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*(Information)***COUNCIL****Council statement concerning the framework agreement on relations between the European Parliament and the Commission**

(2005/C 161/01)

In the light of the signing by the European Parliament and the Commission of the framework agreement on relations between the European Parliament and the Commission on 26 May 2005, Coreper recommends that the Council enter the following statement in its minutes and publish it in the C series of the *Official Journal of the European Union*:

'The Council has taken note of the framework agreement on relations between the European Parliament and the Commission signed on 26 May 2005 by the two institutions, notwithstanding the spirit of Declaration No 3 on Article 10 of the Treaty establishing the European Community contained in the Final Act of the Nice Treaty.

Recalling its statement of 10 July 2000, the Council is concerned at the fact that several provisions of the new framework agreement seek to bring about, even more markedly than the framework agreement of 2000, a shift in the institutional balance resulting from the Treaties in force. It regrets not being informed earlier, in a spirit of sincere cooperation, of the negotiations on this new framework agreement. It further regrets that the two institutions concerned did not feel the need to take account of the points on which it had expressed concern in its appropriate bodies, before the agreement was signed.

The Council would point out in particular that under the EC Treaty (Article 201), a motion of censure on the activities of the Commission can only be tabled against all the members of the Commission as a college, and not an individual member. Article 217 enshrines the principle of collective responsibility for Commission action. The Council would also stress that the multiannual work programming procedure was adopted by the European Council at its meeting in Seville in June 2002. Finally, it would recall that the procedures enabling the European Parliament to be involved in international negotiations are governed by Article 300 of the EC Treaty and that practical arrangements concerning the presence of Members of the European Parliament in delegations of the Community or representing the European Union at international conferences were adopted in 1998.

The Council stresses that the undertakings entered into by these institutions cannot be enforced against it in any circumstances. It reserves its rights and in particular the right to take any measure appropriate should the application of the provisions of the framework agreement impinge upon the Treaties' allocation of powers to the institutions or upon the institutional equilibrium that they create.'
