

# EP Proposed Amendments to EU Treaties



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**News**

On 22 November 2023, the European Parliament (EP) adopted a new [proposal to amend the Treaties](#): the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights of the European Union (CFR).

The EP gave several reasons why the Treaties should be amended:

- To better face challenges and crises (especially in the context of Russia's war of aggression against Ukraine);
- To strengthen the capacity, legitimacy, and accountability of the European Union (EU);
- To better address geopolitical challenges and the complex geopolitical landscape that the EU faces;
- To adapt the institutional framework of the Union, in particular its decision-making process and especially that of the Council, to future enlargements of the EU;
- To implement the proposed changes as underlined in the conclusions of the Conference on the Future of Europe, which further underline the need for treaty changes.

With regard to institutional reforms, MEPs called for the strengthening of the Union's capacity to act by increasing the number of areas in which action is decided by qualified majority voting (QMV) and the ordinary legislative procedure. They also called for Parliament to be given the right to propose legislation, including the introduction, amendment, and repeal of Union law, and to participate in the process of co-legislating the multiannual financial framework. The number of Commissioners should also be limited to fifteen. Citizens' participation in the EU decision-making process should be strengthened within the framework of representative democracy instruments.

With respect to competences, the EP proposed the creation of exclusive Union competences for biodiversity, the environment, and discussions on climate change. It also proposed establishing shared competences in the fields of public health, protection and improvement of human health, civil protection, industry and education. Another aim is to further develop the Union's shared competences in the fields of energy, foreign affairs, external security and defense, external border policy in the area of freedom, security and justice, and cross-border infrastructure.

Moreover, MEPs proposed the introduction of a preventive review of norms at the Court of Justice of the European Union ("abstract review of norms"). The EP should also be empowered to bring cases of non-compliance with the Treaties before the Court of Justice of the European Union.

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In the area of security and defense, the proposal calls for the creation of a defense union under the operational command of the EU, comprising military units and a permanent rapid reaction capability. MEPs also propose changes to the EU's law enforcement and prosecution mechanisms, including granting additional powers to Europol, expanding the definition of Union crimes to include gender-based violence and environmental crimes, and regulating the European Public Prosecutor's Office through the ordinary legislative procedure.

*Background:* The EP's initiative follows the proposals of the Conference on the Future of Europe, in which EU institutions and European citizens discussed ideas for a reform of the bloc (for the key proposals → [eucrim 2/2022, 84-85](#)). The EP called on the European Council to set up the Convention in accordance with [Art. 48 TEU](#) in order to proceed with the revision procedure.

The Heads of State or Government discussed the internal reforms at the [EU summit on 14/15 December 2023](#) under the Spanish Council Presidency. They [merely committed](#) to addressing internal reforms at upcoming meetings, with a view to adopting conclusions in the summer of 2024.

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