

Unilateral statements in the minutes of the Council

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The European Parliament adopted a resolution on the unilateral statements entered in the minutes of Council meetings.

Parliament recalls that the Court of Justice has repeatedly confirmed that declarations are not legally binding. Stressing that the Council has the duty to inform Parliament fully of its position in the context of legislative procedures, Members consider that unilateral statements by Member States or the Council might **adversely affect Parliament's legislative powers**, are damaging to the quality of Union legislation and undermine the principle of legal certainty.

Parliament reaffirms that statements and declarations which are not incorporated into a legal text but which concern it, regardless of whether they are issued by one or more Member States, **have no legal force and may undermine the coherence of Union law and its clear interpretation.**

Members call for all statements to be **notified to Parliament**, and call on the Council to forward the minutes of the legislative part of its meetings to Parliament at the same time as to the national parliaments and Member State governments. They reserve the right to use any lawful means at its disposal should unilateral statements have been deliberately intended to produce legal effects.

Accordingly, the Council and Commission are asked to **enter into negotiations with Parliament**, on the basis of Article 295 TFEU, with a view to updating the Joint Declaration on practical arrangements for the codecision procedure (now ordinary legislative procedure) in order to take account of the entry into force of the Treaty of Lisbon and to clearly delimit the scope of unilateral statements.