Basic information

1996/2013(COS) COS - Procedure on a strategy paper (historic) Amendment of the Treaty on European Union: convening an intergovernmental conference under art. N of the TUE **Subject** 8.10 Revision of the Treaties, intergovernmental conferences	Procedure completed

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INST Institutional Affairs	DURY Raymonde M.E.A. (PSE) MAIJ-WEGGEN Hanja (PPE)	15/05/1995 15/05/1995

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs, Security and Defense Policy	GOERENS Charles (ELDR)	19/07/1995
AGRI Agriculture and Rural Development	GOEPEL Lutz (PPE)	17/06/1996
BUDG Budgets	CHRISTODOULOU Efthymios (PPE)	29/01/1996
ECON Economic and Monetary Affairs, Industrial Policy	METTEN Alman (PSE)	22/02/1996
ENER Research, Technological Development and Energy		
RELA External Economic Relations	DE CLERCQ Willy C.E.H. (ELDR)	20/07/1995
JURI Legal Affairs, Citizens' Rights	ROTHLEY Willi (PSE)	22/12/1995
REGI Regional Policy	FERNÁNDEZ MARTÍN Fernando (PPE)	25/01/1996
TRAN Transport and Tourism	SIMPSON Brian (PSE)	23/03/1995

	ENVI Environment, Public Health and Consumer Protection	ROTH-BEHRENDT Dagmar (PSE)	09/01/1996
	DEVE Development and Cooperation	TELKÄMPER Wilfried (V)	17/10/1995
	LIBE Civil Liberties and Internal Affairs	WIEBENGA Jan-Kees (ELDR)	20/12/1995
	CONT Budgetary Control	THEATO Diemut R. (PPE)	06/02/1996
	PECH Fisheries	LANGENHAGEN Brigitte (PPE)	20/12/1995
	REGL Rules of Procedure, Verification of Credentials and Immunities		
	FEMM Women's Rights	VAN LANCKER Anne (PSE)	20/12/1995
Council of the European Union			

Key events

Date	Event	Reference	Summary
08/01/1996	Non-legislative basic document published	N4-0026/1996	Summary
31/01/1996	Committee referral announced in Parliament		
04/03/1996	Vote in committee		Summary
04/03/1996	Committee report tabled for plenary	A4-0068/1996	
13/03/1996	Debate in Parliament		Summary
13/03/1996	End of procedure in Parliament		
01/04/1996	Final act published in Official Journal		

Technical information

Procedure reference	1996/2013(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed

Committee dossier	INST/4/07481

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0068/1996 OJ C 096 01.04.1996, p. 0003	04/03/1996	
Text adopted by Parliament, single reading		T4-0118/1996 OJ C 096 01.04.1996, p. 0012-0077	13/03/1996	Summary

Council of the EU

Document type	Reference	Date	Summary
Non-legislative basic document	N4-0026/1996	08/01/1996	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(1996)0090	28/02/1996	Summary

Amendment of the Treaty on European Union: convening an intergovernmental conference under art. N of the TUE

1996/2013(COS) - 13/03/1996 - Text adopted by Parliament, single reading

Adopting the report by Mrs Raymonde DURY and Mrs Johanna MAIJ WEGGEN by 267 votes to 120 with 71 abstentions, the European Parliament laid down the eight priorities to be tackled to at the conference opening in Turin on 29 March: 1. An improved definition of European citizenship and enhanced respect for human rights. A full guarantee of legal protection by the European Court of Justice. The cultural dimension should be taken into account. 2. A more effective response to the concerns of the public over internal security in the form of a policy on visas, asylum, immigration and a policy to combat drug trafficking and through judicial cooperation (civil and criminal). 3. Development of the social and ecological dimension and of employment policy and the strengthening of economic and social cohesion. 4. Reinforcing the European Union's external role, notably in safeguarding peace and security by developing a common policy, particularly through greater use of qualified majority voting, the establishment of a Common Analysis and Planning Unit and the integration of the WEU in the Treaty. 5. Increased openness and transparency by means of a reduction in EU decision-making procedures and easier access to Council documents and decisions relating to legislation. 6. Decisive progress towards a more democratic and more efficient Europe by introducing qualified majority voting and a simplified codecision procedure. The European Parliament should be involved in the decision concerning the choice of its seat. 7. Efficient action against the fraudulent use of financial resources at all levels. 8. A simplified, codified and more comprehensible Treaty. Parliament considered that a system of own resources should be established by 1999, but that this should not involve any extra financial burden for the citizens. In particular, Parliament formulated the following demands: * European citizenship: - the EU should accede to the European Convention on Human Rights; - the Treaty should include a list of fundamental rights, a special chapter on equal treatment and non-discrimination, regardless in particular of race, sex, sexual orientation, age, religion or disability; specific reference should be made to the abolition of capital punishment and the punishment of all acts of racial or anti-Semitic violence, harassment and abuse; - equal treatment of men and women should be recognized as a fundamental right and Article 19 should be extended to all areas, notably economic, social and family life, with explicit reference to affirmative action; - the list of fundamental rights should contain a section on European political rights, especially the adoption of a uniform electoral system; - Parliament proposed that a Voluntary European Peace Corps be set up in order to carry out humanitarian missions within and beyond the EU in order to encourage a feeling of belonging to the Union and of solidarity between Member States; - the Union should support the recognition of cultural and linguistic diversity and protection of traditional national minorities. It should take joint measures to promote cultural and linguistic understanding, exchanges and networks of institutions, the protection of cultural assets and the harmonization of legislation on copyright and support the translation, free circulation and dissemination of cultural works and information; - European citizens must under no circumstances be treated as foreigners within the Union; - the Treaty should give third country nationals legally resident in the Union guarantees regarding respect for human rights, equality of treatment and non-discrimination with regard to social, economic and cultural rights and the right to vote

in local elections; - sport should be included in the Treaty, in the context of education, and employment policy as well as cultural policy. * Internal security: asylum policy, rules on crossing external borders and action to combat drug trafficking, international fraud and organized crime should be Communitized. Other "pillar three" issues should be dealt with through greater recourse to Community procedures and institutions, taking account of the fact that: the powers of the Commission (right of initiative) and of the European Parliament (codecision) should be strengthened; the competence of the Court of Justice should be recognized; protection of human rights should be reinforced; greater use should be made of qualified majority voting; there should be greater transparency and use of legal instruments not provided for in the Treaty (resolutions, recommendations and conventions) should be ended. The Member States should undertake through a specific Treaty obligation to amend their national legislation in order to strengthen the fight against terrorism. * A far-reaching social union and a pro-active employment policy: common policies should be adopted in the social spheres, employment, the environment and certain forms of taxation and majority voting and codecision should become the general rule in these areas. Agreement on social policy should be integrated into the Treaty, as should the principles of the Community charter of fundamental social rights. The Treaty should include an obligation for the Union to develop a policy to overcome social injustice, exclusion, discrimination and poverty and give Commission the necessary powers to implement it. Employment should be the focus of all Community policies and a new chapter establishing a "Union for employment" and specifying the common objectives and procedures should be inserted in the Treaty. A Committee on Employment (with a similar status to the monetary committee) should be set up in order to promote the coordination of the Member States' and the Community's employment policies. * Public services: the fundamental principles of accessibility, universality, equality, continuity, quality, transparency and participation within a single market should be written into the Treaty. * Economic and social cohesion: this should form the basis of all Union actions and policies. Provision should be made for different, specific treatment for extremely remote regions. * Environment: the environment should be included in the Treaty as one of the objectives of the Union. Environment policy should be an integral feature of all Union policies which affect the environment (industrial policy, agricultural policy, transport policy, policy on trans-European networks, energy and research policy, regional and structural policy and commercial and economic policy). Member States should be able to lay down more stringent environmental standards than those of the Community. Animal welfare should be included as a new Title XVI/B in the Treaty. * Energy/tourism: these two sectors should also be included in the Treaty. * Fisheries: assent should be applied to all international fisheries agreements. * The external role of the Union: - the Union should be recognized as a legal personality at international level; - the Union should guarantee its territorial integrity and the security of its external frontiers; - all external policy decisions should be taken by qualified majority; - codecision should be introduced for article 113 (common commercial policy) and assent should apply to all international agreements and measures to be taken in the area of economic sanctions (article 228a); - any Member State which is not in agreement with a common position of a military nature should have a dispensation facility but should not be able to veto the common position or joint action. Parliament rejected the Reflection Group's idea of creating a "high representative" for the CFSP and preferred that this representative function be exercised by a Commissioner, appointed in accordance with the procedure for the President of the Commission. The CFSP should be financed on a Community basis but Member States which make use of the dispensation clause should not be able to withdraw from Community financing. Parliamentary monitoring of the CFSP should be the responsibility of the European Parliament in cooperation, where appropriate, with the national parliaments. * Security and defence policy: the WEU should be integrated into the Union and operate as the European pillar of NATO; traditionally neutral countries would not need to join in its establishment. In the event of military action, no Member State should be obliged to take part in or finance such action but should not be able to prevent a majority of Member States from carrying out such action. Article 223 of the EC Treaty, which obstructs the monitoring of arms sales to third countries and the establishment of a genuine common arms policy should be deleted. * In the institutions: the European Parliament should be given a reinforced role, with assents as regards nominations to the Court of Auditors and the Court of Justice. - Court of Auditors: provisions concerning the power of the Court of Auditors should be revised so as to create an obligation for national administrations and national audit offices to cooperate with the Court of Auditors, particularly with regard to the statement of assurance. The Court should be endowed with judicial powers, including powers of initiative, in order to punish Member States and Community bodies in breach of Community law affecting its financial interests. - Commission: at the present stage, it was essential to maintain the principle of at least one Commissioner per Member State. The president of the Commission should be directly elected by the European Parliament on the basis of names provided by the European Council. The independence of the Commission must be safeguarded and its right of initiative strengthened with a view to enlargement. - Re-weighting: this question should be explored in greater depth but the IGC should at least lay down the basic rules to be applied to the weighting of votes for future accessions. The idea of a "super-qualified" majority should be explored. * Improved legislative and budgetary procedures: Qualified majority voting should become the general rule, although unanimity would still be required in certain particularly sensitive areas such as amendments to the Treaty and constitutional decisions (enlargement, own resources, article 235). The legislative procedures of the EU should be reformed. There should be one general procedure for legislation, namely codecision, which should be extended to all legislation and be dealt with by a qualified majority. Codecision should be simplified by dropping the phase of intention to reject and ending the procedure either when there was agreement between the Council and Parliament at first reading stage or, when there was no agreement between the Council and Parliament, in a conciliation committee. Budgetary procedures should be revised. The distinction between compulsory and non-compulsory expenditure should be removed and the budget should be unified. Parliament called on the IGC to begin reforming the own resources system, which should be ready by 1999. * Revision of the Treaty: Parliament considered that the IGC could not open properly until Council has decided on Parliament's participation concerning the presence of observers, the functioning of the interinstitutional conference and the role of the European Parliament in the ratification of the new Treaty.

Amendment of the Treaty on European Union: convening an intergovernmental conference under art. N of the TUE

1996/2013(COS) - 08/01/1996 - Non-legislative basic document

It is proposed to convene a conference of representatives ot the governments of the Member States under Article N(1) of the Treaty on European Union. The Conference will also examine certain topics mentioned in the conclusions of the European Councils meeting in Brussels (10 and 11 december 1993) and Corfu (24 and 25 june 1994), in the Ioannina agreement and in certain interinstitutionnal texts. The Conference will examine the improvements and amendments which need to be made to the Treaties, bearing in mind, in accordance with the conclusions ot the European Council meeting in Madrid on 15 and 16 december 1995, the outcome of the Reflection Group's proceedings and the following objectives: - bringing Europe closer to its citizens; - enabling the union to function better and preparing it for enlargement; - endowing the Union with a greater capacity for external action.

Amendment of the Treaty on European Union: convening an intergovernmental conference under art. N of the TUE

1996/2013(COS) - 28/02/1996 - Document attached to the procedure

OBJECTIVE: presentation of the Commission's opinion on reinforcing political union and preparing for enlargement of the Community. The opinion is in three parts dealing with the following areas: . a people's Europe, . the CFSP, . the reform of the institutions. SUBSTANCE: - A People's Europe: according to the opinion there is a need to: (A) promote the European social model, including fundamental rights recognized by all and a commitment to mutual support between the Member States. In particular: . accession by the EU as such to the Convention on Human Rights and the inclusion in the Treaty of provisions prohibiting all discrimination, in particular with regard to equality of men and women (quite apart from pay) and condemnation of racism and xenophobia, . a stronger role for the Court of Justice, particularly as regards compliance with its judgments, . the social protocol must be integrated into the Treaty and the provisions concerning the fight against marginalization and poverty should be made more specific, . specific provisions on employment should be written into the Treaty (conditions for a common strategy for employment, stimulating cooperation between the interested parties, taking employment into account in all Community policies, stepping up the exchange of information and experience); (B) establishment of an area of freedom and security: the shortcomings of the Treaty in the field of justice and home affairs must be remedied by: . setting clear objectives, namely: - applying and reinforcing the principle of freedom of movement and residence, - establishment of common rules on the entry, residence and status of nationals from non-member countries in the Union, - the effective mutual recognition of judgments by national courts, - combatting all forms of crime; . providing it with the appropriate instruments and methods, i.e.: - in principle, replacing unanimity by qualified majority voting, provision for increased participation by the European Parliament and the Commission's power of initiative 'in all the fields concerned'; - provision of 'more effective' legal instruments than the 'joint action' or international agreements, - decisions subject to review by the Court of Justice, - simplification of the Council's working methods. According to the opinion this will require the transfer of the areas under the third pillar to the Community framework, with the exception of judicial cooperation in criminal matters and police cooperation. This transfer is needed particularly with regard to crossing borders, immigration policy, policy on nationals from non-member countries and asylum. Following this logic, the content of the Schengen Agreement should be incorporated in the Treaty. (C) simplifying and democratizing Europe, which means in particular that national parliaments must be more closely involved in Union affairs and must have timely access to all the information they need from the institutions and bodies of the Union and from their governments. The framework of the principle of subsidiarity which is already used must be defined better. This simplification involves the following: - reduction of the decision-making procedures to three: decisions adopted on Parliament's opinion, the assent procedure and the codecision procedure, - wider application of the codecision procedure (the Commission will present a report to the Council on extending the scope of the procedure) to all acts of a legislative nature and in any case to all areas currently coming under the cooperation procedure. The codecision procedure would in any event be more effective if time-limits for first readings were set for Parliament and the Council and if the announcement of the intention to reject a proposal at the second-reading stage and the third reading were dropped, - clarification of the scope of Parliament's assent, which should be required for areas such as Treaty amendments and own resources, - reduction of the number of implementing procedures, keeping three types of committee and procedures (the advisory committee, the management committee and the legislation committee) and dropping the variants. - a clear identity on the world scene: the opinion considers that the IGC should have 'a clear and simple aim: to empower the Union to act rather than react, the better to defend the interests of its people'. In particular there is a need for: (A) greater consistency in foreign policy: the Union should present a united front and as the current treaty does not ensure this consistency the Presidency and the Commission should work in tandem, ensuring that the two institutions responsible for the Union's foreign policy cooperate effectively; (B) more effective Community action by: . clarification of trade policy to take account of the radical changes in the structure of the world economy in which services, intellectual property and direct foreign investment play an increasingly important role (the Commission's powers in these areas are poorly defined, leading to needless proocedural wrangles), . inclusion in the Treaty of specific provisions on the functioning of the EU in international bodies, in order to ensure that it speaks with one voice, . ensuring effective coordination between the Member States' policies and those of the EU in fields where responsibility is shared such as development, transport and the environment; (C) a firmer basis for the common foreign and security policy, requiring: . better preparation of decisions, through a 'joint analysis unit' composed of experts from the Member States and the Commission, possibly with a contribution from the WEU. A permanent political committee should also be incorporated into the Council's machinery for preparing decisions; . the use as a general rule of qualified majority voting for the CFSP: the decisions would imply the political and financial solidarity of the members as they would be taken on behalf of the EU. However, if decisions concern military action or if they affect the essential and clearly defined interests of a Member State there would not be a qualified majority vote; . primary responsibility for implementation to lie with the Council Presidency and the Commission: consideration must be given to how to strengthen the Presidency, supported by the Council secretariat, which should not, however, prevent certain tasks being allocated to persons designated on an ad hoc basis; (D) a European identity for security and defence: a proper CFSP has to 'extend to common defence', even if NATO remains at the centre of the defence arrangements. The IGC should: . identify the missions aimed at restoring or keeping peace (and incorporating at least these in the Treaty) and defence, . create an institutional framework enabling the EU to deal with security and defence problems, . decide that security missions could be carried out in the name of the EU, by the Member States or by joint structures, . review the role of the WEU with a view to incorporating it into the Union and its role in the implementation of EU decisions and actions. The opinion stresses the need for strengthening the industrial base on which the security and defence of the EU are based and, with regard to armaments, greater effectiveness in procurement (through the establishment of an agency) and a consistent approach to foreign trade. - institutions for the enlarged Europe: the opinion notes that the next enlargement raises its own specific institutional questions and considers that the IGC should: (A) adapt the institutions: . the European Parliament must continue to represent the less populated countries as well as possible but the number of members must be limited (the EP itself has set a limit of 700 members), which also means that the electoral base of each Member will exceed one million electors in the most highly populated Member States and this will make the establishment of a common electoral procedure even more necessary (as is laid down in the Treaty), . the Council: - the half-yearly rotation of the Presidency should be maintained, despite its inconveniencies (in a 27 member EU each state would hold the Presidency every 14 years), - after enlargement the weighting of votes in the Council would have to be adjusted, either by introducing a new system which makes reference both to a majority of the Member States and of the population (the current weighting reflects a bias, accepted by all, in favour of the less populated states, but as the candidate countries have relatively small populations, the current system would increase the relative weight of the smaller states), - no adaptation should have the effect of making decision-making more complicated and the normal threshold for a qualified majority (around 71%) should not be raised in any circumstances; . the Commission: - the role of the President should be strengthened and the President should play a decisive role in the choice of the Commission's Members. He should be able to ensure collegiality throughout his mandate

and have greater powers in the internal organization of the college, - the number of Commissioners should be reduced to one per Member State, chosen by the President on a proposal from the Member States but above a certain number of states, the number of Commissioners chosen must be able to be less than the number of Member States, . the Court of Justice: the problem of numbers must be dealt with (there is the prospect of having some sixty judges at the Court of Justice and the Court of First Instance), (B) adherence to unanimity should be renounced, as in an enlarged Europe this would lead to paralysis. . in particularly sensitive fields the decision should be taken by 'super-qualified' majority voting, . as far as the Treaty is concerned, if it can be amended only by unanimity there is a risk that it could be left stagnating in the state in which the 1996 IGC left it. The Treaty contains provisions of various types, some of which are certainly of a genuinely fundamental nature (preamble, fundamental principles, objectives of the Union, operation of the institutions) while others are not (Union policies). In future it should be possible to amend at least provisions that are not of a constitutional nature by a procedure which imposes fewer constraints than the current one, . organized flexibility, as the Union must not for ever be bound to advance at the speed of its slowest members. The deepening of the Union has already taken place on the basis of organized flexibility (e.g. EMU). But the Commission rejects any idea of a 'pick and choose' Europe. The solution, if Europe is to be able to continue to deepen, will be to facilitate greater coordination or integration between certain Member States, in a framework guaranteeing the unity of the Union, the principles being: - the coordination must be compatible with the objectives of the Union and must further them, - the single market and the policies accompanying it should be safeguarded as a whole (in practice greater coordination would thus be limited to certain aspects of economic policy, the CFSP, defence or internal security), - the progress made should always be open to other States.