



6 October 1998

A4-0357/98

REPORT

on the European Council report to the European Parliament on the progress achieved by the Union in 1997 (pursuant to Article D of the Treaty on European Union) (C4-0411/98)

Committee on Institutional Affairs

Rapporteur: Mrs Antoinette Spaak

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PE 227.982/fin.

- * Consultation procedure
simple majority
- **I Cooperation procedure (first reading)
simple majority
- **II Cooperation procedure (second reading)
simple majority to approve the common position;
majority of Parliament's component Members to reject or amend the common position
- **III Assent procedure
majority of Parliament's component Members to give assent
but simple majority under Articles 8a, 105, 106, 130d and 228 EC

- ***I Codecision procedure (first reading)
simple majority
- ***II Codecision procedure (second reading)
simple majority to approve the common position
majority of Parliament's component Members to adopt a declaration of intended
rejection of the common position, and amend the common position or confirm its rejection
- ***III Codecision procedure (third reading)
simple majority to approve the joint text
majority of Parliament's component Members to reject the Council text

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By letter of 3 July 1998 the Council submitted to the European Parliament, pursuant to Article D of the Treaty on European Union, the European Council report on the progress achieved by the Union in 1997.

At the sitting of 15 July 1998 the President of Parliament announced that he had referred this document to the Committee on Institutional Affairs as the committee responsible.

At its meeting of 3 June 1998 the Committee on Institutional Affairs appointed Mrs Spaak rapporteur.

It considered the draft report at its meetings of 21 and 22 September and 5 October 1998.

At the latter meeting it adopted the motion for a resolution by 15 votes to 4, with 3 abstentions.

The following were present for the vote: De Giovanni, chairman; Corbett and Berthu, vice-chairmen; Spaak, rapporteur; Bourlanges (for Anastassopoulos), Brinkhorst (for Haarder), Coelho, Delcroix, Duhamel, Frischenschlager, Hager (for Wanhecke), Izquierdo Rojo, Lööw (for Barros Moura), Maij-Weggen, Martens (for Brok), Neyts-Uyttebroeck, Saint-Pierre, Salafranca, Schäfer, Schörling (for Aglietta), Spiers, Tsatsos and Voggenhuber.

The report was tabled on 6 October 1998.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

A
MOTION FOR A RESOLUTION

Resolution on the European Council report to the European Parliament on the progress achieved by the Union in 1997 (pursuant to Article D of the Treaty on European Union)

The European Parliament,

- having regard to Article 4 of the Treaty on European Union (formerly Article D),
 - having regard to the European Council report to the European Parliament on the progress achieved by the Union in 1997 (C4-0411/98),
 - having regard to its resolution of 28 May 1998 on the role of the Union in the world: implementation of the common foreign and security policy for 1997⁽¹⁾,
 - having regard to its resolution of 19 November 1997 on the Amsterdam Treaty⁽²⁾,
 - having regard to the conclusions of the Cardiff European Council,
 - having regard to the letter signed on 5 June 1998 by President Chirac and Chancellor Kohl,
 - having regard to the report of the Committee on Institutional Affairs (A4-0357/98),
- A. whereas the signing of the Treaty of Amsterdam, Agenda 2000, and the continued preparations for economic and monetary union enabled European integration to take important steps forward in 1997,
- B. whereas the above three events, which have still to find expression at the practical level, already seem to be causing anxiety among the Heads of State or Government and whereas the Union therefore needs to be consolidated in order to operate effectively,
- C. whereas the dialogue between the European Council and the European Parliament, established under Article 4 of the Treaty on European Union (formerly Article D), is central to the European system,
- D. whereas if they are to give effect to the system, as laid down in the Treaty of Amsterdam and discussed in the letter from Mr Chirac and Mr Kohl in anticipation of the Cardiff European Council, the Member States will have to demonstrate firmer political resolve,
- E. whereas, under the Treaty, the European Council has the task of generating the impetus required for the Union's development and charting the overall policy directions,

⁽¹⁾ A4-0169/98, Minutes of 28.5.1998.

⁽²⁾ OJ C 371, 8.12.1997, p. 99.

1. Regrets that the European Council's 1997 report again misinterprets the brief set out in Article 4 (former Article D) of the Treaty on European Union and disregards Parliament's criticisms, since it adopts the purely perfunctory approach of listing the legislative or other activities carried out in the period under review;
2. Regrets that the European Council makes no political assessment of the progress achieved, the problems encountered, or the shortcomings still to be remedied;
3. Believes that, before objectives can be defined, minds must concentrate on the political nature of the European enterprise; maintains that the Union's objectives still hold good and must be restated as well as redefined and adjusted to take account of the far-reaching transformation that the Union will undergo, driven by the single currency and enlargement;
4. Considers that the areas mentioned above warrant specific assessment, given that the Union has reached a stage at which its future depends to a crucial degree on a higher public profile;

Treaty of Amsterdam and institutional balance

5. Draws attention to the call made in its resolution of 19 November 1997⁽¹⁾ for institutional reform to be completed as the first step, thus ensuring that the accession of new Member States any time thereafter can proceed without delay or risk of failure;
6. Notes with satisfaction that the need for institutional reform before any enlargement is beginning to be widely recognised and that the letter from Mr Chirac and Mr Kohl explicitly recognises that such reform is necessary;
7. Notes that the intergovernmental method has failed to bear fruit at institutional level; calls on the Council to learn the lessons of that failure and consider what other method might be employed; points by way of example to the ground-breaking experiences of the Delors and Spaak committees and the Spinelli Treaty; considers that it is now necessary to reactivate the Community method in order to deal with both the substance of reform and the related procedures;
8. Points to the need to preserve the institutional balance by clearly restating the role and powers of each institution:
 - the Commission, the guardian of the Treaties and the one institution permitted to exercise the right of initiative, must enjoy greater independence on a stronger footing;
 - the role of the Council, acting as legislative authority in public and voting by a qualified majority, must be strengthened;
 - Parliament must bring the necessary democracy to decision-making in all legislative matters and tighten its supervision of the Commission;
 - the Court of Justice must continue to play the role it has performed to date in fostering European integration;
9. Considers that the power conferred on Parliament by the Treaty of Amsterdam, whereby it may endorse or refuse to endorse the nominee for the Commission presidency, will

⁽¹⁾ OJ C 371, 8.12.1997, p. 99

strengthen the Union's democratic legitimacy and raise its profile on account of the specific policies that the nominee will have to put forward;

10. Considers that the Commission should undertake to draw up a preliminary draft reform plan by the end of the year and that the informal European Council should in turn lay down that task and set a deadline for its completion to ensure that Parliament will have a preliminary draft to debate when the European Council meets in December 1998;
11. Notes that enhanced cooperation, as described in the Treaty of Amsterdam, may prove ineffective and calls on the Commission, therefore, to take the steps required to abolish the right of veto peculiar to the procedure;
12. Believes that democratic legitimacy would be strengthened by closer cooperation with the national parliaments aimed at making up lost time and exerting pressure on the Vienna European Council;

The euro, enlargement, and Agenda 2000

13. Maintains that revitalisation of European integration to bring about political union will be impossible unless the single currency and enlargement are carried through to a successful conclusion;
14. Considers it essential to make a success of the agricultural and structural policy reform measures, the pre-accession measures, and the future financial provisions of Agenda 2000;
15. Considers that the new financial framework must serve to meet the cost of enlargement without jeopardising the continuity of the solidarity and cohesion policies and demonstrate by hard evidence that further enlargement will not work to the detriment of deeper integration;
16. Points out that, in the medium term, completion of a market consisting of 500 million consumers can only help trade and employment and that the financial aspect must consequently be seen in the proper proportion;

The CFSP

17. Points out that the common foreign and security policy has to be implemented to satisfy the legitimate expectations of the public, who are keenly aware that the Union plays no political role on the international stage;
18. Hopes, therefore, that the institutional reforms will also extend to the common foreign and security policy to ensure that the Union's political weight is commensurate with its status as the principal donor of aid;
19. Regrets that, as the Kosovo crisis has shown, the Member States are failing to invoke the Treaty provisions that would enable them to act together on the international stage;
20. Hopes that the provisions laid down in the Treaty of Amsterdam will be implemented prior to its ratification with a view to:

- making the CFSP coherent and effective by setting up a planning and analysis unit, which must operate in accordance with a genuine joint approach, and raising the public profile of the common foreign and security policy by appointing a Secretary-General to represent the Union;
 - encouraging the Commission to exercise its right to submit proposals to the Council;
 - clarifying the procedures for informing and consulting the EP;
 - speeding up progress as regards defence policy coordination and integration of the WEU into the Union, bearing in mind that membership of the North Atlantic Treaty Organisation does not debar the Union from taking independent action;
 - establishing the principle that respect for human rights is a corner-stone of the CFSP and must be mentioned in all EU agreements with non-member countries;
 - guaranteeing consistency between the CFSP and the common commercial policy;
21. Is convinced that Union foreign policy has to take a higher profile in order to be credible in the eyes of the public; draws attention to its proposals to set up European civil and military intervention corps and establish diplomatic representation at Union level in non-member countries where fewer than four Member States have diplomatic posts;

Justice and home affairs

22. Hopes that entry into force of the Treaty of Amsterdam can pave the way for progress in this difficult area and calls for an action plan to explore the political implications of the opportunities afforded by the new provisions of the Treaty;
23. Draws attention to the principle set out in the Protocol annexed to the Treaty of Amsterdam whereby the Schengen *acquis* is to be integrated into the framework of the Union and hopes that:
- the Council will give effect to integration by determining which elements of the Schengen *acquis* should be integrated into the Union framework, distinguishing between first- and third-pillar elements; notes that the procedure for incorporating the Schengen Secretariat into the Council's working machinery has still to be specified;
 - the preparatory work will be completed in such a way that the above measures can be adopted as soon as the Treaty of Amsterdam has entered into force; considers that explicit provision should be made for consultation of the EP;
24. Instructs its President to forward this resolution to the European Council, the Council, the Commission, and the governments and parliaments of the Member States.

B EXPLANATORY STATEMENT

Bearing in mind the importance of dialogue between the two highest political authorities of the Union, the third paragraph of Article 4 (former Article D) of the Treaty on European Union stipulates that 'The European Council shall submit to the European Parliament ... a yearly written report on the progress achieved by the Union'.

In previous years the EP repeatedly maintained that given conditions had to be satisfied to enable the political dialogue between the European Council and the EP not only to begin, but also to observe and conform to the letter of the Treaty. Unfortunately, the yearly report for 1997 again amounts to no more than a perfunctory list of activities carried out. This approach is continuing to distort the European Council's role of generating the impetus required for the Union's development and charting the overall direction of Union policies. The European Council should make a political assessment but has yet to do so. It is regrettable that the real political impetus is stemming from certain Heads of State or Government, as could be seen when Mr Chirac and Mr Kohl wrote their letter just before the Cardiff European Council.

Moreover, the European Council's yearly reports to the EP should lead the two institutions to carry on a frank dialogue to enable them to wield effective influence over Union activities.

Finally, to reiterate an oft repeated point, a dialogue implies that the two partners should listen to one another. When it is called upon to do so, therefore, the European Council should reply to the comments put forward in the EP resolution on the report for the preceding year. Failure to satisfy these conditions according to the spirit of Article D alters the nature of the report and hence defeats the object of the exercise.

In the light of the list set out in the 1997 European Council report, the rapporteur does not think it necessary to examine each subject individually, since to do so would fall short of any form of critical assessment of the year under review. Some of the events which took place in 1997 should be brought to the fore because they give a picture of the state of the Union. A measure of critical distance needs to be brought to bear to answer the concerns of our citizens, who often accuse the Union of being insubstantial, unduly secretive, and ineffectual when taking action. Mindful of those criticisms, the rapporteur has attempted to respond to the European Council by recommending that the Committee on Institutional Affairs focus its attention on the following: the Treaty of Amsterdam, the single currency, enlargement and Agenda 2000, the CFSP, and JHA.