

Implementation of the Treaty provisions on Parliament's power of political control over the Commission

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The Committee on Constitutional Affairs adopted the own-initiative report by Mercedes BRESSO (S&D, IT) on the implementation of the Treaty provisions on Parliament's power of political control over the Commission.

Parliamentary oversight is a precondition for democratic legitimacy. Recent changes in the law-making process and the increased legislative role of the executive have created the need for a reinforcement of parliamentary scrutiny procedures.

Parliament has at its disposal a set of instruments to call the Commission to account, such as the motion of censure, the ability to ask the President of the Commission to withdraw his or her confidence in an individual member of the Commission, the right of inquiry, the competence of scrutiny over delegated and implementing acts, the right to ask oral and written questions, and the right to institute legal proceedings against the Commission on an issue of legality or in case of failure to act by the Commission.

Main conclusions and recommendations

All in all, it seems that Parliament has powerful instruments of political control over the Commission at its disposal. However, it appears necessary to improve their implementability and to better adjust them to the challenges specific to the EU institutional structure.

Parliament is not making full use of all its instruments of political control over the executive, owing to a variety of reasons, some being inherent to the institutional structure of the Union and others being, for example, the results of the changing interinstitutional dynamics, which have made some of the instruments difficult to apply or not sufficiently effective.

Members acknowledged the potential and successful implementation of the *Spitzenkandidaten* process, whereby all European citizens have a direct say in the choice of the president of the Commission by means of a vote for a list headed by their preferred candidate. They support continuing this practice for future European elections and encouraged all political forces to participate in this process.

They are convinced that the *Spitzenkandidaten* should head the lists of the European political parties in the elections to the European Parliament.

The report considered it necessary to establish a genuinely bicameral legislative system involving the Council and Parliament, with the Commission acting as the executive.

Members expressed concern that in recent years the European Council has, against the spirit and the letter of the Treaties, taken a number of important political decisions outside of the Treaty framework, thereby de facto excluding those decisions from the oversight of Parliament and undermining the democratic accountability which is essential with regard to such European policies.

The report suggested, with a view to extending Parliament's power of budgetary control to the whole of the Union budget, that negotiations be launched between the Council, the Commission and Parliament so

as to ensure Parliament has the right to access information on how the Council is implementing its budget, either directly or via the Commission, and that the Council answers written questions from Parliament and attends hearings and debates on the implementation of its budget.

Members recommended:

- the Commission to take more serious account of the legislative initiatives launched by Parliament under Article 225 TFEU;
- Parliament to reinforce its capacity for scrutinising the preparation and implementation of delegated and implementing acts;
- the Conference of Presidents to put question time back on the plenary agenda.

Members considered that even though Parliament does not have a formal right of legislative initiative under the current Treaties, the possibility to be given the right of legislative initiative in the context of a future Treaty change should be given serious consideration.

They encouraged the exchange of best practices in parliamentary scrutiny among national parliaments, such as the holding of regular debates between the respective ministers and the specialised committees in national parliaments before and after Council meetings, and with Commissioners in an appropriate setting and timeframe, as well as meetings between the European Parliament and national parliaments.

Members also considered that the establishment of an annual European week would allow Members and Commissioners, notably Vice-Presidents in charge of clusters, to stand before all national parliamentary assemblies to discuss and explain the European agenda alongside MPs and representatives from civil society. This initiative could reinforce the democratic accountability of the Commission required by the Treaty of Lisbon.