

# **Visas, asylum, immigration: passage to qualified majority voting and to co-decision (Art. 251) for certain areas covered by Title IV of Part three of the EC Treaty**

2004/0816(CNS) - 16/12/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Jean-Louis BOURLANGES (ALDE, FR) on the application of Article 251 of the EC Treaty, with 502 votes in favour, 62 against and 20 abstentions. Parliament made some amendments to the draft decision, pointing out that it is vital and urgent to abolish the limits which Article 68 of the EC Treaty imposes on the jurisdiction of the Court in the fields covered by Title IV of the EC Treaty. The European Council accordingly asked the Commission on 5 November 2004 to submit, after consulting the Court, a proposal for a Council decision establishing, pursuant to Article 225a of the EC Treaty, a specialised panel for actions relating to matters provided for in Title IV. A new provision states that Article 68(1) and (2) of the EC Treaty will no longer apply from the date of entry into force of the Decision.

Parliament also added a new provision stating that with effect from 1 January 2005, the Council must act in accordance with the procedure laid down in Article 251 of the EC Treaty for the purpose of adopting the measures referred to in Article 63(3)(a) and (4) of that Treaty. As agreed on 29 October 2004, at the time of the signature of the Treaty establishing a Constitution for Europe, those measures must not affect the right of Member States to determine volumes of admission of third country nationals coming from third countries to their territory in order to seek work, whether employed or self-employed.