

Comitology, follow-up to Amsterdam: procedures for the exercise of implementing powers conferred on the Commission

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The expansion of the codecision procedure laid down in the Amsterdam Treaty, which grants Parliament wider legislative powers and gives it real parity with the Council, means that the Commission's implementing powers, and in particular the delicate issue of "comitology", have to be reviewed. Now that it is truly an "arm" of the legislative authority, Parliament wants to ensure that it has the power to monitor the implementation of acts adopted under the codecision procedure, not in order to take over the implementing role itself but to ensure that any implementing measures do not impinge upon its legislative powers, either by running counter to or by going beyond the terms of the basic act they are supposed to be implementing (this is known as "protection of the legislative sphere"). The Commission's proposal on the new arrangements for exercising its implementing powers does not meet Parliament's expectations, says the report by Maria Adelaide AGLIETTA (Greens, I), which was adopted by the Committee by 11 votes to 1 with 4 abstentions. The report calls for the two arms of the legislative authority to monitor the Commission's implementing activities on an equal footing. Many amendments were tabled by MEPs on this point, as the Commission's proposal would continue to reserve these prerogatives for the Council. Other amendments sought to make the system more transparent, in particular as regards the activities of the "committees". One of the most important amendments seeks to grant Parliament (rather than reserving this right just to the Council) the power to contest, within two months, the legality of an implementing measure arising from an act adopted under the codecision procedure where the measure is not in accordance with the basic act. The Commission would then have to submit either a legislative proposal or an amended decision within two months. As this report comes under the consultation procedure, the next step is to await the position of the Council, which is assumed not to favour the Affairs Committee's position.