



EUROPEAN PARLIAMENT  
DIRECTORATE-GENERAL  
FOR RESEARCH

RESEARCH AND DOCUMENTATION PAPERS

**Texts of an institutional nature  
adopted by the  
European Parliament  
from January 1988 to July 1990,  
forwarded to the  
national parliaments**

«National Parliaments» Series No.

**8**

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July 1990



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## FOREWORD

With the two Intergovernmental Conferences about to open and at a moment when significant developments have occurred in relations between the European Parliament and the National Parliaments (Interparliamentary Conferences between bodies specializing in Community affairs, meeting between the European Parliament and the National Parliaments on the future of the Community) we find it timely to make available to Members of the European and National Parliaments, to officials and all persons interested in the future of Europe, this compendium of the 27 resolutions and written declarations relating to institutional matters, that have been adopted by the European Parliament between January 1988 and July 1990 and transmitted to the National Parliaments.

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The European Parliament's Directorate General for Research anticipates editing similar brochures in principle every two years. It is my wish that this Paper No. 8 be widely circulated, thus enabling both Institutions and individual citizens to be kept better informed of the efforts of the European Parliament during a phase of European Community development that is bound to take into account the historic events that are currently taking place.

Klaus POEHLE  
Director

This compendium, produced only in English and French, consists of photocopies taken from the Official Journal of the European Communities for the period January 1988 - February 1990 (the only ones available to date). From March 1990 onwards you will find photocopies of the minutes of the European Parliament plenary sessions with an indication of the "EP Number" and the date the texts were adopted.

This dossier has been prepared by Mr Francesco PERRONI and Ms Myriam HOUGARDY, European Parliament, Directorate General for Research, Documentation Service, Luxembourg.

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OF AN INSTITUTIONAL NATURE  
FORWARDED TO THE NATIONAL PARLIAMENTS  
BETWEEN JANUARY 1988 AND JULY 1990.

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Monday, 16 May 1988

Doc. I-88

## WRITTEN DECLARATION

## on the European Parliament's powers and the convening of the 'European States General'

*The European Parliament.*

- A. having regard to the resolution adopted on 10 February 1988 by the Foreign Affairs Committee of the Camera dei Deputati, supported by 200 Members of the European Parliament, requesting that:
- a Treaty on European Union be adopted on a proposal from the European Parliament, duly mandated to this effect at its second re-election in June 1989,
  - the 'European States General' of the parliamentarians of the twelve member countries of the Community and the European Parliament be convened in July 1989 to elect, in a joint Assembly, the President of the European Council and the President of the Commission;
- B. noting the President of the Commission's favourable statement on this:
1. Approves and endorses that resolution;
  2. Formally calls on the Parliaments of the other Member States immediately to embark on the transition to European Political Union in keeping with the spirit, procedure and timetable set out in that resolution;
  3. Calls on the Commission and the Council to do all in their power to ensure that the European Council meeting in Hanover can ratify the aims of this declaration;
  4. Considers that the Single Act, which opens up the market and should create an economic, monetary, social and cohesive European area, cannot be fully realized in the absence of a political and institutional Union;
  5. Instructs its President to forward this written declaration to the speakers of the upper and lower houses of the Parliaments of the Member States, to the President of the Commission and the Council, and to deliver it in person to the Members of the European Council.

*List of signatories*

ABENS, VAN AERSSSEN, ALBER, ÁLVAREZ DE EULATE PEÑARANDA, AMADEI, AMARAL, AMBERG, ANASTASSOPOULOS, D'ANCONA, ANDENNA, ANDRÉ, ANTONIOZZI, ARBELOA MURU, ARGÜELLES SALAVERRIA, ARIAS CAÑETE, BACHY, BAGET BOZZO, BALFE, BANOTTI, BARDONG, BARZANTI, BATTERSBY, BAUR, BEAZLEY P., BELO, BENHAMOU, BERSANI, BETHELL, BETTIZA, BEUMER, VON BISMARCK, BOESMANS, BOMBARD, BONACCINI, BONIVER, BOOT, BORGIO, BRAUN-MOSER, BROK, BUTTAFUOCO, CABANILLAS, GALLAS, CALVO ORTEGA, CARVALHO CARDOSO, CASINI, CASSANMAGNAGO CERRETTI, CASTELLINA, CERVERA CARDONA, CHIABRANDO, CHINAUD, CHIUSANO, CIANCAGLINI, CICCIOMESSERE, CINCIARI RODANO, CODERCH PLANAS, COIMBRA MARTINS, COLUMBU, COMPASSO, CONDESSO, CORNELISSEN, COSTANZO, COSTE-FLORET, COT, DE COURCY LING, DALSASS, DALY, DE BACKER-VAN OCKEN, DE GUCHT, DE WINTER, DEBATISSE, DEVEZE, DÍAZ DEL RÍO JAUDENES, DI BARTOLOMEI, DIDÒ, DIEZ DE RIVERA ICAZA, DIMITRIADIS, DONNEZ, DUETOFT, DURY, EBEL, ERCINI, ESCUDER CROFT, ESCUDERO LOPEZ, ESTGEN, EWING, EYRAUD, FELLERMAIER, FERRER CASALS, FERRERO, FIGUEIREDO LOPES, FILINIS, FORMIGONI, FOURÇANS, FRAGA IRIBARNE, FRANZ, FRIEDRICH I., FRÜH, FUILLET, GAIBISSO, GALLUZZI, GAMA, GARAIKOETXEA URRIZA, GARCIA, GARCÍA AMIGÓ, GARRIGA POLLEDO, GASÓLIBA I BÖHM, GAUTHIER, GAWRONSKI, GERONTOPOULOS, GIANNAKOU-KOUTSIKOU, GIAVAZZI, GIUMMARRA, GLINNE, GRIMALDOS GRIMALDOS, GUARRACI, GUTIÉRREZ DÍAZ, HABSBURG, HACKEL, HAPPART, HITZIGRATH, HOFF, HOFFMANN K.-H., HUTTON, IODICE, IPPOLITO, JANSSEN VAN RAAY, KOLOKOTRONIS, KUIJPERS, LAFUENTE LÓPEZ, LAGAKOS, LARIVE, LECANUET, LENZ, LIENEMANN, LIGIOS, LIMA, LINKOHR, LLORCA VILAPLANA, LOO, LUCAS PIRES, LUSTER, MAIJ-WEGGEN, MALAUD, MALLET, MARINARO, MARTELLI, MATTINA, MAVROS, MCCARTIN, MCMILLAN-SCOTT, MEDINA ORTEGA, MERTENS, MICHELINI, MIHR, MIZZAU, MONTERO ZABALA, MOORHOUSE, MORODO

LEON CO. MORONI, MÜLLER, MÜNCH, MUNS ALBUIXECH, MUNTINGH, NAVARRO  
VELASCO, NEGRI, NEUGEBAUER, NEWTON DUNN, NORDMANN, O'MALLEY,  
PALMIERI, PANNELLA, PAPAPIETRO, PARODI, PARTRAT, PATTERSON, PEARCE,  
PELIKAN, PENDERS, PEREIRA M., PEREIRA V., PERINAT ELIO, PERY, PETERS,  
PETRONIO, PEUS, PFLIMLIN, PIMENTA, PININFARINA, PINTASILGO, PISONI F.,  
PISONI N., PLASKOVITIS, POETSCHKI, POETTERING, POMILIO, PONIATOWSKI, PONS  
GRAU, PORDEA, PRAG, PUERTA GUTIÉRREZ, PUNSET I CASALS, RABBETHGE,  
RAFTERY, RAGGIO, REMACLE, RIGO, RINSCHÉ, ROBLES PIQUER, ROELANTS DU  
VIVIER, ROGALLA, ROMERA I ALCÁZAR, ROMUALDI, ROSSETTI, ROSSI T., ROTHE,  
ROTHLEY, SABY, SÄLZER, SALISCH, SARIDAKIS, SCHINZEL, SCHLEICHER, SCHMID,  
SCHMIDBAUER, SCHÖN, SCHREIBER, SCOTT-HOPKINS, SEEFELD, SEGRE,  
SEIBEL-EMMERLING, SELIGMAN, SELVA, SHERLOCK, SIERRA BARDAJÍ, SIMMONDS,  
SIMONS, SIMPSON, SPÄTH, SQUARCIALUPI, STARITA, STAUFFENBERG, STAVROU,  
STEWART-CLARK, SUÁREZ GONZÁLEZ, SUTRA DE GERMA, TELKÄMPER, THEATO,  
THOME-PATENÔTRE, TOPMANN, TOUSSAINT, TRIDENTE, TRIVELLI, TRUPIA,  
TURNER, TZOUNIS, ULBURGHES, VALENZI, VALVERDE LOPEZ,  
VANDEMEULEBROUCKE, VANNECK, VAYSSADE, VERGEER, VETTER, VIEHOFF,  
VISSER, VITTINGHOFF, WAWRZIK, WEBER, WEDEKIND, WETTIG, WIJSENBECK,  
WOLTJER, ZAGARI, ZAHORKA, ZARGES.

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Thursday, 16 June 1988

## ANNEX II

Doc. 4/88

## WRITTEN DECLARATION

on the holding of a plebiscite on the political Union of Europe and the constituent

*The European Parliament.*

- having regard to the Draft Treaty establishing the European Union,
  - having regard to the request made to the European Council to confer on the European Parliament the power to draw up a draft treaty on the Union to be submitted directly to the national parliaments for ratification,
- A. Whereas the establishment of the Union will have important consequences for all European citizens;
- B. Whereas the Union can be achieved only if there is wide support among the general public:
1. Makes a solemn appeal to the Heads of State and Government to promote the holding of a plebiscite on the Union and the powers of the European Parliament;
  2. Calls on the German Presidency to include this topic on the agenda for the European Council meeting in Hanover and calls on the Greek Presidency to set in motion the necessary procedures;
  3. Calls on the Spanish Government to announce now that an extraordinary Summit will be convened in January 1989 for the purpose of defining the powers to be conferred on the European Parliament and arranging for the plebiscite to be held at the same time as the European elections;
  4. Calls on the national parliaments to support these demands for democracy;
  5. Instructs its President to forward this declaration to the governments and parliaments of the Member States.

*List of signatories*

ABELIN, ABENS, VAN AERSSSEN, ALBER, ÁLVAREZ DE EULATE PEÑARANDA, AMADEI, ANASTASSOPOULOS, D'ANCONA, ANDENNA, ANDRÉ, ANTONIOZZI, ARGÜELLES SALAVERRIA, ARIAS CAÑETE, BAGET BOZZO, BALFE, BANOTTI, BARBARELLA, BARDONG, BARZANTI, BEAZLEY C., BELO, BERSANI, BETTIZA, BEUMER, VOÛT, BISMARCK, BLOCH VON BLOTTNITZ, BLUMENFELD, BOESMANS, BOMBARD, BONACCINI, BONIVER, BOOT, BORGIO, BOUTOS, BRAUN-MOSER, BROK, BUTTAFUOCO, CABANILLAS, GALLAS, CALVO ORTEGA, CAROSSINO, CARVALHO CARDOSO, CASINI, CASSANMAGNAGO CERRETTI, CASTELLINA, CERVERA CARDONA, CERVETTI, CHANTERIE, CHIABRANDO, CHIUSANO, CHRISTODOULOU, CICCIOMESSERE, CINCIARI RODANO, CLINTON, CODERCH PLANAS, COLUMBU, COMPASSO, CONDESSO, CORNELISSEN, COSTANZO, COSTE-FLORET, COT, DE COURCY LING, CROUX, DALSSASS, DALY, DANKERT, DE BACKER-VAN OCKEN, DE GUCHT, VAN DER LEEK, DELOROZOY, DE PASQUALE, DEBATISSE, DEPREZ, DEVEZE, DÍAZ DEL RÍO JAUDENES, DI BARTOLOMEI, DIDÓ, DIEZ DE RIVERA ICAZA, DIMITRIADIS, DURY, EBEL, ERCINI, ESCUDER CROFT, ESCUDERO LOPEZ, ESTGEN, EWING, EYRAUD, FANTI, FERRER CASALS, FERRERO, FIGUEIREDO LOPES, FILINIS, FONTAINE, FORMIGONI, FRAGA IRIBARNE, FRANZ, FRIEDRICH I., FRÜH, GADIOUX, GAIBISSO, GALLUZZI, GAMA, GARAIKOETXEA URRIZA, GARCIA, GARCIA AMIGÓ, GARRIGA POLLEDO, GASÓLIBA I BÖHM, GATTI, GAUTHIER, GAWRONSKI, GERONTOPOULOS, GIANNAKOU-KOUTSIKOU, GIAVAZZI, GIUMMARRA, GLINNE, GRAZIANI, GUARRACI, GUTIÉRREZ DÍAZ, HABSBERG, HACKEL, HÄNSCH, HÄRLIN, HAPPART, HERMAN, HITZIGRATH, HOFFMANN K.-H., HUTTON, IODICE, IPPOLITO, JACKSON CH., JANSSEN VAN RAAY, KOLOKOTRONIS, KUIJPERS, LAMBRIAS, LANGES, LARIVE, LEMMER, LENZ, LIENEMANN, LIGIOS, LIMA, LINKOHR, LLORCA VILAPLANA, LUCAS PIRES, LUSTER, MACERATINI, MAHER, MAIJ-WEGGEN,

MALANGRÉ, MALAUD, MALLET, MARCK, MARINARO, MATTINA, MERTENS,  
MICHELINI, MIZZAU, MONTERO ZABALA, MOORHOUSE, MORAVIA, MORONI,  
MÜHLEN, MÜLLER, MÜNCH, MUNS ALBUIXECH, MUNTINGH, NATTA, NEGRI,  
NEUGEBAUER, NEWTON DUNN, NITSCH, O'DONNELL, O'MALLEY, PAJETTA,  
PANNELLA, PAPAPIETRO, PARODI, PARTRAT, PELIKAN, PENDERS, PEREIRA V.,  
PÉREZ ROYO, PERY, PETRONIO, PEUS, PFLIMLIN, PIMENTA, PININFARINA,  
PINTASILGO, PINTO, PIRKL, PISONI F., PISONI N., POETTERING, POMILIO,  
PONIAŃOWSKI, PORDEA, PRAG, PUERTA GUTIÉRREZ, PUNSET I CASALS,  
RABBETHGE, RAFTERY, RAGGIO, REMACLE, RIGO, ROBLES PIQUER, ROELANTS DU  
VIVIER, ROGALLA, ROMERA I ALCÁZAR, ROSSETTI, ROSSI T., ROTHLEY, SÄLZER,  
SAKELLARIOU, SALISCH, SARIDAKIS, SCHLEICHER, SCHMID, SCHMIDBAUER,  
SCHÖN, SCHREIBER, SCOTT-HOPKINS, SCRIVENER, SEEFELD, SEELER, SEGRE,  
SEIBEL-EMMERLING, SELIGMAN, SELVA, SPÄTH, SQUARCIALUPI, STAES, STARITA,  
STAUFFENBERG, STAVROU, SUÁREZ GONZÁLEZ, SUTRA DE GERMA, TELKÄMPER,  
THEATO, THOME-PATENÔTRE, TOLMAN, TORRES MARINHO, TOUSSAINT, TRIDENTE,  
TRIVELLI, TRUPIA, TUCKMAN, TZOUNIS, ULBURGHS, VALENZI, VALVERDE LOPEZ,  
VAN HEMELDONCK, VANDEMEULEBROUCKE, VANLERENBERGHE, VAYSSADE,  
VERGEER VERNIMMEN, VITALE, VITTINGHOF, WAWRZIK, WEBER, WEDEKIND,  
WOLFF, ZAGARI, ZAHORKA.

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Friday, 17 June 1988

**6. Democratic deficit in the Communities — European political union****(a) Doc. A2-276/87****RESOLUTION****on the democratic deficit in the European Community***The European Parliament,*

- having regard to the draft Treaty establishing the European Union adopted on 14 February 1984,
- having regard to the Preamble to the Single European Act,
- having regard to the Declaration on Democracy adopted by the European Council on 8 April 1978,
- having regard to the case law of the Court of Justice of the European Communities, whereby the principle of democracy is applicable to the European Community <sup>(1)</sup>,
- having regard to the Preamble to the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950,
- having regard to Article 3 of the Additional Protocol of 20 March 1952 to the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the report of the Committee on Institutional Affairs (Doc. A2-276/87),
- having regard to its resolutions of 16 January <sup>(2)</sup> and 8 October 1986 <sup>(3)</sup>, in which it criticizes the democratic shortfalls in the institutional system of the European Community,
- having regard to its resolution of 17 June 1987 on the strategy of the European Parliament for achieving European Union <sup>(4)</sup> particularly recitals I, J and L and paragraph 9 thereof,
- having regard to the written declaration of 16 May 1988 on the powers of the European Parliament <sup>(5)</sup>,
- whereas the pressing need to achieve European political integration, particularly in the security and defence field, requires that democratic control at European level be strengthened,

1. Notes that large numbers of official statements make it clear that the Member States consider that European integration must be founded on the basic principles of democracy;
2. Believes that democracy is not fully attained until all power is based on the people;

<sup>(1)</sup> E.g. Cases 138 and 139/79 (Roquette, Maizena v. the Council), judgment of 30 October 1980, case law of the CJEC, ECR 1980, p. 3333, para. 33.

<sup>(2)</sup> OJ No C 36, 17.2.1986 p. 144.

<sup>(3)</sup> OJ No C 283, 10.11.1986, p. 36, paras. 1 and 11.

<sup>(4)</sup> OJ No C 190, 20.7.1987, p. 71.

<sup>(5)</sup> See minutes of 16.5.1988, Annex II.

3. Believes that the democratic and parliamentary system is the best way of converting the will of the people into prescriptive decisions;
4. Notes that in the institutional system of the European Community, the Council, composed of members of the Member States' governments, who at European Community level are not subject to any form of democratic parliamentary control, simultaneously holds both legislative and executive power;
5. Notes that a sizeable share of the powers exercised by the Council were held by the Member States' parliaments before being transferred to the Community;
6. Notes also that the Council's legislative activity constantly entails new limitations on the powers of the national parliaments, and thereby entails a continual shrinking of democratic parliamentary rights in the Community;
7. Points out that generally speaking these limitations derive from Article 5 of the EEC Treaty, which requires the Member States to abstain 'from any measure which could jeopardize the attainment of the objectives of this Treaty';
8. Points out that in practice the limitations on the powers of national parliaments may involve either a loss of power to pass laws or an obligation to adopt certain implementing or contingency measures or to refrain from using the powers reserved to them, without those powers being transferred to the European Parliament, in a way which compromises the democratic legitimacy of its decisions;
9. Deplores the fact that the loss of these democratic powers by the national parliaments is not counterbalanced by any increase in democratic control at European Community level, which could only be achieved by extending the responsibilities of the European Parliament;
10. Deeply regrets the 'democratic deficit' thus created and the consequent limitation of Parliament's right to be involved in the creation of European Community law;
11. Considers that the danger of bureaucratization and estrangement from the popular will is compounded in the case of questions withdrawn from the scope of national parliaments, and therefore from national debate, since citizens feel alienated from large areas of Community decision-making while they lack the natural mediation which control by Parliament would imply;
12. Stresses, moreover, that at European Community level the right of joint decision accorded to the European Parliament is too limited;
13. Deplores in strong terms the fact that the influence which the Members elected by universal suffrage have over the development of Community law remains too limited;
14. Considers that the exercise of power by the Council of Ministers does not conform to requirements of a parliamentary democracy;
15. Considers that the concentration of legislative powers in the hands of the members of governments meeting in Council and the way in which that power is exercised, particularly the fact that legislation is adopted behind closed doors, have created an institutional imbalance which is responsible not only for a democratic shortfall but also for a low level of effectiveness in the Community's work;
16. Points out that this imbalance is not even offset by any efficiency in the Community's decision-making system;
17. Affirms, moreover, that democratic legitimacy is to an ever-increasing degree becoming a *sine que non* for the effectiveness of any decision-making system;
18. Stresses that most of the population of the Community is unaware of the democratic deficit and that there is a danger that this deficit will seriously mislead the peoples of Europe as to accountability and the decision-making process in the European Community;

19. Considers that this state of affairs may well undermine the dual legitimacy of the Community's authority, consisting as it does in the national legitimacy displayed in the Council via governments enjoying the trust of their parliaments and Community legitimacy expressed by Parliament, which is elected by direct universal suffrage and to which the Commission is accountable;
  20. Stresses that this democratic deficit can be remedied only at the level of the Community itself, by a redistribution of powers between the Council and Parliament;
  21. Urges the Member States' governments, the Council and Commission, in the interests of the Community as much, at long last to satisfy Parliaments's legitimate claim to play a full part in the Community's decision-making process;
  22. Points in this spirit to the requirement expressed in its resolution of 17 June 1987 that the European Parliament to be elected in 1989 be commissioned to draw up a plan for European Union to be submitted for ratification to the appropriate national authorities;
  23. Requests that the resolutions and declarations adopted by the European Parliament on the subject of institutional reform be discussed at the next meeting of the European Council in Hanover and the relevant decisions taken on them;
  24. Considers that due account must be taken of fundamental democratic principles in the reform and further development of the Community into a political union and that all the citizens of Europe must as far as possible be involved in this process, and calls — wherever this is constitutionally possible — for referendums to be held in the Member States, so as to give the governments and parliaments a picture of the electorate's views on the European Union and the tasks of the European Parliament;
  25. Calls on the Member States' parliaments to regard the problem of the democratic deficit created by the present method of integration as a problem shared by all parliaments and to work together to seek solutions, in conjunction with the European Parliament;
  26. Instructs its President to forward this resolution to the Council, the Commission and the parliaments and governments of the Member States.
-

(b) Doc. A2-106/88

## RESOLUTION

### on the procedures for consulting European citizens on European political union

*The European Parliament,*

- having regard to the motion for a resolution by Mr Roelants du Vivier on the draft treaty on European Union and a procedure for petitioning for a European referendum (Doc. B2-623/86),
  - having regard to the report of the Committee on Institutional Affairs and the opinion of the Committee on Youth, Culture, Education, Information and Sport (Doc. A2-106/85),
- A. whereas the transition to European political union, towards which the Single European Act is no more than a very limited step, must have the support of the citizens of Europe, who must remain directly associated with the process of building Europe, since:
- (a) the participation of citizens in the process will give political union a fully democratic dimension;
  - (b) the transformation of the Community into a political union will have important direct consequences on the life of all European citizens,
- B. whereas one of essential components of democracy is a high degree of public participation in the political process; whereas this participation takes the form of the periodic choice of representatives elected on the basis of alternative proposals put forward by political parties, but may also, in special circumstances, take the form of specific consultation on legislative matters or on decisions of particular importance,
- C. whereas the forms and procedures used for these consultations vary from country to country, including the Member States of the European Community, some of which make no provision for this facility, while in others it is governed by the Constitution or ordinary laws, with considerable variations in the frequency with which it is used,
- D. whereas some Member States unaccustomed to holding popular consultations have done so in matters pertaining to their relations with the Community,
- E. whereas the political and institutional development of Europe is the European Parliament's most urgent task, in accordance with the wishes of its electors,
- F. whereas all opinion polls show that Community public opinion is strongly in favour of giving Parliament sufficient powers to carry out its tasks effectively,
- G. whereas, furthermore, the people of Europe vote regularly and in a responsible manner to elect their representatives to the European Parliament and thus constitute a unified electorate whose view on the question of how powers within the Community should be allocated is of major importance,
- H. whereas an expression of public support for European political union would be a powerful stimulus to the European Council to assign to the Parliament to be elected in 1989 the task of drawing up the institutional reforms necessary for establishing political union,
- I. welcoming the fact that certain Member States have taken parliamentary initiatives with a view to holding popular consultations at national level on political union,



- J. whereas there are certain Member States in which, for constitutional or legal reasons, consultations may not be held during elections of any kind, nor at any time during the same period,
- K. whereas in the absence of provisions or specific national legislation, it would still be useful and appropriate to formulate a common strategy designed to highlight the popular support for political union; for this purpose, alternative or additional arrangements would have to be devised to express or ascertain this support,
1. Believes that any form of involvement or popular consultation on the desirability of achieving political union would provide a valuable indication of the views held by the general public on this subject,
  2. Notes that the provisions governing popular consultations vary considerably in the different laws and practices obtaining in the various Member States and that some Member States have no provisions at all on this subject, but that lack of provisions is not equivalent to a prohibition,
  3. Stresses that such exploratory soundings would give an important indication of opinion as to political union and the part to be played by Parliament in bringing it about, and would enable the bodies concerned to ascertain the will of Europe's citizens on a fundamental political decision;
  4. Hopes that the parliament elected in 1989 will be able to fulfil the task of drawing up a proposal for the establishment of European political union;
  5. Considers that the proposal for political union which emerges should be submitted in due course for ratification by the Member States, in accordance with the provisions of their respective constitutions;
  6. Hopes that the initiatives taken in some Member States to hold popular consultations on the subject, and notably on giving Parliament a mandate for establishing it, will be followed by other Member States;
  7. Notes that where it is impossible to hold national consultations, a possible alternative might be to adopt a similar strategy involving explicit reference to these institutional objectives in the manifestos of the parties contesting the next European elections or the holding of a Community-wide opinion poll or of various polls simultaneously in the Member States, so as to establish the wishes of European citizens in this matter;
  8. Considers, also, that in countries where consultations on European political union cannot be held, provision should be made for alternative means of involving European citizens, particularly with the assistance of the pro-European organizations;
  9. Instructs its President to forward this resolution to the European Council, the Council, the Commission of the European Communities and the Presidents of the parliaments of the Member States.
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Friday, 17 June 1988

## 7. Parliament's role in the field of foreign policy

— Doc. A2-86/88

### RESOLUTION

on the role of the European Parliament in external policy within the framework of the Single European Act

*The European Parliament,*

- having regard to the articles of the EEC Treaty concerning the Community's activities in the international arena, and more particularly Articles 228, 229, 230, 231, 237 and 238, and to the provisions of the Single European Act on cooperation in external policy,
- having regard to the Court of Justice's case law on these aspects of Community activity which establishes that external trade should be regulated in a spirit of openness on the basis of common principles of unity and solidarity,
- having regard to the Draft Treaty establishing the European Union drawn up by Parliament and, in particular, Articles 63 to 69,
- having regard to the provisions of its Rules of Procedure concerning the Community's relations with third countries and, in particular, Rules 31 to 35,
- having regard to its earlier resolutions on this subject, viz. the resolution of 18 February 1982 <sup>(1)</sup> on the role of the European Parliament in the negotiation and ratification of treaties of accession and of other treaties and agreements between the European Community and third countries, the resolution of 9 July 1981 <sup>(2)</sup> on European Political Cooperation and the European Parliament's role, the resolution of 7 October 1986 <sup>(3)</sup> on relations between the European Parliament and the Commission and Council respectively, the resolution of 11 December 1986 <sup>(4)</sup> on the Single European Act and the resolution of 11 March 1988 <sup>(5)</sup> on EEC-UNO relations,

(<sup>1</sup>) OJ No C 66, 15.3.1982, p. 67.

(<sup>2</sup>) OJ No C 234, 14.9.1981, p. 67.

(<sup>3</sup>) OJ No C 283, 10.11.1986, pp. 36 and 39.

(<sup>4</sup>) OJ No C 7, 12.1.1987, p. 105.

(<sup>5</sup>) OJ No C 94, 11.4.1988, p. 192.

- convinced that the European Parliament should, more than ever before, exercise effective and strict control over the external activities of the Commission and the Council within the powers conferred on it by the EEC Treaty as modified by the Single European Act,
- having regard to the report of the Political Affairs Committee and the opinions of the Committee on Legal Affairs and Citizens' Rights, the Committee on Institutional Affairs and the Committee on External Economic Relations (Doc. A2-86/88),

### ***I. The European Parliament and the Community's external policy***

1. Reaffirms its resolve to make the most of the political opportunities offered by the SEA, though recognizing once more that it does not satisfy Parliament's earlier demands for greater democracy to the Institutions and more efficient Community action;
2. Points to the advances that can be made towards achieving a true European identity in external policy and security policy on the basis of the provisions of the SEA;
3. Points out that such progress should be based more particularly on developing the opportunities offered by the assent procedure in the case of accession (Art. 8, SEA) of association agreements (Art. 9, SEA) and on improving the existing mechanisms of Political Cooperation (Art. 30, SEA);

### ***II. The European Parliament and International agreements***

4. Stresses the need, in the interests of close collaboration between the three institutions in the field of international agreements, for a procedure for consultation and debate, as provided for in paragraphs 1 and 2 of Rule 33 of its Rules of Procedure;
5. Reiterates its view that the introduction, by the amendment of Articles 237 and 238 of the EEC Treaty, of the assent procedure into the processes of accession of new Member States and of association with third countries represents one of the most significant achievements of the SEA in granting to the EP that co-decisional role, together with the Council of Ministers, which Parliament, as the legitimate representative of the citizens of Europe, demands;
6. Points out, nevertheless, that, as recent experience has shown, the conferral of this co-decisional power must be complemented by the adoption of a series of provisions which will enable Parliament to play a political role not only in the final decision concluding the negotiations, but also in determining the scope of the latter;
7. Believes, therefore, that the existing LUNS-WESTERTERP procedure for consultation between Parliament and Council must be supplemented and redefined to take account of the requirements and new responsibilities ensuing from the Single European Act in order to allow the timely exchange of information and opinions, so that the course of the negotiation process and the final decision-making by both Institutions may be facilitated;
8. Stresses that this also applies to accession treaties under Article 237, second subparagraph, of the EEC Treaty and calls on the Council and the Commission to take appropriate steps during the accession negotiations;
9. Instructs its Political Affairs Committee to draw up a further report on the application of Parliament's powers under Article 237, as amended by the Single European Act; this should examine, in particular, at what stage the Parliament should give its assent to further enlargement as well as explore the conditions of entry for new members to the EC in the light of the Single European Act;
10. Stresses the need for the exchange of information and opinions to begin from the moment the Council adopts the Commission's negotiating mandate, and consequently thinks it advisable that a rapporteur responsible for monitoring the progress of the negotiations should be appointed within the appropriate parliamentary committee to ensure full knowledge and information on the matter;

11. Points out the need for close cooperation on formulating Parliament's position among the various parliamentary committees, and more particularly the Political Affairs Committee, the Committee on External Economic Relations and the Committee on Development and Cooperation, whether their role is that of committee responsible or committee asked for its opinion;

12. Points out that the annual debate on the Commission's Legislative Programme should include mention of plans for future agreements to be negotiated and concluded by the Community; calls on the Commission to submit to Parliament, at the latter's request, estimates of the impact of those agreements on the Community's internal policies;

13. Reserves the right, when giving its view on an accession treaty or an association agreement, to set out in a separate resolution the conditions which Parliament regards as necessary for the implementation of each agreement to be politically consistent;

14. Points out, lastly, that in the interests of mutual goodwill the Commission and the Council should not interpret restrictively the legal bases of international agreements, since this might in practice amount to reducing Parliament's existing powers;

15. Observes that its vote on a request for its assent made by the Council and bearing on an association agreement, its extension or modification is a sovereign act of Parliament which closes the procedure for the request of its assent;

16. Draws the attention of the Council and the Commission to the fact that, where agreements are subject to its assent, it will require an appropriate period of time in which to give this assent;

### ***III. The European Parliament and European Political Cooperation***

17. Takes note of the codification in Title III of the SEA of the rules and practices of European Political Cooperation, of the innovations concerning the consideration of the political and economic aspects of European security and of the creation of a European Political Cooperation Secretariat;

18. Considers that there is a need for an annual debate to be held on the European identity in external policy and security policy matters at the time that the Council's report on European Union is submitted;

19. Considers it necessary for Parliament to be informed of the progress achieved in the field of EPC through the EPC Presidency and by the Commission, which shall also report to Parliament, in this connection, urges the Commission to collaborate closely in promoting effective and more democratic political cooperation, with a view to achieving European Union;

20. Points out that it should be possible to extend the contacts established in the form of the quarterly colloquies between the Presidency-in-Office of EPC and the Political Affairs Committee to additional extraordinary meetings when matters of great importance or urgency arise, and that such meetings might take the form of hearings, as happens in some national parliaments, this would be particularly useful in relation to matters of security policy since it would facilitate the adoption by the Community institutions of a common standpoint in this area also and thereby help to insure that the European Community is represented at international level in discussions and negotiations on the central issues of security policy;

21. Considers that a practice should be established whereby a representative of the Presidency of EPC participates in the debates of the Political Affairs Committee when reports on subjects that are within the competence of EPC are being considered;

22. Points to the need to create an appropriate mechanism whereby the Presidency-in-Office of EPC can report to Parliament in plenary sitting, as a regular item of its agenda, on the extent to which account has been taken of resolutions adopted by Parliament and of the views expressed by Parliament on matters relating to EPC, in accordance with Article 30 (4) of the Single Act;

23. Instructs its President to enter into negotiations with the Council and the Commission with the aim of reaching an inter-institutional agreement on the aspects of this Resolution affecting inter-institutional relations and notably those contained in paragraphs 6, 7, 8 and 10;

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24. Instructs its President to forward this resolution to the Council, the Commission, the Presidency of European Political Cooperation and to the Governments and Parliaments of the Member States.

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**13. Incompatibility between the office of Member of the European Parliament and any other public office**

— Doc. A2-65/88

**RESOLUTION**

**on the incompatibility between the office of Member of the European Parliament and member of a national parliament**

*The European Parliament,*

- having regard to the motion for a resolution tabled by Mr Roelants du Vivier on the incompatibility between the office of Member of the European Parliament and any other public elected office (Doc. B2-1554/85),
  - having regard to the Act concerning the election of the representatives of the European Parliament by direct universal suffrage of 20 September 1976,
  - having regard to the relevant provisions of the legislation of the Member States,
  - having regard to the report of the Committee on Legal Affairs and Citizens' Rights (Doc. A2-65/88),
  - whereas a large majority of the national political parties represented in the European Parliament forbid, through their party statute or in practice, their members to hold both a mandate as a Member of the European Parliament and a seat in the national parliament,
1. Takes the view that, as Members of the European Parliament are elected presumptively to serve on a full-time basis, they have neither the time nor the opportunity to serve in national parliament, and calls upon the Member States to amend Article 5 of the Act of 20 September 1976 to prohibit this practice;
  2. Considers that, in order to avoid unnecessary administrative inconvenience, Members of the European Parliament who are elected to a national parliament may continue to serve in the European Parliament until the conclusion of their current mandate;
  3. Considers contacts between elected national and, where they exist, regional assemblies on the one hand and the European Parliament on the other to be of mutual benefit to both parties and recommends the establishment of strong links between these institutions;
  4. Instructs its President to forward this resolution to the Council and Commission and the parliaments of the Member States.
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## 2. European Union

(a) Doc. A2-176/88

### RESOLUTION

#### on the results obtained from implementation of the Single Act

*The European Parliament,*

- having regard to its resolution of 16 January 1986 instructing its Committee on Institutional Affairs to draw up a report on the overall results obtained from implementation of the Single Act in order to prepare in good time, proposals for reform to be put to the people during the 1989 elections <sup>(1)</sup>,
  - having regard to the report of its Committee on Institutional Affairs (Doc. A2-176/88),
- A. aware that a review of this nature can be only an assessment setting out the initial experiences with implementation of the Single Act, but convinced that a review of this nature, although provisional, may be useful in the run-up to the 1989 elections,
- B. recalling its initial assessment that the Single Act was not an adequate response to the Community's needs, which Parliament had sought to meet by proposing its draft Treaty establishing the European Union,
- C. noting that the Single Act has extended and strengthened the Community's legal competences in three ways:
- by adding new articles and chapters to the EEC Treaty (relating to cohesion, the environment, monetary affairs, research and the social sector),
  - by formalizing political cooperation,
  - by setting 1992 as the deadline for completion of the internal market.

<sup>(1)</sup> OJ No C 36, 17.2.1986, p. 144.

- D. welcoming the agreement at the European Council in Brussels in early 1988 on expanding the Community's budgetary resources in order to ensure that the Single Act is a success.
- E. noting that the Community still does not have legal competences — or has very few — with regard to the creation of a common security policy, the establishment of a central bank with a common currency, energy, development aid, education and culture.
- F. noting that the Single Act sought to enhance the Community's effectiveness in decision-making in three ways:
  - by changing several articles in the Treaty to allow majority voting (a change amplified by amendment of the Council's own rules of procedure).
  - by strengthening the executive powers of the Commission.
  - by establishing a court of first instance.
- G. noting that although the number of majority votes in the Council has increased, many areas remain subject to the unanimity requirement, so enabling a minority to block any decision even where the Community has a vital interest.
- H. noting that the Council decision which was intended to implement the planned strengthening of the Commission's executive powers has in fact only rationalized the existing arrangements whereby these powers are subject, through systems involving committees of national officials, to Council's supervision.
- I. having experienced the new procedures that sought to strengthen Parliament's involvement in the Community's legislative process.
- J. whereas the Single Act has introduced a genuine power of co-decision between the Council and Parliament solely in respect of the assent procedure, which applies only to two articles in the Treaty.
- K. taking the view that the cooperation procedure has allowed closer involvement of Parliament in the Community's legislative process — in the areas which the procedure covers — and that this procedure is still at the initial experimental stage but that certain difficulties have already become apparent, in particular:
  - (a) the failure of the Council to participate adequately in the planning of legislation introduced by Parliament and the Commission and the absence of a requirement on the Council to complete its first reading within a reasonable time limit.
  - (b) the choice of the legal base for legislative proposals by the Commission, which determine whether the cooperation procedure is applicable, has sometimes been made unsatisfactorily.
  - (c) the fact that the Commission does not always publish its modified proposal following Parliament's first reading and that the Commission, in discussion in the Council, abandons positions adopted by Parliament which it had previously accepted without discussing the matter with Parliament.
  - (d) the requirement for renewed consultation of Parliament on first reading where the text adopted by the Council differs substantially from the one on which Parliament delivered its opinion has been open to varying interpretations.
  - (e) the explanations which the Council must give to Parliament after its first reading do not include an adequate appraisal of the amendments proposed by Parliament or an explanation of the result of votes taken in the Council.
  - (f) the fact that, in the first 12 months since the entry into force of the Single Act, fewer than half of the amendments adopted by Parliament at first reading and less than 25 % of those adopted at second reading have been incorporated into legislation adopted by the Council.



- L. noting that it is still possible for the Council to adopt legislative texts that have been rejected by the representatives elected directly at European level and believing that this state of affairs is anti-democratic<sup>(1)</sup>.
- M. drawing attention to the fact that the proposal to extend the conciliation procedure is still pending.
- N. whereas political cooperation has been formalized by the Single Act and a legal link established with the Community but remains distinct from Community procedures and is now provided with a separate secretariat which reinforces the artificial distinction between the various aspects of Europe's external relations, a distinction which will be difficult to maintain in practice.
- O. convinced that simple intergovernmental coordination will be too weak to safeguard Europe's interests in external relations.
- P. whereas the Single Act provides that 'the European Parliament is closely associated with European Political Cooperation' and that 'the views of the European Parliament are duly taken into consideration'<sup>(2)</sup> and these provisions open up several possible ways of extending Parliament's role in these areas.
- Q. whereas the Single Act has not amended the Treaties as far as Parliament's involvement in the appointment of the Commission is concerned despite the provisions of the Stuttgart solemn declaration on European Union and established practice.

1. Considers that the Single Act was the first comprehensive revision of the Treaties, that it has established that it is possible to go beyond the basic Treaties but that the changes acceptable to all Member States were limited, that it opens the way for a degree of development on the part of the Community — which should be exploited — but that it also highlights more sharply the shortcomings of and limits to the Community's competences and powers when compared with the tasks which it must tackle;

*As regards implementation of the Single Act*

2. Reiterates its determination to exploit to the maximum the opportunities opened up by the Single Act and asks the Commission to make use of all the new areas of Community responsibility;

3. Regrets the fact that, because of the different forms of institutional machinery, there are imbalances in the way in which policy-making areas in connection with the internal market are evolving: cautions against allowing an internal market to develop which is out of balance, e.g. where there is neither a common monetary policy nor an effective social and environmental policy;

4. Requests the Commission also to forward to Parliament its report to the Council on progress towards the completion of the internal market — which must be submitted by 31 December 1988 pursuant to Article 14 of the Single Act — so that it can be debated in Parliament;

5. Considers that Council participation in the planning of legislation introduced by Parliament and the Commission is essential in order to improve the organization of the legislative process;

6. Requests the Commission to give an undertaking to withdraw any proposal rejected by the European Parliament in order to ensure that Community legislation, like national legislation, is acceptable to the elected representatives chosen by the electorate specifically to ensure democratic control at this level;

7. Requests the national parliaments to secure an undertaking from their governments to take a stand in Council against any proposal rejected by the European Parliament;

<sup>(1)</sup> See resolution of 17 June 1988 (OJ No C 187, 18.7.1988, p. 229).

<sup>(2)</sup> Article 30(4)

8. Rejects all attempts by the Council, in its common positions, to make subsequent revisions of acts subject to a delegated and simplified legislative procedure bypassing the European Parliament and thus exacerbating the democratic deficit;
9. Rejects any interpretation suggesting that the so-called Luxembourg compromise grants the right of veto to representatives of the Member States in the Council in areas where the Treaty allows voting;
10. Considers that the Council's practice of adopting 'acts subject to the opinion of Parliament' infringes the spirit of the Treaties and demands that this practice be abandoned once and for all;
11. Demands that the Council, in the explanations which it is required to provide to Parliament about its first reading under the cooperation procedure, should inform Parliament of its position on each amendment proposed by Parliament and how each Member State voted;
12. Asks the Commission always to publish the amended version of its proposals following Parliament's first reading and to amend its proposal again in the discussions in the Council only after having discussed the matter with Parliament's committee responsible;
13. Urges that the Council fulfill its obligation to consult Parliament again should it intend to adopt a text which differs substantially from the one on which Parliament delivered its opinion;
14. Reiterates its request that the conciliation procedure be extended to all major areas of legislation in order to allow a dialogue in the search for compromises between the two arms of the legislative authority; takes the view that there is an even greater need to extend the conciliation procedure between the Council and Parliament following the Court of Justice ruling on 'commitology' of September 1988 which found Parliament's action against the Council inadmissible, thereby increasing the imbalance between the institutions;
15. Believes that other forms of dialogue between Parliament and the Council would also be useful, in particular that provided for in Rule 47(5) of its Rules of Procedure as well as the attendance of rapporteurs or committee chairmen at relevant Council meetings;
16. Continues to oppose any 'commitology' proposal that places too great a restriction on the Commission's executive powers and asks the Council not to impose such procedures and to honour the declaration by the Member States annexed to the Single Act which makes provision for recourse to purely advisory committees where the internal market is concerned;
17. Requests the Commission to forward to Parliament, by the end of 1988, the report it promised in 1987 on the implementation of the Council's 'commitology' decision of July 1987;
18. Reiterates its request <sup>(1)</sup> that the links between Parliament and political cooperation be expanded and the Luns-Westerterp procedure be extended;
19. Will seek to strengthen its position in the appointment of the Commission in order to ensure that the Community executive rests on more democratic foundations;

*As regards attainment of European Union*

20. As regards Economic and Monetary Union, welcomes the decision by the European Council to entrust to a Committee the task of studying and proposing concrete stages leading towards this Union;

<sup>(1)</sup> Resolution of 17 June 1988: OJ No C 187, 18.7.1988, p. 233.

21. Notes that, even if the full potential of the Single Act is exploited to the maximum, it falls short of the Community's requirements, particularly as regards:

- the competences of the Community which is still deprived of adequate means of action in the areas of the common foreign policy, security, a common currency with a central bank, energy, development aid, cultural cooperation, education and European citizenship,
- efficient decision-making where the Commission does still not enjoy appropriate executive power and the Council still remains subject to the unanimity rule in areas that are vital to the Community,
- democracy, since the competences which are being transferred to the Community by the national parliaments are not subject to adequate powers on the part of the European Parliament;

22. Believes, therefore, that the institutional question will inevitably return to the Community agenda especially in view of the 1992 deadline, which is not only the date for completion of the internal market (which the Community must have the means to manage) but also the date laid down in Article 30 (12) of the Single Act for possible revision of political cooperation, as well as the year in which own resources will again be exhausted and the time when the Community will in all probability have to decide the question of a new enlargement;

23. Believes that Parliament will have to prepare a new draft proposal for European Union before the 1992 deadline and that it will be for the Parliament elected in 1989 to accomplish this task;

24. Believes that this task would be made easier if the European Council were explicitly to recognize this mission of Parliament at one of its forthcoming meetings;

25. Instructs its Committee on Institutional Affairs to prepare proposals along these lines when preparing its report on the European Parliament's strategy in the creation of European Union (1);

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26. Instructs its President to forward this resolution to the Commission, the Council, the European Council and the governments and parliaments of the Member States.

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(1) Herman report currently being prepared. See also Parliament's resolution of 16 January 1986.

## 10. European Union — Relations between the national parliaments and the European Parliament

(a) Doc. A2-332/88

### RESOLUTION

#### on the strategy of the European Parliament for achieving European Union

##### *The European Parliament,*

- having regard to the Treaties establishing the European Communities and the Single Act amending them,
- having regard to the Solemn Declaration of the Stuttgart European Council of 19 June 1983 <sup>(1)</sup>,
- having regard to its draft Treaty establishing the European Union, adopted on 14 February 1984 <sup>(2)</sup>,
- having regard to its resolution of 16 January 1986 on the Single European Act, in particular paragraph 4 thereof <sup>(3)</sup>, and its resolution of 11 December 1986 on the Single European Act <sup>(4)</sup>,
- having regard to various resolutions adopted by the national parliaments at the time of ratification of the Single Act or subsequently,
- having regard to the interim report of its Committee on Institutional Affairs and its resolution of 17 June 1987 <sup>(5)</sup>,
- having regard to its resolutions of 17 June 1988 on the costs of non-Europe, the democratic deficit and the procedures for consulting European citizens on European political union <sup>(6)</sup>,
- having regard to its resolution of 27 October 1988 on the assessment of the first year of application of the Single Act <sup>(7)</sup>,
- having regard to the Commission's report on the implementation of the White Paper on completing the internal market,
- having regard to the draft report on decision-making practices in the Council <sup>(8)</sup>,
- having regard to the contacts and discussions between its Committee on Institutional Affairs and delegations from the national parliaments,
- having regard to its written declaration of 16 May 1988 on the European Parliament's powers and the convening of the 'European States-General' as proposed by the Italian Camera dei Deputati <sup>(9)</sup>,
- having regard to its written declaration of 16 June 1988 on the holding of a plebiscite on the political Union of Europe and the constituent powers of the European Parliament <sup>(10)</sup>,
- having regard to the report of its Committee on Institutional Affairs (Doc. A2-332/88),

<sup>(1)</sup> EP Bulletin No 26 of 28 June 1983.

<sup>(2)</sup> OJ No C 77, 19.3.1984, p. 33.

<sup>(3)</sup> OJ No C 36, 17.2.1986, p. 144.

<sup>(4)</sup> OJ No C 7, 12.1.1987, p. 83.

<sup>(5)</sup> OJ No C 190 20.7.1987, p. 71.

<sup>(6)</sup> OJ No C 187 18.7.1988, pp. 244, 229 and 231.

<sup>(7)</sup> OJ No C 309 5.12.1988, p. 93.

<sup>(8)</sup> Von Stauffenberg report currently being prepared.

<sup>(9)</sup> OJ No C 167 27.6.1988, p. 19.

<sup>(10)</sup> OJ No C 187 18.7.1988, p. 200.

- A. whereas the arguments put forward in its abovementioned resolution of 17 June 1987 on the strategy of the European Parliament for achieving European Union, adopted on 17 June 1987, have been fully confirmed by studies, political events, the European Parliament's contacts and reports over the last 16 months,
- B. whereas European integration cannot be restricted to the establishment of a free trade or market area and whereas the promotion of employment for all and the reduction of regional and social disparities are not only essential Community objectives but conditions for the attainment of a market without internal frontiers,
- C. whereas the Commission's study on the potential for a single integrated market at European level (Cecchini report) estimates the 'costs of non-Europe' in this sector at at least 200 000 million ecus,
- D. stressing in particular the fact that the Cecchini report indicates that at least 3 million jobs could be created as a result of extending joint policies at Community level,
- E. whereas the 'costs of non-Europe' are also felt in other sectors, such a research, in the lack of coordination of short-term economic policies, in the provision of infrastructures and in the military sector,
- F. noting the statement made by the President of the Commission to the European Parliament on 17 January 1989 concerning the need to convene a new intergovernmental conference with responsibility for completing the provisions of the Treaties as regards the institutional changes needed to achieve economic and monetary union,
- G. whereas the retention of 12 independent currencies is incompatible with free movement of capital and exchange-rate stability,
- H. whereas there is a danger that the considerable benefits which can be expected from the completion of the internal market and monetary union may not be achieved if a number of the decisions required to bring them about remain subject to the unanimity rule,
- I. whereas the single market, even if it has not been perfected in 1992, will require much more powerful instruments to maintain and manage the joint economy thereby created,
- J. whereas a large proportion of economic, financial and social legislation will be enacted at Community level after the completion of the internal market,
- K. whereas such legislative power can only be exercised by observing the fundamental principles of democracy and the dual democratic mandate, national and Community, on which European integration is based, and whereas, therefore, it is unacceptable that the powers that the national parliaments have transferred to the Community should continue to be exercised for the most part exclusively by the Council which meets *in camera*,
- L. whereas this 'democratic deficit' is still more significant in view of certain inadequacies in the protection of fundamental rights at Community level;
- M. whereas, despite the improvements which have occurred through the extension of majority voting in the Council and the use of the cooperation procedure since adoption of the Single European Act, the Community's decision-making systems still lacks efficiency and suffers from the dilatoriness of the Council in its legislative role and from regular intervention by the numerous committees of national civil servants in the Commission's executive tasks,
- N. whereas the Community's budgetary resources will represent scarcely 1,2 % of GDP in 1993 and whereas each increase in the ceiling on resources has required long negotiations between the Member States, sometimes lasting years, to arrive at solutions which suffice for only a few years,

- O. whereas Europe's voice in the world carries less weight than it could and should, and the coordination of the foreign policies of the Member States, even after the setting up of a political secretariat, separate from the Community institutions, does not enable Europe to defend its interests effectively or to play a part corresponding to its potential in international affairs,
- P. whereas the first year of application of the Single European Act has demonstrated that the improvement which it has brought about in this situation is inadequate, in particular because:
- the joint decision-making procedure which would ensure genuine democratic supervision of Community decisions and guarantee their acceptability to the chosen representatives of European voters is lacking except in the case of the budget and the assent procedure; in all other areas the Council may overrule Parliament's wishes,
  - the reinforcement of the Commission's executive powers provided for in the Single Act has not really come about because the so-called 'commitology' system established by the Council and its practical application have meant that many of the Commission's decisions are subject to the approval of national civil servants, failing which the decisions are taken by the Council,
  - too many areas are still governed by the unanimous decision-making procedure in the Council,
  - Parliament plays only a minimal role in the appointment and investiture of the Commission,
  - in many fields, notably in relation to currency, foreign-policy and security matters, the Community has few powers to take positive action and the Twelve have to rely on reactive measures rather than coherent policies,
- Q. whereas the report from the Commission to the Council on the implementation of the White Paper on the internal market has pointed out delays and opposition, particularly with regard to the following:
- the social dimension of the single market;
  - a people's Europe (right of residence, abolition of physical frontiers, measures in favour of immigrants and youth programmes);
  - tax harmonization,
- R. whereas there is increasing awareness of the Community's deficiencies among national parliaments, political parties and the general public,
- S. whereas all the opinion polls conducted by Eurobarometer and the European Parliament's Federalist Intergroup have indicated support for further efforts towards the democratic unification of Europe,
- T. whereas there is a need to include the national parliaments in its project and to pursue intensively the dialogue already begun between the Committee on Institutional Affairs and the other European Parliament committees,
- U. whereas there is a need for the major groups within society to be involved not only in European integration but also in the drafting of Community legislation and, more especially, a need for increased cooperation with the Economic and Social Committee,
- V. whereas 1992 is not only the deadline for the completion of the internal market (which will necessitate an analysis of either the reasons for its non-completion or the consequences of its completion) but also the deadline specified in Article 30 (11) of the Single Act for any revision of the provisions governing political cooperation and the year in which the Community will once again exhaust its budgetary resources; whereas the coinciding of these dates will necessitate an overall review of the Community and the process of European integration,
- W. whereas, during the European Parliament's third electoral period, the Community institutions and the national governments will have to take all the decisions necessary not only to complete the internal market but also to attain genuine monetary union, to improve cooperation in foreign affairs and to amend the system of own resources,

- X. whereas, to achieve the concrete objective of monetary union, it is essential to make the institutional and legal changes enabling attainment of that objective,
- Y whereas the European Parliament, the legitimate representative of all the European citizens who elected it, has a duty to those citizens to draw up, before that deadline and as part of an overall institutional plan, proposals for the introduction of more efficient and more democratic decision-making procedures meeting to a greater extent the real needs of Europeans,
1. Reaffirms the position adopted in its resolution of 17 June 1987 and declares its intention to continue on the same road by:
    - (a) making maximum use of the possibilities offered by the Single Act,
    - (b) starting work on preparing proposals for transition to European Union;
  2. Announces that, with the backing of the mandate given by the voters in the June 1989 elections, it intends to draw up comprehensive proposals based in the main on its draft Treaty adopted on 14 February 1984 to give the European Union the necessary institutional basis, in the form of a draft which will meet Europe's needs and the new needs arising out of the attainment of the 1992 target;
  3. Is convinced that, to prepare the revision of the Community institutions properly by ensuring the awareness and consent of the people of Europe, it is essential to focus the next European election campaign on this issue and to make the parties expressly state their position with regard to that revision;
  4. Calls on the governments of the Member States meeting in the European Council in Madrid to recognize the need for this project and to undertake to support it by all appropriate means;
  5. Considers that a means of involving the people of Europe more closely in the constitution of European Union would be to hold a referendum at European level, or failing that in the Member States where possible, whereby either the principles of the constitution are submitted to them in advance at the time of the 1989 European elections or the text of the constitution is submitted to them at the time of its ratification;
  6. Underlines its intention to involve the other institutions and the national parliaments from the outset and as closely as possible in the preparation of the draft so that its proposals can be based on the widest consensus in the Member States, thus facilitating the national ratification procedures;
  7. Calls on the institutions representing democratic legitimacy at national and European level, political parties and representative bodies in our societies, notably those which are represented in the Economic and Social Committee, to support this initiative and enter into dialogue with Parliament;
  8. Believes that the draft should be based on the 'acquis communautaire', the draft Treaty establishing the European Union adopted on 14 February 1984, the comments on this draft Treaty submitted by the national parliaments, the experience of operating the Single European Act, the need for effective functioning of a single, barrier-free market and any constructive contributions put forward in public debates at the time of the 1989 European elections;
  9. Announces that it would be unable to approve any further accession treaty with a new Member State without the institutional reforms necessary to make the Community more effective and more democratic and unless significant progress towards European Union were made;
  10. Recognizes that a State cannot be forced to become a member of a European Union against its will but that a small minority should not prevent the vast majority who are committed to the goals of European Union from creating this Union;
  11. Welcomes the undertaking given by the Commission that it will take an active part in the discussions concerning the institutional revision of the Community and calls upon it to give its support to the democratic requirements expressed by the European Parliament;
  12. Instructs its President to forward this resolution and the report of its committee, together with its resolution of 17 June 1987, to the governments and parliaments of the Member States, the Commission and the Council.

Thursday, 16 February 1989

(b) Doc. A2-348/88

## RESOLUTION

### on relations between the national parliaments and the European Parliament

*The European Parliament,*

- having regard to the draft Treaty establishing the European Union, which it adopted on 14 February 1984, and the accompanying resolution <sup>(1)</sup>,
  - having regard to its request of 17 April 1986 to the national parliaments, when ratifying the Single Act, to point out its shortcomings to the national governments <sup>(2)</sup>,
  - having regard to the documents submitted and resolutions passed by the national parliaments in this connection,
  - having regard to the contacts between the respective delegations of its Committee on Institutional Affairs and the Member States' parliaments,
  - having regard to its resolution of 17 April 1985 on the progress of deliberations in the national parliaments on the draft Treaty establishing the European Union <sup>(1)</sup> and its resolution of 17 June 1988 on the democratic deficit <sup>(2)</sup>,
  - having regard to motions for resolutions Docs. 2-390/84, 2-1317/84/rev., B2-311/86, B2-593/87, B2-648/87, B2-1812/87, B2-1813/87 and B2-187/88,
  - having regard to the report of its Committee on Institutional Affairs (Doc. A2-348/88),
- A. whereas, while frequent visits, usually involving the same people, may establish and cultivate the necessary contacts, particularly on a personal level, they do not promote joint work to a sufficient extent,
- B. whereas, in the coming years, a major proportion of legislation affecting the economy and a substantial part of tax and social legislation could be enacted at Community level and whereas there is, therefore, an urgent need for much closer and detailed cooperation with national parliaments,
- C. whereas there is a need to provide national parliaments and their Members with better information about the work of the European Parliament and the need for further development of the European Community towards European Union,

<sup>(1)</sup> OJ No C 77, 19.3.1984, p. 33.

<sup>(2)</sup> OJ No C 120, 20.5.1986, p. 96.

<sup>(1)</sup> OJ No C 122, 20.5.1985, p. 82.

<sup>(2)</sup> OJ No C 187, 18.7.1988, p. 229.



1. Considers that practical cooperation with representatives of the national parliaments is imperative for the promotion of further institutional reforms, notably increased involvement of the European Parliament in Community legislating, strengthening the executive powers of the Commission, the further development of European monetary union and European Political Cooperation and for the preparation of the necessary amendments to the Community's founding Treaties, on the basis of the relevant provisions of the European Parliament's draft Treaty establishing the European Union which require ratification by the national parliaments;
2. Considers that there is an urgent need for close cooperation between the European Parliament and the national parliaments in all areas, such as environmental protection, consumer protection, transport and energy, where policy must be shaped by the legislative and executive authorities at both Community and national levels;
3. Considers it necessary in particular for the national parliaments to monitor the application of the Single Act in accordance with the Treaty by the relevant national representatives in the Council of Ministers and the European Council and to ensure the speedy incorporation of directives, particularly those affecting the internal market, into the national law of the Member States, and for this reason will see to it that the national parliaments are kept informed, particularly about the state of development of the internal market;
4. Welcomes the setting up in the national parliaments of select committees, subcommittees and commissions responsible for European Community affairs and considers particularly useful the practice whereby certain national Parliaments invite Members of the European Parliament to participate fully in these committees as a step towards more structural cooperation between the national parliaments and the European Parliament;
5. Believes that members of these bodies should be entitled to attend meetings of European Parliament committees in a consultative capacity and considers that regular joint meetings should be held between representatives of these bodies and the European Parliament's standing committees;
6. Recommends to this end that the national parliaments appoint liaison officers in their committees to be responsible for contacts with the European Parliament and its committees and that these officers meet regularly with the members of the corresponding EP committees for consultation and exchanges of views;
7. Suggests that staff exchanges be organized between European Parliament officials and civil servants working for the parliaments of the Member States; welcomes the fact that the Bureau of the European Parliament has taken a decision to that effect and appropriations have already been entered for that purpose in the 1989 budget;
8. Welcomes the regular joint meetings of the Presidents of the national parliaments and the President of the European Parliament;
9. Recommends that the chairmen of the European Parliament's political groups hold regular meetings with their counterparts in the national parliaments;
10. Instructs its Committee on Institutional Affairs to invite appropriate delegations from the national parliaments to Brussels to take part in talks on specific topics, in particular for discussion of further steps towards democratization and reform of the European Community as it progresses towards European Union;
11. Instructs its President to forward this resolution and report of its committee to the national parliaments.

Friday, 14 April 1989

**12. Delegation of the power of decision to committees (Rule 37)****(a) Appointment of senior officials by the Commission**

— Doc. A2-37/89

**RESOLUTION****on consultation of the European Parliament on the appointment of senior officials by the Commission and on the Community's diplomatic representation***The European Parliament,*

- having regard to the motion for a resolution by Mr Hänsch on the consultation of the European Parliament on the appointment of senior officials by the Commission (Doc. B2-738/87),
  - having regard to the motion for a resolution by Mr Medina Ortega on the EC's diplomatic representation (doc. B2-99/88),
  - having regard to the Treaties establishing the European Communities,
  - having regard to the Single Act and in particular Title III thereof,
  - having regard to the case law of the Court of Justice of the European Communities,
  - having regard to the Vienna Convention of 1986 on the law of Treaties between States and International Organizations or between International Organizations,
  - having regard to its resolution of 27 October 1988 on progress towards European Union in 1987 <sup>(1)</sup>,
  - having regard to the Draft Treaty establishing the European Union, adopted by the European Parliament on 14 February 1984,
  - having regard to its resolution of 17 June 1988 on the European Parliament's role in the field of foreign policy in the context of the Single European Act <sup>(2)</sup>,
  - having delegated the power of decision to its Political Affairs Committee pursuant to Rule 37 of the Rules of Procedure,
  - having regard to the report by the Political Affairs Committee and the opinion of the Committee on Institutional Affairs (Doc. A2-37/89),
- A. expressing its conviction that the process of extending democracy within the Community at institutional level must continue and be intensified,
- B. whereas this should lead to the involvement of the European Parliament in appointing the highest executive authorities of the Community as part of its democratic control over those empowered to take decisions,
- C. mindful that its own enlarged Bureau has already stated its 'complete agreement' with the appointment of the present President of the European Commission for a further two years, after it has officially been notified of the intention of the Heads of State and Governments meeting in the European Council to proceed,
- D. stressing the importance of the statement by the current President of the Commission in the newspaper 'Die Welt' of 13 May 1987 that it would one day be the task of the European Parliament to appoint the President of the Commission,

<sup>(1)</sup> OJ No C 290, 14.11.1988, p. 5.<sup>(2)</sup> OJ No C 187, 18.7.1988, p. 233.

- E. stressing the fact that the Commission already carries out a certain amount of consultation with the governments of the Member States when it comes to appointing certain high-ranking officials,
- F. recognizing the immense value of the Community's external relations as one of the ways 'to transform relations as a whole among their States into a European Union', as the Single European Act states in its first paragraph,
- G. whereas although the European Community already possesses the right to send and receive diplomatic representation, in practice the Community's external relations are conducted in two ways: via the Commission as regards the right to receive representation and to send delegations to the many countries in whose development programmes the Community is involved, and via the Presidency-in-Office of the Council as regards the exercise of European cooperation on matters of external policy,
- H. mindful that since 1974 various Members of the European Parliament have suggested to the Council that it should appoint Community diplomatic missions headed by ambassadors and that this has in fact already happened in some cases,
- I. stressing the priority given by the Single Act to European Political Cooperation, although it is not given institutional status vis-à-vis other countries or other international organizations, nor is it provided with extra-Community structures of its own such as those which the Commission possesses in the form of its network of delegations,
- J. repeating once more its long-standing wish to participate more and more closely and continuously in the development of European Political Cooperation, fulfilling the role assigned to it by the Single Act in this area, to which end it would unquestionably be most useful to establish regular contact between its Political Affairs Committee and the representatives of European Political Cooperation,
- K. in the firm belief that it has the duty to contribute to a debate which could be very useful if the Member States decide to revise Title III of the Single Act in 1992, availing themselves of the specific right granted to them for such a purpose by Article 30.12 of the Single Act itself,
  1. Calls on the Commission to examine the most suitable procedure possible that would allow the future Parliament to be consulted on the appointment of the President of the Commission and the Members of the Commission;
  2. Believes that this procedure for consulting Parliament should, at different stages, involve the enlarged Bureau, Parliament's committees and the whole House; in the case of the committees, this would be only with reference to the respective sectoral responsibilities assigned to each of the Members of the Commission by the President of the Commission;
  3. Believes that Parliament should be empowered to consider the work programme submitted by the Commission in plenary sitting so that it may be ratified, or not, by a majority vote of its members;
  4. Believes that the European Community should further develop its common foreign policy, as stated in the Stuttgart Declaration of 1983, strengthening European Political Cooperation in other countries and in the various international organizations, not merely on the political front, but also at diplomatic and administrative level;
  5. Calls on the Commission to draw up a general study of the Community's external relations, covering both those which come under the aegis of the Commission itself and those conducted by the Presidency of Political Cooperation;
  6. Calls for this study to address the question of maintaining the consistency which Article 30.5 of the Single European Act states to be essential between 'the external policies of the European Community and the policies agreed in European Political Cooperation'; and to this end, for the Commission to carry out such consultation as it deems to be appropriate with the Secretariat of European Political Cooperation;

7. Believes that it is, in any case, necessary to achieve the harmonization of the Community's present systems of external representation, particularly with regard to the exercise of its right to send diplomatic missions;

8. Calls upon the Commission, within the framework of the study referred to above, to examine the situation of its permanent delegations in other countries, the Community's relations with other international organizations and the diplomatic activity of the Community and its Member States with regard to those countries in which no Member State, or only a few Member States maintain diplomatic representation *in situ*;

9. Calls on the Secretariat of Political Cooperation to assist in drawing up the above-mentioned study, looking towards a Europe that will present an increasingly united front in its international relations, that will be able to unite the scattered efforts of its twelve national diplomatic corps and the civil servants who staff them, so that in future it may be truly possible to project the Community's inner unity abroad;

10. Instructs its President to forward this resolution to the Council and the Commission of the European Community, to the Presidency and the Secretariat of the European Political Cooperation and to the governments and parliaments of the Member States of the European Community.

Friday, 26 May 1989

**(q) Presidency of the European Community**

— Doc. A2-140/89

**RESOLUTION****on the Presidency of the European Community***The European Parliament,*

- having regard to the motion for a resolution by Mrs Fontaine and others (Doc. B2-1482/86),
  - having delegated the power of decision to its Committee on Institutional Affairs, pursuant to Rule 37 of the Rules of Procedure,
  - having regard to the report of the Committee on Institutional Affairs (Doc. A2-140/89),
- A. whereas the European Community needs a prominent figure to represent it, both in its internal and external relations,
  - B. having regard to the various proposals put forward by former members of the European Council to give the latter a stable presidency,
  - C. having regard to the various proposals for the direct — or indirect — election of the President of the Commission,
  - D. whereas an elected President of the Commission will have to play a bigger role in European Political Cooperation, in which he has been involved since the Single Act came into force,
  - E. having regard to the legitimacy which national parliaments and the European Parliament share, elected as they are by universal suffrage by the people of the Community,
  - F. whereas there is a need to strengthen and assert parliamentary government in Europe, particularly with regard to the strengthening of the executive, and whereas such strengthening must be based on constant, thorough and official cooperation between the European Parliament and the national parliaments,
  - G. mindful of its resolution of 16 February 1989 calling on the new European Parliament constituted after the June 1989 elections to draw up a draft treaty of European Union based in part on its draft treaty of 14 February 1984, and whereas the question of the Presidency of the Community will constitute a vital element of this draft,
- 1. Proposes that the new Parliament to be constituted after the June 1989 elections consider the following proposals in the context of the overall draft on European Union proposed in its resolution of 16 February 1989:
    - (a) the creation of a 'European Congress' composed of Members of the European Parliament and an equal number of members of the national parliaments,
    - (b) the election by the 'European Congress' of the President of the Commission, from a list of candidates put forward by the European Council, following a general policy debate;
  - 2. Instructs its President to forward this resolution to the European Council, the Commission and the governments and parliaments of the Member States.

Thursday, 27 July 1989

## PART II

## Texts adopted by the European Parliament

**European Council meeting in Madrid and term in office of the Spanish Presidency**

— Doc. B3-19/89

## RESOLUTION

## on the European Council meeting in Madrid

*The European Parliament,*

- A. considering with satisfaction the results obtained by the European Community during the six months of the Spanish Presidency and at the European Council meeting in Madrid, which marked the beginning of a new phase in the process of European integration,
- B. having regard to the coordination and continuity of the successive presidencies of the Council,
- C. bearing in mind the obligation to respect the deadlines set out in the Single Act,
  1. Notes the European Council's declaration that the social aspects of the establishment of the internal market should be given the same degree of importance as the economic aspects and draws attention to the progress made since the Hanover Summit in the fields of employment, health and safety at work, training, qualifications and professional mobility;
  2. Stresses the importance of launching social dialogue at Community level which, whilst it is no substitute for legislative action on the part of the Member States and the Community in the social sphere, is not progressing at the desired rate under the influence of the employers;
  3. Welcomes the European Council's declared determination to tackle the threats to the environment which are on a global scale;
  4. Notes with satisfaction that the European Community now has a regulation with a view to the reduction of emissions from motor vehicles and that the Council followed the lead of the European Parliament on this subject;
  5. Welcomes the call for a rapid decision on setting up a European Environmental Agency and requests that its duties should be decided on with the European Parliament's agreement;
  6. Notes the European Council's statement on the need to eliminate physical and fiscal barriers with a view to establishing an area without internal frontiers by 31 December 1992;
  7. Notes the fact that the European Council has called upon the Council of Ministers to adopt the directive on 'television without frontiers' within the timetable provided for under the cooperation procedure with Parliament and to promote productions of European origin; hopes, nevertheless, that the Council will adopt the proposals which the European Parliament has adopted by a qualified majority;
  8. Congratulates the Spanish Presidency on having presided with success over the signing of the interinstitutional agreement on petitions;

9. Supports the proposal to set up a European guarantee fund to help solve the foreign debt problems of the heavily indebted countries, but regrets the fact that no joint position was adopted on this subject before the G7 summit in Paris;

10. Expects, furthermore, that the approaching conclusion of the Lomé IV agreement will clearly point the way forward for the European Community's world-wide North-South cooperation; hopes, therefore, in particular to see a drastic increase in funding by the Member States in order to meet this obligation;

11. Backs the European Council's undertaking to continue the process of improving East-West relations, especially in the framework of the CSCE and taking recent developments into account; welcomes the fact that the Commission has now received the mandate to coordinate aid from OECD countries for Poland and Hungary;

12. Supports the position of the European Council on Cyprus and shares its anxiety concerning the continued non-resolution of the Cyprus question; calls on the Council to take steps to obtain the immediate release of the 108 persons, including journalists and members of religious orders, arrested by Turkish troops in the neutral zone of Nicosia, in order to prevent the frustration of the UN's efforts to achieve a lasting solution;

13. Welcomes the European Council's determination to take action to find a lasting solution to the conflict between Israel and the Arab countries and shares the view that the PLO must take part in the peace process and that all the parties concerned must grasp the opportunity to establish lasting peace;

14. Condemns, as does the European Council, the brutal repression in China, demands an end to the executions, supports the measures announced by the European Council and calls on all the Member States to abide by them;

#### *Social dimension*

15. Regrets that the attitude of one Member State hindered the immediate adoption of measures which would have allowed progress to be made in the social dimension, without which the internal market will not be feasible;

16. Calls for the completion of the internal market to be used to reduce social and regional disparities;

17. Calls for the adoption of a Community charter of fundamental social rights together with the relevant binding legal instruments, without which the internal market will fail owing to a lack of the necessary public support;

18. Calls especially for those directives concerned with equality between men and women, at present blocked by Council, to be adopted as a matter of urgency;

19. Calls for the statute of the European company to guarantee worker participation in the management of undertakings;

20. Calls for support and encouragement for the participation of the various social partners at Community level;

#### *Economic and monetary union*

21. Backs the objectives of the Delors report on the establishment of economic and monetary union, and reconfirms the position it has taken up on this question; welcomes, therefore, the decision at the summit to embark on the first stage and to convene an intergovernmental conference and invites the Council to speed up its activities;

22. Reaffirms that the *raison d'être* of economic and monetary union is a strengthening of economic cohesion and an improvement in the employment situation and that it must be accompanied by a reduction of the social and regional disparities in the Community;

23. Points out that the implementation of Article 8a of the EEC Treaty will be facilitated by the harmonization of taxation and calls for decisions to be taken during the French presidency and for fiscal harmonization to ensure a balance between taxation on earned income and investment income;

24. Requests that, in order to obviate the negative effects of the liberalization of capital, measures should be taken before 1 July 1990 on minimal taxation of savings to prevent the delocalization of savings, which would be contrary to the objective of economic and social cohesion and convergence;

25. Calls for the adoption of legal instruments and the strengthening of cooperation to deal with fiscal fraud, the laundering of money and the fraud which adversely affects the Community budget;

#### ***Environmental protection***

26. Stresses the need to extend environmental policy in accordance with the aims of the Single European Act and to integrate it into the other Community policies and calls, therefore, for a permanent system for monitoring the environmental impact of Community policies and for financial resources to be used in a way which is compatible with environmental protection;

27. Calls for the establishment of a comparative data base of national environmental data to enable Community environmental policy to be based on precise information and reiterates its requests for improved monitoring of the application of Community environment law, with Community institutions being given clearly defined responsibilities;

28. Reaffirms once again its demands for a drastic reduction of all air and water pollution; takes the view that the growing pollution by waste materials must be reduced by means of a Community waste management policy;

29. Calls for a more effective policy to be adopted to limit emissions of carbon monoxide and carbon dioxide;

30. Insists that international cooperation must be stepped up, notably as regards measures to curb gas emissions into the atmosphere which cause climatic changes and to bring about a drastic reduction in maritime pollution in the Community;

31. Stresses the need for improved international East-West and North-South cooperation on environmental protection, with the European Community adopting clear and responsible positions in particular with regard to global climatic changes, protection of the ozone layer, tropical forests and endangered species; considers that long-term solutions must be found and implemented in agreement with the developing countries;

#### ***Intergovernmental conference and democratic progress***

32. Welcomes the invitation to various Community institutions made by the European Council to assess their role after 1992; stresses that the mandate of the intergovernmental conference should also include institutional reform to facilitate progress towards a more effective and democratic Community with a greater role for the European Parliament, and asks to be involved as of now in the preparations for the conference;

#### ***A People's Europe***

33. Points out its commitment to the principles of the right of asylum and calls for the harmonization at Community level to be carried out in the spirit of openness found in its resolution of 12 March 1987<sup>(1)</sup>;

34. Considers that in the future the drive to combat racism and xenophobia must be one of the mainstays of a People's Europe and calls on the Council to adopt the proposals contained in the draft resolution submitted by the Commission;

35. Calls on the Council to adopt as soon as possible the draft directives on the right to vote in and stand for election in local elections and the right of residence;

<sup>(1)</sup> OJ No C 99, 13.4.1987, p. 167.



36. Draws attention to the statement by the Heads of State or of Government meeting in Madrid that overall progress towards the creation of a people's Europe has been unsatisfactory, particularly as regards efforts to eliminate identity controls at the Community's internal borders and to strengthen cooperation between national authorities in combating international crime; reiterates its demand that progress towards European Union must result in a strengthening of fundamental rights and freedoms;

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37. Instructs its President to forward this resolution to the Council, the Commission, the governments and the parliaments of the Member States.

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Thursday, 23 November 1989

**7. Amendment of the Treaties, Community legislation and institutional reform**

— Doc. B3-471/89

**RESOLUTION****on the intergovernmental conference decided on at the European Council in Madrid***The European Parliament,*

- having regard to the final communiqué of the Madrid Summit,
  - having regard to its 1984 draft Treaty establishing the European Union,
  - having regard to the joint declaration on democracy,
  - having regard to the 1977 joint declaration on fundamental rights <sup>(1)</sup>,
  - having regard to the written declarations adopted by the European Parliament on 16 May 1988 <sup>(2)</sup> on the European States-General and on 16 June 1988 on constituent powers and a plebiscite <sup>(3)</sup>,
  - having regard to its resolution of 16 February 1989 on the strategy of the European Parliament for achieving European Union <sup>(4)</sup>,
  - having regard to its resolution of 12 April 1989 adopting the Declaration of fundamental rights and freedoms <sup>(5)</sup>,
  - having regard to its resolution of 27 July 1989 on the European Council meeting in Madrid, and, in particular, paragraph 32 thereof <sup>(6)</sup>,
  - having regard to its resolution of 25 October 1989 on economic and monetary union <sup>(7)</sup>,
  - having regard to Article 236 of the EEC Treaty, Articles 95 and 96 of the ECSC Treaty and Article 204 of the EAEC Treaty,
  - having regard to the results of the referendum of 18 June 1989 in Italy,
  - having regard to the opinion polls carried out in the other Member States,
  - having regard to the numerous occasions on which national parliaments have endorsed the European Union and the 1984 draft treaty,
- A. whereas the Member States founded the European Community with the aim of creating an ever closer union between the peoples of Europe based on strengthening parliamentary democracy, not weakening it,
- B. whereas when the original Community statute was laid down in the founding Treaties the only form of representation was at national level and was of necessity based on intergovernmental negotiations, a situation that prevailed until the election of the European Parliament by universal suffrage,
- C. whereas by virtue of its election by direct universal suffrage, the European Parliament's legitimate role is to express the will of the peoples of the Community,
- D. whereas in the present state of the Community, the direct democratic mandate takes two different forms: first, that of the direct European mandate embodied by the European Parliament elected by direct universal suffrage, and second, by the direct national mandates expressed according to the various national constitutions,

<sup>(1)</sup> OJ No C 103, 27.4.1977, p. 1.<sup>(2)</sup> OJ No C 167, 27.6.1988, p. 19.<sup>(3)</sup> OJ No C 187, 18.7.1988, p. 200.<sup>(4)</sup> OJ No C 69, 20.3.1989, p. 145.<sup>(5)</sup> OJ No C 120, 16.5.1989, p. 51.<sup>(6)</sup> See minutes of 27.7.1989, part II.<sup>(7)</sup> See minutes of that sitting, Part II, Item 8.

- E. whereas this implies that any modification of the founding Treaties and of Community legislation, particularly the drawing up of the constitutional bases of the European Union, requires a joint decision by the Member States, meeting in the Council of Ministers, and the European Parliament,
  - F. having regard to its repeatedly expressed belief that the democratic structure of the Community will remain incomplete until Parliament possesses joint decision-making rights on an equal footing with the Council in all important policy decisions, in particular in legislation, and has a decisive say in the appointment of the Commission,
  - G. convinced that Parliament must have acquired joint decision-making powers on an equal footing with the Council on legislative matters at the latest by the next elections in 1994,
  - H. recalling that, although Article 236 of the EEC Treaty refers to an intergovernmental conference to agree to modifications to the Treaty, such conferences have in the past never been restricted to representatives of governments but have always included representatives from at least one Community institution, namely the Commission, and that nothing in the Treaty precludes the governments concerned from including representatives from other Community institutions or from seeking to reach agreement with such representatives,
  - I. recalling its dissatisfaction with the procedures followed during the drafting and adoption of the Single European Act, which failed to meet its demands for democratic reforms,
  - J. whereas the Community must equip itself with the means to defend its legitimate interests and play its rightful international role, notably in establishing a lasting peace in Europe and, in particular, in fulfilling its historic task vis-à-vis the peoples of Central and Eastern Europe and guaranteeing the individual and social rights of European citizens,
  - K. whereas the objectives of the draft treaty establishing the European Union, adopted by Parliament on 14 February 1984, remain in force as guidelines and whereas Parliament, in its resolution of 16 February 1989, claimed responsibility for implementing these objectives,
  - L. whereas the upsurge of democracy in Central and Eastern Europe calls for a swift and significant strengthening of the democratic and political nature of the Community, both as a guarantee of its political cohesion and as a model of credible political democracy and of genuinely democratic institutions,
  - M. whereas economic and monetary union must be accompanied by a social dimension which must keep pace with the economic and monetary aspects,
1. Calls on the Member States, in the light of the decision of the European Council in Madrid to convene an intergovernmental conference in 1990, to take full account of the aforementioned dual representation so as to enable Parliament to take part on equal terms in both the preparatory stages and the intergovernmental conference itself;
  2. Accepts the successive proposals of Felipe Gonzalez and François Mitterrand and proposes the convocation of a preliminary conference at the beginning of 1990 in which an equal number of representatives of the Commission, the Council and the European Parliament will take part and which will draw up specific proposals for the necessary reform of the Treaty; Instructs its President to invite the Commission and the governments to this conference; Invites the parliaments of the member countries to the 'European Assizes', an assembly of the parliaments of Europe, to discuss the next stages in the implementation of the European Union;
  3. Instructs its Committee on Institutional Affairs to draw up a report in preparation for an assembly of the parliaments of Europe, the 'European Assizes', which should begin in the second half of 1990;
  4. Calls on the Heads of States or Government to confirm the decision to hold an intergovernmental conference when they meet at the European Council on 8 and 9 December in Strasbourg, to enable it to be opened immediately after the implementation of the first stage of economic and monetary union, since amendments to the Treaties need to be drawn up for this purpose;

5. Calls for the mandate of the intergovernmental conference to include the revision of the Treaties to provide for more efficient and more democratic decision-making in the Community, including more majority voting in Council (especially in environmental and social matters), a strengthening of the Commission's powers to implement Community policies and the enlargement of the power of the European Parliament;

6. Calls for these amendments to the Treaties to confer on the European Parliament the following powers:

- co-decision with the Council on Community legislation;
- right to initiate legislative proposals;
- right to give its assent to the appointment of the Commission, the Court of Justice and the Court of Auditors;
- right of inquiry;
- ratification of all constitutional decisions which also require ratification by the Member States;
- ratification of all important international agreements and international conventions requiring ratification, before their entry into force in the Community;

calls also for the Declaration on fundamental rights and freedoms to be incorporated in the Treaty;

7. Calls on the Member States to ensure that the construction of European Union goes hand-in-hand with a strengthening of regional autonomy according to the principle of subsidiarity;

8. Asks that the next intergovernmental conference should also consider the social dimension of Europe and in particular provide for the extension of qualified majority voting and the cooperation procedure to all social policy matters, so that clearly-defined fundamental social rights secured by procedures before the Community's judicial authorities may actually be established;

9. Points out that European economic and monetary union and the completion of the single market are likely to exacerbate the present disparities between the various regions and will make it necessary to ensure the overall consistency of all Community policies with a view to the balanced development of the regions of Europe;

10. Affirms that its acceptance of the results of the intergovernmental conference will be subject to respect for the conditions regarding procedure and substance referred to above and calls on the national parliaments to support the European Parliament's position as regards the results of this conference;

11. Decides to begin immediately to formulate the constitutional bases of the European Union on the basis of the principles of the draft treaty adopted on 14 February 1984 (subsidiarity, effectiveness and democracy) and of the political and legal consequences ensuing if a small minority of Member States did not join the European Union;

12. Calls on the Commission fully to support the demands made by Parliament regarding the preparations for, the holding of and the mandate of the intergovernmental conference;

13. Instructs its President to forward this resolution to the Council, the Commission and the national governments and parliaments.

Thursday, 14 December 1989

## PART II

## Texts adopted by the European Parliament

**1. Statements on the European Council meeting in Strasbourg and the term of office of the French Presidency****(a) Joint resolution replacing Docs. B3-662 and 666/89****RESOLUTION****on the European Council in Strasbourg and the French Presidency's six months in office***The European Parliament,*

- having regard to the conclusions of the European Council meeting in Strasbourg on 8 and 9 December 1989,
- having regard to its resolutions on Economic and Monetary Union of 14 April 1989 <sup>(1)</sup> and 25 October 1989 <sup>(2)</sup>,
- having regard to the resolution of 22 November 1989 on economic and social cohesion <sup>(3)</sup>,
- having regard to the resolution of 23 November 1989 on Eastern Europe <sup>(4)</sup>,
- having regard to the resolution of 23 November 1989 on an Intergovernmental Conference <sup>(5)</sup>,
- having regard to the conclusions drawn and commitments undertaken by the European Council, particularly at its meetings in Brussels, Hanover, Rhodes and Madrid, and to the statements made by the Presidents-in-Office of the European Council before the European Parliament,
- having regard to its draft Treaty establishing the European Union, adopted on 14 February 1984,

1. Welcomes the European Council's declaration that 'it is in the interest of all European States that the Community should become stronger and accelerate towards European Union' <sup>(6)</sup>, thus demonstrating that the current political context in Europe requires the pace of European integration to be stepped up, since that integration is the only way in which an open approach can be made to and solidarity demonstrated with the other countries in Europe;

2. Hopes that all the Member States of the Community will participate in the economic and monetary union and support the social dimension but wants the new Treaty to enter into force even if not all the Member States accede to it immediately;

*Intergovernmental conference*

3. Welcomes the agreement within the European Council on the desirability of organizing an Intergovernmental Conference; regrets, however, that the European Council should have decided to wait another twelve months before convening the Conference, laying down its terms of reference, timetable, working methods and procedures for involving the European Parliament in the Conference on an equal footing with the Member States;

<sup>(1)</sup> OJ No C 120, 16.5.1989, p. 331.

<sup>(2)</sup> See minutes of that sitting, Part II, Item 8.

<sup>(3)</sup> See minutes of that sitting, Part II, Item 1.

<sup>(4)</sup> See minutes of that sitting, Part II, Item 6.

<sup>(5)</sup> See minutes of that sitting, Part II, Item 7.

<sup>(6)</sup> Conclusions, Section I.

4. Calls on the Italian Government, which will be responsible for convening the Conference, to begin meticulous preparations as soon as it takes over the Presidency and to propose a programme of work which will enable the new Treaty to enter into force on 1 January 1993;
5. Considers that the Intergovernmental Conference now scheduled for late 1990 should not be confined solely to the monetary aspects of European Union; calls for the Conference to define the means for a genuine Community foreign policy and the effective instruments of an environmental policy and a social policy; calls for improvement of the effectiveness and democratic control of the Institutions, in particular by strengthening the European Parliament's powers, which must share with the Council the power of decision on Community legislation;
6. Repeats its request to participate in the preparatory work and in the Intergovernmental Conference and points out that there is nothing in Article 236 of the Treaty to exclude the participation of Parliament (or the Commission), or the possibility of an agreement between the Member States and the European Parliament, which would provide a balance and a twofold legitimacy for the reforms in question; stresses the adverse effects deriving from its inadequate involvement in the Intergovernmental Conference which drew up the Single Act; calls on the Council, especially the successive French, Irish and Italian Presidencies, to open a political dialogue with the European Parliament forthwith;
7. Warns that — since Article 236 lays down that the President of the Council may convene a conference of the representatives of the governments of the Member States, on condition that the procedure for the consultation of the European Parliament is followed — its opinion on the calling of the Intergovernmental Conference will depend on whether the above points are taken into account;
8. Confirms that it will prepare global proposals for the Intergovernmental Conference in all the essential sectors; in this preparation it will organize the conference of the Community Institutions as proposed to Parliament by Mr Felipe Gonzalez, speaking on behalf of the European Council in April 1989; empowers its President to invite the Commission and the Member States early next year to attend a preliminary conference which will draw up specific proposals concerning the terms of reference and working methods of the Intergovernmental Conference and the reform of the Treaties; calls on the Heads of State or Government to appoint one representative from each Member State to attend this preparatory conference;
9. Announces that, with a view to the European 'Assizes' on the future of the Community proposed by Mr François Mitterrand, President-in-Office of the European Council, and approved by Parliament in paragraph 2 of its resolution of 23 November 1989, it undertakes, on the basis of the draft Treaty of 14 February 1984 and of the principles of subsidiarity, democracy and efficiency, to elaborate the constitutional foundations of the European Union;

#### ***Social charter***

10. Condemns the inadequacy of the text of the Social Charter adopted by the Council;
11. Draws the attention of the Council and Commission to the need for rapid implementation of the action programme, which must encompass not only the substance of the Charter adopted by the Council and the directives pending before Council, but also all the other elements necessary for the attainment of social Europe, already formulated on several occasions by the European Parliament; insists that the main proposals for directives must be submitted to the Council and Parliament as a matter of priority by the first quarter of 1990 so that they may be adopted by 1 January 1993; will take the necessary steps to affirm its role in the implementation of the Charter and common social policies;
12. Considers that the Commission's diligence in this regard will be a test of its resolve actually to establish the social dimension in parallel with the completion of the single market; calls in particular for an extension of the scope of Article 118a to all social issues; calls, further, on the Commission to provide, in its legislative programme for 1990, a specific timetable and legal basis for the instruments it proposes to use;

### ***Foreign policy***

13. Congratulates the Council for the common policy it has already implemented on behalf of the countries of Central and Eastern Europe and calls for rapid implementation of the measures announced by President Mitterrand following the extraordinary Council meeting held in Paris on 18 November 1989, especially the European Bank for Reconstruction and Development, and for the measures taken on behalf of Poland and Hungary;

14. Approves the Council's statement on consolidating peace in Europe in which the German people will reunite through free self-determination, honouring the agreements, Treaties and all the principles laid down in the Helsinki Final Act and within the prospect of European integration;

15. Considers that respect for the frontiers, including the Oder-Neisse Line, recognized in the Helsinki Final Act, constitutes an essential element of European security, even if all these frontiers have not yet been formally established by a peace treaty;

16. Notes the agreement on the Fourth Lomé Convention, pending the final decision it will take when delivering its assent under Article 238 of the Treaty, but deplores the refusal of certain Member States to increase the financial endowment and improve access of ACP products to our markets; emphasizes that the Community's interest in supporting democracy in the Eastern European countries should not detract from our development policies in other parts of the world;

17. Supports:

- the Council's attachment to the implementation of the Taif Agreements, as the necessary basis for national reconciliation in Lebanon, and welcomes its determination to increase Community aid to people living in the territories occupied by Israel;
- the Euro-Arab Conference to be held in Paris on 21 and 22 December 1989, which must substantially reinforce cooperation between the two regions;
- the Council's appeal, in view of the serious turn taken by the situation in Central America and the danger posed by recent events for the peace process launched by the Esquipulas II accords, calling firmly on the parties to the conflict to engage in dialogue;
- the Council's evident intention to assist the economic and social development of a democratic Chile, particularly through a future cooperation agreement;
- the Council's determination to assist in the dismantling of apartheid and, to that end, expects the South African authorities to adopt specific measures at an early date; those measures will influence the attitude of the Commission, Council and Member States towards the adoption and stepping up of sanctions;

18. Notes that the division between Community political cooperation and the Community's external policy is becoming more and more fictitious and feels that the appropriate conclusions should be drawn at the level of the Institutions;

### ***Progress in completing European integration***

19. Notes the progress made by the Council in a large number of sectors for the completion of the internal market; hopes, however, that this faster pace will be matched within the Member States when it comes to incorporating the measures adopted into national law, since otherwise the deadline of 1 January 1993 for completion of the internal market will be put at risk;

20. Calls on the Council to take a decision on the many issues awaiting conclusion (right of residence, merger controls, public works contracts, etc.);

21. Calls for progress to be made in connection with the first stage of Economic and Monetary Union, as defined in the Delors Committee report; such progress applies specifically to the greater convergence of economic policies and the improvement in cooperation between central banks; considers it essential that measures be taken for better consultation of the European Parliament from the beginning of the first stage of economic and monetary union and for all the currencies to participate in the exchange rate mechanisms of the EMS;

22. Considers, however, that the objective of monetary stability must be seen in the context of economic growth in general, of job creation, economic and social cohesion and the policy for the least-developed regions; calls, in this connection, for the Commission and Council to submit an overall development plan for those regions at an early date;

23. Draws attention to its attachment to the principles of the right of asylum and calls for harmonization at Community level to be effected in the open spirit of its resolution of March 1987 (1); deplores the fact that the Council is not prepared to consider a proposal on the right of asylum although this was set out in the White Paper approved by the European Council in Milan; accordingly does not approve the decision to use agreements in place of directives and regulations;

24. Criticizes the deadlines set for work on the harmonization of indirect taxation and the taxation of savings; calls for these measures, which are essential for the creation of an area without frontiers, to be adopted rapidly in consultation with the European Parliament;

25. Deplores strongly the fact that the Summit endorsed the Council decision on the creation of a European Environment Agency, since Parliament has neither debated nor delivered its opinion on this inadequate proposal, as it is required to do by the Treaties;

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26. Instructs its President to forward this resolution to the Council, the Commission and the national governments and parliaments of the Member States.

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(1) OJ No C 99, 13.4.1987, p.167.



Thursday, 14 December 1989

(b) Doc. B3-664/89

**RESOLUTION****on the Strasbourg European Council***The European Parliament,*

- having regard to the conclusions reached by the Strasbourg European Council and the statements made by the President-in-Office of the Council and the President of the Commission,
- having regard to its resolutions of 25 October 1989 on economic and monetary union <sup>(1)</sup>, 14 September <sup>(2)</sup> and 22 November 1989 <sup>(3)</sup> on economic and social cohesion, 23 November 1989 on the intergovernmental conference <sup>(4)</sup> and 23 November 1989 on Central and Eastern Europe <sup>(5)</sup>,
- having regard to the conclusions reached and undertakings given by the European Council at its meetings in Brussels, Hanover, Rhodes and Madrid as well as the statements made before Parliament by the Presidents-in-Office of the European Council,
- having regard to its draft Treaty establishing the European Union, adopted on 14 February 1984,

**I. As regards economic union:**

- A. whereas the establishment of economic union requires the completion of the single market, a common social policy, centralized setting of budgetary and fiscal guidelines, a form of fiscal harmonization which meets the needs of the single market, a unified financial policy, structural policies which also meet the requirements of economic and social cohesion and systematic consultation of employers and workers at Community level,
- B. whereas economic union cannot be achieved without genuine monetary union,

**II. As regards monetary union:**

- C. whereas the establishment of monetary union entails a single currency, a common external and internal monetary policy and the establishment of a European Central Bank,
- D. whereas there can be no viable monetary union without genuine convergence of national economic policies underpinned by effective, democratic Community institutions,

**III. As regards social policy in Europe:**

- E. whereas the establishment of the single market must go hand-in-hand with the creation of a European social area based on the right to work and a guaranteed minimum income, a reduction in working hours at Community level, guaranteed basic social rights for all workers, including nationals of non-member states, the development of economic democracy, the introduction of collective bargaining at Community level and an improvement in the living and working conditions of ordinary people, thereby leading to greater equality and progress,

<sup>(1)</sup> See minutes of 25.11.1989 — Part II, Item 8.<sup>(2)</sup> OJ No C 256, 9.10.1989, p. 128.<sup>(3)</sup> See minutes of 22.11.1989 — Part II, Item 1.<sup>(4)</sup> See minutes of 23.11.1989 — Part II, Item 7.<sup>(5)</sup> See minutes of 23.11.1989 — Part II, Item 6.

#### *IV. As regards Central and Eastern Europe:*

- F. restating its conviction that the democratic developments in Central and Eastern Europe call for an appropriate response from the EEC, based on objectives and a programme guaranteeing the support and cooperation of the Community institutions and those of the Member States with a view to strengthening institutional links with the countries of Central and Eastern Europe,
  - G. whereas the establishment of economic and monetary union and an increase in citizens' rights as part of a social Europe require a democratic reform of the Community institutions in order to transform the European Economic Community into a genuine European political union based on a federal structure,
  - H. whereas, in the light of the democratic upheaval in the Eastern European countries, this transformation has become even more urgent and necessary as a means of holding out to these countries the prospect of a common European democracy,
  - I. whereas the preparations for and negotiations in the intergovernmental conference on economic and monetary union should be used to initiate the procedures needed to achieve European political union by a specific deadline,
  - J. restating its conviction that the democratic reform of the Community and its transformation into a political union can be achieved only through democratic procedures, which means that any amendment to the original Treaties and the drafting of a constitution for political union require Parliament to have a genuine power of decision,
1. Notes the declarations made by the Council regarding the Community's responsibilities in this crucial period for Europe;
  2. Expresses, however, its dissatisfaction at the results achieved by the European Council and its concern at the discrepancy between the declarations made previously in favour of accelerating the process of political integration in Europe and the conclusions of the Strasbourg European Council;
  3. Notes the approval, by a majority vote, of the Social Charter but expresses deep dissatisfaction at the content of this document and deplores the fact that the procedure chosen did not involve Parliament in shaping the Charter;
  4. Stresses that the Commission and Council, by virtue of their powers to initiate and adopt legislation under the Treaties, have a duty to propose and adopt rapidly, with Parliament's participation, all the binding legislative provisions and programme measures needed to implement basic social rights and an overall Community social policy;
  5. Reserves the right to take all necessary initiatives as quickly as possible to assert its role in shaping and implementing the Charter as well as common social policies;
  6. Calls for the intergovernmental conference to be instructed to define the legal aspects of Community social policy and, in particular, to extend the cooperation procedure and majority voting in the Council to cover all decisions on the social dimension of the single market;
  7. Welcomes the declaration on strengthening the state of peace in Europe, free self-determination for the German people and compliance with the principles enshrined in the Helsinki Final Act and calls for all the measures announced on 18 November in Paris and on 9 December in Strasbourg to be rapidly implemented;
  8. Regrets the fact that the European Council did not mention in its declaration the need to recognize the frontiers resulting from World War II, in particular the Oder-Neisse Line between Poland and Germany, which constitute a crucial factor in European security and the preservation of peace in Europe;
  9. Notes the fact that the majority needed to call an intergovernmental conference on economic and monetary union pursuant to Article 236 of the EEC Treaty already exists;

10. Deplores, however, the fact that, despite the declarations and undertakings which preceded the European Council:

- no formal decision was taken to call the conference,
- no undertakings were given regarding the conference agenda, its working timetable or working methods, in particular as regards Parliament's involvement in the negotiations on an equal footing with the Member States;

11. Severely criticizes the conclusions of the European Council on the subject of democratic supervision of the process of economic and monetary union, since these conclusions do not match the basic principles which should form the basis of a truly democratic equilibrium between the Community institutions;

12. Calls for the preparatory interinstitutional conference to be specifically instructed to define the mandate of the intergovernmental conference on economic and monetary union, which itself would entail a joint decision on the working methods of the conference and the institutional changes needed to achieve economic and monetary union;

13. Warns that – since Article 236 of the EEC Treaty stipulates that the President of the Council may call a conference of representatives of the governments of the Member States on condition that the procedure for consulting the European Parliament is adhered to – it will not deliver its opinion until the Council has agreed to discuss the mandate of the conference jointly with Parliament;

14. Announces that, with a view to the European Assizes on the future of the Community proposed by the President of the European Council, François Mitterrand, and accepted by Parliament in paragraph 2 of its abovementioned resolution of 23 November 1989, it undertakes to update the draft Treaty of 14 February 1984 on the basis of the principles of subsidiarity, democracy and efficiency and with the aim of drafting a new treaty establishing European political union which would be open to all countries of Europe prepared to accept its fundamental principles;

15. Calls on the Commission and the national parliaments to join the European Parliament in supporting the above demands and working towards European political union;

16. Instructs its President to forward this resolution to the President-in-Office of the European Council, the Council, the Commission, the governments and parliaments of the Member States of the Community and the member states of the Assembly of the Council of Europe.

(b) Doc. B3-725/89

## RESOLUTION

### on the European Council in Strasbourg and the French Presidency's six months in office

*The European Parliament,*

- having regard to the conclusions of the European Council meeting in Strasbourg on 8 and 9 December 1989,
- having regard to its resolutions on Economic and Monetary Union of 14 April 1989 <sup>(1)</sup> and 25 October 1989 <sup>(2)</sup>,
- having regard to its resolution of 22 November 1989 on economic and social cohesion <sup>(3)</sup>,
- having regard to its resolution of 23 November 1989 on Eastern Europe <sup>(4)</sup>,
- having regard to the resolution of 23 November 1989 on an Intergovernmental Conference <sup>(5)</sup>,

1. Welcomes the European Council's declaration that 'it is in the interest of all European States that the Community should become stronger and accelerate towards European Union' <sup>(6)</sup>, thus demonstrating that the current political context in Europe requires the pace of European integration to be stepped up, since that integration is the only way in which access can be given to and solidarity demonstrated with the other countries in Europe;

2. Underlines in this context the political determination and maturity of the eleven Member States which have refused to be deterred by the opposition, lack of political foresight and dogmatism of the representative of the twelfth Member State, and the need to maintain that determination and find the means of preventing one Member State from blocking the whole;

#### *Intergovernmental conference*

3. Considers that the Intergovernmental Conference now scheduled for late 1990 should not be confined solely to the monetary aspects of European Union; calls for the Conference to define the means for a genuine Community foreign policy and the effective instruments of an environmental policy and a social policy; calls for improvement of the effectiveness and democratic control of the Institutions, in particular by strengthening the European Parliament's powers, which must share with the Council the power of decision on Community legislation;

4. Repeats its request to participate in the preparatory work and in the Intergovernmental Conference and points out that there is nothing in Article 236 of the Treaty to exclude the participation of Parliament (or the Commission), or the possibility of an agreement between the Member States and the European Parliament, which would provide the necessary balance and a twofold legitimacy for the reforms in question; stresses the adverse effects deriving from its inadequate involvement in the Intergovernmental Conference which drew up the Single Act;

5. Warns that its opinion on the calling of the Intergovernmental Conference will depend on whether the above points are taken into account;

6. Confirms that it will prepare global proposals for the Intergovernmental Conference which would enable the Community to advance towards European Union in all the essential sectors; in this preparation it will organize the preliminary conference of the Community Institutions as proposed to Parliament by Felipe Gonzalez, speaking on behalf of the European Council in April 1989, and the 'Assizes' with the national governments and parliaments as proposed to Parliament by François Mitterrand, speaking on behalf of the European Council in October 1989;

(1) OJ No C 120, 16.5.1989, p. 331.

(2) See minutes of that sitting, Part II, Item 8.

(3) See minutes of that sitting, Part II, Item 1.

(4) See minutes of that sitting, Part II, Item 6.

(5) See minutes of that sitting, Part II, Item 7.

(6) Conclusions, Section I.

### *Social charter*

7. Condemns the inadequacy of the text of the Social Charter adopted by the Council;
8. Draws the attention of the Council and Commission to the need for rapid implementation of the action programme, taking account not only of the substance of the Charter adopted by the Council, the directives pending before Council, particularly those concerning the general organization of work and parental leave, but also of all the other elements necessary for the attainment of social Europe, such as employment, working hours, basic wage, equal treatment, training, minimum earnings, information, consultation, participation of workers, collective agreements and trade union rights, etc., as already requested frequently by Parliament; insists that the main proposals for directives must be submitted to the Council and Parliament as a matter of priority by 1990 so as to be adopted by 1 January 1993;
9. Considers that the Commission's diligence in this regard will be a test of its resolve to establish the social dimension in parallel with the completion of the single market; insists in particular on an extension of the scope of Article 118a to all social issues; notes that, in the absence of sufficient progress in this area, Parliament will be obliged to withdraw its support from the completion of the single market which would thus have become a purely mercantile endeavour; calls on the Commission to provide, in its annual legislative programme for 1990, a specific timetable and legal basis for the instruments it proposes to use;

### *Foreign policy*

10. Congratulates the Council for the common policy it has already implemented on behalf of the countries of Central and Eastern Europe and calls for rapid implementation of the measures announced by President Mitterrand following the extraordinary Council meeting in Paris on 18 November 1989, in particular the European Bank for Reconstruction and Development, and for the measures taken on behalf of Poland and Hungary;
11. Approves the Council's statement on consolidating peace in Europe in which the German people might reunite through free self-determination, honouring the agreements, Treaties and all the principles laid down in the Helsinki Final Act and within the prospect of European integration;
12. Considers that respect for the frontiers deriving from the territorial settlement of the Second World War — and particularly the Oder-Neisse frontier — constitutes a fundamental aspect of European security; calls on the Government of the FRG to recognize them rapidly and unambiguously so as to banish the spectre of a Germany claiming its borders of 1937;
13. Congratulates the Council, pending the final decision it will take when delivering its assent under Article 238 of the EEC Treaty, on its endeavours which have led to agreement on the Fourth Lomé Convention, whilst deploring the refusal of certain Member States to increase the financial endowment and improve access of ACP products to our markets, and emphasizes that the Community's interest in supporting democracy in the Eastern European countries should not detract from our development policies in other parts of the world;
14. Supports the Council's attachment to implementation of the Taef Agreements, as the necessary basis for national reconciliation in Lebanon and welcomes its determination to increase Community aid to people living in the territories occupied by Israel; also supports the Council's attachment to implementation of the UN Secretary-General's efforts to seek a solution in Cyprus which will guarantee the independence, the sovereignty and the territorial integrity of Cyprus in accordance with the UN's resolutions;
15. Supports, further, the Euro-Arab Conference to be held in Paris on 21 and 22 December 1989, which must substantially reinforce cooperation between the two regions;
16. Notes that, in view of the serious turn taken by the situation in Central America and with regard to the danger posed by recent events for the peace process launched by the Esquipulas II accords, the Council has responded by calling firmly on the parties to the conflict to engage in dialogue;

17. Welcomes the Council's evident intention to assist the economic and social development of a democratic Chile, particularly through a future cooperation agreement;

18. Welcomes the Council's determination to assist in the dismantling of apartheid and, to that end, expects the South African authorities to adopt specific measures at an early date; those measures will influence the attitude of the Commission, Council and Member States towards the adoption and stepping up of sanctions;

19. Notes that the division between Community political cooperation and the Community's external policy is becoming more and more fictitious and feels that the appropriate conclusions should be drawn by the Institutions;

#### *Progress in completing European integration*

20. Notes with satisfaction that work in the Council on completion of the internal market is speeding up; wishes this faster pace to be matched within the Member States, however, when it comes to incorporating the measures adopted into national law, since otherwise the deadline of 1 January 1993 for completion of the internal market will be put at risk;

21. Calls on the Council to take a position on the many issues awaiting conclusion (the right of residence, merger controls, public works contracts, etc.);

22. Calls for progress to be made in the first stage of Economic and Monetary Union as defined in the Delors Committee report; such progress applies specifically to the greater convergence of economic policies and the improvement in cooperation between central banks; considers it essential that measures be taken for better consultation with the European Parliament from the beginning of the first stage of economic and monetary union and for all the currencies to participate in the exchange rate mechanisms of the EMS;

23. Considers, however, that the objective of monetary stability must be seen in the context of general economic growth, job creation, economic and social cohesion and the policy for the least-developed regions; call, in this connection, for the Commission and Council to submit an overall development plan for those regions at an early date;

24. Draws attention to its attachment to the principles of the right of asylum and calls for harmonization at Community level to be effected in the open spirit of its resolution of March 1987; deplores the fact that the Council is not prepared to consider a proposal on the right of asylum although this forms part of the White Paper approved by the European Council in Milan; does not approve, therefore, the decision to use agreements in place of directives and regulations;

25. Criticizes the deadlines set for work on the harmonization of indirect taxation and the taxation of savings; calls for these measures, which are essential for the creation of a tax area without frontiers, to be adopted rapidly in consultation with the European Parliament;

26. Deeply deplores the fact that the Summit endorsed the Council decision on the creation of a European Environment Agency, since Parliament has neither debated nor delivered its opinion on this inadequate proposal, as it is required to do by the Treaties;

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27. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.

Friday, 15 December 1989

**7. Progress towards European union in 1988**

— Doc. A3-82/89

**RESOLUTION****on the report by the Council of the European Communities on progress towards European union in 1988***The European Parliament,*

- having regard to the report by the Council of the European Communities on progress towards European Union in 1988 <sup>(1)</sup>,
  - having regard to its resolution of 16 February 1989 on the strategy of the European Parliament for achieving European Union <sup>(1)</sup>,
  - having regard to its resolution of 27 October 1988 on the previous annual report of the Council <sup>(2)</sup>,
  - having regard to the report of its Committee on Institutional Affairs (Doc. A3-82/89),
- A. whereas in the report by the Council on progress towards European Union in 1988, the part concerning the European Community's activities does not take account of the remarks made by the European Parliament in its resolution of 27 October 1988,
  - B. whereas this report is not structured in such a way as to enable a debate on the state of the Union to be held,
  - C. whereas the democratic and operational shortcomings of the Communities' institutional system prevent the European Union from achieving its full potential,
  - D. having regard to the excessive intervention by the committees set up in July 1987, the insufficient regularity with which the advisory committees are in general consulted on internal market matters and the anomalous system of 'regulatory committees' which has been retained, contrary to the spirit of the Treaties,
  - E. aware of the need to improve the basic level of information available to the public on the Communities' activities,

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<sup>(1)</sup> Doc. C2-302/88

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<sup>(1)</sup> OJ No C69, 20.3.1989, p.145.

<sup>(2)</sup> OJ No C309, 5.12.1988, p.97.

<sup>(1)</sup> OJ No C309, 5.12.1988, p.93.

1. Regrets that the Council's report makes no reference to a number of areas that are indispensable to the realization of a people's Europe and that little progress has been made in respect of the proposals and objectives put forward by the Adonnino Committee;
2. Proposes that more effective measures for the application of Community directives be established so that Community law can be implemented uniformly, simultaneously and in full and welcomes the recent reforms in Italy which should improve the application of directives in that Member State;
3. Proposes the creation of a service to provide information on the application of the directives in the various Member States and calls on Member States' parliaments to set up joint committees along the lines of the Belgian Parliament's joint committee;
4. Concerned by the democratic deficit in the European Communities and the danger of this democratic deficit increasing, stresses the urgent need to transfer to the European Parliament legislative and regulatory functions in the areas which the national parliaments have transferred to Community competence;
5. Calls on the Council to agree with Parliament on common basic principles for dealing with applications for accession to the Community; to this end, recalls its position whereby new accessions should be preceded by definite progress in the institutional system, which must fulfil the requirements of effective and democratic decision-making;
6. While noting the progress achieved under the cooperation procedure and the Council's acceptance of about half of Parliament's amendments at the first reading and about one quarter at the second reading, reiterates its requests <sup>(3)</sup>:
  - that the Commission withdraw any proposal rejected by the European Parliament, thereby ensuring that no Community legislation comes into force that has been rejected by the representatives chosen by the electorate specifically to ensure democratic control at Community level,
  - that Council honour the declaration of the Member States, annexed to the Single Act, which provides for recourse to purely advisory committees for assisting the Commission in the implementation of internal market legislation,
  - more guarantees be given concerning the choice of a suitable legal basis for legislative proposals and that conciliation be held between the three institutions if the Council modifies the proposed legal basis,
  - to be informed more fully on the reasons which lead the Council to depart from Parliament's opinions,
  - to be consulted when substantial modifications are made at any point in either the consultation or cooperation procedure,
  - that the conciliation procedure be extended to cover all important draft Community legislation, including areas falling under the cooperation procedure,
  - that the Council participate in the planning of legislation;
7. Calls on the Council to implement the proposals contained in the draft Treaty establishing the European Union adopted by the European Parliament in 1984 which concern the Court of Justice:
  - extension of the right of action of individuals against acts of the Community adversely affecting them,
  - equal treatment for all the institutions before the Court of Justice,



- jurisdiction of the Court for the protection of fundamental rights vis-à-vis the Community,
- jurisdiction of the Court to annul an act of the Community within the context of an application for a preliminary ruling or of a plea of illegality,
- creation of a right of appeal to the Court against the decisions of national courts of last instance where reference to the Court for a preliminary ruling is refused or where a preliminary ruling of the Court has been disregarded,
- jurisdiction of the Court to impose sanctions on a Member State failing to fulfil its obligation under the law of the Community,
- compulsory jurisdiction of the court to rule on any dispute between Member States in connection with the objectives of the European Community;

8. Calls on the Council:

- to adopt a medium-term programme on education policy in the Community having regard to the proposals contained in the European Parliament's resolutions on the mobility of students, the free movement of teachers and more intensive language teaching programmes,
- to adopt coordinated measures to facilitate the transition of young people from school to adult and working life, in particular by adopting a Community policy on vocational training as laid down by the European Parliament on 17 February 1989,
- to promote increased cooperation between Member States in the cultural sphere and, in particular, in the field of audio-visual production;

9. Hopes that major discrepancies between the programme put forward by the Presidency of the Council and the measures actually implemented can be avoided; consequently deplores the Council's ineffectiveness in 1988 in achieving the proposed social objectives and calls on the President-in-Office to implement the Community social dimension, both parallel to and simultaneously with the completion of the single internal market, and to persevere with the campaign against unemployment and back up these measures with a 'guaranteed social minimum',

10. Considers that measures to combat terrorism should be strengthened, particularly through a rigorous application of extradition agreements, with the necessary guarantees for free movement of people and in anticipation of the necessary achievement of the European legal area.

11. Denounces the inadequate cooperation between Member States to deal with fraud against the Communities and the complexity of Community regulations which facilitate fraud;

12. Is of the opinion that with regard to taxation, in 1988 the Council seriously failed in its responsibilities to its citizens because of the obstructions and delays affecting the realization of the programme for fiscal harmonization, designed to ensure that the abolition of restrictions on capital movements does not lead to distortion and that progress can be made towards the completion of the single internal market;

13. Calls on the Council to encourage the competitiveness of European industries by achieving a genuine internal market to ensure full freedom of movement for persons, capital and services, while avoiding any form of economic dirigisme;

14. Requests the Council to commence without delay the preparatory work for the intergovernmental conference on Economic and Monetary Union and to involve the European Parliament in an appropriate fashion;

15. Instructs its President to forward this resolution to the Council, the Commission, the governments of the twelve Member States and their national parliaments.

Doc. A3-47/90

RESOLUTION

on the Intergovernmental Conference in the context of Parliament's strategy for European Union

The European Parliament,

- having regard to the Treaties establishing the European Communities and the Single Act amending them,
- having regard to the Solemn Declaration of the Stuttgart European Council of 19 June 1983<sup>1</sup>
- having regard to its draft Treaty establishing the European Union, adopted on 14 February 1984<sup>2</sup>
- having regard to its resolution of 16 January 1986 on the Single European Act, in particular paragraph 4 thereof<sup>3</sup>, and its resolution of 11 December 1986 on the Single European Act<sup>4</sup>,
- having regard to its reports demonstrating the insufficiencies of the treaties as amended by the Single European Act and notably its resolutions of:
  - . 17 June 1988 on the cost of 'non-Europe'<sup>5</sup>
  - . 17 June 1988 on the democratic deficit<sup>6</sup>
  - . 17 July 1988 on the procedures for consulting European citizens on European political unification<sup>7</sup>
  - . 27 October 1988 on the first year of application of the Single European Act<sup>8</sup>
  - . 12 April 1989 on Fundamental Rights and Freedoms<sup>9</sup>
  - . 10 October 1988 and 15 December 1989 on the annual reports of the Council on progress towards European Union

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<sup>1</sup> EP Bulletin No. 26 of 28 June 1983

<sup>2</sup> OJ No. C 77, 19.3.1984, p. 33

<sup>3</sup> OJ No. C 36, 17.2.1986, p. 144

<sup>4</sup> OJ No. C 7, 12.1.1987, p. 83

<sup>5</sup> OJ No. C 187, 18.7.1988, p. 244

<sup>6</sup> OJ No. C 187, 18.7.1988, p. 229

<sup>7</sup> OJ No. C 187, 18.7.1988, p. 231

<sup>8</sup> OJ No. C 309, 5.12.1988, p. 93

<sup>9</sup> OJ No. C 120, 16.5.1989, p. 51

- having regard to various resolutions adopted by national parliaments at the time of ratification of the Single Act or subsequently,
  - having regard to the contacts and discussions between its Committee on Institutional Affairs and Delegations from the National Parliaments,
  - having regard to its resolution of 16 February 1989 on the strategy of the European Parliament for achieving European Union<sup>10</sup>,
  - having regard to the results of the European elections and of the referendum held in Italy on the occasion of the European elections on the granting of a constituent mandate to the European Parliament,
  - having regard to the agreement reached at the European Council to convene an Intergovernmental Conference to revise the Treaty with a view to the final stages of EMU,
  - having regard to its resolution of 14 April 1989 on the process of European monetary integration<sup>11</sup>, and to its resolution of 25 October 1989 on EMU,
  - having regard to its resolution of 18 November 1988 on Community regional policy and the role of the regions<sup>12</sup> and the attached Community Charter for Regionalization,
  - having regard to its resolution of 23 November 1989 on the proposed Intergovernmental Conference,
  - having regard to the report of its Committee on Institutional Affairs and the opinion of the Committee on External Economic Relations (Doc. A 3-0047/90),
- A. reaffirming that Member States have an absolute duty to abide by the judgments of the Court and to implement directives on time; and that failure on their part to create a single market by 31 December 1992 will have grave implications for the future development of the Community into a European Union;
- B. whereas it is increasingly necessary rapidly to transform the European Community into a European union of federal type and going beyond the single market and economic and monetary union; whereas this is desired by a substantial majority of the public, as indicated by recent public opinion surveys,
- C. whereas progress is particularly urgent in reforming the treaties to provide for a balanced and equitable development of the Single Market and the Monetary Union, notably by providing the Community with clearer and more effective responsibilities in the field of social and environmental policies on the basis of the principal of subsidiarity,

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<sup>10</sup> OJ No. C 69, 12.3.1989, p. 145

<sup>11</sup> OJ No. C 120, 16.5.1989, p. 331

<sup>12</sup> OJ No. C 326, 19.12.1988, p. 289

- D. whereas the Single European Act itself requires a review of European political cooperation procedures by 1992 and whereas this review is becoming all the more urgent in view of the need for a united foreign policy in face of momentous events outside the Community,
- E. whereas progress towards a citizens' Europe has been extremely limited, notably due to the lack of provisions of the treaties enabling progress to be made in this field,
- F. whereas even the current level of responsibilities entrusted to the Community require more effective and more democratic institutions,
- G. whereas greater effectiveness of the institutions can be achieved notably by providing for systematic majority voting in the Council and the strengthening of the Commission's right to exercise executive powers independently from committees of national civil servants (Comitology),
- H. whereas fundamental democratic principles require that Community legislation should only enter into force with the explicit approval, not only of the Council representing national governments, but also of the European Parliament, representing the electorate as a whole,
- I. whereas the appointments made to Community bodies exercising important responsibilities and above all, the appointment of the European Commission and in particular its President, should be subject to the scrutiny and consent of the European Parliament,
- J. whereas such changes should themselves be negotiated and agreed jointly by the representatives of the Member States and the European Parliament,
- K. having regard to the statement by President Delors to the EP on 17 January 1990 on a single Intergovernmental Conference with two parallel themes, economic and monetary union as well as the institutional reforms of the European Community,
- L. whereas Parliament has accepted the proposals made by the Presidents-in-Office of the European Council to organize an interinstitutional pre-Conference, which should take place early in 1990, and 'assizes' with Members of national parliaments,
- M. whereas the rapid changes on the international and European political scene require the Community to speed up its institutional development and the construction of the European Union.
1. Reaffirms that the agenda of the Intergovernmental Conference must be enlarged beyond economic and monetary union; notes that a number of national parliaments as well as the President of the Commission have lent their support to this view; considers that economic and monetary union constitutes only one of many areas of further development in the Community and that the Intergovernmental Conference should therefore consider a range of related issues and take the necessary decisions to avoid jeopardizing the balanced and uniform development of the Community in accordance with Parliament's proposals;

2. Reiterates its view that the Intergovernmental Conference should use as essential criteria in its deliberations the principles of subsidiarity and conferred powers, on the basis of which those powers not specifically conferred on the European Union remain within the Member States;
3. (a) Confirms its decision to convene a pre-Conference involving the European Parliament, the Commission and the Council, for the purpose of:
  - preparing the mandate of the Intergovernmental Conference;
  - establishing the nature of Parliament's participation in the Intergovernmental Conference;
- (b) Decides, in accordance with the resolutions of 23 November 1989 and 14 December 1989 and given the need for all Council members to participate in the pre-Conference, that the Parliament delegation shall consist of twelve members;
- (c) Decides to invite the Economic and Social Committee to send an observer to the inter-institutional pre-conference;
- (d) Calls for this pre-Conference to commence by Spring 1990 and to continue its work until the parties attending the pre-Conference have reached a joint agreement;
4. Instructs its representatives at the pre-Conference to press for the following items to be included on the agenda of the Intergovernmental Conference:
  - (a) the creation of economic and monetary union in accordance with a specific, automatic and mandatory timetable, between the twelve Member States of the European Community or, if appropriate, between those willing;
  - (b) a rationalization of the Community's instruments for external relations, notably the full integration of EPC into the Community framework including the granting to the Commission of powers akin to those it possesses in other areas of Community policy in view of ultimately achieving common foreign and security policies in the service of peace;
  - (c) better treaty provisions in the social and environmental sectors to ensure that the Community is able to develop and manage more effective policies in these fields, so that the single market works to the benefit of all Community citizens and contributes to a better environment;
  - (d) incorporation into the treaties of the Declaration on Fundamental Rights and Freedoms adopted by Parliament on 12 April 1989 and of provisions promoting a citizens' Europe and the preservation of Europe's cultural diversity;

- (e) further improvements in the decision-making capacity of Council, notably by providing for systematic majority voting;
- (f) a strengthening of the Commission's powers to implement Community legislation and execute its programmes and policies;
- (g) the reform of the system of Community own-resources;
- (h) recognition at Community level of the dual legitimacy conferred to the Council on the one hand and the European Parliament on the other, by conferring upon Parliament the powers listed in its resolution of 23 November 1989:
  - co-decision with Council on Community legislation,
  - right to initiate legislative proposals,
  - right to elect the President of the Commission and to give its assent to the appointment of the Commission, the Court of Justice and the Court of Auditors,
  - right of inquiry within the framework of the Community's powers,
  - ratification of all constitutional decisions which also require ratification by the Member States,
  - co-decision in external agreements and international conventions through the parliamentary assent procedure to be extended to all agreements of major importance, including trade agreements,

Finally, it should also consider the institutional future of Europe with a view to instructing the European Parliament to finalize the draft constitution of the European Union, and how best to ensure the cooperation of the national parliaments in the 'assizes' in connection with the forthcoming Inter-governmental Conference; in the future construction of the European Union; and in particular in the work of the European Parliament;

5. Reiterates the demand contained in its resolution of 23 November 1989 that the Intergovernmental Conference proposals be submitted to the European Parliament and the governments acknowledge its right to amend and adopt them; if the European Parliament's position differs from that of the Intergovernmental Conference, a suitable procedure should be initiated with a view to reaching agreement to be submitted to the Member States for ratification; requests that the President of the Parliament, on the same basis as the President of the Commission, should be invited to the ministerial level meetings of the IGC;
6. Undertakes to adopt its opinion on the convening of the Intergovernmental Conference as soon as possible following agreement in the interinstitutional pre-Conference;

7. Requests the Commission to contribute to the success of the interinstitutional pre-Conference; accordingly expects the Commission, throughout the Intergovernmental Conference, to defend Community interest and, in particular, the demands of Community citizens as expressed through their representatives in the European Parliament;
8. Reaffirms its commitment to draw up a draft European constitution<sup>13</sup> and to discuss its proposals with the national parliaments<sup>14</sup>;
9. Reiterates its commitment to have its proposals adopted by all democratic means, in particular by mobilizing European public opinion and its democratically elected representatives;
10. Recalls its position that, while participation in European Union cannot be imposed upon any State against its will, on the other hand, no single State can block the will of the majority to achieve European Union and, if necessary, such a Union should be set up without the initial participation of all the Member States of the Community;
11. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States and the Economic and Social Committee.

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<sup>13</sup> Colombo report being drawn up in committee

<sup>14</sup> Duverger report being drawn up in committee

8. German Unification

Doc. B3-691/90

RESOLUTION

by the Temporary Committee to study the impact on the European Community of the German unification process

The European Parliament,

- welcoming the recent revolutionary developments in Central and Eastern Europe, which have led to the extension of freedom and democracy, and to a removal of barriers and lessening of tensions within Europe as a whole,
- welcoming the fact that the German Democratic Republic's election of 18 March 1990, the first democratic election in that country for almost 60 years, took place within only four months of the opening up of the Berlin Wall, the former symbol of a divided Europe,
- further noting that these elections are part of a wider process, which could rapidly lead to the unification of the two German states,
- considering that the formulation of this objective, and the timing and means of achieving it, are a matter for the German people to decide,
- believing, however, that such a process of unification poses a set of fundamental challenges for the future of the European Community and of its political, economic and social policies, for its relations with neighbouring states in Europe, and for the future of NATO, the Western European Union and the Warsaw Pact,
- considering further that the process of German unification demonstrates the need to find Europe-wide rather than narrow national solutions and that it is important in particular that all states continue to cooperate in the Community on equal terms irrespective of their size,
- noting that three of the fundamental principles on which the European Community is based are democracy, self-determination, respect for human rights and the rule of law and that the harmonious development of the whole of the Community is its principal objective,
- further noting the unequivocal position of the European Parliament on the question of the East German/Polish border expressed in the resolution of 23 November 1989<sup>1</sup>,

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<sup>1</sup> OJ No. C 323, 27.12.1989, p. 111



- underlining the major contribution that must be made to the unification process by the European Community, and also welcoming the contribution that will be made to the Community by the population of the GDR,
  - believing that the participation of the GDR Government and the newly-elected parliament of the GDR in all stages of negotiations with the Community is essential,
  - having regard to the statements made by the leaders and main political forces in Germany confirming their desire to keep Germany fully integrated in the European Community and to work to strengthen the Community's structures,
  - having regard also to the contacts which have been initiated between the FRG and the relevant Community authorities,
- I. Calls upon its President to invite the newly constituted 'Volkskammer' to work closely together with the European Parliament on all matters relating to German unification and European integration;
  - II. Calls upon the European Council in Dublin to accept the following points as a political framework for its consideration of the impact upon the Community of German unification:
    - A. As regards involvement of the European Community
      - (i) believes that it is essential that German unification, with all the consequences arising therefrom for the Community when the current GDR joins it, takes place within the European Community context, which must be defined as soon as possible;
      - (ii) insists from the outset that the European Community be fully consulted, and not merely informed of developments, in all instances where measures leading to German unification have an impact on the implementation of Community legislation, programmes and policies; stresses in particular that any measure concerning the integration of the GDR into the Community which has implications of an institutional nature must be determined on the basis of a common agreement between Germany and the European Community;
      - (iii) insists, further, that the responsible European Community institutions and the Member States must be involved in an appropriate manner in the negotiating process on the integration of the GDR into the Community, in order to ensure the maximum degree of transparency and accountability and thus avoid increasing the democratic deficit; insists that the Commission submit proposals for the full involvement of the European Parliament in the negotiating process in the paper it will submit to the meeting of the European Council on 28 April 1990;

(iv) stresses the requirement that the incorporation of the present GDR into the European Community must be effected in accordance with the EC Treaties currently in force and with the procedures set out therein;

B. As regards the speed of European integration, and the achievement of the Community's key objectives

(i) considers that the process of German unification must be accompanied by an increase in the speed of European integration: the profound changes in the European context make the completion of a political union even more inevitable and vital for the Community, and the future unified Germany must be fully part of further Community integration;

(ii) insists that the completion of the internal market by 1992 be fully adhered to and that progress towards Economic and Monetary Union and the social dimension and the institutional reforms be accelerated and supplemented by the steps necessary to create the Political Union;

(iii) stresses, further, that the Intergovernmental Conference must commence its work before the end of 1990 and complete it by the end of June 1991 at the latest and that the democratic deficit, decision-making by qualified majority - particularly in social and environmental policy - economic and monetary union and the expansion of the Community's political responsibilities should be on its agenda;

(iv) believes also that German unification should under no circumstances pose a threat to the European Community's economic and social cohesion and that the new financial needs which arise should not lead to a reduction of present and future commitments to the peripheral and disadvantaged areas of the existing Community, and that the objectives of social Europe should be maintained and laws under the Community Social Action Programme should proceed without delay;

(v) considers that Community environmental policies must be strengthened and extended, especially in view of the severe environmental problems faced by the German Democratic Republic;

C. As regards the impact of German Economic and Monetary Union (GEMU)

(i) recognizes the move toward German economic, monetary and social union as a signal to the population of the GDR that irreversible change is taking place and that progress towards unity is being made;

(ii) considers, however, that the ways in which GEMU is carried out could also have certain negative effects, both on the German and wider European economies;

- (iii) calls, therefore, on the Commission to undertake to obtain the agreement of the governments of the FRG and the GDR for extensive consultations on the impact of GEMU on the economies of the Community Member States, the EMS and the process of Economic and Monetary Union;
- (iv) calls upon the Commission immediately to draw up a detailed cost-benefit analysis of the impact of GEMU upon the European Community economy, and a study of the impact on Economic and Monetary Union;
- (v) believes that certain other safeguards must be provided for the population of the GDR; calls, in this context, for the Federal Republic of Germany and the GDR, following negotiations, to come forward with a framework of social and economic measures, in particular for unemployed people, for pensioners and concerning the social conditions for women, to accompany German Economic and Monetary Union, that would help to minimize any negative effects of the latter on social conditions within the GDR, and also help to stem the current outflow of people from East Germany to West Germany;

D. As regards a comprehensive review of the impact of German unification on the Community

- (i) calls upon the Commission to produce an analysis of the impact of the extension of Community territory on the whole range of Community policies, and of the specific adjustments that will have to be made;
- (ii) requests that a calculation be made of the likely overall budgetary costs to the Community of German unification, and considers that this process will necessitate a reinforcement of the role of the Community budget, a reassessment of the Community budgetary commitments over and above the actual proposals for the revision of the financial perspectives, and, in future, of the financing system of the Community, while ensuring that its commitments to Member States and third countries are not affected;
- (iii) calls for an assessment of the impact of German unification on the macro-economic data of the Community, especially price and interest rate levels and also economic growth and employment levels and regional disparities;

E. As regards immediate Community measures to help the GDR in the period before full unification

- (i) considers that the Community must contribute to the costs of the restructuring of the GDR's economy, and that such a contribution is necessary in order to show solidarity with the population of the GDR;

- (ii) calls for the rapid preparation of a special Community aid programme for the GDR during the interim period before unification is completed, and for this to be presented in time for the forthcoming Dublin European Council;
- (iii) also requests rapid presentation of proposals for ways in which the GDR can be progressively involved in relevant Community policies, such as training, and research and development programmes;
- (iv) cooperation to assist the countries of Central and Eastern Europe must not be carried out at the expense of the Community's efforts to help the Third World, particularly the ACP States and those Mediterranean and Latin American countries with which the Community has close historical ties;

F. As regards preparatory and transitional arrangements for the GDR

- (i) considers that preparatory and transitional arrangements will also be required, in order for the GDR to adapt to Community requirements without too severe immediate consequences for its economy and society;
- (ii) calls upon the Commission and Council to provide information on the transitional arrangements that they consider to be necessary, and which must be the subject of negotiations between representatives of the Federal Republic of Germany, the German Democratic Republic and the Community;

G. As regards the impact on other European countries of the GDR's existing international political and commercial agreements and commitments

- (i) expects that the Commission will forward to it at the earliest possible date a detailed list of the international political and commercial agreements and commitments entered into by the GDR; calls on the Commission to inform Parliament at the earliest possible opportunity of the expected impact of commitments entered into hitherto at international level by the German Democratic Republic.
- (ii) requests the Council to authorize the Commission, in consultation with the GDR, to begin negotiations with the countries of Central and Eastern Europe, with a view to concluding commercial agreements guaranteeing that GDR accession to the European Community will not upset the flow of commercial goods vital to their economies;

H. As regards the wider security framework

- (i) notes that the Federal Republic of Germany and the GDR have now and henceforth recognized the inviolability of the present western border of Poland in bilateral treaties and in the CSCE Final Act and that both German governments and parliaments must also jointly guarantee the same on behalf of a united Germany;
- (ii) considers that the German unification process could act as a catalyst for the development of new security structures at European level;
- (iii) believes that the forthcoming Intergovernmental Conference should look closely at ways in which the security aspects of European political cooperation could be strengthened in the future, and linked to a pan-European system of collective security to be realized within the CSCE framework in which the European Community should play a role; further believes that the role of the present security structures are changing and that structures transcending the alliances are gaining in importance; considers that there should be no NATO military installations or troops in a unified Germany on the territory of the present-day GDR;
- (iv) considers that Poland's western border (Oder-Neisse Line) must be recognized irrevocably;

III. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the German Democratic Republic and the Federal Republic of Germany, and of the other Community Member States and to communicate the substance of the resolution to the Heads of State or Government meeting in Dublin on 28 April 1990.

15. Dublin European Council

(a) Joint resolution replacing Docs. 83-901, 911 and 942/90

RESOLUTION

on the Dublin European Council

The European Parliament,

- having regard to the conclusions of the special meeting of the European Council held in Dublin on 28 April 1990,
- noting the statements by the President-in-Office of the European Council, the President of the Commission and the Chancellor of the FRG,
- having regard to the draft Treaty establishing the European Union adopted on 14 February 1984 and, in particular, the fact that this draft treaty is still an indispensable measure providing the Union with the framework and democratic legitimacy which it lacked,
- having regard to the successive stands it has taken on European Union and, in particular, the resolution on the SEA of 16 January 1986, the Herman report of 16 February 1989 and the Martin report of 14 March 1990;

**POLITICAL UNION**

1. Welcomes the fact that the Dublin meeting complied with the European Parliament's request, set out in the resolution it adopted on 14 March 1990, that the scope of the forthcoming revision of the treaties should be broadened beyond simple economic and monetary union;
2. Stresses the need to reach a harmonious and coherent final result in the negotiations on EMU and on political union within the same time scale, in order to permit ratification of a single package by national parliaments before the end of 1992;
3. Expresses its willingness, to this end, to enter into a constructive political dialogue with the Member States and the Commission on two subjects - Economic and Monetary Union and Political Union - and points out that the opinion it delivers on the convening of the intergovernmental conferences will be dependent on the outcome of this dialogue;
4. Reaffirms the positions often expressed calling for the establishment of a European Union of a federal nature based on the following principles:
  - (a) a single coherent framework bringing together - in one single text - the aims, the powers and the institutions of the Union,
  - (b) the conferring of powers on the basis of the principle on subsidiarity, allowing for a dynamic development of the Union,
  - (c) an effective democratic institutional structure, with its legislative power exercised by means of co-decision between the European Parliament and the Council, and with a Commission democratically

appointed and accountable to the EP and endowed with a large degree of autonomy in its exercise of executive power,

- (d) a guarantee of fundamental rights,
  - (e) the development of a common foreign policy, including security matters, in the service of peace,
  - (f) the achievement of a balanced economy compatible with environmental and health considerations and with a real European social area;
5. Opposes any stance tending towards a unilateral strengthening of the Council's role which would reduce the political clout of Parliament and the Commission;
  6. Reiterates, accordingly, that the European Parliament claims constituent and ratificatory powers in relation to any proposal to develop the existing Community, in line with the wishes of the citizens it represents;
  7. Is aware that many national parliaments wish to contribute actively to the process of European integration and to improve their scrutiny over their country's member of Council; expresses its willingness to continue and to improve its cooperation with national parliaments;
  8. Calls on the Member States to ensure that progress towards the European Union should go hand-in-hand with greater regional autonomy, in accordance with the principle of subsidiarity;
  9. Welcomes the CSCE summit to be held in Paris before the end of the year with a view to updating the Helsinki agreements; insists that the consistency of the Community's action should be ensured in these negotiations through the affirmation of a genuine EC identity in the areas of external relations and security;
  10. Stresses that the maintenance of existing security agreements to which the Member States have subscribed and the implementation by the Community countries of a common external security policy should form a positive contribution to the strengthening of the CSCE process and the maintenance of peace in Europe;
  11. Stresses the importance of the European Council's recognition of the Mediterranean dimension of the CSCE and calls for this aspect to be considered more closely at the next European Council;
  12. Takes the view that the political climate in Europe is favourable to detente and that negotiations on arms control and disarmament must therefore be pursued with a view to reducing conventional forces in Europe to the lowest possible level;

#### EASTERN EUROPE

13. Reaffirms its support for movements seeking to restore democracy in Central and Eastern Europe and stresses that the Community must play a fundamental role in the process and become those countries' major partner;

14. Stresses the great importance of defining an institutional framework for political dialogue in the association agreements with the countries of Central and Eastern Europe and welcomes the Council's proposal to extend measures taken with the framework of G-24 to the GDR, Czechoslovakia, Yugoslavia, Bulgaria and Romania;

EFTA

15. Considers that, if a European Economic Space is to become a reality, negotiations with EFTA must be based on:

- the retention of the Community's independent decision-making powers,
- compliance with the four freedoms: free movement of persons, goods, capital and services,
- respect for the Community patrimony,
- the need for EFTA to speak with one voice in the negotiations,
- the requirement that the negotiations must not jeopardize the powers of the European Parliament as set out in the Single European Act or compromise any increase in those powers arising from future reforms of the treaties determined at the intergovernmental conference on political union and economic and monetary union;

INTERNAL MARKET

16. Expresses its deep concern over the failure to take decisions on fiscal harmonization and the free movement of persons - essential features of the Single Market - which could jeopardize the 1992 target and, in this connection, points to the lack of any reference to these matters in the conclusions of the Dublin Summit;
17. Stresses the importance of a more effective campaign against organized international crime and, in particular, drug trafficking; believes that it is necessary to create a European legal and judicial space and that effective measures, particularly in the financial field and with regard to the laundering of the money deriving from such trafficking, must be adopted by the Community as a matter of urgency;

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18. Instructs its President to forward this resolution to the Council, the European Council, the Commission, the Foreign Ministers meeting in European Political Cooperation and to the governments of the Member States and to the national parliaments.



(b) Doc. B3-1041/90

RESOLUTION

on the conclusions of the special meeting of the European Council in Dublin on 28 April 1990

The European Parliament,

- having regard to the outcome of the European Council in Dublin on 28 April 1990,
  - having regard to the most recent developments within Germany related to the process of German unification and especially the declaration by the newly elected members of the Volkskammer, the Government Coalition Programme within the German Democratic Republic, the proposal by the Federal Republic of Germany for a Treaty on the establishment of German economic, monetary and social union and the progress made in the negotiations on a Treaty between the two German Governments,
  - having regard to its own resolution of 4 April 1990;
1. Welcomes the European Council's unambiguous support for the German unification process and its recognition of the need for such a process to take place within the European Community context;
  2. Notes the undertaking that the Federal Republic of Germany will keep the Community fully informed of any measures discussed and adopted by the authorities of the two Germanies for the purpose of aligning their policies and their legislation during the period prior to unification; considers it essential that the Federal Republic of Germany should confer with the European Community in all cases where steps towards German unification have implications for the Community and wishes, in particular, that the European Parliament should be involved in these consultations;
  3. Notes that the European Council accepted the Federal Republic of Germany's position in stating that the integration of the GDR into the Community can take place without revision of the Treaties; expects the Commission to take due account of the Treaties and calls for careful adaptation of the Community's secondary legislation; calls, in this latter context, for clarification as to when these modifications will be achieved and the necessary degree of legal certainty attained and as to how this is to come about;
  4. Notes that, according to the European Council, integration of the territory of the GDR into the Community will help to speed up economic growth and asserts that economic and monetary stability must continue to be safeguarded;
  5. Welcomes the fact that the GDR will be granted immediate access to Community loan facilities, and that further Community contributions could be forthcoming in the wider framework of Group of 24 actions, and of Eureka projects;

6. Regrets, however, that the European Council did not specifically support the idea of a special pre-accession Community aid package for the GDR as suggested by Parliament in its resolution of 4 April; recognizes that the main financial burden will inevitably have to come from the Federal Republic of Germany alone, but considers that a Community contribution in such directly relevant fields as environmental protection would have been an appropriate way of demonstrating existing links with the GDR with a view to its membership of the European Community;
7. Recalls, in this connection, the European Parliament's earlier wish that multilateral aid should take precedence over bilateral aid from the Member States, in the framework of a joint programme coordinated by the Commission;
8. Supports the European Council's call for smooth and harmonious integration of the territory of the GDR within the Community, whilst, at the same time, fully respecting Community commitments and objectives, notably those concerning the completion of the internal market and the creation of an economic, monetary and social union;
9. Calls for the rapid submission by the Commission of its proposals for derogations and transitional provisions which will be subject to negotiations and on which the Parliament will have to be consulted;
10. Strongly welcomes the decisions by the European Council that the process of German unification should be accompanied by reinforcement of the process of European integration, including a timetable for the adoption of Economic and Monetary Union and the holding of a second Intergovernmental Conference on Political Union, whose work would parallel that of the Conference on Economic and Monetary Union, with a view to ratification of its conclusions by the Member States to the same timetable;
11. Welcomes the fact that, in parallel with German unification, the Community also intends to pursue the development of its external relations, in particular relations with the other countries of Central and Eastern Europe, with which individual association agreements will be negotiated; believes that their eventual Community membership must be considered in this context;
12. Notes that the European Council's statement that a Summit meeting of the CSCE would be desirable before the end of the year, and that the preparatory meeting should be held as soon as possible; insists on a European Community contribution to this process;

13. Looks forward to rapid progress in the current negotiations between the two German Governments, leading to a democratically legitimate unification; welcomes, in this context, the presentation of a draft treaty on German economic, monetary and social union, the recent declaration by the newly elected Volkskammer and the Coalition Programme put forward by the new government of the German Democratic Republic; believes that the path towards unification should take due account of the interests of the citizens of the GDR, especially those in lower-income categories, to avoid creating economic and social inequalities that would perpetuate divisions and injustices that unification should be helping to remove; welcomes, moreover, the progress in the negotiations between the two German Governments, aimed at the simultaneous achievement of economic, monetary and social union from 2 July 1990;
14. Takes the view, therefore, and in the interests of the development of the Community's social dimension, that negotiations between the two Germanies, in collaboration with the Community, must facilitate the introduction of social legislation which takes into account and respects social rights acquired previously in the two countries;
15. Instructs its President to forward this resolution to the Council, the Commission, the Governments and Parliaments of the GDR and of the Member States.

8. Second Dublin Summit

Joint resolution replacing Docs. B3-1271, 1279, 1284 and 1290/90

RESOLUTION

**on the institutional guidelines for the second Dublin Summit**

The European Parliament,

- having regard to the conclusions of the special European Council in Dublin of 28 April 1990,
- having regard to the statement by the President-in-Office of the Council on the Irish Presidency and, in particular, on the preparations for the second European Council meeting in Dublin,
- having regard to its resolutions on European Union, particularly those of 23 November 1989, 14 March 1990 and 17 May 1990,
- whereas, despite favourable reactions on the part of certain governments, the commitments entered into by the latter, the conclusions of the special meeting of the European Council in Dublin and the constructive exchange of views in the course of the preparatory interinstitutional conference, the subsequent meeting of Foreign Ministers in Parknasilla on 18 and 19 May 1990 appears to have resulted only in an inadequate perspective for institutional reform and a number of governments appear to favour institutional solutions which do not meet the need for a real transformation of the Community into a European Union,
- pointing out that no government has so far been able to put forward a model for European Union and that the only comprehensive and coherent proposal is still that which was adopted by the EP on 14 February 1984,

1. Reaffirms that the essential elements of European Union should be:

- economic and monetary Union with a single currency and an autonomous central bank;
- a common foreign policy, including joint consideration of the issues of peace, security and arms control;
- a completed single market with common policies in all the areas in which the economic integration and mutual interdependence of the Member States require common action, notably to ensure economic and social cohesion and a balanced environment;
- elements of common citizenship and a common framework for protecting basic rights;
- an institutional system which is sufficiently efficient to manage these responsibilities effectively and which is democratically structured, notably by giving the European Parliament the right of initiative, of co-decision with the Council on Community legislation, the right to ratify all constitutional decisions requiring the ratification of the Member States also and the right to elect the President of the Commission;

2. Points out that the guidelines set out by a number of governments - which were drawn up in national foreign ministries and without political or parliamentary debate - run counter to the initiatives and proposals put forward by many Heads of State or Government and jeopardize the basic principles and the existing institutional balance;
3. Declares that it will not agree to solutions aimed at strengthening unilaterally the intergovernmental institutions of the Community (the Council and the European Council), at withdrawing from Parliament the role which falls to it as the legitimate representative of the citizens of Europe and at confining the Commission to a technical role in areas where, on the contrary, it should be the driving force behind the process of European unification;
4. Recalls that its Committee on Institutional Affairs, pursuant to Parliament's resolution of 14 March 1990, is preparing more detailed proposals for Treaty changes; considers that these proposals should be discussed with the Foreign Ministers in further meetings of the interinstitutional preparatory conference as a basis for the final draft of the Treaty reforms;
5. Recalls that its Committee on Institutional Affairs is also preparing a draft constitution for European Union, updating the draft Treaty of 1984;
6. Launches a solemn appeal to the Heads of State or of Government meeting in the European Council, to the President of the Commission and to the Foreign Ministers, requesting them:
  - to give clear expression and backing at the forthcoming Dublin Summit, to the desire expressed by the citizens of Europe through the European Parliament;
  - to agree to convene a second intergovernmental conference on European Union and, for this purpose, to open the consultation procedure under Article 236 of the EEC Treaty;
  - not to grant their approval to contradictory and ineffective solutions which could jeopardize the basic principles of European unification;
  - to guarantee the constituent role of the EP in constructing the political union of Europe;
  - to reaffirm the urgent need to transform the EC into a real federal European Union so as to contribute to the stability and political cohesion of Europe in view of the developments under way in Eastern and Central Europe and in order to prevent another resurgence of nationalist rivalries, which would have a destructive impact on Europe as a whole;

7. Hopes that an agreement on the requests set out above and on the close involvement of the European Parliament in intergovernmental conferences can be reached between the European Parliament, the Commission and the Member States during the preparatory interinstitutional conference and points out that the opinion which it delivers on the convening of the intergovernmental conferences will be conditional on the acceptance of these requests;
8. Instructs its President to forward this resolution to the European Council, the governments, the national parliaments and the Commission.

## RESOLUTION

On the European Parliament's guidelines for a draft constitution for the European Union

The European Parliament,

- having regard to its draft treaty of 14 February 1984,
- having regard to its resolutions of
  - 23 November 1989 on the intergovernmental conference, and in particular paragraph 11 thereof,
  - 14 February 1990 on the Commission's legislative programme,
  - 14 March 1990 on the intergovernmental conference in the context of Parliament's strategy for European Union,
  - 16 May 1990 on Economic and Monetary Union,
  - 18 November 1988 on Community regional policy and the role of the regions,
- having regard to the motion for a resolution by Mr Luster and others on the drafting of a European Constitution (Doc.B 3-15/89),
- having regard to the Single Act, in particular the first paragraph of the preamble,
- having regard to its resolution of 16 February 1989 on the strategy of the European Parliament for achieving European Union,
- having regard to the results of the referendum held in Italy on the occasion of the European elections in which the Italian people voted overwhelmingly in favour of the European Parliament preparing a draft for European Union,
- having regard to the conclusions of the Dublin Summit,
- having regard to the report of its Committee on Institutional Affairs, and the opinion of the Committee on Youth, Culture, Education, the Media and Sport (Doc.A 3-165/90),

A. whereas the objective of creating a European Union on a federal basis was set right at the beginning of the construction of the Community by its founding fathers; whereas this objective has since been reaffirmed on numerous occasions and whereas the transformation of the EC into a true European Union is more

essential than ever for the development of common actions which are stronger and more rooted in popular consent than those carried out hitherto,

B. whereas the constitution for the European Union is an urgent requirement for achieving an ever closer union of the peoples of the Member States, as stipulated in the Treaties, harmonious development of their economies and societies, the development and implementation of practical solidarity between them and full development of their scientific and cultural potential, while respecting and valuing the national and regional differences which make up the cultural wealth of Europe,

C. whereas the Community's institutional structures are proving unable to cope with the extension and development of the Community enterprise, particularly with the establishment of economic and monetary union,

D. whereas the establishment of the European Union is necessary to ensure that all the Member States effectively exercise their responsibilities on the international scene, effectively express and represent the identities, values and interests of their peoples, guarantee peace and security and make a proper contribution to the development of less-favoured areas and environmental protection,

E. whereas recent events in Central and Eastern Europe, German unification and the need to re-design a new European structure in which the Union must be an element of stability, peace, cooperation and the development of democracy, have increased the international responsibilities of the Community of the Twelve and thus require a significant strengthening of its institutional structure,

F. having regard to the characteristics inherent in a federal-type political union, based on the principle of respect for fundamental rights, democracy and the efficiency of the Union's activities,

- G. whereas, to be worthy of the name, the Political Union must include among its powers not only those deriving from the existing Treaties (acquis communautaire), including those deriving from the establishment of the Economic and Monetary Union and those relating to the social and environmental sectors, conferred or developed by the Single Act, but also those more essentially political powers necessary to exercise the responsibilities cited above, in particular those relating to foreign policy and security, and to respect the principle of solidarity and the inviolability of the external borders of Member States,
- H. whereas the definition of the future powers of the Union will have to be based on the principle of subsidiarity, on the basis of which the Union will have to carry out those tasks which because of their scope or impact or efficient implementation may be better undertaken by the institutions of the Union than by the individual Member States,
- I. having regard to the need for any amendments to the Treaties adopted at the intergovernmental conference on political union to be consistent with the objectives of a federal type of European Union and, in this spirit, confirming its conviction that it is necessary and a matter of urgency for the Member States' governments to undertake to decide to transform the Community into an effective European Union on the basis of the draft constitution drawn up by the European Parliament,
- J. whereas in the current political climate and in view of the urgent need to define and achieve a true political Union, it seems increasingly clear that the European Parliament, the representative of the will of the people, on the basis of a mandate which it claims for itself once again, is best placed to determine the objectives and institutions of the Union, thus interpreting the increasing popular aspirations to this end, through a draft constitution to be submitted to the parliaments of the Member States for ratification,
- K. whereas such a draft constitution should be based on its draft treaty of 1984, updated to take account of the experience on the Single European Act,
- I. Decides to draw up a draft constitution for the European Union on the basis of the following guidelines and main points of the draft treaty approved by Parliament on 14 February 1984:

#### The Union

- 1. The European Union meets the aspirations of the democratic peoples of Europe to tighten the links established hitherto to create a Europe united by the awareness of a common destiny and by the will to affirm the European identity, and capable of assuming the responsibilities which derive from its economic potential and its political role, especially in the face of the profound changes which are transforming the European continent and require a new foundation based on the principles of freedom, democracy and cooperation; the Union has its basis in a constitutional system inspired by the principles of democracy and guaranteeing the necessary balance between the Member States and the Union; this system needs to be constructed around the following essential elements:
  - the definition of and full respect for fundamental rights and freedoms;
  - the definition of the rights and obligations of the Member States vis-à-vis the Union within a federal framework;
  - the democratic character of the Union which stems from its citizens and is based on a democratic institutional structure with appropriate and effective decision-making procedures;
  - respect for the principle of the primacy of the law;
  - an allocation of powers based, above all, at the time they are conferred or, in particular, in the case of concurrent powers, at the time they are exercised, on the principle of subsidiarity;
  - the precedence of the law of the Union over national law;
- 2. The purpose of the Union shall be to :
  - bring about harmonious social development on the basis of full employment initiatives, the gradual abolition of existing regional imbalances, environmental protection and the scientific and cultural progress of its peoples;
  - guarantee the economic progress of its peoples in the framework of a frontier-free economic area with no differences in the treatment of citizens or undertakings in the Member States and to increase the ability of the Member States, citizens and undertakings jointly to adapt their structures and activities to economic changes;



- promote international peace, cooperation, detente, disarmament, mutual security, the free movement of persons and ideas and better international trade and monetary relations;
- contribute to the harmonious and just development of all peoples in the world in order to enable them to emerge from a state of underdevelopment and hunger and fully exercise their political, economic and social rights;

A. Democratic legitimacy

3. The Constitution shall guarantee respect for the rights and fundamental freedoms set out therein, those provided for in the Community Treaties or established by the Court of Justice, those contained in the declaration adopted by the European Parliament on 12 April 1989 as well as those contained in international agreements to which the Union has acceded; the obligations of citizens and lawfully resident non-Community citizens towards the Union shall be those deriving from the legal system of the Union;
4. The Member States shall have, vis-à-vis the Union, the rights and obligations laid down in the Constitution, the Treaties establishing the Communities and the legal system of the Union;
5. The Union's legitimacy shall be based on institutions directly or indirectly elected by the people and in particular on a legislative and budgetary power consisting of the European Parliament and the Council;
6. Parliament shall represent all the citizens of the Union, by whom it shall be elected, in accordance with a uniform electoral procedure, in general, equal, secret and free elections;
7. The Council shall represent the Member States, without prejudice to the weighting of votes;
8. Legislative and budgetary power and the power to authorize the ratification of treaties shall be conferred on the European Parliament and the Council; they shall exercise these powers in accordance with co-decisional procedures which shall entail:
  - the consensus of both, determined by the majorities laid down in the Constitution (depending on whether ordinary laws, laws requiring a special majority, budgetary law or law authorizing the ratification of treaties are involved);
  - in cases of disagreement, a conciliation procedure;
  - in cases to be defined, the final say of Parliament;
9. The President of the Commission shall be elected by the Parliament on a proposal from the European Council; the members of the Commission shall be appointed by its President; the Commission thus constituted shall present itself to Parliament for a vote of confidence;
10. The Council shall hold its legislating meetings in public;
11. The Parliament must be involved, through the assent procedure, in the appointment of the judicial and control bodies and of those responsible for administering the Union's monetary powers;
12. The Court of Justice, consolidating its role as the Supreme Court of the Union, shall have wider competences with regard to the verification of legitimacy, fundamental rights, relations between the institutions and relations with and among the Member States; it shall have jurisdiction, as stipulated in the existing treaties, regarding the demarcation of powers between the Member States and the Union laid down in the Constitution, taking account of the principle of subsidiarity; provision shall be made for appropriate sanctions against Member States which fail to apply Community legislation or comply promptly with its decisions;
13. Relations and the dialogue between the European Parliament and the parliaments of the Member States must be strengthened, in order to guarantee more effective control at the various levels;
14. Appropriate importance must be assigned to the role of the regions, both when the laws of the Union are drafted and when they are implemented, by assigning consultative powers to the Committee of local and regional authorities, with due regard for the constitutional structures of each state;

#### B. Efficiency of the institutions

15. The European Council shall have the task of guiding and giving impetus to the action of the European Union;
16. The decisions of the European Parliament shall be adopted by a simple majority, save where otherwise provided by the Constitution, and in particular in the case of amendments to the Constitution, including the accession of new Member States; the first exercise of concurrent competences; the election of the President of the Commission and the vote of no-confidence; assent on appointments to the legal and auditing organs and to the organs of the Central Bank, in which cases an absolute majority of its members shall be required;
17. The decisions of the Council shall be adopted by a majority of its members; they shall always be taken by qualified majority, in accordance with the provisions of the Constitution, when the Council exercises its responsibilities with regard to foreign policy and security, the adoption of laws, the budget and authorization of the ratification of international treaties;
18. The Commission shall be the governing body of the Union; it shall also have the power of initiative in respect of legislation and the budget, as already established in the Community Treaties; the Parliament and the Council may ask the Commission to introduce a draft law; should the Commission refuse, they may introduce a draft law in line with their original request;
19. The Commission shall enforce laws and also international policy decisions falling within its jurisdiction, and shall implement the budget and the international treaties of the Union, under the political control of Parliament and the Council; the Commission shall issue regulations within the framework of a general law of the Union;
20. The Commission shall, as far as possible, delegate its duties to the national, regional and local authorities, but shall remain responsible for these duties and may, where necessary, take them on itself;
21. The Commission shall have a general power of control with regard to compliance with the Constitution, in accordance with procedures similar to those laid down in the Community Treaties;
22. The Central Bank of the Union shall enjoy the necessary constitutional autonomy, with due respect for the role of the political institutions in matters of economic policy;

#### C. Competences of the Union

23. The Union shall have all the competences provided for in the Constitution or exercised as a consequence of the Constitution, in accordance with the principles laid down in the Draft Treaty establishing the European Union of February 1984;
24. The Union shall conduct common foreign, security and defence policies in all areas where the Member States share essential interests; it shall define the aims of these policies and implement them at the level of the Union, where necessary, in order to respond effectively to the requirements of the international situation and ensure the unity and coherence of the Union's international action;
25. The Council, with the participation of the Commission, shall lay down the general guidelines for the Union's security and foreign policies and Parliament shall approve them; the institutions of the Union and the Member States shall implement them within their respective areas of competence;
26. The security and foreign policy guidelines shall be binding on the Union and the Member States;
27. The Union shall have competences in matters of internal security, which it shall exercise in accordance with the principle of subsidiarity;
28. A constitutional review procedure shall be required for the allocation of new competences to the Union, other than concurrent or potential competences;

29. In the course of the budgetary procedure, the Union shall determine its income; this income shall be made up of taxes existing at national level or of appropriate taxes determined by the Union, within the limits fixed in the multiannual financial programme and in accordance with the principle of not increasing the overall fiscal burden on the citizens of the Union;
30. In the sectors for which it is competent, the Union shall ensure coherence between its own policies and those of the Member States, particularly in the economic, social and monetary sectors and with regard to cooperation with the developing countries and environmental policy;

D. Entry into force and amendment of the Constitution

31. Amendments to the Constitution, including new accessions to the Union, shall be subject to a procedure involving the assent of the European Parliament and the Council and ratification by the parliaments of the Member States; the Constitution shall stipulate the cases of constitutional amendment which may be decided on the basis of a simplified procedure;
  32. The European Parliament shall propose the procedures under which the draft Constitution, drawn up on the basis of the mandate assigned to it, shall be converted into a European Constitution, by decisions of the European institutions and the responsible bodies of the Member States;
  33. Should certain Member States not be prepared to accept this Constitution, provision shall be made for procedures to ensure that it may nevertheless enter into force in the Member States that have accepted it, while at all events safeguarding the close ties between all the Member States;
- II. Instructs its Committee on Institutional Affairs to prepare a draft constitution in accordance with these guidelines and taking into account the results of the intergovernmental conferences;
- III. Instructs its President to forward this resolution to the Council, the Commission and the parliaments and governments of the Member States.

11 July 1990

RESOLUTION

On the Intergovernmental Conference in the context of Parliament's strategy for European Union

The European Parliament,

- having regard to its resolution of 14 March 1990 on the Intergovernmental Conference,
  - having regard to the Community Charter for Regionalization attached to its resolution of 18 November 1988
  - having regard to the second interim report of its Committee on Institutional Affairs and the opinion of the Committee on Youth, Culture, Education, the Media and Sport (Doc. A 3-166/90),
- A. WHEREAS there have been a number of significant developments since, and partly in response to, the adoption of Parliament's resolution, notably:
- \* the aide-memoire of the Belgian Government of 20 March 1990, which supports most of the key points in the Parliament's resolution;
  - \* the three resolutions adopted by the Italian Parliament on 21 March 1990 explicitly supporting the European Parliament's resolution and agreeing to host with the European Parliament the "assizes" of national parliaments and the European Parliament in October 1990;
  - \* the letter sent by President Mitterrand and Chancellor Kohl to the President-in-Office of the European Council calling for a second intergovernmental conference on political union in order to "strengthen the democratic legitimacy of the union, render its institutions more efficient, ensure unity and coherence of the union's economic, monetary and political action and to define and implement a common foreign and security policy", this letter following on from the desire expressed on 25 March 1990 by President Mitterrand to see European political union completed by 31 December 1992;
  - \* the initiative of Felipe Gonzalez, the Spanish Prime Minister, for a citizen's Europe;
  - \* the ETUC declaration on the political union of Europe;
  - \* the special meeting of the European Council in Dublin on 28 April 1990 at which the European Council "confirmed its commitment to political union" and charged the foreign ministers with preparing "proposals to be discussed at the European Council in June with a view to a decision on the holding of a second intergovernmental conference to work in parallel with that on EMU with a view to ratification in the same timeframe";
  - \* the aide-memoires of the Greek, Dutch and Danish Governments, most aspects of which also support key points in Parliament's resolution;
  - \* the discussions that took place at the first meeting of the interinstitutional preparatory conference held in Strasbourg on 17 May 1990;
  - \* the informal meeting of the Foreign Ministers of the Community's Member States at Parknasilla on 18 and 19 May 1990 and the meeting of the General Affairs Council in Luxembourg on 18 and 19 June 1990;
  - \* the meeting of the European Council of 25 and 26 June 1990 in Dublin which agreed to convene the two intergovernmental conferences,
1. Welcomes the fact that the agenda of the forthcoming reform of the Treaties is to be widened beyond economic and monetary union; underlines, however, its grave concern at the emergence of some positions within the Council defining "political union" as merely a reinforcement of the intergovernmental level of cooperation among the governments of the Member States of the EC;

2. Recalls its preference for a single intergovernmental conference possibly with two working groups, but accepts the proposal for two intergovernmental conferences provided that they are closely coordinated and that they aim for a single coherent package for ratification;
3. Considers that the term "political union" refers to the same aspirations as those which lay behind Parliament's draft Treaty on European Union of February 1984; reaffirms the essential elements of such a political union to be:
  - economic and monetary union with a single currency and an autonomous central bank;
  - a common foreign policy, including joint consideration of the issues of peace, security and arms control;
  - a completed single market with common policies in all the areas in which the economic integration and mutual interdependence of the Member States require common action notably to ensure economic and social cohesion and a balanced environment;
  - elements of common citizenship and a common framework for protecting basic rights;
  - an institutional system which is sufficiently efficient to manage these responsibilities effectively and which is democratically structured, notably by giving the European Parliament a right of initiative, of co-decision with the Council on Community legislation, the right to ratify all constitutional decisions requiring the ratification of the Member States also and the right to elect the President of the Commission;

with these responsibilities being exercised on the basis of the principle of subsidiarity, which will enable the Union to develop dynamically;
4. Believes that a reform of the Treaties that would achieve these objectives would bring the European Community closer to the "European Union of federal type" advocated by the European Parliament in its resolution of 14 March 1990 and considers, therefore, that such changes should be consolidated in a "constitution" which the European Parliament should prepare; recalls its resolution of 11 July 1990 on this draft, which is based on its draft treaty of European Union of 1984, and which should become the basis for the transformation of the Community into a genuine union of federal type;
5. Regards it as essential, at the intergovernmental conference, to amend in a coherent manner all the Treaties establishing the European Communities, in particular the ECSC, EEC, EURATOM and Merger Treaties;
6. Reaffirms the areas in which it would like to see treaty reform, namely those listed in paragraph 4 of its resolution of 14 March 1990, and spells out as follows the precise changes that it would seek to achieve for each of the areas listed in that resolution;

#### ECONOMIC AND MONETARY UNION

7. Economic and monetary union should be established in accordance with a specific, automatic and mandatory timetable, between the 12 Member States of the European Community or, if appropriate, between those willing, in accordance with the criteria spelt out in Parliament's resolutions of 25 October 1989 and 16 May 1990 on economic and monetary union;

#### COMMUNITY FOREIGN POLICY

8. Considers that Article 30 of the Single European Act should be revised in order to provide for matters currently dealt with under EPC to be dealt with in the Community framework with appropriate procedures; believes that the current division between external economic relations handled by the Community institutions with the Commission acting as the Community's external representative, and political cooperation handled by EPC with the EPC President acting as external representative, is increasingly difficult to maintain in practice; considers that any genuine attempt "to assure unity and coherence in the Community's international action" must abolish this increasingly artificial distinction;

9. Calls therefore for the Council (rather than a separate framework of foreign ministers) to be given the prime responsibility for defining policy; for the Commission to have a right of initiative in proposing policies to Council and to have a role in representing the Community externally, including appropriate use of its external missions in third countries; and for the functions of the EPC secretariat to be absorbed by the Commission and Council; and for the Community's foreign policy to be subject to scrutiny by the Community's elected Parliament;
10. Calls for the scope of the Community's foreign policy to include issues of security, peace and disarmament, with a close coordination of national security policies, and to respect the principle of solidarity and the inviolability of the external borders of Member States;
11. Considers that in all these areas, the Community should aim to have common policies on all matters in which the Member States share essential interests;
12. Considers that membership of international organizations should be adjusted accordingly, with the Community as such seeking membership and representing the Member States in those areas where Community competence has been established, and it should therefore belong notably to the Council of Europe;

#### BETTER TREATY PROVISIONS IN THE SOCIAL, ENVIRONMENTAL, RESEARCH AND CULTURAL SECTORS

13. Considers that, in order to ensure a balanced development of the internal market, the social and environmental provisions of the treaties should be among those in which majority voting in Council applies; believes this could be best achieved in the context of the improved legislative procedure outlined below;
14. Considers that the objectives of social policy, as defined in the treaties, should be extended, improved and completed, notably by:
  - adding to Article 3 EEC the objective of common action in the field of social affairs and employment, which implies the affirmation of the right of workers to be informed and consulted before any decision affecting them;
  - deleting paragraph 2 of Article 100a EEC and including social protection in matters concerned by paragraph 3;
  - adding to Article 8a EEC that the completion and further evolution of the internal market necessarily imply provisions to secure the convergence, at a higher level, of living and working conditions;
  - adding to Article 101 EEC the possibility of Commission intervention in cases where Community action in Member States causes serious economic or social distortion or where the intervention of the structural funds is insufficient;
  - adding to the objectives of Article 117 EEC improved training and working conditions, equal opportunities, and access to education and culture, to be granted to all citizens of the Member States and to all persons legally resident in the Community;
  - adding to the first paragraph of Article 118 of the EEC Treaty the indication that the Commission's task in the social sphere is to implement the common policy in the social affairs and employment sphere and to promote collaboration between the Member States;
  - adding to the objectives of Article 118a EEC the improvements, achieving progress, of living standards and social provisions, equal opportunities, training, minimum levels of social security and welfare, minimum provisions for union law and collective bargaining, covering also workers from third countries;
  - amending Article 118b of the EEC Treaty by indicating that the Community must adopt a legal framework which enables the dialogue between the two sides of industry to develop so that European collective bargaining may be undertaken;
  - establishing, through Article 128 EEC, a common policy providing for all persons in the Community to have access to appropriate vocational training throughout working life;
  - modifying the last words of Article 130a EEC to refer to least-favoured regions and population groups;
  - adding to the objectives of Article 119 EEC, concerning equal pay for men and women, the objective of equal opportunities at work and in society;

15. considers that the aims of the environment policy as defined in the treaties should be expanded, improved and completed, notably by:
  - addition to article 130R, paragraph 1 of the EEC treaty of the objective aiming at contributing and international action against threats to the environmental balance of the planet;
  - changing article 130R, paragraph 4 of the EEC treaty so that it is specified that the Community contribute to achieving the objectives set out in paragraph 1, through the creation of a European environment fund;
16. considers among other things that the Community should ratify the Council of Europe's Social Charter and the conventions of the International Labour Organisation related to fundamental social rights and the areas covered by Community law;
17. judges sufficient the authority bestowed on the Community in the area of the environment on the condition that the exercise of this authority respect the joint decision-making procedure described below;

#### FUNDAMENTAL RIGHTS AND FREEDOMS AND CITIZENS' EUROPE

18. calls for inscribing in the treaties the declaration on fundamental rights and freedoms adopted by the European Parliament on 12 April 1989; calls for inscribing in the treaties on the solemn declaration against racism and xenophobia adopted by the Parliament on 11 June 1986; calls for the protection of these fundamental rights vis-à-vis the Community either of the resort to the Court of Justice with a possibility for direct access by citizens of the European Community to the Court of Justice after the exhaustion of national roads of resort; believes among other things that the Community should adhere to the European Council's European Convention on Human Rights so that Community procedures protecting fundamental rights can be the object of recourse to an external body, at least in the areas covered by the Convention (just as individual states, including those with their own rights charters, adhere to the European convention);
19. calls for the inclusion in the treaties of arrangements aimed at developing common forms of European citizenship, through measures such as the right to vote, municipal and European elections, for citizens of the Community in the member state where they live;
20. Believes that unanimity should no longer be required for decision-taking in Council, except for constitutional matters (revision of the treaties), accession of new Member States and extension of the field of Community responsibilities (Article 235); considers that the requirement for unanimity for ordinary Community legislation and policies is tantamount to the dictatorship of the minority; considers that the experience of the recent extension of the field of majority voting shows that a significant improvement in the decision-taking capacity of the Council can be achieved by this means;
21. Considers that Council should hold its meetings in public when adopting Community legislation, in order to allow more openness and better scrutiny;
22. Considers it essential to ensure the participation of the regions by means of a body consisting of representatives of the regional authorities in the Member States, whose function would be comparable to that of the Economic and Social Committee in its specific field;
23. Is aware that many national parliaments are seeking to improve their scrutiny over their country's member of Council; express its readiness to assist the parliaments of the Member States with access to information; will continue to cooperate with the parliaments of the Member States in the now regular meetings that take place at various levels between these parliaments and the European Parliament; considers, however, that it would not be useful to set up a new institution or "chamber of national parliaments" alongside the European Parliament, as:
  - experience of the European Parliament prior to direct elections shows the practical limitations of such a body;
  - Community institutions already include a body representing Member States (the Council) and a body representing the electorate directly (the European Parliament);
  - decision-taking would become even more complex and therefore less transparent;
 and instructs its Committee on Institutional Affairs to prepare practical proposals for improving cooperation with national parliaments;

#### STRENGTHENING THE COMMISSION'S IMPLEMENTING POWERS

24. Considers that the amendment of Article 145 EEC by Article 10 of the Single European Act has not been properly implemented and Declaration N° 1 annexed to the Single Act has not been respected;
25. Calls for an amendment to Article 155 of the EEC Treaty and a corresponding deletion in Article 145 of the EEC Treaty in order to clarify that implementing powers should in all cases be conferred on the Commission which, for this purpose, may be assisted by an advisory committee (purely consultative) or a management committee (able, by a qualified majority, to suspend Commission decisions and refer them to the legislative authority (Parliament and Council));
26. Considers that democratic scrutiny of Commission implementing provisions should be ensured by means of an obligation on the Commission to inform Parliament and Council immediately of any such measures and to discuss them with the appropriate organ of Parliament or Council when requested, and that Parliament should have a period of one month after publication of such provisions in which to decide whether it wishes to subject them to the legislative procedure;
27. Believes that the Commission's responsibility to implement the budget as adopted should not be fettered by any committees other than advisory committees;

#### STRENGTHENING THE COMMUNITY'S ABILITY TO ENFORCE APPLICATION OF ITS LAW

28. Believes that in order to be in a position to check on the implementation of Community law, the Commission must be reinforced by the creation of European Inspectorates working with or within it, most notably and urgently in the field of the environment, and that such Inspectorates should have the task of checking that national authorities are properly applying EC law;
29. Considers it necessary for the Court of Justice to be given powers, to be written into the Treaties, to impose sanctions, including financial sanctions, on Member States which fail to apply Community legislation or implement Court judgments;

#### REFORMING THE FINANCIAL ARRANGEMENTS AND IN PARTICULAR THE SYSTEM OF OWN RESOURCES

30. Considers that, with the achievement of economic and monetary union and political union, the financial arrangements laid down in the Treaties are no longer adequate; considers, therefore, that there is a need for an overall review of those financial arrangements on the basis of a greater balance between the two branches of the budgetary authority and, in particular, that:
  - Article 199 of the EEC Treaty should cover the financial activities of all the Communities, including those (e.g. EDF, ECSC) which have for various reasons not hitherto been included in the budget, and should also cover borrowing and lending operations;
  - Article 201 should outline a full own resources regime which would ensure complete financial autonomy and self-sufficiency for the Community; at all events, in order to ensure coverage of all budget expenditure, Article 200 should be updated,
  - the multiannual financial estimates, as drawn up and periodically updated by the Council and Parliament, should form the basis of the budgetary procedure;
  - in Article 203, all the special rules concerning compulsory expenditure should be deleted; the maximum rate rule should be replaced by a multiannual and annually rolling expenditure plan, to be determined jointly by Parliament and the Council;
  - Articles 204 to 209 should be adapted in accordance with the plan to increase the powers of Parliament;

#### RECOGNIZING THE DUALITY OF COMMUNITY LEGITIMACY: COUNCIL AND PARLIAMENT

31. Considers it to be absolutely essential that Community legislation should be adopted by a procedure of co-decision between Parliament and Council;
32. Believes that the proposal contained in the memorandum of the Belgian Government represents a significant step towards a co-decision procedure, but considers that such a method gives too much weight to the final possibility for the Parliament to reject legislation in what amounts to a third reading and a simple veto power might cast Parliament in a negative light, as holding up the progress of the Community and causing interinstitutional conflict;



33. Calls for Parliament and the Council to be given equal rights and equal weight in the legislative process, provision being made for a mechanism to settle disputes between the two bodies which compels them to cooperate on an equal footing in accordance with the following procedure:
- (a) Commission proposals should be forwarded to Parliament which would have the right to approve, amend or reject them; amendments rejected by the Commission would require the support of a majority of the Members of Parliament;
  - (b) Council could then approve, amend or reject such proposals; it could approve by a majority any text in the form adopted by Parliament; it could amend such texts by a qualified majority where the Commission approved of such amendment or by unanimity where the Commission disapproved; it would require unanimity to approve a proposal rejected by Parliament;
  - (c) At first reading, flexible deadlines should be set to permit either of the two branches of legislative power to request application of the urgency procedure to a proposal which is being blocked by the other;
  - (d) If the text approved by Council conformed to that of Parliament, it would be definitively adopted; where it differed from that of Parliament, Council's position would be referred back to Parliament for a second reading;
  - (e) Parliament, in its second reading, could, by simple majorities, either approve Council's text, or request the opening of the conciliation procedure; should a proposal not be approved within 3 months, it would be referred to the Conciliation Committee;
  - (f) The Conciliation Committee would comprise an equal number of members of both institutions; members would not be bound by instructions;  
The Commission would participate in the work of the committee;  
The text agreed on by the committee would be forwarded to the Council and to Parliament for their decision. No further amendments would be admissible;  
Should it not secure a majority in one of the two institutions, the legislative procedure would be closed;
  - (g) Proposals adopted by both Council and Parliament would become law upon the signature of the Presidents of the two institutions;
34. Calls for Parliament also to be given the right to initiate legislative proposals in cases where the Commission fails to respond within a specified deadline to a specific request adopted by a majority of Members of Parliament to introduce proposals; in such cases a Parliament proposal adopted by a majority of Members would be the basis for the subsequent stages of the legislative procedure described above;
35. Calls for Parliament to be given the right to elect the President of the Commission on a proposal from the European Council; the President should, with the agreement of Council, choose the Members of the Commission; the debate and the vote of confidence in a new Commission, which Parliament has held since 1981, should now be formalized in the Treaties;
36. Considers that the procedure whereby Parliament gives its opinion on each nomination to the Court of Auditors should be modified to provide for Parliament to give its approval by a simple majority to nominations to the Court of Auditors and that the same procedure should apply to nominations to the Court of Justice;
37. Calls for the budgetary control powers of the European Parliament to be enhanced and democratic control reinforced, and in particular:
- (a) calls for the principle that the observations made in the discharge decisions are binding on all the institutions to be enshrined in the Treaty;

- (b) calls for the discharge authority's right to ask the Court of Auditors to carry out investigations and submit reports to be enshrined in the Treaty;
38. Calls for the essential right to go to the Court of Justice for annulment should be explicitly granted to the European Parliament in the Treaties;
  39. Demands that each of the three other institutions be entitled to consult the Court of Justice in respect of any matter regarding the interpretation of the Treaties;
  40. Considers the Parliament should have a right, enshrined in the Treaties, to establish committees of inquiry to investigate alleged contraventions of Community law or instance of maladministration with respect to Community responsibilities; the Treaties should provide for an express obligation on Community institutions and other Community and Member State authorities to cooperate with such an inquiry;
  41. Calls for Articles 216 (EEC), 77 (ECSC) and 189 (EAEC) to be amended to give the European Parliament the right to fix its own seat unless, within two years, the Member States can finally agree (after a delay of over 30 years) to exercise their power and responsibility "to determine the seat of the institutions of the Community" under the existing Articles;
  42. Believes that the assent procedure should be extended to include Treaty amendments (Article 236 EEC and its equivalents in the other Treaties), the uniform electoral system and all significant international agreements entered into by the Community;
  43. Undertakes to submit appropriate drafts of Treaty articles and amendments conforming to the above requests in due time before the beginning of the intergovernmental conferences as part of its formal opinion required under Article 236 (EEC) for the convening of the conferences; expects the intergovernmental conferences to examine Parliament's requests and either to incorporate them as such in the Treaty revision or to agree with Parliament on alternative possibilities, in accordance with the procedure put forward in paragraph 5 of its resolution of 14 March 1990;
  44. Confirms its decision to deliver an opinion pursuant to Article 236 of the EEC Treaty on the convening of the Intergovernmental Conference on political union, on the basis of the results of the preparatory interinstitutional conference and in particular the consensus reached with the governments of the Member States and the Commission on the agenda for the conference and the role of the European Parliament;
  45. Calls for a move from the present Community based on Treaties to a Union of federal type on a constitutional basis and demands therefore the amendment of Article 236 of the EEC Treaty, the new version of which should provide for approval of constitutional amendments by the two legislative arms (Council and Parliament) and their subsequent ratification by the Member State parliaments;
  46. Considers in any event that such a major revision of the Treaties should be elaborated and agreed jointly by the representatives of the Member States and the representative elected by the citizens of Europe to the European Parliament;
  47. Instructs its President to forward this resolution to the Commission, the Council, the Court of Justice, the Court of Auditors, the Economic and Social Committee, the governments and the parliaments of the Member States and Applicant States and the consultative committee of local and regional authorities and to use this resolution for his submissions to preparatory meetings of the IGC, to "the Assizes" and to European Council meetings.

12 July 1990

## RESOLUTION

On the preparation for the meeting with the national parliaments on the future of the Community

The European Parliament,

- having regard to the draft Treaty establishing the European Union of 14 February 1984,
  - having regard to its resolution of 16 February 1989 on relations between the national parliaments and the European Parliament,
  - having regard to the statement by the President-in-Office of the European Council, Mr Mitterrand, to the European Parliament on 25 October 1989 and, in particular, his suggestion that the European Parliament organize "Assizes on the future of the Community, in which, in addition to Parliament, delegations from the national parliaments and representatives of the Commission and the governments would also participate", as well his remarks concerning the constituent role of Parliament "if democracy is established in the Europe we are creating",
  - having regard to its resolutions of 23 November 1989 and 14 March 1990,
  - having regard to the resolution adopted by the Italian Chamber of Deputies on 21 March 1990,
  - having regard to the conclusions of the Interparliamentary Conference of Committees on Community Affairs of the national parliaments held on 11 May 1990,
  - having regard to the second interim report of the Committee on Institutional Affairs and the opinion of the Committee on Budgetary Control (Doc.A 3-162/90),
- A. whereas it is necessary to make the Community more effective and more democratic,
  - B. whereas the gradual transfer of legislative power from the Member States to the Community in the economic, financial, fiscal and social sectors is serving increasingly to exacerbate the democratic deficit in the Community decision-making process as national parliaments can only exercise democratic control over their own single member of Council, and whereas the only way to overcome this deficit is to grant the European Parliament the legislative and monitoring powers not enjoyed by the national parliaments over the Council as a whole and over the Commission,
  - C. whereas the powers transferred to the Community are beyond the control of the national parliaments,
  - D. whereas the European Parliament and the parliaments of the Member States must jointly reverse this decline of democracy in Western Europe at a time when it is growing in Eastern Europe,
  - E. whereas a meeting between representatives of the parliaments of the Member States and representatives of the European Parliament is clearly the best means of assessing the scale of the problem and proposing ways of remedying the situation,
  - F. whereas political union should not be the outcome of an agreement between governments based on texts drawn up by diplomats but should be achieved through the direct involvement of the institutions which represent citizens,
  - G. whereas the democratic deficit is essentially caused by the fact that the Community's main decision-making body for legislative and other matters is the Council, which consists of ministers of the national governments, who meet behind closed doors, and whose decisions need not be subject to the approval of a directly elected assembly,
1. Notes that a very broad consensus has emerged both in the parliaments of the Member States and the European Parliament that the "Assizes" should be convened jointly by these different parliaments;

2. Considers that the "Assizes" should be held before the opening of the intergovernmental conference on 13 and 14 December 1990 so that the latter is made aware of "the expression of the popular will residing in the parliaments of the Member States and the European Parliament" (as Mr Andreotti has said) and that they should also contribute to the proposal of concrete measures designed to establish close collaboration between the European Parliament and the parliaments of the Member States;
3. Proposes that the interparliamentary Assizes on the future of the European Community should have three basic aims:
  - (a) reducing the Community's democratic deficit by confirming the overwhelming support of the political forces in the twelve Member States of the Community for substantially strengthening the European Parliament's legislative powers and powers of democratic control;
  - (b) preparing for the development of a constituent power in the Community in keeping with the principles of democracy, which are neglected by current procedures under which the European Parliament is excluded from Community reform;
4. Is aware that many national parliaments are seeking to improve their scrutiny over their country's member of Council, expresses its readiness to assist the Parliaments of the Member States notably with access to information; will continue to cooperate with the parliaments of the Member States in the now regular meetings which take place at various levels between these parliaments and the European Parliament; considers, however, that it would not be useful to set up a new institution or "chamber of national parliaments" alongside the European Parliament, as:
  - experience of the European Parliament prior to direct elections shows the practical limitations of such a body;
  - Community institutions already include a body representing Member States (the Council) and a body representing the electorate directly (the European Parliament);
  - decision-taking would become even more complex and, therefore, less transparent;and instructs its Committee on Institutional Affairs to prepare practical proposals for improving cooperation with national parliaments;
5. Notes that the meeting of 7 June 1990 between the President of the European Parliament and the presidents of the national parliaments and the meetings of the chairs of specialized organs has prepared the way for these "Assizes";
6. Instructs its President to forward this resolution to the Council, the Commission and the parliaments of the Member States.

## 2. European Union

a) Doc. A3-163/90

12 July 1990

### RESOLUTION

On the principle of subsidiarity.

- having regard to the ECSC, EEC and EURATOM Treaties and the Single European Act,
  - having regard to the Draft Treaty establishing the European Union,
  - having regard to the future development of the Community, in particular its commitment to draw up a draft constitution for European Union and the fact that this process of transforming the European Community requires a clear distinction to be made between the competences of the Union and those of the Member States,
  - having regard to the special nature of the Community, which is based on the principles of democracy, the precedence of Community law over national law, respect for the individual character of the Member States and a unique institutional pattern,
  - having regard to the Draft Treaty establishing the European Union which defines the principle of subsidiarity in its preamble and in Articles 12 and 66,
  - having regard to the interim report of the Committee on Institutional Affairs and the opinion of the Committee on Youth, Culture, Education, the Media and Sport (Doc. A 3-163/90),
1. Notes that the principle of subsidiarity is already implicit in the Treaties, that express reference is made to it there as a result of the Single European Act and that the European Parliament was at pains to give prominent and unequivocal political endorsement to that principle in its Draft Treaty establishing the European Union;
  2. Recalls that the Treaties already provide certain important safeguards preventing any undue extension of Community competences, most notably:
    - that the Community may act only on the basis of provisions laid down in the Treaties,
    - that any extensive interpretation of the Community's objectives, to permit action where the Treaties have not provided an explicit power, may only occur with the unanimous approval of the governments of the Member States in Council (Article 235 EEC and equivalents in ECSC and EAEC Treaties),
    - that any extension of Community competence requires modification of the Treaties, which involves unanimous approval of all the Member State governments and ratification by all the Member State parliaments;
  3. Notes that the Court of Justice of the European Communities, which is responsible for ensuring respect for the law, has the role of guardian of the division of competences between the Community and the Member States;
  4. Is aware of the importance of the principle of subsidiarity in the context of European Union and advocates respect for the "acquis communautaire", but holds the view that the division of tasks, spheres of activity and competences must make allowance for the stage reached at present, as well as the inevitable evolving of the Union, so as to promote and safeguard the interests of all the citizens of the Union and the specific nature of the regions;
  5. Believes that ceding the Member States' legislative competences to the European Community, on the basis of the principle of subsidiarity, would worsen the democratic deficit in the Community, if the European Parliament failed to secure the legislative powers and powers to exercise democratic oversight lost by the parliaments of the Member States; elimination of the democratic deficit, in particular by reinforcing the powers of the European Parliament, is the additional element that is vital for putting the principle of subsidiarity into practice;

6. Considers that the amendments to the Treaties announced by the governments in the context of the Intergovernmental Conference should make provision for specifically enshrining the principle of subsidiarity, so as to ensure the dynamic development of European integration and the greatest possible clarity with regard to the division of competences between the Community and the Member States;
7. Points out that there are very few areas in which the Community has been given exclusive competence (i.e. Member States may no longer act unilaterally in the field concerned, such as for customs tariffs) and that most areas of Community competences are in matters where Member States may also act ("concurrent competence", also known as "shared", "parallel" or "overlapping" competence);  
Considers, therefore, that the principle of subsidiarity should be a guide not just to determine legally the areas in which the Community may act (which has been done in the Treaties) but also, and especially, as a political guide to the extent of Community action in the fields of concurrent competence;
8. Instructs its Committee on Institutional Affairs to look closely into the distribution of competences between the Community and Member States, with due regard for the constitutional structure of each Member State, in accordance with the provision on this subject contained in the Draft Treaty establishing the European Union (1984);
9. Notes that when the principle of subsidiarity and the criteria mentioned in paragraph 7 are applied, far-reaching competences will remain with the Member States in the fields of economics, taxation, education, culture, social security, health, family policy, the organization of local government, public transport, infrastructure, police, penal code, private law, religion and many other areas;
10. Considers it indispensable for a European Union on a federal model to possess the competences already entrusted to the European Community and the competences essential, in particular, for the achievement of economic and monetary union, common foreign and security policies and the establishment of a People's Europe;
11. Believes that the principle of subsidiarity is important not only as a means of clearly defining the respective competences of the Community and the Member States, but also in respect of the way those competences are exercised;
12. Considers that political and judicial guarantees must be given with regard to respect for the principle of subsidiarity but that effective democratic procedures must be devised to enable the Union to exercise the competences it needs to carry out its tasks, without the risk of an institutional deadlock which might jeopardize the interests of Europe;
13. Confirms that by virtue of the need for unanimity (in the context of Article 235 of the EEC Treaty, Article 95 of the ECSC Treaty and Article 203 of the EURATOM Treaty) the Council (chamber of States) remains the co-guarantor of respect for the principle of subsidiarity;
14. Considers that the Court of Justice should be given jurisdiction as a constitutional body, with the task of ensuring in particular that the division of competences between the European Community and the Member States is respected; with regard to respect for the principle of subsidiarity, it could have matters referred to it either on a consultative basis - when the Commission or the other institutions enjoying initiative submit the initial proposal - or on an a posteriori basis by the Member States, the Community institutions or the supreme courts of the Member States;
15. Instructs its President to forward this resolution to the Council, the Commission and the Governments of the Member States.

5. European Council

Joint resolution replacing Docs. B3-1351, 1360, 1367 and 1371/90

RESOLUTION

on the Dublin European Council

The European Parliament,

- having regard to the conclusions of the Dublin European Council of 25 and 26 June 1990,
  - having regard to the second interim report by its Inter-Institutional Committee on the Intergovernmental Conference, and the other reports by that committee on institutional matters, adopted on 11 July 1990,
  - recalling its resolutions on Political Union and Economic and Monetary Union, particularly those of 23 November 1989 and 14 March, 16 May and 15 June 1990, which confirm the basic features of the draft Treaty adopted on 14 February 1984,
1. Believes that the European Council, by deciding to convene an intergovernmental conference on Political Union, has taken a step towards the establishment of the European Union in the direction indicated by the European Parliament;
  2. Considers that the proposals by certain Member States for partial and limited reform of the Treaties will not allow this objective to be achieved, and that only a global and ambitious approach leading to a European Union of a federal type will make it possible to meet the challenges that the Community faces; expresses its great concern at proposals which seek merely to reinforce intergovernmental structures in the Community;
  3. Confirms its commitment to continue the dialogue with the Commission and the Member States concerning the requisite institutional reforms within the framework of the preparatory interinstitutional conference and points out that the opinions that it will deliver in accordance with Article 236 of the Treaty will depend on the outcome of that dialogue;
  4. Notes the European Council's determination to maintain close dialogue with the European Parliament; stresses, however, that this determination may be undermined by the decision to base the preparatory work for the Intergovernmental Conference on Political Union on the outcome of the Foreign Ministers' deliberations and the contributions of the Member State governments and the Commission, which seems to rule out the proposals drawn up by the European Parliament;
  5. Is convinced that there is a pressing need for Member State governments to commit themselves to laying down, as soon as possible, the procedure and the timetable for transforming the Community into a European Union on the basis of the draft constitution drawn up by the European Parliament;

6. Insists that at the Intergovernmental Conference on Economic and Monetary Union measures aimed at strengthening economic and social cohesiveness must be proposed so as to alleviate the disruptive impact of EMU on certain regions and sectors;
7. Welcomes the European Council's decision to renew the mandate of the President of the Commission but regrets that it was taken without prior consultation of the European Parliament in breach of established agreements;
8. Makes the point that its relations with the future Commission, whose mandate will take effect on 1 January 1993, will depend on the manner in which it has been involved in the appointment of its members and in the definition of its programme;
9. Welcomes the proposal to convene a CSCE Summit in Paris on 19 November 1990 and shares the view that the CSCE has the potential to become a factor for stability and cooperation between the peoples of Europe and with the USA; believes that it is important that the European Community and its Member States play a role of initiator and guide within the framework of the CSCE and speak with a single voice; to that end, and pending the conferring by the intergovernmental conference of the requisite powers and responsibilities for foreign and security policy on the European Community, calls for proper preparations to be made within European Political Cooperation, in close collaboration with the European Parliament;
10. Regrets that the summit has failed to fix more clearly its guidelines for action vis-à-vis the USSR;
11. Supports the decision to grant appropriate economic aid to underpin the efforts being made in the USSR to progress towards a democratic system and a market economy and calls on the Commission to organize forthwith the requisite consultations with the Soviet authorities, in cooperation with the appropriate international bodies; demands that the European Parliament be systematically consulted in this connection;
12. Regrets the failure to draw up a Community position for the summit of industrialized countries to be held in Houston;
13. Stresses the importance of a permanent dialogue with the United States on an equal footing and supports the idea of a joint declaration by the Twelve, the United States and Canada on transatlantic relations;
14. Approves the European Council's declarations on South Africa, the Middle East, Cyprus and the situation in Kashmir,
  - (a) calls on the Foreign Ministers to renew their efforts to find a peaceful solution to the Arab-Israeli conflict, in accordance with the principles frequently expressed by EPC and by the United Nations, within the framework of a constructive dialogue between the parties concerned,
  - (b) calls, further, on the Foreign Ministers meeting in EPC to take the necessary measures to ensure that the inter-community dialogue is resumed so that a solution may be found to the Cypriot problem;



15. Deplores the absence of a declaration on human rights violations in certain countries, and on the supremacy that the Republic of Serbia is seeking to exercise over Kosovo;
16. Deplores the absence of proposals for regulating the conflicts in South-East Asia;
17. Welcomes the declaration of the European Council on the need to protect the environment, and invites the Commission within this context to:
  - lay down environmental priorities, with particular regard to atmospheric, water and soil protection;
  - make a substantial increase in the appropriations for environmental policy in the 91 budget;
  - to submit a proposal for a regulation to ensure appropriate support for clean technologies;
  - submit a modified EIA proposal covering all projects affecting the environment;

takes the view that, because of its scant powers, the European Environment Agency does not constitute a good example of the serious nature of Community environmental policy;
18. Points out the speeding up of the implementation of the internal market, but regrets the delay in enacting Community legislation at national level; calls for more stringent monitoring, and for decisions to be taken rapidly in the area of indirect taxation;
19. Insists on a speeding up of activities with a view to creating a Europe without frontiers; reiterates its positions on the right of asylum;
20. Welcomes the priority given to campaigning against drugs and organized crime and money laundering; considers it necessary for cooperation agreements to be implemented rapidly with non-Community countries seeking to combat drug production;
21. Welcomes the declaration on anti-semitism, racism and xenophobia, and calls for effective measures to be taken to combat these;
22. Stresses its concern at the European Council's failure to comment on budgetary policy and the revision of the financial perspective;
23. Looks to the Italian Presidency to secure implementation of the demands voiced by the European Parliament on behalf of all Community citizens, particularly those concerning the transformation of the Community into a federal-type European Union and the conferment on the European Parliament of the task of defining the final text of the constitution of the European Union, the strengthening of the Community's powers in respect of external and security policy and social and environmental policy and the speedier implementation of the Social Charter via the strengthening of its provisions;
24. Instructs its President to forward this resolution to the European Council, the Council, the governments and parliaments of the Member States and the Commission.



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