

Implementation of the Treaty of Lisbon with respect to the European Parliament

2013/2130(INI) - 13/03/2014 - Text adopted by Parliament, single reading

The European Parliament adopted, by 288 votes to 102 with 25 abstentions, a resolution on the implementation of the Treaty of Lisbon with respect to the European Parliament.

Legitimacy and political accountability of the Commission: the resolution stressed the need to strengthen the Commission's democratic legitimacy, independence and political role; whereby the Commission President will be elected by the European Parliament.

Members stressed that the potential for the strengthening of the European Union's democratic legitimacy provided by the Treaty of Lisbon should be fully implemented, inter alia through the **designation of candidates for the office of Commission President by the European political parties**. This would further connect the citizens' vote to the election of the Commission President by the European Parliament.

In this context, all European political parties should appoint their candidates for President of the Commission sufficiently in advance of the scheduled date for the European elections.

In addition, **the way in which the Commission is formed should be considered** with a view to reinforcing the democratic legitimacy of this institution. The President-elect of the Commission should act more autonomously in the process of selecting the other Members of the Commission. Members requested that **as many Members of the next Commission as possible be chosen from among elected Members of the European Parliament**.

The European Council was called on to clarify, in a timely manner and before the elections, how it will take account of the elections to the European Parliament and honour the citizens' choice when putting forward a candidate for President of the Commission.

Legislative initiative and activity: Members are of the opinion that the Lisbon Treaty was intended as a step forward in ensuring that **decision-making procedures were more transparent and democratic** by strengthening the role of the European Parliament and of the national parliaments. The drive for efficiency must not mean poorer quality of legislation or giving up Parliament's own objectives.

Members remain concerned about **the problems that still exist in applying the ordinary legislative procedure**, especially in the framework of the Common Agricultural Policy (CAP), the Common Fisheries Policy (CFP) and the Area of Freedom, Security and Justice ('Stockholm Programme'). They underlined the importance of adapting the Council's working methods so as to make it possible for Parliament representatives to participate in some of its meetings when this is duly justified under the principle of **mutual sincere cooperation** between the institutions.

Moreover, Members warned against **circumventing Parliament's right to legislate** by including provisions which should be subject to the ordinary legislative procedure in proposals for Council acts, by using mere Commission guidelines or non-applicable implementing or delegated acts or by failing to propose the legislation necessary for the implementation of the Common Commercial Policy (CCP) or international trade and investment agreements.

The resolution invited the Commission **to make better use of the pre-legislative phase** (in particular of the valuable input collected on the basis of Green and White Papers) and to routinely inform the European

Parliament of preparatory work carried out by its services. Parliament, for its part, ought: to develop its autonomous structure for assessing the impact of any substantial changes to the original proposal submitted by the Commission; ii) strengthen its autonomous assessment of the impact on fundamental rights of legislative proposals.

Parliament requested that, at the next revision of the Treaties, **Parliament's right of legislative initiative** be fully recognised by making it mandatory for the Commission to follow up all requests submitted by Parliament under Article 225 TFEU by presenting a legislative proposal within an appropriate time limit.

While understanding that **delegated acts** can be a flexible and effective tool; Members stressed the importance of the choice between delegated acts and implementing acts from the point of view of the respect of the Treaty requirements while safeguarding the rule-making prerogatives of Parliament. They requested that the Commission and the Council agree with Parliament on the **application of criteria** so that implementing acts are not used as a substitute for delegated acts. They urged the Commission to involve Parliament in the preparatory phase of the delegated acts.

International relations: Members recalled that the Lisbon Treaty increased the role and powers of the European Parliament in the field of international agreements which now increasingly fall within the scope of the ordinary legislative procedure.

Parliament emphasised the need:

- to ensure that Parliament is **informed in advance** by the Commission of its intention to launch an international negotiation, that it has a genuine opportunity to express an informed opinion on the negotiating mandates, and that its opinion is taken into account;
- to consider the participation of Members as observers in the negotiation of international agreements;
- that Parliament be immediately, fully and accurately informed at **all stages of the procedures** for concluding international agreements, including agreements concluded in the area of CFSP, and be given access to the Union's negotiation texts.

The resolution called for the adoption of a Quadripartite Memorandum of Understanding between the European Parliament, the Council, the Commission and the EEAS on the coherent and effective provision of information in the area of external relations.

Constitutional dynamic: Members consider that one of the major challenges to the Lisbon Treaty's constitutional framework is **the risk of intergovernmentalism jeopardising the 'community method'**, thus weakening the role of Parliament and the Commission to the benefit of the institutions representing the Member States' governments.

The resolution drew attention to the need to involve at an earlier stage not only Parliament but also the Council in the preparation of the Commission's annual work programme, and stressed the importance of ensuring there is **realistic and reliable programming** that can be effectively implemented and provide the basis for interinstitutional planning.

Finally, Parliament pointed out that a proper legislative and institutional system should be established in order to protect the **values of the Union** such as those listed in Article 2 TEU.