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REPORT

on the institutional aspects of the European Union's capacity to integrate new
Member States
(2006/2226(INI))

Committee on Constitutional Affairs

Rapporteur: Alexander Stubb

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the institutional aspects of the European Union's capacity to integrate new Member States

(2006/2226(INI))

The European Parliament,

- having regard to Article 49 of the Treaty on European Union,
- having regard to the Presidency conclusions of the meetings of the European Council held in June 1993 in Copenhagen, in December 1995 in Madrid, in December 1997 in Luxembourg, in June 2003 in Thessaloniki, and in December 2004, June 2005 and June 2006 in Brussels,
- having regard to the Charter of Fundamental Rights,
- having regard to the Commission's 2005 enlargement strategy paper (COM(2005)0561),
- having regard to its resolution of 12 January 2005 on the Treaty establishing a Constitution for Europe¹,
- having regard to its resolution of 28 September 2005 on the opening of negotiations with Turkey²,
- having regard to the negotiation frameworks for Turkey and for Croatia adopted by the Council on the 3 October 2005,
- having regard to its resolution of 19 January 2006 on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union³,
- having regard to its resolution of 16 March 2006 on the Commission's 2005 enlargement strategy paper⁴,
- having regard to its resolution of 14 June 2006 on the next steps for the period of reflection and analysis on the Future of Europe⁵,
- having regard to its resolution of 27 September 2006 on Turkey's progress towards accession⁶,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs (A6-0393/2006),

¹ OJ C 247 E, 6.10.2005, p. 88.

² OJ C 227 E, 21.9.2006, p. 163.

³ *Texts Adopted*, P6_TA(2006)0027.

⁴ *Texts Adopted*, P6_TA(2006)0096.

⁵ *Texts Adopted*, P6_TA(2006)0263.

⁶ *Texts Adopted*, P6_TA(2006)0381.

Whereas

- A. the European Council of June 2003 held out a clear European perspective to the countries of the Western Balkans, with membership of the Union as the final goal (the Thessaloniki agenda),
- B. the European Council of June 2005 reaffirmed its commitment to full implementation of the Thessaloniki agenda, and that of June 2006 reaffirmed its intention to honour the existing commitments made to the South-East European countries (Turkey and Croatia, countries with which accession negotiations are underway, Former Yugoslav Republic of Macedonia/FYROM, as candidate country, and the Western Balkans countries, as potential candidates) concerning enlargement, while emphasising the need to ensure that the Union "is able to function politically, financially and institutionally as it enlarges",
- C. the Council officially opened the accession negotiations with Turkey and Croatia on 3 October 2005,
- D. the European Council of December 2005 granted the status of candidate country to the Former Yugoslav Republic of Macedonia (FYROM),
- E. compliance with all the Copenhagen criteria has since 1993 been the basis for accession to the EU and should remain so for future accessions,
- F. the Copenhagen criteria also mention as an important consideration the "the Union's capacity to absorb new members, while maintaining the momentum of European integration",
- G. the institutional capacity of the Union to integrate new Member States has been increasingly discussed in relation to enlargements after the accession of Bulgaria and Romania,
- H. in its above-mentioned resolution on the 2005 enlargement strategy paper the European Parliament invited the Commission to submit by the end of 2006 a report setting out the principles on which the Union's absorption capacity is based,
- I. the European Council in June 2006 decided that "the pace of enlargement must take the Union's absorption capacity into account" and resolved to hold a debate in December of the same year "on all aspects of further enlargements, including the Union's capacity to absorb new members and further ways of improving the quality of the enlargement process on the basis of the positive experiences accumulated so far", on the basis of a report "on all relevant aspects pertaining to the Union's absorption capacity" to be presented by the Commission together with its annual report on enlargement and the pre-accession process,
- J. the European Council of 16-17 December 2004 in Brussels stated that "accession negotiations yet to be opened with candidates whose accession could have substantial financial consequences can only be concluded after the establishment of the Financial Framework for the period from 2014 together with possible consequential financial reforms",

- K. that report should "also cover the issue of the present and future perception of enlargement by citizens and should take into account the need to explain the enlargement process adequately to the public within the Union",
- L. the notion of integration capacity entails the challenge of adapting the EU to accommodate its new Members; that challenge currently remains unresolved, in particular following the rejection of the Constitutional Treaty in France and the Netherlands as this treaty would enable the European Union to function efficiently and democratically,
- M. there is an ongoing debate on the so-called "absorption capacity" of the Union in the context of future enlargements,
- N. the President of the Commission has stated before the European Parliament that he believes that an institutional settlement should precede any future enlargement, and has expressed his hope that that institutional settlement, as set by the European Council of June 2006, can be achieved by the end of 2008, thus allowing the Union to respect its commitments towards the negotiating countries and those for which it has opened up the prospect of accession,
- O. an institutional settlement of this kind is first and foremost required to maintain the momentum of European Integration, as stated by the Heads of State and Government at the Copenhagen Summit of 1993,
 - 1. Points out that enlargements have tended to strengthen the Union, foster its economic growth, reinforce its role in the world and stimulate the development of new EU policies;
 - 2. Recalls that the notion of "absorption capacity" made its first formal appearance in 1993, when the European Council of Copenhagen recognised that, alongside the political and economic criteria that candidate countries must satisfy in order to accede to the Union, "the Union's capacity to absorb new members, while maintaining the momentum of European integration" also constitutes "an important consideration in the general interest of both the Union and the candidate countries";
 - 3. Recalls that although every enlargement of the Union has brought about changes in its institutional, political and financial framework, such changes were not sufficient to preserve the effectiveness of the Union's decision making;
 - 4. Finds that the term "absorption capacity" does not suitably convey the idea which it aims to express, inasmuch as the EU does not in any way absorb its members, and therefore proposes that this expression be changed to "integration capacity", which better reflects the character of EU membership;
 - 5. Stresses that "integration capacity" is not a new criterion applicable to the candidate countries but a condition for the success of enlargement and for the deepening of the process of European integration; the responsibility for improving its "integration capacity" lies with the Union and not with the candidate countries;
 - 6. Considers that the notion of "integration capacity" implies that after enlargement

- the European institutions will be able to function properly and take decisions efficiently and democratically in accordance with their specific procedures,
 - the financial resources of the Union will be sufficient to adequately finance its activities,
 - the Union will be able successfully to develop its policies and attain its goals, in order to pursue its political project;
7. Considers that, in order to ensure its integration capacity, the Union must decide on the scope and substance of the reforms it needs to achieve before any future accession takes place; its evaluation in this regard must be conducted throughout the key stages of the enlargement process, taking into account the possible impact that new Member States will have on its institutional, financial and decisional capabilities;
 8. Recognises that the Union is at present confronted with difficulties to honour its commitments towards South-East European countries, because its current institutional, financial and policy structure is unsuitable for further enlargements and needs to be improved;

Institutional aspects of integration capacity

9. Stresses that before any future enlargement a reform of the European Union is essential to enable it to work more effectively, more transparently and more democratically; in this light any further enlargement will necessitate the following institutional reforms:
 - (a) the adoption of a new system of qualified majority voting that enhances the ability of the Council to reach decisions;
 - (b) a substantial extension of the matters to which qualified majority voting applies;
 - (c) a substantial extension of the participation of the European Parliament, on an equal footing with the Council, in budgetary and legislative matters;
 - (d) modification of the rotation system of Presidencies of the European Council and of the Council;
 - (e) the creation of the post of Minister of Foreign Affairs;
 - (f) further modification of the composition of the Commission beyond that ordained by the Treaty of Nice;
 - (g) strengthening of the role of the President of the Commission and the reinforcement of his/her democratic legitimacy through election by the European Parliament;
 - (h) extension of the jurisdiction of the Court of Justice to all areas of the activities of the Union, including monitoring the respecting of fundamental rights;
 - (i) the establishment of mechanisms for the involvement of national parliaments in the scrutiny of the Union's action;

- (j) the improvement of flexibility arrangements as a response to the increased possibility that not all Member States are willing or able to go ahead with certain policies at the same time;
- (k) modification of the procedure for amendment of the Treaties, in order to simplify it, render it more efficient and enhance its democratic character and transparency;
- (l) suppression of the "pillar structure" and its replacement by one single entity with a unified structure and legal personality;
- (m) the adoption of a clause enabling Member States to withdraw from the European Union;
- (n) a clear definition of the values on which the Union is founded, as well as the objectives of the Union;
- (o) a clear definition of the competencies of the Union and the principles governing its action and its relations with Member States;
- (p) strengthening of the transparency of the Union's decision-making process, namely through public scrutiny of the activities of the Council when it is acting as a branch of the legislative authority;
- (q) a clear definition and simplification of the instruments through which the Union exercises its competencies;

Points out that all these reforms are already contained in the Constitutional Treaty, and that their entering into force would allow the proper functioning of an enlarged Union and ensure its ability to take decisions efficiently and democratically;

Other relevant aspects of integration capacity

10. Points out that, apart from the necessary institutional reforms, further enlargements of the Union will necessitate modifications in other important aspects of its structure, such as:
 - (a) adoption of the European Charter on Fundamental Rights and improvement of the solidarity policies between the Member States;
 - (b) revision of its financial framework, including as regards its system of financing, in order to adapt it to the new needs of an enlarged Union, building on the 'full, wide-ranging review' of the Financial Framework 2007-2013 already planned for 2008/2009 according to European Parliament resolution on Policy Challenges and Budgetary Means of the enlarged Union 2007-2013 of 8 June 2005¹ and the provisions of the Interinstitutional Agreement on budgetary discipline and sound financial management of 17 May 2006²;
 - (c) redefinition of several of its policies, some of which were established 50 years ago, so as to adapt them to the new challenges that a much bigger and much more diverse

¹ OJ C 124 E, 25.5.2006, p. 373.

² OJ C 139, 14.6.2006, p. 1.

Union faces in a globalised world;

- (d) reinforcement of the European Neighbourhood Policy (ENP), aimed at providing a suitable instrument for establishing mutually beneficial relationships with those European countries that have no immediate prospects for accession because they do not fulfil the conditions for membership or choose not to join;
- 11. Stresses that the above reforms must go hand in hand with efforts to increase public acceptance of enlargement and recalls the responsibility of Europe's political leaders in explaining to the public the goals and mutual advantages of enlargement and the unification of Europe; supports the Commission in its efforts to use 'a wide variety of routes to communicate its enlargement policy and counter misconceptions with evidence', as stated in its 2005 strategy paper on enlargement;
- 12. Reiterates, however, that any decision by the EU to admit a new Member State is taken through a procedure that includes numerous safeguards, namely a unanimous decision by all Member States for the opening and closing of accession negotiations, the approval of the European Parliament and the ratification of each Accession Treaty by all Member States;
- 13. Points out that, in any event, the signing of an Accession Treaty by the Member States' governments means that those governments are fully committed to acting accordingly in order to ensure that the process of ratifying that Treaty is brought to a successful conclusion, in accordance with the procedures in force in each country;
- 14. Takes the view that in future any decision to open accession negotiations must be subject to the European Parliament's approval;

Conclusions

- 15. Reaffirms its commitment to enlargement as an historic opportunity to ensure peace, security, stability, democracy and the rule of law, as well as economic growth and prosperity in Europe; reaffirms its conviction that enlargement must go hand in hand with the deepening of the Union, if the objectives of the European integration process are not to be jeopardized;
- 16. Stresses that the Union must be able to adapt its institutional, financial and political structure in due time so as to avoid causing unexpected delays in the accession of candidate countries once it is established that they satisfy all the conditions for membership;
- 17. Reaffirms that the Treaty of Nice does not provide an adequate basis for further enlargements;
- 18. Reaffirms its endorsement of the Constitutional Treaty, which already offers solutions to most of the reforms needed by the EU in order to fulfil its current enlargement commitments and constitutes a tangible expression of the deepening-enlargement relationship, and warns that any attempt to foster a piecemeal implementation of parts of the constitutional package deal may endanger the global compromise it rests on;

19. Takes note of the timetable established by the European Council of June 2006 for seeking a solution to the constitutional crisis by the second semester of 2008 at the latest;
20. Reaffirms its commitment to achieving a constitutional settlement for the European Union as quickly as possible, and in any case before the citizens of the Union are called upon to cast their votes in the European elections in 2009, so that the Union can honour its commitments vis-à-vis candidate countries and be ready to accept them as Member States;

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21. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and governments of the Member States, the parliaments and governments of Turkey, Croatia, the Former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Serbia, Montenegro, the Provisional Institutions of Self-Government in Kosovo and the United Nations Mission in Kosovo.

PROCEDURE

Title	The institutional aspects of the European Union's capacity to integrate new Member States		
Procedure number	2006/2226(INI)		
Committee responsible Date authorisation announced in plenary	AFCO 28.9.2006		
Committee(s) asked for opinion(s) Date announced in plenary	AFET 28.9.2006	BUDG 28.9.2006	
Not delivering opinion(s) Date of decision	AFET 17.10.2006	BUDG 9.10.2006	
Enhanced cooperation Date announced in plenary			
Rapporteur(s) Date appointed	Alexander Stubb 4.10.2006		
Previous rapporteur(s)			
Discussed in committee	4.10.2006	24.10.2006	13.11.2006
Date adopted	13.11.2006		
Result of final vote	+ 17 - 1 0 2		
Members present for the final vote	Carlos Carnero González, Richard Corbett, Brian Crowley, Panayiotis Demetriou, Andrew Duff, Maria da Assunção Esteves, Ingo Friedrich, Bronisław Geremek, Sylvia-Yvonne Kaufmann, Jo Leinen, Íñigo Méndez de Vigo, Marie-Line Reynaud, Alexander Stubb, Johannes Voggenhuber		
Substitute(s) present for the final vote	Pervenche Berès, Elmar Brok, Klaus Hänsch, Ashley Mote, Gérard Onesta, Georgios Papastamkos, György Schöpflin, Jacques Toubon		
Substitute(s) under Rule 178(2) present for the final vote			
Date tabled	16.11.2006		
Comments (available in one language only)			