



Community Institutions: a fresh look

A say in the appointment of the new Commission and parliamentary approval for its policy programme are advocated by Parliament in the Rey report (1-71/80) adopted during the April session. Its recommendations go before the Council only two weeks before the Member States are due to decide at the European Council Meeting in Venice on 12-13 June on the appointment of the President of the new Commission (to take office on 1 January 1981). The other 13 Commissioners including one Greek) are to be nominated in the Autumn.

Vote of Confidence

The main points in the report and resolution drafted by former Commission President Jean Rey (Lib/Bel) are:

- The Commission should play a more political role in the Community;
- The President designate of the Commission should appear before Parliament's Political Affairs Committee before the other Members are appointed;
- A plenary investiture debate should be held ending in a vote of confidence to ratify the appointment of the President;
- Women should be "adequately represented" on the Commission (there has never been a woman Commissioner);
- A "coordination" Commissioner should be appointed to assist the President full-time;
- Advisory bodies which liaise between Community organs and government departments should remain advisory and not usurp the executive role of the Commission;
- The Commission should submit its policy to a vote of Parliament both before taking office and annually thereafter;
- An agreement should be concluded whereby the Commission consults Parliament on all preliminary draft decisions and proposals, and does not submit texts to the Council until Parliament's approval on all fundamental points has been obtained;
- Use by the Commission of the possibility, where the Council has not acted on a proposal, of changing it in the light of consultations with Parliament.

Censure

Under the Treaties, the Commission is appointed for a four-year term "by common accord of the Governments of the Member States". The President and Vice-Presidents are appointed for two-year "renewable" terms. Parliament has the power to dismiss the Commission as a body by a motion of censure gaining at least two-thirds of the votes cast representing a majority of Members of Parliament. Although on several occasions Parliament has threatened to sack the Commission it has never done so. This power, it has been argued, is of little value without some say in the Commission's appointment. The right of Member States to appoint the Commission is, however, not disputed.

Dialogue and Support

Major Community policy is decided by the Council of Ministers, not the Commission, although on the basis of Commission proposals. Parliament recently recognised this in rejecting in December 1979 the Council's draft of the Community budget. Frequently both Commission and Parliament are allies in seeking to oppose the views of the Council. Much of Parliament's time is taken up with detailed consideration of

Commission proposals for Community legislation, both in committee (attended by the Commission) and in plenary, where the Commission is answerable to Parliament. It is this dialogue and cooperation which Parliament wishes to strengthen; and in advocating for the Commission a more political role, Parliament is at the same time seeking to maintain its influence over the Commission.

The need for closer ties between Commission and Parliament was recognised by the current Commission President, Roy Jenkins, when he told Members on taking office in January 1977: "I intend from here forward to inject into our consideration of any proposal we put forward to the Council the systematic and serious consideration of whether it is one for which we can reasonably expect the support of a majority in this Parliament."

Improving the way the Community works

The Rey report is, however, only the first in a series covering inter-institutional relations being prepared by the Subcommittee on Institutional Problems of the Political Affairs Committee. In the words of the rapporteur, the election of Parliament by more than 100 million electors, "has given it greater legitimacy and a new mandate to look into the working of the Community's institutions and to consider with the other institutions steps which might be taken to improve the way in which the Community works."

Reports are being drafted to cover Parliament's participation in negotiating and ratifying accession, association and other treaties (Blumenfeld Report No. 49/80, adopted on 17 April); relations with the European Council; relations with the Council of Ministers; European Political Cooperation; relations with national parliaments; relations with the Economic and Social Committee; and Parliament's powers of initiative and control and participation in the Community's legislative process.

These reports are being written against a background of several earlier studies, including the Political Affairs Committee's Bertrand report on European Union (Doc. No. 174/75, adopted on 10 July 1975); the December 1974 European Council call for greater powers for Parliament and for reconsideration of the January 1966 Luxembourg agreement and voting procedures in the Council; the Tindemans report of December 1975; the report by Lord Reay on inter-institutional relations (Doc. 148/78) (which included the proposals of the late Sir Peter Kirk); the Spierenburg report on the Commission of September 1979, and the report of the Three Wise Men (Mm. Biesheuvel, Dell and Marjolin) on European institutions, of October 1979.

In the April debate some Members spoke strongly against extending Parliament's role. In taking on an increasingly political stance, is it allowing sufficient time and emphasis for its task of thoroughly vetting proposed legislation? A look at its recent congested committee and plenary agendas and the backlog of requests for debates, these Members from different countries argued, gives strength to this view. And what of the democratic control exercised by national parliaments — should this be increased instead? This, and other aspects of the relationship between the European Parliament and national parliament is itself to be the subject of a later report by Parliament.

Work in Progress

A Commission proposal or other communication is normally submitted to one committee which appoints a rapporteur to draw up a report. As accepted by the committee the report is debated in plenary session. In some cases the Commission document is also sent to

one or more other committees for a subsidiary opinion.

Copies of European Commission proposals may be obtained from the European Commission Information Office, 20, Kensington Palace Gardens, London W8 4QQ. (Tel: 01-727 8090).

Completed reports by European Parliament committees may be obtained from the European Parliament Information Office, 20, Kensington Palace Gardens, London W8 4QQ (Tel: 01-229 9366).

Please quote reference numbers.

DOCUMENT	SUBJECT	Main Cttee.	Other Cttee.
COM(80)112 fin	Proposal amending Regulations on the common organisation of the market in products processed from fruit and vegetables and on the common customs tariff.	Agric.	
COM(80)108 fin	Proposal for amending directive on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings.	Energy	
COM(80)104	Communication on the guidelines for the European Community's scheme of generalized tariff preferences for the post-1980 period.	Dev.	Agric. Econ. Ext.
COM(739) fin	Proposal for a regulation concluding the Cooperation Agreement with Indonesia, Malaysia, the Philippines, Singapore and Thailand – member countries of ASEAN.	Ext.	Dev.
	Recommendation on the discharge to be given to the Commission in respect of the implementation of the budget and of the amending and supplementary budgets of the European Communities for the financial year 1978.	Control	
COM(80)114 fin	Proposal for a regulation laying down for 1980 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Spain.	Agric.	
COM(80)84 fin	Proposals for: a) a directive relating to safety belts and restraint systems of motor vehicles; b) a directive relating to anchorages for motor vehicle safety belts; c) a directive relating to the interior fittings of motor vehicles (strength of seats and of their anchorages).	Econ.	Trans.
COM(80)121 fin	Proposals for: a) a regulation on the opening, allocation and administration of the Community tariff quota for 38,000 head of heifers and cows, not intended for slaughter, of certain mountain breeds. b) a regulation on the opening, allocation and administration of the Community tariff quota for 5,000 head of bulls, cows and heifers, not intended for slaughter, of certain Alpine breeds.	Ext.	Agric. Budgets
COM(80)125 fin	Proposal for a decision to provide a financial contribution from the Community towards the eradication of African swine fever in Portugal.	Agric.	Budgets
COM(80)126 fin	Proposal for a regulation laying down certain measures for the conservation and management during 1980 of common fishery resources off the West Greenland coast, applicable to vessels flying the flag of Canada or under charter to companies registered in Canada.	Agric.	
COM(80)113 fin	Recommendation for a regulation on the conclusion of the second ACP-EEC Convention of Lome.	Dev.	Pol. Agric. Econ.
COM(80)80 En	Report on the financial situation of the Communities at 31 December 1979.	Budget	
–	Fourteenth annual report on the activities of the EEC-Turkey Association Council (1 January – 31 December 1978).	EEC-Turkey	
PE 63.872	Report on the activities of the EEC-Greece Association Council (May 1978 to April 1979).	EEC-Greece	

Massacre of seals – Barbara Castle (Soc/UK) QT 14/4

The Commission is participating in a study of the management of the grey seal population. Measures to limit imports of sealskins would be of limited effect as the main purpose of grey seal culling is to protect fish stocks.

Whaling – Andre Damseaux (Lib/Bel) WQ 420/79

The Commission has proposed to the Council that it should be empowered to act on behalf of the Community in the drawing up of the new International Convention on whaling. The Council has yet to take a decision.

Whales – Lord Douro (Dem/UK) Q 14/4

The Commission is preparing a proposal to introduce a licencing system for imports of whale products. This is because measures taken by the International Whaling Commission have proved inadequate.

Action taken on Parliament's Opinions

Each month the European Commission reports on the action it has taken in response to the Opinions previously expressed by Parliament.

In its 10-14 March part-session Parliament voted on 23 proposals from the Commission. Reporting back in April the Commission said:

1. In four cases the non-report procedure was used:

- proposal amending Regulation laying down special measures for peas and field beans used in the feeding of animals (1-693/79);
- proposal for Regulation suspending application of the condition to which the importation into the Community of certain types of citrus fruit originating in Spain is subject (1-697/79);
- proposal amending Regulation on the temporary suspension of aids for the purchase of dairy cows and of heifers intended for milk production (1-712/79);
- proposals for:
 - a directive on statistical returns in respect of the carriage of goods by inland waterway, for the purposes of a possible statistical survey
 - a directive on statistical returns in respect of the carriage of goods by rail, for the purposes of establishing regional statistics (1-743/79).

2. In 14 cases Parliament adopted Committee reports (working document No. given in brackets) which were favourable to Commission proposals.

- Report by Sir Frederick Catherwood on four proposals concerning the CCT for beef and veal and for processed fruit and vegetable products (1-640/79);
- Report by Mrs Barbarella on the Directive on the modernization of farms (1-719/79);
- Report by Mr Spinelli on a decision empowering the Commission to contract loans with a view to promoting Community investments (1-840/79);

- Report by Mr Buchou on a proposal to fix the quantities of basic products considered to have been used in the manufacture of goods (1-731/79);
 - Report by Mr Ligios on a regulation on the common organization of the market in fruit and vegetables (1-720/79);
 - Report by Mr Sable on two proposals relating to the 1979 food aid programmes (1-633/79);
 - Report by Mr Seal on trade with Cyprus (1-733/79);
 - Report by Mr Seal on the negotiation of a transitional protocol to the association agreement with Cyprus (1-822/79);
 - Report by Mr Helms on the measures for the common fishery resources off the west coast of Greenland (1-624/79);
 - Report by Mr Nielsen on three proposals for regulations concerning the management of fishery resources and applicable to Norwegian vessels (1-735/79);
 - Report by Mr Enright on a fisheries agreement between the Community and Guinea-Bissau (1-835/79);
 - Report by Mr Woltjer on a fisheries agreement between the Community and Guinea-Bissau (1-831/79);
 - Report by Mr Provan on two regulations concerning fisheries agreements with Canada (1-829/79);
 - Report by Mr Kirk on two proposals for regulations on the storage of fish (1-828/79).
3. In three cases Parliament proposed amendments which the Commission accepted:
- Report by Mr Cronin on the proposals for regulations providing for specific Community measures to promote regional development pursuant to Article 13 of the ERDF regulation (1-715/79);
 - Report by Mr Angelosante on a directive concerning the periodic information to be published by companies whose stocks and shares are officially quoted. (1-639/79);

- Report by Mr Filippi on a decision introducing special aid for small and medium-sized industrial undertakings in Portugal (1-706/79).
4. In one case the Commission was unable to accept the Parliament's amendments:
- Report by Mrs Barbarella on the proposals relating to the policy on agricultural structures (1-824/79).
5. In one case where Parliament called on the Commission to withdraw its proposal, the Commission preferred to maintain it:
- Report by Miss Quin on a regulation concerning the collection by the Community of a fee on licenses authorizing vessels flying the flag of a Community Member State to fish for salmon in Swedish fishing zones (1-717/79).

At its special agriculture session, 24-26 March, Parliament voted three opinions:

1. In two cases Parliament adopted two reports which made no amendments to the Commission proposals:

Report by Mr Früh on the Commission proposals for:

- (i) a regulation concerning monetary compensatory amounts;
- (ii) a regulation concerning the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy (1-38/80);

- Report by Mr Woltjer on the Commission proposal to the Council for a regulation laying down, for 1980, certain measures relating to the conservation and management of fishery resources and applicable to vessels flying the Norwegian flag (1-39/80).

2. In the case of the report by Mr Delatte on the fixing of agricultural prices (1-37/80), the Commission reminded the House that Commissioner Gundelach had indicated during the debate that the Commission would maintain its proposals. [Parliament's reports and resolutions are, of course, forwarded to the Council of Ministers for consideration together with the Commission's proposals].

Replies to Members' Questions

Fuel subsidies – Joyce Quin (Soc/UK) WQ 1515/79

Fuel subsidies are normally considered as operating aid and in principle incompatible with the Treaty. A fuel subsidy scheme for Sicilian fishermen has been approved as little Sicilian fish is exported to other Community countries and the aids are to be replaced by structural measures.

Commission staff – John O'Connell (Soc/Irl) WQ 1560/79

Ten per cent (664) of Commission A, B and C grade staff are in the agricultural department, 3% (200) in social policy, 1.9% (125) in regional policy, 0.3% (20) on consumer policy, 1% (67) on health policy and 1.1% (77) on environmental policy.

Railways – Nicole Chouraqui (EPD/Fr) WQ 1686/79

The economic and financial position of Community railways has been the subject of a second biennial report and this year the Commission will publish a memorandum on the overall situation of railways and recommendations for Community action.

Replies to Members' Questions

Tanker safety – Jan Klinkenborg (Soc/Ger) WQ 949/79

The Community has adopted three Directives and two Recommendations to improve safety standards for oil, gas and chemical tankers navigation in the North Sea and the Channel, and other precautions. Mandatory inspection rules for ships await Council action and the Commission is drafting proposals to impose adequate standards on all vessels entering Community ports.

Meat imports – Joris Verhaegen (EPP/Bel) WQ 793/79

Proceedings have begun against France and Luxembourg for changes in veterinary rules on meat imports from other member countries. Inspection for trichinae and checks on residues only are permitted; in other respects fresh meat traded cannot be subject to systematic inspection.

Public tenders – Lord Bethell (Dem/UK) WQ 421/79

Late implementation of Community rules primarily explains the lack of balance in the number of public works contracts (of over 200,000 units of account in value) between different countries. Italy still has to implement the rules. The number of contracts advertised has gradually improved:

	July 1978- May 1979	May-Aug. 1979
Belgium	27	31
Denmark	24	4
Germany	5	55
France	69	124
Italy	—	—
Luxembourg	—	3
Netherlands	2	2
UK	509	165

Cheap butter for confectioners – John Marshall (Dem/UK) WQ 1273/79

Making cheap butter available to the confectionary industry, as to biscuit and ice-cream manufacturers, would lead to only a very small increase in its use.

EIB loans to UK assisted areas – Joyce Quin (Soc/UK) WQ 1235/79

Up to November 1979 loans totalling £180.2 m were made by the European Investment Bank for projects in areas which will lose their Assisted Area status under UK Government policy. Total EIB loans to the UK at that time had been £1,608.9 m. Another £16.3 m. has been lent to these areas under other Community facilities. Future EIB lending in these areas will be reviewed in the light of Community regional policies at the time, but the EEC Treaty does not limit EIB lending to regional development.

American carpets – Mark Clinton (EPP/Irl) QT 14/4

Imports of synthetic fibre carpets from the USA into the Community and the UK in particular rose sharply in 1979. However these imports still only make up 3.7% of the UK market and the Commission cannot gauge how far these imports are responsible for loss of jobs in the UK. However it is monitoring the situation together with the British government.

Eurostamps – Cornelis Berkhouwer (Lib/NL) QT 14/4

Whilst the Commission is sympathetic to the view that a common European stamp would have a psychological value, the Community is not empowered to issue stamps, as only individual states belonging to the world Postal Union may do so. In May 1979 the Commission recommended that Member States impose a common tariff for all letters up to 20 g to any destination within the Community. So far the UK, Denmark and Ireland have not replied.

Fraudulent textile imports – Gilles Martinet (Soc/Fr) WQ 1284/79

Imports of fraudulent origin have amounted to from 5% to 20% of permitted quotas of clothing products. Countries of origin falsely declared have been mainly in south-east Asia for products proven or suspected of being from Hong Kong and South Korea. The main Community importing countries have been Germany, the UK, Italy and Benelux. The Commission is, however, generally satisfied with the voluntary restraint measures adopted for textile exports from the Far East to Europe.

Eliminating brucellosis – Paul Gendebien (Ind/Bel) WQ 1084/79

Programmes for the eradication of bovine brucellosis – for which Community aid is available – are progressing favourably. In Denmark, Germany, Netherlands and Luxembourg few or no cases have been known. In the other countries the percentage of herds affected has fallen sharply.

	1976	1979
Belgium	2.4	0.8
France	25	4
Ireland	35	12
Italy	8	6
UK	14	1.5

NZ butter imports – Michel Debré (EPD/Fr) WQ 1666/79

The effect of New Zealand butter imports on the Community is limited. The amount imported is fixed annually by the Council and is subject to a levy which permits the sale of this amount without disrupting the Community butter market.

Wine stocks – Georges Sutra (Soc/Fr) WQ 925/79

Community wine production in 1979-80 is an estimated 168 m. hectolitres – France 80 m.hl., Italy 80 m.hl., Germany 8 m.hl. and Luxembourg 62,000 hl. Stocks at the beginning of the wine year (December 14) were 75 m.hl., including 34 m.hl. of table wine. The size of surpluses is such that “large-scale distillation” is inevitable. Estimated production in future and applicant Member States was: Spain 45 m.hl., Portugal 12 m.hl. and Greece 5 m.hl.

Implementing EEC law – John O’Connell (Soc/Irl) WQ 1565/79

In the past six years the Commission has sent communications to all Member States for failing to implement Community directives and in the past four years to six states regarding the implementing of regulations:

	Non-implementation of:	
	Directives 1974-79	Regulations 1976-79
Belgium	23	4
Denmark	2	—
Germany	6	—
France	9	5
Ireland	9	1
Italy	28	8
Luxembourg	13	—
Netherlands	18	1
UK	5	1
Total	113	20

Speeding replies

Between July 17, 1979, when the elected Parliament first met, and March 15, 1980 Members submitted 1,379 written questions to the Commission. In 90 cases replies were given within the time laid down (i.e. one month); in 841 cases a reply was given after the limit, and in 448 cases a reply was still awaited.

On February 8 President Veil wrote to President Jenkins expressing her serious concern at this situation, though recognising that an entirely new situation had arisen with the doubling of the number of Members. On March 24 President Jenkins replied that the Commission aims at replying to as high a proportion as possible within the time limits, but that it gives a high priority to pertinent and accurate replies, which can lead to delays. In the second half of 1979, he noted, the number of written questions was 250% greater than a year earlier (see Digest 5), and the number of oral questions substantially increased. The Commission has strengthened its internal organisation and this is having some effect, Mr Jenkins added.

Note: WQ denotes Written Question; QT: Oral Question during Question Times, with date; OQ: Other Oral Question.