



2017/0328(COD)

21.2.2018

AMENDMENTS

3 - 8

Draft opinion

Mercedes Bresso

(PE616.913v01-00)

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

Proposal for a regulation

(COM(2017)0735– C8-0421/2017 – 2017/0328(COD))

Amendment 3
Elmar Brok

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 to take due account of the role of 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; calls therefore for a close involvement of the European Parliament in the decision making process concerning the location of agencies;

Or. en

Amendment 4
Elmar Brok

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 deprived 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 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.

The European Parliament welcomes that the selection procedure of the new seat of the agency was based on selection criteria referred to in the Common Approach, but deplores that it was eventually concluded by drawing lots. The Parliament insists therefore that the procedure followed for the selection of the new location of the seat will be reformed in the future.

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.

Amendment 5 **Jasenko Selimovic**

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, as representative of the Union’s citizens, it was not fully involved in the procedure to select the new seat of the European Medicines Agency (EMA), which was eventually concluded by drawing lots, despite being such an important decision. Therefore, the European Parliament insists that the procedure followed for the selection of the new location of the seat should not be used anymore in the future.

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 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.’

Amendment 6

Fabio Massimo Castaldo

Proposal for a regulation

Citation 1 a (new)

Text proposed by the Commission

Amendment

Having regard to the Treaty on European Union, and in particular Article 13(2) thereof,

Or. en

Justification

Reference to the duty of mutual sincere cooperation amongst EU institutions

Amendment 7

Mercedes Bresso

Proposal for a regulation

Recital 1

¹ OJ L 123, 12.5.2016, p. 1.

Text proposed by the Commission

(1) In the context of the United Kingdom's notification on 29 March 2017 of its intention to leave the Union, pursuant to Article 50 of the Treaty on European Union, the other 27 Member States, meeting in the margins of the General Affairs Council ('Article 50'), selected Amsterdam, the Netherlands, as the new seat of the European Medicines Agency.

Amendment

(1) In the context of the United Kingdom's notification on 29 March 2017 of its intention to leave the Union, pursuant to Article 50 of the Treaty on European Union, the other 27 Member States, meeting in the margins of the General Affairs Council ('Article 50'), selected Amsterdam, the Netherlands, as the new seat of the European Medicines Agency ***on the basis of information requiring further verification of the actual availability of the premises selected as well as of the accessibility of those premises' facilities;***

Or. en

Amendment 8
Mercedes Bresso

Proposal for a regulation
Article 1 – paragraph 1
Regulation (EC) No 726/2004
Article 71a – paragraph 1

Text proposed by the Commission

The Agency ***shall have its seat in Amsterdam, the Netherlands.***

Amendment

In order to respect fully the prerogatives of the European Parliament, the decision on the location of the Agency needs, and legally must, be taken under the ordinary legislative procedure, pursuant to which the European Parliament and the Council are equal co-legislators.

Or. en

Justification

The seat of the European Medicines Agency will be selected under the ordinary legislative procedure in full respect of the prerogatives of co-legislators in relation to the location of bodies and agencies and in respect of the principle of full cooperation and transparency between Institutions.