EC Treaty procedures under Article 189b, codecision: revision following the Amsterdam Treaty

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In adopting the report by Mr Andrea MANZELLA (PSE, I) Parliament proposed a certain number of measures for the new codecision procedure after Amsterdam. These measures relate to the first reading, the second reading and the conciliation phase. Parliament also proposed certain accompanying measures and called for revision of the 1993 interinstitutional agreements with regard to Article 189b of the EC Treaty (codecision). 1) First reading: the Treaty of Amsterdam contained a potential major change in the functioning of the codecision procedure. It provided that it could be concluded at the first reading stage if the Council approved a Commission proposal which had not been modified by Parliament or if the Council accepted all the amendments tabled by Parliament. In order to implement these new arrangements in an effective manner Parliament proposed the establishment of a structured dialogue between Parliament, the Council and the Commission. This dialogue would involve: - authorising the rapporteur and chairman of the relevant Parliament committee to hold informal discussion with the Council in the active presence of the Commission (informal trialogue) with the obligation to report back to the relevant committee; - inviting a Council representative to attend the Parliament meeting when the file is to be dealt with; - stepping up the exchange of documents between the institutions and ensuring the joint verification of the legal quality of texts from the early stages of the legislative process; - setting up an interinstitutional databank. With regard to the improvement of procedures, they relate in particular to the legal quality of Parliament's texts, the requirement that all legislative amendments should have a written justification, the organisation of votes and the tabling of amendments. 2) Second reading and conciliation: the abolition of the phase involving Parliament's intended rejection of the common position and abolition of the third reading by the Council in the case of failure of conciliation are the most significant amendments made by the Treaty of Amsterdam with regard to the final co-decision stages. To improve Parliament/Council relations during these later stages of the procedure Parliament proposed the following provisions: - direct presentation by the Council to Parliament of its common position, to allow it to justify its refusal to accept amendments by Parliament at first reading; - agreement between the institutions on interpretation of the new Amsterdam deadlines so that premature conciliation meetings can be avoided; - better forward planning in scheduling conciliations to take account of the extension of co-decision to a large number of new areas. With regard to Parliament's internal procedures, it called for verification of the requisite majority for all Parliament votes in second reading and the new obligation on Parliament's conciliation delegation to report back to plenary in cases of failed conciliation. 3) For the accompanying measures, Parliament called for the annual legislative programme to become a more complete document for the work of the committees and the plenary in the interests of better interinstitutional legislative planning. It also hoped for intensified contacts with the national parliaments. Lastly, Parliament called for the revised interinstitutional agreement to cover: - the interpretation and application of the new deadlines for conciliation; - the publication of any declarations attached to texts; - procedures for the signing of agreed texts; - the use of forms of written procedure; - the legislative quality of texts; - procedures in the event of failure of conciliation; - additional provisions on the role of the Commission.