

CZECH REPUBLIC

Introduction

The objective of this research report is to describe and analyse the procedures applied by political parties in the Czech Republic for selecting candidates that will contest for seats in the 2009 European parliament election. The study has the following structure. Firstly, the Czech electoral system used for the European parliament elections is briefly described. Secondly, the candidate nomination procedures of the following political parties are analysed: the Czech Social Democratic Party (ČSSD), the Civic Democratic Party (ODS), the Christian and Democratic Union – Czechoslovak People’s Party (KDU-ČSL), the Green Party (SZ), the Communist Party of Bohemia and Moravia (KSČM) and the Association of Independent Candidates – the European Democrats (SNK-ED). Thirdly, we summarise the commonalities and differences between the procedures used by the parties.

Since 2002, elections to the European Parliament are regulated by an agreement on uniform electoral procedures. Basically this means that in all member states a proportional electoral system should be used for the elections. There are, however, significant points where the applied electoral systems can vary between the member states: 1) The member states can use either a list system or the single transferable vote, 2) the member states can, if desired, adopt preferential voting, 3) the member states are free to divide the country into constituencies, as long as the proportional nature of the system is not threatened, and 4) a minimum threshold for representation of parties can be set, the maximum being 5 %.²⁶ The Czech Republic has made the following choices on these points: 1) a list system is used and the d’Hondt electoral formula is applied, 2) the ballot is ordered but allows the voter to mark two preferred candidates, 3) the whole country is one constituency, and 4) the threshold in the Czech Republic is 5 %.²⁷ Since the effective threshold in 2004 was 3%, this means that the Greens would have received a mandate if no threshold was used.

Studying the parties’ selection of candidates for the European Parliament

The six political parties included in this study are the political parties that received more than 2 % in both the last European election and the last election to the Chamber of Deputies of the Czech Parliament (held in 2006). Five of the parties are represented in the Chamber of Deputies; the exception is the European Democrats. This party, however, is represented in the European Parliament, which is not the case of the Greens.

The discussion on the political parties takes into account the following questions:

- What are the formal procedures used by the party for establishing the electoral list?
- Approximately where on a scale of inclusive – exclusive party selectorates can the party be categorised?
- Are there any specific criteria regarding the qualities and qualifications of the candidates? That is, are they expected to possess some specific qualifications, and are

²⁶ D. Farrell and R. Scully, Electing the European Parliament: How Uniform are ‘Uniform’ Electoral Systems?, *Journal of Common Market Studies*, 43(5), p. 970.

²⁷ zákon č. 62/2003 Sb. o volbách do Evropského parlamentu a o změně některých zákonů [Law nr. 62/2003 Sb. Regarding elections to the European Parliament and regarding changes of some laws]

there any concerns in regard to their gender, age, etc.? Should they be members of the party?

- Does the European party group in any way influence the selection (even indirectly)?
- Are there any indications that informal criteria in any significant way change the formal procedure for establishing the electoral list?

The discussion of each political party starts with a short description of the nature of the political party referring to, first, the number of seats in the Chamber of Deputies and in the European Parliament and second, to the member base of the party.

Regarding the second question, we are referring to the parameter which is normally considered the most important in the research of candidate selection procedure, which is the question of who selects the candidates.²⁸ To illustrate the possible position on a scale between exclusive and inclusive models of candidate selection, five different categories can be made: 1] The most exclusive system would be if the party leader selected the candidates. 2] In a slightly less exclusive model, small nominating committees play the central role in the selection procedure. 3] In the middle of the field we have selected party agencies or selection by delegates, for instance at a party convention, where the delegates have been selected specially to pick nominees for the election. 4] The party members directly select the candidates, i.e. party primaries. Normally the members of the party have to be registered, have had to pay a certain but often modest fee and sometimes they should have been members for a certain amount of time. 5] The most inclusive model is when more or less all voters can take part. There might be demands that they should be registered as party supporters. This is what we know from the US as open or closed primaries.²⁹

In the answer to the third question we discuss whether the party leadership or some other party convent, etc. have specified certain criteria for candidates. For instance, have they expressed the demand that candidates should possess certain language demands or knowledge of the EU? Are there any other specific preferences regarding the candidates' qualities? In this question we also take into consideration what kind of persons are preferred, if this is stated, for instance regarding gender representation, regional diversity of candidates, etc.

The fourth question suggests that the European party group might influence the procedure in both a formal and an informal way. For instance it might be the case that gender is considered important at the European level and that the party therefore decides to use some kind of party quotas to increase the number of female candidates on its list.

The Christian and Democratic Union – Czechoslovak People's Party (KDU-ČSL)

The Christian Democrats have been represented in the Deputy Chamber of the Czech Parliament throughout the country's post-communist history. In the 2006 election they received 7.22 percent of the votes and 13 mandates. In the 2004 elections to the European parliament they received 9.57 percent of the votes and 2 mandates. The party has, compared to other Czech political parties, a rather large number of members - in 2002 7.5 percent of the electorate.³⁰

The candidates for the election to the European Parliament in 2009 were elected at the party's convention in Pardubice in April 2008. On the scale of inclusive-exclusive models for candidate

²⁸ G. Rahat, Candidate Selection: the Choice before the Choice, *Journal of Democracy*, 18(1), 2007, p. 160.

²⁹ G. Rahat, pp. 160-162.

³⁰ L. Linek and S. Pecháček, Low Membership in Czech Political Parties: Party Strategy or Structural Determinants?, *Journal of Communist Studies and Transition Politics*, 23(2), 2007, p. 263.

selection presented above, the KDU-ČSL is approximately in the middle, 3, which means that it is very inclusive by Czech standards. The candidates are selected by the party convention delegates, based on nominations of either the regional committees or the country conference of the party.³¹ In total, 15 candidates were nominated and the party convention decided on the ranking of the nominees. Additional names will be added by the party commission³² in order for the list to be complete.³³

The party has 14 regional committees and in total 90 districts. The regional committees nominate candidates to the European Parliament based on selections from the district committees.³⁴ The candidates nominated to the party convention have to first of all declare that they will not run as candidates for any other political subject at the same time. However, there is no explicit demand that the candidates have to be members of the party even if this was the case among all of the fifteen candidates nominated to the party convention in 2008. In addition they should pay a nomination fee of 10,000 Czech crowns.³⁵ Besides these two demands, the country conference of the party has stated that candidates should have the following five qualifications: 1) they should master one world language at the communicative level, 2) have professional qualifications that would suit any of the EP's parliamentary committees, 3) have a country wide reputation or potential, 4) be prepared to stay outside of the Czech Republic for the greater part of the year, and 5) have proven him/herself politically successful (this is defined as having gained the people's confidence in earlier elections at any level).³⁶ However, nothing is done to check whether the candidates actually fulfill these five criteria.³⁷

The delegates at the convention vote by a closed vote for the candidates. Each delegate can deliver votes for 1/5 of the candidates at the maximum. In 2008 there were 15 candidates and each delegate could vote for three different candidates. The number of votes for each candidate is decisive for the candidates' order on the list.³⁸ The multiple votes are believed to be beneficial for less established candidates who manage to make a good impression at the convention.³⁹

The delegates to the convention, who thus determine the order of candidates, are members of district organisations elected at the district conferences⁴⁰ and members of the party conference. At the convention the party's two current members of the EP received by far the biggest number of votes. Since the party is expected to gain a maximum of two mandates in this election, only the first two candidates are considered electable. The reason that these two MEPs were

³¹ This is the highest decision making body of the party inbetween the party conventions. This body should meet at least three times a year. The regions are represented in the conference based on the principle "1 representant for every 800 members", party leadership, members of parliament and members of European Parliament. The current conference has 89 members.

³² The party's executive body.

³³ The maximum number of candidates on a list for a single party is one third more than the total number of MEPs elected in the Czech Republic, i.e. 32.

³⁴ KDU-ČSL 2007, Volební řád primárních voleb pro volby do Evropského parlamentu 2009 [Election rules for the primary elections for the election to the European Parliament 2009], KDU-ČSL 2005, Stanovy Křesťanské a demokratické unie - Československé strany lidové [statute of the Christian and Democratic Union - the Czechoslovak People's Party], available at: <http://www.kdu.cz/default.asp?page=510&idr=10586&IDCI=22011>

³⁵ Approximately 385 Euros.

³⁶ KDU-ČSL 2007.

³⁷ Interview with representative of KDU-ČSL, January 19, 2009.

³⁸ KDU-ČSL 2008. Primární volby do EP [Primary elections to the EP], available at: http://www.kdu.cz/subweb/default.asp?page=51&IDR=10615&id_rok=14

³⁹ Interview with representative of KDU-ČSL, January 19, 2009.

⁴⁰ A district is entitled one delegate for every 250 members.

successful in defending their position on the list is argued to have been their productivity in the parliament in combination with their visibility in the Czech media. The party leadership did not actively intervene in order to affect their re-nomination (Interview). The party, however, has shown a conservative approach to change on their ballot lists in other elections as well. In the 2006 national election, for instance, all the KDU-ČSL MPs were placed on electable places on the ballot lists.⁴¹

The party's central secretariat has, however, actively influenced the shape of the list in other ways. For instance, one of the two women on the list was asked to act as a candidate, as it was believed that more young female candidates would improve the image of the party. This might also have been a result of the rather weak interest in the party for the 2009 election. With the exception of the two top candidates, many of the names on the list are either young people, wanting to get more attention within the party, or former Members of the national Parliament that failed to defend their positions in the last elections. The European People's Party, of which the KDU-CSL is a member of, is not argued to have any impact on the party's nomination process.⁴²

The Civic Democratic Party (ODS)

The Civic Democratic Party (ODS) is a right-wing, liberal-conservative party and constitutes (apart from the Czech Social Democratic Party) one of the two main parties in the country. Currently, the ODS is the leading party of the government. The party has 81 mandates in the Chamber of Deputies (40.5%).

In the following analysis, we will deal only with the currently valid procedures of EP candidate selection, as they are basically the same as the procedures used in the previous EP elections.⁴³ The formal rules of the process are set up by The Rules for Setting the Candidate List of the ODS for the 2009 EP Elections⁴⁴ (henceforth the Rules). According to the Rules, the initial nomination is carried out by area associations which associate several local associations that represent the lowest level of the party's organisation.⁴⁵ The body exercising the selection process at the area level is the area assembly (oblastní sněm) as the highest body of the area association. The assembly involves the members of the Area Council, the representatives of local assemblies and the MPs, senators and regional deputies registered in the area. In addition to individual EP candidates, regional assemblies also suggest the candidates for the leader of the electoral list.

Subsequently, the nomination process shifts from area to regional associations. At this level, the nominations are examined by regional assemblies as the highest bodies of regional associations. Regional assemblies include the members of the Regional Council, the representatives of area associations, the Members of the Executive Council elected in the region and MPs, senators and regional deputies registered in the region. The regional assembly approves the candidates, including candidates for the list leader, submitted by the area assemblies subordinated to it. Each regional assembly is entitled to choose, in this way, two or three candidates (except for the leader candidates).

⁴¹ J. Kyloušek, České parlamentní volby 2006: analýza kandidátních listin, *Politologický časopis*, Nr. 1.2007, p. 87.

⁴² Interview with representative of KDU-ČSL, January 19, 2009.

⁴³ E-mail communication with an ODS representative, January 5, 2009.

⁴⁴ Pravidla pro sestavení kandidátní listiny ODS pro volby do EP 2009.

⁴⁵ The 2009 Rules are not publicly available, and the author obtained them from the party's Secretariat. In addition to the 2009 Rules, the analysis also proceeds from *The Code of Rules (Stanovy)* of the ODS. *The Code of Rules* is available at <http://www.ods.cz/clenstvi/stanovy.php?row=1&col=4>

The resulting electoral list is compiled by the Panel and the Executive Council. The Panel associates the party chairman, vice-chairmen, and chairs of parliamentary clubs. It has the general responsibility for managing the party between the meetings of the Executive Council. The Executive Council is the corporate body of the party and manages it between the Congresses. It involves the members of the Panel and the representatives of regions (according to the size of their membership). The central manager and the members of the government also participate in the Council, even though they do not dispose with a voting right. The Panel obtains the candidates approved in the regions and suggests their ranking.

Afterwards, the Panel delivers the candidate list to the Executive Council, together with its justification of the proposed ranking. The Council enjoys the right to make changes in the ranking suggested by the Panel. If changes are proposed, they are being approved separately from the voting on the final composition of the list. The voting on both the changes in the ranking and on the final composition of the list is secret.

As for the timing of the 2009 nomination process, area assemblies were supposed to nominate candidates until the end of August 2008. The approval of candidates by regional assemblies was expected to last until the beginning of December 2008. The deadline for the resulting list was the end of January 2009.

According to the criteria applied in our model, the ODS selection system can be categorised as moderately inclusive (essentially it is a combination of models 2 and 3, which were outlined in the introduction of our analysis). On the one hand, the candidates are selected by the lower levels of the party's organisation. The initial nominations are carried out by area assemblies, and the selection of candidates is exercised by regional assemblies. Moreover, regional assemblies also suggest candidates for the election leader. However, nominating committees represented by the central bodies (the Panel and Executive Council) also play a significant role. It is those bodies that determine the ranking of the candidates and therefore crucially decide who will represent the party in the EP.

With regards to the qualities and qualifications of candidates, the Rules do not define any specific criteria. The questionnaire sent by an ODS representative confirms a general absence of such criteria.⁴⁶ However, the party's representative revealed that the involved bodies are supposed to nominate candidates that have an adequate professional and language qualification for the position of an MEP. The regional balance is secured by the participation of all regional associations in the nomination process. In contrast, there are no rules regarding education, age, and gender. According to the questionnaire, the European party fraction (ELS-ED) by no means influences the selection of the ODS candidates for EP elections. The ODS does not consult the candidate selection or its election campaign with the fraction.

The representative of the party underlined that the candidate selection is determined by the adopted Rules and the Code of Rules of the party. S/he denied the existence of any informal rules that would, in addition to the formal rules, affect the process. However, it seems that a crucial informal element results from the comparison of a previously published study⁴⁷ with the currently valid Rules and the information provided by the party representative. As discussed above, the Rules indicate that the nomination process starts at the level of area associations. Still,

⁴⁶ The following analysis relies on a questionnaire received from a party representative, January 20, 2009.

⁴⁷ L. Linek and J. Outlý, Výběr kandidátů do Evropského parlamentu v hlavních českých politických stranách, *Politologický časopis*, Nr. 1, 2005.

Linek and Outlý (2005) claimed that in the 2004 EP elections it was the local associations that stood at the beginning of the process. They even emphasised that an area assembly considers only the nominations coming from the local level and cannot make its own nominations. When asked, the party representative acknowledged that the proposals for EP candidates were sent to regional associations by both local and area associations. The involvement of local associations constitutes, therefore, a significant informal element (or at least an element that is not directly stated by the formal Rules).

The Green Party (SZ)

The Green party (SZ) represents one of the smaller Czech parliamentary parties. It was only in the last parliamentary elections in 2006 that the party gained representation in the Chamber of Deputies, when it achieved six mandates (3%). The SZ currently also constitutes one of the parties taking part in the government.

Since the Green party is not currently represented in the EP, we will omit an analysis of the election rules that the party used in the 2004 EP elections, and concentrate on the currently valid rules. When examining the EP election rules of the SZ, it is crucial to look first at the general Negotiation Order⁴⁸ of the party and second, more specifically, at the distinction between the so-called one-mandate and several-mandate bodies.⁴⁹ The several-mandate bodies are: the members of the Central Revision Committee (except for its chairman) and their alternates, members of the Republic Council and their alternates, vice-chairmen of the Republic Council and the members of the Councils of basic, city, and regional organisations (except for chairmen, vice-chairmen, and treasurers) and their alternates.

Concerning one-mandate bodies, the candidate that receives a simple majority wins. If no candidate receives a simple majority, there is a second round in which the two candidates with the two highest scores compete (the winner has to, again, get a simple majority). On the contrary, in contests for several-mandate bodies, it is all the candidates that get a simple majority that are elected. If the number of those candidates exceeds the number of the mandates, it is the candidates with the highest scores that are elected. If the number of the elected candidates is lower, the electoral committee declares a second round to which all the candidates that got more than 25 percent of the votes pass. The third possible round involves all the candidates that received at least 30 percent in the second round. Those that obtain more than 40 percent of the votes get elected.

The primary elections for the EP elections break up into two rounds. Regarding the forthcoming elections of 2009, the deadline for the first round was set up for 17 February 2009. The second round should start before 2 March 2009. The first round occurs at regional conferences.⁵⁰ The candidates for the EP electoral list considered at those conferences are nominated by local organisations. The election of candidates follows the general rules for any election into several-mandate bodies. The elections for the first five and for the remaining places of the candidate list are separated (the number of the remaining places cannot be higher than 19). The names of the elected candidates are reported to the party's Presidency.

⁴⁸ Jednací řád Strany zelených, available at: <http://www.zeleni.cz/47/clanek/jednaci-rad-strany-zelenych/>

⁴⁹ Jednací řád Strany zelených.

⁵⁰ Strana zelených, Řád primárních voleb Strany zelených pro volby do Evropského parlamentu v roce 2009 [The Primary Election Order of the Green Party for the 2009 European Parliament Elections], available at: <http://www.zeleni.cz/11986/clanek/rad-primarnich-voleb-sz-pro-volby-do-evropskeho-parlamentu/>

All the candidates that were elected in at least two regions qualify for the second round. Two separate lists for the second round are compiled by the Presidency. While the first list contains the candidates for the first five places of the electoral list, the second one involves the candidates for the remaining places. The candidates that were elected in at least five regions are placed on the first list. In case there are less than five candidates for the first list and less than 19 candidates for the second one, the Presidency completes the lists with other candidates that it has selected. Both lists are subsequently delivered to the Republic Council.

The Republic Council is the body deciding in the second round of the elections. The Council may add candidates to the list reflecting the previous elections in the regions under the two following conditions: 1) the submitted list contains fewer candidates than needed for the electoral list and 2) even after a third vote, the number of elected candidates is lower than the number of places on the electoral list (but see also the implications of the gender and regional representation rules discussed below). The candidates for the first five places of the electoral list are separately elected by the Council on the basis of the rules that apply to one-mandate bodies. The election of candidates for the remaining places proceeds from the rules for electing several-mandate bodies.

The nomination system of the SZ combines models 2 and 3, which were presented at the beginning of this study, and can be thus categorised as moderately inclusive. The decentralised element of the model stems from the nomination and selection of candidates at local and regional level. What also significantly reinforces the decentralised element is that the voting in the regions determines which candidates qualify for the contest over the first five places of the candidate list. Hence, it is not only the central Republic Council but also regional organisations that shape the ranking of candidates. Still, the power of the Republic Council is crucial as it is this body that makes the ultimate selection of particular candidates to be placed on the list.

Concerning the qualities and qualifications of candidates, a representative of the party underlined that there are no specific criteria that candidates would have to fulfill.⁵¹ Instead, the process rests on a purely 'democratic' principle, i.e. no categories of candidates are privileged or discriminated against. However, it is noteworthy that the Election Order gives the Presidency a right to add other candidates to the list sent to the Republic Council when 'the gender structure' of the list does not respect the 'gender rule'.⁵² Similarly, the Presidency may even modify the final ranking of the elected candidates on the basis of the 'gender rule' or a balanced regional representation. The Election Order also stipulates that the second round of the primary elections has to respect the gender principle. More specifically, each set of three candidates (grouped by their subsequent order) must include at least one representative of the opposite gender. According to the interview, regional associations sometimes anticipate such criteria when selecting candidates.

The European fraction of the Greens does not, generally speaking, essentially affect the rules and strategies adopted by the Czech Greens. Still, the party cooperates with other Green parties with regard to some specific or tightly connected issues. For instance, all EP candidates have to sign a codex of an MEP which was drafted in cooperation with the German Green party.

The interview also revealed that there are no informal rules that would modify the process as set up by the Election Order. Nevertheless, an important element of the whole process lies in the informal strategies followed by some of its participants. For example, as the nomination process proceeds, smaller groups within the party emerge to support the candidacy of some well-known

⁵¹ Interview with representative of the SZ, January 21, 2009.

⁵² Strana zelených, Řád primárních voleb Strany zelených pro volby do Evropského parlamentu v roce 2009.

party representatives across the regions. Individual candidates also seek to reinforce their prospects by presenting themselves in several regions, e.g. by distributing their CVs.

The Czech Social Democratic Party (ČSSD)

The Czech Social Democratic Party (ČSSD) is a left-wing party, one of the two strongest parties on the Czech political scene. The party is currently the second largest in the Chamber of Deputies, with 74 deputies out of 200. In the 2004 European Parliament elections, the party had a relatively bad score. It won only 2 mandates (out of 24). In autumn 2008, the party scored a landslide victory in the elections to regional assemblies and a third of the Senate (the upper chamber of the Czech Parliament).

The highest decision-making body is the Party Congress. In between two congresses, the decision-making power lies with the Central Executive Committee⁵³ and the Party Board.⁵⁴ The regional decision-making bodies are called the Regional Executive Committees.⁵⁵ The analysis will proceed in the following order. We will start with the obligatory criteria for the nominees. Then we will answer the question of who nominates the potential candidates. Finally, we will describe the process of the selection of candidates and the compilation of the electoral list. Attention will be devoted also to the formal and informal criteria serving for the final selection of the candidates.

The formal procedures for the selection of candidates and for the establishment of the electoral list are specified in the statutes of the party⁵⁶ and in the Code of the preparation for the European Parliament elections in 2009 (henceforth the Code).⁵⁷ Similarly to the situation in other parties, the rules for the 2009 elections are very much the same as in 2004. Thus, we can argue that the internal normative structure for the selection of candidates remains very stable. Nominees are recruited among party members and non-partisans.⁵⁸ Members of other political parties are not allowed to run as candidates. The Code is quite specific in obligatory requirements that need to be fulfilled by nominees (potential candidates). The first condition for the inclusion in the electoral list is proof of language skills (English or French). The nominee also signs a statutory declaration that s/he is not aware of any legal barriers against his candidature. S/he is required to provide a clean criminal record and a clean record.⁵⁹ Each nominee fills out a detailed form in which s/he provides more detailed info about his/her career, professional skills in some EU policies and language skills.

The candidates are proposed by the Regional Executive Committees and by the Party Board. There are 14 KVVVs in total; each of them is allowed to nominate 2 candidates at the most. 10 more potential candidates are nominated by the Party Board⁶⁰ whose circa 32 members represent the top decision-making body of the party. The leader is proposed separately by the

⁵³ More than 100 persons delegated by the local and regional bodies of the party and by the Party Board.

⁵⁴ Circa 32 persons.

⁵⁵ The party also has bodies on county and local levels, but these do not figure in the process of the selection of the candidates for the European elections.

⁵⁶ ČSSD 2007, *Stanovy České strany sociálně demokratické, 2007* [Statutes of the Czech Social Democratic Party] available at: <http://www.cssd.cz/o-nas/Stanovy-CSSD/>

⁵⁷ Řád přípravy na volby do Evropského parlamentu v roce 2009 [Code of the preparation for the European Parliament elections in 2009].

⁵⁸ Interview with representative of the ČSSD, January 23, 2009.

⁵⁹ Řád přípravy na volby do Evropského parlamentu v roce 2009.

⁶⁰ The deadline for the nomination was October 31, 2008.

Party Board.⁶¹ Beside that, at least 4 Regional Executive Committees acting in agreement can nominate their own common candidate. The nomination of the potential candidates is more centralised than in other parties.⁶² Almost half of the potential candidates are nominated by the central decision-making bodies; the rest are nominated by the regional bodies, and the lower (county and local) level is excluded from the nomination process. The central bodies also play a crucial role in the nomination and selection of the leader.

After receiving all the nominations, the Party Board adopts a draft electoral list which is then submitted to the Central Executive Committee. The CEC body adopts the final version of the electoral list through two-round voting. The first round is procedural: the members of the ÚVV decide through overt voting whether to take a vote on the draft electoral list (proposed by the Party Board) as a whole or whether to select candidates individually. The electoral list for the 2009 EP elections was adopted using the first method. At first, the Central Executive Committee decided to take a vote on the draft electoral list drawn up by the Party Board as a whole. This electoral list has been adopted in the subsequent secret ballot. If the Central Executive Committee had decided to skip the list drafted by the Party Board, the candidates would have been selected through secret voting. In this case, each member of the Central Executive Committee allocates three preferential votes. The second position on the electoral list belongs to the candidate with the highest sum of the preferential votes, and lower positions are distributed accordingly.

The leader is always selected separately. As we have already mentioned, the Party Board proposes its own candidate, and four Regional Executive Committees can add their own nominee. The leader is selected through a separate secret ballot by the Central Executive Committee.

ČSSD fits partially into the second and partially into the third model of candidate selection. The candidates are elected by the members of a relatively large body called the Central Executive Committee. On the other side, a small top decision-making body, the Party Board, plays a crucial role in the process of drafting and adopting the electoral list and the selection of the leader. The Party Board drafts the electoral list, which is already a result of intra-party negotiations and has the backing of key players. The Central Executive Committee usually votes on the electoral list (drafted by the PB) as a whole, which furthermore increases the importance of the Party Board.

We have already specified the obligatory conditions that must be fulfilled by the nominees. According to the Code, a potential candidate should not only fit the legal requirements (clean criminal record, etc.), but s/he is also asked to prove his/her language skills and specify his/her professional skills in some EU policy.⁶³ During the selection process the Party Board and the members of the Central Executive Committee respect a few more informal rules. According to the party official, the electoral list should be regionally balanced, providing an opportunity for nominees from various regions. The party tries to set up an electoral list which is somehow “balanced” in terms of the sex⁶⁴ and age of the candidates. Similarly to other parties (e.g. the Communists), the Czech Social Democrats try to set up a list of candidates whose professional skills reflect the diversity of activities of the European Parliament and its Committees. The party

⁶¹ An interview with a representative of the ČSSD, January 23, 2009.

⁶² Cf. L. Linek and J. Outlý 2005.

⁶³ Řád přípravy na volby do Evropského parlamentu v roce 2009.

⁶⁴ In its statute, the Czech Social Democratic Party committed itself to respect the principle of gender equality in the establishment of the electoral lists.

also takes into account previous experience with EU institutions, the publication activity of the candidates, and of course their political experience.⁶⁵

European party groups or European parties do not formally and explicitly influence the selection process; European-level coordination of the selection of candidates is not even planned for the future. Nevertheless, according to the interviewed party official, there has been some informal influence from the Party of European Socialists (PES). PES has signaled that it appreciates the work of the incumbent MEPs from the Czech Social Democratic Party and indicated its support for their inclusion into the electoral list.

The Communist Party of Bohemia and Moravia (KSČM)

In the 2004 elections, the Communist Party of Bohemia and Moravia (KSČM) gained 6 mandates. The party scored relatively well (compared to its results in the national elections) and became the second largest Czech party in the EP. The party is an unreformed follower of the totalitarian Communist Party of Czechoslovakia with a strong but aging member base. In the 2006 national elections the party gained 12% of the votes, confirming its position as the third largest political party in the Chamber of Deputies. Its position in the second chamber – the Senate – is considerably worse.

The formal procedures used by the party for establishing the electoral list have been specified in the Electoral Regulations for the European Parliament Elections,⁶⁶ and also certain general rules governing the selection of candidates are specified in the Statute of the Communist Party of Bohemia and Moravia.⁶⁷ We will start our analysis with the eligibility criteria for potential candidates, and then we will move to the selection process itself (who selects the candidates and according to which criteria). The party expects the potential candidate to identify himself/herself with the political program of KSČM, contribute to the creation of this program and cooperate with the party.⁶⁸ Formal procedures do not require membership of the Communist party. Non-party candidates and even candidates from other parties are allowed, but the candidate countersigns the cooperation with the KSČM. In fact, the current electoral list of the Communist party includes a few non-partisans and candidates from a different party (Party of Democratic Socialism; Strana demokratického socialismu - SDS). The candidate from SDS figures on the ninth place. The reason behind the inclusion of SDS candidates into the candidate list was “good cooperation between the parties on a local level (within a particular local authority)”.⁶⁹ The party does not require the extract from the crime register – statutory declaration suffices. The eligibility criteria are quite inclusive.

The candidates are proposed by County Committees (there are 86 County Councils in total in the Czech Republic) and occasionally also by Regional Councils. The candidates are proposed by the lowest levels (County Committees) of the party hierarchy. The middle level (regional councils) is virtually skipped (Regional Councils do not assess the potential candidates), and the final candidate list is compiled by the top national body (the Central Committee). The rationale behind this mechanism stems from the character of the European elections: the whole Czech Republic forms a single election district. The potential candidates are proposed by the County

⁶⁵ An interview with a representative of the ČSSD, January 23, 2009.

⁶⁶ Volební řád pro volby do Evropského parlamentu, 2008.

⁶⁷ Stanovy Komunistické strany Čech a Moravy, 2008, available at: <http://www.kscm.cz/index.asp?thema=2680&category=>

⁶⁸ Interview with a representative of the KSČM, January 13, 2009.

⁶⁹ Interview with a representative of the KSČM, January 13, 2009.

Committees, but the Central Committee recommends concrete candidates for the first two positions on the candidate list in advance. This recommendation was adopted already in June 2008 due to the importance of the top positions on the candidate list.⁷⁰

The communist candidates recruit mostly among party members or non-partisans who have some international connections and experience and who are interested and involved in international (European or bilateral) affairs. The candidates usually have some international experience in business (short-term international attachments) or politics (connections to other European leftist parties or trade unions). Incumbents tend to campaign again.

The electoral list is compiled by the Central Committee which is the top decision-making body of the party, consisting of 97 persons, elected by County Councils and confirmed by the party convention. The Central Committee voted on the electoral list in a special meeting of the committee (September 2008) while using the same formalised procedure as before the 2004 elections. The first two candidates were elected by the members of the Central Committee in two separate ballots. The Central Committee itself adopted its recommendation for the two leading positions in advance of several months. So the election was rather a formality, and the leader was not disputed.

The third and lower positions on the electoral list were assigned through a secret ballot by the members of the Central Committee. Each member of the CC expresses his/her preferences by giving a rating from one to seven points for his/her favourites. The third position on the electoral list belongs to the candidate with the highest sum of points, and lower positions are distributed accordingly.

The very top management of the party (the Executive Committee of the Central Committee) reserves the right to ascertain the "loss of eligibility of a candidate" and to shift the ordering of the candidates in this extraordinary situation. Regarding the question of who selects the candidates, KSČM fits into the third model in the middle of the exclusive-inclusive scale. The Communist candidates for the EP elections are elected by the 97 members of the Central Committee.

The electoral list was compiled through secret voting by the members of the Central Committee. But the Central Committee formalised and adopted criteria for the compilation of the electoral list, so the expected qualities of a good candidate were known in advance. As the criteria was already known, they probably already affected the decisions of the County Committees, with regards to whom to propose as a candidate. In an interview, a party official⁷¹ stressed that a good candidate should first of all have some previous good political experience in local, national or European politics. This is a rather pragmatic measure for ensuring that the candidate has the skills to "comprehensibly and convincingly" present the communist program and policies in public and in the media. The party prefers candidates with a strong personality who are well known to the public. Incumbent MEPs have a good chance of being listed in the top positions.

According to formalised criteria, the candidate should also dispose of expertise in a particular area. The party tried to assemble a list of candidates with differing expertise, covering the whole portfolio of responsibilities (social policy, transport policy, agriculture, etc.). The language

⁷⁰ Volební řád pro volby do Evropského parlamentu, 2008 [Electoral regulations for the European Parliament elections].

⁷¹ Interview with a representative of the KSČM, January 13, 2009.

criteria was also stressed⁷² but in reality, the above mentioned criteria took precedence. There was also an informal recommendation to have a woman among the first three candidates and a person younger than 35 among the first five candidates.

European party groups or European parties did not influence the recent selection process. Today, the Czech Communist party only plans its future membership in the Party of the European Left. Nevertheless, party officials seriously consider the possibility of an intra-European coordination of the selection process (compilation of electoral lists) in the future. The membership of KSČM in the Party of the European Left and the coordination of the selection of candidates through GUE/NGL are both deemed viable options before the next EP election. This (planned) coordination will ensure that GUE/NGL disposes of a wide portfolio of experts and that their MEPs are able to participate in all Parliamentary Committees.

The Association of Independent Candidates and European Democrats (SNK-ED)

The Association of Independent Candidates – European Democrats (SNK-ED) is a small liberal conservative party. In the 2006 elections to the Chamber of Deputies, the party barely exceeded 2% of all votes (5% are required to enter the chamber), and it currently has very few senators. On the plus side, SNK-ED was able to come in third (after the Civic Democrats and the Communists) in the 2004 European Parliament elections and gained as many as 3 MEPs out of a possible 24.

The formal procedures for the selection of candidates and for the establishment of the electoral list are specified only in the statutes of the party.⁷³ There is no special formalised electoral code regulating the preparation for the European Parliament elections. Due to the size of the party and the lack of specific formalised rules, the whole process is governed by informal norms and ad-hoc mechanisms.

The candidature is not restricted to the party members; non-partisans are allowed on the electoral list. The party does not formally prohibit the candidature of members of other parties – such nominees are assessed on an individual basis. According to the statute, the nominees are proposed by the Councils of Area Associations – executive bodies of Area Associations (these are the basic components of the party hierarchy). Subsequently, the nominations are handed over to the Regional Councils. The Regional Councils should, according to the statute, propose potential candidates to the National Council. In reality, all levels of the party hierarchy responsible for the suggestion of candidates (area and regional party bodies) handed over this task to a “special group”. In November 2008, this “special group” (consisting of three high-ranking party members and incumbent MEPs) was authorised to find potential candidates for the European elections and draft an electoral list.⁷⁴

The electoral list is adopted by the highest decision-making body – the National Council.⁷⁵ The statute of the party anticipates that this decision will be made through voting. There are no additional specific rules, and the process of the selection is quite flexible. According to the interviewed party official, the draft electoral list is delivered as a whole, but a discussion on individual candidates is allowed.

⁷² Volební řád pro volby do Evropského parlamentu, 2008.

⁷³ *Stanovy politické strany SNK Evropsští demokraté, 2007 [Statute of the political party AIC - European Democrats], available at: http://www.snked.cz/files/stanovy_strany/stanovy_snk_ed_finalni_verze_mv.doc.*

⁷⁴ Interview with a representative of the SNK-ED, January 28, 2009.

⁷⁵ The process of the selection of the candidates is expected to finish by the end of February.

The process of the nomination and selection of the candidates in SNK-ED is similar to the way the Social Democrats (ČSSD) select their candidates. The nomination of the potential candidates is quite centralised (in the hands of a very small “special group”). The adoption of the final electoral list is a responsibility of the top decision-making body (the National Council).

There are no formalised criteria for the candidates. Nevertheless, some informal rules and guidelines specify what the criteria for a good candidate are and how the electoral list should look. The language skills of the candidate are naturally taken into account. The candidates are assessed individually, and the personality of the nominee plays an important role. According to the interviewed official, the party pays great attention to the inclusion of women on the electoral list, even though there are no formal rules regulating this issue.⁷⁶

SNK-ED is a small party, and there are no signs of a European-level coordination of the selection of the candidates.

Conclusion

Of the six political parties included in this study, the most inclusive model of candidate selection is found in the KDU-ČSL, where the delegates to the party convention elect the candidates, followed by KSČM. All the other parties leave the final word to one of the central party organs. The other parties, in particular SZ but also to a lesser extent ODS, have models that despite being largely exclusive give the use of a nomination procedure that to a significant degree restricts the impact of the central party organs in reshaping the list. The ČSSD stands out as having a formalised procedure which is exclusive in its character. Even if local organs of the party are involved in the nomination process, the central organs can nominate their own candidates. SNK-ED is the only party not to have a formalised procedure for the nomination process, which as a consequence is centralised and exclusive.

The parties also differ concerning the demands they put on the candidates. None of the parties explicitly state that party membership is necessary, yet party members are the norm on the ballot lists of all the parties. It is common among the parties to demand prior knowledge of one world language and professional qualifications useful in the EP. SZ is the only party to have specific rules to achieve a gender balance on the ballot list. The European Parties have not in any important way influenced the nomination procedure of any of the parties.

⁷⁶ Interview with a representative of the SNK-ED, January 28, 2009.