

Titel:

The 2019 European Parliament elections and Brexit: business as usual?

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Kurzzusammenfassung

This chapter focuses on the implications of Brexit for the European Parliament. It will start by evaluating the new distribution of seats and then explore the changes of political groups. Finally, the chapter will showcase some key decisions made in recent years and simulate how these would have looked like without British MEPs. Shedding light on the Parliament's role in the withdrawal process, the chapter demonstrates that the EP is not just an object of Brexit. It has the democratic mandate and political power to oversee Brexit and to shape the future relations between the EU-27 and the UK.

Schlagworte

European election 2019, European Parliament, Brexit, political parties, future of the EU

1. Introduction

The United Kingdom is about to leave the European Union. Brexit will have important implications for the European Parliament over the coming years, both institutionally and politically. In institutional terms, two points are relevant: First and foremost, the EP will lose its British members and thus reduce its size from 751 to 705 MEPs. However, and even more important, the composition of the Parliament's political groups and its internal balance of power is set to change noticeably. This chapter will start by briefly evaluating the new distribution of seats in the European Parliament against the background of the ninth and probably last UK elections to the EP. It will then explore the changes of the existing political groups. In political terms, some policy implications of Brexit will be addressed: The first will be Brexit itself. The European Parliament plays a crucial role within the Brexit process. This is particularly so as the withdrawal of the UK from the EU does not limit the role of the Parliament to give its consent to the final text of the agreement. On the contrary, the EP will have to play an important role as the EU's co-legislator in any agreement which will address the details of the future EU-UK relations after withdrawal. Finally, this chapter will showcase some key decisions made in recent years and simulate how these would have looked like without British MEPs.

2. Reduction of size

Even before the British referendum on EU membership, the European Council (2013) called on the European Parliament to make a proposal for the future allocation of seats to EU countries “in an objective, fair, durable and transparent way, translating the principle of degressive proportionality”. The principle of degressive proportionality is laid down in the primary law of the EU. However, the current Art. 14(2) TEU does not spell out the specific rules for the allocation of seats. There are plenty of mathematically possible solutions that meet the legal requirements, which makes the concrete distribution “a political issue as much as scientific one” (Cegiełka et al. 2011, p. 105). The European Parliament (2015a) responded positively to the call of the European Council and decided “to reform its electoral procedure in good time before the 2019 elections”. In January 2018, Danuta Maria Hübner and Pedro Silva Pereira (2018) tabled their proposal for a new composition of the EP. Their proposal was two-fold: First, the number of total seats in the Parliament should be reduced to 705. Second, out of the 73 seats of the United Kingdom, 27 should be redistributed to some EU countries, while 46 seats should be kept for future EU enlargements or for a joint constituency. In February 2018, the European Parliament voted in favour of reducing the total number of seats from 751 to 705 and to redistribute 27 seats amongst other member countries to compensate for existing biases in representation. Additionally, up to 46 of the 73 UK seats are kept in reserve to be reallocated to new countries joining the EU or preserved to keep the institution smaller. The European Parliament nonetheless decided to delete the possibility of transnational lists (European Parliament 2018). This decision is a great setback for the institutional development of the EP, as the introduction of transnational lists has been repeatedly proposed as a way to make European elections more European and even more democratic (Anastassopoulos 1998; Duff et al. 2009; Duff 2011, 2012).

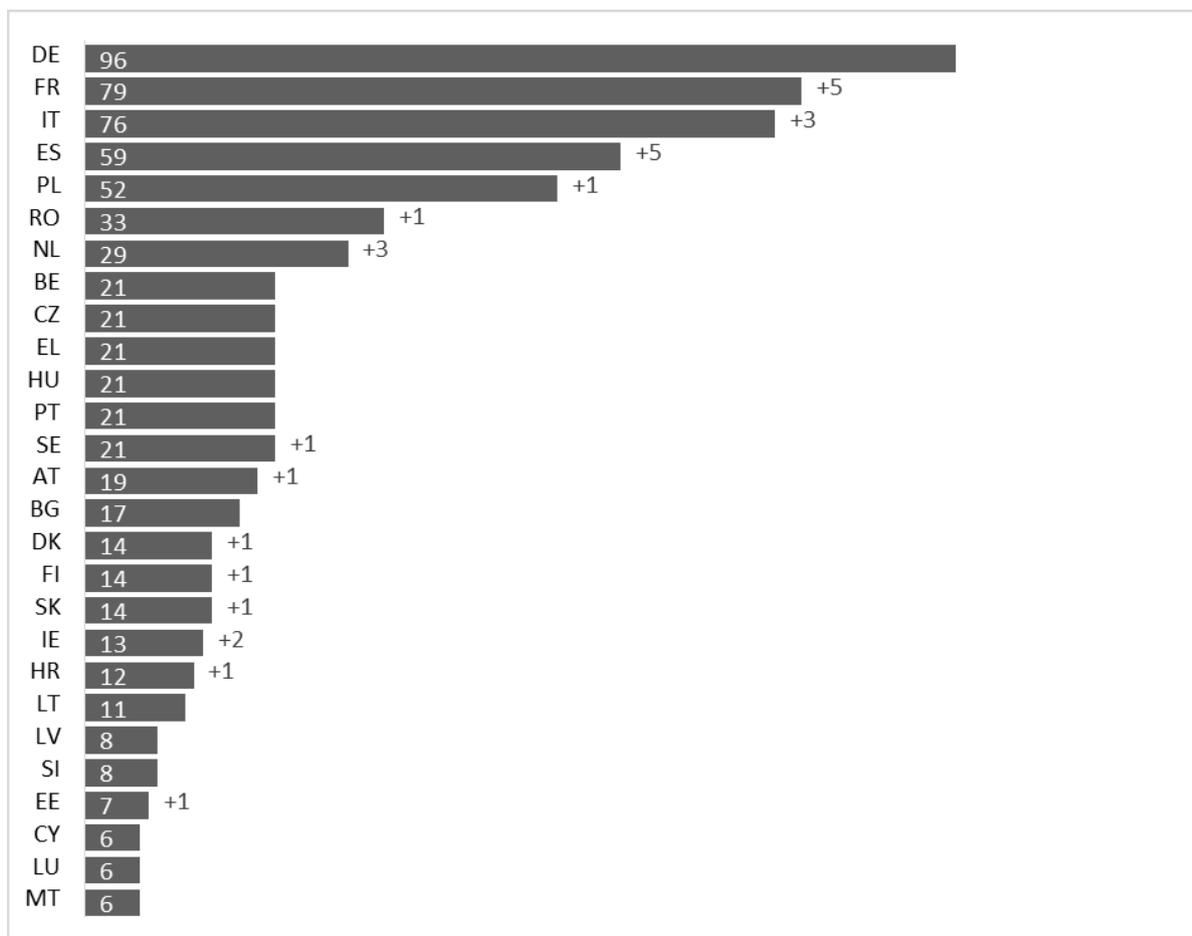


Figure 1: Planned reallocation of seats

Source: Own figure based on European Council 2018

The new rules were formally adopted by the European Council on 29 June 2018 (European Council 2018). They were planned to come into effect after the European elections. However, events turned out different. When British citizens and European and Commonwealth citizens resident in the United Kingdom took part in the European elections on 23 May 2019, this was a vote that was never meant to happen. Following the Brexit referendum in June 2016, the British government initially targeted the country's withdrawal on 29 March 2019. However, due to the inability of the Westminster Parliament to ratify the negotiated withdrawal agreement, that deadline has been extended three times and is currently 31 January 2020. The election results show clear disillusionment with the two main parties: The governing Conservative Party only got 4 seats and the main opposition Labour Party 10 seats. In contrast, the Brexit Party, a new political party established by Nigel Farage, won 29 seats. The Liberal Democrats, who fought on a hard Remain campaign, came second with 16 seats. The Green Party was in fourth place behind Labour with 7 seats, while the Scottish National Party (SNP) were in sixth place behind the Conservatives, with 3 seats. The Alliance Party of Northern

Ireland (APNI), the Democratic Unionist Party (DUP), Plaid Cymru and Sinn Féin each won 1 seat. Accordingly, a total of 73 MEPs from the UK took part in the opening session of the European Parliament on 2 July 2019. The total number of seats in the Parliament will therefore remain at 751 until the withdrawal of the United Kingdom from the EU. With the UK as a fully-fledged member of the EU, the number of MEPs per country will remain fixed and nothing will change compared to the previous legislative term. Only after the withdrawal of the United Kingdom from the EU, the distribution of seats will look as shown in the figure above. While no country will lose any seat, some will gain new seats, while others' numbers of seats remain unchanged. The redistribution of seats will take place based on the electoral results. This means that all additional MEPs will be on a *reserve list* and will enter the European Parliament only in the event of Brexit.

3. Change of composition

Against the background of the above outlined redistribution of seats, Brexit will also have an impact on the relative strength of the political groups in the new European Parliament. Using the final election results, it is possible to give a precise overview what the Parliament would look like after Brexit (see Table 1). The biggest losses appear to the group of Non-Inscrits (NI) as it would lose 29 MEPs from the Brexit Party and one delegate from the DUP. The liberal group Renew Europe (RE) would lose 17 UK members, but gain 6 thanks to new members being elected in Denmark, France, Ireland, Netherlands and Spain. In a similar vein, the Greens/European Free Alliance (Greens/EFA) would lose 11 UK delegates, but gain four new MEPs from Austria, Finland, France and Sweden. The Progressive Alliance of Socialists and Democrats (S&D) would lose 10 UK MEPs, but gain four new members elected in Croatia, France, Romania and Spain. The left-wing European United Left/Nordic Green Left (GUE/NGL) would only lose one delegate from Sinn Féin. The group of European Conservatives and Reformists (ECR) would lose four MEPs from the Conservative Party, however, it would compensate this loss thanks to the election of news members in Italy, Netherlands, Poland and Spain. Neither the European People's Party (EPP) nor the far-right group Identity and Democracy (ID) would face any losses in case of Brexit. The EPP would gain five new delegates elected in Estonia, Ireland, Italy, Slovakia and Spain. Finally, the ID would gain three additional seats coming from France, Italy and Netherlands.

Table 1: European Parliament composition

Political groups	Status quo	Post-Brexit	Difference
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	<i>Number of seats</i>	<i>% of seats</i>	<i>Number of seats</i>	<i>% of seats</i>	<i>Number of seats</i>	<i>% of seats</i>
EPP	182	24.23	187	26.52	+5	+2.29
S&D	154	20.51	148	20.99	-6	+0.49
RE	108	14.38	97	13.76	-11	-0.62
Greens/EFA	74	9.85	67	9.50	-7	-0.35
ID	73	9.72	76	10.78	+3	+1.06
ECR	62	8.26	62	8.79	0	+0.54
GUE/NGL	41	5.46	40	5.67	-1	+0.21
NI	57	7.59	28	3.97	-29	-3.62
Total	751		705			

Source: Own calculations based on official election results

All in all, the share of pro-EU groups (EPP, S&D, RE and Greens/EFA) would slightly increase from 68.97% to 70.78%. Nonetheless, the share of Eurosceptic groups would also slightly increase from 23.44% to 25.25%. These results confirm that the new Parliament will be more fragmented after the United Kingdom will have left the EU: a post-Brexit majority in support of the European Commission will, in fact, continue to require RE and/or the Greens/EFA to join the EPP and S&D (Chopin et al. 2019a, b). The ranking of parties and therefore their bargaining power on legislation, will also change. After Brexit the ID would become the fourth largest group, putting the Greens/EFA on the 5th position. The EPP group would be the main beneficiary of the UK's departure (+2.29%), while the other political groups would hold more or less a similar number of seats.

It is thus possible that some groups would ask to re-shuffle the European Parliament's committees' composition to promote their own members to positions of power. The legislative decisions of the EP are strongly predetermined by committee deliberations. The chairs and vice-chairs of the Parliament's committees play an important role in setting the agenda and organising the work of the European Parliament (Corbett et al. 2016, p. 171). As Treib and Schlipphak (2019, p. 221) have shown, there is no mechanical distribution of committee chairs to national party delegations according to relative party size. Party size does play a role in the assignment of the most prestigious positions. However, the distribution of committee chairs is rather the result of power struggles among MEPs.

Table 2: European Parliamentary committees' composition

Committee	Chair	1st Vice-Chair	2nd Vice-Chair	3rd Vice-Chair	4th Vice-Chair
AFET	EPP, DE	ECR, PL	tba	tba	tba
SEDE	RE, FR	S&D, EL	EPP, HU	GUE/NGL, DE	EPP, AT
DROI	S&D, BE	RE, UK	Greens/EFA, DE	EPP, AT	S&D, FR
DEVE	EPP, SE	Greens/EFA, DE	S&D, DE	RE, FR	Greens/EFA, DE
INTA	S&D, DE	ECR, CZ	EPP, RO	EPP, EL	RE, FR
BUDG	ECR, BE	EPP, PL	RE, BE	S&D, PT	EPP, DE
CONT	EPP, DE	S&D, ES	S&D, IT	RE, CZ	EPP, HU
ECON	S&D, IT	EPP, CZ	RE, FR	ECR, NL	GUE/NGL, PT
EMPL	ECR, SK	S&D, LT	GUE/NGL, PT	EPP, CZ	Greens/EFA, DE
ENVI	RE, FR	Greens/EFA, NL	S&D, UK	EPP, RO	GUE/NGL, NL
ITRE	EPP, RO	ECR, PL	RE, DK	S&D, IT	S&D, ES
IMCO	Greens/EFA, FR	S&D, SE	EPP, DE	S&D, HU	RE, DE
REGI	GUE/NGL, FR	EPP, PL	RE, RO	S&D, RO	EPP, ES
AGRI	EPP, DE	Greens/EFA, PT	EPP, RO	ECR, ES	RE, FI
PECH	RE, UK	EPP, NL	RE, DK	S&D, IT	EPP, PT
CULT	EPP, DE	Greens/EFA, DE	ECR, LV	S&D, UK	EPP, HU
JURI	RE, UK	Greens/EFA, DE	EPP, DE	S&D, ES	ECR, IT
LIBE	S&D, ES	RE, ES	S&D, IT	tba	EPP, BG
AFCO	EPP, IT	S&D, DE	RE, LU	S&D, IT	tba
FEMM	S&D, AT	GUE/NGL, ES	Greens/EFA, FR	EPP, EL	S&D, PL
PETI	EPP, ES	Greens/EFA, LV	RE, EE	ECR, PL	S&D, ES

Source: Own composition based on committees' meeting outcomes

4. Shaping the Brexit process

The European Parliament is not just an object of Brexit. It has the democratic mandate and the political power to oversight the UK's withdrawal from the European Union and to shape the future relations between the EU-27 and the UK. On 8 August 2016, the European Parliament appointed Guy Verhofstadt, the former Belgian Prime Minister and leader of the ALDE Group, as representative on Brexit matters. As a "counterpart" (European Parliament 2016) of Michel Barnier, the role of Guy Verhofstadt is to keep the Conference of Presidents (comprising the European Parliament's President and group leaders) fully informed of developments and help to prepare the Parliament's position in the negotiations, in close consultation with the Conference of Presidents. To that end, a Brexit Steering Group has been established, headed by

Guy Verhofstadt. Working under the aegis of the Conference of Presidents, the Brexit Steering Group's purpose is to coordinate and prepare Parliament's deliberations, considerations and resolutions on the UK's withdrawal from the EU. The Deputy Secretary-General supports the work of the Brexit Steering Group. Indeed, it would be wrong to under-estimate the position of the European Parliament in the Brexit process (Gordon & Sutton 2018, p. 25). Before concluding a final agreement with the United Kingdom, the Council will need to obtain the Parliament's consent (Art. 50(2) TEU). In addition, the Parliament not only monitors the progress in the negotiation, but also comments on the position papers submitted both by the Commission's Task Force and by the United Kingdom. Michel Barnier himself also made a point of working "closely" with the European Parliament (European Commission 2017a). Indeed, through its Brexit Steering group and its coordinator and by issuing several resolutions, the European Parliament has made itself heard throughout the Brexit process so far (Bressanelli et al. 2019).

The involvement of the EP in the negotiations and conclusion of an agreement on future relations between the EU-27 and the United Kingdom depends on the kind of relationship that both sides want to create. However, such an agreement will clearly be an international agreement and the rules of Art. 218 TFEU will apply to it. The Parliament's most prominent function in making such an agreement is to ratify the final result of the negotiation process (Art. 218(6) TFEU). Nonetheless, according to interinstitutional agreements and practice, the Parliament's influence reaches far beyond that. It is involved in the making of such agreements from the early beginning, including the right of information and the right to give its views. In addition, according to Art. 218(11) TFEU, the European Parliament may also ask for an opinion of the Court of Justice. As the EU Chief Negotiator has pointed out in a speech in May 2017, "whatever legal form which will frame this new partnership in all its dimensions, it will in any case be a so-called 'mixed' agreement" (European Commission 2017b). Such a *mixed agreement* would have to be ratified in every single member state on the basis of national constitutional provisions. The case of the Comprehensive Economic and Trade Agreement (CETA) has shown that national parliaments and even some regional parliaments can act as a serious veto player.

In addition, Brexit will make changes of the European treaties necessary. For these changes, both the European Parliament and national parliaments will be negotiating parties, since they require an ordinary treaty revision (Art. 48 TEU) during which MEPs and MPs are directly involved following the Convention method. Any changes to the EU Treaties subsequently need the consent of the European Parliament and have to be ratified according to national

constitutional provisions, possibly involving regional parliaments and referenda in member states.

5. Future policy changes

VoteWatch Europe (2017) has run a simulation to assess how some of the key decisions made in the European Parliament in recent years would have looked like if the British MEPs had not been there. On this basis, a projection was made how these decisions would have looked like, when they would have been made without the UK. Three policy implications of these results are worth noting. First, the future Parliament will be more progressive on environmental policies. In the past, British MEPs have been generally more conservative on environmental issues and have preferred a gradual approach to raise current standards. With no parliamentarians from the UK, the conservative camp within the European Parliament will become smaller. In a similar vein, supporters of nuclear energy will lose a strong ally due to Brexit. British MEPs have usually opposed provisions recommending a phasing out of nuclear energy. This was the case in 2015, when most British MEPs voted against an amendment of the European Energy Security Strategy, which called on member states and the EU institutions “to phase out subsidies and other public funding for the construction, operation and life extension of new and existing nuclear facilities” (European Parliament 2015b, p. 1). The amendment was rejected by 248 votes in favour and 419 against. With no British MEPs, the result of the vote would have been 239 in favour and 360 against. Second, cooperation on defence and security matters is likely to increase after Brexit. Although the United Kingdom is one of Europe’s most important military actors, it has often opposed to a genuine European defence and security policy. This was obvious in 2016, when the Parliament voted on the report *The EU in a changing global environment*. British MEPs were strongly against the proposed establishment of a permanent military headquarter within the EU. Only the one delegate from the Liberal Democrats supported the initiative (VoteWatch Europe 2016). Accordingly, in terms of capabilities, Brexit will without doubt weaken the EU’s power in world politics (Major & van Voss 2017). However, with no British MEPs the European Parliament will become much more supportive for a deeper integration in the area of defence and security. Third, Brexit will accelerate the completion of the European Monetary Union (EMU). Once the biggest non-Eurozone country has left the EU, MEPs from the Eurozone countries will increase their seats from 492 to 514, while MEPs from the non-Eurozone countries will have a decrease from 259 to 191 seats. Therefore, the new Parliament is likely to be more responsive to reforms of the EMU, such as the creation of an EU finance minister or a Eurozone budget (VoteWatch Europe 2018).

6. Conclusions

This chapter has analysed the institutional and political implications from Brexit for the European Parliament. As outlined above, the withdrawal of the UK from the EU will lead to more than a pure reduction of the European Parliament's size. The absence of British MEPs, equivalent to the EU losing nine of its smallest member states, will change the composition of the EP's political groups and its internal balance of power noticeably. On environmental and energy issues, it is highly likely that the European Parliament will become more progressive. In the case of the EMU, the departure of the largest non-Euro member will put the Eurozone at the heart of the European integration project and could tighten economic integration. In the field of defence and security policy, new efforts are likely to be forthcoming to enhance the coherence and effectiveness of the EU as a global actor. Indeed, these policy shifts could also have happened with the United Kingdom as a full member of the European Union. And, yes, it remains to be seen whether the EU-27 will be willing and capable of such large-scale reforms. However, the UK has often blocked European integration or has demanded political opt-outs and special treatments. The exit of this "awkward partner" (George 1998) could remove this obstacle and facilitate structural reforms. The turnout for the EP elections in 2019 demonstrates that Europeans care about the future of the EU and, perhaps even more crucially, take care of it. It is in this context that Brexit means everything but business as usual. Brexit will recalibrate the political landscape of Europe. This recalibration will require difficult decisions and innovative thinking within the EU-27. Whether the new European Commission and Parliament can deliver to these challenges remains to be seen in the forthcoming five years.

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