

rights are much more limited but it may submit proposals to the Council. The same applies for aspects of the JHA still governed by intergovernmental cooperation.

The Commission also acts in an executive capacity with respect to the implementation of certain Articles of the Treaty and the administering of funds from the budget designated for Community operations, often in mandatory consultation with committees of officials from Member States.

Since 1995, the Commission's term of office is five years, instead of four, to be consistent with the term of the European Parliament.

The Treaty of Amsterdam envisages that at the next enlargement, the Commission will consist of only one national per Member State. As a condition for this, the issue of the reweighting of votes in the Council of the European Union has to be settled by the same date. A stronger role is also envisaged for the President of the Commission, who will enjoy broad discretion in the allocation of tasks within the College. A reorganisation of the Commission is scheduled for the year 2000, when the next Commission will come into office. A restructuring of the Commission's subdivisions is to take place, however the sole target set by the past IGC was that there should be vice-president responsible for all external relations. So far, foreign policy and external commercial relations are split up between six Commissioners.

The strengthening of the role of the President, the reorganisation of the Commission's structure, and the centralisation of specific policy areas in the hands of a few higher-order Commissioners (vice-presidents) can enhance the Commission's efficiency and coherence. Such changes could also lead to a more personified perception of the Commission. In the medium term, more public awareness of some Commissioners, and thus of the whole Commission as a central actor of the Union, could result from that. In this context, it is noteworthy that the Treaty of Amsterdam gives the Commission the monopoly of the initiative (after a period of 5 years of joint Commission/Member States initiative) in some fields related to justice and home affairs and which will be partially and gradually transferred to the EC – areas related to visa policy, asylum, immigration and judicial cooperation in civil matters, and of particular interest to the citizenry at large. Appendix VII further discusses these modifications brought to JHA matters.

The European Parliament

The European Parliament is the only Community body that is directly elected – by universal suffrage – and therefore in some measure representative of the

citizens of Europe. At present there are 626 members of the European Parliament (MEPs), elected for a five-year term of office. Although not a requirement, the large majority of MEPs have national party affiliations. As a direct result of its multi-national composition, the Parliament – uniquely in the EU – reflects both Member States and “European” interests.

This dual nature has placed the Parliament in both a “supervisory” and a “participatory” role within the Community. As a supervisory body Parliament:

- may set up Committees of Inquiry;
- maintains a Committee on Petitions to receive petitions from individuals with grievances against the Community;
- appoints an Ombudsman, in consultation with the other institutions, to consider issues or complaints raised concerning the (mal)administration of the institutions;
- puts questions (oral and written) to the Council, to the High Representative for CFSP, and to the Commission;
- has the right to pass a motion of censure when it disapproves of the Commission's activities; and
- has the right to initiate, or intervene in, proceedings before the Court of Justice to protect Parliament's own rights, or against the Council or the Commission for failure to act.

In terms of participation, the European Parliament has had an increasing role in the Community legislative process, first with the introduction of the cooperation procedure by the 1986 SEA, followed by the co-decision procedure pursuant to the 1992 TEU.³ By virtue of the Treaty of Amsterdam, the scope for application of the co-decision procedure has been broadened, thus reinforcing the power of Parliament. Since 1970, the Parliament has also enjoyed certain deciding powers in connection with the budgetary process (Article 203 EC Treaty). Over the years, Parliament has increasingly used these budgetary powers to expand the scope of its influence in the legislative arena.

The Treaty of Amsterdam has fixed the maximum number of MEPs at 700. The overall political weight of the European Parliament has been reinforced with the simplification and extension of the co-decision procedure. The cooperation procedure has been abolished in the new Treaty of Amsterdam, except for with regard to EMU. The Parliament has also received more powers in the appointing of the Commission President. The President *shall be approved by the European Parliament*. This goes beyond the existing EC Treaty stipulation that only the governments of the Member States are to consult the Parliament on the

³ The decision-making procedures are explained in detail in Part IV.