

Basic information	
2011/2090(INI) INI - Own-initiative procedure	Procedure completed
Unilateral statements in the minutes of the Council Subject 8.40.02 Council of the Union 8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology 8.50 EU law	

Key players			
European Parliament	Committee responsible		Rapporteur
	AFCO Constitutional Affairs		TRZASKOWSKI Rafał (PPE)
			Shadow rapporteur FOX Ashley (ECR) SØNDERGAARD Søren Bo (GUE/NGL) MESSERSCHMIDT Morten (EFD)
European Commission	Commission DG		Commissioner
	Legal Service		ŠEFČOVIČ Maroš

Key events			
Date	Event	Reference	Summary
12/05/2011	Committee referral announced in Parliament		
12/07/2011	Vote in committee		Summary
14/07/2011	Committee report tabled for plenary	A7-0269/2011	
27/09/2011	Decision by Parliament	T7-0411/2011	Summary
27/09/2011	Results of vote in Parliament		
27/09/2011	End of procedure in Parliament		

Technical information	
Procedure reference	2011/2090(INI)

Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/7/02283

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE460.608	17/05/2011	
Amendments tabled in committee		PE467.211	21/06/2011	
Committee report tabled for plenary, single reading		A7-0269/2011	14/07/2011	
Text adopted by Parliament, single reading		T7-0411/2011	27/09/2011	Summary

Unilateral statements in the minutes of the Council

2011/2090(INI) - 27/09/2011 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the unilateral statements entered in the minutes of Council meetings.

Parliament recalls that the Court of Justice has repeatedly confirmed that declarations are not legally binding. Stressing that the Council has the duty to inform Parliament fully of its position in the context of legislative procedures, Members consider that unilateral statements by Member States or the Council might **adversely affect Parliament's legislative powers**, are damaging to the quality of Union legislation and undermine the principle of legal certainty.

Parliament reaffirms that statements and declarations which are not incorporated into a legal text but which concern it, regardless of whether they are issued by one or more Member States, **have no legal force and may undermine the coherence of Union law and its clear interpretation**.

Members call for all statements to be **notified to Parliament**, and call on the Council to forward the minutes of the legislative part of its meetings to Parliament at the same time as to the national parliaments and Member State governments. They reserve the right to use any lawful means at its disposal should unilateral statements have been deliberately intended to produce legal effects.

Accordingly, the Council and Commission are asked to **enter into negotiations with Parliament**, on the basis of Article 295 TFEU, with a view to updating the Joint Declaration on practical arrangements for the codecision procedure (now ordinary legislative procedure) in order to take account of the entry into force of the Treaty of Lisbon and to clearly delimit the scope of unilateral statements.