

CENTRUL ROMÂN DE POLITICI EUROPENE

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More democracy in the EP elections:

- ✓ open lists
- ✓ accountable MEPs

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Romania is organizing elections for the European Parliament (EP) for the second time. The last elections were overshadowed by absenteeism and an unrelated domestic political crisis. These upcoming elections seem likely to have a similar outcome. In order to prevent this to happen, brave and responsible decisions are needed, involving all parties in the competition. Here are two proposals that would attract more voters in this campaign and open the debate to the general public.

- 1) Changing the voting system so that the voters can choose between the candidates of the same party;
- 2) A written commitment on behalf of the candidates, pledging not to renounce voluntarily at their seat in PE.

Romania finds itself in the paradoxical situation of having a public interested in the EU elections that is still unmotivated to vote. In the last EU barometer, Romanians rank among the most concerned EU citizens in the Union concerning the June elections - after Ireland, The Netherlands, and Malta. 53% of Romanians claim to be interested in the elections, placing it 10% higher than the EU wide average of 44% (see Fig.1).

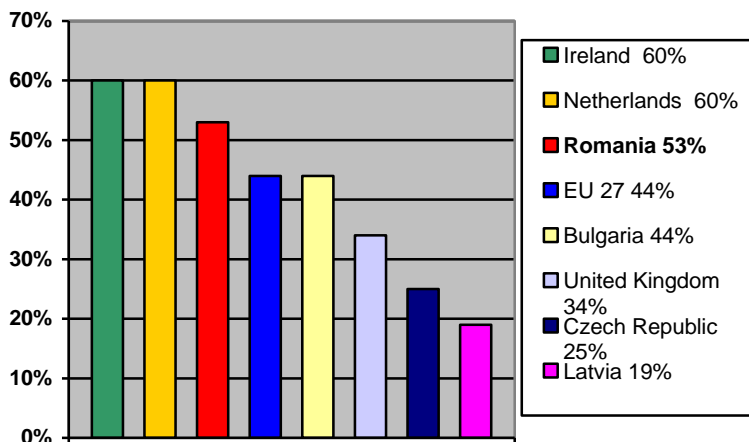


Fig. 1. How interested would you say you are in the European elections to be held in June 2009? Percentage that are interested

Source: Eurobarometer EB70.1, "The 2009 European elections: expectations of the Europeans"; December 2008

At the same time, when asked whether they intend to vote, only 20% of Romanians will declare a definite intention to do so, while the others have a rather ambiguous attitude (placing Romania on the 21st position out of the 27 member states – Fig. 2; Fig. 3)

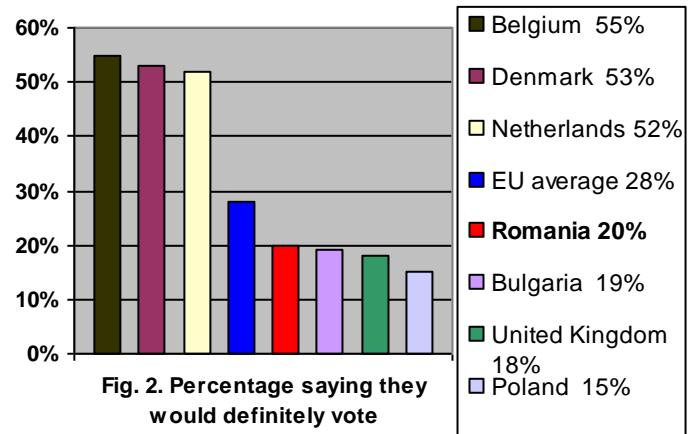
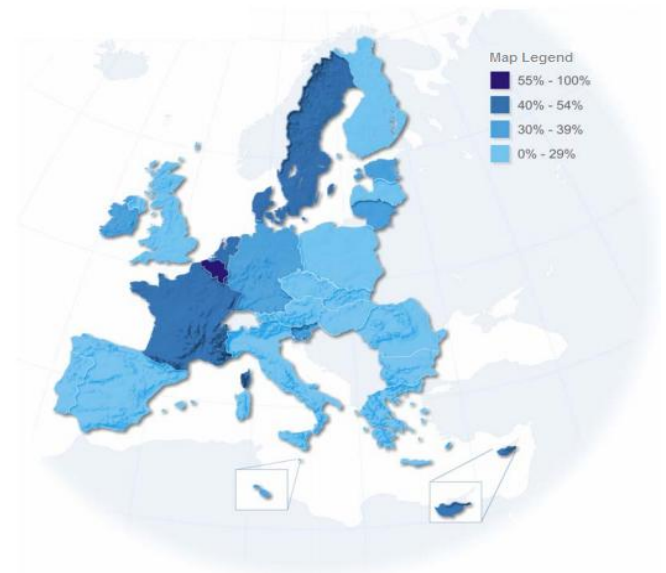


Fig. 2. Percentage saying they would definitely vote

Source: Eurobarometer EB70.1, "The 2009 European elections: expectations of the Europeans", December 2008

Fig 3 Percentage saying they would definitely vote



Source: Euro Barometer EB70.1, "The 2009 European elections: expectations of the Europeans"; December 2008. The map follows the model in the survey's presentation.

Based on the two questions, therefore, we find that Romanians maintain a positive attitude towards the EU, but they are rather uncommitted when it comes to acting on their opinions. Unfortunately, domestic political evolutions connected to the EU elections confirm this unenthusiastic view.

The Romanian parties contribute to the public skepticism with a dismal record of service to the EU:

- 1) A high rate of mandate resignations shows the lack of interest and commitment for both the voters and the EP;
- 2) A closed list vote that denies any possibility for the voter to differentiate between candidates;
- 3) Repeated public scandals related to the candidates lists and the lack of transparency in candidates' selection.

The CRPE Policy Memo Series has issued an explanation to how these three failures continue to discourage voters and how can they be replaced, so that the entire process becomes more transparent and accountable to the public.

I. “A non-RESIGNATION COMMITMENT”

a written commitment from the candidates that they would not resign their mandate before due term.

According to CRPE, a quarter (9 out of 35) of our MEPs elected in 2007 has resigned their mandate two years after elections. Romania's record is poor compared to other European countries, including Bulgaria that also entered the EU in 2007, where none of the 18 elected candidates resigned.

There are EU countries, such as Italy, where the resignation rate is higher than Romania's, but in their case, one would have to keep in mind that the length of the mandate was 5 years (the last EP elections were in 2004). Comparing the resignation rate to the length

of time makes Romania the delinquent of European Parliament mandates resignations. Even in rough figures, Romania's case is worrying: in two years 25% of the elected members had resigned, compared to a European average of 13% (for a 5 years mandate) (see Table. 1)

Table 1. Mandate resignation rate in the EU

Country	No. of resigning MEP's	Resignation rate (%)
After 2 years of mandate (2007 elections)		
Bulgaria	0	0
Romania	9	25,7
After 5 years of mandate(2004 elections)		
Belgium	1	4,1
Czech republic	0	0
Denmark	5	35,7
Germany	6	6,0
Estonia	1	16,6
Ireland	1	7,6
Greece	7	29,1
Spain	7	12, 9
France	10	12,8
Italy	39	50
Cyprus	0	0
Latvia	0	0
Lithuania	1	7,6
Luxembourg	0	0
Hungary	2	8,3
Malta	1	20
The Netherlands	6	22,2
Austria	3	16,6
Poland	6	11,1
Portugal	3	12,5
Slovenia	1	14,2
Slovakia	0	0
Finland	3	21,4
Sweden	3	15,7
UK	5	6,4
EU average		13,2

This figures point out that in Romania there is a vague understanding of the commitment demanded of successful carrier European Parliament, requiring both dedication and consistence. A European MP needs several years to advance within the political party groups. It is also worth mentioning that the affiliation to political groups is even more relevant in EP than at national level.

Despite they gather representatives from different countries, EP's political groups are capable of enacting disciplinary measures on members, creating a strict hierarchy based on experience and merit. For instance, the average cohesion score of EP's groups (how many times a member votes with the majority of the group) is higher than in the case of Republicans and Democrats within the US Congress (Hix, Noury and Roland; *Democratic Politics in the European Parliament*, 2007). It is the political group that decides the allocation of time for speeches, the positions in different committees and the rapporteurship distribution. An EP member does not exist without these instruments.

Having representatives who so frequently resign from their positions deprives Romanians of a significant political influence at EU level. Their half-hearted participation seems to indicate a low level of political astuteness on behalf of the Romanian political parties. A carrier within EP is seen as a lower level substitute to a national one; thus once an alternative shows up in Bucharest, the EP mandate becomes "disposable".

It comes as no surprise that the resigning EP members come from the parties forming the coalition government at the beginning of 2009: seven from PDL (the Liberal Democrat Party) and 2 from PSD (the Social Democrat Party). Some of them resigned as they were elected in the national parliament (and that makes us wonder why did they run for an EP seat in the first place), and others for executive positions in the government.

The EP should not be seen as a temporary retreat for those not acquiring an influential position at national level. The Romanian parties should be able to have a

reservoir of personalities or should be able to attract influential personalities able to dedicate themselves to this full time job – the EP mandate. When the parties are lacking seriousness, we cannot expect the voters to be serious about the elections.

CRPE PROPOSAL

The candidates supported by the political parties for the upcoming June elections should sign public commitments stating they would not resign the mandate. This would be equivalent to an informal tool of accountability and could have an impact on reducing the number of those looking for a temporary position in EP. We will remind about this commitment every time an EP member will resign the mandate.

Moreover, we believe it is necessary that the future candidates would present a personal political project before elections, stating clear political goals, within the limits designed by the EP mandate. This would create an effective incentive for voting in the elections and a monitoring tool while in office.

II. PREFERENTIAL LIST SYSTEM

Paradoxically enough, just a couple months after voting for the national Parliament in a single seat / constituency system that replaced the former blocked lists system, the Romanians are now asked to vote again closed lists, this time for the EU Parliament. This time, it is even more restrictive than it formerly was, with one single blocked list at national level for each party, instead of county lists as before. This is the least attractive system for voters, where they face predetermined lists of names of varying degrees of popularity or accountability.

Last day's scandals are relevant to the discussion. Mixing names such as Elena Basescu / Traian Ungureanu / Monica Macovei for Popular Party (PDL) or Norica Nicolai / Daniel Dăianu for Liberals (PNL) will achieve nothing but the alienation of the

potential voters for the latter. Having dubiously forced an unwilling public's hand in this vote, politicians will lose the right to complain about the public's cynicism or the low turnout.

What do we recommend? Simply, to rectify the mistaken notion that blocked lists are an inherent part of the EU parliamentary elections. EU recommends representative system. But the way candidates get elected from the list is left to be decided at a national level, with an EU recommendation for preferential systems. A minority of European states has chosen a blocked list while the majority opted for a system in which the voters can choose a single candidate from the list or can change the order of the candidates from a given list (see Table 2).

Table 2. Voting systems used in the European elections

Country	Closed list = 9 countries	System allowing to chose candidates within the list = 18 countries	
		Open lists	Single Transferable Vote
Austria		•	
Belgium		•	
Bulgaria		•	
Czech Republic		•	
Cyprus		•	
Denmark		•	
Estonia		•	
Finland		•	
France	•		
Germany	•		
Greece	•		
Ireland			•
Italy		•	
Latvia		•	
Lithuania		•	
Luxemburg		•	
Malta			•
Holland		•	
Poland	•		

Portugal	•		
UK	•		
Slovakia		•	
Slovenia		•	
Spain	•		
Sweden		•	
Ungaria	•		
România	•		

Source: Farrell D. and Scully R: 'Representing Europe's Citizens? Electoral Institutions and the Failure of Parliamentary Representation'; 2007

The systems in which voters can choose between the same party candidates differ in terms of seats allocated among candidates. Not to complicate things with too many technical details, we distinguish between two main categories:

- 1) Preferential vote list: - the parties present the list of candidates but the voter is able to choose one of the candidates, regardless his/her place on the list;
- 2) Single transferable vote: the candidates are equal on the list and each voter decides on the order of preference. For example, if there are three candidates, X,Y, Z, the voter will decide on the order of preference: MR. X – position 1, Mrs Y – position 2, Mr. Z – position
- 3) This system is used for EP election in Ireland and Malta

Different forms of open list systems are used in the majority of the EU members states in elections to the European Parliament. In some systems, the voters first vote for a party list and only optionally express a preference among the candidates on that list. In others, the citizens can only vote for a party by selecting one or more candidates from its list. Especially in the latter systems it is very important if the names of the candidates on the list appear in an order determined by the party, or in some random or alphabetical order. Finally, in a few systems the voters are allowed to vote for several candidates, even for

candidates of different parties. This is the case of Luxembourg, which elects six MEPs. Thus each votes allocates six votes, to candidates from one party or from different lists.

CRPE PROPOSAL

We support the simplest of the aforementioned alternatives: preferential vote list. The proposed difference from the current system is the voters' ability to choose whether to change the order of the list of candidates presented to them. This alternative is acceptable for the political parties, as it allows them to maintain their option to order the candidates while leaving the voters with a real choice.

OTHER RECOMMENDATIONS

Besides this suggestion, there are other solutions that might raise interest for the upcoming June elections

✓ REGIONAL LISTS:

Romania can organize these elections at regional level, based on the size of its population. The national list deprives the MEPs of a real political base, making connecting with the citizens difficult. The Puscas / Maior law draft from 2006 (see the text box) supported lists for each of the existing "development regions". It is a simple solution even if their definition of voting regions is questionable. Taking the debate from national to regional level would allow for a better relationship with the voters, making it easier for the MEPs to organize a political base while in office (three MEPs already opened offices outside Bucharest and this trend should be encouraged). Regional lists are common for big EU countries such as: France, Germany, UK but are to be found also in states smaller than Romania: Ireland.

The story of a failed attempt to introduce the preferential vote in Romania

Before Romania joined the EU, Vasile Puscas and George Maior, both MP's belonging to PSD group, drafted a bill for organizing EP elections with preferential lists. The draft was debated in the Chamber of Deputies during the Dec 19, 2006 session.

The Parliamentary Committee previously cut the reference to the preferential vote system, drawing the intervention of Vasile Puscas: "It is an alarming signal that the parties are trying to judge based on their narrow interests. We should start thinking at citizens and the way they are thinking. All of the opinion polls find that citizens wish to go through a uninominal system. Probably this is not wanted. But a preferential voting seems to me logical as it seems decent".

The President of the Committee, Mr. Mihai Voicu answered: "In the European Parliament – according, obviously, to the view of those who votes against this amendment, the main activity is within a political family; hence we considered that the Romanian political debate should be transferred in the same area. According to our opinion the preferential vote transfers the political debate within the list, instead of focusing the debate between different political trends in Romania. In my opinion, switching to a uninominal system is like quitting smoking: must be done sudden, and not by reducing to one two cigarettes per day. We all know it does not work like that".

Mr Voicu's argument is false: the preferential vote allows the game to be played between political families. A majority of EU countries do not use the blocked list system and still the political groups within the EP are powerful.

In the meantime, Romania voted in a variation of the uninominal voting system, but the former system remains for the EU Parliament.

In the meantime, Romania already ran "winner takes all elections, while the old system is still being used for the EP elections. This way Mr. Voicu and the Romanian political parties quit smoking...by half. To quote mr. Voicu himself, we all know it doesn't work like that. In the same debate Mr. Anghel Stanciu stated in the same debate that PSD continued to support the preferential vote. And so did a representative of the Conservative Party. The initiator of the draft Mr. Vasile Puscas is now a member of the Romanian government and its party – PSD- part of the ruling coalition. Thus CRPE calls upon Mr. Puscas and PSD to respect their former stand and restart the debate on preferential vote. Having a 70% majority in the Parliament, the ruling coalition should have no problem in passing their own draft.

Source: The minutes of Chamber of Deputy session.

<http://www.cdep.ro/pls/steno/steno.stenograma?ids=6223&idm=5>

✓ **PREVENTING AN OVERLAP OF EP ELECTIONS WITH DOMESTIC ELECTIONS**

Romanian political leaders should commit themselves to avoiding scheduling EP elections with any other kind of domestic electoral consultation (the media inferred a connection between elections and referenda or even the advance of the Presidential elections). The EP elections need all the attention the electorate is able to pay to them.

The views expressed on this website and in the publications of the CRPE are those of the authors and do not necessarily reflect the opinions of the CRPE or the institutions where the authors are affiliated.



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Marina (MA CEU Budapest, PhD Essex UK) is currently a British Academy Postdoctoral Fellow at the University of Essex. She previously worked for as senior research officer at the University of Essex and as a lecturer at Eotvos Lorand University in Budapest (ELTE) and at the School of Public Policy of University College London. Co-author of *Embodying Democracy: Electoral System Design in Post-Communist Europe* (Palgrave-Macmillan, 2002) as well as chapters and articles in European and American publications on comparative politics, public opinion, voting behavior, media and information effects. In Romania, Ms. Popescu was involved in a number of projects including the organization of an OSI summer school in comparative methodology and political science for East European scholars and experts, workshops on electoral system reform, the vote advice application TestVot, the FP7 deliberative project Europolis and was an OSI International Policy Fellow, focusing on electoral reforms in Eastern Europe.

What is CRPE?

The Romanian Center for European Policies (CRPE) was established in 2009 by a group of experts bound by the shared objective of supporting Romania's role in Europe. The mission of the CRPE is to promote Romania as an influential leader in the development of EU agendas and policies. Another mission is to advance the Europeanization processes in Romania by providing expertise in various fields and by initiating or participating in public debates.

Romania's EU membership is a key milestone in the country's Europeanization process. While negotiating accession, Romania did not have a say in the policy making process. Now, as a full member, the country has the instruments to assert itself as an active policy-maker, able to balance and advance national and European interests. For this to happen, one needs to first understand the complexities of the European system of governance, to help define the interests of the whole spectrum of Romanian policy stakeholders, and then to design strategies to advocate them at EU-level.

Romanian civil society has to keep pace with the new reality. While Romania's democracy was still fragile, civil society actors became experienced watchdogs. But as the country joined the European Union, civil society needed to be more than a critic of last resort. It had to consolidate its capacity to generate policy ideas and to engage in policy debates generated by others. Alongside broad or issue-based social movements, informal forms of civic participation and other civil society actors, independent think tanks capable to foster reflexive policy debates on the linkages between EU and Romanian policy processes are well-placed to play an important role. While a few Romanian think-tanks developed a record on the nexus between EU-level policies and the domestic policy process, none of them does so consistently and systematically. It is this gap that the Romanian Center for European Policies attempts to fill as an expertise-based member of the wider Romanian civil society.