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REPORT

containing the European Parliament's recommendations to the Council on the introduction in the draft Accession Treaty of a financial framework (2003/2050(INI))

Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

and

Committee on Budgets(*)

Rapporteurs: Elmar Brok

Terence Wynn

(*) Enhanced cooperation between committees (Rule 162a)

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PROCEDURAL PAGE

On 13 March, the Conference of Presidents invited the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the Committee on Budgets to prepare a recommendation to the Council, pursuant to Rule 96(4) of the Rules of Procedure, on the introduction in the draft Accession Treaty of a financial framework.

At the sitting of 13 March 2003, the President of Parliament announced that the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy had been authorised, in cooperation with the Committee on Budgets, to draw up a report, pursuant to Rule 96(4) of the Rules of Procedure, on the subject and the Committee on Constitutional Affairs had been asked for its opinion.

The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy appointed Elmar Brok rapporteur at its meeting of 18 March 2003.

The committee considered the draft report at its meeting of 19 March 2003.

At the latter meeting it adopted the motion for a resolution unanimously with 2 abstentions.

The following were present for the vote: Elmar Brok, chairman and rapporteur; Christos Zacharakis, vice-chairman; Ole Andreasen, Per-Arne Arvidsson, Alexandros Baltas, Reimer Böge (for Karl von Wogau pursuant to Rule 153(2)), André Brie, Véronique De Keyser, Rosa M. Díez González, James E.M. Elles (for John Walls Cushnahan), Hélène Flautre, Glyn Ford, Pernille Frahm (for Sami Naïr), Michael Gahler, Per Gahrton, Gerardo Galeote Quecedo, Jas Gawronski, Vitaliano Gemelli (for Alain Lamassoure), Alfred Gomolka, Vasco Graça Moura (for Armin Laschet), Klaus Hänsch, Ulpu Iivari (for Magdalene Hoff), Efstratios Korakas, Nelly Maes, Cecilia Malmström, Pedro Marset Campos, Hugues Martin, Linda McAvan, Emilio Menéndez del Valle, Philippe Morillon, Pasqualina Napoletano, Raimon Obiols i Germà, Arie M. Oostlander, Reino Paasilinna (for Catherine Lalumière), Doris Pack (for Franco Marini), Hans-Gert Poettering (for José Pacheco Pereira), Jacques F. Poos, Bernd Posselt (for Amalia Sartori), Luís Queiró, José Ribeiro e Castro (for Cristiana Muscardini pursuant to Rule 153(2)), Lennart Sacrédeus (for David Sumberg), Jannis Sakellariou, José Ignacio Salafranca Sánchez-Neyra, Jacques Santer, Jürgen Schröder, Elisabeth Schroedter, Ioannis Souladakis, Ursula Stenzel, Ilkka Suominen, Hannes Swoboda, Charles Tannock, Nicole Thomas-Mauro (for Emma Bonino pursuant to Rule 153(2)), Gary Titley (for Mário Soares), Joan Vallvé, Bob van den Bos, Paavo Väyrynen, Demetrio Volcic, Jan Marinus Wiersma and Matti Wuori.

The Committee on Constitutional Affairs decided on 20 March 2003 not to deliver an opinion.

The report was tabled on 20 March 2003.

MOTION FOR A RESOLUTION

European Parliament resolution containing the European Parliament's recommendations to the Council on the introduction in the draft Accession Treaty of a financial framework (2003/2050(INI))

The European Parliament,

- having regard to Rule 96(4) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and of the Committee on Budgets (A5-0077/2003),
- A. whereas the Conclusions of the Copenhagen European Council of 12-13 December 2002 contained a table with 'maximum appropriations (...) for the new Member States' in relation to four of the categories of expenditure included in the financial perspective,
- B. whereas the Member States decided to make a reference to this table in Article 32 of the draft Accession Treaty and include it in Annex XV thereto,
- C. whereas the fixing, in Annex XV, of what is there referred to as 'maximum enlargement-related appropriations' appears to subject the new Member States to a separate and extra restrictive regime and, if so, this represents a breach of the fundamental principle of the equality of Member States,
- D. whereas the figures in Annex XV constitute the minimum threshold necessary for the adjustment of the financial perspective,
- E. whereas the unilateral fixing of budgetary figures and the current, unprecedented attempt to curtail Parliament's budgetary powers by elevating these figures to primary law are clearly incompatible with EU principles, as well as with the Interinstitutional Agreement of 6 May 1999,
1. Remains fully committed to achieving accession, on 1 May 2004, of the applicant States with which negotiations have been concluded; expects the same from the Member States and Council;
 2. Urges the Member States and the accession countries to modify Article 32 and to withdraw or modify Annex XV before Parliament's vote on the assent procedures;
 3. Warns Member States that if Article 32 and Annex XV are nevertheless maintained in the Accession Treaty in their current form, this will be regarded as an infringement of Parliament's prerogatives in budgetary matters laid down in Article 272 of the EC Treaty, as a violation of the Interinstitutional Agreement, notably of its Article 25, and as discrimination against the new Member States;
 4. Considers Member States' approach to be a breach of the principle of loyal cooperation between the institutions; interprets this approach as a signal that the Council intends to abandon the Interinstitutional Agreement and the Financial Perspective included therein;
 5. Reminds the Commission of its responsibility to act as guardian of the Treaties; calls on

the Commission to take all necessary steps;

6. Considers that if the Member States insist on maintaining Article 32 and Annex XV in the draft Accession Treaty in their current form, Parliament could continue budgetary cooperation only if Council accepts the following conditions:
 - a) that the ceiling for heading 3 'Internal Policies' of the financial perspective is raised by € 600 million for the 25 Member States over the three years 2004-2006, supplementary to the Commission proposal (COM(2003) 070);
 - b) that a modification of the title of heading 7 'Pre-accession Aid' is made, including reference to enhanced cooperation with countries in the EU's neighbourhood;
 - c) that procedures be re-opened on all acts adopted under the codecision which include financial provisions of relevance to the new Member States;
 - d) that agreement on points a)-c) is reached promptly, so that Parliament can vote on the adjustment/revision of the financial perspective and the assent procedures on the same date;
7. Insists that in case Annex XV and the wording 'maximum enlargement-related appropriations' therein are maintained, the Member States clarify that this wording does not imply that separate expenditure ceilings for the new Member States are created, but that the financial perspective remains a single and indivisible framework;
8. Invites the Member States and the Council to follow this recommendation, in order not to delay the signing of the Accession Treaty;
9. Instructs its President to forward this recommendation to the Council, the Member States, the accession countries and the Commission.