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Rationalisation of European parliamentary activities

Report[1]
Committee on Political Affairs and Democracy
Rapporteur: Mr Karl MOMMER, Germany

1. 1956 - 8th Session - Third part

A. Draft Recommendation

The Assembly,

Considering t h a t Representatives have already grave difficulty in attending meetings of the three European Assemblies and their committees and at the same time fulfilling their obligations towards their national parliaments;

Considering, however, t h a t the personal link established by the participation of a certain number of Representatives in the different Assemblies is of great value in helping to prevent overlapping activities and in providing the minimum cohesion necessary for the development of European parliamentary institutions;

Considering that the creation of a fourth European Assembly would cause confusion, increase expense, disperse effort and be severely criticised by public opinion, thus impairing the progress of t h e European idea,

Recommends that the Committee of Ministers :

1. Suggest to the Member States of Euratom and of the Common Market :

   1.1. t h a t they reject any proposal for the creation of a fourth European Assembly;

   1.2. that, in the event of the parliamentary control of Euratom and of the Common Market being entrusted to the Common Assembly of E. C. S. C, the membership of this Assembly be increased, with provision for substitutes ;

   1.3. t h a t they take steps to ensure that at least half the members of the expanded Common Assembly, whether Representatives or Substitutes, should also be members of the Consultative Assembly of the Council of Europe;

2. Amend Article 25 (c) of the Statute to read : " Each Representative shall have a substitute. He may also have a second substit u t e . The substitute may, in t h e absence of the Representative, sit... " (remainder unchanged). This will enable the members of the expanded Common Assembly who are also members of the Consultative Assembly to participate in some of the activities of the latter Assembly;

3. Ask the member countries to submit to the Council of 0 . E. E. C. a proposal t h a t the Consultative Assembly, meeting together with Swiss and Portuguese parliamentarians in special session outside the framework of the Statute of the Council of Europe, be given a watching brief over the activities of 0 . E. E. C. —and also the activities of the Free Trade Area (whether under OEEC, auspices or not) in its relation to the Common Market.

B. Draft Order

The Assembly ;

Strongly urges the Bureau to request the Governments represented at the Brussels Conference to receive, as a matter of urgency, a delegation from the Consultative Assembly which may explain to those negotiating the Common Market and Euratom Treaties its serious objections to the creation of a fourth European Assembly;

Invites the Bureau to arrange a meeting of the Bureaux of the three European Assemblies with a view to addressing joint recommendations to the Member Governments on the question of rationalising European parliamentary activities.

C. Explanatory Memorandum

1.

1. The Committee on General Affairs, having been instructed in Order No. 98 (Appendix I) to examine the practical implementation of Recommendation 101 (Appendix II), has accepted as a basis for its work, without further discussion, the principles set forth in the Recommendation :

1.1. in view of the continual expansion of European parliamentary activity it has become urgently necessary to rationalise and reorganise the framework of existing and proposed assemblies;

1.2. any real power vested in a European governmental organisation, which would therefore be outside the control of national parliaments, should be controlled by a European Assembly;

1.3. the personal link established through the participation of a number of Representatives in more t h a n one assembly should be preserved as far as possible as t h e best means of preventing the various assemblies from developing along divergent lines.

The Committee is presenting its proposals on the assumption that direct elections are not for the immediate future. The trend, however, seems to bo in t h a t direction. Such elections would, of course, completely change the basis of the problem with which the Committee's study was concerned.

Parliamentary control of Euratom and the Common Market

2. On the basis of t h e foregoing principles the Committee considers that parliamentary control of Euratom and the Common Market should not be entrusted to a fourth and new assembly, but preferably to the Common Assembly of E, C. S. C, With the extension of its scope to include these two new economic sectors the name of the Common Assembly should be changed, its membership increased and arrangements for Substitutes introduced which will make for a better distribution of work.

3. In order to preserve a personal link between an expanded Common Assembly and the Consultative Assembly, particularly important for the co-ordination of the economic policy of the " Six " and the " Fifteen ", the Committee proposes t h a t the Member States of the expanded Common Assembly ensure that at least half the members of t h a t Assembly, whether Representatives or Substitutes, shall also be members of the Consultative Assembly. (They would also automatically be members of the WEU Assembly.) In making these proposals the Committee is in agreement with the General Affairs Committee of W. E. U., which has also examined this problem and whose r e p o r t[2] has, in its broad lines, met with its approval.

4.

5. Any State which joins the E. C. S. C. or t h e Common Market or Euratom in t h e future will also send members to the Common Assembly to participate in its work, with equal rights, in those fields in which the State in question has accepted full membership. In t h e case of an association, a clear distinction should be made : where the association is between the Communities or between one of them and a non-Member State, and remains within the bounds of inter-governmental co-operation, there is no need to provide for links between parliamentary representatives of t h e State in question and the expanded Common Assembly. But, where the t r e a t y of association provides for the creation of bodies with powers of their own, special arrangements should also be made for t h e participation of parliamentary representatives of the State in question in the expanded Common Assembly. The provision that onehalf of the members sitting in the Common Assembly should also sit in the Consultative Assembly would, of course, also apply

6.

Parliamentary " watching brief " for 0. E. E. C.

7. The dual membership of a number of Representatives in the expanded Common Assembly and in the Consultative Assembly is justified by the fact that the Consultative Assembly exercises the right, however modestly conceived, to keep a watch over the activities of 0. E. E. C. A co-ordination at parliamentary level would thus be achieved between the economic policy of the Common Market, Euratom, and E. C. S. C. and the policy followed in the future free trade area by t h e European Nuclear Energy Agency and by 0. E. E. C. in general.

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2. Document 34, drawn up by a Working Party consisting of MM. Struye (Chairman and Rapporteur), Bichet, Mommer, Montini and Nicholson, and adopted by the General Affairs Committee of the WETJ Assembly

8. In order to render this co-ordination as effective as possible, the Committee has thought it advisable to revert at this stage to the former Assembly recommendation to the effect t h a t t h e links betweenitself and 0 . E. E. C. should be strengthened. To achieve this end, i t proposes that the Consultative Assembly should meet in special session, outside the framework of the Statute of the Council of Europe, with the participation of Swiss and Portuguese parliamentarians. The Council of 0. E. E. C. would report on its activities to that Assembly just as it now reports to the Consult a t i v e Assembly. The Assembly, for its part, would vote recommendations or resolutions in reply to the Council's report.

9. If the Member States of 0. E. E. C. decide in the future to give an OEEC body real powers such as would justify the institution of European parliamentary control, corresponding powers would have to be given to the Assembly meeting in special session as the Assembly of 0. E. E. C. It cannot yet be foreseen, however, whether this is likely to happen.

Increase in the number of Substitutes in the Consultative Assembly

10. To enable t h e members of t h e expanded Common Assembly to cope with their new tasks i t has already been proposed to increase their number. The fact, nevertheless, remains that those members who would also sit in t h e Consultative Assembly would always be overburdened with work, particularly if they were asked to take part in all the activities of t h a t Assembly The Committee has therefore adopted in part a suggestion made by Mlle. Klompé[3]that there should be a certain division of labour between t h e members of t h e Consultative Assembly. Those who were also members of the expanded Common Assembly would mainly concern themselves with economic matters related to the questions they are already dealing with in the Common Assembly. They would leave it to their colleagues to concern themselves especially with the other matters within the competence of the Consultative Assembly. It follows that the membership of the Consultative Assembly should also be increased to make such a division of labour possible. The Committee accordingly proposes that each Representative should be allowed two Substitutes. Indeed, this would be particularly useful for Member States with a limited number of seats in the two Assemblies, since it would be very difficult for their few Representatives to sit on several committees in each of the Assemblies. The Committee wishes this arrangement to be optional. It accordingly proposes that the beginning of paragraph (c) of Article 25 of the Statute now worded as follows : " Each Representative may have a Substitute, who may, in the absence of the Representative, sit, speak and vote in his place ", should read : " Each Representative may have a Substitute. He may also have a second Substitute. The Substitute may, in t h e absence of the Representative, sit... " (Remainder unchanged). Under Article 41 this amendment can be made without parliamentary ratification.

Meeting of the Bureaux of the three European Assemblies

11. The Committee considered and approved the suggestion by the General Affairs Committee of the WEU Assembly t h a t a joint meeting of the Bureaux of the three European Assemblies be held with a view to drawing up joint proposals. It accordingly recommends t h a t the Assembly adopt the draft Order to this effect given above.

General Considerations

12. The Committee, in limiting its report to a few proposals, fully realises that these are no substitute for a general reorganisation of all European parliamentary activities, which is becoming increasingly necessary as European integration progresses. The problem of the establishment of a new Atlantic Assembly should be viewed in the same context. The Committee does not feel as yet in a position to express an opinion on these problems, which are of a political rather than an organisational nature. Yet these questions are so pressing t h a t the Working P a r t y has decided to prepare, for the next session of the Assembly, a preliminary report on this broader aspect of its work.

3. Document 568, paragraph 15.

Appendix 1 APPENDIX I

Order 98

The Assembly,

With reference to its Recommendation 101 containing certain principles relating to the future organisation of European parliamentary activities,

Instructs the Committee on General Affairs to devise, in co-ordination with the other European Assemblies, suitable ways and means of implementing those principles.

Appendix 2 APPENDIX II

Recommendation 101 (1956)[4] on the problem of European integration and parliamentary institutions

The Assembly,

Being concerned that European parliamentary control should he instituted over such real powers as may be vested in European organisations, which would thus lie beyond the control of national parliaments;

Having regard to the continual expansion of parliamentary activities and the urgent need for their rationalisation, in particular as regards the activities of the parliamentary organs of the broaderbased institutions in relation to those of the restricted Communities;

Drawing the attention of the Committee of Ministers, in this connection, to the possibility that the European Nuclear Energy Agency, to be set up within 0. E. E. C, may be granted autonomous powers over which national parliaments would have no control;

Hoping that, again with a view to rationalisation, Member States participating in the Conference on Euratom and the Common Market will not add to the number of existing European Assemblies ;

Being desirous that members of the Common Assembly of E. C. S. C, or of the Euratom and Common Market Assemblies should also form part of the delegations to the Consultative Assembly, in order to be present when problems are being dealt with within the wider context of 0. E. E. C;

Noting that these measures carry with them certain implications regarding the co-ordination of the Secretariats and Clerks' Offices;

Resolved to make a detailed study of ways and means of implementing the abovementioned principles,

Recommends to the Committee of Ministers that the Governments who will be called upon to take decisions in this matter, while bearing in mind the need to provide with a parliamentary organ every European institution which has a specific competence, will ensure that there is no duplication of work among European assemblies.

4. This Recommendation was adopted by the Assembly at its 23rd Sitting, on 23rd October 1956 (see Doc. 568, draft Recommendation submitted by the Committee on General Affairs, Explanatory Memorandum by M. van dor Goes van Naters, and Report drawn up by Mile. Klomp6). ,