

Proposals of the European Parliament for the amendment of the Treaties

2022/2051(INL) - 07/11/2023 - Committee report tabled for plenary, single reading

The Committee on Constitutional Affairs adopted the report by Guy VERHOFSTADT (Renew, BE), Sven SIMON (EPP, DE), Gabriele BISCHOFF (S&D, DE), Daniel FREUND (Greens/EFA, DE), Helmut SCHOLZ (The Left, DE) on proposals of the European Parliament for the amendment of the Treaties.

This report follows Parliaments resolution of 9 June 2022 on the call for a Convention for the revision of the Treaties. It reiterates Parliaments call for the amendment of the Treaties and call on the Council to immediately and without deliberation submit Parliaments proposals to the European Council. Furthermore, it calls on the European Council to convene a Convention in accordance with the ordinary revision procedure provided for in Article 48(2) to (5) of the Treaty on European Union (TEU), as soon as possible.

The current Treaties entered into force on 1 December 2009.

The proposals in this report aim to reshape the Union in a way that will enhance the Unions capacity to act and strengthen its democratic legitimacy and accountability.

On 9 May 2022, the Conference on the Future of Europe (COFE) finished its work and presented its conclusions. Those conclusions contain 49 proposals and 326 measures, the European Parliament welcomed the conclusions of the Conference on the Future of Europe of 9 May 2022 and noted that several of the Conference proposals require amendments to the Treaties.

The proposed Treaty changes concern the following issues:

Institutional reforms

- reform decision-making in the Union to more accurately reflect a bicameral system by further empowering the European Parliament, and by changing the voting mechanism in the Council;
- strengthen of the Unions capacity to act by considerably increasing the number of areas where actions are decided by qualified majority voting (QMV) and through the ordinary legislative procedure (OLP);
- Parliament to gain the right of initiative for legislation, in particular the right to introduce, amend, or repeal Union law, and to become a co-legislator for the adoption of the multiannual financial framework;
- introduce a European referendum on matters relevant to the Unions actions and policies; calls for the strengthening of instruments for citizens participation in the EU decision-making process within the framework of representative democracy.

Competences

- establish exclusive Union competence for the environment and biodiversity as well as negotiations on climate change;
- establish shared competences on public health matters and the protection and improvement of human health, especially cross-border health threats, civil protection, industry, and education especially when transnational issues such as mutual recognition of degrees, grades, competences and qualifications are concerned;
- further develop Union shared competences in the areas of energy, foreign affairs, external security and defence, external border policy in the area of freedom, security and justice, and cross-border infrastructure.

Subsidiarity

- extend the deadline for yellow card procedures to 12 weeks;
- a green card mechanism for legislative proposals by national or regional parliaments with legislative powers be introduced in order to make Union law more responsive to local needs.

Rule of Law

- strengthen and reform the procedure in Article 7 TEU with regard to the protection of the rule of law by ending unanimity, introducing a clear timeframe, and by making the Court of Justice the arbiter of violations.

Foreign, Security and Defence Policy

- decisions on sanctions, interim steps in the enlargement process and other foreign policy decisions to be taken by QMV;
- establish a defence union including military units, a permanent rapid deployment capacity, under the operational command of the Union;
- joint procurement and the development of armaments should be financed by the Union through a dedicated budget under parliamentary co-decision and scrutiny.

Single Market, Economy & Budget

- reinforce QMV used for decisions on direct and indirect taxation;
- establish the multiannual financial framework for a five-year period.

Energy Policy

- create an integrated European energy union.

Area of Freedom, Justice and Security

- Europol should receive additional competences subject to parliamentary scrutiny.

Migration

- common minimum standards for the acquisition of Union citizenship by third-country nationals, as well as for common standards for long-term visas and residency permits to prevent the sale and abuse of citizenship and residency.