

EUROPEAN PARLIAMENT



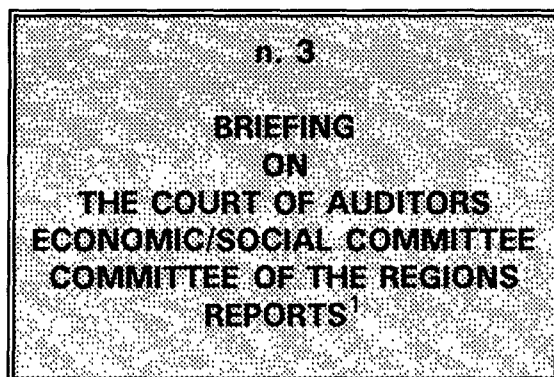
SECRETARIAT WORKING PARTY

TASK-FORCE
ON THE
" INTERGOVERNMENTAL CONFERENCE "

WORKING PARTY SECRETARIAT

JGG/Id/95.95

Luxembourg, 29 May 1995



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Or. FR

¹ A comparative presentation of the main proposals and suggestions contained in the reports by the Court of Auditors, the Economic and Social Committee and the Committee of the Regions on the functioning of the TEU. The full text of these reports is available from the Task Force.

These Briefings have been drafted by the Parliament Secretariat Task Force on the Intergovernmental Conference. Their purpose is to gather together, in an organized, summary form, the proposals and suggestions which the authorities in the Member States, the Union's institutions and specialist commentators have put forward on the issues likely to be on the IGC/96 agenda.

Briefings will be updated as negotiations proceed.

Already out:

- 1 The Court of Justice**
- 2 The Commission**
- 3 The Court of Auditors, ESC and COR**
- 4 Differentiated integration.**

Coming shortly:

- 5 The common foreign and security policy**
- 6 The role of the national parliaments.**

REPORTS ON THE FUNCTIONING OF THE TEU
DRAWN UP BY
THE COURT OF AUDITORS
THE ECONOMIC AND SOCIAL COMMITTEE
THE COMMITTEE OF THE REGIONS

(Proposals and suggestions)

	COURT OF AUDITORS	ECONOMIC AND SOCIAL COMMITTEE	COMMITTEE OF THE REGIONS
INSTITUTIONAL MATTERS Status	- Status of a Union institution cf. financial control of the 2nd and 3rd pillars (Art. E)	- Institutional status (Art. 4(1))	- Institutional status (Art. 4(1))
MEMBERS	- Replacement of 1/2 the members every 3 years (Art. 188b(3)) - In favour of increasing the number of members [Reserves the right to make proposals at a later date]	- 5-year mandate (Art. 194(2))	- Members appointed on the proposal of regional and local bodies; elected members or local representatives (Art. 198A)

FUNCTIONING	COURT OF AUDITORS	ECONOMIC AND SOCIAL COMMITTEE	COMMITTEE OF THE REGIONS
ACCESS TO THE COURT OF JUSTICE	<ul style="list-style-type: none"> - Access to the Court of Justice: <ul style="list-style-type: none"> . to protect its own prerogatives - action to examine legality (Art. 173(3)) . freedom to exercise control over the Member States - action for failure to fulfil obligations (Art. 169) 	<ul style="list-style-type: none"> - Members' allowances fixed by the Economic and Social Committee (Art. 194(4)) - Convened by its chairman only (Art. 196(3)) - Freedom in internal organization (Art. 197(2)) 	<ul style="list-style-type: none"> - Freedom to approve its own rules of procedure (Art. 198b) - Administrative and budgetary independence vis-à-vis the Economic and Social Committee (Protocol 16) <ul style="list-style-type: none"> - Access to the Court of Justice: <ul style="list-style-type: none"> . to protect its own prerogatives and to ensure compliance with the subsidiarity principle - action to examine legality (Art. 173(3)) . for failure to take a decision in infringement of the Treaty - action for failure to act (Art.175) - Access for the regions to the Court of Justice in the event of infringement of a subsidiarity principle (Art. 173)

POWERS Referral	COURT OF AUDITORS	ECONOMIC AND SOCIAL COMMITTEE	COMMITTEE OF THE REGIONS
			<ul style="list-style-type: none"> - Possibility of referral by the European Parliament (Art. 198c)

INITIATIVE		<ul style="list-style-type: none"> - Takes part in prior consultation on Commission proposals (Art. 198) 	<ul style="list-style-type: none"> - Takes part in drawing up Commission proposals on regional matters (Art. 198c)
AREAS	<ul style="list-style-type: none"> - Must be consulted on all matters relating to Financial Regulations; extension of optional consultation (Art. 209) - Power of audit over any body managing income/expenditure set up by the Community, particularly the EIB (Art. 188c(3)) 	<ul style="list-style-type: none"> - Consultation extended to the following areas: <ul style="list-style-type: none"> . Freedom of movement (Art.8a(2)) . Municipal elections (Art.8b(1)) . Citizens' rights (Art. 8e(2)) . Culture (Art. 128(5)) . Accession (Art. 0.1) Art. 235 	<ul style="list-style-type: none"> - Consultation extended to the same areas as the Economic and Social Committee, and the following areas: <ul style="list-style-type: none"> . Development cooperation (Art. 130w(1)) . Citizenship (Art. 8e(1)) . Aid granted by States (Art. 94)
LEGISLATIVE PROCEDURE		<ul style="list-style-type: none"> - Participates (with observer status) in the work of the Conciliation Committee (Art. 189b(4)) - Information on the action taken on its opinions (Art. 198, para.3) 	<ul style="list-style-type: none"> - Informed in the event of divergence from its opinions (Art. 198c)

	COURT OF AUDITORS	ECONOMIC AND SOCIAL COMMITTEE	COMMITTEE OF THE REGIONS
<p>INFORMATION</p>		<ul style="list-style-type: none"> - Information on: <ul style="list-style-type: none"> . broad guidelines of economic policy (Art. 103(2)) . multilateral surveillance (Art. 103(4)) . work under Title VI - 3rd pillar (Art. K.6, para.1) 	
<p>MISCELLANEOUS</p>	<ul style="list-style-type: none"> - More precise definition of the responsibilities of authorizing officers, financial controllers and accounting officers, and stepping up of sanctions - Creation of a specific budgetary and financial discipline structure 	<ul style="list-style-type: none"> - Creation of a Single Market 'observatory' within the Economic and Social Committee (Art. 197) 	<ul style="list-style-type: none"> - The regions should be mentioned in the definition of the subsidiarity principle (Art. 3b) - Mention should be made in the Treaty of: <ul style="list-style-type: none"> . encouragement of transfrontier cooperation . measures for the benefit of urban areas . the principle of local autonomy

[For further information, please contact Mr Giraud, tel. 2556, Luxembourg.]