

The location of the seats of the European Union's Institutions

European Parliament resolution of 20 November 2013 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 1958¹, its resolution of 7 July 1981 on the seat of the EC institutions and in particular of the European Parliament², its recommendations for the Intergovernmental Conference of 13 April 2000³, 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 Europe⁴; its resolution 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 Parliament⁵; 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 Service⁶; its resolution of 29 March 2012 on Parliament's estimates of revenue and expenditure for the financial year 2013⁷ and its resolution of 4 July 2012 on the mandate for the trilogue on the 2013 Draft Budget⁸,
- 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,

¹ OJ 9, 26.7.1958, p. 210 and 234.

² OJ C 234, 14.9.1981, p. 22.

³ OJ C 40, 7.2.2001, p. 409.

⁴ OJ C 380 E, 11.12.2012, p. 89.

⁵ OJ L 286, 17.10.2012, p. 3.

⁶ OJ C 249 E, 30.8.2013, p. 18.

⁷ OJ C 257 E, 6.9.2013, p. 104.

⁸ 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-230/81¹, C-345/95² and joined cases C-237/11 and C-238/11³,
 - 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 seats 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 co-legislator Parliament is on equal terms with the Council;

¹ Case C-230/81, Grand Duchy of Luxembourg v European Parliament.

² Case C-345/95, French Republic v Parliament.

³ Case C-237/11 and C-238/11, French Republic v Parliament.

- 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 million¹, equivalent

¹ 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 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

to approximately 10 % of Parliament's annual budget, while the environmental impact is also significant, with the CO₂ emissions associated with the transfers to and from the three working locations estimated to be between 11 000¹ and 19 000 tonnes²;

- 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 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

million when the amortisation and unused floor estimates indicated in the Joint Working Group Report from 2012 are added.

- ¹ '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.
- ² 'European Parliament two-seat operation: Environmental costs, transport & energy', report prepared by Eco-Logica Ltd. for the Greens/EFA, November 2007.

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 only one 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.