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REPORT

drawn up on behalf of the Political Affairs Committee

on the consultation of the European Parliament on the
accession of Spain and Portugal to the European
Community

Rapporteur: Mr FORMIGONI

PE 94.632/fin.
Or. It.

At its sitting of 15 November 1984 the European Parliament referred to the Political Affairs Committee as the committee responsible the motion for a resolution tabled by Mr FORD, pursuant to Rule 47 of the Rules of Procedure, on the status of the Spanish colonies of Ceuta and Melilla (Doc. 2-977/84). The Committee on Legal Affairs and Citizens' Rights was asked for an opinion.

At its meeting of 19 December 1984 the Political Affairs Committee decided to draw up a report on the consultation of the European Parliament on the accession of Spain and Portugal to the European Community.

At the same meeting the committee appointed Mr FORMIGONI rapporteur and unanimously adopted the motion for a resolution.

The following took part in the vote: Mr FORMIGONI, chairman and rapporteur; Mr HÄNSCH, vice-chairman; Mr BEYER DE RYKE (deputizing for Mr DENIAU), Mr BOCKLET (deputizing for Mr KLEPSCH), Mrs CHARZAT, Mr CHRISTIANSEN (deputizing for Mr B. FRIEDRICH), Mr COSTEFLORET, Lord DOURO (deputizing for Lady ELLES), Mr EPHREMIDIS, Mr FITZGERALD (deputizing for Mr FLANAGAN), Mr GAWRONSKI, Mr GLINNE, Mr HABSBURG, Mrs van den HEUVEL, Mrs LENZ, Mr MALLET (deputizing for Mr BERNARD-REYMOND), Mr NEWENS, Mr PELIKAN (deputizing for Mr AMADEI), Mrs PIERMONT, Mr POETTERING, Mr SABY (deputizing for Mr JOSPIN), Mr SEEFELD, Mr SEELER (deputizing for Mr WALTER), Mr SEGRE, Mr TZOUNIS (deputizing for Mr BOUTOS), Mr VANDEMEULEVROUCKE (deputizing for Mrs HAMMERICH), Mr VGENOPOULOS (deputizing for Mr PLASKOVITIS), Mr WEDEKIND (deputizing for Mr BLUMENFELD) and Mr WIJSENBEEK (deputizing for Mr BETTIZA).

The opinion of the Legal Affairs Committee will be used as the basis for the debate to be held following the conclusion of negotiations of the accession of Spain and Portugal to the European Community.

The explanatory statement relating to this report will be presented orally in the plenary.

This report was tabled on 21 December 1984.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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The Political Affairs Committee hereby submits to the European Parliament the following motion for a resolution:

MOTION FOR A RESOLUTION

on the consultation of the European Parliament on the accession of Spain and Portugal to the European Community

The European Parliament,

- having regard to its Resolution of 18 February 1982 on the role of the European Parliament in the negotiation and ratification of treaties of accession and agreements between the European Community and third countries¹,
 - having regard to the Commission document 'The institutional system of the Community - Restoring the balance', in particular page 20 et seq.²
 - having regard to the letter of 8 April 1982 from the President-in-Office of the Council, Mr De Keersmaeker³
 - having regard to the Solemn Declaration on European Union, signed on 19 June 1983 by the Heads of State or Government meeting within the European Council in Stuttgart, in paragraph 2.3.7. of which they undertook to seek the opinion of the European Parliament before the accession of a state to the European Community⁴,
 - having regard to the motion for a resolution by Mr FORD on the status of the Spanish colonies of Ceuta and Melilla (Doc. 2-977/84),
 - having regard to the report of the Political Affairs Committee and the opinion of the Committee on Legal Affairs and Citizens' Rights (Doc. 2-1343/84),
- A. Whereas the consultation of Parliament is political effective only if it takes place between the conclusion of negotiations and the signing of the treaties of accession and a procedure should be set up to ensure that the European Parliament is involved at this stage,

¹ OJ No. C 66, 15.3.1982, p.68

² Bulletin of the European Communities - Supplement 3/82, p.20

³ Bulletin of the European Parliament No. 11 of 10 May 1982, p.62

⁴ Bulletin of the European Communities 6/83, p.27

B. Referring to its Resolutions of 13 September 1984¹ and 17 November 1982 , both on the enlargement of the Community to include Spain and Portugal,

1. Declares that the Council must act, in accordance with Article 98 of the ECSC Treaty, Article 237 of the EEC Treaty and Article 205 of the EAEC Treaty, not only after obtaining the opinion of the Commission, as laid down in these treaties, but also after seeking the opinion of the European Parliament, in accordance with paragraph 2.3.7. of the Stuttgart Solemn Declaration;
2. Feels it is essential that the opinion should deal chiefly with the provisions directly concerning the European Parliament, such as those determining its composition, the election of its members by direct universal suffrage and the way it functions;
3. Maintains that its opinion should also cover any changes which may affect the Community decision-making process, including those relating to Article 148 of the EEC Treaty and Article 118 of the EAEC Treaty (Council majority decisions);

¹ OJ No. C 274, 15.10.1984, p.51

² OJ No. C 334, 20.12.1982, p.54

4. Calls on the Council to make provision now for the conciliation procedure to be used to discuss such changes, should this prove necessary, on the basis of the principles laid down for this procedure in the resolution, on the second joint declaration on the conciliation procedure: adopted by the European Parliament on 14 December 1983¹,
5. Reserves the right to comment in its opinion on all other aspects of the accession of Spain and Portugal to the European Community which it sees fit to consider;
6. Advises the Council that if the European Parliament is to express its opinion effectively, a sufficient period of time, including at least one part-session, must elapse between the close of negotiations and the signing of the treaties of accession;
7. Points out that, as stated in the above-mentioned resolution of 18 February 1982, after the treaties of accession are finally signed, it will hold a debate on ratification, which will conclude with a decision;
8. Instructs its President to forward this resolution to the Council and Commission and to the governments and parliaments of the Member States.

¹OJ No. C 10, 16.1.1984

MOTION FOR A RESOLUTION (Doc. 2-977/84)

tabled by Mr FORD

pursuant to Rule 47 of the Rules of Procedure

on the status of the Spanish Colonies of Ceuta and Melilla

The European Parliament,

- A. Concerned at the failure of the President-in-Office to give any satisfactory answer to an oral question (H-212/84) on this subject recently,
- B. Aware of disputed claims to sovereignty over these two colonies by both Morocco and Spain and the difficulties that might ensue with Arab League states should this dispute intensify when Spain is part of the Community,
- C. Having regard to the issues of the eligibility to vote by residents of these colonies following Spanish accession, if they are accepted as part of Spain, and the contradiction this would create between these two colonies and the British colony of Gibraltar where residents have no vote,
 1. Asks that these and related issues be raised by the Community's representatives in the negotiations for Spanish accession and that the Parliament be kept informed of progress;
 2. Instructs its President to forward this resolution to the Council of Ministers, the Commission and the Governments of Member States.

