

Resolution on the Multiannual Financial Framework 2021-2027, the Interinstitutional Agreement, the EU Recovery Instrument and the Rule of Law Regulation

2020/2923(RSP) - 17/12/2020 - Text adopted by Parliament, single reading

The European Parliament adopted by 496 votes to 134, with 65 abstentions, a resolution on the Multiannual Financial Framework (MFF) 2021-2027, the Interinstitutional Agreement, the EU Instrument for Recovery and the Rule of Law Regulation.

The resolution was tabled by the EPP, S&D, Renew and Greens/EFA groups.

Members welcomed the unprecedented historic political agreements reached by the co-legislators in 2020 on the rule of law regulation, the MFF, the Interinstitutional Agreement and the Recovery Instrument.

Application of the rule of law cross compliance from 1 January 2021

The co-legislators agreed that the Regulation on a general regime of conditionality for the protection of the EU budget will apply from 1 January 2021 to all commitments and payments.

Parliament therefore argued that the content of the European Council conclusions on the Regulation on a general regime of conditionality for the protection of the EU budget was superfluous as the applicability, purpose and scope of the rule of law Regulation were clearly defined in the legal text of the said Regulation.

Members recalled that the European Council does not exercise legislative functions and that therefore no political declaration by the European Council can be considered as an interpretation of legislation, which is a matter for the Court of Justice of the European Union (CJEU). Therefore, the applicability of this Regulation should not be made conditional on the adoption of guidelines, as the agreed text is sufficiently clear and no implementing instruments are foreseen.

Parliament recalled that it has several legal and political means at its disposal to make sure that the law is enforced by everyone and by EU institutions in the first place. It stressed that the conclusions of the European Council cannot be made binding on the Commission in applying legal acts.

Members therefore expect the Commission, as guardian of the Treaties, to guarantee the full application of the Regulation from the date agreed by the co-legislators.

Overcoming the obstacle of the unanimity rule

Parliament regretted that, due to the unanimity rule in the Council, the adoption of the entire package, including the new EU programmes for the period 2021-2027, cause unduly delay for the entire process. It

suggested that the next Conference on the Future of Europe should consider how to overcome the obstacles posed by the unanimity requirement in Council for the adoption of the MFF and the Own Resources Decision.

Members considered that Parliament's full involvement in the functioning of Next Generation EU should become a reality, stressing that the ongoing dialogue should lead to a satisfactory outcome on this issue.