

## PROPOSAL OF THE EUROPEAN MOVEMENTS IN FRANCE, ITALY AND SPAIN TO INITIATE EUROPEAN REFORM ON THE BASIS OF BROAD CONSENSUS

### Foreword

The proposal on the follow-up to the report adopted by the European Parliament on the revision of the Lisbon Treaties, which we set out below, is based on three main elements

- avoid the risks of procedural challenges by the Council and the European Council as was the case with the resolution adopted by the European Parliament in June 2022 after the conclusions of the Conference on the Future of Europe to open a phase of reform of the European system
- launch a review of the report adopted on 22 November, mainly on certain aspects that are essential to the effectiveness and democratic nature of the European Union, such as its finances and decision-making process that were weakened by the vote in plenary, before a process to revise the treaties is launched
- lay the foundations for building broad majority support for the prospect of a deepening of the integration process necessary to enable the Union to face complex geopolitical challenges and make the accession of new countries possible by effectively following up on the orientations and recommendations of the Conference on the Future of Europe.

### Voting modalities in the European Parliament

The Treaty on the Functioning of the European Union (TFEU) states in Article 231 that “the European Parliament shall decide by a majority of the votes cast unless otherwise provided for in the Treaties”, i.e. both the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU).

Among the exceptions, apart from the censure of the Commission and budgetary decisions together with the right of pre-initiative legislation (Art. 223, 225, 229, 232, 234, 290, 312, 314, 315, 354), the most relevant one concerns the ordinary legislative procedure in which the European Parliament at second reading must decide by a majority of its members (absolute majority) and not by a majority of the votes cast (simple majority) as is the case at first reading.

The European Parliament's approval of a draft with the aim of revising the Treaties does not fall under the "non-legislative" own-initiative reports provided for in Rule 54 of the European Parliament's Rules of Procedure, but under those powers that the Treaty confers on the European Parliament such as European electoral law or pre-legislative initiative or censure of the Commission or the creation of a Committee of Inquiry for which the Treaty provides exceptions to absolute majority voting.

For these reasons of substance, we are convinced that in matters of a constitutional nature, the European Parliament should reasonably decide that the principle of their adoption in plenary by an absolute majority (at least 353 votes in favour) should be applied to the vote on drafts under Article 48.2 TEU.

It is worth emphasising that, according to Article 48 TEU for the decisions referred to in the first and second paragraphs, the European Council shall act unanimously after approval by the European



Parliament, which shall act by an absolute majority, and that, on the basis of this provision, it seems logical that the European Parliament's draft for the revision of the Lisbon Treaty should also have the same majority required for final approval.

#### The necessity and updating of the report voted on 22 November

In this spirit, we believe that the Conference of Presidents of the European Parliament should decide to refer back to the Committee on Constitutional Affairs the report on the amendments to the Lisbon Treaties on which the House voted on 22 November in the presence of 609 MEPs out of 705 with 291 votes in favour, 274 against and 44 abstentions, asking this committee, in the context of the transparency and indispensable publicity of its work, to

- verify the coherence of the proposed amendments to the Treaties with each other and with the resolution preceding those amendments,
- seek the opinion of the European Parliament's legal service
- submit an interpretation of the Treaty provision by the Committee on Constitutional Affairs pursuant to Rule 236.3 of the Rules of Procedure, as the interpretation does not require an absolute majority as would be the case for a formal amendment of the Rules themselves
- organise hearings with civil society networks, social partners and European citizens' 'ambassadors' involved in the Conference on the Future of Europe
- and consult the national parliaments of the member States and candidate countries on the basis of Rule 150 of the Rules of Procedure.

At the same time, the Conference of Presidents should invite the Committee on Constitutional Affairs to adopt a report, revised as a result of these checks and consultations, at an extraordinary meeting on 14 February 2024, i.e. on the 40th anniversary of the European Parliament's approval of the 'Draft Treaty establishing the European Union' (Spinelli Project).

The alternative to a decision of the Conference of Presidents for referral back to committee could be on the basis of Rule 59 of the Rules of Procedure the proposal of one or more political groups or a number of MEPs equal to at least the low threshold for the opening of interinstitutional negotiations in accordance with Rules 60 and 74 of the same Rules of Procedure.

The new report of the Constitutional Affairs Committee should be discussed and put to a vote in the plenary session from 26 to 29 February 2024 in order for it to be sent to the Council and then to the European Council requesting that it be placed at the centre of the discussion and decisions on the 'Strategic Agenda 2024-2029' on the basis of an inter-institutional agreement.

#### Conclusions

So that the start of the path to reform of the Union can take place on the basis of the necessary broad, substantive consensus.

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