Basic information

2010/2118(ACI) ACI - Interinstitutional agreement procedure	Procedure completed
Framework agreement on relations between the European Parliament and the Commission: revision See also 2017/2233(ACI) **Subject** 8.40.01 European Parliament 8.40.03 European Commission 8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFCO Constitutional Affairs	RANGEL Paulo (PPE)	24/11/2009
	Shadow rapporteur MARTIN David (S&D)	

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	3039	2010-10-21

European Commission

Commission DG	Commissioner
Secretariat-General	ŠEFČOVIČ Maroš

Key events

Date	Event	Reference	Summary
09/09/2010	Committee referral announced in Parliament		
04/10/2010	Vote in committee		Summary
07/10/2010	Committee report tabled for plenary	A7-0279/2010	
18/10/2010	Debate in Parliament		
20/10/2010	Decision by Parliament	T7-0366/2010	Summary
20/10/2010	End of procedure in Parliament		
20/11/2010	Final act published in Official Journal		

Technical information	
Procedure reference	2010/2118(ACI)
Procedure type	ACI - Interinstitutional agreement procedure
Procedure subtype	Interinstitutional agreement
Amendments and repeals	See also 2017/2233(ACI)
Legal basis	Rules of Procedure EP 154
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/7/01578

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE445.898	05/08/2010	
Amendments tabled in committee		PE448.901	27/09/2010	
Committee report tabled for plenary, single reading		A7-0279/2010	07/10/2010	
Text adopted by Parliament, single reading		T7-0366/2010	20/10/2010	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2011)609	28/03/2011	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

N7-0075/2010
OJ L 304 20.11.2010, p. 0047 Summary

Framework agreement on relations between the European Parliament and the Commission: revision

2010/2118(ACI) - 20/10/2010 - Final act

ACT: Framework Agreement on relations between the European Parliament and the European Commission.

CONTENT: to better reflect the new ‘special partnership’ between Parliament and the Commission, the two Institutions agree on the following measures:

- to strengthen the political responsibility and legitimacy of the Commission;
- to extend constructive dialogue;
- to improve the flow of information between the two Institutions and;
- to improve cooperation on procedures and planning.

They also agree on specific provisions:

- on Commission meetings with national experts, as set out in Annex I,
- on the forwarding of confidential information to Parliament, as set out in Annex II,
- on the negotiation and conclusion of international agreements, as set out in Annex III, and
- on the timetable for the Commission Work Programme, as set out in Annex IV.

The practical implementation of this Framework Agreement and its Annexes shall be assessed periodically by the two Institutions. A review shall be carried out by the end of 2011, in the light of practical experience.

Framework agreement on relations between the European Parliament and the Commission: revision

2010/2118(ACI) - 21/10/2010

The Council has taken note of the Framework Agreement on relations between the European Parliament and the Commission signed by the two Institutions on 20 October 2010.

The Council, which was not party to the negotiation of the framework agreement, points out that compliance with the founding Treaties of the Union, in the terms in which they have been ratified by the Member States, is the fundamental principle governing the existence and the functioning of the Union. The Treaties define exhaustively the respective powers conferred on the Institutions (Article 13(2) TEU). Those powers may not be modified or supplemented by the Institutions themselves either unilaterally or by agreement between them.

The Council notes that **several provisions of the Framework Agreement have the effect of modifying the institutional balance set out in the Treaties in force**, according the European Parliament prerogatives that are not provided for in the Treaties and limiting the autonomy of the Commission and its President. The Council is particularly concerned by the provisions on international agreements, infringement proceedings against Member States and **transmission of classified information to the European Parliament**.

The Framework Agreement cannot be applied to the Council.

The Council will submit to the Court of Justice any act or action of the European Parliament or of the Commission performed in application of the provisions of the Framework Agreement that would have an effect contrary to the interests of the Council and the prerogatives conferred upon it by the Treaties.

Framework agreement on relations between the European Parliament and the Commission: revision

2010/2118(ACI) - 20/10/2010 - Text adopted by Parliament, single reading

The European Parliament decided to approve the revised framework agreement on relations between the European Parliament and the European Commission.

Parliament regards the revised agreement as an **important breakthrough for Parliament in its cooperation with the Commission**. It recalls in this context the traditional powers vested in parliaments in the light of the doctrine of the separation of powers, which will underlie, in full respect of the Treaty of Lisbon, the achievements of the revised agreement: legislative competences, parliamentary scrutiny of the executive (including the international relations dimension), obligations to provide information and the executive's presence in Parliament.

Members welcome, in particular, the following improvements contained in the revised agreement:

Legislative procedure and planning: mutual cooperation

- the revised provisions regarding the **Commission's Work Programme** and the EU's programming, improving the involvement of Parliament;
- the review of all **pending proposals** at the beginning of a new Commission's term of office, taking due account of the views expressed by Parliament;
- the requirement, in areas where Parliament is usually involved in the legislative process, that the Commission use **soft law** only on a duly justified basis and after previously consulting Parliament;

- the commitment by the Commission concerning adaptation of the acquis communautaire as soon as possible to the new regime of **delegated acts**;
- the commitment by the Commission to report on the concrete **follow-up to any legislative initiative** requests pursuant to Article 225 of the Treaty on the Functioning of the European Union.

Parliamentary scrutiny

- the detailed provisions on the election of the President of the Commission and of the latter as a body and on its composition, its possible modification and reshuffling,
- the new rules for the (participation of Commissioners in electoral campaigns);
- the Commission's obligation to seek Parliament's opinion when it intends to revise the Code of Conduct for Commissioners;
- the obligation requiring nominees for the posts of executive directors of regulatory agencies to come before the responsible parliamentary committees for a hearing.

The interinstitutional dimension of EU international relations

- the detailed provisions concerning Parliament's enhanced role in international negotiations including the undertaking from the Commission to forward confidential documents relating to those negotiations, applying appropriate procedures and safeguards.

Obligations to provide information

- the acknowledgment by the Commission of the respective roles conferred by the Treaties on Parliament and the Council, in particular with reference to the basic principle of **equal treatment**, especially as regards access to meetings and the provision of contributions or other information, in particular on legislative and budgetary matters;
- the establishment of a **regular dialogue** between the President of the Commission and the President of Parliament on key horizontal issues and major legislative proposals without prejudice to the role of the Conference of Presidents or the statutory budgetary and legislative procedures;
- the detailed provisions on the **information to be provided to Parliament** regarding Commission meetings with national experts and the preparation and implementation of Union legislation and soft law;
- the modalities of cooperation in the area of **relations with national parliaments**;
- the detailed provisions on Parliament’s access to **confidential information**, including classified documents.

The Commission’s presence in Parliament

- the commitment by the Commission to give priority to its presence, if requested, at the **plenary sittings** or meetings of other bodies of Parliament;
- the **new Question Hour** with all Members of the Commission, following the model of the Question Hour with the President of the Commission;
- **speaking time** improvements;
- the invitation to attend meetings of the **Conference of Presidents** and the Conference of Committee Chairs.

The European Parliament lays down the following precisions:

Soft law: Members understand that the concept of soft law within the context of the revised agreement is to include recommendations, interpretative communications, voluntary agreements and optional instruments.

Information concerning the negotiation of international agreements: the Commission is called upon to provide Parliament with all information concerning the negotiation of international agreements; this also applies to confidential documents from Member States or third countries, subject to the originator's consent.

Observer status to MEPs: Parliament notes that in all international conferences the Commission is to grant observer status to Members of Parliament and facilitate their presence in all relevant meetings. It notes that only in exceptional cases, on the basis of a lack of legal, technical or diplomatic possibilities, may the Commission refuse the grant of observer status to Members of Parliament, but considers that these concepts should be explained beforehand to Parliament and interpreted very strictly by the Commission.

Provisional application of an international agreement: Parliament notes that that Article 218(10) of the Treaty on the Functioning of the European Union requires the Commission to inform Parliament immediately and fully when it intends to propose the provisional application of an international agreement or to propose its suspension, and to take into account Parliament's views before the Council takes the relevant decisions.

Lastly, Parliament decides to annex the revised agreement to its Rules of Procedure, replacing Annex XIV thereto, in order to facilitate access and to ensure transparency.