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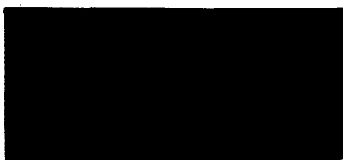
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Europa-Parlamentets institutionelle beslutninger, Genscher/Colombo-akten og Den højtidelige Erklæring i Stuttgart: en sammenligning

Ein Vergleich der Genscher/Colombo-Akte bzw. feierlichen Erklärung von Stuttgart mit den institutionellen Entschlüssen des Europäischen Parlaments

Τα θεσμικού περιεχομένου ψηφίσματα του Ευρωπαϊκού Κοινοβουλίου, το σχέδιο πράξεως που πρότειναν η γερμανική και η ιταλική κυβέρνηση και η πανηγυρική διακήρυξη της Στουτγάρδης: Συγκριτική Μελέτη

Parliamentary Institutional Resolutions, the Genscher-Colombo Act and the Solemn Declaration of Stuttgart: a comparison

Étude comparative des résolutions institutionnelles du Parlement européen, du projet d'Acte présenté par les gouvernements allemand et italien et de la Déclaration solennelle de Stuttgart

Confronto tra le risoluzioni di carattere istituzionale del Parlamento europeo, il progetto di Atto europeo proposto dai governi tedesco e italiano e la Dichiarazione solenne di Stoccarda

De institutionele resoluties van het Europese Parlement, de door de regeringen van de Bondsrepubliek Duitsland en Italië voorgestelde Ontwerp-Akte en de Plechtige Verklaring van Stuttgart: een vergelijkend onderzoek

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THE INSTITUTIONAL RESOLUTIONS OF THE EUROPEAN PARLIAMENT,
THE DRAFT ACT PROPOSED BY THE GERMAN AND ITALIAN GOVERNMENTS
AND THE SOLEMN DECLARATION OF STUTTGART: A COMPARISON

This study, undertaken on its own initiative by the Political Division of the Directorate General for Research and Documentation, seeks to compare various proposals made by the European Parliament for improving its relations with other Community institutions and bodies (see 'Resolutions of the European Parliament', column 1) with the proposals made in the Draft European Act by the German and Italian Governments (the 'Genscher/Colombo proposals', column 2) and the text finally adopted by the European Council at Stuttgart in June 1983 ('Solemn Declaration on European Union', column 3).

The Draft European Act has been taken as the basic text, and the proposals therein relating to the European Parliament are therefore set out in chronological order in column 2 of the Table. Column 1 contains the original proposals made by Parliament in its institutional resolutions, based on reports presented by the Political Committee; column 3 contains the relevant sections of the Solemn Declaration on European Union.

It is hoped that this Research and Documentation Paper will assist Members of the European Parliament and the Press and public to gain a clearer conception of the work which Parliament has done in this field and of the degree of acceptance which it has gained, both in the Draft Act and in the Solemn Declaration.

The study is published in all languages of the Community and was prepared by Mr Francesco Saverio Solari.

Klaus POEHLE
Director



Res. on European political cooperation and the role of the EP (Lady Elles)(1):

Par. 11

To request the European Council to renew the commitment of the Member States to speak with one voice on all external matters of vital concern to the Community;

2.(ii) To enable Member States, through a common foreign policy, to act in concert in world affairs so that Europe will be increasingly able to assume the international role incumbent upon it by virtue of its economic and political importance,

3.2 (point 4) Progressive development and definition of common principles and objectives as well as the identification of common interests in order to strengthen the possibilities of joint action in the field of foreign policy,

Res. on EPC and role of the EP :

Par. 4

To invite, whenever appropriate, all those other ministers, and their officials, who are affected by the agenda to attend meetings of Foreign Ministers or their officials within the framework of European political cooperation in order to ensure that all matters pertaining to international relations and the foreign policies of the Member States may be fully and adequately dealt with, including those that have a bearing on the security of the Member States of the European Community;

2.(iii) The coordination of security policy, and the adoption of common European positions in this sphere in order to safeguard Europe's independence, protect its vital interest and strengthen its security,

3.2 (point 5) Coordination of positions of Member States on the political and economic aspects of security;

Res. on EPC and role of the EP :

Par. 3

To establish, immediately, a procedure under which the Foreign Ministers of the Ten would meet within 48 hours at a request made by three Member States;

4.(i) Intensified, regular and timely consultations among the Ten with a view to united action on all international questions of common interest,

3.2 (point 1) Intensified consultations with a view to permitting timely joint action on all major foreign policy questions of interest to the Ten as a whole;

(1) OJ C 234/67 of 14.9.1981

(2) Bulletin EC 11-1981, p. 87 and following

(3) Bulletin EC 6-1983, p.24 and following

<p>Res. on EPC and the role of the EP:</p> <p>Para. 1 (a) To submit to the European Council before the end of 1981, following consultation with the European Parliament, a third report on European political cooperation including: - a reference to the undertaking given by the Member States in the Copenhagen report on European political cooperation of 23 July 1973 as a general rule to consult each other before adopting a final position on a matter relating to EPC, so that Member States adopt such consultation as a firm principle and put it into practice on all occasions;</p>	<p>4.(ii) The adoption of final positions only after consultation with the other Member States;</p>	<p>3.2 (point 2) Prior consultation with the other Member States in advance of the adoption of final positions on these questions. The Heads of State or Government underline their undertaking that each Member State will take full account of the positions of its partners and give due weight to the adoption and implementation of common European positions when working out national positions and taking national action;</p>
<p>Res. on EPC and the role of the EP:</p> <p>Para. 6 To establish closer links between political cooperation and the Council of Ministers of the Community in order to achieve a coherent Community policy, particularly in the area of external economic relations, relations with the developing countries and international protection of human rights;</p>	<p>4.(iv) Closer worldwide contacts with other countries of particular interest to the Ten,</p>	<p>3.2 (point 6) Increased contacts with third countries in order to give the Ten greater weight as an interlocutor in the foreign policy field;</p>
<p>Res. on EPC and the role of the EP:</p> <p>Para. 9(f) In accordance with the Copenhagen Report, ensuring that the Political Committee of EPC directs its attention to the proposals adopted by the European Parliament in the field of foreign policy; for this purpose the Foreign Ministers should instruct the Political Committee to discuss the European Parliament's proposals at the earliest opportunity;</p>	<p>4.(v) Greater respect for Resolutions of the European Parliament when the Ten come to decisions.</p>	<p>3.2 (point 9) Increasing recognition of the contribution which the European Parliament makes to the development of a coordinated foreign policy of the Ten.</p>

1. The decision-making structures of the European Communities and European political cooperation shall be brought together under the responsibility of the European Council. The European Council shall be the source of political guidance of the European Community and of European political cooperation. It shall be composed of the Heads of State of Government and of the Foreign Ministers of the Member States.

Res. on the role of the EP in its relations with the European Council (Antoniozzi) (1)

Para. 1

The European Council, whenever it acts as the Council within the meaning of the Treaties, to abide by the established procedures for consultation and conciliation between the Council and the European Parliament;

2. The European Council shall deliberate upon all matters concerning the European Community and European political cooperation. Preparations for its meetings shall be the special responsibility of the Foreign Ministers. The European Council may take decisions and lay down guidelines. Matters concerning the European Communities shall continue to be governed by the provisions and procedures of the Treaties of Paris and Rome and agreements supplementary thereto.

2.1.3 When the European Council acts in matters within the scope of the European Communities, it does so in its capacity as the Council within the meaning of the Treaties.

3. The Heads of State or Government reaffirm the central importance of the European Parliament in the development of European Union, an importance which must be reflected in its direct involvement in the decision-making process and by its review function. They therefore envisage the following improvements for the Community within the scope of the Treaties of Paris and Rome:
(1) The European Parliament shall debate all matters relating to the European Community and European political cooperation.

2.3.2 The European Parliament debates all matters relating to European Union, including European Political Cooperation. In matters relating to the European Communities, it deliberates in accordance with the provisions and procedures laid down in the Treaties establishing the European Communities and in agreements supplementing them.

Res. on the role of the EP in its relations with the European Council:

Para. 3

The European Council - represented by its President-in-Office - to take part once a year in a general debate in Parliament on progress towards European integration and the role of the Community in international politics. The European Council should forward to the European Parliament a written communication on this topic one month before the joint debate which could be linked to the debate on the Commission's Annual Report;

3(2) The European Council shall report to Parliament every six months. It shall also submit an annual report to Parliament on progress towards European Union. In the debate on these reports the European Council shall be represented by its President (or by one of its members).

2.1.4 The European Council will address a report to the European Parliament after each of its meetings. This report will be presented at least once during each Presidency by the President of the European Council.

The European Council will also address a written annual report to the European Parliament on progress towards European Union.

In the debates to which these reports give rise, the European Council will normally be represented by its President or one of its members.

Res. on EPC and the role of the EP :

Para. 9 (f)

See page 2

Para. 9(a)

To implement measures improving contacts with the Parliament in the following ways, for example:

(a) the regular holding of colloquies and revised procedures for preparation and organisation of these colloquies along the lines set out in Chapter 8 of the Explanatory Statement of the report;

3(3) The European Parliament may submit oral or written questions concerning all aspects of European Union to the Council and the Commission. It may make recommendations to the European Council, the Council and the Commission. Resolutions of the European Parliament shall be notified to the Council (foreign affairs) for discussion by it. If Parliament asks for the Council's comments, the Council shall comply with the request. The President of the Council shall keep Parliament informed through its Political Affairs Committee of the subjects of international policy dealt with in European political cooperation.

2.3.4 The Presidency will address the European Parliament at the beginning of its term of office and present its programme. It will report to the European Parliament at the end of its term on the progress achieved.

The Presidency keeps the European Parliament regularly informed through the Political Affairs Committee of the subjects of foreign policy examined in the context of European Political Cooperation.

Once a year the Presidency reports to the European Parliament in plenary session on progress in the field of Political Cooperation.

Res. on the relations between the EP and the Commission (Mr. Rey) (1):

Para. 3
Feels that it should be consulted when the mandate of the President of the Commission is renewed and that it should hold a public debate in his presence ending with a vote of confidence ratifying his appointment; it is essential, therefore, for Parliament to encourage the Commission to give priority to the political aspects of its activities;

Para. 8
Hopes, therefore, that its Political Affairs Committee will have the opportunity of holding a general exchange of views with the President-designate of the Commission on the programme envisaged, before the Commissioners are appointed; once the Commission has been officially appointed, Parliament will hold a public debate with it ending with a vote ratifying and expressing confidence in its appointment;

Res. on relations between the EP and the Council (Mr Hänsch) (2)

Para. 16(a)
Urges the Council to extend the conciliation procedure laid down in the declaration of 4 March 1975 to all of the Commission's proposals to the Council to which Parliament attaches especial importance and on which it requests that the conciliation procedure be opened when it delivers its opinion; and considers that the legal acts which might be the subject of conciliation should include those concerning the further constitutional development of the Community and decisions on specific Community policies;

3(4) Before the President of the Commission is appointed, the President of the Council shall consult the President of the European Parliament. After the appointment of the Members of the Commission by the governments of the Member States, an investiture debate shall be held in which Parliament shall discuss the Commission's programme.

2.3.5 Before the appointment of the President of the Commission, the President of the Representatives of the Governments of the Member States seeks the Opinion of the enlarged Bureau of the European Parliament. After the appointment of the members of the Commission by the Governments of the Member States, the Commission presents its programme to the European Parliament to debate and to vote on that programme.

3(5) Parliament shall be associated with Community acts of general application which have appreciable financial implications on the basis of the joint declaration by the European Parliament, the Council and the Commission of 4 March 1975 on the conciliation procedure. The conciliation procedure shall be applied by analogy, in a way suited to practical requirements, in legislation by the Council pursuant to the Treaties of Paris and Rome if in its Opinion Parliament asks for this to be done because of the particular significance of the legislation in question.

2.3.6. The Council will enter into talks with the European Parliament and the Commission with the aim, within the framework of a new agreement, of improving and extending the scope of the conciliation procedure provided for in the Joint Declaration of 4 March 1975.

RESOLUTIONS OF THE EUROPEAN PARLIAMENT	GERMAN-ITALIAN INITIATIVE DRAFT EUROPEAN ACT (GENSCHER - COLOMBO)	SOLEMN DECLARATION ON EUROPEAN UNION
<p>Res. on the right of legislative initiative and on the role of the EP in the legislative process of the Community (Mr Van Miert)(1):</p> <p>Para. 10 (a)</p> <p>Urges the Council to extend the conciliation procedure laid down in the declaration of 4 March 1975 to all of the Commission's proposals to the Council to which Parliament attaches especial importance and on which it requests that the conciliation procedure be opened when it delivers its opinion; and considers that the legal acts which might be the subject of conciliation should include proposals concerning the further constitutional development of the Community and decisions on specific Community policies;</p>	<p>3(5) See page 5</p>	<p>2.3.6 See page 5</p>
<p>Res. on relations between the EP and the Council</p> <p>Para. 16(b)</p> <p>Repeats the demand made in its resolution of 17 April 1980 adopted on the basis of the Blumenfeld report, that it should be consulted formally and in the early stages of negotiations on the accession of further states to the Community and calls on the Council and Commission to propose to the Member States procedures which would permit Parliament to exercise its right to participate in such adjustments to the Treaties as are already legally subject to a conciliation procedure in the case of autonomous amendment;</p>	<p>3(6) Before the accession or association of further States and before the conclusion of international treaties by the European Communities, Parliament shall be consulted: its appropriate committees shall be briefed regularly on such matters. In formulating the expanded consultation procedure, due regard shall be given to the requirements of confidentiality and urgency.</p>	<p>2.3.7 In addition to the consultations provided for in the Treaties with respect to certain international agreements, the Opinion of the European Parliament will be sought before:</p> <ul style="list-style-type: none"> . the conclusion of other significant international agreements by the Community, . the accession of a State to the European Community.
<p>Res. on the role of the EP in the negotiation and ratification of treaties of accession and of other treaties and agreements between the EC and third countries. (Mr Blumenfeld) (2)</p> <p>Para. A.I.</p> <p>The Commission and Council shall declare that they will involve the EP in the conclusion of all agreements concluded on the basis of the Treaties establishing the Community;</p>		

(1) OJ C 234/64 of 14.9.81
(2) OJ C 66/68 of 15.3.82

Res. on the role of the EP in the negotiation and ratification of treaties of accession and of other treaties and agreements between the EC and third countries:

Para. B. V.

The responsible Commissioner shall, during the course of the negotiations with the applicant State, make confidential and unofficial reports to Parliament's relevant committees on the development of negotiations;

3(6)

See page 6

2.3.7 (Last paragraph) The existing procedures for providing the European Parliament with confidential and unofficial information on progress in negotiations will be extended, taking into account the requirements of urgency, to all significant international agreements concluded by the Communities.

3(7) In the further development of fundamental human rights, special legitimacy attaches to the deliberations and decisions of the European Parliament.

Res. on relations between the EP and the National Parliaments (Mr Diligent)(1):

Para. 1

Considers that continuous and organic relations must be developed between the European Parliament and the National Parliaments.

3(8) Continuous reciprocal contacts and consultations between the European Parliament and the National Parliaments should be developed further in accordance with procedures determined by the latter, with a view to enhancing public awareness of European unification and making the debates on aspects of European Union more fruitful.

Res. on EPC and the role of the EP:

Para. 8

To request better coordination of the policy-making processes between the Foreign Ministers meeting in political cooperation and other institutions of the Community;

4(1) The Council (Foreign Affairs) shall be responsible for European political cooperation. This shall not affect the powers of the Council of the European Communities pursuant to the Treaties of Paris and Rome. (Contd. next page)

Res. on EPC and the role of the EP:

Para 4

See first page

4(1) 2nd paragraph

Coordination in matters of security should promote common action with a view to safeguarding the independence of Europe, protecting its vital interests and strengthening its security. For these discussions the Council may convene in a different composition if there is a need to deal with matters of common interest in more detail.

Res. on EPC and the role of the EP:

Para. 4

See first page

4(3) The European Council may decide on the establishment of further councils to coordinate the policy of the Member States in areas not covered by the Treaties of Paris and Rome.

Res. on EPC and the role of the EP:

Para. 1(b)

To submit to the European Council before the end of 1981, following consultation with the European Parliament, a third report on European political cooperation including:
(b) proposals for improving its machinery, in particular, the creation of a permanent secretariat to ensure continuity in the work of European political cooperation, which will be answerable to the Foreign Ministers meeting in political cooperation and able to provide Parliament, through its Political Affairs Committee, with full and up-to-date information;

7. The European Council and the Councils shall, where matters pertaining to the European Communities are concerned, be assisted by the Secretariat of the Council and, in the fields of foreign policy, security policy and cultural cooperation, by an expandable Secretariat of European political cooperation.

Res. on relations between the EP and the Council:

Para. 27

Emphasises that the provision of Article 148, paragraph 1 of the EEC Treaty is mandatory, and obliges the Council to act, where appropriate, by a majority of its members;

Para. 28 (a)

Recalls the final communiqué of the Paris Summit Conference in 1974 which gave an assurance that the Council would return to majority decision-making, and the Commission's demand of March 1978 for a return to majority decisions before the second enlargement of the Community, and calls upon the Council to revert to the decision-making procedures stipulated in the Treaties as the normal rule;

8.(1) In view of the need to improve the decision-making processes and hence the European Communities' capacity for action, decisive importance attaches to the voting procedures provided in the Treaties of Paris and Rome. The Member States will utilise every opportunity to facilitate decision-making.

2.2.2 (first paragraph)

The application of the decision-making procedures laid down in the Treaties of Paris and Rome is of vital importance in order to improve the European Communities' capacity to act.

Res. on the relations between the EP
and the Council

Para. 28(b)

Demands that the claim by a Member State that an issue is of 'vital interest' should be recognised as an exceptional case requiring justification by the delegation concerned, especially in the case of proposals that have been endorsed by a large majority of the European Parliament;

Para. 29

Urges members of the Council to make more frequent use of abstention in order to facilitate decisions;

8(2) To this end greater use should be made of the possibility of abstaining from voting so as not to obstruct decisions. A Member State which considers it necessary to prevent a decision by invoking its 'vital interests' in exceptional circumstances will be required to state in writing its specific reasons for doing so.

2.2.2 (second paragraph)

Within the Council every possible means of facilitating the decision-making process will be used, including, in cases where unanimity is required, the possibility of abstaining from voting.

8(4) Within the scope of European political cooperation, the Member States shall likewise utilise every opportunity to facilitate decision-making, in order to arrive more quickly at a common position.

2.2.3 To promote the objective of a Europe speaking with a single voice and acting in common in the field of foreign policy, the Governments of the Member States will make a constant effort to increase the effectiveness of Political Cooperation and will seek, in particular, to facilitate the decision-making process, in order to reach common positions more rapidly.

Res. on the relations between the EP and the Commission:

Para. 1:

Shares the view expressed in the aforementioned documents that the Commission plays and must play a key role in the Community, not merely at the administrative and technical level, but above all at the political level; it is essential, therefore, for Parliament to encourage the Commission to give priority to the political aspects of its activities;

Res. on EPC and the role of the EP

Para. 7

To admit the Commission at all parts of all European political cooperation meetings;

9. The Heads of State or Government stress the particular importance attaching to the Commission as guardian of the Treaties of Paris and Rome and as a driving force in the process of European integration. In addition to its tasks and powers under the Treaties of Paris and Rome, the Commission shall advise and support the European Council, whose meetings it shall attend, by making proposals and comments. It shall be associated closely with European political cooperation.

2.4. The Heads of State or Government underline the particular importance of the Commission as guardian of the Treaties of Paris and Rome and as a driving force in the process of European integration. They confirm the value of making more frequent use of the possibility of delegating powers to the Commission within the framework of the Treaties. In addition to the tasks and powers laid down in those Treaties, the Commission is fully associated with the work of European Political Cooperation and, where appropriate, with other activities within the framework of European Union