Review of the Framework Agreement on relations between the European Parliament and the European Commission

2017/2233(ACI) - 25/01/2018 - Committee report tabled for plenary, single reading

The Committee on Constitutional Affairs adopted the report by Esteban GONZÁLEZ PONS (EPP, ES) on the revision of the Framework Agreement on relations between the European Parliament and the European Commission.

The committee recalled that the President of the Commission shall be elected by the European Parliament on the proposal of the European Council taking into account the outcome of the European elections and after holding appropriate consultations. As was the case in 2014, European political parties shall present the lead candidates (**Spitzenkandidaten**) in order to give European citizens the choice whom to elect as President of the Commission in the European elections.

Members stressed that, by not adhering to the 'Spitzenkandidaten' process, the European Council would also risk submitting a candidate for President of the Commission for Parliament's approval who will not have a sufficient parliamentary majority. In this case, **Parliament would be ready to reject any candidate in the investiture procedure of the President of the Commission who was not appointed as a 'Spitzenkandidat'** in the run-up to the European elections.

The report highlighted that in 2014 the 'Spitzenkandidaten' process proved to be a success. It **enhanced the transparency and political legitimacy** of both Parliament and the Commission by connecting their respective elections more directly to the choice of the voters.

Members looked forward to the **completion of the revision of the Code of Conduct for Members of the European Commission**, which aims to clarify the obligations applicable to Members of the Commission in and out of office. They stressed the importance of providing in the code of conduct high standards of transparency, impartiality and safeguards in order to avoid any potential conflict of interest of the campaigning Members of the Commission.

In the light of these considerations, Members recommended that Parliament approve the amendments to the Framework Agreement on relations between the European Parliament and the European Commission. These amendments aim to clarify the following issues:

- Members of the Commission may participate in electoral campaigns as candidates in elections to the Parliament. They may also be chosen by European political parties as lead candidates for the position of President of the Commission ("Spitzenkandidat");
- the President of the Commission shall inform Parliament in due time whether one or several Members of the Commission will stand as candidate in electoral campaigns for elections to the Parliament, as well as of the measures taken to ensure the respect of the principles of independence, integrity and discretion provided for by Article 245 TFEU and the Code of Conduct for Commissioners.

In addition, any Member of the Commission who stands as candidate or participates in electoral campaigns for elections to the Parliament undertakes that:

- he/she will refrain from adopting a position, in the course of the electoral campaign, that would not be in line with his/her duty of confidentiality or would infringe the principle of collegiality;
- he/she may not use the human or material resources of the Commission for activities linked to the electoral campaign.