

Trilogue negotiations

A) Description and aim

During the last legislature - marked by the entry into force of the Lisbon Treaty and when codecision became the 'ordinary legislative procedure' 85 % of legislative files were concluded at first reading, 13% at second reading and only 2% in conciliation. This trend was accompanied by a constant rise in trilogue meetings (more than 1500 in the last parliamentary term) and a corresponding need for meeting rooms and slots. In trilogues the EP negotiating teams are assisted by the committee secretariat, the Conciliations and Codecision unit, the Legal Service and Lawyer-linguists.

B) History and state of play

As informal trilogues become a usual working method for reaching legislative agreements, transparency has been an ever-present challenge and common to all participating institutions. The adoption of Rules 73 and 74 of Parliament's Rules of Procedure, which entered into force on 10 December 2012, is the most recent in-house attempt to modernise the procedures for inter-institutional negotiations. The two Rules clarify who the key committee actors in inter-institutional negotiations are, specify that the negotiating team must be led by the rapporteur and presided over by the Chair of the committee responsible or by a Vice-Chair designated by the Chair, and that it must comprise at least the shadow rapporteurs from each political group. They also lay down the two procedures for entering into negotiations: a **standard** ([Rule 73](#)) and an **exceptional one** ([Rule 74](#)), and require the responsible Committee to take a formal decision to enter negotiations by a majority of its members. Such decisions are notified on a regular basis to the Conference of Committee Chairs and to the President who informs the Conference of Presidents. Rule 73 also provides that the negotiating team shall report back to the committee after each trilogue and inform it without delay if a compromise is reached.

C) Future Milestones

While the **need for transparency** remains a challenge given the generalisation of trilogue negotiations, it has to be reconciled with the **need for efficiency** in order to reach agreements. The recent rules have increased transparency but more progress could be made to improve the information available on on-going or upcoming trilogue negotiations and their outcome (including by adding more information in the public Legislative Observatory ([OEIL](#)) from early 2015 onwards). The challenge is to enable the 90% of Members not part of the negotiating team or of the relevant committee to nevertheless obtain an understanding of the issues at stake and of the on-going process, so that they can fully play their role when the debate reaches their political group and arrives in plenary.

D) References and sources of information

More information on the conduct of negotiations and the relations with the other institutions can be found in Parliament's Rules of Procedure (including [Annex XIX](#) *Joint declaration on practical arrangements for the Codecision Procedure*, and [Annex XX](#) *Code of conduct for negotiating in the context of the ordinary legislative procedure*), the [Activity Report on codecision and conciliation \(2009-2014\)](#), the [Codecision Guide](#) and the intranet of the Conciliations and Codecision (CODE) unit of DG IPOL: <http://www.ipolnet.ep.parl.union.eu/ipolnet/cms/pid/2336>