



## **Failure of the European Parliament to properly distribute funding to European political parties in accordance with Regulation 1141/2014**

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## Scope of the complaint

The complaint against the European Parliament for failure to properly distribute funding to European political parties in accordance with Regulation 1141/2014 is comprised of two parts: the specific case of MEP Corina Cretu, and the general creation of the concept of “indirect” membership by the administrative services of the European Parliament.

*Disclaimer: all bold sections of quoted documents are emphases added by European Democracy Consulting for the understanding of the reader.*

## 1. The specific case of MEP Corina Cretu

### 1.1. Description of events

#### *Context*

Ms Corina Cretu was elected to the European Parliament in 2019 on the list of PRÎ Romania, a national political party in Romania. At the European level, PRÎ Romania is a *member party* of the European Democratic Party (EDP).

Ms Cretu had previously been a member of, and elected to the European Parliament on the list of, Romania's Social Democratic Party (Partidul Social Democrat, PSD). At the European level, the Social Democratic Party is a *member party* of the Party of European Socialists (PES).

Ms Cretu herself has long been an *individual member* of the PES. In the European Parliament, since her first election as MEP in January 2007, upon the accession of Romania to the European Union, [Ms Cretu has continuously sat](#) with the Group of the Progressive Alliance of Socialists and Democrats (S&D).

Alongside Ms Cretu, Mr Mihai Tudose was also elected to the European Parliament, for his first mandate, on the list of PRÎ Romania. On 6 January 2020, Mr Tudose changed political party and joined the Social Democratic Party. In the European Parliament, Mr Tudose has continuously sat with the S&D.

#### *Aftermath of the election and distribution of European public funding*

Documents published by the Authority for European Political Parties and European Political Foundations (APPF) and submitted [by the EDP](#) (July 2019) and [by the PES](#) (February 2020) reveal that, following the 2019 European elections, both parties listed Ms Cretu and Mr Tudose as part of “their” MEPs. However, [by December 2019](#) (confirmed [in February 2020](#)), the EDP was already no longer listing Mr Tudose as part of its MEPs.

Following European parties’ applications for funding (submitted by 30 September 2019, for the year 2020), the Secretary-General of the European Parliament circulated a note to the members of the Bureau of the European Parliament on 9 December 2019. Annexed to this note was the list of names of MEPs allocated to each of the European political parties. This list, released by the European Parliament upon request from European Democracy Consulting, reveals that, in late 2019, the APPF and the European Parliament **considered neither Ms Cretu and Mr Tudose as member either of the EDP or of the PES.**<sup>1</sup>

<sup>1</sup> Note of the Secretary-General of the European Parliament to the Bureau (Dec. 2019): “As a practical arrangement between the Authority and the Parliament, the former controls the number of elected MEPs who are members of a European political party on the final date for the submission of applications for funding. The Authority then communicates the number to the European Parliament. The distribution of funds is based on the number of elected MEPs who are members of the beneficiary party on the final date for the submission of applications for funding.”

A year later, following European parties' applications for funding (submitted by 30 September 2020, for the year 2021), the Secretary-General of the European Parliament circulated a note to the members of the Bureau of the European Parliament on 11 December 2020. Annexed to this note was a list of the number of MEPs allocated to each of European political parties; for that year, however, MEPs' names were not provided. This list revealed that the EDP had been allocated 9 MEPs, the number of MEPs it had itself declared, in a list which included Ms Cretu. Therefore, in late 2020, the APPF and the European Parliament **considered Ms Cretu as a member of the EDP**. In the absence of MEPs' names, the case of Mr Tudose was left unclear.

### *Ms Cretu's position*

In November 2020, after having noted Ms Cretu's presence on the lists of the EDP and the PES, European Democracy Consulting reached out to Ms Cretu in order to assess her own position concerning her party membership. Ms Cretu responded: "Yes, I am Member of PES, as political party. I am not Member of EDP and I was very clear from the very beginning that my Group is SD and, consequently, the party is PES. I was not aware until your email that EDP count me as their MEP."

In an email to both European parties and to the APPF, and shared with European Democracy Consulting, Ms Cretu reiterated her position, saying: "I have expressed my willingness from the beginning of my mandate that I want to be a part of S&D political group and consequently the PES Party. For me it was a surprise and most probably a misunderstanding to find out that my name is appearing on EDP list. I would like to kindly ask the EDP leadership to withdraw my name from the list and to notify the Authority about the EDP actual party membership as well as to ensure that this is properly reflected in the documents provided to APPF."

She added, in a further email to European Democracy Consulting: "I have just send a notification to the Members of European Parliament affiliated to EDP asking for withdrawal my name from their list and clarify the documents."

### *Aftermath*

To this day, despite Ms Cretu's messages and subsequent follow-up by European Democracy Consulting with the EDP, no changes have been made to the documents issued by the EDP and later [published by the APPF on its website](#).

Furthermore, in its recently published consolidated [list of MEPs by European political party](#), the APPF itself lists Ms Cretu simply as a member of the EDP and of PRÎ ROMANIA, with no further information concerning Ms Cretu's individual membership of the PES.

As a result, it is expected that, by 30 September 2021, the EDP and PES will once again apply for European public funding and both claim Ms Cretu as one of their own MEPs. It is likely that the APPF and the European Parliament will take the view that Ms Cretu's membership should be allocated to the EDP.

## **1.2. Interpretation and consequences**

### *Legal provisions*

Regulation 1141/2014 contains two distinct areas relating to European parties' membership: membership for the purpose of *party registration* (Article 3(1)(b)), and membership for the purpose of *public funding* (Article 17(3)).<sup>2</sup> Given the scope of this complaint, we focus on this second area.

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<sup>2</sup> Since the 2018 revision of Regulation 1141/2014, individual MEPs can no longer sponsor the registration of European political parties; as a result, the impact of MEPs' individual membership on party registration is very limited.

Article 17(3) of Regulation 1141/2014 (not amended since the original 2014 version of the Regulation) states that: “**For the purposes of determining eligibility for funding** from the general budget of the European Union [...], a member of the European Parliament **shall be considered as a member of only one European political party**, which shall, **where relevant, be the one to which his or her national or regional political party is affiliated** on the final date for the submission of applications for funding.”

This provision is transcribed, with slight variations, in each year’s call for contributions — the process through which European political parties apply for European public funding from the European Parliament.

- . In 2018, the call read that “a multiple individual membership in several European political parties will result in excluding the member concerned”, but makes no reference to an MEP’s membership of a national political party.
- . In 2019, the call read that “a multiple individual membership of a Member of the European Parliament in several European political parties will result in considering the Member concerned as a member of only one European political party, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of funding applications, excluding the member concerned”.
- . Since 2020, the calls have indicated that “membership of a Member of the European Parliament in several European political parties will result in considering the Member concerned as a member of only one European political party, which shall, where relevant, be the one to which his or her national or regional political party is affiliated”.

### *Applicability to the case of Ms Cretu*

As we see from Regulation 1141/2014, there is no blanket interdiction — on MEPs or on any other individual — to belong to more than one European political party.<sup>3</sup> Provisions to the contrary may be found in the statutes of the European parties themselves, at their discretion.

Article 17(3) of Regulation 1141/2014 itself does not limit MEPs’ right to belong to one or more European political parties. Instead, it indicates that, **for the specific and limited purpose of determining European political parties’ eligibility for funding** (and, consequently, the apportionment of such funding), MEPs who belong to more than one European political party will only be considered as a member of one of these European parties. It goes on to indicate how the choice of this party membership is made.

At first glance, according to Article 17(3), Ms Cretu should therefore, for the specific and limited purpose of eligibility to public funding, be considered a member of the EDP, since PRŌ ROMANIA is a party member of the EDP.

However, Ms Cretu’s message leaves no doubt as to the status of her membership: she is a member of the PES, and is not (and has never been) a member of the EDP. Only PRŌ ROMANIA is (and was ever) a member of the EDP.

This distinction is essential in order to properly respect Ms Cretu’s right to be a member of the political party — including European political party — of her choice. As such, the joint *Guidelines on Political Party Regulation* of the OSCE/ODIHR and of the Venice Commission recall:<sup>4</sup>

*141. It is vital to note that associations of individuals with political parties must be voluntary in nature. As indicated by the definition of political parties provided in this text and as enshrined in the Universal Declaration of Human Rights (Article 20), all individuals must be free to belong to or*

<sup>3</sup> Article 3(1)(ba), introduced in 2018, does request that national political parties not be *party members* of more than one (registered) European political party; this does not apply to natural persons who are individual members of European parties.

<sup>4</sup> Joint Guidelines of the OSCE/ODIHR and the Venice Commission on Political Party Regulation (2nd edition, 2020), CDL-AD(2020)032, available at <https://www.legislationline.org/odihr-documents/page/guidelines> and [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2020\)032-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2020)032-e).

*abstain from joining associations as is their preference. Membership should be an expression of an individual's free choice to utilize the collective means of a political party for the full enjoyment of his/her individual right to freedom of expression and opinion and the right to vote and stand for election.*

*142. The freedom of association not only includes the positive right to establish associations – like political parties – and to become member of such associations. **In this freedom is also contained the negative right**, implied in Article 11 ECHR and Article 21 ICCPR and explicitly recognised in Article 20(2) UDHR, not to participate and **not to become a member**. The case law of the ECtHR concerning the right not to join a trade union is equally applicable to the right not to become a member of a political party.*

As stated in these Guidelines, the freedom to be a member of a political party contains the freedom not to be a member of a political party, and one cannot be, or be considered (since from this consideration derive direct legal and political consequences), a member of a European political party without one's explicit consent — let alone against one's will. As a result, Ms Cretu cannot be considered a member of the EDP by mere virtue of the party membership of PRÎ ROMANIA and against her will.

Accordingly, Ms Cretu is indeed *not* a member of the EDP and, therefore, not a member of more than one European political party. As indicated in the European Parliament's calls for contributions, it is the "membership of a Member of the European Parliament in several European political parties" that would "result in considering the Member concerned as a member of only one European political party".

Consequently, Ms Cretu does not have to "be **considered** as a member of only one European political party" in the sense of Article 17(3) and must instead be recognised (and not merely "considered") by the APPF and the European Parliament solely as a member of the PES, for *all* purposes, including for the distribution of public funding.

### Consequences

As indicated in section 1.1, documents provided by the European Parliament attest that:

- . In December 2019 (following the call for contributions issued in July 2019), Ms Cretu and Mr Tudose were considered neither as members of the EDP, nor of the PES.
- . In December 2020 (following the call for contributions issued in July 2020), Ms Cretu was considered as a member of the EDP.

According to Article 19(1) of Regulation 1141/2014, 90% of the public funds allocated for the financing of European political parties are distributed in proportion to European parties' share of MEPs. According to Article 17(4) of Regulation 1141/2014, European political parties are allowed to receive a maximum of 90% of their annual reimbursable expenditure from European public funding. In practice, European public funding makes up between 80 and 90% of European parties' income, making them extremely dependent on the amount allocated to them. Ensuring the proper apportionment and distribution of this public funding is therefore essential for European parties themselves and for the fair promotion of a European representative democracy.

As a result, the two decisions of the European Parliament indicated above had direct financial consequences for the funding of the European political parties in question:<sup>5</sup>

- . For the funding distributed in 2020, the EDP declared 10 MEPs following EP elections, but was considered to only have 8 members. The PES was considered to have 146 MEPs.
- . For the funding distributed in 2021, the EDP declared 9 MEPs and was considered to have 9 MEPs. The PES declared 142 MEPs following Brexit and was considered to have 139.

<sup>5</sup> In late 2020, with 607 MEPs "allocated" to European political parties and an MEP-based sum of €41,400,000, each MEP directly endowed the European party s/he was allocated to with over €68,000 in public money.

### 1.3. Complaint

Given the elements provided above and the consequences of the decisions made by the European Parliament, European Democracy Consulting calls on the European Ombudsman to recognise the errors made by the European Parliament in implementing Regulation 1141/2014 with regards to the distribution of European public funding. These errors constitute a clear case of maladministration with direct consequences on the rights of certain individuals, as well as on the use of EU funds.

With regards to Mr Tudose, in the absence of the EDP's application for public funding, it is unclear whether the EDP listed him in as part of their MEPs. Since the deadline for applications was 30 September 2019 and Mr Tudose only changed parties in January 2020, it would seem likely that the EDP considered him a member MEP by the end of September 2019. If so, the reason for his consideration as a member of no European political party is unclear.

↳ We therefore request the verification of the EDP's application, an explanation of the European Parliament's decision, and, depending on the EDP's application, a revision of the European Parliament's decision concerning Mr Tudose with regards to public funding attributed for the year 2020 with a view to considering him a member of the EDP by December 2019. Any financial consequences on the amounts of public funding received by European parties should be rectified.

With regards to Ms Cretu, two interlinked elements must be addressed. The first one is why, in the absence of changes in Ms Cretu's own membership status and of PRÎ ROMANIA's membership, Ms Cretu's party membership was considered differently in December 2019 (member of no party) and in December 2020 (member of the EDP).

Secondly, given Ms Cretu's clear indication of her exclusive membership of the PES and her absence of membership of the EDP, the European Parliament's decision concerning the distribution of funding for the years 2020 and 2021 must be reviewed in order to properly reflect Ms Cretu's continued membership of the PES.

↳ We therefore request an explanation from the European Parliament for its differing assessments in December 2019 and December 2020, as well as a revision of the European Parliament's decisions concerning Ms Cretu with regards to public funding attributed for the years 2020 and 2021 with a view to considering her a member of the PES for both years. The APPF should also amend its listing of MEPs' party membership and request that the EDP update its list of member MEPs. Any financial consequences on the amounts of public funding received by European parties should be rectified.

It is directly in the public interest that the distribution of European public funding be carried out dutifully and in line with MEPs' actual membership. Through this complaint, European Democracy Consulting therefore seeks to ensure that the distribution of EU funds — and, therefore, of European citizens' money — was made dutifully and in line with MEPs' actual membership, and to correct what appears to be administrative mistakes made by the European Parliament with regards to the distribution of public funding for the financial years 2020 and 2021.

## 2. The general concept of *indirect* membership

### 2.1. Context

The specific case of Corina Cretu discussed above does not take place in a vacuum. Instead, it is part of a general and long-running practice, set up and encouraged by the administrative services of the European Parliament, to rely on a concept of "indirect" membership in order to account for European political parties' member MEPs.

In this sense, the above argument does not accuse the EDP of false declarations concerning its MEPs. Instead, the EDP merely failed to exercise any verification of the membership of the MEPs it claimed and followed a practice developed and recommended by the European Parliament.<sup>6</sup>

## 2.2. Direct and indirect membership

With slight variations in language, the yearly calls for contributions (see [annex 3](#)) — through which European political parties apply for European public funding — ask European parties to list their “direct” and “indirect” member MEPs. These refer, respectively, to MEPs who are individual members of a European political party, and to MEPs who are individual members of a national party that is itself a member party of (or is “affiliated” to) a European party.

As seen above, however, the notions of direct and indirect membership do not appear in Regulation 1141/2014. Likewise, these notions do not appear in the decisions of the Bureau of the European Parliament laying down the procedures for implementing Regulation 1141/2014 (see [annex 1](#)).

Instead, Article 19 of Regulation 1141/2014 states that the apportionment of public funding “shall be based on the number of [MEPs] **who are members** of the applicant European political party”.

The precise meaning of “members” is not defined in Article 2 (“Definitions”). However, Article 2(3) and Article 3 (“Conditions for registration”) indicate that a European political party is a “political alliance”, and Article 2(2) states that a political alliance is a cooperation “between political parties and/or citizens”. These definitions place political parties and citizens squarely on an equal footing as members of European political parties, and does not refer to citizens members of [national] political parties.

Other definitions closely linked to that of members are those of “donation” and “contribution”. In simple terms, donations and contributions are any amount of money or in-kind good or service provided to a European political party or foundation. The only difference being that a contribution is made by a member of a European party, while a donation is made by a non-member (in both cases, these can be either natural or legal persons).

At no point in these definitions is there a notion of “indirect membership”, whereby an amount of money provided by an *individual member* of a national party that is a *member party* of a European political party (but who is not him/herself an *individual member* of that European political party) would be considered a contribution (therefore provided by an “indirect” member of the European party) instead of a donation (by a non-member of the European party).

Therefore, the phrasing of Article 19 (MEPs “who are members of the applicant European political party”) can and should only refer to MEPs **who are themselves individual members** of European political parties. The meaning of this specific phrasing is further confirmed by its use in Article 32 (“Transparency”), which requires that the European Parliament make public “an updated list of Members of the European Parliament **who are members** of a European political party”, and not merely MEPs who are individual members of member parties of a European party.

Despite the absence of the concept of “indirect membership” in EU law, the European Parliament has made consistent use of it. In his report of 2016 on the funding of European political parties, the Secretary-General of the European Parliament even stated that “since the financial year 2013, Parliament follows the line that a Member of the European Parliament **may only be a member of the political party at European level of which his or her national**

<sup>6</sup> This being said, with the 2019 election taking place in late May and the application for funding submitted by 30 September, it may somehow be understandable that the EDP would have assumed that Ms Cretu would be an EDP member following her election on the PRŌ ROMANIA list. However, it becomes very surprising, to say the least, that a full year later, in September 2020, the EDP would still consider Ms Cretu a member, unbeknownst to her (as her email confirms). Surely, a year and a half should be sufficient time to realise that your supposed single MEP from a given Member State (and one of only 9 MEPs in total) is, in fact, not a member of your political party.

**political party is a member.** This interpretation is currently part of the annual calls for proposals for the grants.” This radical stance is later directly linked to Article 17(3) mentioned before.<sup>7</sup>

Since it is virtually impossible for any citizen to become an MEP without being affiliated to a national political party, such a blanket policy on behalf of the European Parliament nullifies any individual membership of a European party for MEPs, despite this being entrenched in Regulation 1141/2014 and an essential right for all citizens (see [annex 1](#)).

## 2.3. Consequences and interpretation

### *Impact on European political parties' membership*

The use, by the European Parliament, of the concepts of direct and indirect membership has had a direct and profound impact on the structure, membership and relevance of European political parties.

By allowing European parties to receive European public funding for MEPs merely members of national parties, the European Parliament may have sought to make it easier on European parties to receive a share of funding commensurate with the MEPs they broadly represent.

However, this practice has instead removed any requirement for MEPs to become individual members of European political parties and, in effect, removed a major interest in becoming a member (that is, to financially support your European party of membership). By doing so, it has therefore contributed to European parties' grave deficit of individual members, since even elected officials (those most likely to be involved in party activities and decisions) do not need to become members.

In the absence of MEPs as a core group of individual members who would have demanded their individual membership to be associated with rights within the party, European parties have been hollowed as representative organisations and failed to develop any semblance of true internal democracy.<sup>8</sup> Where at least a number of publicly and directly elected European representatives could have come together to take party decisions on behalf of their constituents, decision-making power has instead been left mostly to national party leaders. As a result, the statutes of European political parties, adopted mostly by the representatives of national parties, leave at best marginal rights, and oftentimes no influence to speak of, to their individual membership (see [annex 2](#)). When affiliated MEPs are granted rights, these do not stem from a true individual membership, but are instead granted *ex-officio*, often only for the duration of their term.

By doing so, recognising a so-called “indirect” membership has hampered the proper development of truly *European* parties — entrenching instead their essentially *trans-national* nature — and gone directly against the intent of Article 10(4) TEU, according to which “political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union” (see [annex 1](#)).

European party	MEPs	Individual members	European party	MEPs	Individual members
ALDE	71	955	EGP	57	6
ECPM	4	54	EPP	174	11

<sup>7</sup> “For the purposes of determining eligibility for funding from the general budget of the European Union [...], a member of the European Parliament shall be considered as a member of only one European political party, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of applications for funding.”

<sup>8</sup> For more details on the limited rights of individual members in European political parties, see Isabelle Hertner (2018): [United in diversity? Europarties and their individual members' rights](#), Journal of European Integration.



European party	MEPs	Individual members	European party	MEPs	Individual members
ECR	54	4	ID	61	2
EDP	9	4	PEL	29	351
EFA	9	0	PES	139	138

Source: European Parliament<sup>9</sup>

### Interpretation

In adopting both Regulation 2004/2003 and Regulation 1141/2014, the European Commission, as the initial drafter of those texts, and the European Parliament and Council, as co-legislators, have made a clear choice. They have chosen to keep the European party system strictly separate from the party systems of the Member States.

Instead of building an integrated pan-European political party system, akin to those found, for instance, in the federal systems of Germany and Austria — where political parties exist as a single entity acting across different administrative levels with a common membership — they have, for better or for worse, decided to entrench a strict distinction between European and national parties with strictly separate memberships. This choice has consequences that cannot be single-handedly undone by the administrative services of any EU institution.

One of these consequences is the strict separation between the membership of a national political party and the membership of a European political party, and, subsequently, the freedom retained by citizens — including MEPs — to choose not only their affiliation to a national party but also, independently (unless prohibited by the parties themselves), their affiliation to any European party. This is directly in line with freedoms recognised by the Charter of Fundamental Rights of the European Union (see [annex 1](#)).

The rise of the concept of "indirect" membership flies in the face of such freedom, and its use by the European Parliament to favour *automatic* (and, in the case of Corina Cretu, *unwanted*) affiliation to a European party over *individual* (and, in Ms Cretu's case, *pre-existing*) affiliation, is in violation of the choices made by the co-legislators in their Regulations and of the freedoms of MEPS.

In layman's terms, Article 17(3) states that "if an MEP is a member of more than one European political party" (which is implicitly authorised by Regulation 1141/2014, and may be permitted by European parties themselves), "then the affiliation, for the purpose of funding, is the one matching the affiliation of the MEP's national party." The choice, for the purpose of public funding, of one of several party affiliations is necessary and legitimate.

However, this is extremely different from the European Parliament's practice, confirmed in the Secretary-General's report, which boils down to "if a national party is a member of a European political party, then its member MEPs are automatically members of that European party and, for the purpose of funding, any other party membership is moot."

Since Article 17(3) states that a member of the European Parliament "shall be considered as a member of only one European political party", this provision clearly refers to cases of double membership by MEPs themselves of European political parties, and not to the membership of a national party conflicting with a direct membership of a European political party.

This is why the case of Corina Cretu is so important: it seems to indicate that, in the practice of the European Parliament — spelled out in the calls for contributions and in the words of the Secretary-General of the European Parliament — and in contradiction with EU law, MEPs' direct

<sup>9</sup> European Parliament, [Number of individual members per European Political Party](#), May 2021, and Secretary-General of the European Parliament, [Note for the attention of the Members of the Bureau of the European Parliament on the funding of European political parties and European political foundations for the financial year 2021](#), D(2020)33207, 11 December 2020 (annex 2, contribution calculation).

membership is inferior to their national party's affiliation to a European party. Article 224 and 225 of the Financial Regulation make it clear that the calls for contributions must comply with Regulation 1141/2014 (see [annex 1](#)).

While this stance may be understandable for cases of double *direct* membership, the European Parliament has extended this principle to any direct membership differing from a national party's affiliation.

Ms Cretu never registered as a member of the EDP, and the fact that she ran and was elected on the electoral list of PRÎ ROMANIA does not, and should not, change this fact. Nowhere does Regulation 1141/2014 say that affiliation to a national party or list leads to an MEP's membership to a specific European political party, let alone supersedes or cancels an MEP's existing and direct membership of another European party.

## 2.4.Complaint

Given the elements provided above, European Democracy Consulting calls on the European Ombudsman to recognise the actions *ultra vires* of the European Parliament in creating and implementing a concept of "indirect membership" not found in or supported by Regulation 1141/2014 or any other source of EU law. These actions constitute a clear case of maladministration with direct consequences on the rights of MEPs, as well as on the use of EU funds.

↳ We therefore request the recognition that the practice set up by the European Parliament in its calls for contributions is not in line with its administrative powers deriving from Regulation 1141/2014. The practice of considering an "indirect membership" as valid for the purpose of the distribution of EU funds should be discontinued, and only MEPs "who are [individual] members" of European political parties — meaning who have applied for individual membership and whose membership is valid and *not tied* to their position as MEPs — should be counted in the calculation leading to the apportionment of European public funding. This change should take effect for the distribution of European public funding for the year 2022, for which the call for contributions will close on 30 September 2021.

## Conclusion

In conclusion, the case of Ms Corina Cretu exemplifies in the clearest manner the shortcomings of a long-running practice of the European Parliament with regards to the distribution of funding to European political parties.

A concept that may have been initially designed to simplify administrative process is in reality a dangerous overreach by the European Parliament's administrative services, running against the spirit and the letter of Regulation 1141/2014.

*In fine*, not only does the notion of indirect membership bring only marginal administrative simplification, but it has contributed to the diminished role and importance of European parties as political actors "[contributing] to forming European political awareness and to expressing the will of citizens of the Union", as enshrined in EU treaties, by way of their only directly elected European representatives.

Regardless of potential changes in Regulation 1141/2014 that may be brought about by European institutions, it is high time to give meaning to European citizens' — and, in particular, MEPs' — individual membership of European political parties. The first step in this essential process requires that advantages, including European public funding, conferred on European parties be not merely derived from the membership of national parties, but truly and only the result of a their own individual membership.

## Annexes

### Annex 1 - Legal basis and relevant provisions

- [Treaty on European Union](#)
  - [Article 10\(4\)](#): "Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union."
- [Treaty on the Functioning of the European Union](#)
  - [Article 224](#): "The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, by means of regulations, shall lay down the regulations governing political parties at European level referred to in Article 10(4) of the Treaty on European Union and in particular the rules regarding their funding."
- [Charter of Fundamental Rights of the European Union](#)
  - [Article 12, Freedom of assembly and of association](#)
    1. Everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters, which implies the right of everyone to form and to join trade unions for the protection of his or her interests.
    2. Political parties at Union level contribute to expressing the political will of the citizens of the Union.
- [Regulation \(EU, Euratom\) 1141/2014](#) of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations<sup>10</sup>
  - Recital 2014:
    - (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.
    - (23) [...] Eligibility for funding from the general budget of the European Union should therefore be limited to European political parties which are represented in the European Parliament by at least one of their members [...].
    - (24) In order to increase the transparency of European political party funding, and to avoid potential abuse of the funding rules, a member of the European Parliament should, for the purposes of funding only, be regarded as a member of only one European political party, which should, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of applications for funding.
  - Recital 2018:
    - (4) It is necessary to better ensure that European political parties and their affiliated European political foundations have a genuine transnational dimension in order for them to acquire a specific European legal status through registration. Moreover, in order to strengthen the link between politics at national level and at Union level and to prevent the same national party from artificially creating several European political parties with similar or identical political tendencies, members of the same national political party should not be taken into account in relation to different political alliances, for the purpose of the minimum representation requirements for those alliances to be registered as a European party. Therefore, only political parties, and no longer individuals, should be taken into account for the purpose of those minimum representation requirements.
    - (7) To establish a more proportionate allocation of resources from the general budget of the European Union, objectively reflecting the genuine electoral support of a European political party, the funding of European political parties, and, by extension, of their respective affiliated European political foundations, should be linked more closely to a demonstrable level of electoral support. Therefore, the rules on the distribution of funding should be adapted to take greater account of the share of elected members that each European political party has in the European Parliament.
  - Article 2, Definitions:

<sup>10</sup> Regulation 1141/2014 was subsequently amended by Regulation (EU, Euratom) 2018/673 of the European Parliament and of the Council of 3 May 2018 and Regulation (EU, Euratom) 2019/493 of the European Parliament and of the Council of 25 March 2019.

- (2) 'political alliance' means structured cooperation between political parties and/or citizens;
- (3) 'European political party' means a political alliance which pursues political objectives and is registered with the Authority for European political parties and foundations established in Article 6, in accordance with the conditions and procedures laid down in this Regulation;
- Article 3, Conditions for registration:
    1. A political alliance shall be entitled to apply to register as a European political party subject to the following conditions: [...]
      - (b) its member parties must be represented by, in at least one quarter of the Member States, members of the European Parliament, of national parliaments, of regional parliaments or of regional assemblies, orit or its member parties must have received, in at least one quarter of the Member States, at least three per cent of the votes cast in each of those Member States at the most recent elections to the European Parliament;
      - (ba) its member parties are not members of another European political party;
  - Article 4, Governance of European political parties:
    2. The statutes of a European political party shall include provisions on internal party organisation covering at least the following:
      - (a) the modalities for the admission, resignation and exclusion of its members, the list of its member parties being annexed to the statutes;
      - (b) the rights and duties associated with all types of membership and the relevant voting rights;
  - Article 17, Funding conditions:
    1. A European political party which is registered in accordance with the conditions and procedures laid down in this Regulation, which is represented in the European Parliament by at least one of its members, and which is not in one of the situations of exclusion referred to in Article 106(1) of the Financial Regulation may apply for funding from the general budget of the European Union, **in accordance with the terms and conditions published by the Authorising Officer of the European Parliament in a call for contributions.**
    3. For the purposes of determining eligibility for funding from the general budget of the European Union in accordance with paragraph 1 of this Article and point (b) of Article 3(1), and for the application of Article 19(1), **a member of the European Parliament shall be considered as a member of only one European political party**, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of applications for funding.
  - Article 18, Application for funding:
    1. In order to receive funding from the general budget of the European Union, a European political party or European political foundation which satisfies the conditions of Article 17(1) or (2) shall file an application with the European Parliament following a call for contributions or proposals.
  - Article 19, Award criteria and distribution of funding:
    1. The respective appropriations available to those European political parties and European political foundations which have been awarded contributions or grants in accordance with Article 18 shall be distributed annually on the basis of the following distribution key:
      - 10 % shall be distributed among the beneficiary European political parties in equal shares,
      - 90 % shall be distributed among the beneficiary European political parties **in proportion to their share of elected members** of the European Parliament.
    2. The distribution referred to in paragraph 1 shall be based on the number of elected members of the European Parliament **who are members of the applicant European political party** on the final date for the submission of applications for funding, taking into account Article 17(3).

After that date, any changes to the number shall not affect the respective share of funding between European political parties or European political foundations. This is without prejudice to the requirement in Article 17(1) for a European political party to be represented in the European Parliament by at least one of its members.
  - Article 32, Transparency:
    1. (k) an updated list of Members of the European Parliament who are members of a European political party.

- [Decision of the Bureau](#) of the European Parliament of 1 July 2019, laying down the procedures for implementing Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations;
- [Regulation \(EU, Euratom\) 2018/1046](#) of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (the 'Financial Regulation'), TITLE XI Contributions to European Political Parties
  - Article 224, Call for contributions:
    - 4. The call for contributions shall determine the conditions under which the applicant may receive a contribution **in accordance with Regulation (EU, Euratom) No 1141/2014**, as well as the exclusion criteria.
  - Article 225, Award procedure:
    - 5. Applications that comply with the eligibility and exclusion criteria shall be selected **on the basis of the award criteria set out in Article 19** of Regulation (EU, Euratom) No 1141/2014.
- [Commission Delegated Regulation \(EU, Euratom\) 2015/2401](#) of 2 October 2015 on the content and functioning of the Register of European political parties and foundations;
- [Commission Implementing Regulation \(EU\) 2015/2246](#) of 3 December 2015 on detailed provisions for the registration number system applicable to the register of European political parties and European political foundations and information provided by standard extracts from the register;
- [Call for contributions](#) IX-2018/01 — 'Contributions to European political parties' (2017/C 206/13)
  - Composition of funding application
    - 5. List of Members of the European Parliament (4)
 

Footnote 4: Here direct and indirect members are to be listed. Direct members are individual members of the applicant. Indirect members are members of the member parties of the applicant.
- [Call for contributions](#) No IX-2019/01 — 'Contributions to European political parties' (2018/C 228/04) and [Call for contributions](#) No IX-2020/01 'Contributions to European Political Parties' (2019/C 249/04)
  - Composition of funding application
    - 5. List of its Members of the European Parliament, with an up-to-date proof of membership and setting out name, country of origin, direct or indirect affiliation to the European political party (2) and name of the relevant national or regional party (if applicable) (3)
 

Footnote (2): A distinction has to be made between MEPS that are affiliated to a European political party directly on individual basis ('direct members') and MEPS that are affiliated to European political party indirectly through their member party ('indirect members'). For direct members, a membership form from each of the MEPS claimed by the applicant has to be provided. For indirect members, the following documents are necessary: a membership form for each member party, signed by a person authorised legally to represent that member party or, in alternative, a proof of payment of the 2018 membership fee in the form of a bank transfer originating from each member party or, in further alternative, a membership form from each of the MEPS claimed by the applicant. Template membership forms for MEPS and member parties can be requested from the Authority.
- [Call for contributions](#) (No IX-2021/01) 'Contributions to European Political Parties' (2020/C 202/02) and [Call for contributions](#) (No IX-2022/01) 'Contributions to European Political Parties' (2021/C 247/03)
  - Composition of funding application
    - 5. List of its Members of the European Parliament, with an up-to-date proof of membership and setting out name, country of origin, direct or indirect affiliation to the European political party (2) and name of the relevant national or regional party (if applicable) (3)
 

Footnote (2): For MEPs that are affiliated to a European political party directly on an individual basis, a membership form from each of the MEPs claimed by the applicant has to be provided. For MEPs that are affiliated to European political party indirectly through their member party, the following documents are necessary: a membership form for each member party, signed by a person authorised legally to represent that member party or, in alternative, a proof of payment of the 2020 membership fee in the form of a bank transfer originating from each member party or, in further alternative, a membership form from each of the MEPs claimed by the applicant. Template membership forms for MEPs and member parties can be requested from the Authority.

## Annex 2 - Provisions on individual membership in statutes of European parties

European party	Provisions concerning individual membership
<b>ALDE</b>	<p>Article 7, Criteria for membership, categories of members and rights and obligations of members</p> <p>Membership of the Association is open to all political parties in Europe and individual citizens that accept these Articles of Association, the Internal Regulations of the Association, the policy programmes of the Association and the Stuttgart Declaration. [...]</p> <p>Full, affiliate and individual members shall pay a membership fee according to the Internal Regulations. Full, affiliate and individual members' delegates have the right to take part in the meetings of the Council and the Congress, to voice their opinion and to vote as specified in the Internal Regulations.</p> <p>Article 9, Admission of members</p> <p>Any application for individual membership shall be sent to the Secretary General. The application shall be submitted to the Bureau. The Bureau shall take its decision with a simple majority of the votes cast. The decision of the Bureau to admit or not the applicant shall be final and the Bureau shall be under no obligation to justify its decision.</p> <p>Chapter IV, Congress</p> <p>Article 15, Composition and powers</p> <p>The Congress shall consist of all full, affiliate members, and individual members' delegates as well as the members of the Bureau.</p> <p>Article 17, Representation</p> <p>Full, affiliate and individual members' delegates, appointed in accordance with the rules laid down in the Internal Regulations will represent full, affiliate and individual members at the Congress. Each full member will have as many votes as delegates. Individual members will have as many votes as delegates as stipulated in the Internal Regulations. A delegate may cast two votes at most.</p> <p><b>Comment:</b> ALDE authorises individual membership, and individual members are represented in the party Congress and Council. However, in practice, individual members' delegates only held 4 out of 586 votes in the Congress (0.67%) and 1 out of 155 votes in the Council (0.65%).</p>
<b>ECPM</b>	<p>Article 4, Members</p> <p>Members may be:</p> <ol style="list-style-type: none"> <li>European political Political parties in Europe endorsing the basic program, as mentioned in article 3;</li> <li>politicians who qualify for Article 3(1)(b) of [Regulation (EC) No 2004/2003] and who are also endorsing the basic program, as mentioned in article 3 and members of national parliaments from nations which have full membership in the Council of Europe.</li> <li>the association with limited legal competence: European Christian Political Youth (ECPYouth) with its registered office in The Hague, the Netherlands.</li> </ol> <p><b>Comment:</b> the ECPM has no individual membership beyond ex-officio members.</p>
<b>ECR</b>	<p>Article 6, Membership</p> <p>The "Party" has five membership categories: European Union Member Party, Global Member Party, Affiliated Member Organisation, Associate Member, and Individual Member.</p> <p>Individual Members are (i) Members of the European Parliament (MEPs) without national party affiliation or belonging to a national party that is a European Union Member Party of the "Party", and (ii) European Commissioners.</p> <p><b>Comment:</b> the ECR has no individual membership beyond ex-officio members.</p>
<b>EDP</b>	<p>Article 7, Membres</p> <p>Les membres de l'association sont divisés en sept catégories : les partis membres, les membres individuels, les membres affiliés, les membres observateurs, les personnes</p>

	<p>physiques, les Jeunes Démocrates européens et les associations. [...]</p> <p>2. Les membres individuels sont des membres des institutions et organes européens prévus par les traités, des Parlements nationaux, des assemblées régionales et locales. Ils sont soit membres fondateurs ou membres admis au parti après son établissement, en accord avec les règles posées par ces statuts. [...]</p> <p>5. Sont membres de droit, les personnes physiques adhérentes des partis membres et les personnes physiques anciens membres individuels n'exerçant plus de mandat pour des institutions et organes européens prévus par les traités, des Parlements nationaux, des assemblées régionales et locales. Tout autre personne physique non-adhérente d'un parti politique national, régional ou local membre d'un autre parti ou groupe au Parlement européen ayant acquitté une cotisation dont le montant est fixé par la Présidence est membre après admission par le Conseil. Ils sont soit membres fondateurs ou membres admis au parti après son établissement, en accord avec les règles posées par ces statuts.</p> <p><b>Comment:</b> the EDP has no individual membership beyond ex-officio members or former ex-officio members.</p>
<b>EFA</b>	<p>Article 5, Composition of the Party</p> <p>The Party is composed of full members, individual members, honorary members and individual supporters. [...]</p> <p>Article 8, Individual membership</p> <p>Individual may be accepted as individual members by unanimous decision of the Bureau. The individual member must hold an elected office and shall not be a member of an EFA member party or organisation. The individual membership lasts for the period of the elective mandate of the individual member. Under specific circumstances to be agreed by the General Assembly, other individual members can be accepted.</p> <p>Article 9, Friends of EFA</p> <p>Individual supporters are physical persons affiliated with the "Friends of EFA" network exclusively.</p> <p><b>Comment:</b> except under "specific circumstances", the EFA has no individual membership beyond ex-officio members. Others individual can be part of the "Friends of EFA" network instead.</p>
<b>EGP</b>	<p>Article 4, Membership</p> <p>4.3.4 Special Category Membership</p> <p>Elected Members of the European Parliament ("MEPs") who are part of the [Green Group in the European Parliament (GGEP)] and who belong to an EGP member party are automatically granted special category membership in accordance with the regulations governing political parties at European level and the rules regarding their funding.</p> <p>Elected Members of the European Parliament who are part of the GGEP but who do not belong to a European Green Party Full, Candidate or Associate Member can be granted special category membership by a decision of the Council.</p> <p>All such MEPs exercise their membership collectively and exclusively through the GGEP delegation.</p> <p><b>Comment:</b> the EGP has no individual membership beyond MEPs as ex-officio members; these MEPs are represented collectively through the Green Group in the European Parliament.</p>
<b>EPP</b>	<p>Article 5, Members with voting rights</p> <p>The Political Assembly is authorised to grant, at its own discretion, the applicant one of the following member status in the EPP: (1) Ordinary Member Party, (2) Associated Member Party, (3) Member Association or (4) Individual Member (as defined here below). [...]</p> <p>(4) Individual Members — In addition, all members of the EPP Group in the European Parliament elected on a list of a member party are also members ex officio of the association (hereinafter referred to as "Individual Members"). Other members of the European Parliament can become Individual Members of the association by decision of the Political Assembly on the proposal of the Presidency of the association. The speaking and voting rights of the Individual Members within the organs of the association are personal and inalienable.</p>

	<p>Article 15, Definition - Composition</p> <p>The Political Assembly is the strategic organ and the general assembly, within the meaning of article 10:5 of the CCA, of the association. It is composed of:</p> <p>a. members ex officio:</p> <ul style="list-style-type: none"> <li>- members of the Presidency;</li> <li>- members of the Presidency of the Group of the EPP in the European Parliament;</li> <li>- Presidents of Ordinary or Associated Member Parties, Member Associations or their mandated representatives;</li> <li>- Presidents of national delegations of member parties of the Group of the EPP in the European Parliament;</li> <li>- Members of the Presidency of the European Parliament, members of the European Commission and the President or the first Vice-President of the European Committee of the Regions, provided they belong to an Ordinary Member Party;</li> <li>- Presidents of the EPP, like-minded or associated Groups, at the Parliamentary Assemblies of the CoE, the OSCE and NATO, the European committee of the regions, Union for the Mediterranean and EURONEST, provided that they are member of an Ordinary Member Party or Associate Member Party.</li> </ul> <p>b. delegated members:</p> <ul style="list-style-type: none"> <li>- Representatives of Ordinary Member Parties and Associated Member Parties.</li> <li>- The Ordinary Member Parties and Associated Member Parties shall nominate their delegates together with an equivalent number of substitutes.</li> </ul> <p>c. non voting members</p> <ul style="list-style-type: none"> <li>- The deputy Secretary(ies) General of the Association;</li> <li>- The Secretary General of the EPP Group in the European Parliament, and the equivalent EPP Secretaries General of the EPP, like-minded or associated Groups, at the Parliamentary Assemblies of the CoE, the OSCE and NATO, the European committee of the regions, Union for the Mediterranean and EURONEST;</li> <li>- Two representatives of each Observer Member Party;</li> <li>- One representative of each EPP Partner and each Associated Entity.</li> </ul> <p><b>Comment:</b> the EPP has no individual membership beyond MEPs as ex-officio members; unless they lead delegation or belong to the Presidency of the European Parliament, MEPs are not represented in the Political Assembly.</p>
<p><b>ID</b></p>	<p>Article 6.1, Membres</p> <ol style="list-style-type: none"> <li>1. L'association se compose de membres individuels, des partis membres et des membres observateurs.</li> <li>2. Sont membres individuels de l'association les personnes physiques qui, après s'être acquittées de la cotisation fixée annuellement par le Bureau, participent au fonctionnement de l'association et à la réalisation de son objet. [...]</li> </ol> <p>Article 6.2, Les droits et les devoirs de membres</p> <ol style="list-style-type: none"> <li>1. Les membres individuels participent aux réunions de l'association avec le droit d'expression, le droit d'initiative et le droit de vote. [...]</li> </ol> <p>Article 9, Bureau</p> <ol style="list-style-type: none"> <li>1. Le Bureau de l'association comprend au moins un président et un trésorier. Il pourra être complété par adjonction d'un ou plusieurs membres individuels. [...]</li> </ol> <p><b>Comment:</b> on paper, ID gives very extensive rights to its individual members; in practice, ID comprises only two individual members.</p>
<p><b>PEL</b></p>	<p>Article 6</p> <p>The European Left consists of:</p> <ul style="list-style-type: none"> <li>. Member parties and political organizations with full rights;</li> <li>. Observer parties or political organizations;</li> <li>. Individual members;</li> <li>. EL partners.</li> </ul> <p>Article 8, Individual members</p> <p>The EL introduces the opportunity of individual membership as a contribution to its future</p>



development. In countries where full-right member parties or political organizations exist, each member party or political organization is free to decide to carry out this opportunity and to adopt - for its own country - the most convenient approach and practical methods. According to that approach women and men residents of an EU member state can become individual members of the EL. In countries where full-right member parties or political organizations exist, they can form friendship circles associated to these parties of the European Left. Citizens of other European countries associated to the EU can also apply for individual membership. They can join or create a national group of individual members applying for observer status in the EL.

Article 10, Rights and duties of the member and observer parties

The full members (Member Parties) exercise the rights assigned by law, namely:

- the right to access the decisions taken by the General Assembly, by the Executive Board and by all other organs of the EL, the accounting records and the list of members;
- the right to convene the extraordinary General Assembly on condition that at least one fifth of members request this;
- the right to propose an item on the agenda on condition that the proposal is signed by a number of members equal at least to one twentieth;
- the right to participate in the General Assembly and in the Congress or to be represented there;
- the right to vote at the General Assembly and in the Congress;
- the right to a specific procedure in the case of expulsion;
- the right to request dissolution or liquidation of the Association should it seriously contravene its statutes or the law or public order;
- the right to call for an act of the Association to be invalidated;
- the right to request the court of first instance to decide the mandate of the liquidators;
- the right to initiate proceedings before a court of first instance against the decisions of the liquidators in relation to the use of assets insofar as the statutes so allow;
- the right to withdraw from the Association.

In addition, full members have the following rights:

- right of participation in the meetings and voting about all issues;
- right of initiative in proposing the documents and positions of the EL Party;
- right of proposing common activities of the Party.

The Observer Parties and Individual Members have the same rights except for the right of voting.

**Comment:** whilst providing more rights to its individual members than most other European political parties, the PEL does not give individual members voting rights, even via delegates.

## PES

Article 7, Categories of Members:

7.1. The PES consists of:

- full members - full member parties and full member organisations;
- associate members - associate parties and associate organisations;
- observer members - observer parties, observer organisations and individual members.

Article 9, Admission of Members

9.7. A member of a political group which is full member of the PES may become individual observer of the PES if she/he is not a member of a PES party.

Article 12, Rights and obligations of members

12.3. Observer members may attend meetings to which they have been invited with the right of expression but without the right of initiative or the right to vote.

Article 21, Powers of the Congress

21.1. The Congress is the supreme organ of the PES and lays down the political guidelines of the PES.

21.2. The PES Congress shall:

- elect the President through an open, transparent and democratic competitive process;
- confirm the members of the Presidency, as proposed by the Member parties and organisations, from among their senior members;
- adopt resolutions and recommendations to parties, the Presidency and its group in the European Parliament ;
- adopt the report of activity of the PES for the preceding period and on the action programme for the future submitted by the Presidency;

**PES**

- discuss and take note of the report of activity submitted by its group in the European Parliament.

22.2. The PES Congress shall also consist of the following delegates without voting rights:

- all members of its political groups in the European Parliament and the Committee of the Regions not covered by art. 22.1.;

**Comment:** in the PES, individual members are considered as observers and do not enjoy the right to vote; members of the S&D group in the European Parliament may attend the PES Congress, the party's supreme organ, but do not enjoy the right to vote.

## Annex 3 - Comparison of calls for contributions 2018-2021

F.2 Eligibility criteria				
2018	2019	2020	2021	2022
<p>17. Moreover, a <b>multiple individual membership</b> in several European political parties will result in <b>excluding the member concerned</b> for the purpose of:</p> <ul style="list-style-type: none"> <li>a) evaluating the eligibility of funding application as stated in the eligibility criteria specified in paragraph 15 of this call; or</li> <li>b) calculating the funding amount pursuant to Article 19 of the Regulation (EU, Euratom) No 1141/2014.</li> </ul>	<p>15. Moreover, in accordance with Article 17(3) of Regulation (EU, Euratom) No 1141/2014, a <b>multiple individual membership</b> of a Member of the European Parliament in several European political parties will result in <b>considering the Member concerned as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of funding applications, <b>excluding the member concerned</b> for the purpose of:</p> <ul style="list-style-type: none"> <li>(a) evaluating the eligibility of the funding application; and</li> <li>(b) calculating the funding amount pursuant to Article 19 of the Regulation (EU, Euratom) No 1141/2014.</li> </ul>	<p>15. Moreover, in accordance with Article 17(3) of Regulation (EU, Euratom) No 1141/2014, <b>membership of a Member of the European Parliament in several European political parties</b> will result in <b>considering the Member concerned as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for submission of funding applications.</p>	<p>16. Moreover, in accordance with Article 17(3) of Regulation (EU, Euratom) No 1141/2014, <b>membership of a Member of the European Parliament in several European political parties</b> will result in <b>considering the Member concerned as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for submission of funding applications.</p>	<p>16. Moreover, in accordance with Article 17(3) of Regulation (EU, Euratom) No 1141/2014, <b>membership of a Member of the European Parliament in several European political parties</b> will result in <b>considering the Member concerned as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for submission of funding applications.</p>

F.3. Award criteria and distribution of funding				
2018	2019	2020	2021	2022
<p>b) 85 % will be distributed in proportion to their share of elected members of the European Parliament among the beneficiary European political parties.</p> <p>[from previous section] 16. A member of the European Parliament <b>shall be considered as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of funding applications. Pursuant to Article 17(3) of Regulation (EU, Euratom) No 1141/2014, this provision is established for the purposes of determining eligibility for Union funding in accordance with Article 17(1), Article 3(1)(b) and the application of Article 19(1) of the Regulation (EU, Euratom) No 1141/2014 and for the purpose of evaluating the eligibility of funding as stated in the eligibility criteria specified in paragraph 15 of this call.</p>	<p>(b) 90 % will be distributed among the beneficiary European political parties in proportion to their share of elected members of the European Parliament; pursuant to Article 17(3) of Regulation (EU, Euratom) No 1141/2014, a Member of the European Parliament <b>shall be considered as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of funding applications.</p>	<p>(b) 90 % will be distributed among the beneficiary European political parties in proportion to their share of elected members of the European Parliament; pursuant to Article 17(3) of Regulation (EU, Euratom) No 1141/2014, a Member of the European Parliament <b>shall be considered as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of funding applications.</p>	<p>b) 90 % will be distributed among the beneficiary European political parties in proportion to their share of elected members of the European Parliament; pursuant to Article 17(3) of Regulation (EC) No 1141/2014, a Member of the European Parliament <b>shall be considered as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of funding applications.</p>	<p>b) 90 % will be distributed among the beneficiary European political parties in proportion to their share of elected members of the European Parliament; pursuant to Article 17(3) of Regulation 1141/2014, a Member of the European Parliament <b>shall be considered as a member of only one European political party</b>, which shall, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of funding applications.</p>

## Annex 4 - Timeline of events and correspondence

Date	Events	Correspondence		
		European parties and MEP	APPF	European Parliament
May 2019	Election to the European Parliament; Corina Cretu and Mihai Tudose are elected on the list of PRO Romania. PRO Romania is a member party of the EDP.			
30 September 2019	The EDP submits its application for European public funding to the European Parliament for the year 2020. The application comprises a list of 10 MEPs, including Corina Cretu and Mihai Tudose as "indirect members".			
6 December 2019	The EDP declares its member MEPs to the APPF. The list contains 9 MEPs, including Corina Cretu as a member of PRO Romania but not Mihai Tudose.			
9 December 2019	The Secretary-General of the European Parliament sends a note to the Bureau of the European Parliament suggesting a distribution of European public funding to European political parties. In annex is a list of MEPs with their European political party affiliation as used for the calculation of European public funding. The list includes neither Corina Cretu nor Mihai Tudose as members of the EDP, nor of the PES.			
6 January 2020	Mihai Tudose leaves PRO Romania for the Partidul Social Democrat (PSD). The PSD is a member of the PES.			
10 February 2020	The EDP declares its member MEPs post-Brexit to the APPF. The list contains 9 MEPs, including Corina Cretu as a member of PRO Romania.			
30 September 2020	The EDP submits its application for European public funding to the European Parliament for the year 2021. The application comprises a list of 9 MEPs, including Corina Cretu as "indirect members".			

Date	Events	Correspondence		
11 February 2020	<p>The PES declares its member MEPs post-Brexit to the APPF.</p> <p>The list contains 143 MEPs, including Corina Cretu as a direct member of the PES. A slightly amended list of 142 MEPs is published on 17 February.</p>			
2 November 2020		<p>European Democracy Consulting writes to the EDP and PES leadership (cc. APPF) to notify them of the double reporting of Corina Cretu and asking for clarifications. A follow-up message is sent on 10 November. These messages remain unanswered.</p>		
11 November 2020		<p>European Democracy Consulting writes to Corina Cretu to notify her of the double reporting of her name by the EDP and PES and asking for clarifications. Ms Cretu replies on the same day confirming her membership of the PES and the fact that she is not a member of the EDP; she was not previously aware of being counted as an MEP by the EDP. She confirms writing to the EDP to ask for the withdrawal of her name from their list and for a clarification. On 12 November, Ms Cretu shares the email sent to the leadership of the EDP and PES indicating her party membership and asking for the withdrawal of her name from EDP lists and the notification of the APPF in order for this change to be reflected in the documents published by the APPF.</p>		
11 December 2020	<p>The Secretary-General of the European Parliament sends a note to the Bureau of the European Parliament suggesting a distribution of European public funding to European political parties.</p> <p>The list of individual MEPs is not provided, but in annex is a list of the number of MEPs associated to each European political party affiliation for the calculation of European public funding.</p> <p>The list indicated 9 MEPs for the EDP (the number the EDP declared in its application); this number is confirmed in the document detailing the calculation of the amount of European public funding.</p>			
14 December 2020		<p>European Democracy Consulting writes to the EDP leadership (cc. APPF) to notify them of the absence of changes made to their lists published by the APPF asking for clarifications. A similar message is sent on 20 January 2021. These messages remain unanswered.</p>		

Date	Events		Correspondence	
29 January 2021				As agreed during a phone discussion the previous day, European Democracy Consulting writes to the Political Structures Financing Unit of the European Parliament summarising the situation and its concerns (in particular that Ms Cretu could have been counted twice), and asking for the lists of MEPs and their European party affiliation used in 2019 and 2020 to calculate the distribution of European public funding.
4 February 2021				The Political Structures Financing Unit of the European Parliament replies assuring that no MEP was counted twice, refusing to share the lists of the MEPs with their European party affiliation, and suggesting instead that European Democracy Consulting submits a request for documents from the European Parliament through the official channel.
4 February 2021				European Democracy Consulting submits a request for documents from the European Parliament for the two notes from the Secretary-General to the Bureau relating to the attribution of European public funding for the years 2020 and 2021.
10 February 2021			European Democracy Consulting writes directly to the APPF summarising the situations and its concerns, and asking whether the EDP has taken steps to correct its list of MEPs and what the APPF endeavours to do in order to ensure the exactitude of the information it receives and publishes.	
24 February 2021			The APPF replies that, since Ms Cretu is a member of the PES and PRO Romania is a member of the EDP, both European political parties have provided accurate information.	
25 February 2021			European Democracy Consulting replies to the APPF arguing that Ms Cretu has made it clear that she does not want to be a member of the EDP and that she has explicitly requested to be removed from the list of members of the EDP, and that the EDP has taken no such step. A follow-up email is sent on 8 March.	
10 March 2021	The EDP declares its members to the APPF. The list contains, among others, Corina Cretu as a member of PRO Romania.			

Date	Events	Correspondence	
11 March 2021			The APPF replies that it has no further comments to make.
30 March 2021			Receipt of documents from European Parliament, including a redacted list of MEPs and their European party affiliation from 2019, with the names of MEPs black out.
2 April 2021			European Democracy Consulting submits a confirmatory request for documents from the European Parliament for the un-redacted list of MEPs and their European party affiliation from 2019.
1 June 2021			Receipt of the un-redacted list of MEPs and their European party affiliation from 2019.
8 June 2021			European Democracy Consulting writes to the Political Structures Financing Unit of the European Parliament summarising the information received through the request for information, and asking for clarifications on the European Parliament's decisions not to count Ms Cretu as a member of any European political party in 2019 and to count her as a member of the EDP in 2020.