament's decision to approve the application. This is in line with the fact that the vast majority of European parties' funding comes from public sources and, therefore, European taxpayers' money.

4. **Make the display requirement a regular obligation on European parties.** Overly harsh sanctions are unlikely to be applied. As such, the nuclear option of denying a European party vital public funding for its members' failure to display its logo is far too severe and, consequently, has never been applied despite systemic failures to comply. For proper enforcement, this requirement should be removed from funding conditions and instead become a regular obligation subject to European parties' general sanctions regime. A broader reform should ensure the creation of financial ties between national and European parties, in particular by allowing their cross-financing.

INTRODUCTION

Logos

– Ancient Greek (λογος): derived from a word meaning "ground", "plea", "opinion", "word", "speech", "reason", or "discourse", it became a term in Western philosophy for a principle of order and knowledge.

– Pl. of logo (abbreviation of logotype): graphic mark, emblem, or symbol used to aid and promote public identification and recognition.

In modern representative democracies, the link between citizens and the political parties representing them is essential. While considerations such as citizen engagement or parties' internal democracy are important, the most basic pre-condition for this link is for citizens to know the competing parties.

So elemental is this requirement that it is hardly an issue anywhere; yet it is very much an issue in the European Union. Mindful of this, the European legislator made it requirement, three years ago, for national member parties to display the logo of their European party of affiliation on their website "in a clearly visible and user-friendly manner".

Today, as the European Parliament discusses the review of Regulation 1141/2014, the λogos project challenges the implementation of this requirement and finds that national parties have, by and large, failed to properly display these logos, while the European Parliament has been delinquent in its enforcement role.

European Democracy Consulting
12 April 2021

EUROPEAN PARTIES AND THE EUROPEAN PARTY SYSTEM

Like any other modern representative democracy, the European Union comprises a number of political parties. This European party system is linked to, but autonomous from, the national party systems of the Member States. Before introducing the **λogos project**, let us review its broad strokes.

Evolution of the regulation on European parties

Enshrined in the treaties since the 1992 Treaty of Maastricht, European parties actually go much further back in time and stem from parliamentary formations set up within the Common Assembly of the European Coal and Steel Community (ECSC) in the early 1950s. In 1958, the newly-created European Parliamentary Assembly inherited, from the ECSC's Assembly, its Rules of Procedure and three parliamentary groups: the socialists, the christian democrats, and the liberals and *apparentés*.

The trajectory of European political parties took a turn in the second half of the 70s, ahead of the first election of the European Parliament by universal suffrage, in 1979. The first structures appeared outside of Parliament under various names. The most common denomination, that of "transnational party federation", implied an umbrella organisation for national parties operating across borders, yet not fully integrated. This contrasted with European political groups in the European Parliament, operating independently from their member delegations on a supranational basis.

Evolution proved slow, but another step was made when the efforts of European party leaders succeeded in the inclusion of the first article relating to European parties in a European treaty. In 1992, Article 138a of the Treaty of Maastricht (the first so-called "**party article**") read: "Political parties at European level are important as a factor for integration within the Union. They contribute

The Treaty of Maastricht entrenched European parties with the first "party article".
Source: Mateus2019, CC BY 2.0 DE, via Wikimedia Commons

to forming a European awareness and to expressing the political will of the citizens of the Union." The party article, retaining a similar phrasing, is now Article 10(4) of the Treaty on European Union[1] and an almost identical provision is found in Article 12(2) of the 2000 Charter of Fundamental Rights of the European Union.[2]

The party article marked an important, if limited, step in the history of European political parties. While it remained mostly declaratory and, at first, failed to bring about any meaningful change, this article enshrined the constitutionalisation of European parties, forty years after their unofficial creation, and has been the legal basis for their subsequent development.

Matters accelerated with the new century, as efforts continued to strengthen European parties, including through the addition of funding provisions. In 2001, the Treaty of Nice gave a mandate to the European Parliament and to the Council to lay down the regulations governing European parties and, in particular, the rules regarding their funding.[3]

Funding was first achieved through Regulation 2004/2003 of November 2003 which provided for the direct funding of European parties but failed to create a proper European status.[4] This was finally achieved by **Regulation 1141/2014 of October 2014**, forming the basis of today's framework for the regulation of European political parties.

The current European party system

The European party system has proved very volatile over the years, with a number of parties doubling from eight to sixteen, before somewhat stabilising to the **ten currently registered European parties**. In addition are six more or less integrated political movements not meeting the strict registration criteria of Regulation 1141/2014, and therefore not officially registered as European parties. These sixteen entities are presented below.

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1   Article 10(4) TEU now reads: "Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union. https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12016ME/TXT&qid=1615195168793&from=EN#d1e315-13-1

2   https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012P/TXT&from=EN#d1e246-393-1

3   See Article 224 of the Treaty on the Functioning of the European Union (ex 191 TEC), https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012E/TXT&from=EN

4   https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32003R2004

Registered (above) and non-registered (below) European parties

As in most representative democracies, these political parties and movements, by nature *extra-parliamentary* entities, act independently from but in conjunction with political groups (or "parliamentary groups") in the European Parliament. In some cases, a European parliamentary group is limited to a single European party; in others, several parties sit in the same parliamentary group.
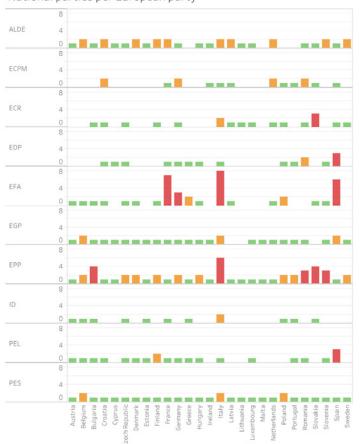

Registered and non-registered European parties (left) and their political group of affiliation in the European Parliament (right).

European parties and parliamentary groups. Only registered European parties are concerned by the requirements reviewed by the λogos Project.Registered and non-registered European parties (left) and their political group of affiliation in the European Parliament (right).

With almost no individual members to speak of, European political parties count national member parties as their main actors (since this report focuses on national parties belonging to European parties, we here use interchangeably "national parties" and "member parties"). In this sense, **European parties are still closer to loose confederations of national parties** than to true multi-level political parties. Unlike top-level parties in most multi-level political systems, European parties often have a noticeably **different name and visual identity from their member parties**; their ideological coherence is limited, especially given some European parties' propensity to have several member parties in the same Member State. The European People's Party (EPP) is a clear example.

The European People's Party (EPP) and its family of national member parties (2019).
Source: EuropeanConstitution.eu

National parties per European party

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/NationalpartiesperEuropeanparty

Key figures

- In a large majority of cases (75%), European parties only have a single member party per Member State. In 19% of cases, they have two member parties, and in 6% they have three or more.

- The ECR, EDP, EGP, ID, PEL and PES all have single representation in between 85 and 90% of Member States where they have member parties. In particular, the PES is present in all Member States and never has more than two member parties; the EGP is close behind.

- By contrast, the EPP and ALDE only have single representation in 48 and 57% of Member States where they have member parties. The EPP has three of more member parties in close to 20% of its Member States.

- With six or more member parties in three Member States, the EFA is also far from single representation, but its parties are often only present on a local basis and therefore seek to represent distinct sub-national constituencies.

THE ΛOGOS PROJECT AND WHY IT MATTERS

The mere fact that the above introduction is still necessary, seventy years after European parties' inception as parliamentary groups and thirty years after their treaty recognition, says a lot: to this day, **European parties remain largely unknown** to the vast majority of European citizens.

There are a number of reasons for this, ranging from the virtual impossibility for citizens to simply create their own European party without relying on existing national parties as a go-between, to their continued under-funding, to the complete dominance of national parties over national and European political life, including during European elections.

These structural limitations must be overcome in order for the European party system to truly represent and engage with European citizens across borders. The first five-year review of Regulation 1141/2014 will take place in 2021 and the European Parliament's Committee on Constitutional Affairs (AFCO) has

[Policy Brief](#) by European Democracy Consulting on reforming European parties' funding.

already begun its preliminary work. This is a unique opportunity to address major limitations afflicting European parties and it must be seized for the benefit of citizens.

But not all issues relate to foundational ideological elements and the devil sometimes lies in the details. This is why the λ**ogos project** focuses on a much simpler and immediate element: the visibility of the link between national political parties and their European political party of affiliation. In particular, it **assesses the presence and visibility of European parties' logos on the websites of their national member parties.**

As detailed below, the display of this logo is **a requirement on European parties in order to receive public funding** from the budget of the European Union (hereafter referred to as the "display requirement"). Every year, European parties seeking EU public funding respond to a "call for contributions" published by the European

Contributions for the 2019 financial year		
Event	Date	Result
Publication of a call for contributions	29 June 2018	A call was published in the Official Journal (OJ C 228, 29.06.2018, p. 13).
Submission of applications	30 September 2018 (deadline)	10 proposals were received, all of them within the deadline.
Award decision	10 December 2018	All proposals were approved on 10 December 2018, after having been evaluated by the EP. The amount of the contribution awarded was lower than the amount requested in certain cases, according to the distribution key.
Prefinancing payments	January 2019	The prefinancing was paid to 10 beneficiaires.
Submission of final reports	15 May but at the latest 30 June 2020	The final reports from 10 parties were received.
Decision on the final reports	18 January 2021	After being controlled, 10 reports were approved on 18 January 2021. Corrections were made to the amount of the final grant in certain cases.
Balance payment / recovery	January 2021	Recoveries started to be collected from 4 beneficiaries. No balance payment/recovery to be paid to/collected from 6 parties.

Contributions for the 2020 financial year		
Event	Date	Result
Publication of a call for contributions	25 July 2019	A call was published in the Official Journal (OJ C 249, 25.07.2019, p. 48).
Submission of applications	30 September 2019 (deadline)	10 proposals were received, all of them within the deadline.
Award decision	16 December 2019	All proposals were approved on 16 December 2019, after having been evaluated by the EP. The amount of the contribution awarded was lower than the amount requested in certain cases, according to the distribution key.
Prefinancing payments	February 2020	The prefinancing was paid to 10 beneficiaires.
Submission of final reports	15 May but at the latest 30 June 2021	
Decision on the final reports	to follow	
Balance payment / recovery	to follow	

Contributions for the 2021 financial year		
Event	Date	Result
Publication of a call for contributions	16 June 2020	A call was published in the Official Journal (OJ C 202, 26.06.2020, p. 2).
Submission of applications	30 September 2020 (deadline)	10 proposals were received, all of them within the deadline.
Award decision	16 December 2020	All proposals were approved on 16 December 2020, after having been evaluated by the EP. The amount of the contribution awarded was lower than the amount requested in certain cases, according to the distribution key.
Prefinancing payments	During the financial year 2021	
Submission of final reports	15 May but at the latest 30 June 2021	
Decision on the final reports	to follow	
Balance payment / recovery	to follow	

Summary of EU public funding to European parties for the years 2019-2021; for each year, every submitted application for contribution was approved by the European Parliament.

Parliament. Parties qualifying for funding and submitting a full application on time subsequently receive funding according to a distribution key detailed in Regulation 1141/2014. As attested by the European Parliament below, **all applications received for the financial years 2019, 2020 and 2021 were approved**.[1]In practice, however, **the λogos project highlights a wide-ranging lack of compliance with the display requirement**.

Given the importance of fully-functioning European political parties and of their proper funding, the λogos project is important for European parties themselves, for the European Parliament and Council, and for European citizens.

First of all, the λogos project is relevant for European political parties. European parties receive close to 90% of their funding from EU public funding and are therefore extremely reliant on it. **The λogos project aims at clarifying modalities for full compliance** with the display requirement under Regulation 1141/2014. European

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1   https://www.europarl.europa.eu/contracts-and-grants/files/political-parties-and-foundations/european-political-parties/en-annual-reports-parties-2021.pdf

parties can draw from our recommendations to improve their compliance.

Secondly, the λogos project is useful for the European Parliament and Council. During its 2014-2019 legislature, both institutions acted as a co-legislators in the adoption of Regulation 114/2014, and it is their will that the Regulation reflects. The Parliament and Council therefore have a vested interest in seeing all its provisions properly enforced. **The λogos project reveals the breadth of national parties' failure to comply**, as well as the European Parliament's own failure to enforce this requirement, undermining the respect for and efficiency of EU legislation.

Finally, the λogos project is essential for citizens. Citizens' knowledge of their own European parties — parties that ought to represent them and that they indirectly fund through their own taxes — is a pre-requisite for a functioning European party system. There are many aspects of this party system that need reform but, for as long as national parties are citizens' main gateway to the political, **the very least we must ensure is for European citizens to clearly know which European party their national party is affiliated to**. The λogos project aims at ensuring this bare minimum.

WHAT THE LAW SAYS

As we have seen, the European framework applicable to European political parties is described in _Regulation 1141/2014 of 22 October 2014 on the statute and funding of European political parties and European political foundations_. This Regulation was subsequently amended several times, as recently as 2019, and, in particular, by Regulation 2018/673 of 3 May 2018; the consolidated version of the Regulation can be found here. Let us review the relevant provision contained in these two Regulations.

Regulation 1141/2014

After decades of legal uncertainty, and despite official EU public funding since 2004, it was not until 2014 that European parties received a dedicated European status. Regulation 1141/2014 aimed at better allowing European parties to play their role, as described in Article 10(4) of the Treaty on European Union and Article 12(2) of the Charter of Fundamental Rights of the European Union, to "contribute to forming European political awareness and to expressing the will of citizens of the Union."

In particular, Regulation 1141/2014 posited the importance of **ensuring a link between European parties and European citizens**. In particular, its introduction reads:

> _(4) Truly transnational European political parties and their affiliated European political foundations have a key role to play in articulating the voices of citizens at European level by bridging the gap between politics at national level and at Union level._
>
> _(5) European political parties and their affiliated European political foundations should be encouraged and assisted in their endeavour to provide a strong link between European civil society and the Union institutions, in particular the European Parliament._

However, beyond a number of transparency measures in Article 32, providing for the minimum _availability_ of information, little was concretely done to ensure the true _visibility_ of European parties for citizens.

Regulation 2018/673

Four years after the creation of this framework for European parties, European institutions recognised that citizens remained utterly unaware of the existence of European political parties and *of the link between national and European parties.*

This realisation led the European Commission to propose, in September 2017, as part of a proposal to amend Regulation 1141/2014, to highlight this link "for reasons of transparency and in order to strengthen the scrutiny and the democratic accountability of European political parties and the link between European civil society and the Union institutions, in particular the European Parliament".

Since the Regulation on European political parties could not directly impose obligations on national parties, it relied instead on an indirect method making the public funding of European parties conditional on a proof that national parties displayed the logo and programme of their European party of affiliation on their website. As a result, national parties have no direct obligation or sanction, but European parties would be denied funding if their members did not comply.

Consequently, the Commission proposed to include an extra paragraph under Article 18:[1]

> *"3a. A European political party shall include in its application evidence demonstrating that its member parties* **have continuously published on their websites, during 12 months preceding the moment at which the applications is made, the political programme and logo of the European political party** *as well as information, in relation to each of the member parties of the European political party, on the gender representation among the candidates at the last elections to the European Parliament and among the Members of the European Parliament." (emphasis added)*

In October, the Commission's proposal was reviewed by the European Parliament's Committee on Constitution Affairs, which proposed a number of amendments.[2] Amendments relating to the display requirement ran in two opposite

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1   https://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_europeenne/com/2017/0481/COM_COM(2017)0481_EN.pdf

2   See AFCO report, https://www.europarl.europa.eu/doceo/document/AFCO-PR-612066_EN.pdf, and proposed amendments, https://www.europarl.europa.eu/doceo/document/AFCO-AM-613262_EN.pdf

directions. On the one hand, some amendments aimed at weakening the requirement, for instance by only requesting that "the majority of [member parties] and in any event a minimum of seven of them" need to display the European party's logo (instead of all member parties), by shortening the display period to 3 months (instead of 12), or by delaying its implementation to 2020, meaning after the 2019 European elections.

On the other hand, Jasenko Selimović, shadow rapporteur for ALDE, proposed to specify that the display of the logo should be made "in a comprehensive, detailed, reliable, user-friendly and accessible way." In the end, Selimović's detailed phrasing and the the lowering of the requirement to only a majority of member parties were adopted in November.[3]

Following its vote, AFCO decided to open interinstitutional negotiations with the Council, which was confirmed at the December plenary. In the same month, two other institutions provided their opinions. The European Court of Auditors "[welcomed] the Commission's intention to improve the transparency of the link between EUPPs and national parties," but deemed it "difficult in practice to monitor this requirement, and obtain relevant supporting evidence in order to prove the 'continuous publication'."[4]

The European Economic and Social Committee expressed "some doubts" about the new requirement to display the programme and logo of European parties. It "[questioned] in particular how the former requirement will be policed, how it can apply to new parties emerging in the Member States, and how it can apply if European political parties are tardy in adopting their political programmes". The Committee recommended shortening "the time during which the programme must be available on party websites be reduced from 12 months to three", but did not directly mentioned the issues of logos.[5]

Unfortunately, there are no details about the interinstitutional negotiations or the February debate in the Council, but the resulting interinstitutional agreement was adopted by AFCO in March and then both by the European Parliament in plenary and by the Council in April. The agreement led to several changes in the Regulation: among others, the requirements was restricted to *EU* member parties, the requirement was

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3   https://www.europarl.europa.eu/doceo/document/A-8-2017-0373_EN.html
4   https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52017AA0005
5   https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52017AE5706

required "as a rule", and the display was rephrased to be made "in a clearly visible and user-friendly manner."[6] The final act was signed and published in the EU's Official Journal in May.[7]

In its introduction, the final Regulation 2018/673 now reads:

> *(6) For reasons of transparency and in order to strengthen the scrutiny and the democratic accountability of European political parties and **the link between European civil society and the Union institutions**, and in particular the European Parliament, access to funding from the general budget of the European Union **should be made conditional upon the EU member parties publishing, in a clearly visible and user-friendly manner, the political programme and logo of the European political party** concerned. The inclusion of information on gender balance in relation to each of the member parties of the European political party should be encouraged. (emphasis added)*

As mentioned, the legislator was aware of the importance of highlighting the affiliation of national parties to their European parties **ahead of the 2019 European elections**. This was clearly mentioned in the Regulation's introduction as follows:

> *(12) The new requirements regarding publishing of the political programme and logo of European political parties should, to the largest possible extent, apply already to applications for funding for 2019, which is the year in which the next elections to the European Parliament will take place. Therefore, this Regulation should make provision for transitional arrangements.*
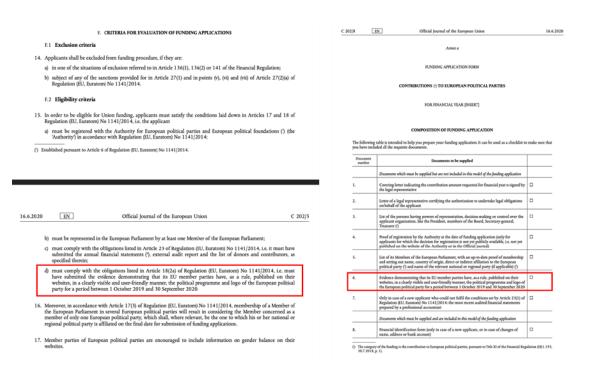
The new provision to be added to Regulation 1141/2014 is found in Article 1(7) of Regulation 2018/673 as follows:

> *(7) in Article 18, the following paragraph is inserted: '2a. A European political party shall include in its application evidence demonstrating that its EU member parties have, as a rule, published on their websites, in a clearly visible and user-friendly manner, throughout the 12 months preceding the final date for submission of applications, the political programme and logo of the European political party.';*

Consequently, the call for applications published every year by the European Parliament makes a direct reference to Article 18(2) in its section on eligibility criteria and in its funding application form.

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6   See the provisional agreement resulting from interinstitutional negotiations, https://www.europarl.europa.eu/RegData/commissions/afco/inag/2018/03-07/AFCO_AG(2018)619316_EN.pdf, and the position of the European Parliament: https://www.europarl.europa.eu/doceo/document/TC1-COD-2017-0219_EN.pdf

7   https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2017/0219(COD)

Excerpt from the European Parliament's 2020 call for contributions highlighting references to Article 18(2a) of Regulation 1141/2014

Following these applications, according to a Decision by the Bureau of the European Parliament:[8]

> *On the basis of a proposal from the Secretary-General, the Bureau shall decide, within three months after closure of the respective call, on the funding applications after verifying compliance with the criteria laid down in Articles 17 and 18 of Regulation (EU, Euratom) No 1141/2014 and referred to in Article 3(3) of this Decision, and shall determine the amount awarded to the applicant.*

Provisions and consequences

Beyond the mere requirement for national parties to display the logo and programme of their European party of affiliation, three points are worthy of note.

First of all, **the display requirement concerns a period of 12 months** preceding the deadline for submission of applications. Since applications are submitted annually before a fixed deadline (30 September since 2011), this indirectly means that European

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8   Article 5(1), https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019D0725(01)&from=EN

parties' logos and programmes must be displayed continuously by their national member parties.

Secondly, the display requirement is placed, in Regulation 1141/2014, in Article 18 on *applications for funding*. Failure to comply with this requirement — meaning failure to include, in the application, sufficient evidence of display — **should therefore lead to the application being rejected** by the Authorising Officer of the European Parliament. In this case, a European party becomes ineligible to the EU public funding described in Article 19. This is noticeably different and separate from the sanctions regime provided for in Article 27, which logically makes no reference to Article 18.

Finally, the legislator explicitly **went beyond the mere requirement that logos and programmes be displayed** on member parties' websites, and asked instead **that they be displayed "in a clearly visible and user-friendly manner"**. On the one hand, this means that not *any* form of display will be sufficient to ensure compliance with this provision: this display *must be* clearly visible and user-friendly. On the other, this opens the door to a qualitative interpretation of the level of visibility and user-friendliness by the Authorising Officer of the European Parliament, who eventually adopts a decision.

Interpretation by the European Parliament

Given this need for an interpretation of the display requirement, we must look at how the Authorising Officer of the European Parliament, in charge of approving applications for funding, has understood and applied Article 18(2a). As we have seen, the official call for contributions published in the Official Journal of the European Union limits itself to a direct reference to Article 18(2a); in this sense, it does not provide information on the Parliament's interpretation of the display requirement or related guidance to European parties.

Through exchanges with European political parties, the λogos project was able to consult the European Parliament's Directorate-General for Finance (DG FINS)'s "Guide for funding awarded by the European Parliament to European Political Parties and Foundations", which is circulated to European parties. While not a direct explanation of how the PSFU makes its final decision on whether or not logos are properly displayed,

it does provide supplementary information for the benefit of applicants.[9]

The relevant section of this guide reads:

> *In order to meet the visibility requirement,* **in principle different approaches and technical solutions are feasible** *(e.g. regarding placement and size of the logo and programme of the EUPP), as long as the logo and the programme are still published 'in a clearly visible and user- friendly manner'.* **An example of good practice is the publication of the logo of the EUPP on the main page** *of the national member party, with a link to the EUPP's political programme, which is uploaded directly to the member parties' websites, rather than just redirecting to the EUPP's political programme published on the EUPP's website.*
>
> *EP services accept as evidence screenshots (one screenshot per member party of the website(s) showing the European political party's logo and programme, together with a list of the corresponding internet addresses, dated within the period of 30 days before submission of the applications) together with a declaration signed by the European political party's president that its member parties have complied with the visibility requirement in the relevant previous 12-month period.*
>
> *In special cases when a national member party does not have a website, this situation must be clearly stated by the EUPP in its application for funding. Any change (creation of a website) should ensure the respect of the visibility requirement.*
> *(emphasis added)*

We see that the guide's level of details is very limited: it broadly mentions that "different approaches and technical solutions are feasible", and later only refers to the logo's mere *presence* on the main page as an example of good practice. No concerns are given to the meaning of "clear visibility" or "user-friendliness", let alone an attempt to approach the issue from the end-users' perspective. The guide does indicate that "the non-respect of this visibility requirement could result in a funding application being rejected", which remains a milder phrasing than expected from Article 18(2a)'s being a pre-condition for funding — in the same way that the provisions of Article 17 on *funding conditions* and Article 23 on *accounts, reporting and audit obligations* (respectively referred to in Article 18(1) and (2)) are compulsory for the obtention of EU

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9   The guide comes with the following disclaimer: "This Guide is intended to help applicants and beneficiaries and does not supersede the rules and conditions laid out in the applicable rules, contribution or grant agreements, calls for contributions or proposals, etc. The information presents only the current view of the Directorate-General for Finance. Readers should not regard these views as a statement of the official position of the European Parliament. This Guide is also without prejudice to any interpretation adopted by the Authority for European political parties and European political foundations within its area of competence."

public funding.

Asked about guidelines for the interpretation of Article 18(2a), the *Political Structures Financing Unit* (PSFU), the unit in charge of party financing within DG FINS, **declined to "provide information on the detailed methods of analysis used internally by the European Parliament to evaluate this requirement."** European Democracy Consulting was instead redirected to the official Ask EP channel to request information from the European Parliament; a request for information so far only yielded the above DG FINS guide.

A complementary way to appreciate the European Parliament's interpretation would be to look at European parties' applications. Since these have all been accepted in recent years, their analysis would provide elements to understand what the Parliament has, at least, deemed receivable and acceptable in terms of "clearly visible and user-friendly" display. Unfortunately, despite receiving close to 90% of their budget from European taxpayers' money, **most European parties have thus far all declined to share their applications for funding** with European Democracy Consulting for the λogos project.

For the ones that have, the screen captures provided by European political parties to the PSFU are rather similar to our own screen captures database. There were notable differences, however. Firstly, screen captures are provided "as is", focusing solely on the *display* of the logo, and not at all on proving the *clear visibility and user-friendliness* of this display. Secondly, screen captures come not only from the website's main page, as recommended by DG FINS' guide, but from any other page on national parties' website. While these are a minority, it shows that a number of **European and national parties are content with a display on secondary pages, and that this is fully accepted by the European Parliament as a valid form of display**. Finally, in addition to some missing websites, several logos displayed in European parties' screen captures have simply disappeared from websites between the capture made by European parties and the one made by the λogos project, giving credit to the Court of Auditors' and EESC's concerns about the verification of the display criteria on a purely declaratory basis.

MEASURING ONLINE VISIBILITY AND USER-FRIENDLINESS

Since national member parties are required to display the logo of their European party of affiliation "in a clearly visible and user-friendly manner", it is worth pondering how online visibility and user-friendliness can be assessed.

A basic concept for online visibility is that of "the fold". This concept stems from the printed press and refers to content immediately visible to readers upon gazing at newspapers folded on a news-stand: the top part of the newspaper — typically the first half of the front page — was said to be "above the fold".

Folded newspapers at a newsstand; content above the fold is immediately visible.
Source: National Archives at College Park, Public domain, via Wikimedia Commons

Like many other concepts of layout and typography, the fold moved to, and adapted to, the digital world. Given wide differences in screen sizes and resolutions, however, there is no single definitions of the fold in terms of number of pixels, and the exact location of the fold will differ between devices. Instead, the online version of the fold refers to the portion of the webpage that is immediately visible without scrolling — **a page's "first screen"**, and more specifically **the *homepage*'s first screen**.[1] For computers, the most common vertical browser sizes range between 700 and 800 pixels.[2]

A recurring discussion in web design circles considers whether the importance of placing content above the fold is still relevant. On the one hand, web design and web browsing practices have evolved in major ways since the early days of the internet. In particular, the practice of scrolling down a page has become more natural, especially with the emergence of web browsing on mobile devices. This has led to longer page formats becoming ubiquitous and replacing the splitting of long content over several pages.[3]

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1   https://blog.c-c.com.au/how-far-will-people-scroll-down-a-web-page and https://www.pixelproductionsinc.com/web-design-fold-and-its-importance-in-web-design/
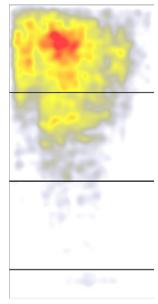2   https://www.cxpartners.co.uk/our-thinking/the_myth_of_the_page_fold_evidence_from_user_testing/
3   https://www.nngroup.com/articles/scrolling-and-attention/

Studies confirm that the amount of attention given by users to content below the fold is increasing. For instance, a study of 100,000 pages by ClickTale shows the scrollbar used on 76% of the pages, with 22% of pages being scrolled all the way to the bottom, even if the page was long.[4] Another study by Chartbeat, a data analytics provider, analysed data from 2 billion visits and found that "66% of attention on a normal media page is spent below the fold."[5]

These findings are compounded with observations that too much content crammed above the fold leads to decreases in visibility, and that less content above the fold could, with the right design incentives, actually encourage more exploration below the fold.[6]

On the other hand, while these studies bring a new perspective on common web design wisdom, they only provide a nuance and **do not challenge the existence of the fold or the importance of placing essential content above the fold**, as they themselves recognise.[7]

Amy Schade, researcher at the Nielsen Norman Group (NN/g) — co-founded by Jakob Nielsen, named the "the guru of Web page usability" and the "king of usability" — confirms that "the fold still exists and still applies." For one, people will only scroll down a page if what's above the fold is promising enough,

Heatmap of eyetracking fixations. Black stripes indicate successive screens.
Source: NN/g

meaning the content above the fold remains the cornerstone of users' interaction with a page's content.[8] In an analysis of 57,453 eyetracking fixations, NN/g still found a **dramatic drop-off in user attention at the fold**: "the 100 pixels just above the fold were viewed 102% more than the 100 pixels just below the fold."

Even more recently, in 2018, another NN/g study analysed over 130,000 eye fixations

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4   https://uxmyths.com/post/654047943/myth-people-dont-scroll
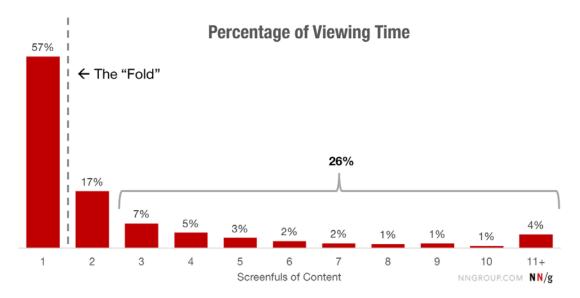
5   https://time.com/12933/what-you-think-you-know-about-the-web-is-wrong/

6   https://www.cxpartners.co.uk/our-thinking/the_myth_of_the_page_fold_evidence_from_user_testing/

7   "Our research shows the most effective place for content is above the fold, no surprises there." (https://www.cxpartners.co.uk/our-thinking/the_myth_of_the_page_fold_evidence_from_user_testing/) "Nevertheless, the most newsworthy information (who, what when how why) remains at the top, including the visual identity." (https://blog.c-c.com.au/how-far-will-people-scroll-down-a-web-page)

8   https://www.nngroup.com/articles/page-fold-manifesto/

from 120 participants over thousands of websites. It found that users spent about **57% of their page-viewing time above the fold**, and **74% in the first two screenfuls only**. The remaining 26% was spent in small increments further down the length of the page. Above the fold, in the first screen, **more than 65% of the viewing time was concentrated in the top half**.[9]

An NN/g study finds that 57% of viewing time is above the fold, 17% just below, and only a quarter further down.

While these figures are milder those of similar studies carried out in 2010, the conclusion remains the same: people do not scroll a lot and rarely go beyond the third screenful of information. The recommendation is clear: "**Reserve the top of the page for high-priority content**: key business and user goals. The lower parts of the page can accommodate secondary or related information."

The consensus is therefore clear that a site's identity must be clear from the first glance. Jakob Nielsen himself compares it to walking into a store and not being able to tell immediately what services or goods are available.[10] The homepage "**must communicate in one short glance where users are**, what your company does, and what users can do at your site. If your site misses the mark here, it's nearly impossible to recover." Nielsen continues with specific recommendations: "**Show the company**

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9   https://www.nngroup.com/articles/scrolling-and-attention/
10   https://www.nngroup.com/articles/113-design-guidelines-homepage-usability/

name and/or logo in a reasonable size and noticeable location. This identity area doesn't need to be huge, but it should be larger and more prominent than the items around it so it gets first attention when users enter the site. The upper-left corner is usually the best placement for languages that read from left to right." NN/g Director of Digital Strategy Kathryn Whitenton sums up the argument, saying that "the logo serves as a landmark that orients users when they first land on a page and helps them identify the website they are visiting."[11]

Beyond users' need to know where they are, this importance of the visual identity as the point of entry into a website is explained by the time spent by users on a webpage. Chartbeat, the data analytics provider mentioned above, found that **55% of visitors spend fewer than 15 seconds on a website**.[12]

Asked what should go above the fold, brand building expert Anthony Tisara says "anything that would [...] The company logo should be right up there, along with other visual information that is distinctly associated with its brand."[13] "Logo placement", concludes Lexie Lu, graphic designer and UX content strategist for Design Hill, "is one of the top things marketers should focus on when planning a branding strategy."[14]

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11 https://www.nngroup.com/articles/logo-placement-brand-recall/

12 https://time.com/12933/what-you-think-you-know-about-the-web-is-wrong/

13 https://www.pixelproductionsinc.com/web-design-fold-and-its-importance-in-web-design/

14 https://www.designhill.com/design-blog/the-importance-of-logo-placement-for-your-online-and-offline-branding/

METHODOLOGY AND CONSIDERATIONS

Expert advice on online visibility is therefore unanimous: while users' attention to content below the fold is slowly increasing, scrolling remains limited and **any element relating to a website's identity and brand must be placed above the fold** — preferably in the top half of the first screen.

Based on these recommendations, **the λogos project reviewed the websites of all national parties members of European political parties**. In the hope of using the most up-to-date information on membership, the national parties considered were the ones listed on European parties' own website about their members. Since the display requirements of Regulation 1141/2014 applies only to registered parties and, more specifically, to their *members*, we discarded *non-registered* European parties, as well as *observer* national parties. Likewise, in line with the definition of political parties in Article 2(1) and Article 18(2a)'s mention of "EU member parties", we restricted our analysis to national parties of EU Member States (while some European parties comprise members from non-EU Member States, mostly the United Kingdom and countries in the EU's neighbourhood). This amounts to 264 national member party websites, analysed between 12 February and 4 March 2021; the λogos project's [complete dataset](#) and [screen captures database](#) are freely available.

The vast majority of these websites has several webpages, but all of them display the core of their information — including their identity and main political positions— on their frontpage. The prime importance of these frontpages is confirmed by their particularly long layout, with an average length of over 4,600 pixels (5.7 screens; with a median length close to 4,100 pixels, or 5 screens), as well as by their wide range of information — from policy positions, to social media declarations, profiles of party leaders and candidates, calls for donations, etc.[1] The λogos project therefore focused on websites' frontpages and captured both their first screen and the full page in a [screen captures database](#).

For each of these pages, the λogos project asks several questions:

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1   The *first screen* captures are 2342 pixels wide and 1626 pixels long. Since the *fullpage* captures have an average width of 1169 pixels, this means a single screen length of 812 pixels, equivalent to 711 pixels for a 1024-wide display. This is in line with regular screen sizes used for visibility and usability studies.

1. Does the page display the logo of the national party's European party of affiliation?

2. When it is displayed, is the logo clearly visible? and

3. More specifically, where is this logo located and how visible is it as a result of its location?

The **first question receives a simple yes/no answer** (with a special case for websites not working).[2] Based on the expert consensus mentioned above, the second question's criteria of **"clear visibility" refers to the presence of the European party's logo in the page's first screen and likewise receives a yes/no answer**. The last question is more nuanced and its answer — recording the vertical location, in numbers of pixels, of the middle of the European party's logo — leads to two separate informations: 1) **whether the logo is located at the top** (first screen), bottom (last screen), or middle (anywhere in between) of the page, and 2) **how visible the logo really is**.

The measure of visibility was computed using a **composite index mixing the screen location of the logo and the length of the page**. A logo located in the first screen (above the fold) gives the page a score of 1, a logo on the second screen gives the page a score of 2, and so on. However, given that the layout of a page accounts for its length and displays information accordingly, a logo placed on screen X is likely to be less visible to the user if screen X is the last screen of the page. In order to reflect this, logos placed at the bottom of the page give the page an extra point.[3] For instance, a logo placed on screen 4 will give the page a score of 5 if the page is four screens long. Finally, a page without a logo receives a score of 0 and a non-functioning website a score of -1.

Logos on pages with a score of 1 are considered "clearly visible". Logos on pages with a score of 2 are considered "moderately visible". A score of 3 means the logo is "not sufficiently visible". Scores of 4 and above are grouped as "not visible" (the highest recorded score is 21).

2   While websites' designs are usually rather stable over time (and therefore the absence or presence of a logo is often a rather stable factor), the fact that some websites may not be working is probably only a temporary issue in most cases. Tests were carried out using different browsers and different computers. This concerns 10 out of 264 national parties, or under 4%.

3   If the page is very short and only comprises one screen, the logo could be considered both on the top and bottom screen; the computation considers it only on the top screen, leading to a score of 1.

Below are a few considerations relevant to the analysis of logos' visibility.

First of all, some may of course dispute the restriction of "clearly visible" to a score of 1. **This choice is justified by the expert consensus identified** — based on the disproportionate amount of user attention given to content above the fold, the amount of time users spend on websites, and the necessity, for visitors' understanding, to place the brand identity at the top. Even with the best of intentions, logos placed below the fold are sure to be less than clearly visible.

A useful analogy here can be made with the use of the EU flag (officially the EU "emblem") by the authorities of Member States. The EU flag is not mentioned in the treaties and there is no EU legislation on its use. However, for official events, some Member States choose to display it in conjunction with their national flag. Whenever this is the case, the EU flag is displayed together with the national flag, jointly, and with the same size — the EU flag can be considered *clearly visible*. By contrast, the EU flag is not displayed away from the podium or at the back of the room, where its visibility would be lessened, or with a smaller size or faded colours. Likewise, when the EU flag flies on public buildings, it is displayed alongside national flags and not on the side of the building or at the back entrance.

Secondly, in order to be as objective as possible, **all logos of European political parties displayed were counted and counted equally** — in particular, national versions of these logos, using translated names, were all considered equal and valid. However, beyond logos' precise location on the page, **many display options contribute to making them less visible**. The most common is for European parties' logos to be displayed not in their true colours, but as a white shape on a colourful background; while the logo is still recognisable, this different display sets the EU logo apart from the national logo and limits its overall recognisability. In some cases, the colour itself is not even the general tone used by the website's theme, but a mere shade of grey.
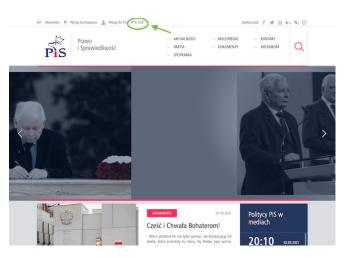
Other visibility-limiting factors include:

- logos displayed using their colours, but with a level of transparency not used for any other element;

- logos displayed in very small sizes;

- logos placed among a host of other logos, including that of the parliamentary group, of the European political foundation, and of other networks or alliances; and

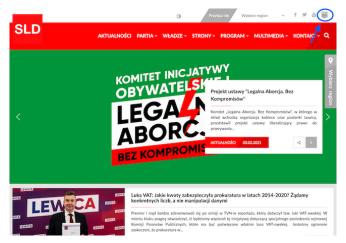- logos placed among social media icons.

The screen captures below provide examples of these less visible displays.

Example of small, colourless, partially transparent logo placed with social media and other icons.

Example of small, colourless logo placed with social media and other icons.
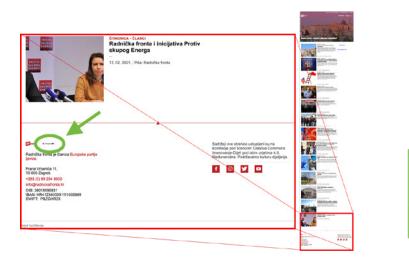
Example of small, colourless logo placed with social media icons.

Example of colourless logo placed with other logos.

Example of partially transparent logo.

Example of extremely small logo at the bottom of a long page (Radnicka Fronta, Croatia, PEL).

Example of small logo at the bottom of an extremely long page (SPD, Finalnd, PES).

Conversely, some members of the same European party have, to a degree, harmonised their logos beyond the use of similar colours. For instance, many green parties include a stylised sunflower in their logo. Beyond this, a number of national parties have decided to mimic the logo of their European party or, more rarely, to include a small version of this logo in their own logo.

Example of EU logo design elements incorporated in national logo: Alternativa Popolare (italy, left), EPP (middle), and Partido Popular (Spain, right).

Example of EU logo symbol incorporated in national logo: Direzione Italia (Itally, left) and the former logo of the ECR (right).

Example of EU logo symbol incorporated in national logo: Party of the European Left (above) and Estonian United Left Party (below).

Example of full EU logo incorporated in national logo: Verdi-Grüne (Italy, left) and EGP (right).

However, not only is this far less prevalent than measures decreasing the visibility of European parties' logo, but the goal of Regulation 1141/2014's display requirement is less to broadcast similarities between national parties than to **clearly raise awareness of European parties as independent entities** — therefore requiring the display of their exact logo (including their variations using national languages) and not merely reusing elements or colours.

DATA ANALYSIS

Presence of European parties' logos on member parties' websites
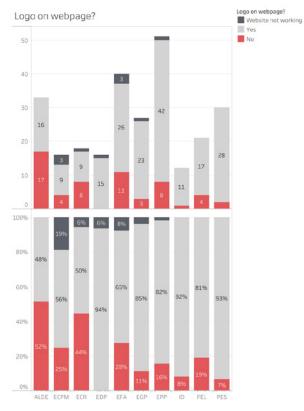
The first element considered is the mere *presence* of the logos of European parties on their member parties' websites.

As indicated above, and regardless of the precise interpretation of the criteria of clear visibility and user-friendliness, providing proof of this display is a **baseline requirement for European parties to qualify for public funding**. Since this criteria does indeed feature in the European Parliament's calls for contributions, and since all European parties have indeed have their applications approved for the years 2019 to 2021, we should expect to see all member parties comply with this requirement.
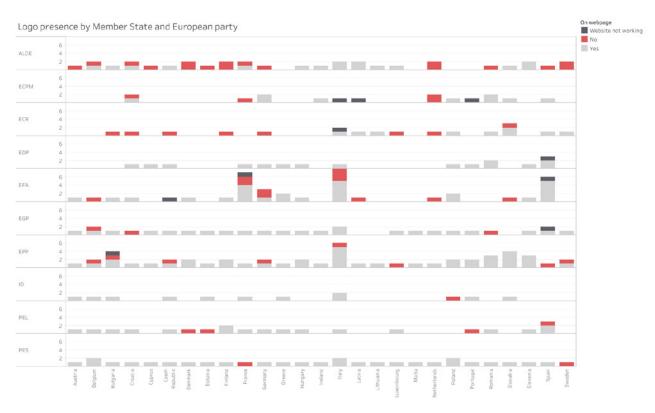
Instead, we see that between a fifth and a quarter (22%) of member parties simply **do not display the logo** of their European party of affiliation on their frontpage. This rate reaches 44% for the ECR and 52%, or a majority, of ALDE member parties. Given this, **only one European party, the European Democratic Party (EDP), should have had its application for EU funding approved**.

Key figures

- With the exception of the EDP, **all European parties have national member parties which do not display their logo** on their webpage and **should therefore not have had their application for EU funding approved**.

- Leading non-compliance in absolute numbers are ALDE (17), the EFA (11), and the ECR and EPP (8 each).

- Leading non-compliance in percentages are **ALDE (52%), the ECR (44%)**, the EFA (28%), and the ECPM (25%).

- Belgium, Croatia, France, Germany, Italy, the Netherlands and Sweden have the highest numbers of non-compliant parties (over four each), while Greece, Hungary, Ireland, Lithuania, Malta and Slovenia have the lowest (with no non-complying parties).

Logo on webpage?

Logo on webpage?
- Website not working
- Yes
- No

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/Logoonwebpage

Logo presence by Member State and European party

On webpage
- Website not working
- No
- Yes

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/LogopresencebyMemberStateandEuropeanparty

In order to remain flexible and understanding, a caveat can be introduced. The full text of Regulation 1141/2014, mirrored in the calls for contributions, states that:

> *A European political party shall include in its application evidence demonstrating that its EU member parties have, **as a rule**, published on their websites, in a clearly visible and user-friendly manner, throughout the 12 months preceding the final date for submission of applications, the political programme and logo of the European political party. (emphasis added).*

Since the provision specifies that this should apply "as a rule", we can deduce that there may be exceptions. For instance, a member party's website may temporarily change its design for a specific event or campaign, making the European party's logo exceptionally not displayed "in a clearly visible and user-friendly manner".

Given that the λogos project only visited national parties' websites once (or several times but in a short timeframe), we cannot ascertain whether the screen captures made reflect the general design of the websites or some temporary version where the European logos would be exceptionally less visible. Nevertheless, these cases would remain a minority and therefore cannot explain the figures observed.[1]

In any case, the presence of European parties' logo is only a make-or-break criteria for European parties' funding, and the mere display of this logo can fall far short of the requirement to display it "in a clearly visible and user-friendly manner", as the European legislator made sure to specify. We must therefore look at how visible these displayed logo really are.

Clear visibility of displayed logos

The second element considered is whether the displayed logos can be considered displayed "in clearly visible and user-friendly manner." As indicated in the methodology, and supported by expert opinion on web design and brand building, the λogos project **considers a logo clearly visible when it is immediately visible upon visiting a website** — meaning when it features on the frontpage's "first screen".

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[1]　　In particular, as analysed by European Democracy Consulting, electoral cycles across the EU are too desynchronised to explain that so many parties would have exceptional designs at the same time. The only opportunity for such EU-wide campaigning would be for European elections, where the visibility of the link between national and European parties would precisely be most needed. At any rate, none of the observed designs gave any indication of being a temporary deviation from a regular design.
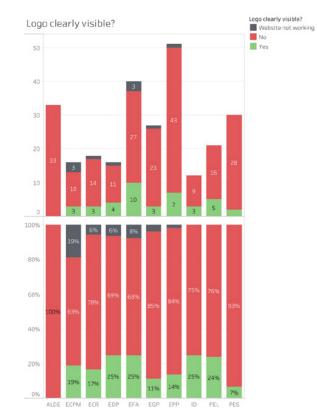
Given that national political parties always place their own logo in the first screen of their frontpage — and almost always in the top part of this screen, as recommended by brand building experts — and that **their affiliation to a European party is an essential part of their political identity**, one would expect national parties to likewise place the logo of their European party of affiliation on the first screen of their frontpage.

Proof that this expectation is neither baseless nor unreasonable, **a non-negligeable number of national parties actually does just that**, in one form or another — 40 parties, or just over 15% of the member parties surveyed, and up to around 25% of members for four European parties. Of course, in some cases, this display is subject to the visibility-limiting elements identified earlier.

But while a number of member parties apply the "clearly visible and user-friendly" criteria dutifully, the vast majority does not, and **a whopping 85% of national parties fail to display their European party's logo on the first screen** of their website's frontpage. In terms of percentages, this represents at least 70% of any European party's members, and reaches 93% for the PES (the EU's second-largest party) and 100% of ALDE. Given these figures, **not a single European party should have had its application for EU funding approved**.

Key figures

- All European parties **exhibit extremely low levels of proper compliance** with the "clear and user-friendly" requirement. While a non-negligeable number of member parties displays the logo of their European party on their first screen, **85% of them do not**.

- Out of 10 European parties, 8 have five or fewer member parties clearly displaying the European party's logo; **ALDE has none**. The EPP has 43 non-compliant member parties.

- In percentages, no European party has more than 25% of its members clearly displaying its logo and six European parties fall under 20%. **The PES has over 93% non-complying member parties and ALDE has 100%.**

- There does not seem to be a correlation between member parties' display of European parties' logo and their Member State of origin; while Italy has more compliant parties, this seems more linked to its high number of parties, and its rate of compliant parties barely reaches 40%.

- Accordingly, **not a single European party should have had its application for EU funding approved**.

Logo clearly visible?

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/Logoclearlyvisible

Logo presence by Member State and European party

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/Logoclearlyvisible

While it seems beyond a doubt that a faithful implementation of the "clearly visible and user-friendly manner" display requirement refers to the logo being immediately visible upon visiting a member party's website, this interpretation (or any other) is not in the text of the Regulation. In order to better appreciate the actual visibility of displayed logos, it is therefore essential to further analyse their precise location.

Location and visibility of displayed logos

In order to assess the actual level of visibility of display logos — and beyond European Democracy Consulting's conviction that a faithful implementation of the Regulation does indeed require an immediately-visible display — the λogos project looks at two supplementary pieces of information. The first one is whether the logo is located at the top of the page, at the bottom of the page, or anywhere in between (for short, the middle). This more qualitative approach accounts for the fact that **information placed in the middle of the page retains some amount of visibility**. By contrast, the bottom of a page is associated with footer menus which have their own importance in web design but are traditionally reserved for website maps, contact links, privacy statements, etc., and not with content elements, let alone brand building.
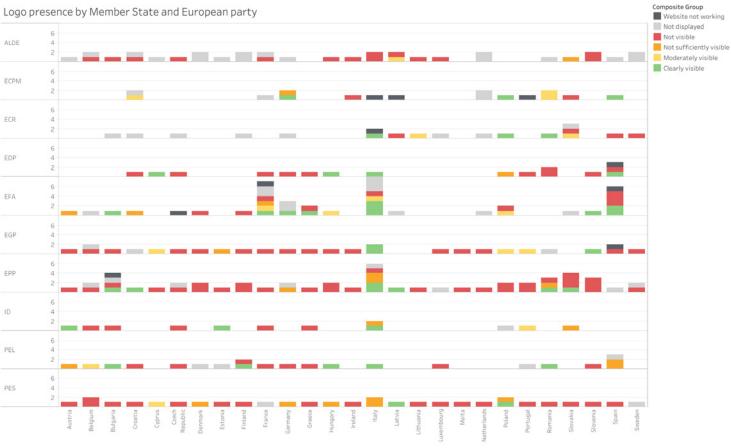
While limited in its level of details, the left-hand-side graph already provides enlightening information. Since the average national party frontpage length is 4,621 pixels and the top and bottom screens are both fixed at 812 pixels, the middle section has an average length just shy of 3,000 pixels, therefore making up around 65% of the total page length. While it can be expected that the top screen, because of its strategic location, would be over-represented (compared to its actually share of the page length), it is natural to expect the middle section to represent a significant portion of logo locations — if not an absolute majority, at least a plurality.

The observed result is the opposite, with **the middle section being equal or lower than the single top screen in terms of logo location**. And even when percentages seem to clearly favour the center (as for ALDE or the ECPM), absolute number are in reality very close.

Conversely, the single bottom screen is exceedingly over-represented, making up 113 logo locations out of 196 displayed logos, or close to 58% (for less than 16% of the average frontpage length). This percentage is consistently high for the largest parties, including an outright majority for the EGP and the EPP and over two-thirds for the PES. These figures **attest of a deliberate willingness, where logos are displayed at all, to hide them away at the bottom of the websites**, so as to comply with the most lax interpretation of the display requirement.

The second information is the number of the screen on which the logo is displayed. We recall that information immediately visible upon loading the webpage is on

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/Logolocationandvisibility

Logo presence by Member State and European party

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/LogovisibilitybyMemberStateandEuropeanparty

Key figures

- Despite making up an average of 65% of a page's length, the middle section receives as many or fewer logo locations than the single top screen for 60% of European parties.

- The **bottom screen is exceedingly over-represented, making up 113 logo locations out of 196 displayed logos or close to 58%** (for less than 16% of the average frontpage length), and reaching 67% for the EPP. Between bottom display and logos not displayed at all, only one member party displays ALDE's logo in the middle section and none in the top screen.

- **An overwhelming majority of logos are "not visible"** (118 out of 196 displayed logos, or 60%, or 176 out of 254 websites if we include websites not displaying any logo, or over 69%). Focusing only on logos "clearly visible" or "moderately visible", **71% logos fail the test, and up to 78%**, if we include websites not displaying any logo.

- Even with more flexibility, **not a single European party should have had its application for EU funding approved**.

the first screen — in the case of the fullpage screen captures, the first 812 pixels —, information in the next block of 812 pixels is on screen number 2, and so on. This more qualitative approach **accounts for the length of a webpage**, since a logo displayed on the second screen of a 2-screen page (therefore, at the bottom) will evidently be more visible than one located on the 6th screen of a 7-screen page (in the middle).
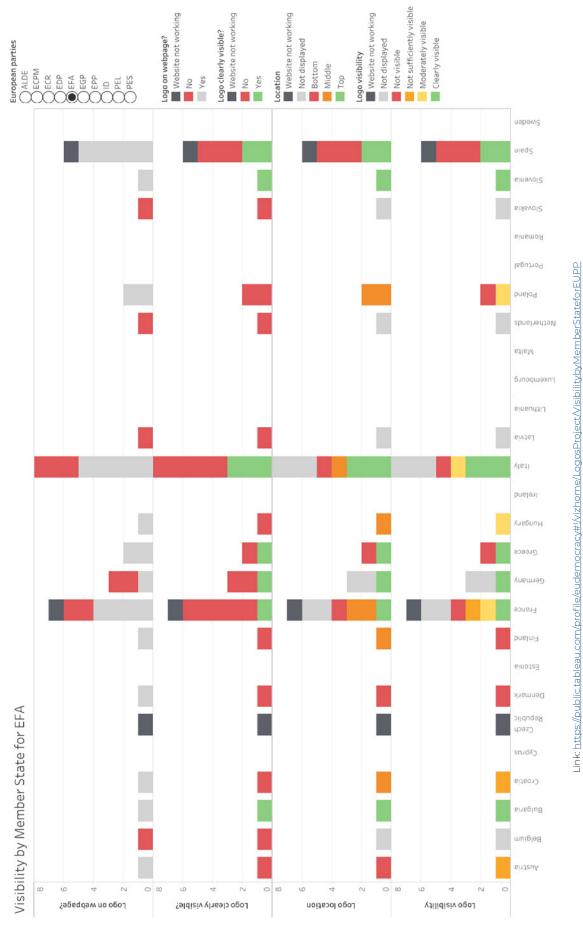
This second piece of information is used in conjunction with the first in order to make a composite index. As detailed in the methodology, this index is based on a logo's screen number to assess the level of visibility: the higher the number, the lower the visibility. A penalty of 1 is attributed to logos located at the bottom of their page. As a result, a logo displayed on the second screen of a 2-screen page receives a composite score of 3.

Since the composite index does not affect the ranking of pages displaying the European party logo on their top screen, the percentages of "clearly visible" logos match figures in the section above on whether or not displayed logos are clearly visible (with a yes/ no answer). However, this index **provides a more nuanced and faithful view of just how visible logo not in the top screen really are**.

In particular, the composite index shows that, even if the European Parliament had adopted an interpretation of "clearly visible and user-friendly" more lax than the intent of the legislator would suggest, it still should have considered that **an overwhelming majority of logos does not meet the display requirement** (118 out of 196 displayed logos, or 60%, or 176 out of 254 websites if we include websites not displaying any logo, or over 69%). If the European Parliament's interpretation focused on logos considered "clearly visible" or "moderately visible", **rejected displays would reach 71%** (78%, if we include websites not displaying any logo). Once again, and even with more flexibility, **not a single European party should have had its application for EU funding approved**.
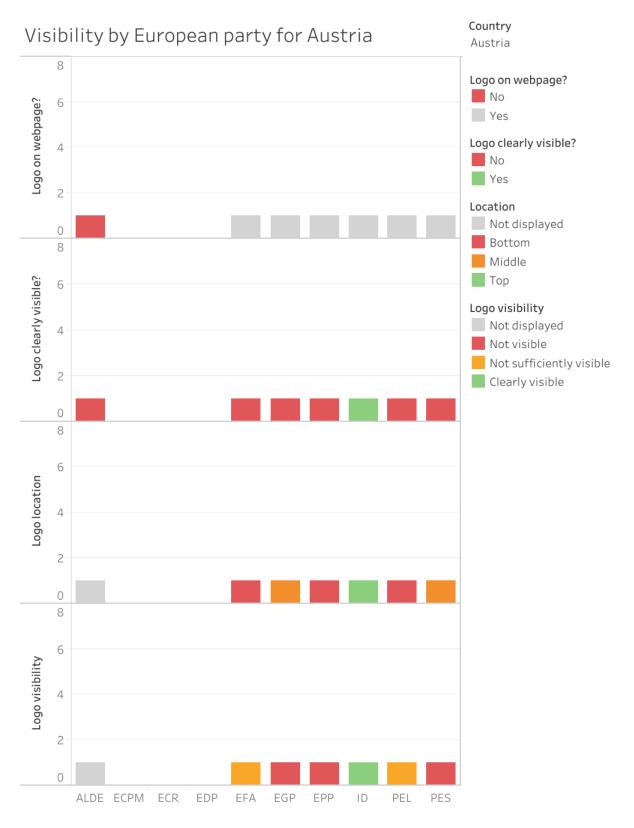
Comparisons

For ease of comparison, the visualisations below display the presence, clear visibility, and location and visibility of logos for each European party and for each Member State.

Visibility by Member State for EFA

Visibility by European party for Austria

Logo on webpage?
- No
- Yes

Logo clearly visible?
- No
- Yes

Location
- Not displayed
- Bottom
- Middle
- Top

Logo visibility
- Not displayed
- Not visible
- Not sufficiently visible
- Clearly visible

Link: https://public.tableau.com/profile/eudemocracy#!/vizhome/LogosProject/VisibilitybyEuropeanpartyforMemberStates

RECOMMENDATIONS OF THE ΛOGOS PROJECT

This survey has shown us two contradictory observations. On the one hand, we know that **citizens remain largely unaware of their European political parties** and that the European legislator has introduced **an indirect requirement on national parties to display the logo** and programme of their European party of affiliation. This was done with the specific and express intent to increase the visibility of the link between national and European parties and, therefore, to increase citizens' awareness of European parties.

On the other hand, we see that **national political parties do not comply with this requirement** : 22% do not display any logo at all, and, out of those that do, 85% cannot be considered to have made this display "clearly visible and user-friendly". Despite these astounding figures, **all ten European parties have, year after year, seen their applications for EU funding approved**.

These two observations are irreconcilable: the practice of the European Parliament's approval of applications for funding is entirely out of line with the text of the Regulation in force and, therefore, with the intent of the European legislator.

But this situation is not a fatality either and corrective action can be taken to address this important shortcoming. Here are European Democracy Consulting's proposals.

1. Amend the text of Regulation 1141/2014

The most important change is to **rephrase the display requirement** of Article 18(2a) in order to provide a more specific requirement, as experience has now shown that the mere "clearly visible and user-friendly" provision is not specific enough. For instance, Article 18(2a) could read:

> *A European political party shall include in its application evidence demonstrating that its EU member parties have, as a rule, published on their websites, in a clearly visible and user-friendly manner, throughout the 12 months preceding the final date for submission of applications, the political programme and logo of the European political party.* ***In particular, the logo of the European political party shall be located in the top section of the frontpage and in the same size and manner as the member party's own logo.*** *(emphasis added)*

Additionally, Article 18(2a) should explicitly **call on the APPF to issue clear and detailed guidelines** for the interpretation of this provision.[1] These guidelines should be made public on the APPF's website and be periodically reviewed as necessary, based on member parties' compliance.

2. Draft clear guidelines to improve compliance

Whether or not Article 18(2a) explicitly calls for them, **the APPF should draft clear and detailed guidelines** for the interpretation of the display requirement. These guidelines, going beyond the current guide provided by DG FINS, would help member parties abide by the display requirement and assist the European Parliament in its assessment of member parties' compliance.

Unlike DG FINS' funding guide, the guidelines would focus on issues of visibility and user-friendliness and contain more specific requirements, in line with the text and intent of Article 18(2). For instance, they could spell out that European parties' **logos should be on the first screen** of the website's frontpage. Exceptionally, the logo could be located just below the fold, provided its display remains **in line with that of the national logo**, with a similar size, not grouped with other logos, not transparent and displayed with its true colours. Finally, the guidelines should include graphic **examples of acceptable and non-acceptable displays**, and list modalities for European parties to provide the requested evidence of compliance. Beyond the general rule of self-reporting, the APPF and the European Parliament should reserve the right to monitor member parties' compliance themselves as necessary. The guidelines should be made public on the APPF's website.

3. Make European parties' applications for funding publicly-available

Beyond a clearer display requirements and publicly-available guidelines for its interpretation, it is important, in order to assess European and national parties' compliance, to see the case they made for their implementation of the display

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1   The guidelines should be drafted by the APPF, and not by the European Parliament, since the APPF is the primary body in charge of the monitoring of European parties and is already in charge of most non-financial elements regarding European parties. The European Parliament would remain in charge of assessing compliance and would do so using the APPF's guidelines.

requirement and which was evaluated by the European Parliament.

Since this case is currently made as part of European parties' response to the European Parliament's annual call for contributions, **every European party's application for EU funding must be made publicly-available on the APPF's website** at the time of their submission or soon after (in this case, a clear deadline should be specified), and, in any case, well ahead of the European Parliament's decision to approve the application. Of course, this should only be done once any personal data has been expunged from the applications, in line with the EU's data protection rules.

After all, European parties receive the vast majority, and up to 90%, of their funding from European taxpayers' money. Citizens therefore have the right to know — and not merely to *request access to* — the compliance justifications brought forward by their European parties and upon which public funding is granted.

4. Make the display requirement a regular obligation on European parties

Finally, a further change, and one of the most consequential ones, would be to extract the display requirement from the list of pre-conditions for funding (listed in Article 18) and **place it instead as a regular obligation**, either under Article 23 (renamed "Accounts, reporting, audit and visibility obligations", emphasis added) or **under a new Article 23a dedicated to visibility** and transparency obligations. This new article could naturally go beyond the display requirement.

The main motivation for this change stems from the general need for sanctions regimes to be "effective, proportional and dissuasive." One of the reasons for this is that sanctions regimes that do not match the severity of the shortcoming with the relevant intensity of the penalty seldom serve their intended purpose: if the sanction is too low, it will not be dissuasive to the sanctioned party, but **if it is too high, it is unlikely to be implemented by the sanctioning authority**.

As we have seen, national political parties have by and large failed to implement a requirement that should directly disqualify their European party from having their applications for funding approved; nevertheless, **the overly strict sanction of outright refusing to approve applications, and therefore depriving European parties of any EU public funding (as high as 90% of their budget), was never imposed**.

In order to better ensure that a failure to comply with the display requirement leads to penalties actually being applied, said penalties cannot be a nuclear option, and must instead be **more in line with the shortcoming identified**. This is why the display requirement should not be a pre-condition for funding (whereby funding is either entirely allowed or entirely forbidden) but **one among many obligations imposed on European parties** and subject to the sanctions regimes set up in Article 27. For instance, a new paragraph in Article 27(2)(a) on non-quantifiable infringements would make a direct reference to the new Article 23a (either by amending point (iv) or by adding another point) and a new dedicated sanction would be added to Article 27(4)(a) whereby European parties would lose 20% of their annual budget. A system of brackets accounting for the number of non-complying member parties can help make this sanction progressive.

More broadly, although this goes beyond the scope of this report, the observed situation is yet another example of a sanctions regime where the obligation, albeit indirectly, falls upon one actor — the national member party — while the sanction falls on another — the European party. As a result, member parties, who are not financially dependent on, or even related to, their European party of affiliation, have no strong incentives to abide by the requirement. Given the loose interactions between national and European parties, member parties fear limited or no consequences for a behaviour that lets European parties bear the sanction — in particular where this sanction is, *in fine*, not applied. This example is therefore one more reason to create financial ties between national and European parties and allow their cross-financing, provided proper rules and limitations are set in place.

In conclusion, observations and analysis by the λogos project attest that the European legislator's goal to ensure the visibility of the link between national parties and their European party of affiliation, by tying public funding to the display of European parties' logo on national party websites, has failed. **Because of an unclear provision in Regulation 1141/2014, vague implementation guidelines and lax enforcement by the European Parliament, and national parties' own reluctance to clearly display the logo of their European party, in the vast majority of cases, these logos are not displayed in a clearly visible and user-friendly manner, and sanctions have not been applied.**

In order to truthfully enact the intent of the legislator, which is essential in building up awareness of European parties among European citizens, European Democracy Consulting calls on MEPs, in particular on the European Parliament's AFCO Committee, 1) to **amend the relevant section of Regulation 1141/2014** on European political parties, 2) to **ensure the drafting of clear guidelines** for the benefit of European parties and of the European Parliament's compliance assessment, 3) to **make European parties' applications for funding publicly-available**, and 4) to **make this display requirement a regular obligation** subject to the Regulation's sanction regime.

Through these improvements, MEPs will actively increase the visibility of the link between national and European parties and, in doing so, strengthen citizens' understanding of and engagement in European politics, an essential part of building a true European democracy.

ABOUT THE AUTHOR

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Louis has spent over seven years working for international organisations, including the United Nations, the European Union, and the Council of Europe. Through these positions, he has acquired a solid expertise in and knowledge of institutions and public policy.

In recent years, he has devoted an increasing part of his time to the reform of European institutions and governance. This included the drafting of a European constitution and the creation of a related non-profit, EuropeanConstitution.eu, as well as a number of policy papers on the reform of European elections and parties.

Through European Democracy Consulting, he brings his expertise to decision-makers, public institutions and NGOs seeking to promote a more democratic, more transparent and more efficient Europe.

ABOUT EUROPEAN DEMOCRACY CONSULTING

European Democracy Consulting is a consulting firm specialising on the provision of legal and political expertise on institutional and constitutional matters. Our goal is the strengthening of European democracy through reform and the application of best-practice measures.

Our History

European Democracy Consulting was created in 2019, out of the desire to improve our European democracy. The 2019 European elections have shown a renewed interest for our Union, but also the limits of citizens' engagement. Following these elections, European Democracy Consulting was set up to help decision-makers, public institutions, and NGOs in their promotion of a more democratic, transparent and efficient European Union.

Our Vision

Democracy does not always come easy; there may be vested interests opposing its development. As a result, sixty years after its creation, the European Union still falls far short of the democratic standards of developed countries.

We wish to bring our solid expertise to support a value-based discussion and propose concrete political and legal solutions, based on best-practices, that will strengthen our common democracy for the general interest of all Europeans.

If you are interested in our data analysis and visualisation work, reach out to us and check our Geographical Representation in EU Leadership Observatory, our review of elections cycles in Europe, and the results of the 2019 European elections from the perspective of European parties.

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