

III. The European Parliament on the eve of the year 2000: the main political and legislative challenges

Communication by Mr Harald RØMER, Deputy Secretary General of the European Parliament. Brussels Session (April 1999)

Mr DAVIES welcomed Mr Harald RØMER, the Deputy Secretary General of the European Parliament, and invited him to present his communication.

Mr RØMER said that it was a great pleasure to welcome the Association to the building of the European Parliament and he had been asked to pass on best wishes from the President of the Parliament and from Julian Priestley, the Secretary General. They wished the Association all success in their week's work.

Last Thursday the Conference of Presidents of the European Parliament had had a brief discussion on relations with the IPU and it had been decided that there was a need to have closer association with that body. The European Parliament would in future be more closely associated with the IPU and ASGP's activities. One Vice-President had been nominated to maintain such contacts with the IPU.

The European Parliament was a very young Parliament. The European Community had begun with a common assembly in 1952. The first direct elections were in 1979. On either count the Parliament was young. There were two classes of parliament - those that had all their powers at the start of their existence and those which realised later on that their powers were not all they should be and then went on to fight for them. Some other parliaments had at the start no powers at all and had to fight from the beginning. The European Parliament was in the second category of parliament. They had very few powers initially, except one, the power to dismiss the Commission. In other areas, they were weak. In such a situation it was difficult to use their power to dismiss the Commission. Only now, after a long process of evolution, had the European Parliament got to the stage where it could use its power to dismiss the Commission. In the recent case, it did not in fact do so but events were set in motion by the Parliament which resulted in the collective resignation of the Commission.

In other areas the European Parliament was only slowly gaining power. In the 1970s it acquired some budgetary powers and in the 1980s and 1990s powers in the legislative field, particularly after the Treaty of Amsterdam. Mr ROMER thought it useful to say a few words about the situation following the Amsterdam Treaty. That Treaty would enter into force on 1 May 1999 after ratification in all the member countries. The European Union had new competences. The European Parliament had new legislative powers, in particular the co-legislation process. The Parliament had more say on Commission appointments and there was also a new role for national Parliaments.

With regard to the role of Parliament as co-legislator it had until recently been the case that the Council had the final word in most areas. After the Treaty of Amsterdam, however, the area of co-decision had been significantly extended beyond the original area. This was a big challenge for the European Parliament. It needed to concentrate activity on the legislative process and less on initiative reports. It had to be more concerned with the quality of legislation. The organisations of the European Parliament had to adapt to these new responsibilities. There had been a trial period for new processes under Maastricht but after Amsterdam such organisational changes would be much more significant. The co-decision procedure meant a new relation between the Council and the Parliament. Any difficulties between the two were to be resolved in a conciliation committee which negotiated between the two institutions and would normally reach a compromise. There were only a very few examples where they had failed to arrive at an agreement. There had, in other words, been success in a limited area of co-decision and that area was now to be extended.

Parliament was also to have more say on the appointment of the Commission. This was important at the moment since Romano Prodi had been nominated for President of the Commission and would address the European Parliament next week. There would be a debate and vote on whether to appoint Mr Prodi as President in May. The Parliament had to vote in favour of Mr Prodi for him to become President. It could only happen with the approval of the European Parliament. This provision was now clearly stated in the Treaty although a similar vote from the European Parliament had been forthcoming for Jacques Santer even where the Treaty had at that time not specifically required such a vote. The member states, however, in that case did agree that it was important that the European Parliament show its approval through voting for Mr Santer. The complete process of the appointment of the rest of the Commission would only end in September since each individual Commissioner had to be called before the competent committees of the European Parliament.

There was also a new role for national parliaments within the European Union. A special protocol of the Treaty recognised the need for the speedy

transfer of documents to member state parliaments and for a six week delay before any item went on to the Council Agenda. This was important for national parliaments and was a good basis for co-operation between the European Parliament and national parliaments.

Thus facing the millennium the European Parliament could present itself in the elections in June with proper parliamentary powers. They had the power of control in that they could dismiss the Commission and appoint a new one. They had budgetary powers where the procedure was complicated but the final say was with Parliament and they also now had legislative powers through the extensive co-legislative process.

Mr ROMER said he had now to explain how the Parliament proposed to use the challenge before it. It was certainly in a much healthier situation than in the past. He hoped it would mean the elections would be more of a success than in the past. There were other challenges for the future for the European Parliament, for instance enlargement and the problem of sheer size. There was a limit in the Treaty of 700 members for the European Parliament. The European Parliament had recently suggested that be increased to 750. There were new discussions on institutional reform and certainly more needed to be done.

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Mr DAVIES thanked Mr ROMER for his communication and for making the building available to the ASGP. He said that the European Parliament was a comparatively new institution and there were some members in the ASGP also from newer parliaments and indeed within the United Kingdom they were in the process of establishing two new devolved assemblies in Scotland and Wales.

Mr HONTEBEYRIE (France) thanked Mr ROMER for his interesting presentation on the legislative powers of the European Parliament. Legislative powers of parliament traditionally involved the power to pass legislation and the power to initiate legislation. He asked whether the European Parliament was allowed to initiate legislation. Another power of parliament was to ensure that its legislation could have immediate effect. He wondered whether the European Parliament was in a position to do this.

Mr ROMER said with regard to the right of initiative there was an article in the Treaty which gave the right of initiative on an absolute majority in the Parliament and some national parliaments did not consider this new power to be a very significant one. In his view, however, the most important thing was the ability of the Parliament to say to the Executive that the Executive itself should present a bill on such and such a topic. That power had always existed in the

system even if it had not been used well enough. It was the case that in the past the European Parliament had not followed up its numerous requests to the Commission. The new right of initiative would involve the Parliament in more prepared requests for legislation with more details in its requests of what should be in the contents of the bill, how provisions should be financed, etc. It was important to note that the European Parliament had the right to propose a bill at any time. With regard to the power of direct effect, some legislative instruments had immediate effect and some did not. Regulations had immediate effect. Directives had to be implemented by the national parliaments of the member states and this was one reason why more co-operation with national parliaments was necessary.

Mr DAVIES thanked Mr ROMER for such a clear presentation of the European Parliament and the recent changes which had taken place.

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Constitutional and Parliamentary Information

Published by the Association of Secretaries General of Parliaments, under the auspices of the Inter-Parliamentary Union, is issued twice a year in both English and French.

Swiss francs

One number. 25 F
One year (2 numbers). 40 F

Orders for Subscriptions may be sent to:

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