



European Communities

EUROPEAN PARLIAMENT

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## OPINION

of the Committee on External Economic Relations

for the Committee on Institutional Affairs

on parliamentary assent; practice, procedure and prospects  
for the future

Draftsman: Mr Giorgio ROSSETTI

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*	= Consultation procedure requiring a single reading	**II	= Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment
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O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on External Economic Relations  
Draftsman: Mr ROSSETTI

At its meeting of 17 July 1990 the Committee on External Economic Relations appointed Mr Rossetti draftsman.

At its meetings of 17 October 1990 the committee considered the draft opinion and adopted it unanimously.

The following took part in the vote: De Clercq, chairman; Cano Pinto, first vice-chairman; Moorhouse, third vice-chairman, Rossetti, draftsman, Benoit, Braun-Moser, Chabert, I. Christensen (for Moretti), Janssen van Raay (for Estgen), Melandri (for Aglietta), da Cunha Oliveira (for Magnani Noya), Visser (for Randzio Plath) Titley and Tsimas.

The debate on the powers of the European Parliament in the field of external relations is complicated by the fact that it is being conducted on three levels. Taking the most basic level first, these concern:

- (a) the European Parliament's internal procedures, particularly its Rules of Procedure;
- (b) interinstitutional relations, particularly the so-called 'Luns-Westerterp procedures', with regard to the implementation of Treaty provisions;
- (c) the balance of powers between the institutions, and between the Community and the Member States, enshrined in the Treaties, and possible amendments to them.

The only procedures that need be considered in the context of the Intergovernmental Conference are those that will require amendments to the Treaties, although subsequently it may be necessary to conclude interinstitutional agreements to define such procedures and to amend the Rules of Procedure of the European Parliament accordingly.

The following are the main points which will require changes to the Treaties in order to ensure appropriate support for the European Parliament's role in the field of external relations:

- Article 228, EEC Treaty: the general rule on the conclusion of agreements. Here, a provision should be added to the effect that agreements shall be concluded by the Council and ratified by the European Parliament in accordance with the assent procedure.
- Article 113, EEC Treaty: trade agreements. Here, we must not only consider whether it is necessary to extend the assent procedure to 'significant' agreements concluded on the basis of this article, but also define the means whereby Parliament can be kept informed and monitor developments before and during negotiations along the lines of existing arrangements whereby the Council keeps abreast of negotiations by means of a special '113 committee' set up pursuant to Article 113(3); the European Parliament should be associated with the committee, perhaps via its rapporteur.

President Delors, in his address to the European Parliament on 13 February 1990, made various pledges on behalf of his own institution, stating that the Commission wished to encourage the practice of including Members of the European Parliament as observers on the Community delegations responsible for negotiating the most important agreements.

- Article 238, EEC Treaty: it has been pointed out on various sides that the concept of 'association agreement' is not defined sufficiently clearly in this article. Moreover, the Commission is currently reviewing the situation with a view to introducing new forms of association (so-called 'third generation' agreements) geared, in particular, to the countries of Central and Eastern Europe.

It is essential for Parliament to be kept sufficiently well informed of the progress of the Commission's deliberations on the latter subject to enable it to deliver its views at the appropriate time.

To conclude, the Committee on External Economic Relations considers that the European Parliament's requirements for the Intergovernmental Conference should include the following points:

- (a) co-decision between the Council and the European Parliament in the field of external relations, with the assent procedure being extended to all significant international agreements within the meaning of the Stuttgart declaration of 1983, and a further possible provision to the effect that Parliament may rule on the significance of an agreement even in cases where the other institutions involved did not regard it as significant;
- (b) consequently, revision of Articles 228 and 113 of the Treaty with a view to guaranteeing the European Parliament's involvement in the conclusion of agreements both before and during negotiations, as called for in paragraph 6 of the PLANAS resolution (A 2-86/88);
- (c) when it comes to the revision of Article 238 (association agreements), it is essential for the European Parliament to be placed in the most favourable possible position to express its views, mainly by being fully informed by the Commission and the Council as to any new instruments under consideration in the field of the Community's external relations;
- (d) consideration should be given to the possibility of amending Particle 237 with a view to clarifying the role of the European Parliament before and during the negotiation of treaties of accession.