



Brussels, 22 February 2017
(OR. en)

6462/17

INST 76

'I' ITEM NOTE

From: Presidency
To: Permanent Representatives Committee (Part 2)

Subject: Regulation No 1141/2014 on European political parties and European political foundations

- Procedure for the appointment by the Council of two members of the committee of independent eminent persons

1. Regulation No 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 foundations¹ is applicable since 1 January 2017.
2. Article 11 of the Regulation (see in annex) establishes a new committee of independent eminent persons which shall give an opinion on any possible manifest and serious breach of the values on which the Union is founded² by a European political party or a European political foundation.

It shall consist of six members, with the European Parliament, the Council and the Commission each appointing two members.

According to the criteria set out in Article 11(1):

- its members are to be selected on the basis of their personal and professional qualities,
- they "*shall be independent in the performance of their duties*",

¹ OJ L 317, 4.11.2014, p. 1–27.

² as referred to in point (c) of Article 3(1) and point (c) of Article 3(2)

- they "*shall neither seek nor take instructions from any institution or government or from any other body, office or agency*",
 - they cannot be MEPs, members of the Council or the Commission, cannot hold any electoral mandate, cannot be officials or other servants of the European Union or be current or former employees of a European political party or foundation.
3. On 13 December 2016, the Director of the Authority for European political parties and European political foundations invited the three institutions to each appoint two members to the new committee of independent eminent persons³.
4. The Presidency envisages to proceed as follows as regards the appointment by the Council of the two members of the committee:
- The Presidency will ask delegations, wishing to do so, to submit within a specified time limit, candidatures which fulfil the criteria provided for in Article 11 of Regulation No 1141/2014.
 - The Presidency will submit the list of candidates to the Antici group, accompanied with an initial assessment carried out by the GSC of their eligibility on the basis of the criteria set out in Article 11(1) of Regulation No 1141/2014.
 - The members of the Antici group will vote by secret ballot paper. To that purpose, each member will be asked to indicate two candidates. The selected candidates will be the two persons who will have received more votes.
 - Once the two candidates will be selected through the secret ballot by the Antici group, the Presidency will issue an "I/A" item note for the appointment of the two members of the committee by the Council.
5. It is suggested that the Permanent Representatives Committee endorse the procedure as set out in this note.

³ ST 15734/16

Article 11

Committee of independent eminent persons

1. A committee of independent eminent persons is hereby established. It shall consist of six members, with the European Parliament, the Council and the Commission each appointing two members. The members of the committee shall be selected on the basis of their personal and professional qualities. They shall neither be members of the European Parliament, the Council or the Commission, nor hold any electoral mandate, be officials or other servants of the European Union or be current or former employees of a European political party or a European political foundation.

Members of the committee shall be independent in the performance of their duties. They shall neither seek nor take instructions from any institution or government or from any other body, office or agency, and shall refrain from any act which is incompatible with the nature of their duties.

The committee shall be renewed within six months after the end of the first session of the European Parliament following each election to the European Parliament. The mandate of the members shall not be renewable.

2. The committee shall adopt its own rules of procedure. The chair of the committee shall be elected by its members from amongst their number in accordance with those rules. The secretariat and funding of the committee shall be provided by the European Parliament. The secretariat of the committee shall act under the sole authority of the committee.

3. When requested by the Authority, the committee shall give an opinion on any possible manifest and serious breach of the values on which the Union is founded, as referred to in point (c) of Article 3(1) and point (c) of Article 3(2), by a European political party or a European political foundation. To that end, the committee may request any relevant document and evidence from the Authority, the European Parliament, the European political party or European political foundation concerned, other political parties, political foundations or other stakeholders, and it may request to hear their representatives.

In its opinions, the committee shall give full consideration to the fundamental right of freedom of association and to the need to ensure pluralism of political parties in Europe.

The opinions of the committee shall be made public without delay.