

European Parliament Resolution on the investiture of the Commission (21 April 1994)

Caption: European Parliament Resolution of 21 April 1994 on the investiture of the Commission.

Source: Official Journal of the European Communities (OJEC). 09.05.1994, n° C 128. [s.l.]. "Resolution on the investiture of the Commission (21 April 1994)", auteur:European Parliament , p. 358.

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A3-0240/94

The European Parliament,

— having regard to Articles 157 and 158 of the Treaty establishing the European Community, Articles 9 and 10 of the Treaty establishing the European Coal and Steel Community and Articles 126 and 127 of the Treaty establishing the European Atomic Energy Community,

— having regard to Rules 32, 33 and 148 of its Rules of Procedure,

— having regard to the report of the Committee on Institutional Affairs (A3-0240/94),

A. whereas the Treaty on European Union conferred on the European Parliament the power of investiture of the Commission; whereas the attribution of this new power marks a new stage in European integration and is an important step towards greater democracy in the institutions of the Union; whereas the European Parliament is thereby invested with considerable political responsibility,

B. whereas this power must be used effectively and fully so that Parliament can have a direct influence on the course to be taken by the future Commission and its composition, and can monitor its activities,

C. whereas, in view of the extremely tight schedule involved in the implementation of this new procedure, with effect from July 1994, it is necessary to lay down guidelines here and now,

D. whereas the Commission has full legitimacy in implementing the Treaties and exercising all its responsibilities up until 6 January 1995, when its term of office expires,

1. Considers that, in accordance with the Treaties and its own Rules of Procedure, guidelines must be adopted for applying constitutional principles and implementing the necessary procedure and schedule;

2. Notes that Article 158 of the EC Treaty lays down a procedure whereby the Commission is subject as a body to investiture by the European Parliament and that the legal and political consequences of this institutional innovation must be made clear;

3. Stresses that, as far as the composition of the Commission is concerned, the Treaties stipulate that members shall be chosen on the grounds of their general competence, which means that they must have considerable abilities entitling them to form part of a governmental-type executive body exercising responsibility on behalf of 350 million citizens;

4. Calls for the letter and the spirit of the Treaties to be respected as regards the guarantees of independence of members of the Commission; points out that such guarantees amount to a constitutional principle which must be strictly applied, particularly with regard to independence *vis-à-vis* the Member States;

5. Calls for the President of the Commission to be chosen from amongst the public figures who have already been members of the Community institutions or have already held positions of responsibility for European affairs in their countries;

6. Points out that the appointment of the members of the Commission ‘by common accord’ means that the governments of the Member States may no longer select candidates on a unilateral discretionary basis and that it is up to the institution elected by direct universal suffrage to exercise particularly strict control over the choice of such candidates;

7. Firmly expects that the proposals for the office of President of the Commission and for the composition of the Commission as a whole should take account of the political balance of power in the Union and the

results of the European elections;

8. Calls for the Commission as a whole to be representative of the peoples of the Union, obviously including adequate representation of women;

9. Considers it logical that some Commissioners should be chosen from among the Members of the European Parliament currently in office so as to take account of the more representative nature of the institutional system set up by the Treaties;

10. Points out that the introduction of an investiture procedure and the alignment of the respective terms of office of the Commission and Parliament will make it necessary to establish a contract covering the five-year period between the two institutions and that Parliament should both approve the choice of Commissioners and give its opinion on the main lines of action of the Commission for its five-year term of office;

11. Affirms the principle of the collegiate nature of the Commission and believes accordingly that it should be appointed by the governments of the Member States only after the procedure for Parliament's approval as set out in Rule 33(1) and (2) of its Rules of Procedure has been completed;

12. Asks, in connection with the nomination of the Commission President, that the person who is to be appointed should make a statement followed by a debate and a vote during the July 1994 part-session, on the understanding that the governments comply with the procedure laid down in the Solemn Declaration on the European Union (paragraph 2.3.5) as regards prior consultation of the Conference of Presidents;

13. Points out that, if it delivers a negative vote on the name of the person whom the governments of the Member States plan to appoint as President of the Commission, it will refuse the investiture of the Commission if the governments of the Member States present the same candidate again;

14. Considers it necessary that the names of the other persons put forward to be appointed as Members of the Commission should be forwarded to Parliament no later than 1 November 1994 so as to allow time to organize the hearings of the Commissioners by the committees in time for the presentation of the Commission programme and Parliament's vote agreeing to its investiture during the December 1994 part-session;

15. Stresses that any change in the composition of the Commission, which Parliament considers to be of major importance, will necessitate a new investiture; this will be the case particularly after the accession of one or more new countries when the number of Members and distribution of responsibilities will evidently be changed as will the composition of the Parliament which will undertake the new investiture;

16. Instructs its President to forward this resolution to the Council, the Commission and the parliaments and governments of the Member States.