Question for oral answer O-000003/2019

to the Council

Rule 128

Danuta Maria Hübner
on behalf of the Committee on Constitutional Affairs

Subject: Negotiations with the Council and Commission on Parliament’s right of inquiry: legislative proposal

With a view to following up on the agreement struck between the AFCO Chair and Rapporteur Jáuregui with the Slovak Council Presidency and the Commission on 10 October 2016, which stated that ‘in order for official negotiations to be launched, a presentation of a new wording of the EP proposal is necessary’, AFCO committee endorsed, and sent to the Council and Commission on 3 May 2018, in the form of a non-paper, a new wording of the proposal concerning the Regulation governing the European Parliament’s right of inquiry, as established in Article 226 of the Treaty on the Functioning of the European Union (TFEU). This new wording, which constitutes a new articulated text of 25 articles, and was based on both the different agreements and options developed during the meetings carried out by the legal services of the three institutions in 2017 and on the David Martin Report adopted in 2014, including several modifications designed to resolve the concerns addressed by the Council and the Commission, had the sole ambition and intention of complying with the aforesaid commitment with the aim of launching negotiations with the Council and the Commission, which never took place during this term. In fact, the Council’s letter of reply to the non-paper of 25 October 2018 formalises a new list of concerns and leaves no margin of manoeuvre for negotiations, quite the reverse of the idea behind the non-paper – to open negotiations.

Given that the legislative term is coming to an end, and all possibilities for negotiation have been exhausted, AFCO committee wishes to express its most profound disagreement with the attitudes shown by the Council and the Commission, which are continuing to prevent, after more than four years of informal meetings and exchanges of letters and documents, a formal meeting to discuss at a political level possible solutions to resolve the problems identified. In fact, the Council’s attitude of continuing to refuse to approve a political mandate that opens the door for meetings of a political nature to resolve the most contentious issues and sound out whether an agreement could be reached represents a clear lack of loyal cooperation in the fulfilment of a mandate from the Treaties (Article 226 TFEU).

Can the Council explain the reasons for this blockage, and hand the Council Presidency a clear mandate to negotiate with Parliament and the Commission with a view to reaching an understanding that enables the procedure to be concluded and the appropriate legal framework established for the implementation of Parliament’s right of inquiry?

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