

DM/pr

Place of Work of the European Parliament

1. In considering the place of work of the European Parliament it is first necessary to distinguish between four concepts which are as follows:-

- a) The permanent seat of the Community institutions.
- b) The provisional places of work of the institutions.
- c) The places where sessions of the European Parliament are held.
- d) The site of the Secretariat of the Parliament.

2. It is perhaps useful to confine the ambit of this Note to items (b), (c) and (d) as above, in view of the fact that the permanent seat of the institutions has not, despite 22 years of the existence of the Community, yet been determined, despite the fact that Article 216 EEC states that it "shall be determined by common accord of the Governments of the Member States".

3. As the Council and Commission work in Brussels on a provisional basis, and the work of the Parliament is divided provisionally between three places at present, it appears much more practical to confine this Note to consideration of matters relating to the place of work of the Parliament on the basis of provisional places of work established under the Decision of the Representatives of the Governments of the Member States of 8 April 1965. This Decision, made pursuant to Article 37 of the Merger Treaty, was not a Decision of the Council under Article 189 EEC but purported to have legal force. This claim has been contested, notably in the legal opinion on the seat of the European Parliament drafted by the Legal Services (PE 60.164/rev/BUR, attached) but only insofar as the European Parliament is concerned.

4. It may be useful to consider items (b), (c) and (d) as above under the headings of the three provisional places of work of the Community institutions, as laid down in Article 1 of the 1965 Decision.

Strasbourg

5. In regard to buildings, the Palais de l'Europe is owned by the Council of Europe which rents accommodation therein to the European Parliament. P building is owned by the Parliament itself; C building is provided rent-free by the City of Strasbourg. The Parliament has decided to hold sessions in places other than Strasbourg since 1967. In that year the first part-sessions were held in Luxembourg, a practice which has continued since then, until in the five years before direct elections about half the part-sessions were held at the European Centre in Luxembourg. This excited two letters of protest from the French Government to Presidents of the European Parliament, but by June 1979 had become accepted practice. It would be politically impracticable not to continue holding certain sessions of the Parliament in Strasbourg, but no understanding - written or oral - has ever been arrived at with the French Government about the proportion of sessions to be held at Strasbourg.

6. If the number of sessions at Strasbourg were to be reduced to two per year, there would be no need to pay compensation to the Council of Europe, provided that reasonable notice of any change were to be given. Rent would then be payable only in respect of the occasions during each year when Parliament occupied the Palais de l'Europe.

Luxembourg

7. The Tower and Schuman buildings of the European Centre at Luxembourg are rented by the European Parliament from the Luxembourg Government on an annual basis. The Tower building was originally occupied partly by the Secretariat of the Parliament and partly by that of the Commission, but is now entirely occupied by the European Parliament Secretariat. No form of financial

compensation would appear to be required, in the event of the European Parliament ceasing to rent them (after due notice had been given), for the Luxembourg Government.

8. Equally, as sessions have been held since 1967 at Luxembourg on a practical, year-to-year basis, no compensation could be expected by the Luxembourg Government if sessions were no longer to be held in Luxembourg.

9. A much more complicated situation arises, however, in relation to the Secretariat of the Parliament. Under Article 4 of the above mentioned 1965 Decision, "the General Secretariat of the Assembly and its departments shall remain in Luxembourg". This statement merely confirms a previous Decision in 1953 of the European Parliament itself to site its Secretariat in Luxembourg. The European Parliament can thus be held to have the power of decision over the site of its Secretariat, subject to a definitive decision being taken by the Member States under Article 216 EEC on the permanent seat of the Community institutions.

10. The Luxembourg Government, particularly in the last five years, have emphasised the paramount importance to them of the economic arguments for the Secretariat of Parliament remaining in Luxembourg. This issue has thus become less one of prestige than of economic advantage. Any proposal, therefore, to transfer the Secretariat of Parliament could be expected to provoke a request from the Luxembourg Government for some type of financial compensation. This might take the form of transfer of further departments of the Commission from Brussels to Luxembourg, or of the transfer of another Community institution such as the Economic and Social Committee to Luxembourg. Alternatively, it could be argued that the Luxembourg Government had been fortunate in securing the site of the Secretariat of Parliament in Luxembourg for a period of 22 years, and that the advantages which had accrued to it might now be fairly granted to another Community country. To support this argument, one can recall that the latest Commission figures for payments by the Community

to Member States show that those made per capita to the Grand Duchy of Luxembourg far exceed those made to any other country.

Brussels

11. The existing office building of Parliament at Boulevard de l'Empereur is rented from a commercial firm. The new building in rue Belliard is to be rented from the Belgian Government. The Bureau has under consideration the provision of a 250-office building close to the rue Belliard building, for the use of the European Parliament. Permission has been granted by the local commune for the construction of a six storey office building on a site fronting on the rue Belliard, and separated from the Parliament building there only by a narrow road. This six storey office building could, therefore, easily be connected with the existing building by a bridge or tunnel. It is not impossible to foresee the construction of a Chamber behind either the existing building or the new six storey building; behind the latter are some derelict railway sidings which might well be pressed into service for the Parliament.

12. Sessions could be held in a symbolic sense in the Palais des Congrès in Brussels, which is situated beneath the building of the Economic and Social Committee. It is therefore close to the Parliament's existing offices in Boulevard de l'Empereur; it is fully equipped for interpretation; but the seating is arranged like that in a cinema, so that all seats face forward. It would almost certainly not be practical to hold other than a short session of one or two days there.

Secretariat

13. Some 100 staff of the Secretariat and the political groups are already in post at Boulevard de l'Empereur. The groups have offices there and there are a few rooms available for Members on a basis of several Members sharing one room. All other facilities are very limited, where they exist at all. The new building in rue Belliard will provide substantially more accommodation for both the Secretariat and the groups,