

EUROPEAN PARLIAMENT

DOC 067

22.10.1997

B4-0000/97

MOTION FOR A RESOLUTION

by M. Nassauer

of behalf of the Committee on Civil Liberties and Internal Affairs

on the progress made in 1997 in the implementation of cooperation in the fields of justice and home affairs pursuant to Title VI of the Treaty on European Union

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PE 224.434

DA

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Draft resolution on the progress made in 1997 in the implementation of cooperation in the fields of justice and home affairs pursuant to Title VI of the Treaty on European Union

The European Parliament,

- having regard to article K.6 of the Treaty on European Union,
 - having regard to Rule 94(2) of its Rules of Procedure,
 - having regard to its resolutions of 13 December 1994, 14 December 1995 and 12 December 1996 on the progress made in 1994, 1995 and 1996 respectively in the implementation of cooperation in the fields of justice and home affairs pursuant to Title VI of the Treaty on European Union¹
- A. whereas the Union has a single institutional framework and respects the fundamental rights and national identities of its Member States, whose systems of government are based on democratic principles,
- B. whereas the Treaty of Amsterdam contains an important transfer of subjects from the third to the first pillar,
- C. whereas the Presidency and the Commission must regularly inform the European Parliament of work in this area, pursuant to the first paragraph of Article K.6 of the Treaty on European Union, and whereas the Presidency must consult the European Parliament on the principal aspects of activities in these areas and ensure that its views are 'duly taken into consideration', as stipulated in the second paragraph of Article K.6 of that Treaty,
- D. whereas the relations with the European Parliament have been improved by the promises of the Presidencies to consult the European Parliament on all important decisions,
- E. whereas the Presidency has in 1997 indeed in almost all cases practised the consultations as foreseen in Article K.6,
- F. whereas the Council, under the Luxembourgish Presidency, has additionally taken the commitment to make use of the clarified provisions in the Treaty of Amsterdam on consultation of the European Parliament,
- G. whereas it asked that the Presidency should:
- provide written information to Parliament's Committee on Civil Liberties and Internal Affairs at the beginning of each Presidency,

¹ OJ C 18, 23.1.1995, p. 39, OJ C 17, 22.1.1996, p. 179 and OJ C 20, 20.1.1997, p. 185.

- hold a discussion with the members of that committee before each meeting of the Council (even before informal meetings of the Council),
- forward every draft decision (joint action, resolution, convention, etc.) to the European Parliament with a request for its opinion,
- ensure that the Council takes account of the European Parliament's opinion when it is reaching its decisions,
- after the Council has been held, inform the Committee on Civil Liberties and internal Affairs of its outcome and the response to the opinions delivered by the European Parliament,

H. Whereas conventions and other Council decisions which are interpreted differently in the various Member States call the rule of law into question, and whereas it is in the interest of democratic Member States to have a common interpretation of these conventions and other texts in order to arrive at common basic principles,

I. whereas the Council took the following decisions under the third pillar:

In general

1. Notes an important progress in the application of Article K.6 of the Treaty on European Union;
2. Recalls that it can if necessary give its opinions on draft Council decisions within a short period, but that, in order to give the opinion the draft Council decision must be made available in all language versions;
3. Criticizes the lack of transparency resulting from the Council's practice of holding 'informal' meetings at which decisions are taken, away from its seat, after which no press release is issued;
4. Regrets that almost all conventions under Article K 3 signed by the Member States have not yet been ratified by all Member States;
5. Considers that the Commission has been too passive in failing to make adequate use of the right to propose legislation granted to it under the Treaty, particularly in the area of Eurodac and the priorities for cooperation, where it has left the initiative to the Council;
6. Calls on the Commission to use all the prerogatives it currently has at its disposal, devoting to that end all the requisite human resources, bearing in mind in particular the appropriations that the European Parliament intends to devote to the promotion of the policies referred to in this resolution;
7. Deplores that the Commission has not modified its proposal pursuant to Article 100 C on the list of countries whose nationals need a visa after the Court has annulled the Regulation thereon;

8. Welcomes the action plan and the initiatives taken to combat serious crime;
9. Instructs its President to forward this resolution to the Council, the Commission, the Economic and Social Committee and the governments and parliaments of the Member States.