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## Report

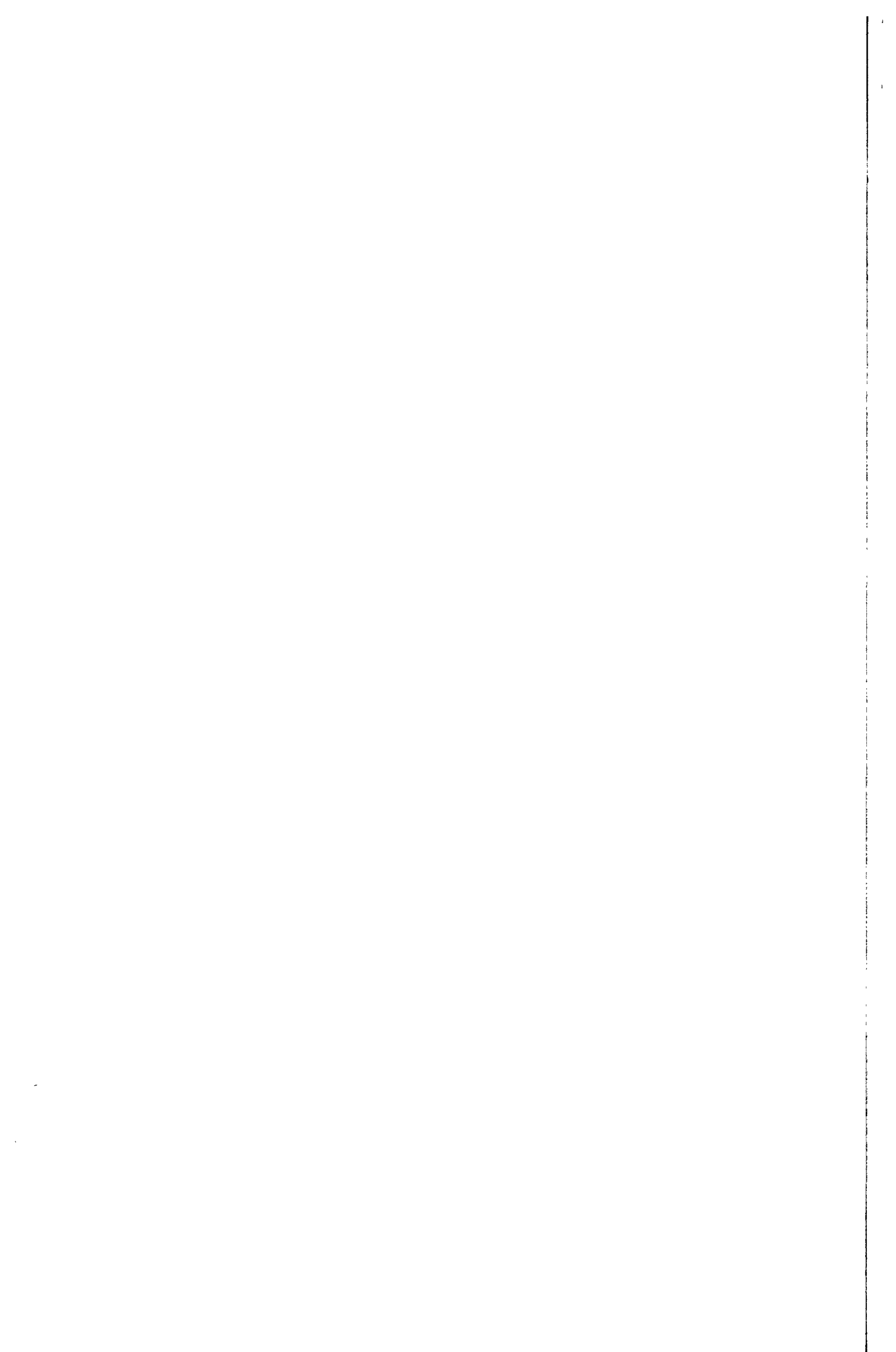
drawn up on behalf of the Political Affairs Committee

on the ~~institutional~~ aspects of Greek accession to the European  
Community

Rapporteur: Mr Erik BLUMENFELD

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At its sitting of 27 September 1979, the European Parliament referred to the Political Affairs Committee the motion for a resolution tabled that day by Mr PFENNIG and others (Doc. 1-346/79/rev.) on the ratification by the European Parliament of the agreement on the accession of Greece to the European Communities.

At its meeting of 19 and 20 February 1980, the Political Affairs Committee decided to draft a report on the institutional aspects of Greek accession to the European Parliament and appointed Mr BLUMENFELD rapporteur.

On the same occasion it instructed its Subcommittee on Institutional Problems to prepare this report.

This motion for a resolution was considered by the Political Affairs Committee at its meeting of 20 March 1980 and adopted by 23 votes to 2 with one abstention.

Present: Mr Colombo, president; Mr Estier, Mr Rey, vice-presidents Mr Blumenfeld, rapporteur; Mr Antoniozzi, Mrs Baduel-Glorioso (deputizing for Mr Amendola); Mr Cariglia, Mr Diligent, Lord Douro (deputizing for Lady Elles); Mr Fergusson, Mr B. Friedrich, Mr Haagerup, Mr Habsburg, Mr Hänsch, Mrs Hammerich, Mr Klepsch, Mr Lalor, Mrs Lizin (deputizing for Mr Van Miert), Mr Lomas, Mr Nothomb, Mr Pelikan (deputizing for Mr Zagari) Mr Prag (deputizing for Mr Scott-Hopkins), Mr Ryan (deputizing for Mr Penders), Mr Schieler, Mr Seefeld (deputizing for Mr Brandt), Mr Vergeer (deputizing for Mr von Hassel).

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A

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

MOTION FOR A RESOLUTION

on the institutional aspects of Greek accession to the European Community

The European Parliament,

- recalling the terms of its resolution of 14 March 1979 on the application by Greece for accession to the Community,<sup>1</sup>
- welcoming the signature of the Treaty of accession of Greece to the European Community on 28 May 1979,
- expressing its hope that the ratification of the Treaty of accession by the national parliaments of the member states of the European Community, will be completed rapidly,
- noting with regret that the European Parliament was not consulted formally by the relevant institutions concerning the accession of Greece to the European Community,
- regretting that the European Parliament was not consulted formally by the relevant institutions concerning the number and status of future Greek members of the European Parliament,
- considering that the directly-elected European Parliament is entitled to decide for itself in future on its election and composition pursuant to Article 138(2) of the EEC Treaty and thus cannot accept changes in its status such as an increase in the number of Members without its prior consent,
- considering the effects on the working conditions of its members that will be caused by the increase in its membership following Greek accession, together with the administrative and linguistic consequences,
- recalling that the Committee on Budgets has already clearly stated that the European Parliament will not approve appropriations to meet the financial consequences of Greek accession until it has independently approved the Treaty of Accession of Greece,
- having regard to the Motion for a Resolution tabled by Mr Pfennig and others (Doc. 1-346/79/rev.)
- having regard to the report of the Political Affairs Committee (Doc. 1-49/80)

<sup>1</sup> Doc. 670/78, OJ C 93 of 9 April 1979 (see Annex II)

1. Ratifies the Treaty of 28 May 1979 on the Accession of Greece to the European Community;
2. Urges the Greek Government to organize the holding of the direct election to the European Parliament of the 24 Greek members at the earliest possible date;
3. Claims the right to be consulted formally in future by the relevant institutions at appropriate stages during the preparations for, and negotiation of, the accession of further European states to the European Community, and to participate in the ratification of acts of accession;
4. Claims the right to be consulted concerning the consequences of the accession of European states to the European Community on the size of the membership and the working conditions of the European Parliament;
5. To this end instructs its Political Affairs Committee to make proposals on:
  - a) the consultation of the European Parliament by the Commission and the Council concerning the application of European states to become full members of the European Community,
  - b) the participation of the European Parliament in the ratification of treaties of accession, and
  - c) the role of the European Parliament in the negotiation and ratification of other treaties and agreements;
6. Instructs its President to forward this resolution to the Council and Commission, to the Governments and Parliaments of the Member States and to the Greek Government and Parliament.

B

EXPLANATORY STATEMENT

1. The Treaty of Accession of Greece to the European Community was signed on 28 May 1979. It has been ratified by the Greek Parliament and, on the Community side, parliamentary ratification has been completed except by the Parliament of the Netherlands <sup>1</sup>. When the process of ratification by national parliaments has been completed there will be no obstacle to Greek accession on 1 January 1981.

2. The European Parliament debated the problems of Greek accession, though not the terms of the Treaty of accession, on 13 March 1979, and adopted a resolution, on the basis of a report by Mr Amadei, on 14 March 1979. Your Rapporteur wishes to draw particular attention to the terms of the resolution of 14 March 1979 which not only welcomed the prospect of Greek accession but made a number of highly relevant points concerning substantive problems connected with Greek accession. <sup>2</sup>

3. However, it may be asked what has been the role of the European Parliament in the negotiation and ratification of the Treaty concerning Greek entry into the Community? For members of the European Parliament the answer is both disappointing and unsatisfactory. Whereas Article 238 of the EEC Treaty provides that the conclusion between the Community and a "third state, a union of States or an international organisation" of "agreements establishing an association" should be concluded by the Council "acting unanimously after consulting the Assembly", there is no provision for consultation of the European Parliament in Article 237 which governs the accession of European

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1 As of 20 March 1980.

2 See Annex II (Doc. 670/78, OJ C 93 of 9 April 1979).

states to the European Community. The parallel phrase of Article 237 merely states that an applicant state "shall address its application to the Council, which shall act unanimously after obtaining the opinion of the Commission". Further, although Article 237 lays down that the "agreement between the Member States and the applicant state .... shall be submitted for ratification by all the Contracting States in accordance with their respective constitutional requirements" there is, formalistically, no provision for ratification by the European Parliament, which has, therefore, merely been able to debate, on its own initiative, some of the problems of accession but not the terms of accession as negotiated and contained in the Treaty of accession.

4. This formalistic situation is inadequate and unacceptable and must be changed. Like the Commission, the European Parliament has an institutional role to play in ensuring that the Treaties are applied and implemented. But whereas the Commission is guardian or watchdog of the Treaties from a juridical point of view, the role of the Parliament in this respect is more political in nature, being essentially to ensure that the "spirit of the Community" is protected and promoted and that the goal of European Union is pursued. This role has become more significant since the holding of direct elections, since it corresponds with the electoral programmes of the parties - of both the centre left and the centre right - to which the great majority of members of the European Parliament belong, and also the aspirations of many amongst the 110 million who voted to elect the 410 members of the Parliament.

5. The present formalistic position should, therefore, in the view of your rapporteur, be changed and Parliament should, before the accession of Greece, declare its dissatisfaction with, first, the failure of the relevant institutions to consult Parliament at appropriate stages before the conclusion of the negotiations with Greece and, second, the fact that the European Parliament did not participate in the parliamentary ratification of the Treaty of accession. While the Commission did at the time inform the appropriate committees of Parliament about the progress of the negotiations, this process was one of information rather than of consultation. Your rapporteur intends to submit precise proposals concerning these problems. In the meantime he considers that the European Parliament should claim its right to be consulted at appropriate stages during the preparations for, and negotiations of, the accession of further European states to the European Community, and to participate in the ratification of acts of accession.

6. It is particularly important that this right should be claimed, and appropriate agreements reached concerning its application, in view



of the forthcoming negotiations concerning the accession of Portugal and Spain to the Community, which could be followed by further negotiations concerning the accession of other European states including Turkey, which has applied for accession, and possibly other countries, such as Cyprus. Indeed Parliament should go further and should, on the basis of the motion for a resolution accompanying this report, signify its will to ratify the Treaty of Accession with Greece. While there would of course be no formalistic basis in this act of ratification, it would nevertheless give clear expression to the political will of Parliament to participate in the process of ratification of acts of accession of European states to the Community. Such an act of ratification would also be a clear demonstration of the desire of the directly-elected Parliament to follow the point of view, expressed by its predecessor in the Amadei resolution of March 1979 <sup>(1)</sup>, of welcoming the accession of Greece to the European Community.

7. If the European Parliament has no formalistic basis for participation in the parliamentary ratification of the Treaty concerning Greek accession it can hold, and indeed has held, a "take note" debate on the problems of accession, accompanied by a resolution. <sup>1</sup> Regrettably, although this debate <sup>2</sup> enabled the European Parliament to make a number of important points concerning problems of Greek accession it did not permit the Parliament to examine the terms negotiated and set out in the Treaty of accession. Had Parliament been consulted by the Commission, rather than being merely informed, and had it been both consulted and informed by the Council or by any other institution concerning the negotiations, it would certainly have wished to suggest changes to some, at least, of the provisions finally contained in the Treaty of accession. As it was Parliament was given certain information by the Commission on the development of the negotiations, but had no opportunity to influence the terms of the Treaty signed in May 1979. Neither the Council nor any other institution saw fit to seek the views of Parliament, although your rapporteur recognizes that this was not provided for by the Treaties. In its discussion of the problems of Greek accession the Parliament was therefore reduced to the position of a newspaper editorialist commenting a posteriori on events but unable to shape them. Because of this lack of consultation the European Parliament was not only unable to influence the substance of the Treaty of accession but also unable to express its views concerning those problems of accession which most directly affect its own character and working conditions.

8. First and foremost, amongst these problems there is the question of Greek representation in the European Parliament. There is an agreement between the Community and Greece that there shall be 24 Greek members of the Parliament. This figure has been based on calculations which, doubtless, might have met with the approval of the European Parliament itself, had the European Parliament been consulted. But even concerning this question, of the most direct interest to the Parliament, the Parliament has not been consulted.

9. Then there is the related question of the status of Greek members of the Parliament. Article 23 of Title 1 (Provisions Governing the Institutions) of the Act of Accession of Greece to the Community states:

<sup>1</sup> See Annex II

<sup>2</sup> Held on 13 March 1979

1. During 1981 the Hellenic Republic shall hold an election by direct universal suffrage of twenty-four representatives to the Assembly, of the people of Greece, in accordance with the provisions of the Act of 20 September 1976 concerning the election of representatives of the Assembly by direct universal suffrage.

The term of office of these representatives shall end at the same time as that of the representatives elected in the present Member States.

2. From accession and until the election referred to in paragraph 1, the twenty-four representatives, of the Assembly, of the people of Greece shall be appointed by the Hellenic Parliament within itself in accordance with the procedure laid down by the Hellenic Republic. '

10. A problem of principle is posed by the provisions of Article 23. If direct elections to the Parliament are not held in Greece before accession, that is during the course of 1980, the 24 Greek members of the European Parliament who will be appointed to sit in the Parliament as from 1 January 1981 until the holding of direct elections in Greece, will be designated as opposed to elected members. Since Article 23 lays down that the election of Greek members to the European Parliament shall be held 'during 1981' it seems inevitable that during a period of time (continuing possibly up to the end of 1981) the European Parliament will contain a mixture of elected and nominated members. This is a major political and institutional problem, affecting the very nature of the European Parliament on which, once again, the Parliament itself has not been consulted. Had such a consultation occurred, your rapporteur would have urged, most emphatically, the need for the direct election of the 24 Greek members of the European Parliament to be held during 1980, before accession,<sup>1</sup> so that elected Greek parliamentarians would have been able to take their place at all European Parliament meetings, on equal terms with their fellow members from other countries, as from 1 January 1981. As things stand, under Article 23, it seems as though there could be a 'two-tier' Parliament consisting of elected members from the Nine and nominated members from Greece as from the beginning of 1981 - a state

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1 Which should have been foreseen, and juridically covered, under the terms of the Treaty of Accession.

which might even continue until the end of 1981. In your rapporteur's view this is highly unsatisfactory both for the European Parliament itself, which, by virtue of agreements taken over and above its head, sees its newly won status as an elected Parliament impaired, and also for the Greek members themselves, who will inevitably have a different status from that enjoyed by their directly elected colleagues from the nine existing member states of the Community until such time as European elections are held in Greece.

11. One of the proposals made in the resolution which forms part of the present report is, therefore, to urge that the election of the 24 Greek members of the European Parliament be held in January 1981, and preferably during the first few days of 1981, so as to permit 24 directly elected Greek parliamentarians to take their seats in the European Parliament at the start of the European Parliament's part-session of January 1981.

12. Had Parliament been consulted during the course of the negotiations it might well have wished to underline or even enlarge some of the points raised in the Amadei report and the accompanying resolution.<sup>1</sup> In the absence of such consultation, however, your rapporteur wishes to raise certain other issues. First, it is hoped that Greece will work constructively with the other nine members of the Community to help to ensure that no unnecessary obstacles delay or block the timetables established concerning Portuguese and Spanish accession or, if the Council grants a mandate to the Commission to open negotiations with Turkey, concerning Turkish accession. Second, the enlarged Community of the Ten will have a duty to try to reconcile the interests of Greece and those of Turkey - a European associate state and an applicant for full membership of the Community - in such a way that just, peaceful and lasting solutions are found to the Cyprus problem, and to the Aegean mineral problems. Third it must be recognised that the terms accorded to Greece by the Community in the Treaty of accession constitute a significant precedent in view of the terms to be negotiated with Portugal and Spain. The terms of the Greek treaty will already have a profound

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<sup>1</sup> See Annex II

effect on the economies and agriculture of the present members of the Community, particularly France and Italy, but will also have considerable effects on the exports to the Community of products - such as citrus fruit - of other Mediterranean riparian states which are linked to the Community by trade agreements. The Community must ensure that these countries are not disadvantaged as a result of Greek accession. This problem will be further exacerbated by Portuguese, Spanish and eventually Turkish accession. Next, Greek entry will certainly increase the problems of agricultural support throughout the Community, and in this context it is necessary, in your rapporteur's view, that reforms to the CAP should not be delayed or side-stepped as a consequence of Greek accession. Finally it is vitally important that the accession of Greece, or of other European states, should not lead to any dilution of the unique institutional character of the European Community or the political aspiration of a majority of the Community's citizens to achieve a more intense degree of European unification.

13. In a forthcoming report your rapporteur intends to make precise proposals concerning:

- a) the consultation of the European Parliament by the Commission and the Council concerning the application of European states to become full members of the European Community;
- b) the participation of the European Parliament in the ratification of treaties of accession; and
- c) the role of the European Parliament in the negotiation and ratification of other treaties and agreements, including improvements that could be made to the operation of the Luns-  
Westerterp procedure.

MOTION FOR A RESOLUTION DOCUMENT 1-346/79/rev.

tabled by Mr PFENNIG, Mr KLEPSCH,  
Mrs CASSANMAGNAGO CERRETTI, MR DILIGENT,  
Mr NOTHOMB, Mrs BOOT, Mr RYAN, Mr ESTGEN,  
Mr PURSTEN and Mr Konrad SCHÖN

on behalf of the Group of the European People's Party  
(Christian-Democratic Group)

pursuant to Rule 25 of the Rules of Procedure

on the ratification by the European Parliament of  
the Treaty of Accession of Greece

### The European Parliament

- having regard to the 'Treaty on the Accession of the Hellenic Republic to the European Economic Community and to the European Atomic Energy Community' signed in Athens on 28 May 1979 and ratified by the Greek Parliament on 28 June 1979;
- having regard to Article 237 of the EEC Treaty and the corresponding provisions of the other Community Treaties;
- having regard to the content of the Treaty of Accession, which provides inter alia that the membership of the European Parliament shall be increased by 24 Greek Members who, until the next elections, are to be appointed from the Greek Parliament;
- considering that the European Parliament must allow for the provision of budget funds for new Member States in good time;
- having regard to the numerous proposals to give the European Parliament a responsible role in the decision-making process in matters of foreign economic relations and in particular on the accession of new Member States;

Calls upon the Council and the Commission formally to involve the European Parliament and also the national parliaments in the ratification of the Treaty of Accession of Greece and in subsequent accession treaties.

**RESOLUTION**

**on the application by Greece for accession to the Community**

*The European Parliament,*

- welcoming the application by Greece for accession to the European Community,
- hoping that the current negotiations will be rapidly concluded so as to make it possible for the Treaty of Accession to be signed during the first half of 1979 and to enter into force on 1 January 1981 at the latest,
- reaffirming the general principles already laid down for accession by any new state to the European Community and in particular those set out in the resolution adopted at the sitting of 18 January 1979 <sup>(1)</sup>,
- whereas the Community and Greece are linked by an Association Agreement signed in Athens on 9 July 1961, the preamble of which pledges the Community to support the 'efforts of the Greek people to improve their standard of living' and thus to facilitate 'the accession of Greece to the Community at a later date'; whereas, moreover, the Agreement expressly provides for Greece's accession 'as soon as its (the Agreement's) operation has advanced far enough to justify envisaging full acceptance by Greece of the obligations arising out of the Treaty establishing the European Economic Community',
- stressing the economic and social progress achieved by Greece in recent years and the compatibility of the Greek economy as a whole with that of the Community, which is in some measure attributable to the establishment under the Association Agreement of a partial customs union between the Community and Greece,
- realizing, however, that Greece's accession comes at a time when the economic climate is markedly different from that prevailing when the Community was first enlarged, not only as regards the shorter-term situation facing every country in the world, including those of the Community, but also as regards the level of economic development achieved by the applicant country,
- having regard to the bonds of friendship forged between the Greek people and the peoples of the Community through the contacts established by their representatives in the Joint Parliamentary Committee of the Association,

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<sup>(1)</sup> See report on the prospects of enlargement of the Community — Part I (Doc. 479/78).

- considering the special political and legal position of States associated with the European Community, like Greece and Turkey, whose association agreements already provide for accession as Member States at a later date,
- convinced of Greece's determination to share in the endeavours of the Member States of the enlarged Community to foster and strengthen mutual comprehension and friendly relations of good neighbourship with all countries, especially with those which have special links with the Community,
- confident that the prior accession of Greece will not prejudice the right of future candidates to be accepted as members of the Community,
- re-emphasizing that in the accession negotiations with Greece, the need for a broad approach to the conditions of principle governing the enlargement of the Community should be borne in mind,
- having regard to the specific economic problems raised by Greece's accession to the European Community,
- having regard to the opinion delivered by the Commission on Greece's application for membership, pursuant to Article 237 of the Treaty <sup>(1)</sup>, and the other documents on enlargement drawn up by the Commission <sup>(2)</sup>,
- recalling its previous reports <sup>(3)</sup>,
- having regard to the report of the Political Affairs Committee and the opinion of the Committee on External Economic Relations (Doc. 670/78),

1. Welcomes the fact that there is now a real prospect of Greece becoming the full member of the Community by 1 January 1981 at the latest;
2. Is convinced of Greece's resolve to abide by and promote all the Community's achievements;
3. Considers it necessary to provide for a transitional period of at least five years to allow the Greek economy to be integrated into the Community economy, progressively and to the advantage of both the present Member States and the applicant country;
4. Is of the opinion that, for certain sensitive sectors or certain products, this transitional period could be longer; indeed, there should be enough flexibility for its final duration to be made contingent on the achievement of certain predetermined objectives, though it should not exceed a maximum of seven years;
5. Believes that the Greek economy must undergo profound structural reforms, particularly in agriculture, to increase employment and ensure a fair return for producers and workers;
6. Hopes that for this purpose immediate aid will be granted and that consideration will be given to new Community financial instruments to raise the allocations made to existing funds;
7. Calls at the same time for the adoption of appropriate measures to assist the Mediterranean regions of the present Community so as to shield the producers of certain competitive agricultural products from the consequences of enlargement;

<sup>(1)</sup> COM(76) 30 final.

<sup>(2)</sup> COM(78) 120 final: General considerations on the problems of enlargement; COM(78) 190 final: The transitional period and the institutional implications of enlargement; COM(78) 200 final: Economic and sectoral aspects.

<sup>(3)</sup> Doc. 546/76; Doc. 479/78 — Part I.



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8. Stresses the difficulties that enlargement may create for the other Mediterranean countries which export agricultural products to the Community and are linked to it by various agreements, unless detailed programmes of aid and financial compensation for these countries are drawn up;
  9. Stresses that the fundamental principle of the free movement of labour should be applied progressively to Greek workers during the transitional period, taking account of the problems experienced by some Member States as a result of the present difficulties on the Community labour market;
  10. Requests, however, that, when the accession treaty enters into force, Greek workers employed in the Member States should, as far as working conditions and social security are concerned, be accorded exactly the same treatment as nationals of the Community Member States;
  11. Hopes that the Greek and Community authorities and the authorities of the Member States will now cooperate closely together in evaluating the economic and monetary measures that would be needed if Greece were to join the European Monetary System;
  12. Is convinced that, once it has become a member of the Community, Greece will encourage the membership aspirations of other European countries;
  13. Instructs its President to forward this resolution to the Council and Commission.
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PE 63.175/fin/Ann.I

