

## European Parliament Resolution on the seat of the institutions (18 January 1989)

**Caption:** European Parliament Resolution of 18 January 1989 on the seat of the Institutions and the main place of work of the European Parliament.

**Source:** Official Journal of the European Communities (OJEC). 27.02.1989, n° C 47. [s.l.]. "Resolution on the seat of the Institutions and the main place of work of the European Parliament (18 January 1989)", auteur:European Parliament , p. 88-92.

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## European Parliament Resolution on the seat of the Institutions and the main place of work of the European Parliament (18 January 1989)

Doc. A2-316/88

*The European Parliament,*

— having regard to the following motions for resolutions:

— by Lord Douro on new building in Brussels (Doc. 2-391/84),

— by Mr Wijzenbeek on the seat of the European Parliament (Doc. 2-1026/84),

— by Mr Van Miert on a permanent seat of the European Parliament (Doc. 2-1655/84),

— by Mr Howell on the choice of Norwich as a single working place for all Community institutions (Doc. B2-1140/85),

— by Mrs Dury and others on a policy for European Parliament facilities in Brussels (Doc. B2-1277/85),

— having regard to the report of the Political Affairs Committee and to the opinion of the Committee on Legal Affairs and Citizens' Rights (Doc. A2-316/88),

A. whereas Articles 77, 216 and 189 respectively of the ECSC, EEC and Euratom Treaties impose upon the governments of the Member States the duty to determine 'the seat of the Institutions of the Community ... by common accord',

B. whereas in these Articles the word 'seat' is in the singular, implying a single seat and indicating a need for close contact among the three institutions directly involved in the decision-making process,

C. whereas for 35 years, since the start of the ECSC in 1952, the governments of the Member States have failed to come to a decision on the seat of the institutions of the Community in accordance with these Articles,

D. recalling the Parliament's repeated requests since that time to the governments to take action in accordance with these Treaty articles,

E. noting that the one and only time that the Member States have ever purported to exercise their powers under these Articles, namely in June 1981, it was merely to 'confirm the status quo',

F. recalling that the status quo in June 1981, so far as the European Parliament was concerned, was based on its assertion of the right to meet and work where it chose and its exercise of that right,

G. recalling that on 7 July 1981 (1), after once again urging the various governments to honour their obligations to fix a single seat for the Community institutions, it decided:

(a) to hold its plenary sittings in Strasbourg,

(b) as a general rule, to hold its committee and political group meetings in Brussels pending a final decision on a single meeting place for the European Parliament,

H. whereas the Secretariat of the European Parliament was established in Luxembourg in 1952 for the important practical reason that the ECSC Council of Ministers met there and the High Authority of the ECSC was established there, and its plenary sessions were held in Strasbourg for the similarly important practical reason that the Council of Europe's hemicycle there was immediately available for the purpose,

I. whereas the presence in Strasbourg of the Council of Europe and subsequently the European Parliament, was motivated by historical and political considerations, in particular the city's significance as a symbol of reconciliation,

J. whereas, in the absence of a decision under the Treaty articles cited above on the seat of the institutions, the present situation is as follows:

— Luxembourg, Brussels and Strasbourg remain the declared provisional places of work of the Community institutions;

— the Council and the Commission of the European Communities are based in Brussels, although some elections of the Commission's departments are located in Luxembourg;

— during the months of April, June and October the Council holds its meetings in Luxembourg;

— the Court of Justice has its provisional place of work in Luxembourg;

— the General Secretary of the European Parliament is located in Luxembourg;

— the Economic and Social Committee has its place of work in Brussels, whilst the Court of Auditors and the European Investment Bank are located in Luxembourg;

— for international purposes, the seat of the Communities is acknowledged as being in Brussels and the representatives of third countries to the Community are located there;

— representative bodies seeking to maintain contact with, and influence, the Community's decision-making institutions are also located in Brussels,

K. whereas the European Parliament is the only Community institution and the only Parliament in the Community which is expected to carry out its tasks in three different locations,

L. whereas direct elections gave the European Parliament and its Members greater responsibility towards public opinion, of which it is the mouthpiece and representative in European Community matters,

M. recognizing that, in the absence of a single set of buildings in a single centre symbolizing democratic control and popular representation at European Community level, the European electorate finds it difficult to identify with the European Parliament,

N. noting that the additional legislative workload arising for the Parliament from the operation of the Single European Act, the magnitude of which is only just beginning to be realized, will necessitate substantial changes and additions to the Parliament's work, and concerned that it must not be restricted in carrying out that work,

O. bearing in mind in particular that the new cooperation procedure requires close and continuous contact with both Council and Commission,

P. noting the particular difficulties arising for Members and staff by the fact that virtually all the committee staff, and also the Directorate-General for Research and Reference Library, are located in Luxembourg, which non-Luxembourg Members rarely, if ever, visit, while the Parliament meets in Strasbourg in plenary session and in Brussels for meetings of the parliamentary committees, political groups, the Bureau, the Enlarged Bureau and the Quaestors and the political groups' staff are in Brussels; and that this makes consultation and coordination cumbersome, slow and irritating, as well as costly,

Q. recognizing that large numbers of staff members are among those whose lives are disrupted by constant travel and determined that any changes of whatever kind must be carried out in consultation with staff representatives and in such a way as to create the least possible difficulties for staff and to take full account of their legitimate interests,

R. having regard to the constraints on administrative expenditure up to 31 December 1992 contained in the financial perspective adopted by the European Council on 11-12 February 1988 and repeated in the Interinstitutional Agreement of June 1988, which deprive the Parliament of part of the funds necessary to meet its future commitments and to carry out its expanded workload unless savings are found by reducing the costs occasioned by working in three places,

S. recalling that, in view of the limited scope of the previous proceedings before the European Court of Justice concerning the Parliament's working places, the legal arguments for the basic right of the Parliament to organise itself in the most efficient way, pending a definitive decision on the seat of the Institutions, have not been pleaded or adjudicated upon by the Court,

T. aware of the political and material interests of the three Member States directly involved,

U. recognizing that the most desirable solution would be one in which, having regard to Article 5 of the EEC Treaty, the governments of the Member States could concur,

1. Decides that, in order to carry out the substantial additional tasks assigned to the European Parliament by the Single European Act, combined with those resulting from previous Treaties giving the Parliament legislative, budgetary and supervisory roles, it is necessary to carry out a major reorganization and to reduce the current dispersal of its work and staff between the three working places,

2. Recalls, in particular, that the Single European Act:

(a) increased the volume of Community legislation and hence the volume to be considered by the European Parliament,

(b) enlarged the Parliament's legislative role through the cooperation procedure notably by introducing a second reading,

(c) granted a new role to the Parliament in relations with third countries through the assent procedure,

(d) set in motion the growth of Community resources and the diversification of its budget, implying an intensification of the Parliament's budgetary role,

(e) enhanced the authority of the Commission to make delegated legislation and to exercise discretionary executive powers, thus increasing the scope and scale of Parliament's supervisory role,

(f) increased the importance of the Community in the lives of its citizens, making necessary an improved flow of information to them from their elected representatives,

3. Concludes, on the basis of knowledge and experience of its existing working conditions, that Parliament's increased workload and responsibilities make it essential:

- (a) to achieve greater continuity and effectiveness in parliamentary action,
- (b) to improve the contact between Members and the Parliament's staff, and also between Members themselves,
- (c) to improve interinstitutional contact, particularly with the Commission and the Council,
- (d) to improve contact with the diplomatic representatives of third countries,
- (e) to improve access to the international press,
- (f) to reduce the present inordinate amount of time wasted in travel, and
- (g) to present to the public the image of an efficient and effective Parliament properly controlling its own organization and activities;

4. Considers that the needs of the Community could best be met by an explicit decision of the governments of the Member States on the seat of the Institutions in accordance with their duty under Articles 77, 216 and 189 of the ECSC, EEC and Euratom treaties respectively,

5. Stresses its repeated calls, over a period of 30 years, notably in its abovementioned resolution of 7 July 1981, for action under these treaty articles and the repeated failure of the governments to take such action:

6. Draws the clear conclusion from this failure and from all the information available that there is no prospect of such action by the governments in the foreseeable future;

7. Resolves in consequence to make more satisfactory arrangements for carrying out its tasks, in accordance with its obligations under Community law and the self-evident right of a Parliament elected by direct universal suffrage;

8. Calls on the governments of the Member States to consult with Parliament and to associate themselves with these necessary decisions, in accordance with their obligations under Article 5 of the EEC Treaty;

9. Instructs its Bureau to make arrangements as soon as possible to enable the Parliament to have available all the staff and infrastructure needed for it to carry out its tasks efficiently and effectively in the places where its plenary sessions and other parliamentary meetings are held, taking account of the considerations set out in paragraphs 2 and 3;

10. Considers in particular that it is indispensable for its proper functioning for the Parliament to have in Brussels the staff dealing with the following activities:

- committees and delegations,
- information and public relations,
- studies and research,

as well as

- other staff whose principal role is to provide services directly to individual Members, and
- those staff whose supervisory or supporting roles require them to be in the same place as those referred to

above;

11. Decides that, in order to carry out its expanded duties effectively, it has become necessary to hold additional and supplementary plenary sessions coinciding with one or more of the weeks devoted to committee or political group meetings;

12. Calls upon its Committee on the Rules of Procedure, the Verification of Credentials and Immunities to propose to Parliament an amendment to the Rules, requiring two days' notice, announced on the Monday of a part-session, to be given before Parliament votes on the holding of any additional or supplementary sessions, including the venues of such meetings;

13. Recalls the symbolic importance of Strasbourg in the history of the Community and notes the observations of the Court of Justice concerning the role of Strasbourg, when it upheld the Parliament's defence of Case 358/85;

14. Underlines the strong interest of the Parliament in presenting its full legal arguments and urges its President to use every possible opportunity to do so;

15. While acknowledging the effort made by the city of Strasbourg, affirms the need to improve these working conditions as follows:

— in Strasbourg, by improving air links in particular, including regular services and the special flights organized by the French Government for MEPs,

— in Brussels, by placing at the disposal of MEPs premises comparable with those available in Strasbourg;

16. Instructs its President, Secretary-General, Bureau, Enlarged Bureau and Quaestors to take speedily all appropriate steps, including staff consultations, to implement the above, notably by leasing or acquiring new premises and terminating the leases of buildings when they are no longer required;

17. Stresses the urgency of its situation and the need to make the changes foreseen in paragraphs 9, 10 and 11 as soon as facilities become available;

18. Calls upon the governments of the Member States, even if unanimity still cannot be achieved to fix a single seat, to work towards the fulfilment of that obligation by initiating discussions with the Member State most directly involved about ways in which its political and material interests might be satisfactorily taken into account in the context of the Community's future development;

19. Instructs its President to forward this resolution to the Commission and the governments of the Member States.

(<sup>1</sup>) 'Zagari report', OJ No C 234, 14.9.1981, p. 25.