



**ÖSTERREICHISCHES PARLAMENT**  
AUSTRIAN PARLIAMENT · PARLEMENT AUTRICHIEN

## **XIXth COSAC**

**Conference of European Affairs Committees of the National Parliaments of  
the European Union, the European Parliament and the Parliaments of the  
Applicant States**

**23<sup>rd</sup> - 24<sup>th</sup> November 1998**

**Redoutensäle, Vienna**

## **Summary of Proceedings**

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## Agenda for XIXth COSAC, Vienna, 23<sup>rd</sup> - 24<sup>th</sup> November 1998

### Monday, 23<sup>rd</sup> November 1998

- 09.15 Departure from the hotels
- 09.30 Registration of conference participants
- 09.45 Opening of the meeting by Mr. Peter SCHIEDER,  
Chairman of the Foreign Affairs Committee of the Austrian Nationalrat,  
Head of the Austrian COSAC Delegation
- Adoption of agenda and time limits for speeches
- 10.00 **Enlargement**
- Introductory statement by Dr. Wolfgang SCHÜSSEL,  
Federal Minister for Foreign Affairs of the Republic of Austria
- Question time
- 11.00 Coffee break
- 11.15 Continuation of discussion among conference participants
- 12.50 Departure
- 13.00 Reception in the Peristyle of the Vienna Parliament Building  
hosted by the Head of the Austrian COSAC Delegation  
Mr. Peter SCHIEDER
- 14.30 Group photo at the Main Entrance of Parliament
- 14.40 Return to Redoutensäle
- 14.50 **Employment**
- Introductory statement by Mag. Viktor KLIMA,  
Federal Chancellor of the Republic of Austria
- Question time
- 15.45 Coffee break
- 16.00 Continuation of discussion among conference participants

16.45            **Treaty of Amsterdam**  
**Status quo of the ratification of the individual Member States**

Introductory statement by Dr. Michael SPINDELEGGER,  
Deputy Chairman of the Committee of Foreign Affairs of the  
Austrian Nationalrat

Discussion

17.45            Return to the hotels

19.45            Departure from the hotels

20.00            Dinner at the Festive Hall of the Palais Pallavicinci hosted by  
the Speaker of the Austrian Nationalrat Dr. Heinz FISCHER

**Tuesday, 24<sup>th</sup> November 1998**

08.45            Departure of the busses from the hotels

09.00            Welcome address by Dr. Heinz FISCHER,  
Speaker of the Austrian Nationalrat

followed by    **Institutional reforms and future working procedure of COSAC**

**Possible improvement in the interaction between the European  
Parliament and the National Parliaments**

Introductory statement by Mrs. Nicole FONTAINE,  
Vice-President of the European Parliament

Discussion

10.00            **Institutional reforms with special regard to transparency and  
to a Union closer to its citizens**

Introductory statement by Mr. Marcelino OREJA AGUIRRE,  
Member of the European Commission

Discussion

11.30            Coffee break

11.45            **The future working procedure of COSAC in the light of the  
Amsterdam Treaty**

Introductory statement by Mr. Peter SCHIEDER,  
Head of the Austrian COSAC Delegation

Discussion

13.30            Buffet at the restaurant of the Congress Center (5<sup>th</sup> floor)

15.00            Continuation of discussion (if desired by participants)

**XIXth COSAC, Redoutensäle, Vienna**

**MONDAY, 23<sup>rd</sup> NOVEMBER 1998**

**OPENING OF THE CONFERENCE**

Mr Peter SCHIEDER (*Austria*), Head of the Austrian COSAC delegation, welcomed the delegates to the XIXth meeting of COSAC. He particularly welcomed the British and the German delegations as well as the delegates from the applicant countries.

In response to a question of Mr Wim VAN EEKELLEN (*Netherlands*) he stated that the document "Appeal to Heads of State and Government of Members of Parliaments and the EU Member States and the European Parliament" was not an item on the agenda. However, if the Belgian delegation wished to submit it as an official document, it could be formally tabled in the debate of the following day.

The Conference adopted the agenda.

The Conference agreed to the time limit of five minutes for each speaker. Furthermore, he stated that in the debate on enlargement the delegates of the applicant countries had the right to request the floor.

In reply to a question by Mr Tadeusz MAZOWIECKI (*Poland*) he underlined that in accordance with a Troika decision only delegates from EU Member States were allowed to speak in the other debates. He proposed that representatives of the applicant countries could speak in the employment debate provided that the number of requests for the floor by delegates from Member States allowed this and subject to the approval of the Troika. The Conference agreed to the proposal.

The Chairman welcomed the Austrian Vice-Chancellor and Foreign Minister, Mr Wolfgang Schüssel.

## ENLARGEMENT

Mr Wolfgang SCHÜSSEL (*Austria*) said that he would concentrate on enlargement in his introductory statement but that he was also willing to answer questions on foreign policy.

He underlined that enlargement had been one of the top priorities under the Austrian Presidency. The aim of starting political negotiations had been met. He thanked all Member States for their support.

He stated that enlargement had not begun on 10 November 1998, when negotiations had started formally but that it had actually started in 1989 with partnership agreements followed by association agreements. The enlargement of the European Union was an ambitious and historically unique project. It was important for the former Communist countries to "come back home to Europe". There was no alternative to enlargement. Without enlargement there would be an economic and political two-tier system in Europe.

Accession negotiations with Cyprus, Hungary, Poland, Estonia, the Czech Republic and Slovenia had been started on 10 November 1998 and several chapters of the *acquis communautaire* had been secured. He stressed the fact that the recently published progress reports by the Commission were open, frank, honest and critical. He called upon the candidate countries not to reject any critical points from the Commission. As experienced by Austria in the past, positive criticism was helpful since it highlighted possible shortcomings.

As regards accession dates, he said they should not be considered generally accepted deadlines but rather working hypotheses. The candidate countries had set themselves these target dates to accelerate reforms. He reiterated that the dates should not be interpreted as a promise from the European Union by which date accession could take place.

Furthermore, Mr Schüssel stressed that important progress had been made in the candidate countries in respect of the Third Pillar, in particular in combating organised crime, improving co-ordination of judicial systems and legal organisations.

He informed that at the Council Meeting in Vienna no decision would be taken on including further candidate states in negotiations. Negotiations with further accession candidates were expected to start formally in 1999.

As Malta had revived its original application for accession, the Commission would review its original

opinion and the corresponding report would be available in spring. He expressed his conviction that Malta would join the group of candidate states on the basis of that Commission paper.

He announced that the acquis screening with all twelve candidate states would take place in spring at a multilateral level.

Mr Peter SCHIEDER (*Austria*) thanked Mr Schüssel and opened the debate.

Mr Frans TIMMERMANS (*Netherlands*) reiterated that enlargement of the European Union had been the greatest challenge facing European countries since the end of the cold war. Enlargement required tremendous efforts from both the Member States and the accession countries. A larger Union could only operate properly if the internal rules were reconsidered and adjusted. These changes required a speedy ratification of the Treaty of Amsterdam. He underlined that the need for institutional reforms should not be used as an alibi for rejecting or postponing the historic task of enlargement. It was crucial to inform EU citizens adequately and to explain to them the vital importance of enlargement.

Mr Assen AGOV (*Bulgaria*) expressed his understanding for the fact that accession dates could not be considered fixed and that speed was not the most significant factor. Nevertheless, the candidates had noted changes of attitude in EU Member States. He asked if countries like Germany had changed their previous position towards enlargement.

Mrs Elisabeth ARNOLD (*Denmark*) stated that in Denmark enlargement was considered important as otherwise a new rift would emerge in Europe which would give rise to tension and conflict. She said that institutional changes could also be implemented once the enlargement process had started. She stressed that the Commission's assessment of the applicant countries should be regarded as a useful assistance rather than criticism.

She congratulated Latvia on the outcome of the recent referendum.

Mrs Arnold drew attention to the fact that even long-standing Member States like Denmark sometimes did not meet all requirements and legislative standards of the EU. According to the Danish position, enlargement should take place calmly, collectively, smoothly and without unnecessary pressure. Preferably more than five states should be included in the first wave.

Mr Renzo IMBENI (*European Parliament*) asked for the reasons of the chill in the attitude towards accession both in the Member States and the accession countries: Was this due to a more precise analysis of the situation country by country or were those concerns more related to financial aspects?

Secondly, Mr Imbeni asked if the Presidency in office had taken any initiatives with respect to Turkey, particularly to ensure a more moderate tone of Turkey vis-à-vis Italy.

Mr Tunne KELAM (*Estonia*) congratulated Austria on its successful chairmanship and thanked Mr Timmermans (*Netherlands*) for his supportive statement. At a conference of the European Affairs Committees of the first group of candidates held in Ljubljana recently concern had been expressed that the enlargement process could be slowed down. He stressed that EU membership of the applicant countries would close the period of Yalta in Europe and guarantee that no new division of Europe took place.

Did Mr Schüssel (*Austria*) agree that enlargement and institutional reform should be seen as interrelated and mutually stimulating processes rather than separate developments? He also asked if the principle was still valid in accordance with which any applicant country that was ready to adopt the *acquis communautaire* would be accepted for membership.

Mr Guillermo MARTINEZ (*Spain*) thanked Mr Schüssel (*Austria*) for his statement. From the point of view of the Spanish delegation, enlargement was the biggest challenge facing the EU at the end of the century. A political decision had to be taken as EU Member States had an obligation vis-à-vis their neighbours in Central and Eastern Europe. He said that institutional reform and accession were not incompatible. He asked for more detailed information on realistic accession dates for the first wave of candidates.

Mr José MEDEIROS FERREIRA (*Portugal*) said that it was preferable to speak about successive enlargements, rather than enlargement in one block. If institutional reforms aiming at a deepening of the EU was to take place in parallel with accession negotiations, what kind of institutional reforms was this?

The original date of enlargement was not sufficiently related to the discussion on financial perspectives. He considered it difficult to have a serious and transparent discussion on Agenda 2000 without knowing the dates of entry of the first wave of candidates. In order to build confidence and trust, the viewpoints of the candidate states were welcome in the discussion on the institutional reforms of the Union.

Mr Kimmo SASI (*Finland*) stated that the PHARE programme was a very important tool to foster economic growth and social development in the applicant countries. He regretted that the European Parliament had reduced the EU budget earmarked for the PHARE programme. He therefore asked if



the Council of Ministers would stand firm to the decision to reduce the budget of the following year and if so, what were the reasons. He warned that reducing PHARE funds could be interpreted as a signal of smaller interest in enlargement.

Mr Friedbert PFLÜGER (*Germany*) thanked the Presidency for its achievements, particularly regarding CFSP and Agenda 2000. In reply to the question of Mr Agov (*Bulgaria*) he stated that continuity would be ensured in Germany and that speedy enlargement of the European Union remained a priority objective of German foreign policy. The fact that the newly elected Chancellor and the Foreign Minister chose to refer to a new sense of realism instead of mentioning particular dates did not mean a departure from the previous German position. Countries like Latvia or Bulgaria that were not in the first round should nevertheless be given the opportunity to move closer to the Union.

Mr Tadeusz BARTOSZEWSKI (*Poland*) said that Poland had not been disappointed by the Austrian Presidency. Poland was however "not coming home to Europe", as stated by Mr Schüssel (*Austria*). In fact, Europe was coming back to Poland as Poland had been separated from Europe by Churchill, Stalin and Roosevelt. Under the Austrian Presidency major progress had been achieved. He also expressed his satisfaction at Mr Pflüger's (*Germany*) statement, according to which continuity of the German position was guaranteed.

The Commission's progress report had been understood as a critical stocktaking. Enlargement implied advantages for present Member States, particularly regarding exports and job creation. Austria should point out to Germany that speedy accession negotiations were highly important. He also hoped that Slovakia and all the Baltic States would soon be included in accession negotiations.

Mr Jozsef SZAJER (*Hungary*) thanked the Austrian Presidency for upholding the dynamism of the enlargement process. He pointed out that the applicant countries were afraid that there were new conditions which could be used for delaying the accession process. He also stressed that deadlines were important for the countries to set up their own programmes and hoped that the Hungarian accession negotiations could be completed by 2002.

Moreover, he stated that improper use of PHARE money should be sanctioned as foreseen in the PHARE rules rather than by cutting funds.

Mr Wolfgang SCHÜSSEL (*Austria*) thanked the speakers for their kind words with respect to the Austrian Presidency. In the enlargement debate a number of subjects had been raised, e.g. CFSP, on which the Austrian Presidency had been focusing its efforts.

For the first time in history, the EU had appointed a special envoy in the Balkan, Mr Wolfgang Petritsch (*Austria*), who had the same status as the American emissary. This could be considered a remarkable step. The visible presence of the European Union had also contributed to the positive outcome of the referendum in Albania. At a recent meeting of the Central European Initiative, Mr Schüssel had had interesting talks with President Tudjman and almost all opposition leaders. All six opposition leaders had requested the EU to implement the PHARE programme. However, there had been no agreed EU position following this appeal.

On the occasion of his visit to six Arab countries and Israel he saw proof of the fact that the European Union was able to play a role in the Middle East.

He considered institutional reforms indispensable. The size of the Commission should be changed and at the same time the right of each Member State to be present in all European Union institutions had to be maintained. Regarding the weighting of votes in the Council of Ministers, he was of the opinion that a majority voting system would be preferable.

He regretted that it had not been possible to act speedily to reach a common EU position regarding the conflict between Italy and Turkey. He did not consider the common declaration strong enough. He had expressed his solidarity to Prime Minister D'Alema. Sensitive topics such as the Kurdish issue had been discussed with President Demirel. The EU did not wish relations just of an economic nature with Turkey. Turkey had refused to discuss other subjects, e.g. security issues or Cyprus, and had also rejected the compromise proposal of the Presidency to address these matters under "regional issues". The political dialogue within the Association Council had moved more and more into distance. Turkey demanded a clear reference to it as the 12th candidate during the Vienna Summit. However, there was no common EU position on this.

Mr Schüssel stated that an all-embracing concept of Europe was essential, including networks and strategic visions. The European Summit was an important instrument in achieving this. The EU should not only focus on the countries close to accession. Treaties with South Eastern European countries like Bosnia-Herzegovina and Croatia were needed as well.

He stated that democratic elections always involved a phase of uncertainty. He welcomed the fact that the new German government would ensure continuity and consistency in its foreign policy. In his opinion, the project of enlargement could only work if there was broad political consensus. This consensus was required also in the candidate countries themselves.

Mr Schüssel said that he had always found it inappropriate to refer to specific accession dates. He recommended setting objectives in terms of substance in the course of 1999.

He stressed the importance of COSAC for the enlargement process and reassured delegates that the Council was fully aware of this fact.

Mr Peter SCHIEDER (*Austria*) thanked Mr Schüssel for his presentation and the answers given.

## EMPLOYMENT

Mr Peter SCHIEDER (*Austria*) welcomed delegates to the afternoon sitting and apologised for the technical problems before lunch. He was pleased to welcome the Federal Chancellor of Austria, Mr Viktor Klima, who would open the debate on employment.

Mr Viktor KLIMA (*Austria*) referred to future developments in the European Union which consisted in two significant processes, i.e. firstly, the deepening of relations between EU Member States and secondly, the gradual well-prepared enlargement of the European Union. In his statement he wanted to concentrate on the deepening of relations between the Member States of the EU.

A clear message had emerged from the informal meeting at Pörschach. All heads of state and government had stated clearly that a single market and a single currency were not the end of the process of European integration. The process of integration should be carried on both in terms of co-ordinating economic policies and of strengthening the links between Member States, e.g. to improve internal security. In addition, the EU had to play a greater role in the area of CFSP.

Following the Amsterdam Treaty, the role of COSAC and the role of the European Parliament had been upgraded. As a co-decision procedure had been introduced in the European Parliament, the European Parliament would be on an equal footing with the Council. He stressed that due to its stronger role COSAC could be a bridgehead between the European Parliament and National Parliaments. There were some areas where good co-operation with the National Parliaments had already produced some positive results, e.g. the conciliation procedure on the 5th Framework Research Programme or the creation of a common legal basis for the activities of NGOs.

Regarding the Vienna Summit, he considered it important to concentrate particularly on employment. In addition to the national action programmes for employment, a common strategy and a common approach at a European level were needed to create jobs and fight mass unemployment. To this end, a policy had to be formulated and put into practice. One priority objective was equality of opportunities for men and women. Secondly, the opportunities for older workers had to be improved. Thirdly, special initiatives were necessary to stimulate the setting up of new businesses. In this context, problems such as red tape or shortage of venture capital in Europe had to be addressed but at the same time a change in people's attitude was required. At the Vienna Summit discussion would focus on these three subject areas. There would be an opportunity for setting standards which could be analysed in peer reviews in the individual nations. A report from Eurostat was expected to be submitted at the Vienna Summit, which would provide comparable data on labour markets in the Member States.

He considered it important to show people in Europe that the EU was capable of working with the same degree of commitment and consistency in fighting unemployment as it had done in the past to achieve a common European currency. He pointed out that the heads of state and government had declared that stability and growth were not contradictory terms and that it was possible to improve growth and thereby employment prospects. To this end a European policy of innovation was needed which would make it possible to fully utilise the synergistic potential of the Common Market.

He said that the EU Member States should work together in the area of standardisation. European standards could then develop into global standards. This would ensure competitive advantages to European industries.

Co-ordination of fiscal systems was necessary to eliminate unfair and detrimental competition. Maximum use had to be made of the potential in the services sector. Obstacles to setting up new businesses had to be removed in order to create new jobs. Moreover, life-long learning had to be promoted: People had to undergo vocational programmes, training programmes or re-training programmes before they lost their jobs. A social dialogue between employers' and workers' organisations had to be established at the European level, e.g. with regard to preparing guidelines for employment. It was also important to settle the question of a European limited company.

In conclusion, he stated that the Single Currency would lend particular strength to the European economy. For the reorganisation of the IMF it was of great significance to have a clearly co-ordinated European position. The European proposal should guarantee greater transparency, greater accountability and the establishment of an early warning system in the IMF.

Mr Giancarlo TAPPARO (*Italy*) said that policies should focus on combating unemployment. He pointed out that it was not enough to operate along traditional lines when it came to employment policies, e.g. flexibility and vocational training programmes. Special attention had to be given to critical segments of the labour market. Entrepreneurship had to be fostered. In this context, he considered a greater transfer of know-how to small and medium-sized companies useful. Fiscal policies had to be harmonised as laid down in the Amsterdam Treaty.

Mr Hans VAN DEN AKKER (*Netherlands*) stated that there was increased conviction that it was not possible to fight unemployment effectively on an individual basis. At the Luxembourg Summit 19 guidelines for employment policy had been drafted. He stressed that first and foremost the Member States were responsible for proper employment policies. Guidelines passed at a European level were only effective if the Member States were able and willing to adopt the necessary measures.

In the Netherlands a favourable development of employment was recorded due to proper agreements between the social partners. In addition, the real income of workers had hardly increased during the last 15 years. There were EU Member States in which real income had considerably stepped up over the past years but which then had to deal with higher unemployment. Therefore political courage was required in the Member States to create the conditions for proper employment developments. A good employment policy was the best social policy.

Mr Alain BARRAU (*France*) expressed his support of the ideas presented in the introductory statement of Mr Klima (*Austria*). There had been very positive signals from the Pörschach informal summit. He hoped that a decisive step with regard to employment policies would be taken at the Vienna Summit. The leaders of the European Union had to use the same amount of energy on the fight against unemployment as they had spent on paving the way for the Single Currency. The EU could make a major contribution by establishing rules on equal opportunities for men and women, vocational training, fostering entrepreneurship and mobilising new capital. VAT had to be lowered in the Member States. Tax dumping had to be avoided as it could jeopardise a more social Europe. It was important to create an image of a Europe caring about the young and unemployed.

Mr Loukas APOSTOLIDIS (*Greece*) underlined that the European social model had to be maintained on a solid basis. All of Europe and all representatives of National Parliaments were requested to concentrate their efforts on that.

He put three questions to the Austrian Chancellor: Firstly, whether reduced working hours would be discussed in tackling unemployment, secondly, would there be a Community programme running in parallel to the national programmes and thirdly, if there was such an EU-wide programme, how could it be financed?

Mr Bartho PRONK (*European Parliament*) said that the importance of the chapter on employment included in the Amsterdam Treaty could hardly be underestimated but one should be aware of the fact that it was a compromise. The chapter respected the principle of subsidiarity, indicated objective criteria which allowed to compare the situations in the individual Member States but did not force any given measures on Member States as only overall targets were set. Some co-operation between the European Parliament and National Parliaments could be useful.

According to the report by the European Court of Auditors, 70 billion ECU (i.e. an amount corresponding to the total EU budget) had been lost in the Member States because taxes had not been

paid in 1992 and 1993. A plan from the Council was urgently required to recuperate money that would otherwise be lost.

Mr Manuel DOS SANTOS (*Portugal*) stressed the fact that many countries had already ratified the Amsterdam Treaty. The political will demonstrated by the EU and the European Council in the past would be decisive in tackling unemployment. In his opinion, competition policies needed to be strengthened. In this context it was also important to implement convergence policies in public administration as well as tax policies.

He requested more information on the re-launching of a major investment plan and how such a plan could be financed.

Mr Jürgen MEYER (*Germany*) thanked Mr Klima (*Austria*) for his statement on the deepening of relations among Member States. The Amsterdam Treaty had been approved in Germany. He considered it highly important that a substantial employment chapter had been included.

He asked three questions: Were recommendations for specific kinds of tax envisaged or rather a different concept? With a view to a social Union would there be recommendations providing for minimum standards or was there the idea of a corridor? Shouldn't the EU make it clear that it also wanted to be a community of values? A charter of basic human rights should be attached to the Treaties.

Mr Sören LEKBERG (*Sweden*) stated that the Swedish delegation warmly welcomed the fact that the employment chapter had been included in the Amsterdam Treaty and that the Member States started to show more interest in this area. He stressed that together the EU Member States could set a specific number of objectives. He expressed his satisfaction about the statement of Mr Klima (*Austria*) on new priorities of the European Council, e.g. employment. The Swedish delegation appreciated that development. Especially women and older workers had to become more employable. Women, i.e. 50% of all the population of Europe, should be able to exert greater influence. He hoped that the EU would be as progressive in the area of employment as it had been in the past when creating the single currency.

Mr Tadeusz MAZOWIECKI (*Poland*) explained that in the former Polish system unemployment had been unknown because of artificial overemployment. He thought that there was a connection between the public perception of enlargement and the fight against unemployment. It was unlikely that accession would be followed by huge waves of emigration. Certainly, Poles would prefer to stay in Poland and improve their standard of living. He asked the Chancellor if in his opinion the fears of

in the Member States were exaggerated and what was being done to change public opinion and this cliché.

Mr Francisco TORRES (*Portugal*) considered structural reforms necessary. He was pleased about the guidelines adopted at a European level, e.g. regarding equal opportunities, less bureaucracy. He supported the proposal by Mr Agov (*Bulgaria*) that some of the unemployed in the Union could be used in the present candidate states suffering from a lack of specialised workforce. What role did the tax issue play in employment policies? Did the Presidency consider it possible to promote high-quality jobs (e.g. in the environmental sector) and to re-balance the tax burden?

Mr Viktor KLIMA (*Austria*) said in reply to Mr Mazowiecki (*Poland*) that it had become clear in all Member States that accession was something necessary that could not be delayed and that should not be blocked. The EU had to prepare for accession with the appropriate institutional reforms under the heading of Agenda 2000. At the same time preparations were required within the individual Member States not just in technical terms, i.e. with the appropriate experts and developing infrastructure. Moreover, the pre-accession strategy had to include financial support of the applicant countries. The process would only be successful if the citizens of EU Member States recognised the need for that process. Steps had to be taken to mitigate citizens' fears. He explained the measures taken in Austria.

In general, standards of living in the accession countries should be brought in line with the levels in the EU. There was no intention to reduce the living standards of European Union citizens. Efforts should be made to ensure that accession would take place as quickly as possible. In certain sectors transitional periods had to be established on the basis of facts. He did not consider it useful to worry about exact accession dates. Transitional periods could always be reduced (as had been the case with Portugal).

The governments of the EU Member States had the task of convincing citizens that it was politically necessary for the enlargement process to take place without delay. Specific measures had to be taken to allay people's fears, which could include transitional periods to deal with the freedom of movement of workers.

Regarding the question of employment policy, he supported the statement by Mr Van den Akker (*Netherlands*) according to which Member States could learn a lot from one another by comparing national employment plans. A common currency could only be successful if there was a better co-ordinated economic policy. It was impossible to have a common currency and pretend that there were still 15 totally independent economic areas. Platforms for co-ordinating economic policy within the EU were required. A dialogue with the European Central Bank as well as a dialogue between



independent partners was crucial as well. A European value added implied a strategy of converging tax systems. The finance ministers had agreed on a code of conduct to ensure that tax havens were abolished and to find a common approach towards taxation of capital.

European infrastructure, telecommunications, energy and transport networks had to be improved. At the same time it was necessary to promote research and development. The EU had to increase its competitiveness in the field of information technology to avoid a situation in which Asia and the USA offered the products while Europe provided the consumers. A European value added also meant to adopt a common European approach in the foreign trade sector. A common foreign trade policy was needed to show the EU's strength vis-à-vis the other economic blocks without becoming fragmented into 15 different sets of national interests.

In the EU a proper social dialogue had to be ensured by working step by step towards harmonisation or convergence of social levels. As regards the co-ordination of tax systems, harmonisation had to focus on individual areas, e.g. capital gains tax, code of conduct, corporate taxes, greater transparency of accounting.

In reply to Mr Meyer's (*Germany*) question on human rights, Mr Klima stated that the EU was far from reaching consensus on the appropriate wording of a declaration on human rights to be laid down in a European constitution.

In conclusion he underlined that Europe was a society based on the values of democracy, human rights, rule of law, diversity and social balance. He was convinced that the support of people could only be ensured if the EU overcame the single-market and single-currency approach to develop a Europe based on employment and social fundamental values.

Mr Peter SCHIEDER (*Austria*) thanked the Chancellor for his explanations and his willingness to stay beyond the originally agreed time.

Mr Jos SCHEUER (*Luxembourg*) stated that the national employment plan was in line with the conclusions the Council drew from the Luxembourg Summit. The employment policy was based on two pillars, firstly, the annual adoption of guidelines and secondly, a yearly presentation of the action plan based on those guidelines. The plan was a joint effort by the government, trade unions and employers' associations. It could only be expected to be effective if it contained measures that were in line with economic and monetary recommendations and if it was based on co-ordination of employment strategies. In addition to national plans, a European-level employment plan was needed.

However, unemployment also had to be fought against at a regional level, including the accession countries.

Mr Vincenzo MUNGARI (*Italy*) stated that unemployment had to be fought both on a national and Community level. With respect to the national plans it was necessary to reconcile the requirements of the stability pact and the need for development and growth. Moreover, a system of penalty to stop giving unfair advantages to certain companies, particularly those employing minors, had to be introduced. An agreement involving the EU but also the WTO was needed to restrict or totally stop imports of goods produced by such companies. At Community level there was a need to define criteria for a system of financing initiatives aimed at improving the conditions of small and medium-sized enterprises, which played a major role in combating unemployment.

Mr Peter SCHIEDER (*Austria*) closed the debate on employment and invited Mr Michael Spindelegger, Deputy Chairman of the Committee of Foreign Affairs of the Austrian Nationalrat, to give his presentation on the status quo of ratification of the Amsterdam Treaty.

## TREATY OF AMSTERDAM

### STATUS QUO OF RATIFICATION BY THE INDIVIDUAL MEMBER STATES

Mr Michael SPINDELEGGGER (*Austria*) said that the Treaty of Amsterdam contained provisions which were of major importance for parliamentarians. Therefore it was in the interest of COSAC that the Treaty came into force soon. He recalled that it was important to look at the state of ratification in the individual Member States as the Treaty could come only into force after ratification by all Member States.

Denmark, Germany, Finland, the UK, Ireland, Italy, Luxembourg, Sweden and Austria had completed the ratification process.

In the remaining six Member States debates were not yet concluded. In Belgium approval on the regional level was still needed. Procedures were expected to be completed in early 1999. In France, the Constitutional Court had found that the Treaty of Amsterdam required an amendment to the French Constitution. The respective decision would probably be taken in early 1999. In Greece, the parliamentary procedure was completed but the ratification documents had not yet to be deposited. In the Netherlands the second parliamentary chamber had given its approval, while ratification by the first chamber was still pending. The process was expected to be finished in the beginning of 1999. In Portugal the ratification procedure was expected to be completed in early November 1998. The document would be deposited in the near future. In Spain the procedure was expected to be concluded by the end of 1998.

He called upon the countries in which ratification procedures were not yet concluded to provide some extra information. It was of vital importance for all Member States that the terms of the Treaty of Amsterdam entered into force by early summer 1999.

Mr Wim VAN EEKELEN (*Netherlands*) explained that the second chamber of Parliament, which had not yet ratified the Treaty, had adopted some motions which were interesting with regard to the possible future position of the Dutch government. Firstly, the open nature of Council meetings was considered essential. Secondly, it was observed that the Council had not yet started applying the *acquis* from Schengen to development into pillars. Thirdly, the proliferation of informal meetings was criticised. Fourthly, the lack of formal parliamentary control of compulsory expenditure was regretted; and finally it was noted that the necessary institutional adjustments were still lacking. He stated that a far more fundamental change in the way the EU worked and the procedures applying in the EU was required. Ratification would in any case take place by 1<sup>st</sup> January 1999.

Mr Paul HATRY (*Belgium*) said that in Belgium the Amsterdam Treaty had to be ratified by the two federal chambers and six regional and community assemblies. Two of the latter had completed their work in July 1998, two further ones were expected to do so by 30 November and 14 December 1998, respectively. One of the two Brussels region assemblies would not create any problems. Difficulties were expected in the so-called Joint Commission for Brussels Capital which could be settled by the date indicated by the rapporteur. The Belgian delegation would do its utmost to ensure speedy ratification.

Mr Maurice LIGOT (*France*) explained that ratification of the Treaty of Amsterdam was a complex process for political and institutional reasons. The Treaty of Amsterdam provided for partial communitarisation of the Third Pillar on co-operation in justice and internal affairs, such as free movement of persons, visas, asylum rights and immigration. Communitarisation implied a transfer of power from Member States to the Union. This was in conflict with the French Constitution, which in its present form did not allow for ratification of the Treaty. To ensure ratification, a constitutional review had to be adopted by a three fifth majority of the two Houses. That vote would be taken on 18<sup>th</sup> January 1999. After that the ratification process could be started, which was likely to be completed by February or March 1999.

Mr Pedro SOLBES MIRA (*Spain*) said that in Spain a simple majority was required for ratification. The different political groupings were all in favour of ratification. The letter of ratification would probably be tabled in January 1999.

Mr José MEDEIROS FERREIRA (*Portugal*) stated that ratification would be done in parliament and not by referendum. The calendar had to be adjusted because the motion for resolution had to be distributed to various committees. Opinions from most committees had been obtained, while the reports from the Economic Affairs Committee and the Legal Affairs Committee were not yet available. A favourable opinion had been submitted by the regional legislative assemblies from Madeira and Azores. The outcome of the vote in Parliament was self-evident, while the date was not certain. However, he expected parliamentary procedures on ratification to be concluded by January.

Mr Loukas APOSTOLIDIS (*Greece*) confirmed that the parliamentary procedure for ratification of the Amsterdam Treaty was not yet completed. The draft legislation was, however, ready. Most parties represented in Parliament were in favour of the Amsterdam Treaty. The Communist Party had some reservations, which would be explained by Mr Kantartzis (*Greece*). The ratification process could be completed by mid January 1999.

Mr Achileus KANTARTZIS (*Greece*) explained that the Greek Communist Party was against the Amsterdam Treaty as the sovereign rights of Greece and all smaller countries were reduced to the benefit of the larger countries.

Mr Peter SCHIEDER (*Austria*) asked Mr Spindelegger (*Austria*) to give a concluding statement.

Mr Michael SPINDELEGGGER (*Austria*) considered the replies of the concerned Member States very encouraging. Therefore, he expected the ratification process to be concluded by 1<sup>st</sup> May 1999.

Mr Peter SCHIEDER (*Austria*) *concluded the debate on the ratification of the Amsterdam Treaty and re-opened the discussion on enlargement.*

Mr Denis BADRE (*France*) underlined that European integration was a process of both deepening and widening. Subsidiarity was the key to this process. Subsidiarity could best be exercised by fully respecting national identity which was the source of Europe's wealth. Citizens should be given the right to speak out. At the same time, a more political Europe was needed. COSAC had to work alongside the European Parliament and the individual Member States to deal with the issues of subsidiarity, sovereignty and European citizenship.

Mrs Nicole FONTAINE (*European Parliament*) explained that it was not correct that the European Parliament would no longer support the PHARE programme. The European Parliament had approved 21 billion ECU for enlargement, i.e. 3 billion annually. Regarding the PHARE programme, the European Parliament had made a commitment to increase allocations by 20% compared to the amount spent in 1998. The Council had demanded a substantial cut in the PHARE democracy programme but the European Parliament had not agreed to that. The European Parliament was firmly committed to the objective of enlargement and would continue in this resolution together with COSAC.

Mr Loukas APOSTOLIDES (*Greece*) underlined that it was all the more important for the European Union to move beyond its own economic and political problems connected with enlargement and to speed up the procedure of incorporating the applicant countries into the European family. He asked whether those countries of the second wave where a great progress had been achieved should be included in the negotiation process and how this could be funded. He reiterated the fact that enlargement was closely connected with the institutional reform.

Mr Tassos PAPADOPOULOS (*Cyprus*) said that the applicant countries were looking forward to becoming full members of the EU. Regarding the question of accession dates, he considered speedy integration necessary. Cyprus had made great efforts to harmonise its legislation with the *acquis*

communautaire and should not be disappointed by delaying accession. The fact should be borne in mind that non-members did not obtain EU funds. Cyprus had not benefited from the PHARE programme as the per-capita income in Cyprus had been too high.

Mr Antonio RUBERTI (*Italy*) said that it was not adequate to address enlargement as an isolated problem as it was related to issues like Agenda 2000 or the institutional reform. Regarding the speed of the enlargement process, he suggested that negotiations be started simultaneously but accession take place on an individual basis as soon as the respective countries meet the requirements.

Mr Frantisek SEBEJ (*Slovakia*) expressed his gratitude to Austria but also to Hungary, Poland and the Czech Republic for the solidarity and support shown during the hard times his country had gone through. He stressed that this was a good example of how solidarity and support from the neighbourhood could actually influence internal politics.

Changes in Slovakia were not only important to qualify for EU membership but also because they meant an improved economic and political environment, i.e. a better country with a higher living standard.

Mr Edvins INKENS (*Latvia*) reported that in its resolution the European Parliament had proposed the so-called "regatta principle". The compromise adopted in Luxembourg had been intended to create a bridge between the two groups of applicant countries. Unfortunately the good intentions were not always backed by the necessary technical support and willingness.

He criticised that the Commission's progress report concluded that Latvia could not be considered a functioning market economy. This was in conflict with the findings of the International Monetary Fund, the World Bank and the World Trade Organisation, which had acknowledged that Latvia was in fact a country with a functioning market economy.

He had the impression that the Commission was continuously changing the economic criteria for opening accession negotiations in order to win time for decision-making concerning the enlargement process. The Commission was obviously not ready to start negotiations with a large number of countries. It should have stated clearly that there were two waves in the enlargement process and that there could not be any bridge between them. Therefore, he welcomed the resolution adopted by the Committee of Foreign Affairs, Security and Defence Policy of the European Parliament in which the Council and the Commission were called upon to ensure that accession negotiations were opened without further delay. In conclusion, he stated that Latvia was ready and willing to start EU accession negotiations in the first half of 1999.

Mrs Mariana STOICA (*Romania*) said that European integration was the most appropriate way to achieve stability and security on the continent. Romania sought full membership in the European Union as it saw this as a way to achieve these objectives. Romania could be considered a factor of stability in the region.

Romania believed that the Commission's assessment was very important for the further economic and social efforts made by the country. The document clearly indicated that Romania fulfilled the political criteria for accession as negotiated at the European Council meeting in Copenhagen. Regarding other criteria, comments had been made by the Commission that were far from encouraging. Therefore, Romania had to carry out an in-depth analysis of the document in order to take corrective steps. Romania was determined to speed up and intensify the process within the country to better prepare for accession to the European Union. The support from the EU institutions was crucial to the success of the efforts made by Romania.

Mr Andrius KUBILIUS (*Lithuania*) agreed totally with his Latvian colleague in respect of the Commission's progress report. The Commission's opinion recognised the Latvian and Lithuanian progress made but refused to give any recommendations to start formal negotiations. Lithuania was very disappointed with the Commission's conclusion.

Lithuania's biggest obstacle for joining the EU was its nuclear power station Ignalina. The only way in which Lithuania could solve that problem was to declare immediately that the nuclear power station would be closed in the near future. However, if it was closed before the year 2010 electricity prices would have to be increased by more than three times. Lithuania demanded that the decision on the future of the power station was to be made by experts of nuclear safety but not by politicians or bureaucrats alone. He expressed his wish to have a more constructive dialogue with the Commission.

Mr Pierre BEAUFAYS (*Belgium*) said that with regard to the process of accession changes in attitude could be noted in EU Member States and the applicant countries. The institutional reform was absolutely vital if the European vision was to comprise more than just economic aspects. He supported the opinion expressed by the Austrian Foreign Affairs Minister Mr Schüssel that targets should be set that were guided by a vision of Europe rather than putting forward dates which were sometimes simply a result of national political requirements.

Mr Tibor SZANYI (*Hungary*) said that enlargement was a joint answer to globalisation by EU Member States and the applicant countries. The institutional reform of the European Union should not become an excuse for delaying enlargement.

He pointed out that there was an interrelation between enlargement and employment issues. The threats posed by the free flow of workers were overemphasised. Experience in Hungary had shown that the unemployed were reluctant to move to other parts of the country to look for jobs. He underlined that the really competitive workforce in Europe had already moved from East to West or vice versa, irrespective of the enlargement debate.

Mrs Liia HÄNNI (*Estonia*) reported that in Estonia the progress report by the European Commission was considered to provide an objective assessment of achievements and problems in Estonia. The action plan of the Estonian government for the following year would certainly take into account the positive criticism contained in the Commission's report. It was in the best interest of Estonia that the three Baltic states became members of the EU as soon as possible.

Mr Achileas KANTARTZIS (*Greece*) recalled that one of the criteria of the European Union for the accession of new Member States was the observance of the rules of democracy. In Bulgaria the members of the former Communist Party were prohibited by law to work in the public sector. He considered this provision to be in conflict with the basic principles of human rights. In the Central and Eastern European countries, Communist Parties had been declared illegal. The Commission ignored this fact and tolerated certain anti-democratic measures applied in those countries as well as violations of human rights. The people of Europe should be made aware of the state of affairs and anti-democratic measures should not be accepted.

Mr Alojz PETERLE (*Slovenia*) explained that in some countries enlargement was becoming a more and more unpopular issue. Therefore it was very important to keep the vision of European integration and the enlargement process alive.

Lord GRENFELL (*United Kingdom*) stated that the United Kingdom Parliament had long been a strong supporter of enlargement and hoped that the rapid progress and negotiations with six applicants would be continued. The debate on Agenda 2000 had to be concluded by the end of 1999 so that at that point there would be a coherent and appropriate budget.

Mr Peter SCHIEDER (*Austria*) thanked the delegates for their co-operation and discipline.

Mr Peter SCHIEDER (*Austria*) closed the afternoon sitting.



**TUESDAY, 24<sup>th</sup> NOVEMBER 1998**

Mr Peter SCHIEDER (*Austria*) welcomed Mr Heinz Fischer, the President of the Austrian Nationalrat and then gave him the floor to greet COSAC.

Mr Heinz FISCHER (*Austria*) stated that COSAC would assume a new role following the ratification of the Amsterdam Treaty, since it would facilitate the National Parliaments in exercising their control powers. This, in turn, would give new impetus to the democratic legitimisation of the European construction. In light of the enlargement of the European Union the National Parliaments had great responsibility in mobilising the population for European matters. Moreover, the representativity of the individual Euro-parliamentarians would also be enhanced, since the European Parliament had agreed that there would be a maximum number of 70 members.

He also said that he was glad that representatives of the applicant countries were once again taking part in the COSAC meeting. He expressed his view that the enlargement of the Union was indispensable for both sides and would prove advantageous for the future. It was also favourable, in his view, that the XIXth COSAC was taking up the message from the Pörschach Summit and was also dealing with issues such as employment, institutional reform and transparency.

Mr Fischer said that he saw the National Parliaments and their international forms of co-operation as an important link between the goals of the Union and their citizens. He hoped that all of these activities would help Europe move ahead. The significant role of the COSAC should not be disputed. In closing, he wished the participants a successful meeting.

Mr Peter SCHIEDER (*Austria*) thanked Mr Fischer for his words as well as for supporting the Austrian Nationalrat in carrying out the COSAC meeting and for the splendid reception that had been given the previous evening.

## POSSIBLE IMPROVEMENTS IN THE INTERACTION BETWEEN THE EUROPEAN PARLIAMENT AND NATIONAL PARLIAMENTS

Mr Peter SCHIEDER (*Austria*) welcomed Nicole Fontaine, Vice-President of the European Parliament, and asked her to make an introductory statement on the above theme.

Mrs Nicole FONTAINE (*European Parliament*) stated that the co-operation between the European Parliament and the National Parliaments had made headway. Joint synergies had made decision-making of the Union more transparent and it seemed to be accepted that the democratic strengthening of the Union was also based on a strengthening of the European Parliament and of the National Parliaments. Co-operation had assumed a number of concrete forms.

Conferences with committees of other National Parliaments were, in her view, a positive initiative. However, they should also deal with more concrete issues in relation to the given programme of a legislative period and be co-ordinated in a better way. Other conference structures could be employed more effectively. The Conference of the Chairmen of the Foreign Policy Committees met bi-annually and participants also included some applicant countries. Thus, it was possible to follow the development of the Common Foreign and Security Policy from close up. In connection with the introduction of the Euro, the Economic and Monetary Affairs Committee of the European Parliament had suggested bi-annual meetings where the national parliamentary committees could exchange ideas with the European Parliament on economic co-ordination and monetary policy in the Euro zone.

A particularly sensitive issue was the enforcement of the protocol on chapter 2, points 5 and 6 of the Treaty of Amsterdam, since this area had not yet been communitarised and the co-operation of the parliaments was especially significant here. Furthermore, the Informal Conference of the Parliamentary Presidents of the Union would address institutional reform and better programming of parliamentary work in December. She added that National Parliaments should be included from the very beginning in the institutional reform. The European Parliament had already submitted a proposal for modifying the treaties to the Commission. The entry into force of the Amsterdam Treaty had resulted in a greater co-decision of the National Parliaments and had strengthened the role of the European Parliament by enforcing the protocol.

Mr Peter SCHIEDER (*Austria*) thanked Fontaine and opened the debate.

Mr Antonio RUBERTI (*Italy*) mentioned the Mediterranean Forum as an important joint initiative of the European Parliament and the National Parliaments. The COSAC should, in his view, also reflect on the role of the specialised committees in the National Parliaments. This ultimately had to do with the relationships between the European Parliament and the National Parliaments and the issue of the

balance of the competencies between European Parliament and national governments, that is, between subsidiarity and proportionality.

The Amsterdam Treaty conceded the COSAC a special role with regard to subsidiarity. In view of the constantly changing competencies of the Union in the course of European construction, Ruberti suggested a yearly monitoring in the legislative realm. The COSAC should exchange information on legislative developments in the individual countries and in the Union both at the beginning and at the end of the year. Subsidiarity was to be the basis for the relationship between the European Parliament and the National Parliaments, and it would be crucial to ensure a balance between central and national initiatives.

Mr Francisco TORRES (*Portugal*) referred to an initiative of the Portuguese parliament on the Auto-Oil Programme as one instance of co-operation between the European Parliament and the National Parliaments. The European Commission of the Portuguese parliament had passed a motion in which it backed the position of the European Parliament. The recommendation of the Portuguese parliament was passed after a hearing in the European Parliament. Such an active co-decision role could strengthen National Parliaments.

Referring to the meetings of the European Parliament and the National Parliaments on monetary issues, he mentioned a meeting between national parliamentarians and European parliamentarians on 3<sup>rd</sup> November where co-operation with the European Central Bank was one of the issues discussed. This bank was also subject to a certain accountability and was supposed to show transparency. National Parliaments and the European Parliament would have to back monetary policy.

Mr Kimmo SASI (*Finland*) excused his absent colleague Tuomioja (*Finland*). He then stated that the growing co-operation of the National Parliaments was positive, but that it was often difficult to find participants for these conferences and that they usually had a right to speak on behalf of their parliament. It was also difficult to find participants for all meetings. Often they did not receive any instructions and could only represent their own position. This problem should be dealt with at the next COSAC meeting.

He also pointed out that there were two English versions of the COSAC's rules of procedure (one of the European Parliament and the other from the British Lower House) with differences in substance and terminology. A constructive discussion on changes of the rules of procedure would require a resolution on a uniform English version. He suggested that the three parliaments represented in the COSAC with English as working language – European Parliament, Ireland and United Kingdom – prepare a standard English-language version.

Mr Peter SCHIEDER (*Austria*) welcomed Mr Heinrich Neisser, the second President of the Austrian Nationalrat, and gave the floor to the next speaker.

Mr Pierre BEAUFAYS (*Belgium*) underscored the significance of international co-operation to guarantee that Europe was better rooted in democratic parliamentary traditions. However, there was also the risk of confusing institutions and of an anarchic development of various forms of parliamentary co-operation. Often the links with the executive were not close enough and there was a lack of control. This in turn resulted in lacking consistency in political decisions.

In his view, the specialised committees of the National Parliaments and of the European Parliament should continue to organise joint meetings. The COSAC could deal with the methodological and strategic aspects of parliamentary work and thus develop an early warning system for National Parliaments. It could also take stock of the "best practices" of National Parliaments for influencing decision making at a supra-national level, thereby supporting the National Parliaments in exercising their competencies as defined in the protocol. The National Parliaments should have quick access to all interesting documents via the COSAC homepage.

Referring to the remarks made by Sasi (*Finland*), Mr Denis BADRE (*France*) declared that France would not accept the COSAC rules of procedure being available in only one language. Moreover, it would be necessary to foster a real awareness of Union citizenship. To this end, all forms of bilateral relations should be used within the Union, and national parliamentarians should be able to exchange ideas to a greater extent. The COSAC played an important role as a motor of that development, and here informal talks were equally important. In France, an article in the constitution on the competencies of the parliamentary delegations in the Union was being consolidated. This would enable the French Parliament to contribute to the construction of Europe in the best way.

Mr Michiel PATIJN (*Netherlands*) observed that the co-operation between the European Parliament and the National Parliaments was a sensitive issue because of their different competencies. Along with Sasi (*Finland*), he believed that the delegates of National Parliaments often had no mandate at international conferences to make their parliaments accountable. Thus informal contacts were, in his view, essential.

These should primarily serve to pass on information from the European Parliament to the National Parliaments, since the latter often only learned about things through their own governments. Thus constant, informal contacts between the specialised committees of the European Parliament and the National Parliaments were very useful. In this connection he also mentioned the European Union liaison offices in several capitals where there was still room for improvement.

According to Patijn, National Parliaments and the European Parliament had many common interests such as the quality of democratic control, the reduction of the democracy deficit, and the transparency of European institutions. Horizontal discussions should be conducted on these issues. He also suggested that the COSAC gave more attention to issues related to Europe's democratic quality, transparency, and subsidiarity in the future.

Mr Friedbert PFLÜGER (*Germany*) reported that the German Parliament regarded the COSAC as a forum for intense exchange of ideas and information between the individual delegations, the European Parliament, and most recently, also with the accession candidates. This practice was also to be continued in Berlin. COSAC had meanwhile become a recognised player in the European arena, but it could not develop any binding activity which he did not regard as desirable. The expansion of the democratic legitimisation of the Union would have to take place through a strengthening of the European Parliament and not by establishing a sort of second chamber. COSAC was not suitable, since most delegates could not adequately represent their parliaments. He pointed to Article 23 of the German Constitution which defined the role of the Bundestag and the extent to which it could influence in the European process on a national level. Regarding the reform of the rules of procedure Pflüger argued that this should not be overburdened. Special meetings should be possible but these should be limited to particularly important situations.

Mr Pedro SOLBES (*Spain*) suggested to separate the relations between National Parliaments and the European Union from that of COSAC. Co-operation between European Parliament and the National Parliaments was becoming ever more intense. As an example, he cited the Committee for Monetary Policy where national delegates were also represented and where there was a clearly defined national responsibility in the realm of monetary policy. The structure of relations between European Parliament and the National Parliaments did not offer a concrete framework for action. The sporadic co-operation in the specialised committees was almost always based on initiatives of the European Parliament. The presidents of the National Parliaments also met often. The question was whether this should be the forum for this sort of co-operation or whether this role should be assumed by COSAC.

He went on to say that the COSAC was a forum for an exchange of information. However, one had to look beyond this. Referring to the subsidiarity principle addressed by Ruberti (*Italy*), Solbes argued that this could be a positive element but that other aspects should be considered as well. The programme of the Commission could be examined by the COSAC but also by the National Parliaments. Yet in the case of COSAC, specialised committees were necessary, and not the plenary. Moreover, subsidiarity was associated with different things and for this reason, it was difficult to analyse the Commission's programme, if there were not even minimum ground rules. He also asked what would happen after such an analysis, if COSAC, for instance, believed that National Parliaments were responsible for a certain issue and not the European Parliament. Thus, one should reflect on

certain principles for the future and COSAC should deal exclusively with this issue or ask a working group to do so.

Mr Loukas APOSTOLIDIS (*Greece*) addressed the trend towards upgraded parliamentary relations in recent years. In his view it was a common goal to clearly define competencies of the parliamentary bodies in relation to the executive. In the co-operation between the European Parliament and the National Parliaments, the principle of subsidiarity between these groups was important to reduce the deficit of democracy. It was important to foster a European spirit and a European identity.

The National Parliaments were the legitimisation of the European Union which had also followed from the protocol to the Amsterdam Treaty where there was reference to upgrading the European Parliament and the National Parliaments. National Parliaments represented an important control mechanism with regard to the application of European legislation on a national level. Particularly important was the possibility of developing specific positions in the various parliamentary bodies and the European Parliament. In the Institutional Committee, for instance, the future of Europe, the results of the Pörschach Summit and the principles of subsidiarity had been discussed. The enforcement of the protocol to the Amsterdam Treaty would promote co-operation. With respect to the meetings of the presidents of the National Parliaments he noted a trend towards institutionalisation.

Mr Peter SCHIEDER (*Austria*) closed the debate and asked Fontaine to make a final statement.

Mrs Nicole FONTAINE (*European Parliament*) underscored subsidiarity as a particularly important area of the protocol. On the role of COSAC, she stated that there had already been unanimity on this in the past to the effect that COSAC was not a forum for binding decisions but one for an exchange of ideas and for forming ideas. Referring to Sasi's (*Finland*) comments, she sought to eliminate misunderstandings by stating that there was no rule on one official COSAC language.

Mr Peter SCHIEDER (*Austria*) thanked Fontaine and the participants who contributed to the debate.

## INSTITUTIONAL REFORM WITH SPECIAL REGARD TO TRANSPARENCY AND A UNION CLOSER TO ITS CITIZENS

Mr Peter SCHIEDER (*Austria*) welcomed Marcelino Oreja Aguirre, member of the European Commission, and asked him to begin his talk on the above theme.

Mr Marcelino OREJA AGUIRRE (*European Commission*) stated that the relations between the European Parliament and the National Parliaments had not changed radically in recent years. While there had been co-operation in the form of regular meetings of parliament presidents since 1963, this had long been accompanied by mistrust and fear of loss of competencies. Today parliaments seemed resolved to proceed in a synergetic way so as to be able to exercise full democratic control. He referred to the recent agreement between the European Affairs Committees, the European Parliament and the National Parliaments on this subject.

The Amsterdam Treaty underscored the idea of co-operation but also the specific institutional roles and the transparency of responsibilities. In the protocol on National Parliaments the co-operation between the parliaments and the necessity of their participation in activities was emphasised as well as their right to receive complete information on Community initiatives. The Amsterdam Treaty also conceded special functions to National Parliaments and the European Parliament on issues such as freedom of movement, migration and internal security. These areas were particularly sensitive ones and thus total parliamentary control was required.

For Oreja the European Union could not be constructed without the decisive function of elected representatives. It was also essential to achieve more democracy with regard to procedure as well. Parliaments could not just be seen as places of debate, and the negotiations between the governments could not be the only source of decisions. The existing deficit in democracy was no longer acceptable. Transparent methods had to enable citizens to be included in the debate. Parliamentarians also had to be endowed with the necessary instruments to be able to fulfil their function to the greatest possible extent. To this end the Commission had installed its own Internet server which was offering detailed information to interested persons and organisations as well as to various institutions and also contained the important documents of the European Union on legislation, court rulings, etc.

Oreja went on to state that it was necessary to improve the direct debate between the Commission and the parliamentary bodies. The relations to the committees of the parliamentary co-operation and to the National Parliaments had to be defined. The Treaty also mentioned the issue of transparency to take into account the questions of citizens and to provide them access to documents. The parliaments should also have this access so as to be able to closely observe the entire process even after the six-week period set down in the treaty had elapsed. National and European parliamentary work would

also have to create new lines of orientation for European structure so as to sensitise the citizens to European issues.

Basic rights were also an important issue. The social model of Europe as well as the common values of peace, freedom and stability formed the basis of European co-operation and existence. In this sense, the contribution of the Union to the International World Tribunal on war crimes and the environmental conferences in Kyoto and Buenos Aires deserved mention. Oreja thus suggested establishing a constitutional pact in which principles and values of the Union would be enshrined.

The European Council was the necessary forum for opening up new perspectives for the Union. At present the most urgent problem was institutional reform and the consolidation of the institutional balance. This had to do with the constitution of the Commission and with the weighting of votes in the Council of Ministers. The rule of unanimity should be reduced as much as possible, since already now it did not function and could not function at all in an enlarged Union. The expansion of democracy required above all that co-decision become generalised.

In closing, Oreja mentioned the modes in which the executive functioned. European Council, Commission, the person who in future will be responsible for the Common Foreign and Security Policy, the head of the Europol and of the Central Bank were to have government functions at a European level. The question was whether this structure might not be too complicated. Here further considerations were necessary.

Mr Peter SCHIEDER (*Austria*) thanked Oreja and opened the debate.

Mr. Richard CORBETT (*European Parliament*) referred to a resolution of the European Parliament of October 22, 1998 and mentioned several specific points. In future priority was to be given to extending qualified majority decisions to all legislative acts. It was positive that Commissioner Oreja shared the view that the unanimity condition could not be maintained in an expanded Union. To prevent the European Councils from being blocked by a single country qualified majority decisions were necessary in the future.

The role of the National Parliaments had to be expanded. The protocol conceded them six weeks for dialogues with the ministers prior to Council decisions. The co-decision of the European Parliament had also been extended to all legislative areas. Thus the ministers were subject, both on national and on European level, to parliamentary control. One hoped that the next reform would extend co-decision to all areas in which the Council passed legislation so that the latter itself would be an object of co-decision. On subsidiarity, Corbett argued that all institutions would have to apply it according to the protocol. Sometimes, however, it would be applied for efforts to renaturalise the EU since the latter was allegedly becoming too centralised. This danger was often described in exaggerated terms.



Mr Maurice LIGOT (*France*) addressed the clarity of acts vis-à-vis the National Parliaments as well as the efficiency of the European action. He referred to a constitutional reform that was being discussed in France which would allow both chambers to deal directly with the information reports of the Commission and to examine the legal drafts of the Commission. In this way National Parliaments would be able to create a direct link between European policy and citizens.

There had already been enough procrastination with regard to the institutional reform. It would have to be dealt with quickly, since the deadlines cited in Protocol 11 were maximum deadlines. The reform would also have to be effected as soon as possible in light of new applicant countries, so as to create more solid structures. Furthermore, quick reforms were necessary in the area of common foreign and security policy and the co-operation of police forces. He then pointed to Declaration 57 of Belgium, France and Italy on the three major problems of institutional reform: constitution of the Commission, weighting of votes and expansion of the qualified majority decision. By contrast, the resolution of the European Parliament of October 22 had only highlighted the issue of majority decision. Reform, however, was too complex an area in which all aspects had to be taken into consideration.

Mr Carlos ENCARNACAO (*Portugal*) argued that the legitimacy of the European Union was also based on the knowledge of the citizens. In this connection he criticised the overly complicated wording of the treaties and cited a demand made by the President of the European Parliament, Gil-Robles, to the effect that the treaties should be written in a language accessible for every European. Transparency would, however, also require straightforward decision-making processes and a good link to the citizens. The role of the ombudsmen in the individual countries would have to be strengthened, for they ensured transparency, and institutions and national governments would have to be asked to follow the demands of the ombudsmen and of the National Parliaments.

Mr Charles Ferdinand NOTHOMB (*Belgium*) stated that today the European Parliament and the National Parliaments were allies who wanted to exercise European control together. In future co-ordinated acts, as already practised in employment policy, would become ever more important. This was to affect areas such as freedom of movement and co-operation of police forces as well as national budgets where the consequence of the introduction of the euro would be a partial transfer of budget competencies at a European level. In the area of Common Agricultural Policy, some countries were aiming at renationalisation. Co-ordination and convergence as well as complete parliamentary control were priority tasks here.

Concluding, he argued that if the COSAC wanted greater transparency, it would have to function as a forum for exchange of information and views between the parliaments. It would not be enough to convene twice a year, for which reason one might want to consider establishing a secretariat.

Mr Archileas KANTARTZIS (*Greece*) stated that he was only expressing the position of the Greek Communist Party. In his view the main issue was relations to the citizens. In this connection he criticised the shortcomings of the European social system which were manifested by high unemployment, poverty and social marginalisation. The Union was moving towards medieval conditions. Thus in Greece there was no popular referendum on joining Maastricht and on the Monetary Union. He also underscored the importance of democracy and transparency and criticised the Schengen Agreement and Europol as limiting human rights and basic democratic freedoms. There was, in his view, also a lack of democracy in the politics of the European Union. Concluding, he also opposed the elimination of the veto and of unanimity, since there were the only means which could be used by smaller countries to enforce their interests.

Mrs Elisabeth ARNOLD (*Denmark*) declared in connection with the six-week deadline that was being conceded to National Parliaments to deal with proposals for new legislation that she would welcome the new proposals being accessible over the announced Internet server of the Commission. In this case, the material would be available not just to the parliaments but also to anyone interested. Since, according to Oreja, the national constitutions were also to be respected, she feared that individual countries would block the publication of drafts for constitution-technical reasons, and asked for a concrete statement on this.

Furthermore she underlined that Denmark agreed with the written contributions submitted by Germany and Sweden stating that COSAC could not become a new competent organ with special decision competencies. However, it was indispensable as a forum for the exchange of information and for establishing contacts. For the next COSAC meeting Arnold asked that there be a description of the new control organ of the British Lower House, since this was of interest to Denmark.

Mr José MEIDEIROS FERREIRA (*Portugal*) stated that the accession of Spain and Portugal had initiated a new epoch in the history of the Community. Now new countries seeking accession were waiting to join and their wishes had to be taken into account.

Referring to the area of executive one often spoke of transparency, but hardly in the legislative area. The Commission was preparing legal texts and one should also have access to these at this stage. It had been suggested that the material on Commission proposals be passed on directly to the National Parliaments. This was also set down in the Protocol on the relations between National Parliaments and the Commission's legislative activities. However, the legal initiatives of the Commission should also be presented to national governments and the National Parliaments at the same time. In this way, the National Parliaments would be able to make full use of the six-week period and respond better on the initiatives. The availability of texts via Internet would also simplify parliamentary work.

In the legislative work of the Council of Ministers, there was also not a lack of transparency due to the fact that deliberations were not open to the public. In accepting guidelines in the Council of Ministers, one often could not recognise any clear legislative responsibility of the ministers. The Council of Ministers would thus have to take ample time for ensuring continuity.

Mr Jerzy JASKIERNIA (*Poland*) declared that transparency, a union close to its citizens and the control function of the parliaments was also an important issue for the parliamentarians of the applicant countries, since they would have to reflect their own role and bring the European Union closer to their citizens. The Joint Parliamentary Committees of the applicant countries and the EU provided the parliamentarians of the accession candidates contact with European delegates and the possibility to discuss issues with the Commissioners.

Furthermore he welcomed the proposal made by Pflüger (*Germany*) that in the following COSAC meetings also representatives of the association and applicant countries should be able to take the floor, and this not just on issues related to accession. The COSAC was an important forum for these countries. A stronger COSAC and more information was good and significant for all accession candidates.

Mr Peter SCHIEDER (*Austria*) ended the debate and asked Oreja to make his final statement.

Mr Marcelino OREJA AGUIRRE (*European Commission*) stated that the Commission had committed itself to transparency and co-operation with the European Parliament and the National Parliaments. On the reform process he said that some of the provisions of the Amsterdam Treaty had come into full effect before it entered into force. Others would have to be given greater attention in the discussion. He also asked when the next government conference was scheduled to take place, adding that it would have to be held before the year 2000 so that other questions could be addressed before the final phase of expansion. In this connection Oreja mentioned the so-called *accises* which were an important aspect in the restructuring of the organs. The issue of employment should not be neglected. Here the EU-treaty would enable significant new steps forward.

Referring to Ferreira's (*Portugal*) remarks he noted that in Community legislation and initiative law of the Commission the texts would have to be submitted to the governments and then to the National Parliaments. In non-Community law issues the Commission could take decisions on its own on what information it would submit in regard to the documents elaborated.

Responding to Arnold's (*Denmark*) question, he stated that with his remark on the constitutional aspects in the member countries he had meant the possible presence of a Commission member in the National Parliaments. Such a possibility would be set down by the individual constitutions and rules

of procedure. Furthermore, Oreja welcomed Jaskiernia's (*Poland*) statement on the continuation of the dialogue for which COSAC was a suitable forum.

Mr Peter SCHIEDER (*Austria*) thanked Oreja for his talk and his willingness to participate in the discussion.

*The meeting was adjourned for a coffee break until quarter to twelve.*

## **FUTURE WORKING PROCEDURE OF THE COSAC IN LIGHT OF THE AMSTERDAM TREATY**

Mr Michael SPINDELEGGER (*Austria*), chairman of this session, asked Peter Schieder, chairman of the Foreign Policy Committee of the Austrian Nationalrat, to make an introductory statement.

Mr Peter SCHIEDER (*Austria*) noted that it was the task of this COSAC conference to collect proposals and to present them in a sort of first reading. The COSAC wanted to avoid a conflict situation with both the National Parliaments and the European Parliament. More rights for the European Parliament would also mean an advantage for the National Parliaments and more rights for National Parliaments to control their representatives in the Council would also be an advantage for the European Parliament. One would have to bring the parliamentary rights that were not yet particularly pronounced in the EU on a modern level that reflected new demands. The issue of a second chamber which no one really wanted but which was suggested again and again, would have to finally be decided on.

Schieder referred to the upcoming conference of parliament presidents in Vienna at which a paper would suggest giving this conference more rights and COSAC less. He asked everyone present to try to exert influence on their own parliament's president so that COSAC would not be reduced to the status that it still had a couple years before.

Turning to the protocol, he argued that it was still not clear whether COSAC would have a mediatory role between the National Parliaments according to points 1-3, since it was not mentioned there. In points 4-7 it had extensive, but non-binding right to take initiatives in making proposals. There it had also been clearly stated that there should be no binding of the National Parliaments. It was also the general wish of the COSAC that it should not be excessively institutionalised. This, however, was in part contradicted by points 5 and 6, where a certain binding nature was expressed with regard to the fulfilment of tasks.

Schieder thanked all the delegates for proposals and other ideas:

Finland had submitted a proposal on setting the date, distributing documents and supporting services.

France had addressed the issue of contributions, resolutions and constructive abstention.

Italy had expressed its view on point 13, changing statutes and evaluating the annual programmes.

Belgium had drawn up its own document which was presented at the Italy conference.

Luxembourg had noted that it was mainly dealing with the proposals made by Ireland and Italy.

Ireland had drawn to attention once again to a proposal made by England that had not been backed by anyone at the last meeting.

Germany had dealt with the issue of how binding COSAC had to be and should be, and noted that non-binding participation of parliamentarians and limited co-decision right had also given rise to a sense of frustration.

Schieder divided the proposals collected into three groups: 1 – Substantive points, 2 – Statutes, 3 – Working method.

- 1.1 It had to be ascertained how points 4-6 could be taken.
- 1.2 The relationship with the Council and Commission had to be defined and clarified whether there should be the obligation, for instance, to be present at each meeting and how their programmes were to be evaluated.
- 1.3 The relationship with the European Parliament and the Conference of Presidents of Parliament was to be clarified so as to avoid friction.
- 1.4 It had to be clarified whether there were to be further bodies, alongside COSAC and the Conference of Foreign Policy Committees. Some countries advocated separating security and defence policy from the Foreign Policy Committees and organising a further Conference of Defence Committees. Schieder warned against proceeding in such a way.
- 2.1 Referring to the Irish proposal, Schieder stated that it would probably be rejected but that it was important for the whole package. He thus asked Ireland to agree that there the proposal was not to be voted on, since if it were rejected it would be definitively gone.
- 2.2 On the question of quorums in the COSAC, there was the proposal of constructive abstention so as to get away from unanimity. There was also the private suggestion of the head of the Finnish delegation whether the European Parliament should continue to have a veto. Since it was a private proposal, he argued that it was not to be dealt with further here.
- 2.3 The issue of speaker at COSAC meetings had to be clarified.
- 3.1 Schieder suggested considering making COSAC meetings open to the public.
- 3.2 Criticism had been directed to the Italian delegation, which had shortly before convened a COSAC seminar in Rome without consultation with the Troika. It had to be determined whether anyone had the right to organise COSAC events without prior consultation.
- 3.3 Regarding the question of Internet, it had to be clarified how COSAC would present things.
- 3.4 It had to be clarified whether there always had to be resolutions and whether there could also be papers.
- 3.5 On the question of language Schieder stated that according to the statutes documents always had to be in English *or* French. However, this should perhaps be changed to English *and* French, so that documents would be available in both languages. Furthermore the question as to a uniform English version of the statute had to be clarified by including the English-speaking parliaments. Germany's wish to add German to English and French was understandable in view of the number of German speakers in the Union.

Schieder suggested that the discussion on these issues be seen as a sort of first reading. All delegations were to comment on these points so that a complete package could be created under the German or Finnish Presidency, which COSAC could then adapt to future requirements.

Mr Michael SPINDELEGGER (*Austria*) thanked Schieder for his contribution and opened the debate.

Mr Antonio RUBERTI (*Italy*) asked why the reservations against the COSAC seminar in Rome had not been expressed earlier. It had only been an informal meeting. There was a political right to initiative of the individual specialised committees – why should this not also apply to COSAC? COSAC was making too little use of the option of dialogue with the specialised committees of the European Parliament, with which it had common interests not just limited to specific sectors such as subsidiarity. The agenda was often too general and there was hardly any exchange of views. He suggested that each year a concrete subject that tied in with the Union's legislative programme be discussed together with the European Parliament, the Council and the Commission and the National Parliaments which could define their legislative programme in terms of that of the Union. The COSAC rules would have to leave room for initiatives.

Mr Ignasi GUARDANS (*Spain*) noted that there was unanimity that COSAC was a useful instrument for exchanging ideas, in particular between the National Parliaments. The Amsterdam Treaty gave COSAC additional weight, e.g., in controlling transparency and subsidiarity. After the treaty would enter into force, fundamental rights would gradually be transferred to Community level. This, in turn, would give the EU a new dimension and bring the individual citizen closer to the decision-making processes. In the present transitional phase fundamental rights were, however, not being dealt with either on a national level nor at the European Parliament. Here a more intensive co-operation between the parliaments was called for, and the forum for this was COSAC. Thus he backed Solbes' (*Spain*) suggestion that there be COSAC-working groups on specific themes. A separate meeting should deal with this issue. Specific specialised COSAC meetings would be useful for the exchange of experience and information on individual subjects.

Guardans also endorsed extending co-decision in the European Parliament. National parliaments should receive copies of the amendments proposed by the European Parliament so that they would be able to comment on them.

Mr Renzo IMBENI (*European Parliament*) argued that the protocol of the Amsterdam Treaty assigned a new role to COSAC vis-à-vis the national governments, the EU institutions and the various legislative acts. Once the treaty was ratified COSAC would have to concentrate more on legislative issues. The main instrument by means of which they could follow the legislative process in the Union was the Commission's annual legislative programme. COSAC would be able to check this in the

second meeting of the year. At this point the legislative programme for the following year would have to be available and COSAC would then be able exchange ideas in an in-depth way. It would be able to make its own contribution to the Union's legislative programme. It could also perceive a control function over the legislative programme and keep tabs on its realisation. Legislative issues should thus always be on the COSAC's rules of procedure.

The provisions of the protocol had also an effect on the COSAC rules. The European Parliament proposed a working group consisting of Troika and European Parliament which could prepare a change in the agenda once the Amsterdam Treaty had entered into force. Finally Imbeni argued that personal proposals should remain private. They did not have to be dealt with. However, as soon as they would become official, they should of course be discussed.

Mr Sören LEKBERG (*Sweden*) declared that the letter submitted by Sweden underscored that the points of the protocol on the COSAC's new tasks had actually contributed to defining the present role of COSAC and that COSAC could not bind the National Parliaments. According to the Swedish Constitution binding decisions could only be taken in the plenary.

Even though the European Parliament would not receive more influence through the ratification of the Amsterdam Treaty, the problem of lacking legitimacy as a consequence of low participation in the European elections. In extending legitimacy the National Parliaments would play an important role. Lekberg argued that his parliament could control the government's work in the Council of Ministers very well. To increase the influence of National Parliaments one should consider a direct right of initiative for them. While the six-week term period between proposing a piece of legislation and taking a decision represented progress, there was not much time between the meetings of the COREPER and the Council of Ministers. This period should be prolonged to enable continued work.

Mr Bernard DURKAN (*Ireland*) said that COSAC served as a bridge between the National Parliaments and the European institutions. Improvements would be necessary for it to develop its role further. Since COSAC plenary sessions took place only bi-annually, its potential to have an impact was limited. If, however, (formal or informal) meetings were to take place, this would increase the efficiency and recognition of COSAC and lead to greater transparency and subsidiarity. Referring to the criticism directed to Italy in connection with the informal COSAC seminar in Rome, he noted that there should be other meetings in addition to the COSAC plenary sessions. Alone the fact that this meeting had actually taken place clearly showed that discussions (be they formal or informal) were also necessary between the ordinary, regular COSAC meetings.

In reference to the second chamber he expressed his fear that it could become an institutionalised version of National Parliament. He also stated that the Europe Committee of the Irish Parliament had



entrusted a consultant with tracking European legislation. His information also provided the basis for reports to the parliament.

Mr Jimmy HOOD (*United Kingdom*) stated that the COSAC was an important part of the Union and should remain an forum for consultation and exchange of views and that it could only draw strength from consensus. At the COSAC conference in the United Kingdom his country had suggested that COSAC should also organise a special meeting on specific issues. This, however, did not happen. Since May there had been three informal meetings. Such an exchange of information was necessary, and he invited all colleagues to participate. One had to take make sure that all activities conformed with the COSAC rules of procedure. The rules had to be examined and, if necessary, changed so as to give COSAC greater legitimacy and influence. At the same time, the basic of idea of COSAC, namely, that consensus should remain the driving force, was not to be forgotten.

Mr Jürgen MEYER (*Germany*) stated that his delegation agreed with Schieder's remarks. The COSAC could not pass any resolutions since the ratification of the Amsterdam Treaty had not yet been completed everywhere. Regarding the question of the second chamber he said that this could weaken the role of the European Parliament. While it could also serve as a way to strengthen the influence of National Parliaments on their governments, his delegation believed that each parliament must seek to achieve this on its own. The German Constitution bound the government must to the recommendations of the parliament when expressing its view on a matter before the Council. This direct approach had to be followed to avoid weakening the European Parliament.

Meyer went on to say that the German delegation backed the Finnish proposal that COSAC could request that its initiatives be co-ordinated by the Troika. On the question of specialised meetings, there should also be the possibilities offered by the European Parliament to prepare and use its apparatus should also be taken more into account. The German delegation explicitly backed the declaration of solidarity with Italy, which rebutted the excessive Turkish criticism of Italy. In closing Meyer invited all participants to the next COSAC conference scheduled to take place at the Berlin Reichstag on May 31 and June 1, 1999.

Mr Kimmo SASSI (*Finland*) remarked that it was frustrating to have to always deal with the role of COSAC at every conference. His delegation thus supported Schieder's proposal which defined all open questions very well. Responding to the criticism of his remarks on the meeting in Rome he added that he had had all unofficial meetings in mind. There could indeed be informal meetings but these specialised committees would assume the role of COSAC and that would be detrimental. Here one had to find positive forms of organisation.

Mr José MEDEIROS FERREIRA (*Portugal*) supported Imbeni's (*European Parliament*) proposal that a working group be created once the Amsterdam Treaty had been ratified to amend COSAC's rules of

procedures. He also noted that COSAC did not intend to limit the powers of the European Parliament or of the National Parliaments. The functions of the National Parliaments were not to be effected in any way by the creation of a second chamber, and if there were to be a legislative chamber for countries some day this would only strengthen the legislative influence of the European Parliament.

Ferreira also expressed his surprise over the reservations expressed about the initiatives of National Parliaments on discussing European issues. Meetings such as those organised by the French, Belgian or Italian parliament had proven very productive and contributed to the discussion of institutional reforms. Regarding the language problem, he believed that it was a sensitive issue and that it had nothing to do with representativity. He considered opening up COSAC to the press to be very valuable. The contributions of the representatives present had to be made accessible to the public.

Mr Michiel PATIJN (*Netherlands*) stated that in drawing up the Amsterdam Treaty there had never been the intention to create a new institution with the protocol changes. The objective was not to establish COSAC's right of consultation but rather to recognise the role of National Parliaments in European decision making. COSAC was a very useful forum for exchanging information and cultivating contacts. The work with legislative agendas or Commission and Presidency agendas would only lead to a fragmentation of discussion. It would be better to deal with substantial issues from the political discussion of the National Parliaments. This could provide all participants with important insights.

In co-operation with the European Parliament the COSAC should act as an unofficial watchdog of the quality of legislative processes in the Union. Both the European Parliament and the National Parliaments had an important role to play in controlling the democratic quality of decision making in the Union. Given its horizontal character and its institutional vocation it could certainly play this role. The presence of representatives of the applicant countries certainly was an enrichment for COSAC. COSAC should hold regular meetings and discuss all issues related to the complex and strategically important enlargement process of the Union. Like Ferreira (*Portugal*), Patijn also warned against entering into a hasty discussion on the sensitive issue of language regime.

In closing he suggested that the wording of the declaration of solidarity with Italy be changed a bit. The modified passage should read: "The XIXth COSAC meeting, assembled in Vienna on 23-24 November 1998, expresses its solidarity with Italy in its efforts to solve the Ocalan affair in full compliance with its international treaty obligations and its national legislation."

Mr Loukas APOSTOLIDIS (*Greece*) agreed with Schieder's suggestions. He also backed Imbeni's (*European Parliament*) suggestion that a working group be created to discuss the rules of procedure and the future role of COSAC. Such a group should also deal with the proposals of the National Parliaments and of the applicant countries. He expressed his surprise over the informal meetings, for

these initiatives represented a contribution to a substantial political discussion of topical European issues. In closing, Apostolidis said that he supported the declaration of solidarity with Italy. In his view it was a good message to anyone trying to call into question the legitimacy of Europe.

Mr Maurice LIGOT (*France*) stated that the protocol to the Amsterdam Treaty spelled out how COSAC should operate. In particular this implied that COSAC could submit contributions fitting into a specific legal framework based on consensus. He referred to a document of the president of the French National Assembly that described a voting mechanism that could radically change the functioning of COSAC, since the COSAC participants would not act on the basis of a mandate. An overly rigid interpretation of the rule of consensus would, however, lead to a paralysis of the system. The document suggested that the acting Presidency should be allowed to take initiative in elaborating and passing on contributions to the specialised committees in the National Parliaments. These contributions should be short and concise. For adopting the texts the rule of consensus should be combined with the rule on constructive abstention.

Regarding informal meetings, he said that it might be necessary to react on topical and urgent issues and convene meetings on them. This, however, should not assume exaggerated proportions. He suggested that all delegations communicate their positions on open issues to the next Presidency so that the latter could deliberate on them following the ratification of the Treaty. He himself had the impression that the discussion revealed more common positions than differing ones.

Mr Michael SPINDELEGG (*Austria*) stated that this might define a way of procedure for future discussions. In closing he once again gave the floor to Schieder.

Mr Peter SCHIEDER (*Austria*) asked whether the Irish delegation would agree that no vote be taken on their request so that this decision could be deferred to a later moment when the entire package would be discussed

A REPRESENTATIVE OF THE IRISH DELEGATION agreed, but also added that they expected to see progress on this issue during the next Presidency.

Mr Peter SCHIEDER (*Austria*) requested that the Dutch suggestion for modifying the solidarity declaration be read out loud again.

A REPRESENTATIVE OF THE DELEGATION OF THE NETHERLANDS read the modified text: "The XIXth COSAC meeting, assembled in Vienna on 23-24 November 1998, expresses its solidarity with Italy in its efforts to solve the Ocalan affair in full compliance with its international treaty obligations and its national legislation."

Mr Peter SCHIEDER (*Austria*) asked the representatives of Italy, the European Parliament and the Troika whether there were any objections to this amendment text. This was not the case.

A REPRESENTATIVE OF THE PORTUGUESE DELEGATION also backed the text and pointed out that the United Kingdom was presently debating an extradition procedure against General Pinochet. It was also important to add this.

Mr Peter SCHIEDER (*Austria*) thanked him for making this important point and asked all delegations whether there were any objections to the text proposed by the delegation of the Netherlands. Since this was not the case the text was adopted in this version. Schieder thanked the European Parliament which was to have the text translated into all languages.

In closing he thanked all participants and persons involved in the meeting. He also thanked the German delegation for announcing the date of the next meeting and wished COSAC much success for the coming half year.

*The conference concluded.*