



2017/0328(COD)

8.2.2018

DRAFT OPINION

of the Committee on Constitutional Affairs

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 726/2004 as regards the location of the seat of the European Medicines Agency
(COM(2017)0735 – C8-0421/2017 – 2017/0328(COD))

Rapporteur: Mercedes Bresso

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AMENDMENTS

The Committee on Constitutional Affairs calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Draft legislative resolution

Paragraph 1 a (new)

Draft legislative resolution

Amendment

1a. Calls for an immediate review of the Common Approach annexed to the Joint Statement of the European Parliament, the Council of the European Union and the European Commission on decentralised agencies of 19 July 2012 in order to closely involve the European Parliament in the decision-making process on the location of agencies in view of its prerogatives as co-legislator under the ordinary legislative procedure;

Or. en

Amendment 2

Draft legislative resolution

Paragraph 1 b (new)

Draft legislative resolution

Amendment

1b. Approves its statement annexed to this resolution;

Or. en

For information, the statement reads as follows:

‘The European Parliament regrets that its role of co-legislator has not been duly taken into account in the procedure leading to the selection of the new seat of the European Medicines Agency (EMA).

The European Parliament wishes to recall its prerogatives as co-legislator and insists on the full respect of the ordinary legislative procedure in relation to the location of bodies and agencies.

As the only directly elected Union institution it is the first guarantor of the respect of the democratic principle in the Union.

The European Parliament condemns the procedure followed for the selection of the new location of the seat, which has de facto emptied the European Parliament of its prerogatives since it was not effectively involved in the process, but is now expected to simply confirm the selection made for the new location of the seat by means of the ordinary legislative procedure.

The European Parliament insists that the procedure followed for the selection of the new location of the seat, which was eventually concluded by drawing lots, will not be used anymore in the future.

The European Parliament recalls that the Common Approach annexed to the Joint Statement of the European Parliament, Council and European Commission on decentralised agencies signed in 2012 is legally non-binding, as acknowledged in the Statement itself and that it was agreed without prejudice to the legislative powers of the institutions.

Finally, the European Parliament wishes to recall as well that in the Inter-institutional Agreement on Better Law-Making of 13 April 2016¹ the three institutions committed to sincere and transparent cooperation while recalling the equality of both co-legislators as enshrined in the Treaties.’

¹ OJ L 123, 12.5.2016, p. 1.