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**A7-0350/2013**

23.10.2013

# REPORT

on the location of the seats of the European Union's Institutions  
(2012/2308(INI))

Committee on Constitutional Affairs

Rapporteurs: Ashley Fox, Gerald Häfner

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the location of the seats of the European Union's institutions

(2012/2308(INI))

*The European Parliament,*

- having regard to Articles 232 and 341 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Protocol 6, annexed to the Treaties, on the location of the seats of the institutions and of certain bodies, offices, agencies and departments of the European Union,
- having regard to Articles 10, 14 and 48 of the Treaty on European Union (TEU),
- having regard to its stated position on these matters, in particular in its recommendation from 21 June 1958, its resolution of 7 July 1981 adopting the Zagari Report, its recommendations for the Intergovernmental Conference of 13 April 2000, and its accompanying resolutions: its resolution of 8 June 2011 on Investing in the future: a new Multiannual Financial Framework (MFF) for a competitive, sustainable and inclusive Europe<sup>1</sup>; its decision of 10 May 2012 on discharge in respect of the implementation of the general budget of the European Union for the financial year 2010, Section I – European Parliament<sup>2</sup>; its resolution of 16 February 2012 on the guidelines for the 2013 budget procedure, Section I – European Parliament, Section II – Council, Section IV – Court of Justice, Section V – Court of Auditors, Section VI – European Economic and Social Committee, Section VII – Committee of the Regions, Section VIII – European Ombudsman, Section IX – European Data Protection Supervisor, Section X – European External Action Service<sup>3</sup>; its resolution of 29 March 2012 on Parliament's estimates of revenue and expenditure for the financial year 2013<sup>4</sup> and its resolution of 4 July 2012 on the mandate for the trilogue on the 2013 Draft Budget<sup>5</sup>,
- having regard to Written Questions E-000181-2007, E-006174-2009, E-006258-2009, E-002934-2012, E-002935-2012, E-004134-2012 and E-004135-2012 to the Commission and to the Council,
- having regard to the Secretary-General's reports of September 2002 and August 2013 regarding the cost of maintaining three places of work,
- having regard to the joint working group report of the Bureau and the Committee on Budgets on Parliament's budget for 2012,

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<sup>1</sup> Texts adopted, P7\_TA(2011)0266.

<sup>2</sup> Texts adopted, P7\_TA(2012)0155.

<sup>3</sup> Texts adopted, P7\_TA(2012)0050.

<sup>4</sup> Texts adopted, P7\_TA(2012)0109.

<sup>5</sup> Texts adopted, P7\_TA(2012)0289.

- having regard to its activity reports for 1993-1999, 1999-2004, 2004-2009 and 2009-2011,
  - having regard to the case law of the Court of Justice of the European Union (ECJ), in particular Cases C-230/81<sup>6</sup>, C-345/95<sup>7</sup> and joined cases C-237/11 and C-238/11<sup>8</sup>,
  - having regard to Petition 630/2006 by the One Seat campaign, which was endorsed by more than one million EU citizens,
  - having regard to the vote held in plenary on 23 October 2012, in which a majority (78 %) of its Members called on the Member States to revise their views on the issue of Strasbourg as Parliament's official seat;
  - having regard to Rules 5(3), 29, 41, 48, 74a, 201 and 202(4) of its Rules of Procedure;
  - having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Budgets and the Committee on Petitions (A7-0350/2013),
- A. whereas Article 341 TFEU establishes that the seat of the institutions of the Union shall be determined by common accord of the governments of the Member States;
- B. whereas the Member States have done so in Protocol 6 annexed to the Treaties, establishing Brussels as seat of the Commission, the Council (with its meetings to be held in Luxembourg during the months of April, June and October), the Economic and Social Committee and the Committee of the Regions, establishing Luxembourg as seat of the Court of Justice of the European Union, the Court of Auditors and the European Investment Bank, establishing Frankfurt as seat of the European Central Bank and establishing The Hague as seat of the European Police Office;
- C. whereas the decision by the Member States on these seats was reached in a broader deal, taking into account the historical development of the European Union and its institutions as well as considerations of geographical dispersion;
- D. whereas Parliament plays a distinct and unique role as the only institution that is directly elected by and accountable to the European citizens, and, since its role has undergone the most significant changes amongst all the EU institutions, this report will primarily focus on Parliament's seat and working arrangements;
- E. whereas Protocol 6 annexed to the Treaties establishes that Parliament shall have its seat in Strasbourg, where 12 periods of monthly plenary sessions – including the budget session – shall be held, that the periods of additional plenary sessions shall be held in Brussels, that its committees shall meet in Brussels, and that its General Secretariat and its departments shall remain in Luxembourg;
- F. whereas Articles 10 and 14 TEU state that the EU is a representative democracy, with Parliament as the direct representative of the European citizens at Union level, and that as

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<sup>6</sup> Case C-230/81, *Luxembourg v Parliament*.

<sup>7</sup> Case C-345/95, *France v Parliament*.

<sup>8</sup> Case C-237/11 and C-238/11, *France v Parliament*.

co-legislator Parliament is on equal terms with the Council;

- G. whereas Article 232 TFEU allows Parliament to adopt its own rules of procedure, under which it may determine the length of plenary sessions, in accordance with the treaties and the case law of the ECJ;
- H. whereas the ECJ has stated that the location of the seat is not to hinder the well-functioning of Parliament; whereas it has further stated that while there are disadvantages and costs engendered by the plurality of working locations, any modification of the seat or working locations would require a Treaty change and, thus, the consent of the Member States;
- I. whereas Parliament has undergone a complete transformation, from a consultative body with 78 seconded members that – mostly for practical reasons – shared its facilities with the Parliamentary Assembly of the Council of Europe in Strasbourg, to a fully-fledged, directly elected Parliament with currently 766 members that is today co-legislator on equal terms with the Council;
- J. whereas the growth of its legislative capacity is illustrated by the increase in the number of co-decision procedures (now ordinary legislative procedures) from 165 in 1993-1999 to 454 in 2004-2009, to an even greater number in the current legislature;
- K. whereas the changing role of Parliament is also reflected in the increase by 150 % of inter-institutional meetings, from 16 000 to an estimated 40 000 between 2009 and 2013, and in the constant negotiations and trilogues, with the Commission, the Council and individual Member States, that now are part of the legislative process, and that have led to a sharp increase in the number of first-reading agreements, from 28 % in 1999-2004 to 72 % in 2004-2009;
- L. whereas the structure of Parliament's calendar (fixed during the Edinburgh Summit in 1992) predates all changes to its role arising from the adoption of the Treaties of Maastricht, Amsterdam, Nice and Lisbon;
- M. whereas the Council and the European Council have already concentrated their work in Brussels, where all European Council meetings – which previously were always held in the country of the rotating presidency – are now exclusively held;
- N. whereas the geographical distance between the official seats of the co-legislative bodies – 435 km – isolates Parliament, not only from the Council and the Commission but also from other stakeholders, such as NGOs, civil society organisations and Member State representations, and from one of the world's largest international journalistic communities;
- O. whereas the additional annual costs resulting from the geographic dispersion of Parliament have been estimated to range between EUR 156 million and EUR 204 million<sup>9</sup>, equivalent

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<sup>9</sup> The 2002 report by the Secretary General of the European Parliament is the last comprehensive cost estimate available. The range of EUR 169-204 million per year, confirmed by the 2012 Joint Working Group Report of the Bureau and Budget Committee, is calculated on the basis that the EUR 148 million estimate is complemented by the EUR 28.3 million annual amortisation cost for the Strasbourg buildings that need to be taken into account since the purchase of

to approximately 10 % of Parliament's annual budget, while the environmental impact is also significant, with the CO<sub>2</sub> emissions associated with the transfers to and from the three working locations estimated to be between 11 000<sup>10</sup> and 19 000 tonnes<sup>11</sup>;

- P. whereas Parliament's current working arrangements also impose additional costs and travel on the other European Union institutions, in particular the Commission and Council, Member States' representations, journalists and civil society representatives;
- Q. whereas 78 % of all missions by Parliament statutory staff (on average, 3 172 each month) arise as a direct result of its geographic dispersion; whereas while Parliament's buildings in Strasbourg are currently only being used 42 days per year (remaining unused for 89 % of the time), they need to be heated, staffed and maintained for the entire year;
- R. whereas the expenditure arising from the geographic dispersion of Parliament constitutes an important area of potential savings, particularly in the current economic climate;
- S. whereas Parliament, since its suggestion in 1958 to be sited in proximity to the Council and the Commission, has via numerous reports, declarations and statements repeatedly expressed its wish for a more practical and efficient working arrangement;
- T. whereas citizens of the EU – including over one million citizens who endorsed a petition asking for a single seat – have repeatedly expressed their discontent with the current arrangements;
- U. whereas arrangements affecting a parliament's right to organisational self-determination are among the foremost concerns for a parliamentary system;
- V. whereas in addition to the subjects dealt with in this report, there are other essential matters directly related to Parliament's status and its function within the EU institutional machinery, and – on those points – convincing solutions have yet to be found; whereas these unresolved questions pertain to issues of electoral law, rules for a no-protest zone, immunity matters and points related to the Statute for Members; whereas attending to these should either be encompassed within Parliament's right of organisational self-determination, exercised in the form of a general decision-making power, or, at the very least, be brought within the scope of the ordinary legislative procedure based on codecision;

1. Believes that the European Parliament, given that it is the only body directly representing

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those buildings. In a response from the Secretary General on 30 August 2013 to the requests made in paragraph 10 of Parliament's resolution of 6 February 2013 on the guidelines for the 2014 budget procedure, the additional costs of the Strasbourg seat are estimated at EUR 103 million, amounting to a total sum of EUR 156 million when the amortisation and unused floor estimates indicated in the Joint Working Group Report from 2012 are added.

<sup>10</sup> 'The three places of work of the European Parliament – financial, environmental and regional impacts of geographic dispersion', note prepared by the Secretary General of the European Parliament on 30 August 2013 in response to the request made in paragraph 10 of Parliament's resolution of 6 February 2013 on the guidelines for the 2014 budget procedure.

<sup>11</sup> 'European Parliament two-seat operation: Environmental costs, transport & energy', report prepared by Eco-Logica Ltd. for the Greens/EFA, November 2007.

the European citizens, should be granted the prerogative of determining its own working arrangements, including the right to decide where and when it holds its meetings;

2. Agrees with the principle that the European Parliament would be more effective, cost-efficient and respectful of the environment if it were located in a single place; notes that the continuation of the monthly migration between Brussels and Strasbourg has amongst most EU citizens become a symbolic, negative issue detrimental to the European Union's reputation, especially at a time when the financial crisis has led to serious and painful expenditure cuts in the Member States;
3. Considers it perfectly legitimate to launch a debate on its right to determine its own working arrangements, including the right to decide where and when it is to meet;
4. Commits itself, therefore, to initiating an ordinary treaty revision procedure under Article 48 TEU with a view to proposing the changes to Article 341 TFEU and Protocol 6 necessary to allow Parliament to decide on the location of its seat and its internal organisation;
5. Decides not to make any recommendations regarding the seats of the other EU institutions;
6. Maintains that it will be necessary to evaluate the financial and economic consequences entailed in a change of seat or place of work and to agree on an appropriate compromise whereby existing Parliament buildings can continue to be used;
7. Acknowledges that any future decision by Parliament on its working arrangements must allow sufficient time for debate and reflection, as well as for an orderly transition;
8. Asks the Court of Auditors, or a similar independent agency, to provide a comprehensive analysis of the potential savings for the EU budget if Parliament had Brussels as its only seat; asks that this analysis include budgetary aspects and ancillary costs such as savings made through reduced loss of working time and greater efficiency;
9. Calls on the Bureau to commission Eurobarometer, or a similar professional polling service, to conduct, by 1 January 2014, a survey of the European citizens' views on the prospect of maintaining Parliament's three places of work, with specific reference to the financial, environmental and efficiency costs of this arrangement;
10. Instructs its President to forward this resolution to the Council, the Commission, the European Council, and the Heads of State and Government and parliaments of the Member States.

## EXPLANATORY STATEMENT

### 1. Introduction

The question of the location of the seats of European institutions is not a new one. Since the creation of the predecessors of today's institutions in 1952 the locations chosen for the seats have been the subject of delicate political compromise.

This report will, however, primarily focus on the seat of the European Parliament, since it plays a distinct and unique role as the only institution that is directly elected by and accountable to European citizens – and since its role has undergone the most significant changes amongst all institutions since its creation.

Given the increase in competences and responsibilities, particularly with the entry into force of the Lisbon Treaty, making the EP the fully equal co-legislator of the Council, the EP has significantly changed its working style and methods. Questions of inner organisation such as the EP's calendar are *de jure* linked to the seat by the inflexible formulation in Protocol 6. And the court decisions on changes in the EP's calendar in 2012 show that the EP has exhausted its manoeuvrability within the current legal framework.

The rapporteurs have therefore come to the conclusion that, in order to fulfil its function deriving from the treaties and the expectations of its electorate – Parliament needs the right to organize itself in a modern and appropriate way – and therefore should initiate an ordinary treaty revision procedure in order to amend Article 341 and Protocol 6, granting Parliament the right to decide itself on matters relating to its internal organisation and calendar, and hence the question of its seat.

### 2. The current legal framework of the seats of EU institutions

According to Article 341 TFEU the seats of the institutions are “determined by common accord of governments of member states”. MS have done so in Protocol 6 annexed to the treaties. For the EP they determined Strasbourg as the seat and Brussels and Luxembourg as working places. In 1997 the ECJ ruled (C-345/95) that the right of MS to determine the seat implies that they can also fix the number of plenary sessions to be held in Strasbourg.

However, the treaties also state that the EU is a representative democracy with the citizens being directly represented at Union level in the European Parliament (Article 10). The EP exercises, jointly with the Council, the legislative and budgetary function in the Union (Article 14). It can adopt its own rules of procedure (Article 232 TFEU) and determine the length of plenary sessions. The provisions on the seat and the calendar in Protocol 6 are the only provisions in the treaties constraining EP's autonomy and inner workings, thereby contradicting the general logic of the treaties.

In the 1997 and 2012 ECJ decisions regarding the EP, the court re-affirmed that the location of the seat is not to hinder the well-functioning of the EP and admitted the disadvantages and costs engendered by the plurality of working locations, “cost rendered more onerous in an economic crisis” according to advocate general Mengozzi. The court also confirmed that any improvement of the current situation needs a treaty change and thus the consent of MS.



The question of the seat, however, is not a legal question only, but also one of democratic legitimacy and accountability. It has become increasingly difficult to explain the current arrangements to European citizens and for the EP to fully exercise its democratic functions.

### **3. The historic development of the EP**

Since its creation, the European Parliament has developed from an assembly with purely consultative function into a fully-fledged parliament that, since the Lisbon Treaty, is the equal co-legislator of the Council.

When the predecessor of the EP (Common Assembly of the European Coal and Steel Community) was created in 1952, it was not called “Parliament”, did not have any legislative competence and was not directly elected. For practical reasons it gathered in the existing facilities of the Parliamentary Assembly of the Council of Europe in Strasbourg; an arrangement that continued until 1999, when the EP moved into its own (current) buildings.

The Treaty of Rome formally granted MS the competence to determine the location of the seat of institutions. Until 1992, MS could only agree on “preliminary working locations”. For the European Parliament the choices of Luxembourg, Strasbourg and Brussels emerged, despite Parliament’s recommendation from the very beginning (21 June 1958) that it should be located beside the Council and the Commission.

Shortly after its first direct election in 1979, Parliament decided to act on the seat question and concentrated its plenary sessions in Strasbourg (previously split between Luxembourg and Strasbourg) and committee sessions in Brussels.

Despite these efforts and Parliament’s objections, MS agreed on the locations of institutions and fixed the current status quo during the Edinburgh Summit of 1992. The decision was then raised to the level of primary law and annexed to the treaties as Protocol 6 with the Treaty of Amsterdam in 1997.

In 1999, 250 MEPs (40% at the time) signed a letter condemning the arrangement. In the following year, a resolution was adopted with 401 votes in favour, and only 77 against, which suggested to amend the treaties and to give the EP the right to decide on its seat by absolute majority. This suggestion was ignored by MS during the Intergovernmental Conference that followed.

Since then, the EP, via numerous reports and declarations, as well as 1.27 million European citizens who signed a petition, have demanded change of the current situation, without any reaction by MS.

Meanwhile, the entry into force of the Lisbon Treaty was the latest step in the complete transformation of the nature of the EP from a consultative body with seconded members to a directly elected sovereign Parliament, vested with legislative and budgetary functions, that is the fully equal co-legislator of the Council.

### **4. EP should be granted greater autonomy over its own working procedures, calendar and seat**

Given this increase in power and responsibility the working of the Parliament has changed quite significantly, particularly since the current calendar and seat arrangements were fixed in

1992.

While the number of plenary sessions has steadily decreased since 1999, the workload in committees has increased. The number of co-decision procedures (now ordinary legislative procedures) has increased from 165 during the 1993-1999 legislature to 454 from 2004-2009.

Parliament has also changed in size: from 78 seconded members to 766 directly elected members today. Reflecting the increase in legislative activity and responsibility the 377% increase in Brussels statutory staff from 1993 to 2013 (from 1,180 to 5,635) far exceeds the 48% increase in MEPs during the same period.

The changing role of the EP is also reflected in the 150% increase of inter-institutional meetings (from 16,000 in 2009 to an estimated 40,000 in 2013). Constant negotiations and trilogues, both formal and informal, with Commission, Council and individual MS are now part of the ordinary legislative process and have led to a sharp increase in the number of first reading agreements from 28% during the 1999-2004 legislature to 72% from 2004-2009. Geographic proximity is even more crucial, given Parliament's increased responsibilities and powers in terms of democratic control of other EU institutions.

Under these changed conditions, the structure of the EP calendar that pre-dates most changes in Parliament's role, no longer corresponds to the needs of a modern Parliament and should be revised to be more effective, flexible and more attractive to MEPs.

The counterparts of the Parliament, the Council and the European Council, have already acted and concentrated their work in Brussels. European Council meetings that were previously all held in the country of the rotating presidency are now exclusively held in Brussels. This is particularly significant given that the number of Summits has more than doubled since 2008.

The geographic distance between the official seats of the co-legislative bodies of 435km is unique in the world. But it does not only isolate the EP from Commission and Council, but also from other stakeholders, NGOs, civil society organisations, MS representations and one of the world's largest international journalistic communities that are all in Brussels.

## **5. Financial, environmental, organisational and logistical impact of the current arrangements**

In times of budgetary austerity in many MS, the EP should act accordingly and eliminate wasteful spending. The current seat arrangement of the EP constitutes an area where important savings are possible.

The additional costs resulting from the geographic dispersion of the EP have been conservatively estimated to range between €156 and €204 million, or approximately 10% of the EP's annual budget. If Parliament were to reduce its geographic dispersion, the costs of some 3300 missions could be saved every month. This would equate to 78% of all missions by EP statutory staff being cut.

Given the necessary transport of some 5000 MEPs, staff and officials, as well as 8 large trucks with documents, for every plenary session, the current arrangement also incurs unnecessary environmental, organisational and logistical costs - additional CO2 emissions are estimated to amount between 11,000 and 19,000 tonnes. For the large majority that travels from Brussels to Strasbourg, an entire working day, or about 5% of total working time, is lost travelling.

For MEPs travelling from their constituencies to Strasbourg, the lower number of flight and train connections in comparison to Brussels constitutes additional costs, stress and time spent in transit. The lower number of hotel rooms in Strasbourg means that prices multiply by an average of 2.3 during session weeks.

The Strasbourg buildings of the EP are currently unused for 89% of the time (used for only 42 days a year), yet need to be heated, staffed and maintained for the entire year. The current working arrangement also means that all 766 MEPs and 160 Commission officials have one office in Brussels and one in Strasbourg. Some 150 EP officials even have three offices: one in Luxembourg, one in Brussels, and one in Strasbourg.

## **6. A roadmap towards treaty change**

The current legal framework governing the seats of EU institutions imposes organisational constraints on the European Parliament, that do not allow for a modern and efficient working structure, important savings in times of austerity and they do not allow for the full and proper exercise of Parliament's democratic functions. The calendar cannot be adapted because its general structure is imposed by Protocol 6.

Since the EP has exhausted its manoeuvrability to improve its inner workings and calendar within the current legal framework, the rapporteurs suggest to initiate an ordinary treaty revision procedure under Article 48 TEU to amend Article 341 and Protocol 6, in order to grant parliament the right to autonomously decide on its internal organisation, calendar, and hence the question of its seat.

During this process, Parliament must allow for sufficient time for debate, reflection and proper assessment of all possible alternatives, followed by an orderly implementation of the decision. Concerning the seats of the other EU institutions the rapporteurs, although aware of the context, do not recommend any changes.

Any alternative solution to the current arrangement that Parliament might decide on should take into account the economic impact that parliament has on its different working locations, the historical significance that the choice of location of the seat of the EP has, the historic agreement between MS on the location of all EU institutions, the opinions of local populations of all cities concerned as well as the opinion of European Citizens in general.

27.9.2013

## **OPINION OF THE COMMITTEE ON BUDGETS**

for the Committee on Constitutional Affairs

on the location of the seats of the European Union's Institutions  
(2012/2308(INI))

Rapporteur: Alexander Alvaro

### **SUGGESTIONS**

The Committee on Budgets calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- having regard to its votes in favour of ending Parliament's dispersion in three places of work, e.g. when adopting its resolutions of 23 October 2012 on the Council position on the draft general budget of the European Union for the financial year 2013 – all sections<sup>12</sup> and of 6 February 2013 on the guidelines for the 2014 budget procedure – sections other than the Commission<sup>13</sup> and its decision of 10 May 2012 on discharge in respect of the implementation of the general budget of the European Union for the financial year 2010, Section I – European Parliament<sup>14</sup>,
- A. whereas Protocol No 6 to the Treaties states that Parliament has its seat in Strasbourg, while its committees meet in Brussels and that the General Secretariat remains in Luxembourg;
- B. whereas, since the beginning of the current legislature, both individual committees and the plenary have made several specific requests to Parliament's administration to provide comprehensive, detailed and reliable estimates of the additional costs relating to each of the three places of work;
- C. whereas Parliament's estimates for 2014 put the overall budget at EUR 1 783 976 098, with costs directly related to the geographic dispersion at between EUR 169 million and EUR 204 million per year, and whereas this has been confirmed by the 2012 report of the Joint Bureau and Committee on Budgets Working Group as a EUR 148 million estimate, complemented by the EUR 28.3 million annual amortisation costs for the Strasbourg

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<sup>12</sup> Texts adopted, P7\_TA(2012)0359.

<sup>13</sup> Texts adopted, P7\_TA(2013)0048.

<sup>14</sup> Texts adopted, P7\_TA(2012)0155.

buildings, which need to be taken into account following the purchase of those buildings; whereas Parliament has no other up-to-date figures for the costs incurred by each of its places of work – except for a hypothetical study by the Secretary-General on the cost of merging the Parliament's places of work, given as a response by the Secretary-General on 30 August 2013 to the requests made in paragraph 10 of Parliament's resolution of 6 February 2013 on the guidelines for the 2014 budget procedure and outlining the additional costs of the Strasbourg seat, estimated at EUR 103 million, which would bring the total up to EUR 156 million, when complemented with the same amortisation and unused floor estimates as the 2012 Joint Working Group report; whereas, the figures provided in the Secretary-General's report to the Bureau of September 2002 are the last overall cost estimates available and this report was confirmed by the Joint Bureau and Committee on Budgets Working Group report on Parliament's budget for 2012, when complementing the estimates with the annual amortisation cost for buildings purchases;

- D. whereas the time spent in 2011 on the monthly travel to the four-day plenary part-session was 69 562 days for officials and other agents and 31 316 days for accredited parliamentary assistants, costing € 16 652 490 for officials and other agents and € 5 944 724 for accredited parliamentary assistants;
- E. whereas these figures do not show the costs incurred by staff from the other EU institutions attending part-sessions, nor do they include travel by political group staff or extra costs indirectly incurred by staff, such as loss of working time, related overtime payments and the potential differences in MEPs' travel costs (which totalled EUR 72 103 309 in 2012);
- F. whereas a reply given to the Committee on Budgetary Control in preparation for the EP discharge for 2011 does not provide estimates on the potential savings, but only a partial estimate of the additional costs of the Strasbourg seat; whereas this EUR 55 million estimate does not include many of the budget lines that were included in previous and subsequent estimates, namely the cost of data processing, equipment and movable property, travel expenses of political groups and any potential savings connected to time lost travelling (totalling EUR 68 million); whereas the figures in this estimate are lower on several budget lines than in both previous and subsequent estimates, without any justification being provided (totalling EUR 25 million);
- G. whereas none of these estimates include the additional costs of Parliament's geographic dispersion for the other EU institutions, in particular the Commission and Council, the EU Member States' representations, journalists and civil society representatives;
- H. whereas Parliament's economic impact on the city and region of Strasbourg is low in comparison with other European bodies with permanent staff there, contributing some 223 jobs compared to the almost 3000 permanent employees of the Council of Europe and a further 4000 employees working for Eurocorps, the European Court for Human Rights, Arte and diplomats, which translates into gains of some EUR 17 million from the presence of Parliament's seat in Strasbourg and some EUR 400 million from the other bodies<sup>15</sup> that

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<sup>15</sup> Economic impact of the presence of the European institutions in Strasbourg, CityConsult Médiascopie EDR Group, January 2011.

contribute regularly and permanently to the local economy;

- I. whereas Article 341 TFEU and Protocol No 6 to the Treaties establish that the seat of the institutions of the Union shall be determined by common accord of the governments of the Member States, that Parliament shall have its seat in Strasbourg where the 12 periods of monthly plenary sessions, including the budget session, shall be held, that the periods of additional plenary sessions shall be held in Brussels, that its committees shall meet in Brussels and that its General Secretariat and its departments shall remain in Luxembourg;
- J. whereas  $\frac{3}{4}$  of Members believe that Parliament should identify significant structural savings and that these could be found by reassessing the geographical dispersion of its places of work, illustrated by a breakdown of the costs of Brussels, Luxembourg and Strasbourg, set out in a transparent and credible format, in accordance with standards expected of a major public body;
- K. whereas the historical reasons for European bodies such as the European Court of Human Rights and the Council of Europe being permanently based in Strasbourg are well-known and, while the European Assembly /Parliament for convenience initially used the Council of Europe's Chamber, the choice of Brussels as the seat of the European Commission and of NATO reflects the EU's aspiration towards a continent progressively united in prosperity and security;
- L. whereas locating the EU co-legislators in a single place does not undermine the tradition of polycentrism, which forms an integral part of the European project, but would mean significant efficiency and transparency gains for EU citizens;
- M. whereas during the European Year of Citizens it is appropriate to show not only that their voices are being heard but that their directly elected representatives are taking action on their behalf in order to end the monthly travel between Parliament's places of work;
- N. whereas the EU institutions must do everything they can to further European political integration and bridge the perceived distance between them and citizens by tackling this major structural issue affecting them and should therefore promote European understanding, transparency, accountability and coherence by having the EU's decision-making bodies in one place;
- O. whereas, in many Member States, the seat of the national parliament is laid down either in the Constitution or by law, and whereas the European Parliament is a co-legislator of European law and may, under Article 48 TEU, submit amendments to the Treaties;
- P. whereas 6 % of the EU budget is intended for administrative purposes and whereas the European Union, with a relatively small operating budget for 500 million inhabitants, must set an example in these times of crisis by streamlining its own budget as much as possible without prejudice to the proper functioning of the European Parliament, bearing in mind that efficiency gains of having a single seat cannot be ignored;
- 1. Asks its Administration to carry out an objective analysis of the costs generated by each place of work, including Parliament's seat; stresses that this analysis should relate to the structural costs for both the current period and that of the forthcoming multiannual

financial framework (buildings, maintenance and repair, security, insurance, energy, travel, logistics, etc.);

2. Calls on its relevant services to make an assessment of the agreement between the Luxembourg authorities and the European Parliament, especially with regard to the provisions relating to the number of staff to be present in Luxembourg, taking into account Parliament's needs; considers that this assessment should include an analysis and comparisons regarding the most cost-efficient location for Parliament's services, as Parliament might benefit from having some of these outsourced from its main location;
3. Considers that, while the location of the seats of the EU institutions is enshrined in the Treaties, Article 48 TEU provides for proposals to be made to amend the Treaties;
4. Reiterates its call, as stated in its resolution of 23 October 2012 on the Council position on the draft general budget of the European Union for the financial year 2013, for the Member States to revise the issue of Parliament's seat and working places in the next revision of the Treaty by amending Protocol No 6.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	26.9.2013
<b>Result of final vote</b>	+: 18 -: 15 0: 0
<b>Members present for the final vote</b>	Marta Andreasen, Zuzana Brzobohatá, Isabelle Durant, James Elles, Eider Gardiazábal Rubial, Ingeborg Gräßle, Jutta Haug, Monika Hohlmeier, Sidonia Elżbieta Jędrzejewska, Anne E. Jensen, Ivailo Kalfin, Jan Kozłowski, Alain Lamassoure, Giovanni La Via, George Lyon, Claudio Morganti, Jan Mulder, Andrej Plenković, Dominique Riquet, Oleg Valjalo, Jacek Włosowicz
<b>Substitute(s) present for the final vote</b>	Alexander Alvaro, Lidia Joanna Geringer de Oedenberg, Jürgen Klute, Peter Šťastný, Theodor Dumitru Stolojan, Catherine Trautmann
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Jean-Pierre Audy, Elisabeth Jeggle, Astrid Lulling, Hans-Peter Mayer, Maurice Ponga, Sabine Verheyen



23.9.2013

## **OPINION OF THE COMMITTEE ON PETITIONS**

for the Committee on Constitutional Affairs

on the location of the seats of the European Union's Institutions  
(2012/2308(INI))

Rapporteur: Giles Chichester

### **SUGGESTIONS**

The Committee on Petitions calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- having regard to the Edinburgh European Council meeting of 11 and 12 December 1992,
- A. whereas six petitions have been deposited requesting that the establishment of the European Parliament in more than one place of work be discontinued; and whereas one of these petitions (0630/2006) bears the signatures of more than one million citizens of the EU;
- B. whereas, in this time of crisis, the European Parliament should demonstrate the principle of solidarity with its citizens by focusing more closely on making administrative savings;
- C. whereas since 2006 attempts by the Petitions Committee to consider this issue on a parliamentary level have not succeeded despite the widespread interest in the issue amongst European citizens and MEPs; and whereas the absence of an open debate is at odds with the values which the European Parliament should embody;
- D. whereas MEPs have repeatedly asked Parliament's Administration to commission a Eurobarometer survey asking European citizens for their views on Parliament's split-site arrangement;
- 1. Welcomes the decision by the Committee on Constitutional Affairs to draw up a report on the location of the seats of the European Union's institutions; agrees with the principle that the European Parliament would be more effective, cost-efficient and respectful of the environment if it were located in a single place; and notes that the continuation of the

monthly migration between Brussels and Strasbourg has become a symbolic negative issue amongst most EU citizens which is detrimental to the European Union's reputation, especially at a time when the financial crisis has led to serious and painful cuts in expenditure in Member States;

2. Notes in addition that further savings could be made in the European Parliament's budget by reducing the number of committee, group and delegation meetings which take place outside Parliament's official places of work;
3. Asks the Administration to provide a comprehensive analysis of the potential savings for our budget if the Parliament had only one place of work, in Brussels; asks that this analysis includes the budgetary aspects and the ancillary costs such as savings made as a result of loss of working time and efficiency;
4. Respects the historic reasons for the location of its plenary sessions in Strasbourg and the Treaty requirements that necessitate the system of three places of work; nevertheless insists that the current arrangement cannot continue in perpetuity, is unsustainable and that Parliament itself must be able to debate and state a preference for its future, in line with democratic principles;
5. Calls on the relevant services of the European Parliament to carry out an assessment of the agreement between the authorities in Luxembourg and the European Parliament, as regards the number of staff to be present in Luxembourg, taking into account a revision of Parliament's needs; this assessment should include suggestions on how to renegotiate the agreement, without prejudice to the legal provisions;
6. Calls on Parliament's Administration to commission Eurobarometer or another similar professional polling service to conduct a survey, by 1 January 2014, of EU citizens' views on the maintenance of Parliament's splitsite working arrangement, with specific reference to its financial, environmental and efficiency costs;
7. Calls for Parliament to debate and express its view as to whether the current arrangement should continue; and if an appropriate majority vote is recorded, recommends that Parliament initiate a Treaty revision procedure under Article 48 of the Treaty on European Union.

## **EXPLANATORY STATEMENT**

### **Historical and legal background**

At the European Council meeting in Edinburgh in December 1992, member state heads of government decided on the location of the seats of the EU institutions. With regard to the European Parliament it is stated that:

*'The European Parliament shall have its seat in Strasbourg, where the twelve periods of monthly plenary sessions, including the budget session, shall be held. The periods of additional plenary sessions shall be held in Brussels. The Committees of the European Parliament shall meet in Brussels. The General Secretariat of the European Parliament and its departments shall remain in Luxembourg.'*

The member states enshrined the Edinburgh decision in Protocol No. 6 to the 1997 Treaty of Amsterdam.

The European Parliament's powers have increased significantly over the years, notably since the Lisbon Treaty which came into force in 2009. As with most parliaments, it has the power to decide its own working arrangements in many respects. However, the Edinburgh decision/Protocol No. 6 limits its power to decide when and where it meets.

Changing the official seat of the Parliament and allowing the Parliament the full power to determine when and where it shall meet requires treaty change and can therefore only be achieved by unanimous consent of all EU member states. This was confirmed by a recent judgement by the European Court of Justice in a separate but related issue - the case C-237-11.

Members of the European Parliament may decide to use their new powers, under Article 48 of the Treaty on European Union, to formally propose treaty changes to the Member States if they omit action in this regard.

### **Petitions received by the Committee**

The Petitions Committee (PETI) has in the recent years received 7 petitions related to the subject of the Seat of the EP. All apart from one case are supporting the idea of a single seat for the EU institutions.

One of those petitions has succeeded to collect a large number of signatures and is particularly worth noticing:

In 2006 Cecilia Malmström (then a Swedish Liberal MEP and now EU Commissioner for Home Affairs), launched an online petition (*petition number 630-2006*) calling for a Single Seat for the European Parliament, in Brussels.

This campaign has so far gathered nearly 1.3 million signatures from European citizens – more than the number currently required for a formal European Citizens' Initiative.

This issue was dealt with in PETI Committee in February 2008 with many petitioners present. A letter was subsequently sent to the President of the Parliament for consideration by the Bureau as the parliamentary organ responsible for questions related to the functioning of the institution. An oral question and a draft resolution was tabled for May 2008 but Conference of Presidents withheld approval and instead requested the European Parliament's President to write to the Member States.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	17.9.2013
<b>Result of final vote</b>	+: 16 -: 7 0: 4
<b>Members present for the final vote</b>	Marta Andreasen, Margrete Auken, Heinz K. Becker, Victor Boştinaru, Philippe Boulland, Michael Cashman, Giles Chichester, Lidia Joanna Geringer de Oedenberg, Iñaki Irazabalbeitia Fernández, Carlos José Iturgaiz Angulo, Peter Jahr, Lena Kolarska-Bobińska, Miguel Angel Martínez Martínez, Erminia Mazzoni, Edward McMillan-Scott, Jaroslav Paška, Nicole Sinclair, Jarosław Leszek Wałęsa, Angelika Werthmann, Tatjana Ždanoka
<b>Substitute(s) present for the final vote</b>	Pablo Arias Echeverría, Birgit Collin-Langen, Vicente Miguel Garcés Ramón, Norica Nicolai, Ioannis A. Tsoukalas, Axel Voss
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Francisco José Millán Mon

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	14.10.2013
<b>Result of final vote</b>	+: 22 -: 4 0: 0
<b>Members present for the final vote</b>	Alfredo Antoniozzi, Andrew Henry William Brons, Zdravka Bušić, Carlo Casini, Andrew Duff, Ashley Fox, Roberto Gualtieri, Zita Gurmai, Gerald Häfner, Stanimir Ilchev, Constance Le Grip, Morten Messerschmidt, Sandra Petrović Jakovina, Paulo Rangel, Algirdas Saudargas, Søren Bo Søndergaard, Rafał Trzaskowski, Luis Yáñez-Barnuevo García
<b>Substitute(s) present for the final vote</b>	Elmar Brok, David Campbell Bannerman, Dimitrios Droutsas, Isabelle Durant, Marietta Giannakou, Andrej Plenković
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Edward McMillan-Scott, Elisabeth Morin-Chartier, Catherine Trautmann