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OF THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES
- POLITICAL UNION -

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COPY OF A LETTER

dated: 20 March 1991

from : Ambassador RIBERHOLDT, Danish Delegation to the Intergovernmental
Conference on Political Union

to : Mr ERSBOELL, Secretary General of the European Council of Ministers

Mr. Secretary General,

As a follow up to the Danish memorandum, attached are a number of proposals for
amendements to the EC Treaties with regard to political union.

The proposals comprise:

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Please circulate the proposal as a Conference document to the other delegations.

(Complementary close).

(s.) Gunnar RIBERHOLDT
Ambassador

Danish proposal
for
textual amendments or changes to the Treaty for submission to the
Intergovernmental Conference on Political union

Proposed amendments to the EEC Treaty:

Preamble

Subsidiarity

New indent in the preamble

- Stressing that the Community acts in order to perform tasks which can be better carried out jointly than by the Member States acting independently, particularly tasks which require Community action because their scope or effects extend beyond national frontiers.

Principles of sound public administration

New indent in the preamble

- Resolved that the common policies must be implemented respecting the principles of sound public administration, with priority being given to financial resources.

Proposed amendments to the EEC Treaty:

Part One - Principles

Article 2

(p.m.)

Article 3, new paragraph 1

For the purposes set out in Article 2, the activities of the Community shall include, as provided in this Treaty and in accordance with the timetable set out therein, and also having regard for the need to ensure an environmentally sustainable development and a high level of environmental protection:

Article 3, new subparagraphs

- new (...) the establishment of a common policy on the fundamental labour and social rights of workers;
- new (...) the establishment of a common research and development policy;
- new (...) the establishment of a common environment policy;
- new (...) the establishment of a common consumer policy;
- new (...) the establishment of a common telecommunications policy;
- new (...) the establishment of a common energy policy;
- new (...) the establishment of a common development aid policy;
- new (...) the application of procedures for promoting exchanges, co-operation and joint programmes in the fields of health, education and culture.

Addition to Article 8a

Article A (Telecommunications)

Addition to Article 8a, new paragraph 3

The internal market shall environmentally be sustainable.

Proposed amendments to the EEC Treaty:

Part Two - Title III, Chapter 1: Workers

Right to vote in local elections

New Article 51a

Citizens in the Member States and members of their families who are legally resident in one of the Member States of the European Community shall have the right to vote and be eligible for election to local Councils in their State of residence provided they have been resident in that State for three years prior to the election.

To that end the Council, acting by a qualified majority on a proposal from the Commission and in co-operation with the European Parliament, shall adopt the necessary Directives.

Proposed amendments to the EEC Treaty:

Part Three - Title I

Chapter 1, Section 3: Aids granted by States

New Article 92

1. Save as otherwise provided for in this Treaty, any aid granted by a Member State or through State resources in any form whatsoever shall, regardless of ownership, be incompatible with the common market.
2. The following shall be compatible with the common market:
 - (a) aid having a social character, granted to individual consumers, provided that such aid is granted without discrimination in relation to the origin of the products concerned;
 - (b) aid to make good the damage caused by natural disasters or other exceptional occurrences;
 - (c) aid for cultural purposes.
3. The following temporary and degressive forms of aid may be considered to be compatible with the common market:
 - (a) aid to promote the economic development of areas where the standard of living is abnormally low or where there is serious underemployment;
 - (b) aid to promote the execution of important projects of common European interest or to remedy a serious disturbance in the economy of a Member State;
 - (c) aid to facilitate the development of certain economic activities, the development of small and medium-sized undertakings, development in certain economic areas, and aid for research and technological development, where such aid does not adversely affect trading conditions to an extent contrary to the common interest.
 - (d) other forms of adjustment aid in industrial sectors where undertakings established in the Community are at an essential disadvantage compared with undertakings in one or more third countries.

Article 93

1. The Commission shall, in co-operation with Member States, conduct constant reviews of all systems of aid existing in those States. It shall propose to the latter any appropriate measures required by the progressive development or by the functioning of the common market.
2. If, after giving notice to the parties concerned to submit their comments, the Commission finds that aid granted by a State or through State resources is not compatible with the common market having regard to Article 92, or that such aid is being misused, it shall decide that the State concerned shall abolish or alter such aid within a period of time to be determined by the Commission.

If the State concerned does not comply with this decision within the prescribed time, the Commission or any other interested State may, in derogation from the provisions of Articles 169 and 170, refer the matter to the Court of Justice direct.

The third and fourth paragraphs of Article 93(2) are deleted.

Article 94

The Council may, acting by a qualified majority on a proposal from the Commission, adopt any appropriate regulations for the application of Article 92(3).

Proposed amendments to the EEC Treaty:

Part Three - Title I, Chapter 2: Tax provisions

Article 99

The Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament, adopt provisions on the harmonization of legislation and on minimum rates in respect of:

- turnover taxes, excise duties and other forms of indirect taxation, and
- taxation of companies and income from securities,

insofar as this is necessary to ensure the establishment and the functioning of the internal market and of the Economic and Monetary Union.

Information on and monitoring of tax payments

New Article 99a

The Council shall, acting by a qualified majority on a proposal from the Commission and in co-operation with the European Parliament after consulting the Economic and Social Committee, adopt provisions concerning mutual co-operation between the authorities of the Member States in exchanging information of importance for the effective control of tax payments.

Proposed amendments to the EEC Treaty:

Part Three - Title I, Chapter 3: Approximation of laws

Article 100a

Paragraph 3 is amended as follows:

The Commission, in its proposals envisaged in paragraph 1 concerning health, safety, environmental protection and consumer protection, will take as a base the highest existing level of protection in the Community.

Proposed amendments to the EEC Treaty:

Part Three - Title III, Chapter 1: Social provisions

Article 117

The Community and its Member States consider it necessary to promote improved working conditions and an improved standard of living for workers, so as to make possible their harmonization on a steadily increasing level. They also see a need to promote equal opportunities in education and in further education and follow-up training.

(2nd paragraph is deleted).

Article 118

The whole of the present Article 118 is replaced by the following:

Without prejudice to the other provisions of this Treaty and in conformity with its general objectives, the Community shall have the dual task of adopting a common policy and promoting close co-operation between Member States in the social field, particularly in matters relating to:

- employment;
- fundamental labour and social rights;
- social security.

Article 118a

The whole of the present Article 118a is replaced by the following:

1. The Community and its Member States shall pay particular attention to improving the working environment, as regards the health and safety of workers, and to improving labour market related and other social rights of employed people, and shall set as their objective the harmonization of conditions in this area, on a steadily increasing level, particularly with regard to:

- the improvement of living and working conditions
- protection against industrial accidents and occupational diseases
- health regulations at work
- vocational training
- informing and consulting workers and joint decision-making

- equal treatment for men and women
 - ensuring that the statutory and contractual rights of workers in a Member State are observed where foreign labour is used
 - protection of particularly vulnerable groups on the labour market
 - freedom of association and right to collective bargaining
 - right of workers to a reasonable level of social protection.
2. In order to achieve the objective laid down in the first paragraph, the Council, acting by a qualified majority on a proposal from the Commission, in co-operation with the European Parliament and after consulting the Economic and Social Committee, shall adopt, by means of legal acts, minimum requirements which shall be progressively implemented, having regard to the conditions and technical rules obtaining in each of the Member States.
- Such legal acts shall avoid imposing administrative and legal constraints in a way which would hamper the creation and development of small and medium-sized undertakings.
3. The provisions adopted pursuant to this Article shall not prevent any Member State from maintaining or introducing more stringent measures for the protection of working conditions compatible with this Treaty.
4. The responsibility for implementing Community decisions regarding the fundamental labour and social rights shall lie with the Member States and may be carried out in the form of laws, collective agreements or in accordance with current practice at various appropriate levels.

Article 118b

The Commission shall endeavour to develop the dialogue between management and labour at European level which could, if the two sides consider it desirable, lead to relations based on agreement. Such dialogue may furthermore encourage the introduction of labour and social rights. The Commission may make appropriate proposals in this connection.

Article 128 is deleted

Proposed amendments to the EEC Treaty:

Part Three - Title VI: Research and technological development

Article 130f

1. The Community shall set itself the aim of strengthening the scientific and technological basis of European industrial life, of encouraging it to become more competitive at international level, and of developing research in the interests of the Community. In this perspective, basic research and the training of research workers should be encouraged.
2. In order to achieve this, it shall encourage undertakings including small and medium-sized undertakings, research centres and universities in their research and technological development activities; it shall support their efforts to co-operate with one another, aiming, notably, at enabling undertakings to exploit the Community's internal market potential to the full, in particular through the opening up of national public contracts, the definition of common standards and the removal of legal and fiscal barriers to that co-operation.
3. In the achievement of these aims, special account shall be taken of the connection between the common research and technological development effort, the establishment of the internal market and the implementation of common policies, inter alia as regards competition and trade.

Article 130g

In pursuing these objectives the Community shall carry out the following activities, taking into account the principle of subsidiarity:

- (a) implementation of research, technological development and demonstration programmes, by promoting co-operation with undertakings, research centres and universities;
- (b) promotion of co-operation in the field of Community research, technological development and demonstration with third countries and international organizations;
- (c) dissemination and exploitation of the results of activities in Community research, technological development, and demonstration;

(d) stimulation of the training and mobility of researchers in the Community.

Article 130h-130p: no change.

Article 130g

(1st paragraph is deleted)

The Council shall, acting by a qualified majority on a proposal from the Commission, after consulting the Economic and Social Committee, and in co-operation with the European Parliament, adopt the provisions referred to in Articles 130i to 130o and 130p(1). The adoption of these supplementary programmes shall also require the agreement of the Member States concerned.

Proposed amendments to the EEC Treaty:

Part Three - Title VII: Environment

Article 130r

Paragraph 1 is amended as follows:

Action by the Community relating to the environment shall have the following objectives:

- to preserve, protect and improve the quality of the environment,
- to ensure a sustainable development, so as to make possible a prudent and rational utilization of nature's resources taking account of the needs of future generations,
- to contribute towards protecting human health,
- to guarantee citizens the right to a clean and healthy environment,
- to contribute towards international action to resolve regional or global environmental problems.

Paragraph 2 is amended as follows:

Action by the Community relating to the environment shall be based on the principles that a prudent approach should be adopted, preventive action should be taken, including the use of clean technologies, that environmental damage should as a priority be rectified at source, and that the polluter should pay. The demands for a sustainable development and a high level of environmental protection shall be among the overriding principles of Community policies in other areas, so that the solution to fundamental environmental problems does not give way to other considerations.

Article 130s

The Council, acting by a qualified majority on a proposal from the Commission in co-operation with the European Parliament and after consulting the Economic and Social Committee, shall decide what action is to be taken by the Community.

Article 130s(2) is deleted.

New Article 130u

1. The Community shall adopt a multi-annual environmental action programme in accordance with the procedure laid down in Article 130s.
2. The environmental action programme shall lay down the objectives and set guidelines for prospective environmental measures, determine their priorities, and specify the resources deemed necessary. The action programme shall be adapted or extended in the light of developments.
3. The environmental action programme shall be financed, inter alia, by setting up a European Environment Fund. The detailed arrangements for financing the environmental action programme shall be laid down at the time of its adoption.
4. The Commission shall prepare an annual report for the European Parliament on progress achieved in implementing the multi-annual environmental action programme.

Proposed amendments to the EEC Treaty:

Part Three - New Title VIII: Consumer policy

Article A

The Member States agree that it is necessary to improve conditions for consumers at a steadily increasing level.

This implies that consumers especially are entitled to protection of their health, safety and economic interests, to compensation for damage, to information and guidance and to representation.

Consumer protection requirements shall be an important component of Community policy in all fields, particularly that of the internal market.

Article B

1. To attain the objectives laid down in Article A the Council shall, acting by a qualified majority on a proposal from the Commission, in co-operation with the European Parliament and after consulting the Economic and Social Committee, adopt the necessary measures.
2. Provisions adopted in pursuance of this Article shall not prevent individual Member States from maintaining or introducing stricter protection measures compatible with this Treaty.

Proposed amendments to the EEC Treaty:

Part Three - New Title IX: Telecommunications

Article A

1. The paramount objective of Community telecommunications policy shall be to encourage the creation of trans-European networks and services in accordance with market needs and needs of the society in order to give consumers access to an increasingly large selection of better and cheaper telecommunications services. Community policy must also further the competitive position of industries and the establishment of modern and efficient telecommunications infrastructures, industries and services.
2. When Community measures in this area are drawn up, account shall be taken of:
 - the establishment of a common market in telecommunications services and terminal equipment and the harmonization of access to and use of network infrastructures and the provision of basic services;
 - the creation or securing of network integrity throughout the Community so that free interoperability between relevant networks and services is established;
 - the wish to promote telecommunications co-operation with third countries and international organizations.

Article B

The Council shall, acting by a qualified majority on a proposal from the Commission, in co-operation with the European Parliament and after consulting the Economic and Social Committee, decide on the measures to be adopted for the purpose of implementing the common telecommunications policy.

Proposed amendments to the EEC Treaty:

Part Three - New Title X: Energy policy

Article A

The objectives of Community energy policy shall be:

- (a) to ensure environmentally sustainable energy consumption and a high level of security of supply at the lowest possible cost;
- (b) to encourage the creation of an internal energy market;
- (c) to reduce energy consumption through the rational use of energy, to promote energy saving and the use of new and renewable energy sources and new energy technologies;
- (d) to ensure an adequate state of readiness to deal with supply difficulties.

Article B

The Council, acting by a qualified majority on a proposal from the Commission, in co-operation with the European Parliament and after consulting the Economic and Social Committee, shall adopt the measures necessary for the attainment of the objectives set out in Article A.

Article C

Aid of the type referred to in Article 92(1) which makes an effective contribution to ensuring security of supplies in the Community, including investments in large energy projects with a long pay-back period, may be deemed to be compatible with the common market where it does not alter the operation of the internal market in a way which conflicts with the common interest.

Proposed amendments to the EEC Treaty:

Part Three - New Title XI: Health

Article A

1. The Community shall set itself the objective of supplementing and supporting the sickness prevention and health promotion measures implemented in the Member States. This shall apply in particular to measures related to the most serious illnesses.
2. The Community shall co-operate with international organizations for the purpose of furthering the mutual exchange of experience. The Community shall incorporate the experience of international organizations in the framing of its action.
3. The Council shall, acting unanimously on a proposal from the Commission, after consulting the European Parliament and the Economic and Social Committee, adopt measures for the attainment of the objectives set out in paragraph 1.
4. Member States shall, in contact with the Commission; keep themselves regularly informed of national measures being implemented in the rest of the Community. The Commission may, in close contact with the Member States, take any initiative which can help to promote such exchange of experience.

Proposed amendments to the EEC Treaty:

Part Three - New Title XII: Culture

Article A

1. The objective of cultural co-operation in the Community shall be to secure and strengthen the cultural and linguistic individuality of Member States and thereby preserve and promote diversity in the culture and cultural inheritance of the Community.

In the attainment of these objectives particular account shall be taken of the need to strengthen the less widely spoken languages, the minority cultures and cultural life in the European periphery.

2. Account shall be taken in the framing of Community policies of the special conditions which obtain in the cultural sphere.

Article B

For the purpose of attaining these objectives the Community shall take the following measures, which shall be additional to the measures implemented in the Member States:

- implementation of a multiannual framework programme for cultural co-operation in the Community;
- promotion of cultural co-operation with third countries and international organizations;
- promotion of training and mobility in the cultural and linguistic fields.

Article C

1. The Community shall adopt a multiannual framework programme which shall cover all its measures, objectives and priorities and a financial expenditure framework. The framework programme may be adjusted or extended in the light of developments.
2. The Community may, in implementing the framework programme, open up the possibility of co-operation with third countries or international organizations.

Detailed arrangements for such co-operation can be laid down in international agreements between the Community and the third parties concerned, provided such agreements are negotiated and concluded in accordance with Article 228.

Article D

1. The Council, acting by a qualified majority on a proposal from the Commission, in co-operation with the European Parliament and after consulting the Economic and Social Committee, shall adopt the provisions referred to in Articles B and C.
2. When drawing up proposals in the cultural sphere, the Commission shall consult a special advisory committee consisting of two representatives from each Member State. The representatives shall be appointed by the governments of the Member States.

Proposed amendments to the EEC Treaty:

Part Three - New Title XIII: Development aid

Article A

The Community shall expand and continue its development aid effort to promote economic and social development in the developing countries. Such aid shall be granted with particular regard for the poorest countries and sections of the population. The Community aid effort shall aim to promote democratic development, observance of human rights, respect for the environment, the strengthening of the role of women in the development process and public health.

Article B

Community aid shall be granted in particular in the form of technical and financial aid, food aid, humanitarian aid, development research aid and aid for the structural adjustment efforts of the developing countries. The aid shall be granted in the form of gifts or soft loans.

The Council, acting by a qualified majority on a proposal from the Commission and in co-operation with the European Parliament, shall decide on measures for the implementation of such aid.

Article C

The Member States and the Commission shall endeavour jointly to co-ordinate their aid to developing countries.

The Commission may, in close contact with the Member States, take initiatives which can help to promote such co-ordination.

Proposed amendments to the EEC Treaty:

Part Three - New Title XIV: Education

Article A

1. The Community shall set itself the objective of strengthening education as a means of promoting cultural, social and economic development in the Member States and the Community and, as a component thereof, of introducing freedom of movement within the Community for those seeking education or training.
2. Community measures in the field of education and training shall support and supplement efforts by the Member States.
3. Community measures shall be based upon respect for the Member States' cultural and linguistic differences.

Article B

In order to attain the objectives set out in Article A the Community may:

- (a) lay down provisions guaranteeing free movement for those seeking education or training within and towards vocationally-orientated courses;
- (b) implement education and training programmes based on co-operation between Member States;
- (c) promote co-operation on education and training in the Community with third countries and with international organizations;
- (d) disseminate and exploit the results of activities concerning education and training in the Community.

Article C

1. The Community shall adopt an implementing plan for laying down provisions pursuant to Article B(a).
2. The Community shall adopt a coherent action plan for the activities referred to in Article B(b) to (d). The action plan shall lay down the objectives, determine the priorities among them and set out the broad lines of the

envisaged activities. The action plan may be adjusted or expanded in the light of developments.

Article D

The action plan referred to in Article C(2) shall be implemented by means of programmes drawn up for each individual activity. Each programme shall lay down the detailed guidelines for its implementation, specify its duration and make available the resources deemed necessary.

Article E

The Council, acting unanimously on a proposal from the Commission after consulting the European Parliament and the Economic and Social Committee, shall adopt the provisions referred to in Articles B to D.

Proposed amendments to the EEC Treaty:

Part Five - Title I, Chapter 1, Section 1: The European Parliament

Common election date

New Article 138(1)

1. The representatives in the European Parliament of the peoples of the States brought together in the Community shall be elected by direct universal suffrage.

The Council, acting on a proposal from the European Parliament, shall set a common date for the holding of elections to the European Parliament.

p.m.: The "Act concerning the election of the representatives of the Assembly by direct universal suffrage" will have to be amended accordingly.

Ombudsman

New Article 140a

The European Parliament shall appoint an ombudsman empowered to receive complaints from natural or legal persons domiciled in a Member State concerning shortcomings in the administration of the institutions.

In accordance with his terms of reference, the ombudsman shall carry out enquiries for which he finds grounds on the basis of complaints or shall carry out enquiries on his own initiative.

The ombudsman shall draw up an annual report to the European Parliament on the outcome of his enquiries.

New Article 140b

The ombudsman shall be appointed after each election of the European Parliament for the duration of its mandate. The ombudsman shall be eligible for reappointment.

The ombudsman may be dismissed by the Court of Justice at the request of the European Parliament if he no longer fulfils the conditions required for the performance of his duties or if he has been guilty of serious misconduct.

New Article 140c

The ombudsman shall be completely independent in the performance of his duties. In the performance of those duties he shall neither seek nor take instructions from any other body. The ombudsman may not, during his term of office, engage in any other occupation, whether gainful or not.

New Article 140d

The European Parliament shall, after seeking an opinion from the Commission and with the unanimous approval of the Council, draw up the terms of reference of the ombudsman.

The terms of reference shall also include detailed guidelines for the relationship between the ombudsman and the European Parliament's Committee on Rules of Procedure and Petitions.

New Article 140e

The ombudsman shall appoint a secretariat to assist him.

Fulfilment of Community obligations

New Article 143(2) and (3)

The European Parliament may convene representatives of the various Member States to take part in discussions on the section referred to in Article 18(2) of the Merger Treaty.

No later than six months following the pronouncement of a judgment pursuant to Article 169 or Article 170, the Member State in question shall be obliged to report to the European Parliament on the steps it has taken to comply with the judgment.

Failure to act by the Commission

New Article 144a

Where the European Parliament finds that the Commission has not submitted the necessary proposal for a legal act to the Council in one of the areas covered by the Treaty, it may by an absolute majority of its members direct the Commission to submit such a proposal for a legal act within a period of at least three months.

Proposed amendments to the EEC Treaty:

Part Five - Title I, Chapter 1, Section 2: The Council

Public nature of proceedings

The following should be added to Article 5 of the Merger Treaty:

The Council shall lay down detailed rules regarding the public nature of Council proceedings.

Regions

New Article 151a

In order to safeguard regional interests in the Community's development, a committee of representatives of the Member States' regions shall be set up, attached to the Council.

The Council may decide to consult the committee before taking a decision.

Each Member State shall appoint a number of members to the committee corresponding to the weighting of its vote under Article 148(2).

Proposed amendments to the EEC Treaty:

Part Five - Title I, Chapter 1, Section 3: The Commission

Consolidation of acts

Article 155, new fifth indent:

- be empowered to undertake the consolidation of acts which have been substantially amended.

Joint declaration re Article 155:

The consolidated versions of substantially amended acts, as referred to in Article 155, shall be adopted in accordance with procedure III(a) laid down in the Council Decision of 13 July 1987.

Subsidiarity

New Article 155a

In drawing up its proposals for attaining the objectives of this Treaty, the Commission shall observe the principle of subsidiarity.

Number of Commission members

Article 10(1) of the Merger Treaty should be amended to read:

1. The Commission shall consist of one member from each Member State, who shall be chosen on grounds of general competence and whose independence is beyond doubt.

Only nationals of Member States may be members of the Commission.

Fulfilment of Community obligations

New second paragraph of Article 18 of the Merger Treaty

The report shall contain a special section on the individual Member States' implementation of acts adopted by the Council or the Commission.

Proposed amendments to the EEC Treaty:

Part Five - Title I, Chapter, 1, Section 4:

The Court of Justice

Compliance with judgments

Article 171

The following should be added:

The Court of Justice may specify in its judgment what measures are to be taken and, following a specific application for the purpose, may impose penalties on the Member State. Such penalties may consist of withholding Community funds. If such an application is submitted in a case brought under Article 170, the Commission shall be entitled to give its opinion on the application.

Proposed amendments to the EEC Treaty:

Part Five - Title I, Chapter 2: Provisions common to several institutions

Publication

New third paragraph of Article 191

Consolidated versions of acts shall be published in the same way as the acts on which they are based.

Freedom of information

New Article 192a

1. Information obtained by Community institutions in connection with the framing of proposals for acts or with the implementation of the Treaty shall be made available to any Member State or natural or legal person upon request, without any need for an interest to be proved.
2. The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may lay down rules derogating from paragraph 1, particularly as regards information involving trade secrets or information concerning public security in a Member State.

Proposed amendments to the EEC Treaty:

Part Five - Title II: Financial provisions

Auditing

Article 206b

The European Parliament, acting on a recommendation from the Council which shall act by a qualified majority, shall give a discharge to the Commission in respect of the implementation of the budget. To this end, the Council and the European Parliament in turn shall examine the accounts and the financial statement referred to in Article 205a and the annual report and special reports by the Court of Auditors together with the replies of the institutions under audit to the observations of the Court of Auditors.

Proposed amendments to the EEC Treaty:

Part Six - General and final provisions

Seat of the institutions

Article 216

The present wording should be replaced altogether by the following:

The permanent seat of the existing institutions of the Community shall be determined by common accord of the Governments of the Member States by 1 January 1994.

Guidelines for the future location of new Community institutions and bodies shall also be determined by common accord of the Governments of the Member States by 1 January 1994.

Co-operation with democratic third countries

New Article 238a

1. In connection with the framing of common policy in respect of Titles X-Y of this Treaty, the Commission may submit proposals for the establishment of new structures for co-operation between the Community and democratic European third countries.
2. After obtaining the assent of the European Parliament, the Council shall decide unanimously on detailed arrangements for Community co-operation with European third countries.
3. The establishment of such new co-operation structures shall not affect Member States' right to retain or develop further regional co-operation among themselves or with certain third countries insofar as the objectives of such co-operation are not achieved through the application of the EEC Treaty.

Note: To be considered in conjunction with external relations.

Proposed amendment to the Single European Act

Co-operation procedure

Article 6 should be amended to read:

The co-operation procedure shall apply to acts adopted by the Council by a qualified majority.

Note: To be considered in conjunction with external relations.

Proposed draft
Treaty Articles on a
common foreign and security policy

Note: General provision concerning objectives corresponding to Article 2 of the EEC Treaty.

Article A

The common foreign and security policy shall have as its objectives:

- to protect and promote Member States' common values and general interests, their independence and their security;
- to contribute to maintaining international peace and security in accordance with commitments entered into under the UN Charter and in CSCE;
- to promote friendly relations with third countries and international co-operation;
- to participate in development co-operation in accordance with Community provisions in this field;
- to protect and promote democracy, the rule of law, respect for human rights and fundamental freedoms.

Article B

The common foreign and security policy shall in principle cover all aspects on which unanimity is arrived at among the Member States. Military co-operation proper shall be undertaken within existing alliance structures, with Member States' present defence commitments being honoured.

Article C

1. The Council, assisted by the General Secretariat, shall unanimously establish the common foreign and security policy.
2. The Presidency, any Member State or the Commission may submit proposals to the Council.

3. The Commission shall be fully associated with proceedings relating to the common foreign and security policy.
4. The Presidency shall report to the European Council once a year on progress in implementing the common foreign and security policy.

Article D

The European Parliament shall be closely involved in proceedings relating to the common foreign and security policy.

The European Parliament shall be regularly briefed for that purpose, in particular on decisions of principle connected with the common foreign and security policy. Due account shall be taken of the European Parliament's views.

Without its existing powers being affected, the European Parliament may put questions and make suggestions to the Council on any matter of common interest regarding the common foreign and security policy.

Article E

The Presidency shall be responsible for the external conduct of the common foreign and security policy. The Presidency may be assisted by the preceding and the following Presidency. The Commission shall be involved in this process.

Article F

In those areas in which the common foreign and security policy has not yet been established, Member States shall engage in general, systematic co-ordination.

