

European Communities

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EUROPEAN PARLIAMENT

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DOCUMENT 427/77

## Report

drawn up on behalf of the Political Committee

on European political cooperation

Rapporteur: Mr Erik BLUMENFELD

PE 50.829/fin.

On 7 April 1976 the enlarged Bureau authorized the Political Affairs Committee to draw up an own-initiative report on ways of improving the machinery of European political cooperation.

The committee had appointed Mr Blumenfeld rapporteur on 23 October 1975.

On 28 November 1977 it adopted the motion for a resolution by 14 votes to 2 with 2 abstentions.

Present: Mr Bertrand, chairman; Mr Radoux and Mr Johnston, vice-chairman; Mr Blumenfeld, rapporteur; Mr Bangemann, Lord Brimelow, Mr Durieux, Mr Galluzzi (deputizing for Mr Amendola), Mr Granelli, Mr Mitchell, Mr Prescott, Mr Rippon, Mr Scelba, Mr Schuijt, Mr Seefeld, Mr Sieglerschmidt, Mr Spinelli and Mr Zagari.

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A

The Political Affairs Committee hereby submits to the European the following motion for a resolution, together with explanatory sta

MOTION FOR A RESOLUTION

on European political cooperation

The European Parliament,

- noting the development of political cooperation machinery between over recent years ;
- considering that the links between the Foreign Ministers of the Ni the European Parliament must be improved and strengthened, particu with a view to providing the European Parliament with wider scope exercising influence over political cooperation ;
- regretting the instances of failure to coordinate the positions an action of the Nine Member States of the Community, particularly in cases in the General Assembly of the United Nations and in other international fora ;
- expressing its concern at the lack of substantive and up-to-date : given to the European Parliament by the Foreign Ministers of the 1 concerning measures of joint foreign policy ;

A. Requests the Governments of the Member States :

1. to ensure that the European Parliament is fully informed concern all joint foreign policy decisions taken by the Nine ;
2. to provide Parliament's Political Affairs Committee, in an appro with substantive and up-to-date information concerning the meeti and activities of the Foreign Ministers of the Nine outside the quarterly meetings and subsequent colloquies ;

3. to take account of the foreign policy guidelines adopted by the European Parliament ;
  4. to instruct the Foreign Ministers to submit a written annual report on European political cooperation to the European Parliament one month in advance of the annual debate in Parliament on European political cooperation ;
  5. to decide to end the artificial distinction between 'Community' and 'political cooperation' matters, and, in this respect, to invite the Commission to participate fully in all parts of all political cooperation meetings ;
  6. to instruct the Foreign Ministers to seek agreement on the political and related aspects of negotiations with third countries before the Council of Ministers gives a mandate to the Commission to open negotiations and to establish this mandate in the light of an orientation debate held by the Parliament ;
  7. to ensure that the Commission represents the Community in all major multilateral economic negotiations following agreement by the Foreign Ministers on the political and related aspects of such negotiations ;
- B. Instructs its President to forward this resolution together with the report of its committee to the Council and the Commission of the European Communities and to the Parliaments and Governments of the Member States.

EXPLANATORY STATEMENTCHAPTER I INTRODUCTION

1. The First Report on Political Cooperation was adopted by the Foreign Ministers of the Six in 1970. Since then, the Foreign Ministers of the Nine have approved a Second Report on European Political Cooperation (EPC), which established improved procedures for the coordination of the foreign policy of the Community Member States. The Parliament's own most recent report on political cooperation adopted by the Political Committee was drafted by its Rapporteur, Mr Mommersteeg, in early 1973.

2. In December 1974 the Heads of Government, meeting in Paris, approved the creation of the European Council, which met first in Dublin in March 1975. Mr Tindemans reported in December 1975 to the European Council on European Union, and made specific proposals on political cooperation.

3. Political cooperation has enjoyed some successes but has also suffered significant failures since 1973. It has, however, been going through a process of slow expansion welcomed by several governments of Member States. The moment therefore seems opportune for the Political Affairs Committee again to consider the objectives, structure and working of EPC and the participation of European parliamentarians in carrying out their duty of controlling EPC.

CHAPTER II STRUCTURE AND MACHINERY OF POLITICAL COOPERATION<sup>1</sup>Operation of Political Cooperation

4. The Political Committee ('Davignon' Committee) now meets almost every month, and in addition is convened when its members are attending meetings, such as the United Nations General Assembly or the European Council; its meetings are increasing in frequency. The working parties of experts established by the Second Report discuss matters of immediate importance and also problems with long-term implications, in which cases their nature is that of a 'planning meeting'. The communications system between the Foreign Ministries<sup>2</sup> provides for instant communication of political information between Foreign Ministries, rather than through Member States' Embassies. The latter now, however, appoint one official to follow political cooperation, and these officials increasingly meet with the director of political affairs of the Foreign Ministry of that Member State.

<sup>1</sup> See Annex 1 for summary of contents of First and Second Reports on Political Cooperation

<sup>2</sup> Known as 'COREUNET'. Some 500 telegrams a month are now communicated through COREUNET.

5. The Commission sees most of the telegrams exchanged on the COREUNET system. The Commission is present at almost all parts of all political cooperation meetings and is invited to take part in some meetings of the working parties, but the Council secretariat is never present. Although the Commission is invited to give its views at such meetings, it does not participate in decisions. It is the Presidency which plays the prime role in coordinating political cooperation discussions and providing an element of continuity during the six-month period concerned.

#### Failures in Political Cooperation

6. The advances made in constructing the machinery of political cooperation are welcome as far as they go. But the widening and intensification of the Community's foreign relations and failures of the Nine to cooperate effectively in the field of foreign policy lead inevitably to the conclusion that new machinery is necessary. The major failure was not responding effectively or in a united way to the situation created by the Israeli-Arab war of October 1973 and the consequent oil supply crisis.

The specific failures in political cooperation are dealt with in a later part of this Report, but relate essentially to lack of cooperation on Mediterranean policy, and in particular on Cyprus and the Lebanon, to the recognition of the Republic of Angola and to voting on important resolutions of the United Nations General Assembly.

7. The shortcomings in the structure of EPC are several, but derive principally from the fact that the Davignon procedures are operated by Foreign Ministers and their officials, who in spite of their European vocation, are conditioned to furthering their own country's objectives and interests in foreign affairs. This fact imposes a fundamental limitation on the potential degree of coordination which is possible in the interests of the Nine or the Community. Even if the political will to achieve coordination exists on the part of several Member States, the whole operation of the Davignon procedure leads to decisions achieved on the basis of the lowest common denominator of national interests, largely as interpreted by foreign ministry officials.

#### Weaknesses in Davignon procedures

8. A major problem in the machinery for political cooperation lies in the difficulty of assuring continuity in the work of such specialist groups of officials as exist in discussing the present and future situation in a given field. But some groups, such as the "Africa" group, do manage to meet frequently and thus to achieve some element of continuity. As the Commission stated in their report on European Union, 'Hitherto, political cooperation has seldom led to anything more than the Community reacting to events.'<sup>1</sup> For example there has to date been little success in anticipating the possible outcome of events, particularly in Africa, within the machinery of EPC.

9. Linked with this shortcoming is the lack of continuity in the conduct of political cooperation. The Presidency changes every six months, and at each change the Chairmen of the Conference of Foreign Ministers, of the Council, of the Political Committee and of the expert working parties are all changed. The operation of the machinery in toto is entrusted to a different Foreign Ministry, with all the potential for disruption in methods of work which this entails. A stronger element of continuity is essential in order to render the operation of the machinery more efficient.

#### Tindemans proposals on foreign policy

10. Chapter II of the Tindemans Report on European Union, submitted to the European Council, essentially concerns the external relations of the Union<sup>2</sup>

11. Mr Tindemans makes two important institutional proposals. First, that the distinction between ministerial meetings dealing with political cooperation and those dealing with Treaty subject matter should be ended: 'in order to decide on a policy the Ministers must be able to consider all aspects of the problems within the Council.' Second, that the creation of a 'single decision-making centre' (the Council at the level of Foreign Ministers) would avoid confusion between 'Community activities' and 'political cooperation' activities. The creation of a political cooperation office, as proposed later in the present report, could help to realise both the proposals made by Mr Tindemans. In practice, EPC items are already often placed on the agenda of ordinary Council meetings. But when they come up for discussion although the Ministers remain the same, their advisers, for these agenda items, change and become national foreign office officials.

12. The Tindemans report was considered by the European Council at its meeting at The Hague on 29/30 November 1976. In the statement issued at the end of the meeting the members of the European Council stated that 'the general lines of the comments by the Ministers of Foreign Affairs' on the different chapters of the Tindemans report were 'approved' by them. The

<sup>1</sup> Supplement 5/75 to Bulletin of European Communities, paragraph 65

<sup>2</sup> Supplement No.1/76 to Bulletin of European Communities.



meaning of this cryptic statement seems to be, in effect, that both the Foreign Ministers and the members of the European Council responded positively to Chapter II of the Tindemans Report. But, although apparently welcoming the proposals concerning the establishment of a 'single decision-making centre' in principle, considering that this would be a suitable long-term objective, the Governments seemed to think that in the short-term the practicable pragmatic solution would be to ensure that all relevant inputs from different but related dimensions of any particular problem should be taken into account in the decision-making process. It is essentially the role of the Presidency of the Council to coordinate these different inputs at all levels. The two classic instances of cases where this has happened already have been in determining the approach of the Nine to CSCE and Portugal. High-level consideration of the proposals made by Mr Tindemans in Chapter II of his report still continues. A further report from the Foreign Ministers to the European Council is due at the end of 1977.

13. Concerning other proposals made by Mr Tindemans in Chapter II, there has been little enthusiasm on the part of the European Council or on the part of the Foreign Ministers about his suggestion that a prior legal obligation should be accepted by Governments to reach agreement on certain selected problems of foreign policy. But there has, under outside pressure, been some progress on the adoption of a common position by the Nine in major multilateral negotiations. The outstanding instance was that of CSCE where the country holding the Presidency gave the lead and spoke for the Nine as a whole, where countries with a particular interest or expertise in specific agenda items spoke on behalf of the Community as a whole, where the Final Act was signed by the country holding the Presidency on behalf of the Community as a whole, and where the Commission took part in the Conference, taking its place at the Conference table in the delegation of the country holding the Presidency. It was also agreed that one Member State should speak on behalf of the Community during the Conference on International Economic Cooperation in Paris. These two instances are in contrast to the humiliating spectacle of the Member States of the Community sitting in conclave in 1976 in Nairobi, during UNCTAD IV, trying to make their minds up as to whether or not they should have a common position at the Conference.

14. As far as representation at Western economic summits is concerned, a notable advance was made at the London summit in May 1977, when the President of the Commission attended those discussions at the summit in which the direct interests of the Community were involved. Although some Community Member States have strongly criticised the fact that the President of the Commission was not present, as of right, throughout the whole Conference, the

fact that he was present during a significant part of the discussions constitutes a welcome precedent for the future. It should also be remembered that some Member States were against any participation in the London summit by the President of the Commission, acting on behalf of the Community, at all.

#### Foreign policy and security policy

15. In Chapter II of his Report on European Union Mr Tindemans includes a significant section on security questions. Looking to the future of European political cooperation (in the context of European Union) he states: 'No foreign policy can disregard threats, whether actual or potential, and the ability to meet them. Security cannot, therefore, be left outside the scope of the European Union'. Exchanges of views between the Nine on specific problems in defence matters and on European aspects of multilateral security negotiations could take the form of the national defence ministers joining together with the Nine Foreign Ministers at the quarterly meeting of the Conference, to discuss the security aspects of foreign affairs problems, wherever appropriate. Likewise representatives of national defence ministries could participate in working parties at official level.

16. It is understood that at present Member Governments are reluctant to raise defence issues within the political cooperation procedure, since those which participate in the work of the North Atlantic Alliance and, concerning arms procurement cooperation, in the work of the Independent European Planning Group, consider that these are at present the most appropriate fora for the consideration of defence and procurement questions. These are however matters to which the Foreign Ministers, with their defence colleagues, should address themselves with a view to widening discussions under political cooperation.

#### Relations with the USA

17. Links have developed over the years between European political cooperation and the US Government concerning some aspects of foreign policy. In particular it appears that the US Department of State has established the practice of consulting the President-in-Office of the Council (who is also the Chairman of the Conference of Foreign Ministers) before each quarterly meeting of the Foreign Ministers concerning questions of common interest to the United States and the Nine.

18. Further, the US State Department and the Foreign Ministries of the Nine have apparently tried to coordinate their approaches concerning the Cyprus problem and Rhodesia.

19. While it seems both sensible and advantageous for the Foreign Ministers of the Nine to introduce flexibility into their procedures by consulting friendly powers, such as the United States, where appropriate, it may be relevant to raise the question of parliamentary accountability in this context. Whereas the Foreign Ministers are accountable, although at present to a limited degree only, to the European Parliament a) through colloquies with the Parliament's Political Committee and b) through parliamentary questions and debates to what extent can the US element in such consultation be made accountable, if at all, to the European Parliament? It is interesting, in this context, to note that both the Japanese and United States governments have adopted the practice of strengthening their diplomatic representation in the capital of the Member State of the Community holding the Presidency of the Council and the Chairmanship of the Conference of Foreign Ministers. But the problem remains of how accountability of the Foreign Ministers to Parliament for political cooperation between the Nine and other countries is to be ensured.

#### The position of the Commission

20. Since 1973 the Commission has become considerably more involved in the working of political cooperation. It acts for the Community as such on the economic cooperation matters contained in Basket II of the Conference on Security and Cooperation in Europe, and has also coordinated the views of the Western countries in this field. It acts for the Community in all the technical sectors of the Euro-Arab Dialogue, which comprise the great part of the field of discussion. But it is, once again, the Presidency which plays the prime role, for the Community, in the management of the Euro-Arab Dialogue. The Presidency speaks for the Community as a whole, and on occasion a President-in-Office has invited the previous President and the next following President to a meeting to form a working team with him as a 'troika', thus providing continuity on the Community side. In addition the Commission attends meetings of Ministers on EPC and of the colloquies held between them and the Political Affairs Committee of the Parliament. It is also concerned in other areas of political cooperation, such as Cyprus, the Near East, and relations with the United States : the latter always appear as an aspect of other relations. But as the Commission is present at EPC meetings in the capacity of a 'guest' it considers that it must be discreet in its use of the information it obtains there.

21. As EPC develops, and becomes gradually a part of the framework of Community action, the role of the Commission will acquire greater importance in EPC. This is to be welcomed, particularly in view of the intention of the new Commission to be animated by greater political awareness in executing its economic and technical responsibilities under the Treaties. In particular the Commission is strongly placed to press the Foreign Ministers

and the European Council to take account of Community policies in making decisions in the foreign policy field, and also progressively to ensure the removal of the false distinction between EPC and Community matters. It is vital that the Commission should set itself these objectives and should do everything in its power to achieve them. At the same time, however, the Commission's responsibilities to Parliament in these areas will require redefinition.<sup>1</sup>

#### A Political Cooperation Office

22. The experience of six years' working of political cooperation and in particular of its working in the last three years leads more and more insistently to the conclusion that a permanent office is required, not only to organise cooperation at the existing level, but to provide for wider cooperation, a higher degree of political content in planning future policies and in making parliamentary control effective.

23. Before discussing the functions of an agency for political cooperation, it is worth recalling briefly the discussions in 1960-62 at Heads of Government, Foreign Minister and official level between the Six on the proposals for 'political union'.<sup>2</sup> Although the Six Community Member States failed to reach agreement on such a union, the French Government on the one hand and the five other Community Governments on the other elaborated differing proposals for an institutional framework, which retain some relevance.

24. Both texts sought the coordination and unification of the foreign and defence policies of Member States but that of 'the Five' insisted that a common defence policy must either be 'in the framework of the Atlantic Alliance' or must 'contribute to the strengthening of the Atlantic Alliance'. Both texts envisaged the creation of a Committee of Foreign Ministers and a Committee of Ministers of Defence. A 'Political Committee' was to be set up in order to prepare the discussions of the Council of Ministers and supervise their implementation. It was to be composed of senior officials from each Member State, and the French Government proposed that it should be situated in Paris.

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<sup>1</sup> See paragraph 48 below

<sup>2</sup> For a detailed account of these proposals see 'The negotiations on Political Union', PEP, London 1962.

#### Function of new Political Cooperation Office

25. What then should be the functions of a new body for political cooperation? It must first coordinate and plan the foreign policy of the Community and of the Nine Member States in the short-, medium- and long-term. In order to do this, the Office must monitor the current situation in each of the existing fields of Community and foreign policy activities throughout the world, and must forecast events as effectively as possible. The Office must then, on the basis of policy studies, put forward proposals for the conduct of common policies to the Nine Foreign Ministers, to COREPER<sup>1</sup>, and to the European Council. In exercising these functions, it should ensure close coordination in the foreign policy field between these bodies and the European Commission. Perhaps the most important of these functions in the short-term would be to ensure the gradual disappearance of any distinction or division between Community foreign policy and the foreign policies of Member States.

#### Structure of the new body

26. The Office could take one of a number of forms, but the following one seems the most realistic in present circumstances: administratively it should be responsible to the Secretary General of the Council, but politically it should work on the instructions of the Foreign Ministers and possibly on the instructions of the European Council. It would be funded from the Community Budget. It would work equally closely with the Council and the Commission, either by supplying representatives to Committees and working groups of COREPER and the Commission, or by inviting representatives of these bodies to attend its own working units. The Office would normally establish a working group to cover each of the principal fields in which a common foreign policy or coordinated action by the Member States had been achieved or was necessary. The Office should be sited at Brussels. The Office would replace the present EPC machinery at the level of Officials.

27. In order to emphasise the shift towards the development of a foreign policy for the Community, the Office should recruit staff on a different basis from that of the present Political Committee. While some senior officials should continue to be drawn from the national Foreign Ministries, a proportion of the staff should be drawn from the other Community institutions. There could also be an advisory role for expert observers of Community foreign affairs<sup>2</sup> to assist with policy studies in specific fields or on defence.

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<sup>1</sup> The Committee of Permanent Representatives, who are the national Ambassadors to the Community in Brussels. Its task is to prepare decisions taken by the Council. Its members also act as guardians and promoters of national interests.

<sup>2</sup> For example, those working in institutes of international or strategic affairs and possibly officials from OECD, NATO and WEU.

28. Then there is the all-important question of the role that the European Parliament should play in the formulation of a joint European foreign policy. First it must be recalled that both in the past and at present parliamentarians of the Member States have not been adequately informed, either in their national Parliaments or in the European Parliament, of the evolution of the foreign policy initiatives decided upon by the Foreign Ministers of the Nine. Foreign policy decisions of the Nine have been prepared by national foreign ministry officials, and taken by the Foreign Ministers in camera and parliamentarians have themselves been, and are still, confronted with a series of faits accomplis. Not only are parliamentarians not informed of foreign policy decisions taken by the Nine until after the press has already been informed, but, which is more important, they have no opportunity at all of influencing the decisions taken by the Foreign Ministers or of making an effective input into the closed and secret decision-making procedures of the Foreign Ministers. This is undemocratic and unsatisfactory and prevents parliamentarians from carrying out their duty of controlling the Executive.

29. In the future the Foreign Ministers must be prepared not only to give adequate information to parliamentarians concerning the evolution of their joint foreign policy proposals, but also to open up the decision-making process to allow the European Parliament to influence and help to shape the joint foreign policy initiatives taken. Further there is the question of the accountability to the European Parliament of the Political Cooperation Office for its work. Since those working for the Office will be civil servants acting according to the instructions given to them by the Foreign Ministers, its staff cannot be directly accountable to the Parliament. It is, therefore, the Foreign Ministers of the Member States who must be directly answerable to the European Parliament and to its Political Committee for the coordination and planning of a joint European foreign policy of Community and Member States in the short-, medium- and long-term.

30. Another proposal in the field of an Office for Political Cooperation has been put forward recently, which is designed to apply particularly to negotiations between the Community and the COMECON countries.<sup>1</sup> Before the Council gives a mandate to the Commission to embark on negotiations with a third country or outside body, it is proposed that the Council should first instruct the Nine Foreign Ministers to seek agreement on the political and security implications of the negotiations. The Commission should be invited to attend such discussions at Foreign Minister and Political Cooperation Office level. It would also be useful to seek guidance and information from NATO before arriving at decisions involving questions of security.

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<sup>1</sup> 'EEC: The road to better political cooperation'. 'The World Today', January 1976.

CHAPTER III    THE SEPARATION BETWEEN POLITICAL COOPERATION AND COMMUNITY MATTERS

Attitude of the Six

31. The texts of the Communiqué of The Hague Summit of December 1969 and of the First Report on political cooperation indicate that the Heads of Government and the Foreign Ministers of the Six at that time do not appear to have envisaged any distinction between political cooperation and Community matters. The former stated in The Hague communiqué that 'the European Communities remain the original nucleus from which European Unity has been developed and intensified'. The Foreign Ministers thought that their proposals for machinery of political cooperation should be based on two facts.<sup>1</sup> The first was that

'in line with the spirit of the Preambles to the Treaties of Paris and Rome, tangible form should be given to the will for a political union, which has always been a force for the progress of the European Communities';

The second fact was that

'implementation of the common policies being introduced or already in force requires corresponding developments in the specifically political sphere, so as to bring nearer the day when Europe can speak with one voice'.

Attitude of the Nine

32. The dichotomy between Community matters and political cooperation appears first to have been set out formally in the Second Report on political cooperation, for there appears the statement

'The political cooperation machinery, which deals on the inter-governmental level with problems of international politics, is distinct from and additional to the activities of the institutions of the Community, which are based on the juridical commitments undertaken by the Member States in the Treaty of Rome.'<sup>2</sup>

It is further explained that political cooperation machinery 'is responsible for dealing with questions of current interest and where possible for formulating common medium- and long-term positions' and must keep in mind the effects on Community policies.

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1 First Report, paragraphs 7 and 8. See Bulletin of the Communities, No. 11/70.

2 Bulletin of the European Communities, No. 9, 1973, section 1201, Appendix, paragraph 12.

#### Opposition to separation

33. Strong opposition has been expressed to the artificial distinction between political cooperation and Community matters. First, the resolution on European Union adopted by the European Parliament in July 1975, states that, in the field of foreign policy, 'New procedures must be developed to enable the Community to speak with a single voice in international policies'.<sup>1</sup> Second, the Commission, in its Report on European Union of June 1975, states that what must be done is 'to complete the elimination of the frequently artificial distinction between Community activities and matters for political cooperation.'<sup>2</sup>

34. Third, Mr Tindemans, in his Report on European Union, proposed that the European Council should end 'the distinction which still exists today between ministerial meetings which deal with political cooperation and those which deal with the subjects covered by the Treaties.'<sup>3</sup> The declaration by the European Council of November 1976 on this Report is now being studied by the Foreign Ministers, and also by the Political Affairs Committee of the European Parliament.

#### The need to end separation

35. The case for putting an end to the separation between Community and political cooperation matters can be buttressed by several concrete examples. The President-in-Office has been criticised in the European Parliament for explaining in some detail the policies of the Nine on Southern Africa, the recognition of the Transkei, Rhodesia and Namibia, without once mentioning the existence of the Convention of Lomé<sup>4</sup>. The latter was equally not mentioned in the Declarations by the Nine on Africa of February 1976 or April 1977<sup>5</sup>.

36. Relations between the Community and the Soviet Union and Eastern Europe are conducted on a variety of levels in a multitude of bodies at present. The Council and Commission are responsible for official relations with the Council for Mutual Economic Assistance (COMECON) in economic matters.

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1 OJ C. 179/28 of 6.8.1975

2 Supplement 5/75, paragraph 65, to Bulletin of the European Communities

3 Supplement 1/76, Part II, A, to Bulletin of European Communities

4 OJ Annex No. 209, Debates of the European Parliament, November 1976, pp. 95-96

5 PE 44.088 and PE 48.673



The Foreign Ministers are responsible for Baskets I and III of the Conference on Security and Cooperation in Europe (CSCE), while the Council and Commission are responsible for Basket II (economic cooperation); yet the Community as such signed the Helsinki Declaration as one body. In the Mutual and Balanced Force Reductions negotiations in Vienna, neither the Nine Foreign Ministers nor the Community are represented as such, but certain Member States are present. In the field of trade relations the Commission is completely within its rights in deciding unilaterally whether or not to sell Community stocks of food to the USSR. On the other hand relations with the USA are handled by the Nine Foreign Ministers as regards foreign affairs and by the Council and Commission in regard to trade and economic relations.

37. These few examples - and many more exist - indicate the clamant need to bring the responsibility for the conduct of all the Community's external relations, whether political, economic or commercial, under the aegis of one institution or organised body.

#### The role of the European Council

38. As Mr Tindemans recognised, the argument about the artificial distinction between Community and foreign policy matters has been complicated by the appearance of the 'European Council'. This body has now been in existence for just over two years, and its operation has already been the subject of proposals for change by its initiator, President Giscard d'Estaing. It was set up 'to ensure progress and overall consistency in the activities of the Communities and in the work on political cooperation'<sup>1</sup> and is apparently equally competent to discuss and to take decisions on purely Community matters (such as the regional fund and employment policy) and on foreign policy matters (such as political relations with Portugal and Rhodesia).

39. If the European Council is to be 'institutionalised' and to become, without actually being enshrined in the Treaties by formal amendment, part of the framework of the Community itself, it would seem logical to acknowledge the consequences of this development. On this basis, the Council of Foreign Ministers, acting as 'initiators and coordinators'<sup>2</sup> (i.e. as a proposer in some cases, a filter in others, and an executive agent in others) for the European Council, should be competent to deliberate and to take decisions in all the fields of policy covered by the European Council. If this logical step were taken, the Council would have been endowed de facto with a competence to consider and to reach conclusions on foreign policy as well as on Community matters.

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1 Bulletin of the European Communities, No. 12/74, section 1104, para. 2.

2 Bulletin of the European Communities, No. 12/74, section 1104, para. 3.

40. As a further consequence of formalising the working of the European Council, the bodies working together on foreign policy cooperation should equally be at the disposal of the European Council, through the medium of the Council of Ministers. Thus, if for example the European Council proposed to consider the Community's political and economic relationships with the USA or with the Mediterranean countries, COREPER, the Commission and the Office for Political Cooperation could all be called upon to provide information, studies, advice and alternative policy options for the European Council directly.

#### CHAPTER IV THE EUROPEAN PARLIAMENT AND POLITICAL COOPERATION

##### Existing Parliamentary procedures

41. The First Report by the Foreign Ministers of the Member States on political cooperation (the Davignon Report) established certain links between the machinery of political cooperation and the European Parliament<sup>1</sup>. The Report set up the system of six-monthly colloquies between the Ministers (sic) and the Political Affairs Committee of the European Parliament 'to discuss questions which are the subject of consultations in the framework of foreign policy cooperation'. The meetings were to be informal, to ensure that both sides could express their views freely. In addition, once each year the President-in-Office of the Council was to provide the European Parliament with a progress report on political cooperation.

42. The Second Report on EPC of July 1973 provided for four colloquies per year between Ministers and the Political Affairs Committee of the European Parliament.<sup>2</sup> The Committee (the Political Directors of the national foreign ministries) was invited to draw to the attention of the Ministers in advance 'proposals adopted by the European Parliament on foreign policy question' (Part II, paragraph 10). The annual oral report to Parliament was to continue.

##### Developments since 1973

43. Certain welcome developments have been achieved in relations between the Foreign Ministers and the European Parliament since the Second Report in 1973. First, at the Summit Conference in Paris in December 1974, the Heads of Government agreed that the Presidency of the Council would answer questions on political cooperation put by Members of the European Parliament<sup>3</sup>. In February 1975 the Foreign Ministers agreed that

<sup>1</sup> Bulletin of the European Communities, No. 11, 1970

<sup>2</sup> Ibid. No. 9, 1973, section 1201, Appendix, paragraph 10.

<sup>3</sup> Communiqué, paragraph 4. Bulletin of the EEC, No. 12/74, section 1104.

written questions under Rule 45 of the Parliament's Rules of Procedure, and oral questions without debate (Rule 46) and with debate (Rule 47) on 'the activities of political cooperation' would be answered by the Presidency. Some flexibility was however to be exercised in regard to the time-limits for answers to questions<sup>1</sup>.

44. On 17 November 1976 Parliament unanimously adopted a motion for resolution which included provision for the answering by the Presidency at Question Time of questions on the activities of political cooperation<sup>2</sup>. The Presidency has since drawn attention to certain difficulties which could lead to a delay in providing answers to oral questions at Question Time<sup>3</sup>.

45. The procedure for the presentation of an annual oral report on political cooperation by the Presidency was developed further in October 1973, when the President-in-Office, Mr K.B. Andersen, agreed that a debate should be held following his statement, to which he made a reply<sup>4</sup>. This procedure has since been followed every year.

#### Improvement of existing procedures

##### a) Debates

46. Members of Parliament find themselves at a disadvantage in having to debate immediately an annual report made orally by the President-in-Office. It would be a great improvement if a written report on EPC was to be circulated in all working languages in advance, which Members could then study before the debate. This would permit a more considered appreciation by Members of the work of the Foreign Ministers, which in turn would produce a more balanced and informed debate.

47. This procedure should also be extended to cover the work of the European Council. An oral report on the activities of the European Council should be submitted to Parliament by the Head of Government of the Member State holding the Presidency at Parliament's next session following each meeting of the European Council<sup>5</sup>. This report should cover not only specific Community business but the other general discussions and conclusions of the European Council, and political cooperation, and should be followed by a debate. It is

<sup>1</sup> PE 39.916/rev.

<sup>2</sup> Doc. 336/76. OJ C 293/23 of 13.12.1976

<sup>3</sup> PE 48.542

<sup>4</sup> OJ Annex No. 167, Debates of the European Parliament, p. 84ff.

<sup>5</sup> As has already been suggested by Sir Peter Kirk in his draft report for the Political Committee on Inter-Institutional Relations.

essential that Parliament should be able to debate, on a formal basis of this kind, foreign policy activities of the European Council, which have so far been accountable to the Parliament and which have not been covered the annual reports on political cooperation activities.

b) Information from the Commission

48. As has been shown above, the Commission participate in political cooperation to a much greater extent than five years ago; it is also closely involved in the CSCE and the Euro-Arab Dialogue, both of which major elements of political cooperation policy bridge the rapidly narrowing divide between political cooperation and Community matters as such. However attempts by Parliament's Political Affairs Committee to obtain information about the Commission's involvement in political cooperation have been almost entirely fruitless. If the Commission is to adopt a more political stance and to give real assistance to Parliament, it must ensure that Parliamentary Committees are fully and regularly informed on matters of foreign policy which impinge upon the Commission's areas of responsibility.

c) Colloquies

49. The Political Affairs Committee of the European Parliament has on several occasions criticised details of the procedure for holding four colloquies per year with the Presidency of the Foreign Ministers. Although the Second Report stated that 'the Ministers' would meet with Members of the Political Affairs Committee, in practice it has been exceptional for more than one Minister to be present. The Committee have brought this situation to the attention of successive Presidents-in-Office without any improvement having been achieved. It is obviously desirable that the Committee should have the benefit of the expertise and experience of as many Foreign Ministers as possible, as well as those of the Commission in order to deepen their knowledge and understanding of the development of EPC.

50. The Committee have also been obliged to criticise the delay by successive Presidents-in-Office in informing them of the results of the latest meeting of the Foreign Ministers. Delays have on occasion been measured in weeks, so that very often events have overtaken the Ministers' discussions. This is patently unsatisfactory to the Committee, and little improvement has been obtained as a result of its protests, despite the Committee's willingness to meet the convenience of the President-in-Office in regard to the venue of the colloquy. It is therefore proposed that

colloquies should in future be held immediately after a substantive Foreign Ministers' meeting on political cooperation has ended, and after any subsequent Press Conference has concluded. Members of a directly-elected Parliament will be more easily able to attend such meetings, at which they should be able to question the Foreign Ministers freely on their discussions.

51. A third major ground of criticism of colloquy procedures by the Political Affairs Committee has been the paucity of information given by the Presidency. Members have repeatedly been obliged to complain to the President-in-Office that almost all the information he has given them has already been published in the Press. As the Committee has always respected the confidential nature of the colloquies, the continued unwillingness of successive Presidents-in-Office to impart confidential information to it indicates a refusal to associate the Parliament more closely with the work of the Presidency.

52. The Committee has also made specific criticisms of the short time set aside by the President-in-Office for meeting it. Frequently, questions by Members have had to be restricted, or the reply by the Presidency has been cut short by lack of time. This problem has prevented the proper development of the colloquies as a useful element in relations between the European Parliament and the Foreign Ministers. In future, therefore, adequate time should be set aside by the Presidency for colloquies with the Political Committee. During Question Time in Parliament it is essential that the Chairman-in-Office provides an answer to oral questions put to him on EPC so that a debate can ensue if desired by Members.

53. The Second Report on political cooperation gave the Political Directors the opportunity 'for the purpose of preparing the colloquies' of drawing to the attention of the Foreign Ministers 'proposals adopted by the European Parliament on foreign policy questions.' Within its limits, this procedure has had some usefulness, but the time is now ripe to take two further steps beyond it, in order to implement the desire of the Heads of Government to associate the Parliament more closely with EPC.

#### New proposals

54. In the first place, the Foreign Ministers should agree to consider at their meetings on political cooperation items proposed by the Political Affairs Committee<sup>1</sup>. It might well be that, in the course of a colloquy,

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<sup>1</sup> This proposal has already been put forward in the Draft Interim Resolution on Inter-Institutional Relations, presented to Parliament's Political Committee by Sir Peter Kirk.

a debate in Parliament or a discussion in the Committee, a matter arises which Members feel should be discussed, if necessary with prior preparation by the Political Cooperation Office, by the Foreign Ministers. If so, it would be for Parliament to request the Presidency to give full consideration to the inclusion of such matters on the agenda of the forthcoming EPC meetings of Foreign Ministers.

55. Second, a statement should be made to Parliament, at its first session following each European Council meeting, by the Head of State or of Government chairing that meeting of the European Council. In this statement both the political and economic aspects of the work of the European Council should be explained, and questions put by Members of the Parliament could be answered. In this way the European Council could be brought into a formal and fruitful relationship with the European Parliament and some degree of political accountability developed from the European Council to Parliament<sup>1</sup>.

#### Conclusion

56. As has been said in the Introduction, the object of this report is to ensure a proper degree of Parliamentary control over the formulation of a joint European foreign policy. The main duties of Members of Parliament are to influence and control both legislation and the policy-making process. Members of the European Parliament are denied at almost every level the opportunity of studying, influencing and controlling the joint foreign policy of the Community and the Nine Member States. This is an intolerable situation, which constitutes a denial of Parliamentary democracy and which must be put right. At the same time, the introduction of new methods of Parliamentary control should be carried out step by step, as is proposed in the motion for resolution. The European Parliament, the Governments of the Member States and the Commission must realise that this is a fundamental matter and must treat it as one of high importance.

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<sup>1</sup> As proposed by Sir Peter Kirk in his Draft Report and Resolution on Inter-Institutional Relations submitted to Parliament's Political Committee.

MACHINERY OF POLITICAL COOPERATION

1. The machinery of political cooperation was defined by the First and Second Reports on the subject, made by the Foreign Ministers of the Six in 1970<sup>1</sup> and of the Nine in 1973<sup>2</sup>.

First (Luxembourg) Report on Political Cooperation

2. - The Ministers of Foreign Affairs are to meet at least twice each year; this meeting may be replaced by a Summit Conference (if the Ministers believe that the circumstances are sufficiently serious or the subjects to be dealt with important enough);
- A 'Political Committee' consisting of the Political Directors of the Foreign Ministries will prepare these ministerial meetings in addition to carrying out the tasks set in accordance with this report;
- This Committee will meet at least four times a year; it may set up working parties and entrust special tasks to groups of experts;
- The ministerial meetings and the meetings of the Political Committee will be chaired by the country which holds the presidency of the Council of the European Communities;
- This country will also provide the Secretariat (which will therefore change every six months).

Second (Copenhagen) Report

3. The machinery established by the Second Report was founded in part on existing procedures, which had developed since the First Report, and in part on new procedures. As provided for by the 1972 Paris Summit Conference<sup>3</sup>, the Foreign Ministers were to meet four times a year and to consult at other times. A group of 'correspondents' on EPC was set up, each Foreign Ministry nominating an official to be its 'correspondent' within the Davignon procedure. In addition ad hoc working parties were provided for, 'to ensure more thorough consultation on individual questions'.

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<sup>1</sup> Bulletin of the European Communities, No. 11, 1970

<sup>2</sup> Ibid, No. 9, 1973, section 1201, Appendix

<sup>3</sup> Ibid, No. 10, 1972

4. The formulation of medium and long-term provisions was entrusted either to groups of experts already occupied with current matters or to a special analysis and research group of officials. The Embassies of the Nine in the Member States were to receive information on political cooperation and to hold consultations either at the seat of the Presidency or elsewhere. Embassies in third countries were to be kept informed and to prepare a common report if necessary, as were the permanent representatives of the Member States to major international organisations.

5. The Presidency was given a more specific role than hitherto. It was to be responsible for ensuring the implementation of conclusions adopted by Ministers and by the Political Committee. It could propose consultations, either on its own initiative or on that of another Member State. It should also keep informed the Ambassadors of the Member States on the progress of work on political cooperation. A special communications system was to be established between the Nine Foreign Ministries (COREUNET).