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# The European Parliament and its position on the environment

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27 October 2025



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DIPARTIMENTO DI GIURISPRUDENZA

# The European Parliament

- The European Parliament:
- is composed of "representatives of the citizens of the Union
- exercises, 'together with the Council, legislative and budgetary functions,' as well as "political control and advisory functions under the conditions laid down by the Treaties"; and 'elects the President of the Commission'" (Art. 14 TEU)



# The European Parliament

- Members of Parliament serve a five-year term and are divided into political groups rather than national groups. According to the wording of the Treaty, Members of Parliament should represent the citizens of the Union collectively.



# The European Parliament

- The provisions on European Union citizenship also include those on the right to vote and stand as a candidate in elections to the European Parliament, the exercise of which is linked to the country of residence “under the same conditions as nationals of the State concerned” (Article 22(2) TFEU). The right to vote and stand as a candidate in elections to the European Parliament is a fundamental right of European Union citizenship, which is linked to the country of residence “under the same conditions as nationals of the State concerned” (Article 22, n. 2 TFEU).



# The European Parliament

- In organising their work, MEPs are divided into standing committees with responsibility for specific subjects, reflecting the division between the Commission's Directorates-General. The European Parliament elects its President and Bureau from among its members.



# The European Parliament

- Pursuant to Article 231 TFEU, unless otherwise provided for in the Treaties, the European Parliament shall act by a majority of the votes cast.
- The quorum shall be reached when one third of the Members are present in the Chamber; nevertheless, decisions shall be valid unless it is established that the quorum is not present.

# The European Parliament

- An absolute majority of the members of the European Parliament is required: for example, for the election of the President of the Commission (Article 17, n. 7 TFEU); in matters relating to the simplified procedure for revising the Treaties

# The European Parliament

## Powers of control over the Commission

- The Parliament is:
- called upon to “elect” the President of the Commission (Art. 14, n.1 TEU) proposed by the European Council; and secondly, it expresses a “vote of approval” for the President, the High Representative for Foreign Affairs and the other Commissioners collectively, who are formally appointed only at a later stage by the European Council.

# The European Parliament

- The Commission is required to submit to Parliament each year a general report on the activities carried out during the previous year, as well as annual reports on the agricultural situation, the social situation and competition policy. On these occasions, Parliament examines them (Article 233 TFEU).

# The European Parliament

- Questions from Parliament or its Members to the Commission are also important, and the Commission is required to respond to them orally or in writing (Article 230 TFEU).
- The same applies to questions to the Council.

# The European Parliament

- Parliament may pass a motion of censure on the Commission's actions, to be approved by a two-thirds majority of the votes cast and a majority of its members. In that case, *«the members of the Commission shall collectively resign from their posts and the High Representative of the Union for Foreign Affairs and Security Policy shall resign from the posts he holds in the Commission»*.

# The European Parliament

## Regulatory function

- shared with the Council - codecision procedure (ordinary legislative procedure) and conclusion of international agreements
- The ENVI Committee is currently discussing the proposal for a Directive of the European Parliament and of the Council on Soil Monitoring and Resilience (Soil Monitoring Law).
- <https://eur-lex.europa.eu/legal-content/EN/HIS/?uri=CELEX%3A52023SC0423>

# The European Parliament

- It enjoys genuine general power of legislative “pre-initiative”: it may ask the Commission to submit appropriate proposals when it considers that the adoption of a European Union act is necessary; if the Commission decides not to follow up on the European Parliament's request, it must nevertheless give reasons for its refusal

# The European Parliament

## The European Ombudsman

- appointed by Parliament for the duration of the legislature, with a renewable mandate, it is a body of individuals and exercises its functions in complete independence

# The European Parliament

## The European Ombudsman

- receives complaints from any citizen of the Union, or any natural or legal person residing or having its registered office in a Member State, concerning instances of maladministration in the activities of the Community institutions, with the sole exception of the Court of Justice.

# The European Parliament

- On the basis of such a complaint or even on its own initiative, it carries out the investigations it deems useful and, in the event of a positive conclusion, refers the matter to the authority concerned; the latter must communicate its point of view within three months.
- Upon completion of the procedure, it shall send a report to the European Parliament and the institution concerned, informing the complainant of the outcome of the investigation.