EP Rules of Procedure, Rule 70: interinstitutional negotiations in legislative procedures

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The Committee on Constitutional Affairs adopted the report by Enrique GUERRERO SALOM (S&D, ES) on amendment of Rule 70 of Parliament's Rules of Procedure on interinstitutional negotiations in legislative procedures.

The proposed amendments are as follows:

- It is specified that negotiations with the other institutions aimed at reaching an agreement in the course of a legislative procedure shall be conducted having regard to the Code of Conduct laid down by the Conference of Presidents. Such negotiations shall not be entered into prior to the adoption by the committee responsible, on a case-by-case basis for every legislative procedure concerned and by a majority of its members, of a decision on the opening of negotiations. That decision shall determine the mandate and the composition of the negotiating team.
- The mandate shall consist of a report adopted in committee and tabled for later consideration by Parliament. By way of exception, where the committee responsible considers it duly justified to enter into negotiations prior to the adoption of a report in committee, the mandate may consist of a set of amendments or a set of clearly defined objectives, priorities or orientations.
- The negotiating team shall be led by the rapporteur and presided over by the Chair of the committee responsible or by a Vice-Chair designated by the Chair. It shall comprise at least the shadow rapporteurs from each political group.
- Any document intended to be discussed in a meeting with the Council and the Commission ("trilogue") shall take the form of a document indicating the respective positions of the institutions involved and of possible compromise solutions and shall be circulated to the negotiating team at least 48 hours or, in cases of urgency, at least 24 hours in advance of the trilogue in question.
- After each trilogue, the negotiating team shall report back to the following meeting of the committee responsible. Documents reflecting the outcome of the last trilogue shall be made available to the committee. The committee responsible may update the mandate in the light of the progress of the negotiations.
- If the negotiations lead to a compromise, the committee responsible shall be informed without delay. The agreed text shall be submitted to the committee responsible for consideration. If approved by a vote in committee, the agreed text shall be tabled for consideration by Parliament in the appropriate form, including compromise amendments. It may be presented as a consolidated text provided that it clearly displays the modifications to the proposal for a legislative act under consideration.
- Where the procedure involves associated committees or joint committee meetings, Rules 50 and 51 shall apply to the decision on the opening of negotiations and to the conduct of such negotiations. In the event of disagreement between the committees concerned, the modalities for the opening of negotiations and the conduct of such negotiations shall be determined by the Chair of the Conference of Committee Chairs in accordance with the principles set out in those Rules.
- In addition, it is proposed to introduce a new Article 70a on the approval of a decision on the opening of interinstitutional negotiations prior to the adoption of a report in committee. Any decision by a committee on the opening of negotiations prior to the adoption of a report in committee shall be translated into all the official languages, distributed to all Members of Parliament and submitted to the Conference of Presidents.