Resolution on the draft protocol amending Protocol No 36 on transitional provisions concerning the composition of the European Parliament for the rest of the 2009-2014 parliamentary term: the European Parliament's opinion

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The Committee on Constitutional Affairs adopted a report by Íñigo MÉNDEZ DE VIGO (EPP, ES) on the draft protocol amending Protocol No 36 on transitional provisions concerning the composition of the European Parliament for the rest of the 2009-2014 parliamentary term. In accordance with Article 48 of the Treaty on European Union (TEU), the European Council consults the Parliament before it decides to examine the proposed amendments.

The committee considers that the amendment of Protocol No 36 requested by the European Council is a valid solution that will enable all those Member States entitled to additional seats to designate the MEPs concerned. It agrees that an additional 18 MEPs should be elected to Parliament for the remainder of the 2009-2014 term but insists, however, that all 18 should take up their seats in Parliament at the same time in order not to upset the balance of nationalities in the House. Member States are urged to complete their election procedures in a pragmatic way as soon as possible.

While the committee regrets that the Council did not adopt the necessary measures in time to enable the additional MEPs to take up their seats as soon as the Lisbon Treaty entered into force, Members agree, however, to the convening of an intergovernmental conference provided that i) it is confined to the specific issue of the adoption of measures concerning the composition of the European Parliament for the rest of the 2009-2014 parliamentary term; ii) these transitional measures are exceptional ones connected with the specific circumstances of the ratification of the Lisbon Treaty and can in no way set a precedent for the future.

The report recalls that, in the interval between the approval of the amendment of Protocol No 36 and its entry into force, the additional MEPs will be able to sit in the European Parliament as observers.

Members also recall:

- that the European Council will have to take a decision establishing the composition of the European Parliament by the end of the current parliamentary term, and that Parliament will initiate such a decision under Article 14(2) of the EU Treaty;
- any subsequent decision on the composition of the European Parliament will have to allow for any accessions that may take place in the meantime, and must therefore provide for the number of seats allocated to the new Member States.