

Chapter 5 European Parliament roles in the field of CFSP/ CSDP

The consultation and budgetary control functions of the European Parliament in CFSP/ CSDP.

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The European Parliament consists of 751 Members of the European Parliament (MEPs) including the President of the European Parliament. The number of MEPs cannot exceed 751 and the breakdown of parliamentary seats between Member States will be degressively proportional. The Treaty of Lisbon also stipulates that no Member State can have fewer than 6 or more than 96 seats.



European Parliament session
 Credit "European Commission"

As Article 14 (3) TEU states, "*The members of the European Parliament shall be elected for a term of five years by direct universal suffrage in a free and secret ballot.*" Pursuant to Article 14 (4) TEU: "*The European Parliament shall elect its President and its officers from among its members.*" The European Parliament also "... shall elect the President of the Commission." Article 14 (1) TEU.

Pursuant to Article 14 (1) TEU, "*The European Parliament shall, jointly with the Council, exercise legislative and budgetary functions. It shall exercise functions of political control and*

consultation as laid down in the Treaties. The European Parliament also "... shall elect the President of the Commission." Article 14 (1) TEU.

The EP's Committees include the Committees on Foreign Affairs (AFET), with subcommittees on Human Rights (DROI) and Security and Defence (SEDE) and Development (DEVE).

COMMON FOREIGN AND SECURITY POLICY / COMMON SECURITY AND DEFENCE POLICY

The CFSP "*shall be defined and implemented by the European Council and the Council acting unanimously, except where the Treaties provide otherwise.*" The CFSP "*shall be put into effect by the High Representative of the Union for Foreign Affairs and Security Policy and by Member States, ... The specific role of the European Parliament and of the Commission in this area is defined by the Treaties.*" (Article 24 (1) TEU).

According to Article 36 TEU "*The High Representative of the Union for Foreign Affairs and Security Policy shall regularly consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and the common security and defence policy and inform it of how those policies evolve. He shall ensure that the views of the European Parliament are duly taken into consideration. Special representatives may be involved in briefing the European Parliament.*

The European Parliament may ask questions of the Council or make recommendations to it and to the High Representative. Twice a year it shall hold a debate on progress in implementing the common foreign and security policy, including the common security and defence policy."

Sometimes the EP expresses its views and opinions on certain foreign and security policy issues via resolutions. These are usually prepared by rapporteurs and pass through the relevant EP committee(s). There may also be declarations of prominent members of the EP.

In addition, in the areas of CFSP/ CSDP the European Parliament exercises its budgetary powers. The budgetary control function mainly relates to the CFSP budget for CSDP civilian missions and other EU external actions funded from the CFSP budget. It will also cover the European External Action Service (EEAS)

Furthermore, Article 10 of the Protocol (No. 1) on the role of national parliaments in the European Union (to the Treaty of Lisbon) provides that: "A conference of Parliamentary Committees for Union Affairs may submit any contribution it deems appropriate for the attention of the European Parliament, the Council and the Commission. That conference shall in addition promote the exchange of information and best practice between national Parliaments and the European Parliament, including their special committees. It may also organise interparliamentary conferences on specific topics, in particular to debate matters of common foreign and security policy, including common security and defence policy. Contributions from the conference shall not bind national Parliaments and shall not prejudice their positions".



For details on European Parliament external activities please explore the dedicated website. (Click on the left icon)

LEGISLATIVE PROCESS

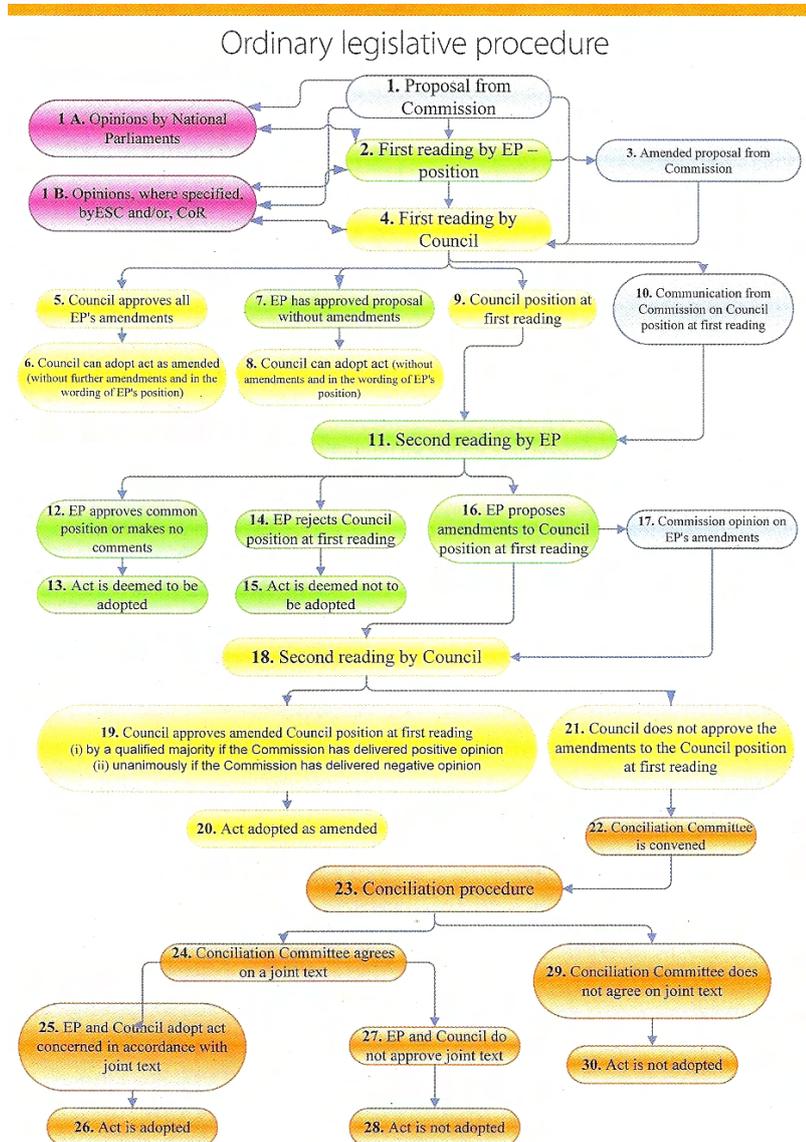
The European Commission, the European Parliament and the Council of the European Union are involved in the law-making process at EU level.

Decisions in the area of CFSP/ CSDP are taken by the Council and they are now all called "Council Decisions" (they include the former "Joint Actions"); such Council Decisions are not legislative acts.

Directives and regulations are the main forms of EU law, applicable to all EU Member States. New legislation is generally proposed by the European Commission, but it is the Council and the European Parliament that pass the laws. EU Law in general is subject to the ordinary legislative procedure (Art. 294 TFEU), now based on the co-decision principle (sometimes still called "the co-decision procedure"). The CFSP budget approval falls under this legislative procedure.

LEGISLATIVE CO-DECISION PROCEDURE

In this procedure, introduced by the Maastricht Treaty in 1993, the Parliament shares legislative power equally with the Council. In the meantime the co-decision procedure applies to most EU law-making. This procedure gives the European Parliament the opportunity to negotiate directly with the Council in a conciliation committee, composed of equal numbers of Council and Parliament representatives, and in which the Commission also takes part. This only happens in the event of lack of agreement on a proposal. Once this committee has reached an agreement (time limit 6 weeks), the text is sent once again to Parliament and the Council so that they can finally adopt it as law. The Council and the European Parliament have six weeks to adopt the legislative act. The Council generally takes a decision by qualified majority, while the European Parliament has to approve the legislative act by a majority of the votes cast. However, if the Council and the European Parliament do not both approve the legislative act within the time limit of six weeks, the proposal is automatically rejected. Conciliation is becoming increasingly rare. Most laws passed in co-decision are, in fact, adopted either at the first or second reading.



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