

## OPAL Country Reports

# The Greek Parliament and EU Affairs

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# OPAL Country Report on the Greek Parliament<sup>1</sup>

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<b>I. General Position of Parliament in the Constitutional Balance of the Member State: Constitutional and institutional factors</b>	
This section looks at the role of Parliament in the political system, to help us understand the relative power position of the legislature.	
1.1	What is the type of government in the political system of your member state? (i.e. parliamentary or semi-presidential)
	In Greece, the type of government is a parliamentary system. Power is concentrated in the hands of the Prime Minister and the Cabinet of Ministers.
1.2	Is it a uni- or bicameral Parliament? If bicameral, is one house dominant or are both equally strong? Please briefly explain.
	The Parliament is unicameral and has 300 seats.
1.3	Is the state federal, decentralized or unitary? If applicable, is it a form of asymmetrical federalism?
	The state is unitary, in fact one of the most centralized states in Western Europe.
1.4	Briefly describe the electoral system, if applicable, for each chamber.
	<p>The electoral system, which is only nominally called a PR system, essentially promotes the formation of single-party governments. The system has a threshold, i.e., a party must secure at least 3 per cent of the vote to be represented in parliament, and a rule favouring the party that comes first past the post: the party that wins a majority of votes cast is awarded an extra 50 seats, however small is the difference in votes between the winner of elections and the party which has come second. Thus, electoral law helps the party or coalition that wins a plurality to achieve an absolute majority (151 out of 300 parliamentary seats) in order to increase the prospects of governmental stability.</p> <p>Since the winner of elections anyway obtains 50 seats, the question is how to allocate the remaining 250 seats. These are divided proportionally according to each party's total <i>valid</i> vote percentage; this is slightly higher than the raw percentage reported, because of two reasons. First, there is always a small number of invalidated or "blank" votes (usually less than 1%); and second, votes cast for smaller parties that fail to surpass the 3% threshold are disregarded for the purpose of seat allocation.</p>

<sup>1</sup> This country report provides some basic data that has been collected in the context of the research for a chapter to be published in C. Heffler, C. Neuhold, O. Rozenberg, J. Smith & W. Wessels (Eds.). (forthcoming in 2014). *The Palgrave Handbook of National Parliaments and the European Union*. London: Palgrave, Macmillan.

1.5	<p>What (f)actors can prevent the parliament agreeing on EU legislation and/or treaty reform? (e.g. a constitutional court, or public referenda on questions of EU integration)</p>
	<p>There are no such factors. In Greece there is no constitutional court. The constitutionality of a any clause of a law (not a law in its entirety) can be scrutinized by any Greek court. In practice, the most debatable clauses of laws are discussed in the Council of the State, the highest administrative court. It would be extraordinary if courts considered a clause or a part of EU legislation or EU treaty as unconstitutional. No such court decision has been issued.</p> <p>Public referenda are foreseen in the Greek constitution only on two occasions (Article 44). The first occasion would be a referendum on a “crucial national issue” and the second occasion a “crucial social issue already regulated by a law”. No referendum is allowed on fiscal issues. The Cabinet must submit to the Parliament a proposal for a referendum and the Parliament is entitled to decide whether a referendum should take place or not. In practice, in Greece referenda have been very rare. The last one took place in 1974, just after the fall of the military regime, and concerned the question whether the new democratic regime would be a republic (with a President of the Republic) or a crown democracy (with a King). Referenda may apply to European issues but political elites refrain from calling them. This is because unforeseen complications may arise as the case of Prime Minister G. Papandreou calling for a referendum on Greece’s bailout programme in October 2011 and calling it back within 48 hours (under pressure from Greece’s EU partners) clearly shows.</p>

<p align="center"><b>2. General Position of Parliament in the Constitutional Balance of the Member State: Political Factors</b></p>		
<p>This section is about the basic political factors which might influence parliament’s strength in relation to the government.</p>		
2.1	<p>What is the type of government after the most recent elections e.g. single party, minority, coalition, oversized coalition government?</p>	
	<p>In the most recent elections (June 2012), a coalition government rather than single-party majority government emerged. The government is composed of the conservative party (New Democracy), the socialist party (PASOK) and the pro-European left-wing party of ‘Democratic Left’. Coalition governments are very rare. Over the last 22 years (1990-2012) either a socialist (PASOK) or a conservative (New Democracy) single-party majority government was in power.</p>	
2.2	<p>When were the most recent general elections and what were the results? Could you please give a short list of the parliamentary groups, their no. of seats in parliament and ideological position?</p>	
	<p>Latest election:</p>	
	<p>Name of the party</p>	<p>No. and percentage of seats in parliament</p> <p>Ideological position (e.g. Communist, left liberal, socialist, liberal, right liberal, conservative, christian democrat, extreme right, ethnic minority or regionalist party)</p>
	<p>New Democracy</p>	<p>121 seats, 40.3 %</p> <p>Conservative</p>

	Coalition of the Radical Left	71 seats, 23.7%	Radical left
	Panhellenic Socialist Movement	33 seats, 11%	Socialist
	Independent Greeks	20 seats, 6.7%	Extreme right
	Golden Dawn	18 seats, 6.0%	Extreme right
	Democratic Left	17 seats, 5.7%	Left liberal
	Communist Party of Greece	12 seats, 4.0%	Communist
2.3	How polarized was parliamentary debate over ratification of the Lisbon Treaty? Which parliamentary party groups supported and which opposed ratification?		
	<p>The Treaty of Lisbon was ratified by a vast majority of Members of the Greek Parliament on 11 June 2008. Out of 300 MPs, 250 voted in favour, 42 voted against and 8 were absent. The vote was divided along party lines. The governing (conservative) party and the major opposition, i.e. the socialist party, voted in favour of the Treaty. The populist/right wing party (LAOS, not represented in the most recent parliament elected in June 2012), the Coalition of the Radical Left and the communist party voted against the Treaty.</p> <p>The debate was short but fiercely polarized, because of two reasons: 1) the extreme right and the two left parties consistently voice strong Eurosceptic views and took the opportunity of the Treaty's ratification to dispute European integration in total and 2) the socialist party, headed by G. Papandreou, voted in favour of the Treaty but took this opportunity to demand the launching of a referendum on the Treaty of Lisbon after its ratification by the Greek parliament. The radical left and the communist party also demanded the same, but the government of New Democracy rejected the referendum proposal. The only socialist MP who did not support the idea of launching a referendum was the former socialist Prime Minister Costas Simitis. For this reason, in a controversial move, the socialist party leader, G. Papandreou, dismissed Simitis from the ranks of the party's parliamentary group.</p>		

### 3. New Provisions of the Lisbon Treaty on Direct Contact with EU Institutions

The Lisbon Treaty provides national parliaments with new opportunities for direct contact with the EU institutions. This section addresses the incorporation of the new Lisbon provisions into national law and concrete procedures. Questions 3.3 to 3.5 investigate in how far these procedures have been used.

3.1	<p>Have there been any regulations adopted by your member state to incorporate the new powers that are entrusted to the national parliaments by the Treaty of Lisbon? If so, please list the regulations in their appropriate categories:</p> <p>a. Constitutional provisions</p> <p>b. Legal provisions - Statutory provisions</p> <p>c. Parliamentary Standing Orders</p> <p>d. Other (please specify)</p> <p>Is this process complete or ongoing?</p>
	<p>Article 28 of the Constitution of Greece provides for the participation of Greece in the process of EU integration. This article has not been amended. However, in view of the Treaty of Lisbon there were additions and/or amendments to the Constitution (Article 70, paragraph 8) and to the Parliamentary Standing Orders (Articles 32A and 41B). The purpose of the amendments was to enable the EAC to scrutinized EU legislative acts and also to provide it with administrative support.</p>
3.2	<p>What exactly are the rules (i.e. parliamentary bodies involved, procedure, regional parliament's involvement, cooperation in bicameral systems) for...</p>
3.2 i	<p>The "Political Dialogue" with the Commission</p>
	<p>The Greek Parliament is not active in the Political Dialogue.</p>
3.2 ii	<p>The Early Warning Mechanism (EWM)</p>
	<p>An opinion can be passed by a simple majority vote in the plenary.</p>
3.2 iii	<p>The "Passarelle clause"</p>
	<p>The parliament has to give its consent, while silence on the part of the parliament does not mean that consent is granted.</p>
3.2 iv	<p>The action of annulment before ECJ on breach with the subsidiarity principle (What quota of MPs is needed to enforce the action of annulment?)</p>
	<p>There is little certainty about this. Possibly a simple majority is sufficient in order to take action before the ECJ.</p>
3.2 v	<p>Accession of new member states to the EU</p>
	<p>The Greek Parliament has to give its consent to the accession of a new member state.</p>
3.3	<p>How actively does the parliament engage in the political dialogue and "early warning mechanism" with the Commission?</p>
	<p>The Greek parliament does not engage actively either in the political dialogue or the "early</p>

	warning mechanism” with the Commission.
3-4	Has parliament ever threatened to bring a legislative act to the ECJ because of subsidiarity concerns?
	No, it has never done so.
3-5	If applicable to your member state, how does parliament proceed on the ratification of: a. Treaty Establishing the European Stability Mechanism, signed 2 Feb 2012 b. Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, signed 2 March 2012
	The Greek Parliament ratified both Treaties in March 2012 through Law 4063/2012.