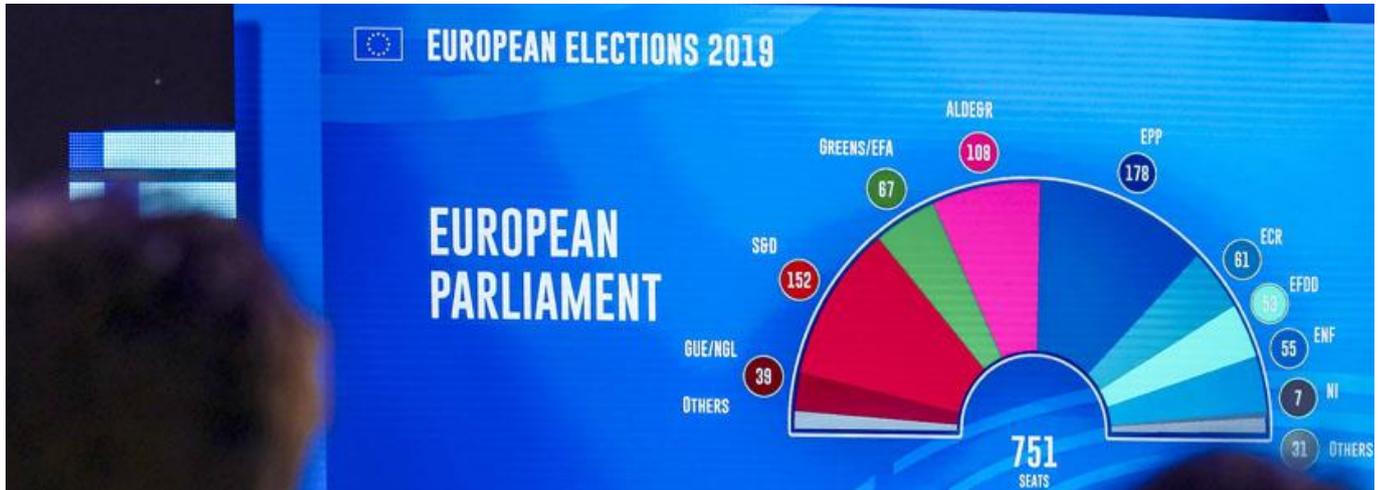


COMMENT

## European Elections: Brexit and the EU's Top Posts

Anthony Salamone | 28 May 2019



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The European Parliament elections, the largest supranational democratic exercise in the world, have produced mixed results. The main centre-right European People's Party (EPP) and centre-left Socialists and Democrats (S&D) finished a respective first and second (as before), but lost chunks of seats. The Liberals and Democrats (ALDE) increased their numbers, as did the Greens/European Free Alliance. The far-right and so-called populists made gains too, but not as much as expected. EU leaders will already meet today for their first discussion on filling the EU's top posts.

The result is a more diverse parliament, in which the mainstream groups will have to work more together. That outcome is arguably good for European democracy. The electoral aftermath has already had an impact on national politics as well – Greece will now hold an early general election, and the German 'grand coalition' government has been destabilised. Voter turnout increased for the first time in the EU's history, from 43% in 2014 to a provisional 51% in 2019 – public interest which must be meaningfully sustained in some way in the months and years ahead.

### Consequences of Brexit

In the months preceding the elections, it was unclear whether the UK was going to take part in the contest. If the UK parliament had approved the EU withdrawal agreement and political declaration – and if the European Parliament had done the same – the UK would have left the EU and naturally not been involved in the elections. While the UK did participate in the end, the future of its newly elected MEPs remains uncertain.

In preparation for the UK's departure, the EU27 reallocated the UK's 73 seats in the parliament – 27 of them to be redistributed across 14 member states, and the other 46 to be held in reserve for future EU enlargement. This redistribution would reduce the size of the parliament from 751

to 705 MEPs, the former being the maximum number allowed under the EU treaties. This legislation was however always conditional on Brexit happening in time – if not, as proved the case, the old arrangements applied.

Since the UK remains ostensibly on course to leave the EU, those 14 member states have elected their 27 extra MEPs, who should take up their seats if or when the UK does actually exit. These newly elected representatives are therefore in an unusual democratic position – elected but unable to take up office – which is an added source of Brexit frustration for the EU27.

Moreover, the UK has elected its MEPs but it is unclear for how long they might serve or the political dynamics of their participation. While they will have the same rights as all other MEPs, it would be surprising if they stood a chance of becoming committee chairs or rapporteurs on important topics, or being elected to parliamentary leadership positions. The continued presence of UK MEPs in the new parliament links to the wider question of how involved the UK should be in the EU's functioning, as a departing member state and with major decisions upcoming on EU top posts and the new agenda.

Whatever happens next, the UK will have some form of impact on the new European Parliament. If the UK does leave the EU, its 'temporary' MEPs will exit the chamber and the envisaged changes of membership will come into effect. This replacement exercise will shift the numbers in the new parliament, in terms of the overall number of MEPs and the size of each political group.

Groups will lose any UK MEPs they have, and gain any 'on hold' MEPs waiting in the wings. For instance, the liberal ALDE group, which did well in this contest, will lose its 16 Liberal Democrat MEPs and 15% of its current 109 MEPs – though pick up any of the new MEPs affiliated to it. If the UK does not leave the EU, its MEPs will have to begin a transition back to influence and prominence in a parliament that has already started to adapt to life without them.

### **Filling the EU's Top Posts**

With the elections over, attention turns in earnest to the EU top posts that will be filled over the coming months. The most prominent role is the new president of the European Commission, but other posts are also in the frame. The entire new college of commissioners will be appointed – not just a new commissioner from each member state, but crucially what portfolios they will be given. The European Parliament itself will select a new president, vice presidents, committee chairs and other leaders. The European Council will need a new president, as will the European Central Bank.

The EU is famous for its political bargaining, yet it remains to be seen what role the *Spitzenkandidaten* process may play in deciding the new European Commission president. This election cycle marks the second time that most of the major European party groups nominated so-called Spitzenkandidaten (German for 'lead candidates') as designated candidates for European Commission president. The Treaty of Lisbon introduced the concept that the European Council must appoint the Commission president 'taking into account the elections to the European Parliament', who must then also be elected by the parliament.

However, the current process is not accepted by everyone – notable opponents this time are French president Emmanuel Macron and the liberal ALDE group (which Macron has recently joined). ALDE has so far participated, but by nominating a 'team' of Spitzenkandidaten instead of one. While the stated aim has been to increase voter interest in the European elections by making a stronger link between the vote and the leader of the Commission, it is far from evident

that voters have been motivated much by Spitzenkandidaten. More work will need to be done to make the process clear and agreed (in advance of the next election).

Since the process is new, it has given rise to disputes which are unresolved. For instance, it remains unclear whether the winner should be the single party with the largest share of MEPs (and its lead candidate), or instead the coalition of parties which can achieve a majority (and whichever lead candidate they agree, largest party or not). Last time in 2014, the Spitzenkandidaten process seemed successful – the EPP was the largest party, and its lead candidate Jean-Claude Juncker was appointed Commission president by the European Council and voted through by the European Parliament. A crucial factor was the reluctant support from German chancellor Angela Merkel.

This time, it is far from certain that EPP lead candidate Manfred Weber will become Commission president, despite the EPP's first-place finish. Other lead candidates, mainly the S&D's Frans Timmermans and ALDE's Margrethe Vestager, are also in the frame. Tonight's summit will demonstrate the extent of a possible Franco-German divide on the Commission presidency (and other posts). Angela Merkel has recently restated her support for the Spitzenkandidaten process, and of course Weber is not only a fellow German but from her CSU party ally. Emmanuel Macron appears likely to support a different candidate, whether from his new ALDE group, the Socialists or a compromise French candidate (such as the EPP's Michel Barnier).

While the outcome remains to be seen, the current mood music suggests that EU national leaders will involve the Spitzenkandidaten process in some way – but perhaps not in a direct relationship of largest party equals its Spitzenkandidat as Commission president. Appointing Timmermans or Vestager, for instance, could be a compromise and still be said to be in line with the process, since they were nominated as lead candidates. The EPP have held the Commission presidency since 2004, so the S&D and ALDE are likely to push strongly to have a greater say on the next president.

The UK will be formally involved in these discussions, and caretaker prime minister Theresa May will attend tonight's summit. However, the EU27 will expect the UK in practice to stand well back from these major decisions on EU top posts and the future of the EU. In any case, the UK's political capital as a member state dissipated years ago. Nevertheless, for as long as it remains a member state, the UK must formally participate in the EU. If the Brexit deadline is extended beyond its current date of 31 October, the UK will have to appoint a new European commissioner. The next European Commission president would then have to decide which portfolio to give that person – undoubtedly a conundrum, should that situation come to pass.

The electoral arithmetic in the parliament is changed from 2014, with greater fragmentation, and filling the EU's top posts will not be straightforward. Despite the contested nature of the Spitzenkandidaten process, the principle of introducing greater clarity into the selection of EU top posts is important. Achieving the long-absent gender balance in the Commission and across EU top posts also matters, but it is an open question whether EU leaders will take such priorities on board. The renewed EU institutions will need to be ready to take on the major challenges facing Europe and the world – and this is a time for real leadership.