12. Maastricht Treaty: transititional regime

(a) **B3-1347/93**

Resolution on the interinstitutional agreements

The European Parliament,

— having regard to its resolutions of:
  — 7 April 1992 approving the Treaty on European Union ([1]),
  — 14 October 1992 on the state of European Union and the ratification of the Treaty ([2]),
  — 28 October 1992 on the extraordinary European Council in Birmingham ([3]),
  — 18 November 1992 on the subsidiarity principle ([4]),
  — 16 December 1992 on the Edinburgh European Council ([5]),
  — 17 December 1992 on the European Ombudsman, the committees of inquiry and the conciliation procedure ([6]),
  — 12 March 1993 on the interinstitutional agreements ([7]),
  — 24 June 1993 on the outcome of the European Council meeting on 21/22 June 1993 in Copenhagen ([8]),

— having regard to the practical proposals put forward by its delegation to the Interinstitutional Conference,

— having regard to the outcome of the meetings of the Interinstitutional Conference of 26 November 1992 in Brussels and 7 June 1993 in Luxembourg,

A. whereas the Treaty on European Union is to enter into force in the near future,

1. Notes the urgent need to adopt the measures required to implement the Maastricht Treaty and, in particular, the interinstitutional agreements provided for by that Treaty;

2. Regrets the fact that the Interinstitutional Conference of 7 June 1993 failed to produce an agreement owing to the Council's unwillingness to come to a compromise with Parliament on the conditions governing the performance of the Ombudsman's duties and the link between the application of the subsidiarity principle and transparency/democracy in decision-making at Community level;

3. Stresses the fact that Parliament honoured its undertakings regarding interinstitutional cooperation by submitting, between October 1992 and March 1993, practical proposals on implementing the Maastricht Treaty;

4. Expresses the hope that the Council will be able to overcome the disagreements among its members and with Parliament on the conditions governing the performance of the Ombudsman's duties, subsidiarity, transparency and democracy in order to revive and conclude as soon as possible the interinstitutional negotiations;

5. Stresses the need to make substantial progress on democracy, transparency and subsidiarity in order to increase the legitimacy of Community measures and overcome the lack of understanding between the ordinary citizen and the Union institutions;

6. Confirms that an agreement covering only the application of the subsidiarity principle in no way meets that requirement;

([1]) OJ No C 125, 18.5.1992, p. 81.
([2]) OJ No C 299, 16.11.1992, p. 8.
([3]) OJ No C 305, 23.11.1992, p. 57.
([4]) OJ No C 337, 21.12.1992, p. 116.
([5]) OJ No C 21, 25.1.1993, p. 105.
([6]) OJ No C 21, 25.1.1993, pp. 138, 141 and 147.
([7]) OJ No C 115, 26.4.1993, p. 253.
([8]) Minutes of that sitting, Part II, point 6(a).

7. Calls on the Council to hold discussions and take decisions in public when acting as legislator;

8. Calls, in particular, for all Council legislative decisions to be taken by means of a vote and for the result of that vote — making the position of each Member State clear — to be published so that citizens and the national parliaments can monitor the attitudes of their respective governments;

9. Calls for the Regulations governing the performance of the European Ombudsman's duties to provide him with all the powers he needs to carry out those duties;

10. Stresses, in particular, the Ombudsman's right to inspect any document in the possession of the Community institutions, including documents declared confidential;

11. Notes that Article 138e(4) of the Treaty on European Union stipulates that the European Parliament shall, after seeking an opinion from the Commission and with the approval of the Council acting by a qualified majority, lay down the Regulations governing the performance of the Ombudsman's duties and announces that, should no agreement be reached, it will request that the urgent procedure be applied as soon as the Treaty enters into force so that the Council holds a vote;

12. Urges the Council to adopt a position on the exercise of the right of inquiry by parliamentary committees in order to secure the agreement provided for in Article 138c of the Treaty on European Union; deplores the fact that, to date, there has been very little progress in the interinstitutional negotiations on the right of parliamentary inquiry;

13. Calls on the Council and the Commission finally to acknowledge the need for a political agreement on the implementation of the co-decision procedure provided for by Article 189b of the Treaty on European Union and stresses that legislative procedures may be severely hampered should no such agreement be reached;

14. Draws attention to the need finally to open negotiations with a view to concluding new agreements or revising existing agreements, in particular on EMU, the conclusion of international agreements pursuant to Article 228 of the EC Treaty, the common foreign and security policy and cooperation in the fields of justice and home affairs;

15. Confirms the mandate issued to its delegation to the Interinstitutional Conference to negotiate agreements in all these areas, with the stipulation that it should submit to Parliament as soon as possible the draft agreements negotiated, and points out that any administrative talks in this area can only be preparatory in nature;

16. Calls on the governments of the Member States and the Council to display a spirit of openness and cooperation in order to overcome the bureaucratic obstacles, and acknowledges the work done by the Commission in this respect;

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

(b) **B3-1346/93**

Resolution on the possible withdrawal or amendment of certain Commission legislative proposals (Edinburgh list)

The European Parliament,

— having regard to Rule 41(4) of its Rules of Procedure,

— having regard to the Commission proposal containing the Edinburgh list,

— having regard to the Commission's undertakings not to withdraw any proposal without first consulting Parliament,

— having regard to the opinions delivered by its various committees,