

European Parliament resolution containing the European Parliament's proposals for the IGC (13 April 2000)

Caption: In its resolution of 13 April 2000, the European Parliament presents its proposals concerning the reform of the treaties for discussion at the Intergovernmental Conference.

Source: European Parliament, Resolution of the European Parliament containing the European Parliament's proposals for the Intergovernmental Conference : A5-0086/2000, in Official Journal of the European Communities (OJEC).

07.02.2001, n° C 40, p. 409. [http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2001:040:0409:0419:EN:PDF)

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European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EC) No 723/97 on the implementation of Member States' action programmes on control of EAGGF Guarantee Section expenditure (COM(1999) 169 – C4-0225/1999 – 1999/0091(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(1999) 169) ⁽¹⁾,
 - having been consulted by the Council pursuant to Article 37 of the EC Treaty (C4-0225/1999),
 - whereas the legal basis proposed by the Commission is inappropriate; whereas reference should be made instead to Article 280(4) of the Treaty;
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the legal basis,
 - having regard to the report of the Committee on Budgetary Control (A5-0079/2000),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Calls for the conciliation procedure to be initiated should the Council intend to depart from the text approved by Parliament;
 5. Asks to be consulted again if the Council intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 137, 18.5.1999, p. 8.

7. IGC

A5-0086/2000

European Parliament resolution containing the European Parliament's proposals for the Intergovernmental Conference (14094/1999 – C5-0341/1999 – 1999/0825(CNS))

The European Parliament,

- having been consulted by the Council, pursuant to Article 48(2) of the Treaty on European Union, on the convening of an Intergovernmental Conference (IGC) to consider the changes to be made to the treaties establishing the European Union (C5-0341/1999),
- having regard to the Commission opinion of 26 January 2000 on 'Adapting the institutions to make a success of enlargement' (COM(2000) 34 – C5-0072/2000),
- having regard to the conclusions of the Helsinki European Council (10 December 1999),
- having regard to the opinion of the Committee of the Regions of 17 February 2000 on 'The 2000 Intergovernmental Conference',

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- having regard to the opinion of the Economic and Social Committee of 1 March 2000 on ‘The 2000 Intergovernmental Conference – the role of the Economic and Social Committee’ (CES237-2000),
- having regard to its resolutions of 18 November 1999 on the preparation of the reform of the treaties and the next Intergovernmental Conference ⁽¹⁾ and 3 February 2000 on the convening of the Intergovernmental Conference ⁽²⁾, and in particular paragraph 5 thereof,
- having regard to its resolution of 16 March 2000 on the EU Charter of Fundamental Rights ⁽³⁾,
- having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, the Committee on Budgets, the Committee on Budgetary Control, the Committee on Citizens’ Freedoms and Rights, Justice and Home Affairs, the Committee on Economic and Monetary Affairs, the Committee on Legal Affairs and the Internal Market, the Committee on Industry, External Trade, Research and Energy, the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Consumer Policy, the Committee on Agriculture and Rural Development, the Committee on Fisheries, the Committee on Regional Policy, Transport and Tourism, the Committee on Culture, Youth, Education, the Media and Sport and the Committee on Women’s Rights and Equal Opportunities (A5-0086/2000),

1. A more democratic and effective Union – composition and functioning of the institutions and bodies of the Union and decision-making procedures

1. Reaffirms that the composition, functioning and balance between the institutions of the Union, Parliament, the Council and the Commission, must reflect its dual legitimacy as a union of peoples and a union of States and that an overall balance must be struck between the small and large States and populations; considers therefore that the constitutional principle that the Union of the Peoples is represented by Parliament and the Union of the States is represented by the Council has to be taken account of;
2. Notes that the provisions to be adopted concerning the composition of the institutions will have to take account of the duration of the enlargement process and consequently provide for transitional adjustment rules;
3. Takes the view that a fundamental debate on the prospects for the process of European unification and the limits of the future Union is urgently required;
4. Stresses the need to conclude the IGC during 2000, so as not to delay the vital and historical enlargement process;

European Parliament

5. Confirms that the number of Members of Parliament should remain subject to an upper limit of 700 and, as far as its composition is concerned, proposes the following principles:
 - 5.1. with the likelihood of a first wave of new States joining the EU around 2004-2006, proposes that the 2004-2009 Parliament be composed on the basis of a first transitional adjustment of the number of seats per Member State, aiming to keep Parliament under 700;
 - 5.2. before the 2009 elections, and irrespective of the pace of accessions, the number of representatives to be elected to Parliament in each Member State should be calculated on the basis of the population of a Union comprising all the applicant countries with which negotiations are being held, subject to an upper limit of 700 seats; it should be determined on the basis of population, under a proportional allocation system adjusted by allotting each State a minimum of four seats ⁽⁴⁾;
6. Proposes that the Treaty should provide for the possibility that a number of Members of Parliament could be elected in a single European constituency, by giving each voter two votes – one for the national lists and one for the European lists; the European lists should comprise at least one citizen of each Member State;

⁽¹⁾ Texts adopted, Item 4.

⁽²⁾ Texts adopted, Item 11.

⁽³⁾ Texts adopted, Item 4.

⁽⁴⁾ The current minimum of six seats per State is reduced by one third owing to the one-third increase in the population of the Union.

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7. Calls for Article 190(5) of the EC Treaty to be amended as follows: 'The European Parliament shall lay down the regulations and general conditions governing the performance of the duties of its Members';
8. Proposes the following provisions for political parties:
 - 8.1. Article 191 of the EC Treaty should be worded as follows: 'Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union'; on a proposal from the Commission, the European Parliament and the Council shall adopt, within twelve months of the entry into force of this Treaty and in accordance with the procedure laid down in Article 251, the requirements for recognition, the statute and funding arrangements (including Community funding) for European political parties;
 - 8.2. European political parties which do not respect democratic principles and fundamental rights, may be the subject of proceedings in the Court of Justice of the European Communities, at the request of the Commission, after consulting the European Parliament and the Council, to suspend their EU funding; the suspension procedures that may be applied pursuant to this Article shall be adopted, within 12 months of the entry into force of this Treaty, on a proposal from the Commission, by a decision of Parliament and the Council adopted in accordance with the procedure laid down in Article 251;
9. Proposes to add the following phrase to Article 289 of the EC Treaty: 'In the case of the European Parliament, it shall decide by an absolute majority of its members, on the location of its seat and of all its meetings';

Council

10. Proposes, with regard to qualified majority voting in the Council, that:
 - 10.1. Council measures requiring a qualified majority should be adopted if they secure the support of at least a simple majority of Member States representing at least the majority of the total population of the Member States of the Union;
 - 10.2. the IGC should establish the democratic principle of publicity of the Council acting as a legislator or budgetary authority; a verbatim record of Council meetings should be published; the Council should account for its decisions to Parliament;
11. In order to enhance its own performance and discipline, the European Council should adopt, publish and abide by rules of procedure;

Commission

12. Proposes, with regard to the composition of the Commission, that:
 - 12.1. the Commission should be of a workable size. It should be composed:
 - either of a fixed number of 20 Commissioners and the President provided there is a rotation system ensuring over time equal opportunity for citizens of every Member State to participate;
 - or of one Commissioner per Member State provided that the role of President is strengthened and that an inner hierarchy is established which enables the Commission to operate efficiently;
 - 12.2. Parliament should elect the President of the Commission from among the candidates proposed by the Council;
 - 12.3. the President of the Commission, in agreement with the Member States, should appoint the members of the College; he should ensure that the Commission includes a citizen of each Member State at least every two terms of office⁽¹⁾;
 - 12.4. the Commission should be invested by Parliament;
 - 12.5. Parliament should, by means of hearings, assess the merits of the Commissioners-designate;
 - 12.6. any Member of the Commission guilty of serious misconduct in the performance of his duties should be required to tender his resignation when asked to do so by the President of the Commission;
 - 12.7. under the terms of Article 216 of the EC Treaty, any Member of the Commission may be ordered to resign by the Court of Justice, also at the request of Parliament;

⁽¹⁾ Each country could propose a Commissioner in 5 Commissions out of 7.

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13. Considers it essential to ensure the complete independence of the Commission, its role as guardian of the treaties and its collective responsibility, in particular by strengthening the role of its President in determining policy; proposes, with regard to the functioning and powers of the Commission, that:
- 13.1. the President of the Commission may, after consideration by the College, ask Parliament for a vote of confidence; where the vote of confidence is not given by a majority of Members of Parliament, the Commission should resign;
- 13.2. the Commission should exercise executive functions and regulatory power under the supervision of the legislative authorities in accordance with arrangements adopted by the Council and Parliament in accordance with the procedure laid down in Article 251 of the EC Treaty;
- 13.3. the Commission should have the right of legislative initiative, without prejudice to the provisions of Article 192 of the EC Treaty and Titles V (Provisions on a common foreign and security policy) and VI (Provisions on police and judicial cooperation in criminal matters) and Article 48 of the EU Treaty;

Court of Justice and Court of First Instance

14. Proposes that the Court of Justice should consist of an odd number of judges equal to or higher than the number of Member States, with a corresponding increase in the number of advocates general;
15. Proposes that members of the Court of Justice and the Court of First Instance should be appointed for a non-renewable nine year term of office;
16. Considers that decisions on the classes of action and the amendment of the Statute of the Court of Justice should be adopted by the Council acting by a qualified majority after obtaining Parliament's assent; the Rules of Procedure should be approved and amended, where necessary, by the Court to which they apply;
17. Proposes to delete the clause in Article 225 of the EC Treaty prohibiting the Court of First Instance from giving preliminary rulings in order to deal with problems that might arise in the future for certain classes of action, provided that the decisions of the Court of First Instance may be appealed against in the Court of Justice and are thereby subject to judicial review;
18. Proposes that the jurisdiction of the Court of Justice should be extended to all matters covered by Title IV of the EC Treaty (Visas, asylum, immigration and other policies related to free movement of persons) and Title VI of the EU Treaty (Provisions on police and judicial cooperation in criminal matters) by removing the limitations and restrictions in force;
19. Proposes that Parliament should be included among the institutions authorised to submit requests for rulings to the Court of Justice pursuant to Article 68(3) of the EC Treaty;
20. Calls for the normal system of references to the European Court of Justice for preliminary rulings to apply to matters falling under Title IV of the EC Treaty;
21. Considers it essential to modernise and simplify procedures by making provision for the use of modern means of communication;
22. Proposes that Articles 230 and 232 of the EC Treaty should be amended to accord Parliament the right to bring an action in the Court of Justice on grounds of lack of competence, infringement of an essential procedural requirement, infringement of this Treaty or of any rule of law relating to its application, misuse of powers or failure to act;
23. Proposes that, subject to the provisions of Article 300(6) of the EC Treaty, the Court of Justice should be authorised to rule on a request submitted by Parliament if the latter has been consulted on the conclusion of an agreement envisaged, in accordance with the procedure laid down in the second subparagraph of Article 300(3);

European Public Prosecutor's office

24. Proposes the creation of a European Public Prosecutor's office as an independent entity responsible for the protection of the Union's interests against fraud throughout the Community;
25. Considers that Article 280 of the EC Treaty should be amended to allow the Union to take legislative action in criminal matters in respect of fraud that damages the interests of the Union;

Court of Auditors

26. Proposes that the Court of Auditors should consist of a fixed number of members; they should be appointed for a term of six years by the Council acting by a qualified majority after obtaining the assent of Parliament; membership should be partially renewed every three years; if the number of members of the Court of Auditors were less than the number of Member States, a system of rotation should be put in place to ensure that it comprises one citizen of each Member State at least every three years; the Court of Auditors should have the right of direct access to the financial control of national and regional authorities when and in so far as they are involved in spending from the EU budget;

European Central Bank

27. Considers that the structure of the governing Council of the European Central Bank (ECB) and the other decision-making bodies in the European System of Central Banks (ESCB) should also take account of enlargement so that the decision-making processes of the ECB and ESCB remain effective;

Committee of the Regions

28. Proposes, with regard to the composition of the Committee, that:

- 28.1. the number of members of the Committee should be no more than half the size of Parliament;
- 28.2. in order to safeguard the political legitimacy of the Committee, its members should hold elected political office at regional or local level or be politically accountable to an assembly elected by direct universal suffrage;
- 28.3. in order to safeguard its right to be consulted, the Committee of the Regions should be entitled to bring an action before the Court of Justice;

Economic and Social Committee

29. Proposes, with regard to the composition of the Committee, that:

- 29.1. the number of members of the Committee should be no more than one-third of the size of Parliament;
- 29.2. the Committee should consist of representatives of civil society, including representatives of the various categories of economic and social activity;
- 29.3. its functioning should be adapted to strengthen its role as a framework for social dialogue and liaison with civil society;

Decision-making procedures

30. Proposes, with regard to decision-making procedures, that:

- 30.1. the codecision procedure referred to in Article 251 of the EC Treaty (which does not require amendment) and qualified majority voting in the Council should become the general rule for decision-making in the legislative sphere; the cooperation procedure still applying within the framework of Title VII of the EC Treaty (Economic and monetary policy) should be abolished; the codecision procedure should also apply to legislation under Title VI (Provisions on police and judicial cooperation in criminal matters) of the EU Treaty;
- 30.2. qualified majority voting should also apply to decisions concerning appointments to Union institutions and bodies; for institutions or bodies which must include a certain number of members from each State, appointments should require the approval of the Member State concerned;
- 30.3. unanimity in the Council should be confined to decisions of a constitutional nature which, in accordance with the Treaty, require the assent of the national parliaments⁽¹⁾;

(1) Unanimity should be required for each new accession. However, new Member States should not be able to block subsequent accessions unless a certain amount of time has elapsed.

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- 30.4. the repeated application of Article 308 of the EC Treaty in connection with the establishment of decentralised agencies, economic, financial and technical cooperation with third countries and the energy sector justifies the creation of specific legal bases in the EC Treaty, subject to the procedure referred to in Article 251 or, in the case of cooperation agreements with third countries, qualified majority voting in the Council and Parliament's assent;
- 30.5. Parliament should be required to give its assent to the revision of the Treaties, all international agreements pursuant to Article 300 of the EC Treaty (in particular where the procedure laid down in Article 251 applies to the adoption of internal provisions), own-resources decisions and appointments to the Court of Auditors and the Court of Justice, the Court of First Instance and the Executive Board of the European System of Central Banks;

II. *Constitutionalisation of the Union*

31. Proposes the following provisions to constitutionalise the Treaties:
 - 31.1. simplification and consolidation of the Treaties in a single text, comprising two parts:
 - Part A: provisions of a constitutional nature — preamble, objectives of the Union, Charter of Fundamental Rights, institutions, decision-making procedures and the allocation of powers between the Union and the Member States;
 - Part B: other areas covered by the existing treaties;
 - 31.2. introduction of a hierarchy of legal acts:
 - Part A should be adopted by the Council acting unanimously, submitted to Parliament for approval, then ratified by the Member States;
 - Part B may be modified by the Council after obtaining Parliament's assent;
 - legislative measures should be adopted by the Council acting by a qualified majority and Parliament, in accordance with the procedure laid down in Article 251 of the EC Treaty, which should contain a definition of what constitutes a legislative measure⁽¹⁾;
 - administrative measures should be adopted by the Commission, without prejudice to the respective autonomous powers of the institutions and bodies of the Union; supervision procedures should be determined by Parliament and the Council in accordance with the procedure laid down in Article 251 within six months of the entry into force of the Treaty;
32. Is in favour, in the interests of making the allocation of political responsibility transparent for the citizens of the European Union, of a clearer delineation of powers between the European level and the national level;
33. Calls on the IGC:
 - 33.1. to include on its agenda the incorporation into the Treaty of the Charter of Fundamental Rights with a view to giving it binding legal force, given the vital role it will play in the achievement of an ever closer Union among the peoples of Europe;
 - 33.2. to take steps to ensure that the Union accedes to the European Convention on Human Rights with a view to establishing close cooperation with the Council of Europe and avoiding any disputes or overlap between the Court of Justice of the European Communities and the European Court of Human Rights;
 - 33.3. to improve access by any natural or legal person to the Court of Justice, by adding to the existing judicial review procedures and by instituting appropriate preliminary procedures within national jurisdictions;
34. Considers that the procedure for revision of the Treaties referred to in Article 48 of the EU Treaty must reflect the dual legitimacy of the Union as a union of peoples and a union of States;
35. Considers that, since the present pillar structure and intergovernmental cooperation no longer enable efficient and democratic decision making, they should be progressively abandoned;

⁽¹⁾ See the Commission report on the scope of application of the codecision procedure adopted on 3.7.1996 (SEC(96) 1225 — C4-0464/96), p. 10 and Parliament's resolution of 14.11.1996 on the report (OJ C 362, 2.12.1996, p. 267).

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36. Proposes that the procedure for suspending a Member State of the European Union should be modified as follows: 'the Council, acting by a four-fifths majority of Member States on a proposal by one third of the Member States or the European Parliament or the Commission after obtaining the European Parliament's assent, may determine the existence of a serious breach⁽¹⁾ by a Member State of principles mentioned in Article 6(1) of the EU Treaty, after inviting the government of the Member State in question to submit its observations; the other provisions of Article 7 shall apply';

37. Considers that closer cooperation should constitute a force of attraction in order that the Union may progress, that it should be used only when the Union is genuinely incapable of collective action, in which case the Union should take care to secure the cooperation of all Member States, and proposes, with regard to the relevant provisions, that:

37.1. closer cooperation should be the subject of a single chapter of the EU Treaty applicable to Title V (Provisions on a common foreign and security policy) and Title VI (Provisions on police and judicial cooperation in criminal matters) of the EU Treaty and to the EC Treaty;

37.2. closer cooperation should involve at least one third of the Member States; the other conditions (referred to in Article 40(1) and Article 43(1) of the EU Treaty and Article 11(1) of the EC Treaty) that have to be satisfied for closer cooperation should be maintained;

37.3. authorisation to establish closer cooperation should be granted by the Council acting by a qualified majority on a proposal from the Commission and after obtaining the assent of Parliament, acting by a majority of its component Members, and steps should be taken to ensure the uniformity of the legal system and of the institutional framework;

III. Strengthening the external role of the European Union

Legal personality of the Union

38. Considers that the Union as such should have legal personality defined by procedures complying with the restrictions and conditions laid down by the Treaty, without which its international status, visibility and negotiating power will continue to be limited;

External economic relations

39. Proposes that the provisions of Article 133(1) to (4) of the EC Treaty should also apply to negotiations and international agreements concerning services, investment and intellectual property rights;

40. Calls for procedures in this area to be simplified and Parliament's powers reinforced:

40.1. by introducing the codecision procedure for commercial policy measures (Article 133(2) of the EC Treaty);

40.2. by extending the assent procedure to Article 133 agreements and to all other international agreements when such agreements relate to an area for which the procedure referred to in Article 251 of the EC Treaty is required for the adoption of internal rules, and to measures to be taken in connection with economic sanctions (Articles 300 and 301 of the EC Treaty);

40.3. by fully involving Parliament in the procedure for drawing up and concluding international agreements, notably through:

— Prior to authorisation of the Commission by the Council (allocation of mandate):

(a) closer involvement of Parliament in the procedure for concluding international agreements and trade agreements through the consultation of Parliament before authorisation by the Council (for instance Article 133(3) of the EC Treaty);

⁽¹⁾ The concept of 'persistent' disappears.

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- during negotiations:
 - (b) regular notification of Parliament by the Commission as part of a dialogue;
 - (c) entitlement of Parliament at any time to submit ideas and recommendations to the Commission;
 - (d) application of the conciliation procedure in accordance with the Interinstitutional Agreement of 1975 in the event of differences of opinion on the involvement of Parliament in the procedure between institutions of the European Union;
- after the conclusion of negotiations:
 - (e) granting of assent by Parliament to the international legal act and determination by Parliament of the necessary internal European legislation under the codecision procedure;

CFSP

41. Considers that the decisions taken by the Helsinki European Council leave open the question of whether and to what extent Treaty amendments are required to achieve a common European security and defence policy and that, where appropriate, the following modifications should be made to the EU Treaty:

- 41.1. the distinction between the first and second pillars of the Treaty should be progressively diminished and Community competence reinforced, in particular by giving the Commission a major role in coordinating Community and national non-military instruments in respect of international crisis management;
- 41.2. a Council of Defence Ministers should be instituted to deal with technical and operational issues relating to European security and defence policy; all proposals concerning the CFSP should be submitted to the General Affairs Council for a decision;
- 41.3. if the WEU's role in performing Petersberg tasks is transferred to the EU by the end of 2000, a number of paragraphs of Article 17 of the EU Treaty will have to be revised (possibly removal of references to recourse to the WEU);
- 41.4. transferring the institutional structures and operational capacities of the WEU to the EU would require redrafting of the provisions of the EU Treaty, in particular adding the mutual assistance clause under Article V of the WEU Treaty to the EU Treaty in the form of a protocol on the WEU, to which each Member State would be free to adhere;
- 41.5. due account should be taken of the institutional problems posed by such integration and its consequences and the traditionally neutral Member States and those which are not part of any alliance should be able to play a full and equal part in European Union operations;
- 41.6. the existing 'Political Committee' in Article 25 of the EU Treaty should be replaced by the 'Standing Political and Security Committee'; a reference to the 'Military Committee' should be inserted where appropriate; the High Representative for the CFSP should head these bodies, whereas the Commissioner for External Relations would be responsible for coordinating arrangements for civilian crisis management;
- 41.7. the possibility of a veto in Article 23(2) of the EU Treaty in the case of qualified majority decisions and referral to the European Council should be reviewed; instead of a veto, solutions should be explored in the IGC which would allow a Member State opposed to a common position or a joint action to derogate from endorsing the common position or taking part in the joint action;
- 41.8. in Article 21 of the EU Treaty the provisions on informing and consulting Parliament should be expanded by stipulating that Parliament should be kept regularly informed of the development of the Union's foreign and security policy not only by the Presidency and the Commission, but also by the High Representative for the CFSP; with a view to full integration of the CFSP into the normal EC decision-making procedures, further measures should be taken to ensure that Parliament is associated with the most important decisions and is in a position to contribute to the definition of the general guidelines of the CFSP;

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- 41.9. in Article 28, which concerns the financing of operational expenditure in connection with Petersberg tasks, it must be made clear that although the costs of troops deployed in crisis management and their equipment are to be borne by participating Member States, the joint actions as a whole are funded from the Community budget; this would reinforce political solidarity;
- 41.10. the positions of High Representative for the CFSP and Commissioner responsible for External Relations should, in due course, be merged into a specially appointed Vice-President of the Commission;

IV. Consolidating internal policies

Coordination of economic, social and employment policies

42. Stresses the importance of the nature and meaning of the 'social market economy' and calls on the IGC to include it in the Treaty in an appropriate place;
43. Believes, however, that all matters concerning the broad guidelines of the economic policies of the Member States and of the Community should foresee an enhanced participation of Parliament to offset the democratic deficit currently characterising EMU; in particular, demands that the broad economic guidelines are put forward by the Commission in the form of a proposal, rather than a recommendation, and that Parliament is formally consulted as part of the process;
44. Believes that the Council could adopt the broad guidelines on economic, employment and social convergence policies by a qualified majority, on a proposal from the Commission and after consulting Parliament, which must be consulted throughout the process and in particular in two ways:
- 44.1. as part of the economic, employment and social convergence policy debate on the basis of the Commission's proposal on the broad guidelines on economic, employment and social convergence policies, with the active participation of the Commission and the Council;
- 44.2. through the participation of the President of Parliament in the June European Council where economic, employment and social convergence policy is debated, which would lead to greater public awareness of the choices made;
45. Calls for Parliament to be consulted systematically on acts involving a proposal or recommendation from the ECB and/or the Commission in areas covered by Title VII of the EC Treaty (Economic and monetary policy);
46. Proposes that current procedures in the field of employment (Title VIII of the EC Treaty) and economic policy (Title VII, Articles 103 and 104) should be streamlined and consolidated as part of the Treaty reform; believes this to be essential notably in view of achieving a better balance between the economic and monetary dimensions within EMU before any further enlargement of the European Union;
47. Believes that, with regard to the widely increased role of the EIB as a key instrument at the disposal of the EU in pursuing its policy objectives both inside and outside the Community, the terms of its Protocol A annexed to the EC Treaty could be reviewed in order to ensure greater transparency in its activities;
48. Believes that, within the framework of social policy, Parliament should be regularly informed of negotiations between the social partners and agreements between the latter; when such agreements are implemented by means of a Council decision they should be subject to Parliament's assent;
49. Calls for recognition of social protection as a matter of Community interest in the Treaty and for recognition of fundamental social rights in the Charter of Fundamental Rights;
50. Calls for a single coherent legal basis for equality for women and men in all policy areas to be introduced into the Treaty;

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Budget

51. Considers necessary a revision of the Treaties, and particularly of the provisions concerning the budgetary procedure, which has been rendered obsolete by the practices adopted by the institutions under successive interinstitutional agreements on the Financial Perspective, and proposes that:

- 51.1. the distinction between compulsory and non-compulsory expenditure should be abolished;
- 51.2. the unity of the budget should be strengthened — the European Development Fund and the funding of decentralised agencies should be incorporated into the Union budget;
- 51.3. the Financial Perspective should be integrated into the Treaty in the form of a medium-term financial plan adopted by common agreement between Parliament and the Council;
- 51.4. the Union should not be financed by contributions from the Member States but by its own resources, the level of which should be fixed by Parliament acting in codecision with the Council;

Discharge procedure

52. Proposes, with regard to the discharge referred to in Article 276 of the EC Treaty, that:

- 52.1. the discharge act should comprise two components: the discharge proper (approval on the basis of a political assessment of the Commission's responsibility in budgetary management) and closure of the accounts (verification winding up the budgetary procedure for a given financial year).
- 52.2. the discharge authority should have direct access to the information supplied by the authorities responsible for administering Community funds in the Member States;

Area of security, freedom and justice

53. Notes that the development of the Union as an area of freedom, security and justice (AFSJ) requires the regulatory and institutional framework to be simplified substantially by:

- 53.1. merging, within the Community framework, judicial and police cooperation in criminal matters and judicial cooperation in civil matters and measures relating to the free movement of persons;
- 53.2. recognising, in application of the principle of the rule of law (Article 6(1) of the EU Treaty), that the Court of Justice has full jurisdiction over all measures relating to implementation of the AFSJ, the differentiation in legal protection in the third pillar being in breach of the principle of equality of European citizens before the law;
- 53.3. with a view to affording European citizens equal protection before the law, making 'Schengen' cooperation the general rule for the 15 Member States and renegotiating the special status of certain Member States so as to reduce to the strict minimum exceptions to the common regime;
- 53.4. introduction of the codecision procedure and qualified majority voting for all measures relating to establishment of the AFSJ, coresponsibility of the European Parliament at EU level being the corollary of the role played by the parliaments of the Member States in the areas of freedoms and criminal law;

54. Calls for Europol to be brought within the institutional framework of the Union as an operational structure and specialised agency for police cooperation (both inside and outside the framework of Schengen cooperation); in this context, calls for the establishment, by means of a specific protocol to the Treaties, of:

- 54.1. appropriate means of control by Parliament and judicial review by the Court of Justice, particularly over any activities carried out in the interests of the institutions of the Union;
- 54.2. structural cooperation (Eurojust) with the judicial and police authorities of those States which intend to make use thereof for national investigations outside the jurisdiction of the Union.

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Other issues

55. Calls for the setting up of a specialist Community court with jurisdiction for disputes relating to both the validity of the Community patent and infringements thereof so as to ensure legal certainty in this respect throughout the territory of the Union;

56. Calls for the incorporation into the Treaty of a proper legal basis for the coordination of the tourism sector in a manner consistent with the subsidiarity principle;

57. Considers that there are no clear provisions or institutional mechanisms for defining a common energy policy; as some provisions appear in the ECSC and Euratom Treaties, a new consolidated chapter should be inserted in the EC Treaty; Parliament should be given a role in legislation on nuclear matters;

58. Reiterates its call for the EC Treaty to incorporate provisions for the establishment of a single European air traffic control agency;

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59. Instructs its President to examine, with the presidents/speakers of the national parliaments of the Member States and the applicant countries, the proposal to convene in the coming months, before conclusion of the IGC, an interparliamentary conference to discuss the principal challenges of European integration over the coming decade and the implications for the IGC and the new Treaty;

60. Instructs its President to forward this resolution to the Intergovernmental Conference on the reform of the Treaty, the Council, the Commission and the governments and parliaments of the Member States and the applicant countries.

8. Iraq**B5-0342, 0349, 0365 and 0374/2000****European Parliament resolution on the situation in Iraq***The European Parliament,*

- having regard to UN General Assembly Resolutions 687, 688, 1293 and 1284 (which was adopted by two permanent members of the Security Council),
- A. whereas the Iraqi government is obliged to continue to accept and assist with the inspections carried out by the UN with a view to destroying nuclear and chemical weapons and to cooperate with the International Committee of the Red Cross, which has been given the task of locating and repatriating all those who disappeared during Iraq's occupation of Kuwait,
- B. whereas the Iraqi people are in a tragic situation as a result of the imposition of sanctions,
- C. whereas these sanctions are penalising the civilian population but, in nine years, have not succeeded in weakening the Iraqi regime, which caused the conflict and bears most of the responsibility for it,
- D. whereas numerous international agencies and several former UN officials responsible for overseeing the Food for Oil Programme have denounced the tragic consequences the sanctions are having for the Iraqi people, and some of them have gone so far as to resign from their posts,
- E. whereas, according to Unicef, over half a million children have died in the decade since sanctions were imposed,