Basic information

2017/2233(ACI) ACI - Interinstitutional agreement procedure	Procedure completed
Review of the Framework Agreement on relations between the European Parliament and the European Commission See also 2010/2118(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	GONZÁLEZ PONS Esteban (PPE)	21/11/2017
	Shadow rapporteur SILVA PEREIRA Pedro (S&D) UJAZDOWSKI Kazimierz Michał (ECR) PAGAZAURTUNDÚA Maite (ALDE) CASTALDO Fabio Massimo (EFDD)	

Council of the European Union

European Commission

Commission DG	Commissioner
Secretariat-General	TIMMERMANS Frans

Key events

Date	Event	Reference	Summary
02/10/2017	Non-legislative basic document published	N8-0065/2017	Summary
26/10/2017	Committee referral announced in Parliament		
23/01/2018	Vote in committee		
25/01/2018	Committee report tabled for plenary	A8-0006/2018	Summary

07/02/2018	Decision by Parliament	T8-0030/2018	Summary
07/02/2018	Debate in Parliament		
07/02/2018	End of procedure in Parliament		
17/02/2018	Final act published in Official Journal		

Technical information

Procedure reference	2017/2233(ACI)
Procedure type	ACI - Interinstitutional agreement procedure
Procedure subtype	Interinstitutional agreement
Amendments and repeals	See also 2010/2118(ACI)
Legal basis	Rules of Procedure EP 154
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/8/11364

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE615.323	13/12/2017	
Amendments tabled in committee		PE616.567	10/01/2018	
Committee report tabled for plenary, single reading		A8-0006/2018	25/01/2018	Summary
Text adopted by Parliament, single reading		T8-0030/2018	07/02/2018	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	N8-0065/2017	02/10/2017	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Interinstitutional agreement 2018/0217(01)
OJ L 045 17.02.2018, p. 0046 Summary

Review of the Framework Agreement on relations between the European Parliament and the European Commission

2017/2233(ACI) - 07/02/2018 - Final act

PURPOSE: to amend point 4 of the Framework Agreement on relations between the European Parliament and the European Commission.

NON-LEGISLATIVE ACT: Agreement between the European Parliament and the European Commission amending point 4 of the Framework Agreement on relations between the European Parliament and the European Commission.

CONTENT: Point 4 of Part II (Political Responsibility) of the Agreement is revised to clarify the following:

The participation of Members of the Commission in electoral campaigns is governed by the Code of Conduct for the Members of the European Commission.

Members of the Commission may participate in electoral campaigns in elections to the Parliament, including as candidates. They may also be chosen by European political parties as **lead candidate** (‘**Spitzenkandidat’**) for the position of President of the Commission.

The President of the Commission shall **inform Parliament in due time** whether one or more Members of the Commission will stand as candidates in electoral campaigns for elections to the Parliament, as well as of the **measures taken to ensure the respect of the principles of independence, integrity and discretion** provided for by Article 245 TFEU and the Code of Conduct for the Members of the European Commission.

Any Member of the Commission standing as candidate or participating in an electoral campaign for elections to the Parliament will undertake:

- to refrain from adopting a position, in the course of the campaign, that would not be in line with his/her duty of confidentiality, or that would infringe the principle of collegiality;
- to not use the Commission's human or material resources for activities linked to the electoral campaign.

Review of the Framework Agreement on relations between the European Parliament and the European Commission

2017/2233(ACI) - 07/02/2018 - Text adopted by Parliament, single reading

The European Parliament adopted by 457 votes to 200, with 20 abstentions, a decision on the revision of the Framework Agreement on relations between the European Parliament and the European Commission.

Members recalled that the President of the Commission shall be elected by the European Parliament on the proposal of the European Council taking into account the outcome of the European elections and after holding appropriate consultations. As was the case in 2014, European political parties shall present the lead candidates (**Spitzenkandidaten**) in order to give European citizens the choice whom to elect as President of the Commission in the European elections.

Parliament emphasised that ‘Spitzenkandidaten’ process is a further step in strengthening the Union’s parliamentary dimension is a principle that cannot be overturned. Members warned that the European Parliament will be ready to **reject any candidate in the investiture procedure of the President of the Commission who was not appointed as a ‘Spitzenkandidat’** in the run-up to the European elections.

By connecting their respective elections more directly to the choice of the voters, Members considered that in 2014 the ‘Spitzenkandidaten’ process proved to be a success, and stressed that the **2019 European elections will be the occasion to cement the use of that practice**.

Parliament looked forward to the completion of the **revision of the Code of Conduct for Members** of the European Commission, which aims to clarify the obligations applicable to Members of the Commission in and out of office. It stressed the importance of providing in the code of conduct high standards of transparency, impartiality and safeguards in order to avoid any potential conflict of interest of the campaigning Members of the Commission

In the light of these considerations, Parliament approved the **amendments to the Framework Agreement on relations between the European Parliament and the European Commission**. These amendments aim to clarify the following issues:

- Members of the Commission may participate in electoral campaigns as candidates in elections to the Parliament. They may also be chosen by European political parties as lead candidates for the position of President of the Commission (“Spitzenkandidat”);
- the President of the Commission shall inform Parliament in due time whether one or several Members of the Commission will stand as candidate in electoral campaigns for elections to the Parliament, as well as of the measures taken to ensure the respect of the principles of independence, integrity and discretion provided for by Article 245 TFEU and the Code of Conduct for Commissioners.

In addition, any Member of the Commission who stands as candidate or participates in electoral campaigns for elections to the Parliament undertakes that:

- he/she will refrain from adopting a position, in the course of the electoral campaign, that would not be in line with his/her duty of confidentiality or would infringe the principle of collegiality;
- he/she may not use the human or material resources of the Commission for activities linked to the electoral campaign.

Review of the Framework Agreement on relations between the European Parliament and the European Commission

2017/2233(ACI) - 25/01/2018 - Committee report tabled for plenary, single reading

The Committee on Constitutional Affairs adopted the report by Esteban GONZÁLEZ PONS (EPP, ES) on the revision of the Framework Agreement on relations between the European Parliament and the European Commission.

The committee recalled that the President of the Commission shall be elected by the European Parliament on the proposal of the European Council taking into account the outcome of the European elections and after holding appropriate consultations. As was the case in 2014, European political parties shall present the lead candidates (**Spitzenkandidaten**) in order to give European citizens the choice whom to elect as President of the Commission in the European elections.

Members stressed that, by not adhering to the 'Spitzenkandidaten' process, the European Council would also risk submitting a candidate for President of the Commission for Parliament's approval who will not have a sufficient parliamentary majority. In this case, **Parliament would be ready to reject any candidate in the investiture procedure of the President of the Commission who was not appointed as a 'Spitzenkandidat'** in the run-up to the European elections.

The report highlighted that in 2014 the 'Spitzenkandidaten' process proved to be a success. It **enhanced the transparency and political legitimacy** of both Parliament and the Commission by connecting their respective elections more directly to the choice of the voters.

Members looked forward to the **completion of the revision of the Code of Conduct for Members of the European Commission**, which aims to clarify the obligations applicable to Members of the Commission in and out of office. They stressed the importance of providing in the code of conduct high standards of transparency, impartiality and safeguards in order to avoid any potential conflict of interest of the campaigning Members of the Commission.

In the light of these considerations, Members recommended that Parliament approve the amendments to the Framework Agreement on relations between the European Parliament and the European Commission. These amendments aim to clarify the following issues:

- Members of the Commission may participate in electoral campaigns as candidates in elections to the Parliament. They may also be chosen by European political parties as lead candidates for the position of President of the Commission ("Spitzenkandidat");
- the President of the Commission shall inform Parliament in due time whether one or several Members of the Commission will stand as candidate in electoral campaigns for elections to the Parliament, as well as of the measures taken to ensure the respect of the principles of independence, integrity and discretion provided for by Article 245 TFEU and the Code of Conduct for Commissioners.

In addition, any Member of the Commission who stands as candidate or participates in electoral campaigns for elections to the Parliament undertakes that:

- he/she will refrain from adopting a position, in the course of the electoral campaign, that would not be in line with his/her duty of confidentiality or would infringe the principle of collegiality;
- he/she may not use the human or material resources of the Commission for activities linked to the electoral campaign.

Review of the Framework Agreement on relations between the European Parliament and the European Commission

2017/2233(ACI) - 02/10/2017 - Non-legislative basic document

PURPOSE: to present a draft agreement on the revision of the framework agreement on relations between the European Parliament and the European Commission.

CONTENT: the proposed revision of point 4 of part II of the agreement (political responsibility) is as follows:

Members of the Commission may participate in electoral campaigns as candidates in elections to the Parliament. They may also be chosen by European political parties as lead candidate for the position of President of the Commission.

The President of the Commission shall inform Parliament in due time whether one or several Members of the Commission will stand as candidate in electoral campaigns for elections to the Parliament, as well as of the measures taken to ensure the respect of the principles of independence, integrity and discretion provided by Article 245 TFEU and the Code of Conduct for Commissioners.

Any Member of the Commission who stands as candidate or participates in electoral campaigns for elections to the Parliament undertakes that he/she will refrain from adopting a position, in the course of the electoral campaign, that would not be in line with his/her duty of confidentiality or would infringe the principle of collegiality.

Any Member of the Commission who stands as candidate or participates in electoral campaigns for elections to the Parliament may not use the human or material resources of the Commission for activities linked to the electoral campaign.