

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

2018/2113(INI) - 12/02/2019 - Text adopted by Parliament, single reading

The European Parliament adopted by 494 votes to 92, with 85 abstentions, the resolution on the implementation of the Treaty provisions on Parliament's power of political control over the Commission.

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

Members recalled that scrutiny over the EU bodies is one of the main roles of the European Parliament and that the accountability of the Commission to Parliament is an underpinning principle of the functioning of the EU and of internal democratic control.

Parliament considered that it 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.

Whilst acknowledging the potential and successful implementation of the *Spitzenkandidaten* process, Members stated that the stronger political link created between Parliament and the Commission as a result of the *Spitzenkandidaten* process should not make the Commission subject to less stringent parliamentary oversight.

Parliament recalled that the Treaties do not confer any legislative functions or right of legislative initiative on the European Council. It 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.

Members regretted the fact that in the absence of sincere cooperation by the Council, it is not possible to scrutinise the Council's budget through the institutional practice of budgetary discharge by Parliament, and that this situation constitutes a serious failure to comply with the Treaty obligations stipulating that Parliament shall scrutinise the whole of the Union's budget. They suggested 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.

Recommendations

Parliament suggested the following:

- the Commission to take more serious account of the legislative initiatives launched by Parliament under Article 225 TFEU, and the possibility for Parliament to be given the right of legislative initiative in the context of a future Treaty change should be given serious consideration;
- 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.

The resolution 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.

Parliament considered it necessary in a future Treaty change to improve the instruments for holding individual commissioners accountable to Parliament throughout their term of office, building on the somewhat limited existing provisions in the Framework Agreement on relations between the European Parliament and the European Commission.

Lastly, the resolution affirmed that the conditions under which negotiations took place with the United Kingdom on its withdrawal from the European Union were exemplary in terms of their transparency and the involvement of Parliament.