



Mr Jerzy BUZEK  
President

EUROPEAN PARLIAMENT

310587    30.06.2010

Dear President,

The Working Party on the revision of the Framework Agreement between the Parliament and the Commission was mandated by the Conference of Presidents on 26 November 2009. The successful completion of the first phase of negotiations with the President of the Commission, Mr Barroso on Parliament's key priorities culminated in the EP resolution text of 9 February 2010 (see my letter of 28 January 2010 annexed).

The second stage started on 25 February 2010 and included in total 10 internal meetings of the Working Party followed by 10 intensive negotiation sessions with Vice-President Šefčovič to transform these priorities into the actual text of the future Framework Agreement and to address other outstanding requests of the Parliament based on decisions of the plenary or of the Conference of Presidents.

I am happy to present to you today, in the name of the Working Party the outcome of the negotiations (see annexed table), which takes into account developments over the past years in our relationship with the Commission and the growing role of Parliament under the Lisbon Treaty.

I would like to underline the points, which I consider to have been major successes for Parliament during the second phase of negotiations:

- on *international negotiations*: the inclusion of detailed provisions taking into account the enhanced role of Parliament, both relating to access to information and to participation in international conferences (paragraphs 19-21 and new annex 4);
- on the *Commission meetings with national experts on preparing and implementing EU legislation*, including soft law: inclusion of detailed provisions on the information to Parliament (paragraph 13 a new and new annex 1);
- on *Parliament's access to confidential information*: detailed provisions on access to confidential information, including classified information (revised annex 2);
- new rules for the *participation of Commissioners in election campaigns* (paragraph 2 b new);



- on *programming*, revised provisions to streamline and advance current procedures, improve the involvement of Parliament with a view to seeking a common understanding. (paragraphs 27-30 and revised annex 3);
- a *review of all pending proposals at the beginning of the new Commission's mandate*, in order to politically confirm or withdraw them, taking due account of the views expressed by the Parliament (paragraph 32);
- the possibility for Parliament to express its views when the Commission intends to use *soft law*, in areas where Parliament is usually involved in the legislative process (paragraph 36 b new);
- a commitment by the Commission on *adaptation of the "acquis communautaire" to the new regime of delegated acts* (point 41 a new);

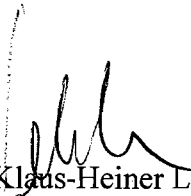
The results of the two phases of negotiation put together reveal a major breakthrough for Parliament in its cooperation with the Commission. However our Working Party considers the outcome on one specific point related to Parliament's involvement in international conferences (paragraphs 21 and 21 a new) as not fully satisfactory. The Commission was not able to move any further on this point. On the other hand, the revised text represents a clear improvement compared to the current framework agreement (in particular the possibility to attend negotiations sessions and EU coordination meetings as observers) and it has to be read in connection with the new annex 3 on international negotiations, which will allow Parliament to use its new powers to the fullest extent. Moreover, Vice-President Šefčovič has already indicated that he would be willing to confirm the Commission's intention to have an open interpretation of the agreed text.

The strategic importance of the revised Framework Agreement in our relation with other institutions should also be stressed. For instance, Baroness Ashton, Vice-President for External Relations / High Representative of the Union for Foreign Affairs and Security Policy, has already agreed to apply *mutatis mutandis* the provisions of the Framework Agreement for negotiations on international agreements falling under her area of responsibility, where the consent of the Parliament is required, from other institutions.

I look forward to holding an exchange of views with the Conference of Presidents on the outcome of the negotiations and suggest, in the name of the Working Party, that the Conference will endorse the agreed text and submit it to the Committee on Constitutional Affairs for consideration in view of a final decision by plenary. Let me stress that once endorsed by the Parliament it would be of prime importance to ensure a proper implementation of the revised Framework Agreement within Parliament and the Commission. For this reason, the agreed text foresees to perform a first review of the new agreement by the end of 2011.

Finally, I would like to thank the members of the EP Working Party, Mr Hannes Swoboda, Mrs Dagmar Roth-Behrendt, Mrs Diana Wallis, Mrs Rebecca Harms, and as an observer for the AFCO committee Mr Paolo Rangel, as well as the staff involved, for the excellent cooperation during this - sometimes quite difficult - negotiation process with the Commission.

Yours sincerely,



Klaus-Heiner LEHNE

cc: Members of the Conference of Presidents  
Members of the Conference of Committee Chairs  
Members of the EP Working Party for the revision of the Framework Agreement

Annexes:

- Letter of 28 January 2010 to the Conference of Presidents on the outcome of the discussions with President-Elect Barroso
- Draft revised Framework Agreement between the Parliament and the Commission for the next legislative term (table outlining the outcome of the discussions between the EP Working Group and Vice-President Šefčovič on 29 June 2010)

Mr Jerzy BUZEK  
President

EUROPEAN PARLIAMENT

301201 28.01.2010

Dear President,

The Conference of Presidents appointed on 26 November 2010 the EP Working Party for the revision of the Framework Agreement between the Parliament and the Commission. The Working Party whose Members are Mr Swoboda, Mrs Roth-Behrendt, Mrs Wallis and Mrs Rebecca Harms and which I have the honour to chair has met four times to prepare negotiations with the Commission on a renewed Framework Agreement. At its meeting on 14 January the Conference of Presidents endorsed a proposal from the Working Party on the timing of the envisaged negotiations and on six key principles to be addressed during the first negotiation phase until the vote of approval of the new Commission.

I am happy to inform you that, after the third and last meeting of the EP Working Party with the President-elect of the European Commission, Mr Barroso, on 27 January 2010, a common understanding could be found on these principles which are fleshed out in the attached draft Parliament's resolution. Mr Barroso has indicated that he is prepared to make a statement in plenary endorsing Parliament's demands before the vote of approval of the new Commission by the Parliament on Tuesday 9 February 2010.

Discussions between the Working Party and Mr Barroso were intense and sometimes quite difficult over the last weeks. They have shown the value of an in-depth political discussion on our future relationship. The result of this dialogue is a very positive one and I consider the draft resolution as an important step forward for the relationship between our two institutions, reflecting adequately the new position of Parliament under the Lisbon Treaty.

I would like to outline some key aspects of the draft text:

As this was one of the key demands of Parliament, M. Barroso has recognised the *principle of equal treatment by the Commission for Parliament and the Council of Ministers* and has agreed to take a number of concrete measures to implement this principle, such as the provision of full documentation on the Commission's meetings with national experts on the preparation and implementation of EU legislation.



The President-elect of the Commission has also agreed to strengthen the way the Commission deals with *legislative initiative requests* by Parliament by imposing clear deadlines with a three months delay for the reaction of the Commission on the concrete follow-up of a legislative initiative report and, as a rule, one year for the submission of a proposal to Parliament. He made commitments for the *future negotiations on the IIA on Better Law-Making*, including a consultation of Parliament on future soft law initiatives and enhanced information rights on infringement procedures.

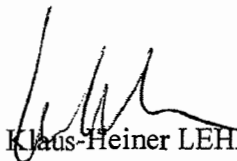
The draft resolution also includes a number of measures to *improve the accountability of the Executive*, which Mr Barroso supports, including the commitment by the Commission to support Parliament in the future negotiations on the European External Action Service with a view to guaranteeing its full accountability, including a transparent procedure for the nomination of Special Representatives and ambassadors.

The Commission has also recognised the enhanced role of Parliament in *international negotiations* under the Lisbon Treaty and committed itself to a "reinforced association" with Parliament through immediate and full information at all stages of the negotiations, and of facilitating the granting of an observer status to the chair of the EP delegation at international conferences. Last but not least, improved *arrangements for the programming* were agreed, in particular that the Commission and the Parliament should seek a common understanding before the adoption of the Annual Work Programme.

The Parliament was able to successfully use a window of opportunity. I consider this text as a good starting point to flesh out the "Special Partnership between the European Parliament and the Commission" suggested by Mr Barroso in his "Political Guidelines" and I am looking forward to the second stage of the negotiations, which should lead to an ambitious Framework Agreement text by May-June 2010.

The EP Working Party would therefore recommend the Conference of Presidents to consider and to endorse the attached draft resolution and to submit it to plenary.

Yours sincerely,



Klaus-Heiner LEHNE

cc: Members of the Conference of Presidents  
Members of the Conference of Committee Chairs

Annex: Draft European Parliament resolution on a renewed Framework Agreement between the Parliament and the Commission for the next legislative term





**Revision of the Framework Agreement between the European Parliament and the Commission  
PHASE II**

**Results of the meetings between the EP Working Party and Vice-President SEFCOVIC**

**Version: 29 June 2010**

Original text	Draft revised text
<p><b>Framework Agreement on relations between the European Parliament and the Commission</b></p> <p>The European Parliament and the Commission of the European Communities (hereinafter referred to as "the two Institutions"),</p> <ul style="list-style-type: none"> <li>- having regard to the Treaty on European Union, the Treaty establishing the European Community, and the Treaty establishing the European Atomic Energy Community, (hereinafter referred to as "the Treaties"),</li> </ul>	<p><b>Draft for a revised Framework Agreement on relations between the European Parliament and the Commission</b></p> <p>The European Parliament and the <del>European Commission of the European Communities</del> (hereinafter referred to as "the two Institutions"),</p> <ul style="list-style-type: none"> <li>- having regard to the Treaty on European Union (<i>TUE</i>), the Treaty on the <i>Functioning of the European Union (TFEU)</i> and in particular <i>Article 295 thereof</i> establishing the <del>European Community</del>, and the Treaty establishing the European Atomic Energy Community, (hereinafter referred to as "the Treaties"),</li> </ul>
<ul style="list-style-type: none"> <li>- having regard to the Inter-institutional Agreements and texts governing relations between the two Institutions,</li> <li>- having regard to Parliament's Rules of Procedure<sup>1</sup>, and in particular Rules 98, 99 and 120 as well as Annex VI, .....</li> </ul>	<p>(unchanged)</p> <ul style="list-style-type: none"> <li>- having regard to Parliament's Rules of Procedure<sup>(9)</sup>, and in particular Rules 105 98, 106 99 and 127 429 as well as Annex VIII 44 and XIV<sup>7,.....</sup>,</li> <li>- <i>having regard to the political guidelines and relevant statements made by President-elect of the Commission on 15 September 2009 and on 9 February 2010 and the statements made by each of the candidate Commissioners in the course of their hearings by the European Parliament's committees,</i></li> </ul>
<ul style="list-style-type: none"> <li>A. whereas the Treaties strengthen the democratic legitimacy of the European Union's decision-making process,</li> <li>B. whereas the two Institutions attach the utmost importance to the effective transposition and implementation of Community law,</li> </ul>	<ul style="list-style-type: none"> <li>A. whereas the <i>Lisbon Treaty</i> <del>Treaties</del> strengthens the democratic legitimacy of the European Union's decision-making process,</li> <li>B. whereas the two Institutions attach the utmost importance to the effective transposition and implementation of <del>Community</del> <i>Union</i> law,</li> </ul>
<ul style="list-style-type: none"> <li>C. whereas this Framework Agreement does not affect the powers and prerogatives of Parliament, the Commission or any other institution or organ of the European Union but seeks to ensure that those powers and prerogatives are exercised as effectively as possible,</li> </ul>	<ul style="list-style-type: none"> <li>C. whereas this Framework Agreement does not affect the powers and prerogatives of Parliament, the Commission or any other institution or organ of the European Union but seeks to ensure that those powers and prerogatives are exercised as effectively <i>and transparently</i> as possible,</li> </ul>

<sup>1</sup> OJ L 44, 15.2.2005, p.1.

Original text	Draft revised text
<p>D. whereas it is appropriate to update the Framework Agreement concluded in July 2000<sup>2</sup> and to replace it by the following text,</p> <p>agree as follows:</p> <p><b>I. SCOPE</b></p> <p>1. The two Institutions agree on the following measures to strengthen the political responsibility and legitimacy of the Commission, extend constructive dialogue, improve the flow of information between the two Institutions and improve the coordination of procedures and planning.</p> <p>They also agree on specific implementing measures for the forwarding of confidential Commission documents and information, as set out in Annex 1 and on the timetable for the Commission's legislative and work programme, as set out in Annex 2.</p> <p><b>II. POLITICAL RESPONSIBILITY</b></p>	<p>D. (NEW) whereas this Framework Agreement should be interpreted in conformity with the institutional framework as organized by the treaties,</p> <p>E. (NEW) whereas the Commission will take due account of the respective roles conferred by the treaties on the Parliament and the Council, in particular with reference to the basic principle of equal treatment laid down under point 8,</p> <p>F. whereas it is appropriate to update the Framework Agreement concluded in July 2000-May 2005<sup>3</sup> and to replace it by the following text,</p> <p>agree as follows:</p> <p><b>I. SCOPE</b></p> <p>1. To better reflect the new "special partnership" between the Parliament and the Commission, the two Institutions agree on the following measures to strengthen the political responsibility and legitimacy of the Commission, extend constructive dialogue, improve the flow of information between the two Institutions and improve the coordination of procedures and planning.</p> <p>They also agree on specific provisions implementing measures:</p> <ul style="list-style-type: none"> <li>- on Commission meetings with national experts, as set on in Annex 1;</li> <li>- on the forwarding of confidential Commission documents to the European Parliament and information, as set out in Annex 4-2;</li> <li>- on negotiation and conclusion of international agreements, as set out in Annex 3;</li> <li>- and on the timetable for the Commission's legislative and Work Programme, as set out in Annex 2-4.</li> </ul> <p><b>II. POLITICAL RESPONSIBILITY</b></p> <p>2 (a new). The President-designate of the Commission will submit to the Parliament after his nomination by the European Council political guidelines for his term of office in order to enable an informed exchange of views with Parliament before its vote of approval.</p>

<sup>2</sup> OJ C 121, 24.4.2001, p.122.

<sup>3</sup> OJ C 117, 18.5.2006, p.123.

Original text	Draft revised text
<p>2. Each Member of the Commission shall take political responsibility for action in the field of which he or she is in charge, without prejudice to the principle of Commission collegiality.</p>	<p><b>2 (b new).</b> <i>In conformity with Rule 106 of its Rules of Procedure, Parliament shall communicate with the President-designate of the Commission in good time before the opening of the procedures relating to giving its consent to the new Commission. Parliament shall take into account the remarks expressed by the President-designate.</i></p> <p><i>The designated Members of the Commission shall ensure full disclosure of all relevant information, in conformity with the obligation of independence laid down in Article 245 TFEU.</i></p> <p><i>The procedures shall be designed in such a way as to ensure that the whole Commission-designate is assessed in an open, fair and consistent manner.</i></p> <p>(unchanged)</p>
<p>The President of the Commission shall be fully responsible for identifying any conflict of interest which renders a Member of the Commission unable to perform his or her duties.</p>	<p>(unchanged)</p>
<p>The President of the Commission shall likewise be responsible for any subsequent action taken in such circumstances; if an individual case has been re-allocated, the President shall inform the President of Parliament thereof immediately and in writing.</p>	<p>The President of the Commission shall likewise be responsible for any subsequent action taken in such circumstances <del>and if an individual case has been re-allocated</del>; the President shall inform the President of Parliament thereof immediately and in writing.</p> <p><b>The participation of Members of the Commission in electoral campaigns is governed by the Code of Conduct of Commissioners.</b></p> <p><b>Members of the Commission participating actively in electoral campaigns as candidates for European elections should take unpaid electoral leave as of the end of the last part-session before the elections.</b></p> <p><b>The President of the Commission shall inform the Parliament in due time of his decision to grant this leave and which Member of the Commission will take over the relevant responsibilities for that period of leave.</b></p>

Original text	Draft revised text
<p>3. If Parliament decides to express lack of confidence in a Member of the Commission, the President of the Commission, having given serious consideration to that decision, shall either request that Member to resign, or explain his or her decisions to Parliament.</p>	<p>3. If Parliament asks the President of the Commission to withdraw confidence in an individual Member of the Commission, he will seriously consider whether he should request that Member to resign, in accordance with Article 17(6) TEU; the President shall either require the resignation of that Member or explain his refusal to do so before Parliament in the following part-session decides to express lack of confidence in a Member of the Commission, the President of the Commission, having given serious consideration to that decision, shall either request that Member to resign or explain his or her decisions to Parliament.</p>
<p>4. Where it becomes necessary to arrange for the replacement of a Member of the Commission during his or her term of office pursuant to Article 215 of the Treaty establishing the European Community, the President of the Commission shall immediately contact the President of Parliament in order to reach agreement on the manner in which the future Member before Parliament without delay and in full compliance with the prerogatives of the Institutions.</p>	<p>4. Where it becomes necessary to arrange for the replacement of a Member of the Commission during his or her term of office pursuant to the second paragraph of Article 246 of the TFEU Treaty establishing the European Community, the President of the Commission will consider seriously the result of Parliament's consultation before giving his accord to the decision of the Council shall immediately contact the President of Parliament in order to reach agreement on the manner in which the President of the Commission intends to ensure the presentation of the future Member before Parliament without delay and in full compliance with the prerogatives of the Institutions.</p>
<p>Parliament shall ensure that its procedures are conducted with the utmost dispatch, in order to enable the President of the Commission to be informed of Parliament's position in due time before the Member is called upon to exercise duties as the Commission's representative.</p>	<p>Parliament shall ensure that its procedures are conducted with the utmost dispatch, in order to enable the President of the Commission to be informed seriously consider of Parliament's opinion position in due time before the Member is called upon to exercise duties as the Commission's representative appointed.</p> <p>Similarly, pursuant to the third paragraph of Article 246 TFEU, when the remainder of the Commission's term of office is short, the President of the Commission will seriously consider Parliament's position.</p>
<p>5. The President of the Commission shall immediately notify Parliament of any decision concerning the allocation of responsibilities to a Member of the Commission. Where the responsibilities of a Member of the Commission are changed substantially, that Member shall appear before the relevant parliamentary committee at Parliament's request.</p>	<p>5. If the President of the Commission intends to reshuffle the allocation of responsibilities amongst the Members of the Commission during its term of office pursuant to Article 248 TFEU he shall immediately notify inform Parliament in due time for the of any decision concerning the allocation of responsibilities to a Member of the Commission. Where the responsibilities of a Member of the Commission are changed substantially, that Member shall appear before the relevant parliamentary committee at Parliament's request. consultation with regard to those changes; the President's decision to reshuffle the portfolios can take effect immediately.</p>

Original text	Draft revised text
<p>6. Any changes to the provisions of the Code of Conduct for Members of the Commission relating to conflict of interest or ethical behaviour shall be sent immediately to Parliament.</p> <p>The Commission shall take into account the view expressed by Parliament in that regard.</p>	<p>6. Any changes to the provisions <i>When the Commission comes forward with a revision</i> of the Code of Conduct for Commissioners Members of the Commission relating to conflict of interest or ethical behaviour, <i>it will seek</i> shall be sent immediately to Parliament's <i>opinion</i>.</p> <p>The Commission shall take into account the view expressed by Parliament in that regard.</p>
<p>7. In conformity with Rule 99 of its Rules of Procedure, Parliament shall communicate with the President-designate of the Commission in good time before the opening of the procedures relating to the approval of the new Commission. Parliament shall take into account the remarks expressed by the President-designate.</p> <p>The procedures shall be designed in such a way as to ensure that the whole Commission-designate is assessed in an open, fair and consistent manner.</p> <p>The Members of the Commission-designate shall ensure full disclosure of all relevant information, in conformity with the obligation of independence laid down in Article 213 of the Treaty establishing the European Community.</p>	<p>7. In conformity with Rule 99 of its Rules of Procedure, Parliament shall communicate with the President-designate of the Commission in good time before the opening of the procedures relating to the approval of the new Commission. Parliament shall take into account the remarks expressed by the President-designate.</p> <p>The procedures shall be designed in such a way as to ensure that the whole Commission-designate is assessed in an open, fair and consistent manner.</p> <p>The Members of the Commission-designate shall ensure full disclosure of all relevant information, in conformity with the obligation of independence laid down in Article 213 of the Treaty establishing the European Community.</p>
<p><b>III. CONSTRUCTIVE DIALOGUE AND FLOW OF INFORMATION</b></p> <p>(i) General provisions</p> <p>8. The Commission shall keep Parliament fully and promptly informed about its proposals and initiatives in the legislative and budgetary fields.</p> <p>In all fields where Parliament acts in a legislative capacity, or as a branch of the budgetary authority, it shall be informed, on a par with the Council, at every stage of the legislative and budgetary process.</p>	<p><b>III. CONSTRUCTIVE DIALOGUE AND FLOW OF INFORMATION</b></p> <p>(i) General provisions</p> <p>8. <i>The Commission guarantees that it will apply the basic principle of equal treatment for Parliament and the Council, especially as regards access to meetings and the provision of contributions or other information, in particular on legislative and budgetary matters.</i></p> <p>The Commission shall keep Parliament fully and promptly informed about its proposals and initiatives in the legislative and budgetary fields.</p> <p>In all fields where Parliament acts in a legislative capacity, or as a branch of the budgetary authority, it shall be informed, on a par with the Council, at every stage of the legislative and budgetary process.</p>
<p>9. In the areas of the Common Foreign and Security Policy, police cooperation and judicial cooperation in criminal matters, the Commission shall take measures to improve the involvement of Parliament in such a way as to take Parliament's views as far as possible into account.</p>	<p>9. In the areas of the Common Foreign and Security Policy, police cooperation and judicial cooperation in criminal matters, <i>Within its competences</i>, the Commission shall take measures to improve the involvement of <i>better involve</i> Parliament in such a way as to take Parliament's views <i>into account</i> as far as possible into account <i>in the area of the Common Foreign and Security Policy</i></p>



Original text

Draft revised text

10. The President of the Commission and/or the Vice-President responsible for inter-institutional relations will meet the Conference of Presidents every three months to ensure regular dialogue between the two Institutions at the highest level. The President of the Commission will attend meetings of the Conference of Presidents at least twice a year.

10. A number of arrangements are made to implement the "special partnership" between Parliament and the Commission:

- The President of the Commission will meet the Conference of Presidents at Parliament's request, at least twice a year to discuss issues of common interest.
- The President of the Commission and/or the Vice-President responsible for inter-institutional relations will meet the Conference of Presidents every three months to ensure regular dialogue between the two Institutions, at the highest level. The President of the Commission will attend meetings of the Conference of Presidents at least twice a year.
- The President of the Commission will have a regular dialogue with the President of the European Parliament on key horizontal issues and major legislative proposals. This dialogue should also include invitations to the President of Parliament to attend meetings of the College of Commissioners;
- The President of the Commission or the Vice-President responsible for inter-institutional relations is to be invited to attend meetings of the Conference of Presidents and the Conference of Committee Chairs when specific issues related to plenary agenda-setting, interinstitutional relations between Parliament and the Commission and legislative and budgetary matters are discussed;
- Meetings shall take place on an annual basis between the Conference of Presidents and the Conference of Committee Chairs and the College of Commissioners, to discuss relevant issues including the preparation and implementation of the Commission Work Programme.
- The Conference of Presidents and the Conference of Committee Chairs shall inform the Commission in due time on the results of their discussions having an inter-institutional dimension. The Parliament shall also keep the Commission fully and regularly informed on the outcome of its meetings dealing with the preparation of the plenary part-sessions, taking into account the Commission's views. This is without prejudice to point 37.
- To ensure a regular flow of relevant information between the two Institutions, the secretaries-general of Parliament and the Commission shall meet on a regular basis.

Original text	Draft revised text
<p>11. Each Member of the Commission shall make sure that there is a regular and direct flow of information between the Member of the Commission and the chairperson of the relevant parliamentary committee.</p> <p>12. The Commission shall not make public any legislative proposal or any significant initiative or decision before notifying Parliament thereof in writing.</p>	<p>(unchanged)</p> <p>(unchanged)</p>
<p>On the basis of the Commission's legislative and work programme and of the multi-annual programme, the two Institutions shall identify in advance, by common agreement, the proposals and initiatives of particular importance, with a view to presenting them at a plenary sitting of Parliament.</p>	<p>On the basis of the Commission's Legislative and Work Programme and of the multi-annual programme, the two Institutions shall identify in advance, by common agreement, the key proposals and initiatives to be presented in plenary of particular importance, with a view to presenting them at a plenary sitting of Parliament. <i>In principle, the Commission will present these initiatives first in plenary and then only afterwards to the public.</i></p>
<p>Similarly, they shall identify those proposals and initiatives for which information is to be provided before the Conference of Presidents or conveyed, in an appropriate manner, to the relevant parliamentary committee or its chairperson.</p> <p>These decisions shall be taken in the framework of the regular dialogue between the two Institutions, as provided for in point 10, and shall be updated on a regular basis, taking due account of any political developments.</p>	<p>(unchanged)</p> <p>(unchanged)</p>
<p>13. If an internal Commission document - of which Parliament has not been informed pursuant to points 8, 9 and 12 - is circulated outside the Institutions, the President of Parliament may request that the document concerned be forwarded to Parliament without delay, in order to communicate it to any Member of Parliament who may request it.</p>	<p>13. If an internal Commission document - of which Parliament has not been informed pursuant to points 8, 9 and 12 <i>this Framework Agreement</i> - is circulated outside the Institutions, the President of Parliament may request that the document concerned be forwarded to Parliament without delay, in order to communicate it to any Member of Parliament who may request it.</p> <p><i>13 (a new). The Commission will provide full information and documentation on its meetings with national experts in the framework of its work on the preparation and implementation of EU legislation, including soft law and delegated acts. If requested by Parliament, the Commission may also invite Parliament's experts to these meetings.</i></p> <p><i>The relevant provisions are defined in Annex 1.</i></p>



Original text	Draft revised text
<p>14. The Commission shall provide regular information in writing on action taken in response to specific requests addressed to it in Parliament's resolutions, including in cases where it has not been able to follow Parliament's views.</p> <p>As regards the discharge procedure, the specific provisions laid down in point 26 shall apply.</p> <p>The Commission shall take account of any requests made, pursuant to Article 192 of the Treaty establishing the European Community, by Parliament to the Commission to submit legislative proposals, and shall provide a prompt and sufficiently detailed reply thereto.</p>	<p>14. <i>Within three months after the adoption of a parliamentary resolution, the Commission shall provide regular information to Parliament in writing on action taken in response to specific requests addressed to it in Parliament's resolutions, including in cases where it has not been able to follow Parliament's views. That period may be shortened where a request is urgent. It may be extended by one month where a request calls for more exhaustive work and this is duly substantiated. Parliament will make sure that this information is widely distributed within the institution.</i></p> <p><i>Parliament will endeavour to avoid asking oral or written question concerning issues for which the Commission has already informed Parliament of its position through a written follow-up communication.</i></p> <p><i>As regards the discharge procedure, the specific provisions laid down in point 26 shall apply.</i></p> <p><i>The Commission shall commit itself to report on the concrete follow-up of any request to submit a proposal pursuant to Article 225 TFEU (legislative initiative report) within three months following adoption. take account of any requests made pursuant to Article 192 of the Treaty establishing the European Community, by Parliament to the Commission to submit legislative proposals, and shall provide a prompt and sufficiently detailed reply thereto. The Commission shall come forward with a legislative proposal at the latest after one year or shall include the proposal in the next year's Commission Work Programme. If the Commission does not submit a proposal, it shall give Parliament detailed explanations of the reasons.</i></p> <p><i>The Commission shall also commit itself to a close and early cooperation between Parliament and the Commission on any legislative initiative requests emanating from citizens' initiatives.</i></p>
<p>At the request of Parliament or the Commission, information on the follow-up to Parliament's significant requests shall also be provided before the relevant parliamentary committee and, if necessary, at a plenary sitting of Parliament.</p> <p>15. Where a Member State presents a legislative initiative pursuant to Article 34 of the Treaty on European Union, the Commission shall inform Parliament, if so requested, of</p>	<p><i>As regards the discharge procedure, the specific provisions laid down in point 26 shall apply.</i></p> <p><i>At the request of Parliament or the Commission, information on the follow-up to Parliament's significant requests shall also be provided before the relevant parliamentary committee and, if necessary, at a plenary sitting of Parliament.</i></p> <p>15. Where a Member State presents a legislative initiative, recommendations or requests for legislative acts are made pursuant to Article 34 289(4) TFEU of the</p>

Original text	Draft revised text
<p>its position on the initiative before the relevant parliamentary committee.</p>	<p>Treaty on European Union, the Commission shall inform Parliament, if so requested, of its position on these proposals initiative before the relevant parliamentary committee.</p> <p><b>15 (a new) The two Institutions agree to cooperate in the area of relations with national Parliaments.</b></p> <p><i>The Parliament and the Commission shall cooperate on the implementation of Protocol N° 2 TFEU on the application of the principles of subsidiarity and proportionality. Such cooperation shall include arrangements related to any necessary translation of reasoned opinions presented by national Parliaments.</i></p> <p><i>When the thresholds mentioned in Article 7 of Protocol N° 2 TFEU are met, the Commission shall provide the translations of all the reasoned opinions presented by national Parliaments together with its position thereon.</i></p>
<p>16. The Commission shall inform Parliament of the list of its expert groups set up in order to assist the Commission in the exercise of its right of initiative. That list shall be updated on a regular basis and made public.</p>	<p>(unchanged)</p>
<p>Within this framework, the Commission shall, in an appropriate manner, inform the competent parliamentary committee, at the specific and reasoned request of its chairperson, on the activities and composition of such groups.</p> <p>17. The two Institutions shall hold, through the appropriate mechanisms, a constructive dialogue on questions concerning important administrative matters, notably on issues having direct implications for Parliament's own administration.</p>	<p>(unchanged)</p> <p>(unchanged)</p> <p><b>17 (new) The Parliament will seek the opinion of the Commission, when it comes forward with a revision of its Rules of Procedures concerning relations with the Commission.</b></p>
<p>18. Where confidentiality is invoked as regards any of the information forwarded pursuant to this Framework Agreement, the provisions laid down in Annex 1 shall be applied.</p>	<p>18. Where confidentiality is invoked as regards any of the information forwarded pursuant to this Framework Agreement, the provisions laid down in Annex 2 4 shall be applied.</p>
<p>(ii) External relations, enlargement and international agreements</p> <p>19. In connection with international agreements, including trade agreements, the</p>	<p><b>(ii) External relations, enlargement and international agreements and enlargement</b></p> <p>19. In connection with international agreements, including trade agreements, the</p>

Original text	Draft revised text
<p>Commission shall provide early and clear information to Parliament both during the phase of preparation of the agreements and during the conduct and conclusion of international negotiations. This information covers the draft negotiating directives, the adopted negotiating directives, the subsequent conduct of negotiations and the conclusion of the negotiations.</p> <p>The information referred to in the first subparagraph shall be provided to Parliament in sufficient time for it to be able to express its point of view if appropriate, and for the Commission to be able to take Parliament's views as far as possible into account. This information shall be provided through the relevant parliamentary committees and, where appropriate, at a plenary sitting.</p>	<p><del>Commission shall provide early and clear information to Parliament both during the phase of preparation of the agreements and during the conduct and conclusion of international negotiations. This information covers the draft negotiating directives, the adopted negotiating directives, the subsequent conduct of negotiations and the conclusion of the negotiations. The Parliament shall be immediately and fully informed at all stages of the negotiation and conclusion of international agreements, including the definition of negotiating directives. The Commission shall act in a manner to give full effect to its obligations under Article 218 TFEU, while respecting each Institution's role in accordance with Article 13(2) TEU. The Commission shall apply the arrangements laid out in Annex 3.</del></p> <p>20. The information referred to in the first subparagraph-point 19 shall be provided to Parliament in sufficient time for it to be able to express its point of view if appropriate, and for the Commission to be able to take Parliament's views as far as possible into account. This information shall, as a general rule, be provided to Parliament through the responsible relevant parliamentary committees and, where appropriate, at a plenary sitting. <b>In duly justified cases, this information shall be provided to more than one parliamentary committee.</b></p>
<p>Parliament undertakes, for its part, to establish appropriate procedures and safeguards as regards confidentiality, in accordance with the provisions of Annex 1.</p>	<p><del>The Parliament and Commission undertakes, for its part, to establish appropriate procedures and safeguards as regards confidentiality, for the forwarding of confidential documents from the Commission to Parliament, in accordance with the provisions of Annex 42</del></p>
<p>20. The Commission shall take the necessary steps to ensure that Parliament is immediately and fully informed of:</p> <p>(i) decisions concerning the provisional application or the suspension of agreements; and</p> <p>(ii) a Community position in a body set up by an agreement.</p>	<p><del>20. The Commission shall take the necessary steps to ensure that Parliament is immediately and fully informed of:</del></p> <p><del>(i) decisions concerning the provisional application or the suspension of agreements; and</del></p> <p><del>(ii) a Community position in a body set up by an agreement.</del></p>
<p>21. Where the Commission represents the European Community, it shall, at Parliament's request, facilitate the inclusion of Members of Parliament as observers in Community delegations negotiating multilateral agreements. Members of Parliament may not take part directly in the negotiating sessions.</p>	<p><del>21. The Institutions agree that due to their different institutional roles, the Commission represents the European Union in international negotiations with the exception of the common foreign security policy and other cases provided for in the Treaties.</del></p>

Original text

The Commission undertakes to keep Members of Parliament who participate as observers in Community delegations negotiating multilateral agreements systematically informed.

Draft revised text

Where the Commission represents the European Community Union in international conferences, it shall, at Parliament's request, facilitate the inclusion of a delegation of Members of Parliament as observers in EU Community delegations, so as to be immediately and fully informed about the conference proceedings. The Commission undertakes, where applicable, to systematically inform the EP delegation about the outcome of negotiations.

Members of Parliament may not participate take part directly in these negotiations. Subject to the legal, technical and diplomatic possibilities, they may be granted observer status by the Commission. In case of refusal, the Commission will inform the EP of the reasons thereof.

In addition, the Commission shall facilitate the participation of Members of Parliament as observers in all relevant meetings under its responsibility before and after negotiation sessions.

~~The Commission undertakes to keep Members of Parliament who participate as observers in Community delegations negotiating multilateral agreements systematically informed.~~

21 (a new) Under the same conditions, the Commission shall keep Parliament systematically informed about and facilitate access as observers as part of EU delegations to meetings of bodies set up by multilateral international agreements involving the EU, whenever such bodies are called upon to take decisions which require the consent of the European Parliament or the implementation of which may require legal acts to be adopted according to the ordinary legislative procedure.

21 (b new) The Commission shall also give Parliament's delegation included in EU-delegations to international conferences access to use all EU facilities at these occasions, in line with the general principle of good cooperation between the institutions and taking into account the available logistics.

The President of Parliament shall send to the President of the Commission a proposal concerning the inclusion of an EP delegation in the Union delegation no later than 4 weeks before the start of the conference, indicating the Head of the EP delegation and the number of Members of the Parliament to be included. In duly justified cases, this deadline can exceptionally be shortened.

The number of Members of the parliament included in the EP delegation and of supporting staff shall be proportionate to the overall size of the EU-delegation.

Original text	Draft revised text
<p>22. Before making, at donors' conferences, financial pledges which imply new financial undertakings and require the agreement of the budgetary authority, the Commission shall inform the budgetary authority and examine its remarks.</p> <p>23. The two Institutions agree to cooperate in the area of election observation. The Commission shall cooperate with Parliament in providing the necessary assistance to delegations of Parliament participating in Community election observation missions.</p>	<p><del>22. Before making, at donors' conferences, financial pledges which imply new financial undertakings and require the agreement of the budgetary authority, the Commission shall inform the budgetary authority and examine its remarks. (moved down)</del></p> <p><del>23. The two Institutions agree to cooperate in the area of election observation. The Commission shall cooperate with Parliament in providing the necessary assistance to delegations of Parliament participating in Community election observation missions.</del></p>
<p>24. The Commission shall keep Parliament fully informed of the progress of accession negotiations and in particular on major aspects and developments, so as to enable it to express its views in good time through the appropriate parliamentary procedures.</p> <p>25. When Parliament adopts a recommendation on matters referred to in point 24, pursuant to Rule 82 of its Rules of Procedure, and when, for important reasons, the Commission decides that it cannot support such a recommendation, it shall explain the reasons before Parliament, at a plenary sitting or at the next meeting of the relevant parliamentary committee.</p>	<p>(unchanged)</p> <p>25. When Parliament adopts a recommendation on matters referred to in point 24, pursuant to Rule 89 82 of its Rules of Procedure, and when, for important reasons, the Commission decides that it cannot support such a recommendation, it shall explain the reasons before Parliament, at a plenary sitting or at the next meeting of the relevant parliamentary committee.</p>
<p><b>(iii) Budgetary implementation</b></p> <p>26. In connection with the annual discharge governed by Article 276 of the Treaty establishing the European Community, the Commission shall forward all information necessary for supervising the implementation of the budget for the year in question, which the chairperson of the parliamentary committee responsible for the discharge procedure pursuant to Annex VI of the Parliament's Rules of Procedure requests from it for that purpose.</p>	<p><b>(iii) Budgetary implementation</b></p> <p><i>25 a new. Before making, at donors' conferences, financial pledges which imply new financial undertakings and require the agreement of the budgetary authority, the Commission shall inform the budgetary authority and examine its remarks.</i></p> <p>26. In connection with the annual discharge governed by Article 276 319 TFEU of the Treaty establishing the European Community, the Commission shall forward all information necessary for supervising the implementation of the budget for the year in question, which the chairperson of the parliamentary committee responsible for the discharge procedure pursuant to Annex VII 4 of the Parliament's Rules of Procedure requests from it for that purpose.</p>
<p>If new aspects come to light concerning previous years for which discharge has already been given, the Commission shall forward all the necessary information on the matter with a view to arriving at a solution which is acceptable to both sides.</p>	<p>(unchanged)</p>



Original text	Draft revised text
	<p>(iv) Relationship with Regulatory Agencies</p> <p>26 (new). Nominees for the post of Executive Director of regulatory agencies should come to parliamentary committee hearings.</p> <p>In addition, in the context of the discussions of the inter-institutional Working Group on Agencies put in place in March 2009, the Commission and the Parliament will aim at a common approach on the role and position of decentralised agencies in the EU's institutional landscape, accompanied by common guidelines for the creation, structure and operation of these agencies, together with funding, budgetary, supervision and management issues.</p>
<p><b>IV. COOPERATION AS REGARDS LEGISLATIVE PROCEDURES AND PLANNING</b></p> <p>(i) Commission political and legislative programmes and the European Union's multi-annual programming</p> <p>27. The Commission shall present proposals for the European Union's multi-annual programming, with a view to achieving consensus on inter-institutional programming between the Institutions concerned.</p> <p>28. An incoming Commission shall present, as soon as possible, its political and legislative programme.</p> <p>29. When the Commission prepares its legislative and work programme, the two Institutions shall cooperate in accordance with the timetable set out in Annex 2.</p> <p>The Commission shall take into account the priorities expressed by Parliament.</p> <p>The Commission shall provide sufficient detail as to what is envisaged under each point in the legislative and work programme.</p>	<p><b>IV. COOPERATION AS REGARDS LEGISLATIVE PROCEDURES AND PLANNING</b></p> <p>(i) Commission Work Programme political and legislative programmes and the European Union's multi-annual programming</p> <p>27. The Commission shall <i>initiate</i> present proposals for the European Union's <i>annual</i> and multi-annual programming, with a view to achieving consensus on inter-institutional programming between the Institutions concerned.</p> <p>28. An incoming <i>Every year</i>, the Commission shall present, as soon as possible, its political and legislative <i>Work Programme</i>.</p> <p>29. When the Commission prepares its legislative and work programme, the two Institutions shall cooperate in accordance with the timetable set out in Annex 4 2.</p> <p>(unchanged)</p> <p>The Commission shall provide sufficient detail as to what is envisaged under each point in <i>the Commission's</i> the legislative and Work Programme.</p>

Original text	Draft revised text
<p>30. The Vice-President of the Commission responsible for inter-institutional relations undertakes to report to the Conference of Committee Chairs every three months, outlining the political implementation of the legislative and work programme for the year in question and on any updating rendered necessary by topical and important political events.</p>	<p>30. <i>The Commission shall explain when it cannot deliver individual proposals foreseen in its Work Programme for the year in question or when it departs from it.</i> The Vice-President of the Commission responsible for inter-institutional relations undertakes to report to the Conference of Committee Chairs regularly every three months, outlining the political implementation of the legislative and Commission Work Programme for the year in question and any updating rendered necessary by topical and important political events.</p>
<p>(ii) General legislative procedures</p> <p>31. The Commission undertakes to carefully examine amendments to its legislative proposals adopted by Parliament, with a view to taking them into account in any amended proposal.</p> <p>When delivering its opinion on Parliament's amendments under Article 251 of the Treaty establishing the European Community, the Commission undertakes to take the utmost account of amendments adopted at second reading; should it decide, for important reasons and after consideration by the College, not to adopt or support such amendments, it shall explain its decision before Parliament, and in any event in its opinion on Parliament's amendments by virtue of point (c) of the third subparagraph of Article 251(2).</p>	<p>(ii) <del>General legislative p</del> Procedures for the adoption of acts</p> <p>31. The Commission undertakes to carefully examine amendments to its legislative proposals adopted by Parliament, with a view to taking them into account in any amended proposal.</p> <p>When delivering its opinion on Parliament's amendments under Article 294 TFEU 251 of the Treaty establishing the European Community, the Commission undertakes to take the utmost account of amendments adopted at second reading; should it decide, for important reasons and after consideration by the College, not to adopt or support such amendments, it shall explain its decision before Parliament, and in any event in its opinion on Parliament's amendments by virtue of <b>paragraph 7</b> point (c) of the <del>third</del> subparagraph of Article 294 TFEU 251(2).</p>
<p>32. The Commission shall give Parliament and the Council prior notification before withdrawing its proposals.</p>	<p><b>31 new. When dealing with an initiative submitted by at least a quarter of Member States, in conformity with Article 76 TFEU, the Parliament undertakes not to adopt any report in the relevant committee before receiving the Commission's opinion on the initiative.</b></p> <p><b>The Commission undertakes to issue its opinion on such an initiative of Member States no later than 10 weeks after it has been submitted.</b></p>
<p>32. The Commission shall give Parliament and the Council prior notification before withdrawing its proposals.</p>	<p>32. The Commission shall give Parliament and the Council prior notification provide detailed explanation in due time before withdrawing its any proposals on which Parliament has already expressed a position at first reading.</p> <p><b>The Commission shall proceed with a review of all pending proposals at the beginning of the new Commission's term of office mandate, in order to politically confirm or withdraw them, taking due account of the views expressed by the Parliament.</b></p>

Original text	Draft revised text
<p>33. For legislative procedures not entailing codecision, the Commission:</p> <p>(i) shall ensure that Council bodies are reminded in good time not to reach a political agreement on its proposals before Parliament has adopted its opinion. It shall ask for discussion to be concluded at ministerial level after a reasonable period has been given to the members of the Council to examine Parliament's opinion;</p> <p>(ii) shall ensure that the Council adheres to the rules developed by the Court of Justice of the European Communities requiring Parliament to be re-consulted if the Council substantially amends a Commission proposal. The Commission shall inform Parliament of any reminder to the Council of the need for re-consultation;</p> <p>(iii) undertakes, if appropriate, to withdraw a legislative proposal that Parliament has rejected. If, for important reasons and after consideration by the College, the Commission decides to maintain its proposal, it shall explain the reasons for that decision in a statement before Parliament.</p>	<p>33. For <del>special</del> legislative procedures <del>not entailing codecision</del>, for which the Parliament is to be consulted including other procedures, such as the one laid down in Art. 148 TFEU, the Commission:</p> <p><i>(i new) shall take measures to better involve Parliament in such a way as to take Parliament's views into account as far as possible, in particular to ensure that Parliament has the necessary time to consider the Commission's proposal;</i></p> <p>(i) shall ensure that Council bodies are reminded in good time not to reach a political agreement on its proposals before Parliament has adopted its opinion. It shall ask for discussion to be concluded at ministerial level after a reasonable period has been given to the members of the Council to examine Parliament's opinion;</p> <p>(ii) shall ensure that the Council adheres to the rules developed by the Court of Justice of the European Union Communities requiring Parliament to be re-consulted if the Council substantially amends a Commission proposal. The Commission shall inform Parliament of any reminder to the Council of the need for re-consultation;</p> <p>(iii) undertakes, if appropriate, to withdraw a legislative proposal that Parliament has rejected. If, for important reasons and after consideration by the College, the Commission decides to maintain its proposal, it shall explain the reasons for that decision in a statement before Parliament.</p>
<p>34. For its part, in order to improve legislative planning, Parliament undertakes:</p> <p>(i) to plan the legislative sections of its agendas, bringing them into line with the current legislative programme and with the resolutions it has adopted on that programme;</p> <p>(ii) to meet reasonable deadlines, in so far as is useful for the procedure, when adopting its opinion at first reading under the cooperation and codecision procedures and under the consultation procedure;</p> <p>(iii) as far as possible to appoint rapporteurs on future proposals as soon as the legislative programme is adopted;</p> <p>(iv) to consider requests for reconsultation as a matter of absolute priority provided that all the necessary information has been forwarded to it.</p>	<p>34. (unchanged)</p> <p>(i) to plan the legislative sections of its agendas, bringing them into line with the current legislative- <del>Commission's Work Programme</del> and with the resolutions it has adopted on that programme <i>in particular in view of the improved planning of the priority debates;</i></p> <p>(ii) to meet reasonable deadlines, in so far as is useful for the procedure, when adopting its opinion at first reading under the <del>ordinary legislative cooperation and codecision</del> procedures and under the consultation procedure;</p> <p><i>(iii) as far as possible to appoint rapporteurs on future proposals as soon as the Commission's Legislative and Work Programme is adopted;</i></p> <p>(iv) to consider requests for reconsultation as a matter of absolute priority provided that all the necessary information has been forwarded to it.</p>



Original text	Draft revised text
<p><b>(iii) Specific legislative and implementing powers of the Commission</b></p> <p>35. The Commission shall give full and timely information to Parliament concerning acts which it adopts which fall within the scope of its own legislative powers.</p> <p>The implementation of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>4</sup> shall be governed by the Agreement between the European Parliament and the Commission<sup>5</sup> on the procedures for implementing that decision.</p> <p>As regards implementing measures relating to the securities, banking and insurance sector, the Commission confirms the undertakings that it gave at the plenary sitting of 5 February 2002 and which were reaffirmed on 31 March 2004. In particular, the Commission commits itself to taking the utmost account of Parliament's position and any resolutions that it might adopt with regard to implementing measures exceeding the implementing powers provided for in the basic instrument; in such cases, it shall endeavour to reach a balanced solution.</p>	<p><b>(iii) Specific legislative and implementing powers of the Commission</b></p> <p>35. The Commission shall give full and timely information to Parliament concerning acts which it adopts which fall within the scope of its own legislative powers.</p> <p>The implementation of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>4</sup> shall be governed by the Agreement between the European Parliament and the Commission<sup>5</sup> on the procedures for implementing that decision.</p> <p>As regards implementing measures relating to the securities, banking and insurance sector, the Commission confirms the undertakings that it gave at the plenary sitting of 5 February 2002 and which were reaffirmed on 31 March 2004. In particular, the Commission commits itself to taking the utmost account of Parliament's position and any resolutions that it might adopt with regard to implementing measures exceeding the implementing powers provided for in the basic instrument; in such cases, it shall endeavour to reach a balanced solution.</p>
<p><b>(iv) Monitoring the application of Community law</b></p>	<p><b>(iv) Monitoring the application of Community law</b></p> <p>(iii) Issues linked to Better Law-Making</p> <p>36 (a new). The Commission shall ensure that its impact assessments are conducted under its responsibility following a transparent procedure which guarantees an independent assessment. Impact assessments shall be published in due time, taking into consideration a number of different scenarios, including a 'doing-nothing' option, and shall in principle be presented to the relevant parliamentary committee during the phase of information of national Parliaments under Protocols N° 1 and 2 TFEU.</p> <p>36 (b new). In areas where Parliament is usually involved in the legislative process, the Commission shall use soft law, where appropriate and on a duly justified basis after having given Parliament the opportunity to express its views. The Commission shall provide detailed explanation to Parliament on how its views have been taken into account when it adopts its proposal.</p>

<sup>4</sup> OJ L 184, 17.7.1999, p.23.

<sup>5</sup> OJ L 256, 10.10.2000, p.19.

Original text

36. In addition to specific reports and the annual report on the application of Community law, the Commission shall, at the request of the responsible parliamentary committee, keep Parliament informed orally of the stage reached in the procedure as from the stage when the reasoned opinion is sent and, where procedures have been initiated for failure to communicate the measures implementing a directive, or for failure to comply with a judgment of the Court of Justice, as from the stage of formal notice.

Draft revised text

36. In addition to specific reports and the annual report on the application of Community law, the Commission shall, at the request of the responsible parliamentary committee, keep Parliament informed orally of the stage reached in the procedure as from the stage when the reasoned opinion is sent and, where procedures have been initiated for failure to communicate the measures implementing a directive, or for failure to comply with a judgment of the Court of Justice, as from the stage of formal notice. *In order to ensure better monitoring of the transposition and application of Union law, the Commission and Parliament shall endeavour to include compulsory correlation tables and a binding time limit for transposition, which in directives should not normally exceed a period of two years.*

*In addition to specific reports and the annual report on the application of Union law, the Commission shall make available summary information to the Parliament about all infringement procedures from the letter of formal notice, included, if so requested by Parliament, on a case-by-case basis and respecting the confidentiality rules, in particular those acknowledged by the Court of Justice of the European Union, on the issues concerned by the infringement procedure.*

V. COMMISSION'S PARTICIPATION IN PARLIAMENTARY PROCEEDINGS

37. Parliament shall seek to ensure that, as a general rule, items falling under the responsibility of a Member of the Commission are grouped together.

V. COMMISSION'S PARTICIPATION IN PARLIAMENTARY PROCEEDINGS

37. *The Commission shall give priority to its presence, if requested, at the plenary sittings or meetings of other bodies of the Parliament, as compared to other competing events or invitations.*

*In particular the Commission shall ensure that, as a general rule, Members of the Commission are present at plenary sittings for agenda items falling under their responsibility, whenever Parliament so requests. This is applicable to the preliminary draft agendas approved by the Conference of Presidents during the previous part-session.*

37.—Parliament shall seek to ensure that, as a general rule, agenda items of the part-sessions falling under the responsibility of a Member of the Commission are grouped together.

37 (a new) *At the request of Parliament, a regular Question Hour with the President of the Commission will be foreseen. This Question Hour will comprise two parts: the first with political group leaders or their representatives, conducted on an*

Original text	Draft revised text
	<p>entirely spontaneous basis; the second devoted to a policy theme agreed upon in advance, at the latest on Thursday before the relevant part-session, but without prepared questions.</p> <p>Furthermore, a Question Hour with Members of the Commission, including the Vice-President for External Relations / High Representative of the Union for Foreign Affairs and Security Policy shall be introduced, following the model of the Question Hour with the President of the Commission with the aim of reforming the existing Question Time. This Question Hour shall relate to the portfolio of the respective Members of the Commission.</p>
<p>The Commission shall seek to ensure that, as a general rule, Members of the Commission are present at plenary sittings for agenda items falling under their responsibility, whenever Parliament so requests.</p> <p>Members of the Commission shall be heard at their request.</p>	<p>The Commission shall seek to ensure that, as a general rule, Members of the Commission are present at plenary sittings for agenda items falling under their responsibility, whenever Parliament so requests.</p> <p>37. Members of the Commission shall be heard at their request.</p> <p><i>Without prejudice to Article 230 TFEU, the two Institutions shall agree on general rules relating to the allocation of speaking time between the Institutions.</i></p> <p><i>The Institutions agree that their indicative allocation of speaking time should be respected.</i></p>
<p>38. With a view to ensuring the presence of Members of the Commission, Parliament undertakes to do its best to maintain its final draft agendas.</p> <p>Where Parliament amends its final draft agenda, or where it moves items within the agenda within a part-session, Parliament shall immediately inform the Commission. The Commission shall use its best endeavours to ensure the presence of the Member of the Commission responsible.</p> <p>39. The Commission may propose the inclusion of items on the agenda not later than the meeting of the Conference of Presidents that decides on the final draft agenda of a part-session. Parliament shall take the fullest account of such proposals.</p>	<p>(unchanged)</p> <p>(unchanged)</p> <p>(unchanged)</p>

**Original text**

**Draft revised text**

40. As a general rule, the Member of the Commission responsible for an item under consideration in a parliamentary committee shall be present at the relevant committee meeting, when invited.

Parliamentary committees shall seek to maintain their draft agendas and agendas.

Whenever a parliamentary committee amends its draft agenda or its agenda, the Commission shall be immediately informed thereof.

Where the presence of a Member of the Commission is not explicitly required at a parliamentary committee meeting, the Commission shall ensure that it is represented by a competent official at an appropriate level.

~~40. As a general rule, the Member of the Commission responsible for an item under consideration in a parliamentary committee shall be present at the relevant committee meeting, when invited.~~

40. (unchanged)

Whenever a parliamentary committee amends its draft agenda or its agenda, the Commission shall be immediately informed thereof. *In particular, the parliamentary committees shall endeavour to respect a reasonable deadline to foresee the presence of Members of the Commission.*

Where the presence of a Member of the Commission is not explicitly required at a parliamentary committee meeting, the Commission shall ensure that it is represented by a competent official at an appropriate level.

*Parliamentary committees will endeavour to coordinate their work, including avoiding parallel meetings on the same issue and they will endeavour not to deviate from the draft agenda so that the Commission can ensure an appropriate level of representation.*

*If the presence of a high-level official (Director-General or Director) has been requested at a committee meeting dealing with a Commission proposal, the representative of the Commission shall be allowed to intervene.*

**VI. FINAL PROVISIONS**

41. The two Institutions undertake to reinforce their cooperation in the field of information and communication.

**VI. FINAL PROVISIONS**

~~41. The two Institutions undertake to reinforce their cooperation in the field of information and communication.~~

*(41 a new) The Commission confirms its commitment to examine as soon as possible the legislative acts which were not adapted to the regulatory procedure with scrutiny before the entry into force of the Lisbon Treaty, in order to assess if those instruments need to be adapted to the regime of delegated acts introduced by Article 290 TFEU.*

*As a final goal, a coherent system of delegated and implementing acts, fully consistent with the new Treaty, should be achieved through a progressive assessment of the nature and contents of measures currently subject to the*

Original text

Draft revised text

regulatory procedure with scrutiny, in order to adapt them in due course to the regime of Article 290 TFEU.

41 (b new) The provisions of the present Framework Agreement complement the Interinstitutional Agreement on Better Law-Making<sup>6</sup> without affecting it and do not prejudice any further revision thereof. Without prejudice to forthcoming negotiations between the Parliament, the Commission and the Council, the two Institutions commit to agree on key changes in preparation of future negotiations on an adaptation of the Better Law-Making Agreement to the new provisions of the Lisbon Treaty, taking into account current practices and the updated Framework Agreement.

They also agree on the need to reinforce the existing inter-institutional contact mechanism, at political and at technical level, in relation to Better Law-Making to ensure effective inter-institutional cooperation between the Parliament, the Commission and the Council.

41c new: The Commission commits to initiate rapidly the Union's annual and multiannual programming with a view to achieving inter-institutional agreements, in accordance with Article 17 TEU.

The Commission's Work Programme is the Commission's contribution to the Union's annual and multiannual programming. Following its adoption by the Commission, a dialogue between the Parliament, the Council and the Commission should take place in view to reach an agreement on the Union's programming.

In this context and as soon as the Parliament, the Council and the Commission have reached a common understanding on the Union's programming, the two Institutions shall review the provisions of the current Framework Agreement related to programming.

The Parliament and the Commission call on the Council to engage in discussions on the Union's programming as foreseen in Article 17 TEU as soon as possible.

<sup>6</sup> OJ C 321, 31.12.2003

Original text	Draft revised text
<p>42. The implementation of this Framework Agreement and its Annexes shall be assessed periodically by the two Institutions, and their revision shall be considered, in the light of practical experience, at the request of one of them.</p>	<p>42. The <i>practical</i> implementation of this Framework Agreement and its Annexes shall be assessed periodically by the two Institutions. <i>A review shall be performed by the end of 2011</i> and their revision shall be considered, in the light of practical experience at the request of one of them.</p>
<p>43. This Framework Agreement shall be reviewed following the entry into force of the Treaty establishing a Constitution for Europe.</p>	<p>43. This Framework Agreement shall be reviewed following the entry into force of the Treaty establishing a Constitution for Europe.</p>
	<p><b>Annex 1: Commission meetings with national experts</b></p> <p>The present Annex defines the modalities of point 13a of the Framework Agreement.</p> <p><b>1. Scope</b></p> <p>The provisions of point 13a of the Framework Agreement concern the following meetings:</p> <ol style="list-style-type: none"> <li>1) Commission meetings taking place in the framework of expert groups established by the Commission and inviting national authorities from all EU Member States, as long as they concern the preparation and implementation of EU legislation, including soft law and delegated acts;</li> <li>2) Ad hoc Commission meetings inviting national experts from all EU Member States, as long as they concern the preparation and implementation of EU legislation, including soft law and delegated acts.</li> </ol> <p>Meetings of comitology committees are excluded, without prejudice to existing and future specific arrangements concerning the information of the European Parliament on the exercise of the Commission's implementing powers<sup>7</sup>.</p>

<sup>7</sup> The information provided to the EP on the work of comitology committees and the prerogatives of the EP in the operation of comitology procedures are clearly defined in other instruments: (1) Comitology Decision 1999/468/EC of 1999, amended in 2006, (2) inter-institutional agreement between the EP and the Commission on the comitology procedures concluded on 3 June 2008 and (3) instruments necessary for the implementation of Article 291 TFEU.



Original text	Draft revised text
	<p><b>2. Information to be transmitted to Parliament</b></p> <p>The Commission commits to send the Parliament the same documentation that it sends to national authorities in relation to the above-mentioned meetings. The Commission will transmit these documents, including agendas, to a functional mailbox of the Parliament at the same time as they are sent to the national experts.</p> <p><b>3. Invitation of Parliament's experts</b></p> <p>Upon request of the Parliament, the Commission may decide to invite Parliament to send EP experts to attend Commission meetings with national experts as identified in point 1.</p>
<p><b>Annex 1: Forwarding of confidential documents to the Parliament</b></p> <p><b>1. Scope</b></p> <p>1.1. This Annex shall govern the forwarding to Parliament and the handling of confidential information from the Commission in connection with the exercise of parliamentary prerogatives concerning the legislative and budgetary procedures, the procedure for giving discharge and the exercise in general terms of Parliament's powers of scrutiny. The two Institutions shall act in accordance with their mutual duties of sincere cooperation, in a spirit of complete mutual trust and in the strictest conformity with the relevant Treaty provisions, in particular Articles 6 and 46 of the Treaty on European Union and Article 276 of the Treaty establishing the European Community.</p> <p>1.2. 'Information' shall mean any written or oral information, whatever the medium and whoever the author may be.</p>	<p><b>Annex 12: Forwarding of confidential documents information to the European Parliament</b></p> <p><b>1. Scope</b></p> <p>1.1. This Annex shall govern the forwarding to Parliament and the handling of confidential information, as defined in Paragraph 1.2., from the Commission in connection with the exercise of parliamentary Parliament's prerogatives and competences concerning the legislative and budgetary procedures, the procedure for giving discharge and the exercise in general terms of Parliament's powers of scrutiny. The two Institutions shall act in accordance with their mutual duties of sincere cooperation, in a spirit of complete mutual trust and in the strictest conformity with the relevant Treaty provisions, in particular Articles 6 and 46 of the Treaty on European Union and Article 276 of the Treaty establishing the European Community.</p> <p>1.2. 'Information' shall mean any written or oral information, whatever the medium and whoever the author may be.</p> <p>1.2.1. 'Confidential information' shall mean 'EU Classified information' (EUCI) and non-classified 'other confidential information'.</p> <p>1.2.2. 'EU Classified information' (EUCI) shall mean any information and material, classified as 'RES SECRET/ TOP SECRET EU', 'SECRET UE', 'CONFIDENTIEL UE' or 'RESTREINT UE' or bearing equivalent national and or international classification markings, an unauthorised disclosure of which could cause varying degrees of prejudice to EU interests, or to</p>
<p>1.2. 'Information' shall mean any written or oral information, whatever the medium and whoever the author may be.</p>	<p>1.2. 'Information' shall mean any written or oral information, whatever the medium and whoever the author may be.</p> <p>1.2.1. 'Confidential information' shall mean 'EU Classified information' (EUCI) and non-classified 'other confidential information'.</p> <p>1.2.2. 'EU Classified information' (EUCI) shall mean any information and material, classified as 'RES SECRET/ TOP SECRET EU', 'SECRET UE', 'CONFIDENTIEL UE' or 'RESTREINT UE' or bearing equivalent national and or international classification markings, an unauthorised disclosure of which could cause varying degrees of prejudice to EU interests, or to</p>

Original text

Draft revised text

one or more of its Member States, whether such information originates within the EU or is received from Member States, third States or international organisations.

a) **TRES SECRET/ TOP SECRET EU:** This classification shall be applied only to information and material the unauthorised disclosure of which could cause exceptionally grave prejudice to the essential interests of the European Union or of one or more of its Member States.

b) **SECRET UE:** This classification shall be applied only to information and material the unauthorised disclosure of which could seriously harm the essential interests of the European Union or of one or more of its Member States.

c) **CONFIDENTIEL UE:** This classification shall be applied to information and material the unauthorised disclosure of which could harm the essential interests of the European Union or of one or more of its Member States.

d) **RESTREINT UE:** This classification shall be applied to information and material the unauthorised disclosure of which could be disadvantageous to the interests of the European Union or of one or more of its Member States.

'Other confidential information' shall mean any other confidential information, including information covered by the obligation of professional secrecy, requested by the European Parliament and/or forwarded by the European Commission.

1.3. The Commission shall ensure that Parliament is given access to information, in accordance with the provisions of this Annex, whenever it receives from one of the parliamentary bodies set out in point 1.4. a request relating to the forwarding of confidential information.

1.3. The Commission shall ensure that Parliament is given access to **confidential** information, in accordance with the provisions of this Annex, whenever it receives from one of the parliamentary bodies or office holders set out in point 1.4. a request relating to the forwarding of confidential information. **Moreover, the Commission may forward any confidential information on its own initiative to Parliament in accordance with the provisions of this Annex.**



Original text	Draft revised text
<p>1.4. In the context of this Annex, the following may request confidential information from the Commission: the President of Parliament, the chairperson of the parliamentary committees concerned, the Bureau and the Conference of Presidents.</p>	<p>1.4. In the context of this Annex, the following may request confidential information from the Commission:</p> <ul style="list-style-type: none"> <li>- the President of Parliament,</li> <li>- the chairpersons of the parliamentary committees concerned,</li> <li>- the Bureau and the Conference of Presidents,</li> <li>- <b>and the head of Parliament's delegation included in the EU delegation at an international conference.</b></li> </ul>
<p>1.5. Information on infringement procedures and procedures relating to competition, in so far as they are not covered by a final Commission decision on the date when the request from one of the parliamentary bodies is received, shall be excluded from this Annex.</p>	<p>1.5. Information on infringement procedures and procedures relating to competition, in so far as they are not covered by a final Commission decision <b>or by a judgement of the Court of Justice of the European Union</b> on the date when the request from one of the parliamentary bodies / <b>office holders mentioned in point 1.4</b> is received, <b>or the protection of financial interests in the European Union</b> shall be excluded from <b>the scope of this annex. This is without prejudice to point 36 of the Framework Agreement and to the budgetary control rights of Parliament.</b></p>
<p>1.6. These provisions shall apply without prejudice to Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and Commission of 19 April 1995 on the detailed provisions governing the exercise of the European Parliament's right of inquiry<sup>8</sup> and the relevant provisions of Commission Decision 1999/352/EC, ECSC, Euratom of 28 April 1999 establishing the European Anti-fraud Office (OLAF)<sup>9</sup>.</p>	<p>1.6. These provisions shall apply without prejudice to Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and Commission of 19 April 1995 on the detailed provisions governing the exercise of the European Parliament's right of inquiry<sup>(1)</sup> and the relevant provisions of Commission Decision 1999/352/EC, ECSC, Euratom of 28 April 1999 establishing the European Anti-fraud Office (OLAF)<sup>(2)</sup>.</p>
<p><b>2. General rules</b></p> <p>2.1. At the request of one of the bodies referred to in point 1.4., the Commission shall forward to that body with all due despatch any confidential information required for the exercise of Parliament's powers of scrutiny. In accordance with their respective powers and responsibilities, the two Institutions shall respect:</p> <ul style="list-style-type: none"> <li>- fundamental human rights, including the right to a fair trial and the right to protection of privacy;</li> <li>- provisions governing judicial and disciplinary procedures;</li> <li>- protection of business secrecy and commercial relations;</li> <li>- protection of the interests of the Union, in particular those relating to public safety, international relations, monetary stability and financial interests.</li> </ul>	<p><b>2. General rules</b></p> <p>2.1. At the request of one of the <b>parliamentary bodies / office holders</b> referred to in point 1.4., the Commission shall forward to that <b>parliamentary body / office holder</b> with all due despatch any confidential information required for the exercise of Parliament's <b>prerogatives and competences</b> powers-of-scrutiny. In accordance with their respective powers and responsibilities, the two Institutions shall respect:</p> <ul style="list-style-type: none"> <li>- fundamental human rights, including the right to a fair trial and the right to protection of privacy;</li> <li>- provisions governing judicial and disciplinary procedures;</li> <li>- protection of business secrecy and commercial relations;</li> <li>- protection of the interests of the Union, in particular those relating to public safety, <b>defence</b>, international relations, monetary stability and financial interests.</li> </ul>

<sup>8</sup> OJ L 113, 19.5.1995, p. 2.

<sup>9</sup> OJ L 136, 31.5.1999, p. 20.

Original text	Draft revised text
<p>In the event of a disagreement, the matter shall be referred to the Presidents of the two Institutions so that they may resolve the dispute.</p> <p>Confidential information from a State, an institution or an international organisation shall be forwarded only with its consent.</p>	<p>financial interests.</p> <p>In the event of a disagreement, the matter shall be referred to the Presidents of the two Institutions so that they may resolve the dispute.</p> <p>Confidential information from a State, an institution or an international organisation shall be forwarded only with its consent</p>
<p>2.2. In the event of any doubt as to the confidential nature of an item of information, or where it is necessary to lay down the appropriate arrangements for it to be forwarded in accordance with one of the options set out in point 3.2., the chairperson of the parliamentary committee concerned, accompanied, where necessary, by the rapporteur, shall consult the Member of Commission with responsibility for that area without delay. In the event of a disagreement, the matter shall be referred to the Presidents of the two Institutions so that they may resolve the dispute.</p>	<p><b>2.2. EUCI shall be forwarded to, and handled and protected by the Parliament in compliance with the common minimum standards of security, as applied by other EU Institutions, in particular the Commission.</b></p> <p><i>When classifying information for which it is the originator, the Commission will make sure that it applies appropriate levels of classification in line with the international standards and definitions and its internal rules, whilst taking due account of the need for Parliament to be able to access classified documents for the effective exercise of its competences and prerogatives.</i></p> <p>2.3 In the event of any doubt as to the confidential nature of an item of information or to its appropriate level of classification, or where it is necessary to lay down the appropriate arrangements for it to be forwarded in accordance with the one of the options set out in point 3.2., the two Institutions shall consult each other without delay and before transmission of the document. In these consultations, the European Parliament shall be represented by the chairperson of the parliamentary committee concerned, body, accompanied, where necessary, by the rapporteur, or the office holder who submitted the request. The Commission shall be represented by consult the Member of Commission with responsibility for that area, after consultation of the Member of the Commission responsible for security matters without delay. In the event of a disagreement, the matter shall be referred to the Presidents of the two Institutions so that they may resolve the dispute.</p>
<p>2.3. If, at the end of the procedure referred to in point 2.2., no agreement has been reached, the President of Parliament, in response to a reasoned request from the parliamentary committee concerned, shall call on the Commission to forward, within the appropriate deadline duly indicated, the confidential information in question, selecting the arrangements from among the options laid down in section 3 of this Annex. Before the expiry of that deadline, the Commission shall inform Parliament in writing of its final position, in respect of which Parliament reserves the right, if appropriate, to exercise its right to seek redress.</p>	<p>2.4. If, at the end of the procedure referred to in point 2.3., no agreement has been reached, the President of Parliament, in response to a reasoned request from the parliamentary body / office holder who submitted the request committee concerned, shall call on the Commission to forward, within the appropriate deadline duly indicated, the confidential information in question, selecting the arrangements from among the options laid down in section 3.2 of this Annex. Before the expiry of that deadline, the Commission shall inform Parliament in writing of its final position, in respect of which Parliament reserves the right, if appropriate, to exercise its right to seek redress.</p>

Original text

Draft revised text

	<p>2.5. Access to EUCI information shall be granted in accordance with applicable rules for personal security clearance.</p> <p>2.5.1. Access to information classified as EU TOP SECRET, SECRET UE and Confidential EU may only be granted to officials of the European Parliament and those employees of the European Parliament working for political groups to whom it is strictly necessary, who have been designated in advance by the parliamentary body / office holder to have a need-to-know, and who dispose of an appropriate security clearance.</p> <p>2.5.2. In light of Parliament's prerogatives and competences, those Members who do not dispose of a personal security clearance shall be granted access to "CONFIDENTIEL UE" documents, under practical arrangements defined in common accord, including signature of a solemn declaration that they will not disclose the contents of those documents to any third person.</p> <p>Access to SECRET UE documents shall be granted to Members disposing of an appropriate personal security clearance.</p> <p>2.5.3. Arrangements shall be found with the support of the Commission to make sure that the necessary contribution of national authorities in the framework of the clearance procedure can be obtained by Parliament as quickly as possible.</p> <p>The category or categories of persons to have access to the confidential information shall be communicated simultaneously with the request.</p> <p>Prior to being granted access to such information each person shall be briefed on its confidentiality level and the resulting security obligations.</p> <p>In the context of the review of this annex and future security arrangements will be re-examined.</p> <p>3. Arrangements for access to and the handling of confidential information</p> <p>3.1. Confidential information forwarded in accordance with the procedures set out in point 2.2. and, where appropriate, point 2.3. shall be forwarded, on the responsibility of the President or of a Member of the Commission, to the parliamentary body which submitted the request.</p>
--	--

Original text

Draft revised text

3.2. Without prejudice to the provisions of point 2.3., access and the arrangements designed to preserve the confidentiality of the information shall be laid down by common accord between the Member of the Commission with responsibility for the area involved and the parliamentary body concerned, duly represented by its chairperson, who shall select one of the following options:

- information intended for the chairperson of and the rapporteur for the relevant parliamentary committee;
- restricted access to information for all members of the relevant parliamentary committee in accordance with the appropriate arrangements, possibly with the documents being collected after they have been studied and a ban on the making of copies;
- discussion in the relevant parliamentary committee, meeting in camera, in accordance with arrangements which may vary by virtue of the degree of confidentiality involved and in accordance with the principles set out in Annex VII to Parliament's Rules of Procedure;
- communication of documents from which all personal details have been expunged;

the request under following conditions:

The EP and the Commission will ensure the registration and the traceability of confidential information.

More specifically, EUCI at the level "CONFIDENTIEL UE" and "SECRET UE" shall be forwarded from the Commission's SG central registry to the equivalent competent EP service who will be in charge of making it available under the agreed arrangements to the parliamentary body / office holder who submitted the request.

The forwarding of EUCI at the level of "TRES SECRET UE/ EU TOP SECRET" shall be subject to further arrangements agreed between the Commission and the parliamentary body / office holder who submitted the request aimed at ensuring a level of protection commensurate with that classification.

3.2. Without prejudice to the provisions of point 2.32. and 2.34. and the future security arrangements referred to in section 3.5., access and the arrangements designed to preserve the confidentiality of the information shall be laid down by common accord before forwarding the information. This accord between the Member of the Commission with responsibility for the policy area involved and the parliamentary body (represented by its chairperson) / office holder who submitted the request envisaged, duly represented by its chairperson, who shall foresee the selection of one of the following options in order to ensure the appropriate level of confidentiality.

- information intended for the chairperson of and the rapporteur for the relevant parliamentary committee;
- restricted access to information for all members of the relevant parliamentary committee in accordance with the appropriate arrangements, possibly with the documents being collected after they have been studied and a ban on the making of copies;
- discussion in the relevant parliamentary committee, meeting in camera, in accordance with arrangements which may vary by virtue of the degree of confidentiality involved and in accordance with the principles set out in Annex VII to Parliament's Rules of Procedure;
- communication of documents from which all personal details have been expunged

Original text

- in instances justified on absolutely exceptional grounds, information intended for the President of Parliament alone.

The information in question may not be published or forwarded to any other addressee.

Draft revised text

3.2.1. Regarding the addressees of the confidential information one of the following options should be foreseen:

- in instances justified on absolutely exceptional grounds, information intended for the President of Parliament alone, in instances justified on absolutely exceptional grounds;
- the Bureau and/or the Conference of President ;
- the chairperson of and the rapporteur for the relevant parliamentary committee;
- all members (full and substitute) of the relevant parliamentary committee;
- all members of the European Parliament .

The confidential information in question may not be published or forwarded to any other addressee without the consent of the Commission.

3.2.2. Regarding the arrangements for the handling of the confidential information, the following options should be foreseen:

- a) Examination of documents in a secure reading room if the information is classified "CONFIDENTIEL UE" and above.
- b) Holding the meeting in camera, attended only by the members of the Bureau, the members of the Conference of Presidents or full members and substitute members of the competent committee as well as by officials of the European Parliament and those employees of the European Parliament working for political groups who have been designated in advance by the chair, as having a need-to-know and whose presence is strictly necessary and provided they dispose of the required level of security clearance, taking into account the following conditions:
  - any documents may be numbered, be distributed at the beginning of the meeting and collected again at the end. No notes of these and no photocopies may be taken;
  - the minutes of the meeting shall make no mention of the discussion of the item taken under the confidential procedure.

Before transmission, all personal data may be expunged from the



## Original text

## Draft revised text

	<p>documents.</p> <p>Confidential information provided orally to recipients in Parliament shall be submitted to the equivalent level of protection of confidential information provided in written form. This may include a solemn declaration by the recipients of that information not to divulge its contents to any third person.</p> <p>3.2.3 When written information is to be examined in a secure reading room, Parliament shall ensure that the following arrangements are actually put in place:</p> <ul style="list-style-type: none"> <li>- a secure storage system for confidential information;</li> <li>- a secure reading room without photocopying machines, telephones, fax facilities, scanners or any other technical equipment for the reproduction and transmission of documents, etc.;</li> <li>- security provisions governing access to the reading room, including the requirements of signature in an access register and a solemn declaration not to disseminate the confidential information examined.</li> </ul> <p>3.2.4. This does not preclude other equivalent arrangements agreed between the Institutions.</p> <p>3.3. In the event of non-compliance with these arrangements, the provisions relating to sanctions of Members set out in Annex VIII to Parliament's Rules of Procedure and in respect of officials and other employees of the European Parliament, the applicable provisions of Article 86 of the Staff Regulations or Article 49 of the Conditions of Employment of Other Servants of the European Communities shall apply.</p>
<p>3.3. In the event of non-compliance with these arrangements, the provisions relating to sanctions of Members set out in Annex VII to Parliament's Rules of Procedure shall apply.</p> <p>3.4. With a view to the implementation of the provisions set out above, Parliament shall ensure that the following arrangements are actually put in place:</p> <ul style="list-style-type: none"> <li>- a secure archive system for documents classified as confidential;</li> <li>- a secure reading room (without photocopying machines, telephones, fax facilities, scanners or any other technical equipment for the reproduction and transmission of documents, etc.);</li> <li>- security provisions governing access to the reading room, including the requirements of signature in an access register and a solemn declaration</li> </ul>	<p>(Moved to point 3.2. above)</p> <p>3.4. With a view to the implementation of the provisions set out above, Parliament shall ensure that the following arrangements are actually put in place:</p> <ul style="list-style-type: none"> <li>- a secure archive system for documents classified as confidential;</li> <li>- a secure reading room (without photocopying machines, telephones, fax facilities, scanners or any other technical equipment for the reproduction and transmission of documents, etc.);</li> <li>- security provisions governing access to the reading room, including the requirements of signature in an access register and a solemn declaration not to disseminate the confidential information examined.</li> </ul>

**Original text**

**Draft revised text**

not to disseminate the confidential information examined.

3.5. The Commission shall take all the measures required for the implementation of the provisions of this Annex.

**4. Final provisions**

**3-54.1**

The Commission and the European Parliament shall take all the measures required for the implementation of the provisions of this Annex.

*For this purpose, the competent services of the Commission and the Parliament shall closely coordinate the implementation of this Annex. This shall include the verification of traceability of confidential information and periodic joint monitoring of security arrangements and standards applied.*

*Parliament undertakes to adapt, where necessary, its internal provisions to implement the security rules for confidential information laid down in this annex.*

*Parliament undertakes to adopt as soon as possible its future security arrangements and to verify these arrangements in common accord with the Commission, with a view to establishing equivalence of security standards. This will give effect to this Annex with regard to:*

*Technical security provisions and standards regarding the handling and storage of confidential information, including security measures in the field of physical, personnel, document and IT security.*

*The establishment of a specially established oversight committee, composed of appropriately cleared Members for the handling of EUCI of the level of "TRES SECRET UE/ EU TOP SECRET".*

**4.2.**

Parliament and the Commission will review the present annex and, where necessary, adapt it, no later than at the time of the review referred to in point 42 of the Framework Agreement, in light of developments concerning:

- provisions of future security arrangements involving Parliament and the Commission;

Original text

Draft revised text

- other agreements or legal acts relevant for the forwarding of information between the Institutions.

Annex 3 - Negotiation and conclusion of international agreements

This Annex lays down detailed arrangements for the information of Parliament about negotiations and conclusion of international agreements referred to in points 19-21:

- 1) The Commission shall inform the Parliament about its intention to propose the start of negotiations at the same time as it informs the Council.
- 2) In line with the provisions of point 20, when the Commission proposes draft negotiating directives with a view to their adoption by the Council, the Commission shall at the same time present them to Parliament.
- 3) The Commission shall take due account of Parliament's comments in the entire process of negotiations.
- 4) In line with the provisions of point 19, the Commission shall inform Parliament regularly and promptly about the conduct of negotiations until the agreement is initialled and explain whether and how Parliament's comments were incorporated in the texts under negotiation and if not why.
- 5) In case of international agreements whose conclusion will require Parliament's consent, the Commission shall provide to Parliament during the negotiation process all relevant information that it also provides to the Council (or to the special committee appointed by the Council). This shall include draft amendments to adopted negotiating directives, draft negotiating texts, agreed articles, the agreed date for initialling the agreement and the text of the agreement to be initialled. The Commission shall also transmit to Parliament, as to Council (or the special committee appointed by the Council) any relevant documents received from third parties, subject to the originator's consent. The Commission shall keep the responsible parliamentary committee informed about the evolution of the negotiations and, in particular, explain how Parliament's views were taken into account.

5a) In case of international agreements whose conclusion does not require Parliament's consent, the Commission shall make sure that Parliament is



Original text

Draft revised text

immediately and fully informed, by providing information covering at least the draft negotiating directives, the adopted negotiating directives, the subsequent conduct of negotiations and the conclusion of the negotiations.

- 6) In line with the provisions of point 20, the Commission shall give thorough information to Parliament in due time when an agreement is initialled, and, it shall inform Parliament as early as possible when it intends to propose its provisional application to the Council and of the reasons thereof, unless reasons of urgency would not allow the Commission to do so.
- 7) The Commission shall inform Council and Parliament simultaneously and in due time of its intention to propose to the Council the suspension of an international agreement and of the reasons thereof.
- 8) For agreements which would fall under the consent procedure under the TFEU, the Commission shall also keep Parliament fully informed before approving modifications to an agreement, authorised by the Council, by way of derogation, in accordance with Article 218 (7) of TFEU.

Annex 2 : Timetable for the Commission legislative and work programme

1. In February, the President of the Commission and/or the Vice-President responsible for inter-institutional relations shall present the Annual Policy Strategy decision (APS) for the following year to the Conference of Presidents.

Annex 4 : Timetable for the Commission legislative and Work Programme

The Commission Work Programme shall be accompanied by a list of legislative and non-legislative proposals for the following years. The Work Programme covers the next year in question, and provides detailed indication of the Commission's priorities for the subsequent years. The Commission's Work Programme can thus be the basis for a structured dialogue with the Parliament, with a view to seeking a common understanding.

The Work Programme shall also include planned initiatives on soft law, withdrawals and simplification.

1. In the first semester of a given year, Members of the Commission shall undertake an on-going regular dialogue with the corresponding parliamentary committees on the implementation of the Commission Work Programme for that year and on the preparation of the Commission's future Work Programme. On the basis of the dialogue each parliamentary committee shall report on the outcome of this regular dialogue to the Conference of Committee Chairs.

2. In February, the President of the Commission and/or the Vice-President responsible for inter-institutional relations shall present the Annual Policy Strategy decision (APS) for the following year to the Conference of Presidents. In parallel the Conference of Committee Chairs shall hold a regular exchange of views with the Vice-

Original text

Draft revised text

2. At the February-March part-session, the Institutions concerned shall take part in a debate on the main lines of the political priorities, based on the APS decision for the following year.
3. Following that debate, the competent parliamentary committees and the relevant Members of the Commission shall conduct a regular bilateral dialogue throughout the year to assess the state of implementation of the current Commission legislative and work programme and discuss the preparation of the future programme in each of their specific areas. Each parliamentary committee shall regularly report on the outcome of those meetings to the Conference of Committee Chairs.
4. The Conference of Committee Chairs shall hold a regular exchange of views with the Commission Vice-President responsible for inter-institutional relations, in order to assess the state of implementation of the current Commission legislative and work programme, discuss the preparation of the future programme, and take stock of the

- President of the Commission responsible for inter-institutional relations, in order to assess the state of implementation of the current Commission Work Programme, discuss the preparation of the future programme, and take stock of the results of the on-going bilateral dialogue between the parliamentary committees concerned and relevant Members of the Commission.*
3. *In June, the Conference of Committees Chairs shall submit a summary report to the Conference of Presidents, which should include results of the screening of the implementation of the Work Programme as well as Parliament's priorities for the forthcoming Work Programme, which shall inform the Commission thereof.*
4. *On the basis of this summary report, Parliament shall adopt a resolution at the July part-session, outlining its position in particular including requests based on legislative initiative reports.*
5. *At the February-March part-session, the Institutions concerned shall take part in a debate on the main lines of the political priorities, based on the APS decision for the following year. Each year in the first part-session of September, a State of the Union debate will be held in which the President of the Commission shall deliver an address, taking stock of the current year and looking ahead to future priorities for the following years. To this effect, the President will in parallel set out in writing to the Parliament the main elements guiding the preparation of the Work Programme for the following year.*
6. *Following that debate, From the start of September, the competent parliamentary committees and the relevant Members of the Commission may shall conduct a regular bilateral dialogue throughout the year to assess the state of implementation of the current Commission legislative and work programme and discuss the preparation of the meet for a more detailed exchange of views on future programme priorities in each of their specific policy area. Each parliamentary committee shall regularly report on the outcome of these meetings to These meetings shall be rounded up by a meeting between the Conference of Committee Chairs and the College of Commissioners and by a meeting between the Conference of Presidents and the President of the Commission, as appropriate.*
4. *The Conference of Committee Chairs shall hold a regular exchange of views with the Commission Vice-President responsible for inter-institutional relations, in order to assess the state of implementation of the current Commission legislative and work programme, discuss the preparation of the future programme, and take stock of the results of the on-going bilateral dialogue between the parliamentary committees*

Original text	Draft revised text
<p>results of the on-going bilateral dialogue between the parliamentary committees concerned and relevant Members of the Commission.</p> <p>5. In September, the Conference of Committees Chairs shall submit a summary report to the Conference of Presidents</p>	<p>concerned and relevant Members of the Commission.</p> <p>5. In September, the Conference of Committees Chairs shall submit a summary report to the Conference of Presidents</p>
<p>6. At the November part-session, the President of the Commission shall present before Parliament the Commission's legislative and work programme for the following year, with the College taking part. This presentation shall include an assessment of the implementation of the current programme. The presentation shall be followed by the adoption of a Parliament resolution at the December part-session.</p>	<p>6. At the November part-session, <i>In October, the Commission shall adopt its Work Programme for the following year. Subsequently, the President of the Commission shall present before this Work Programme to Parliament at an appropriate level, the Commission's legislative and Work Programme for the following year, with the College taking part. This presentation shall include an assessment of the implementation of the current programme. The presentation shall be followed by the adoption of a Parliament resolution at the December part-session.</i></p>
<p>7. The Commission's legislative and work programme shall be accompanied by a list of legislative and non-legislative proposals for the following year, in a form to be decided<sup>10</sup>. The programme shall be forwarded to Parliament in sufficient time before the part-session at which it is to be debated.</p>	<p>7. The Commission's legislative and work programme shall be accompanied by a list of legislative and non-legislative proposals for the following year, in a form to be decided<sup>10</sup>. The programme shall be forwarded to Parliament in sufficient time before the part-session at which it is to be debated. <i>Parliament may hold a debate and adopt a resolution at the December part-session.</i></p>
<p>8. This timetable shall be applied to each regular programming cycle, except for Parliament election years coinciding with the end of the Commission's term of office.</p>	<p>(unchanged)</p>
<p>9. This timetable shall not prejudice any future agreement on inter-institutional programming.</p>	<p>(unchanged)</p>

<sup>10</sup> To be included: calendar and, where appropriate, legal basis and budgetary implications.



