Defence of the prerogatives of the European Parliament before the national courts

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The Committee on Legal Affairs adopted the initiative report by Giuseppe **GARGANI** (EPP-ED, IT) on the defence of the prerogatives of the European Parliament before the national courts.

MEPs invite the Commission to take account of requests by the European Parliament to bring infringement proceedings against any State for breach of parliamentary prerogatives. It also asks that it be given a comprehensive statement of reasons by the competent Commissioner should the College of Commissioners decide not to take the action requested.

The report suggests that the Statute of the Court of Justice be amended in order to give the European Parliament the right to submit its observations to the Court in all cases in which, directly or indirectly, its prerogatives are called into question, so that the involvement of the European Parliament, where the latter is not formally a party to the proceedings, is not left to the discretion of the Court of Justice as currently provided for under Article 24(2) of the Statute.

The committee responsible is invited to prepare an amendment to Rule 121 of the Rules of Procedure so as to cover all legal proceedings before any court and to provide for a simplified procedure for use where proceedings are brought before the Court of Justice under an expedited or urgent procedure.

Lastly, MEPs consider it advisable to foster a policy of cooperation between the European Parliament and national courts and invite the Commission to propose the appropriate legislative measures in order to ensure the full effectiveness of the legal defence by Parliament of its prerogatives.