

# EUROPEAN PARLIAMENT

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*Session document*

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## **MOTION FOR A RESOLUTION**

further to the Council and Commission statements  
pursuant to Rule 37(2) of the Rules of Procedure  
by Heidi Hautala, Paul Lannoye and Nelly Maes  
on behalf of the Verts/ALE Group  
with a view to the Treaty of Nice

**European Parliament resolution with a view to the Treaty of Nice**

*The European Parliament,*

1. Considers that the Draft Treaty (recapitulative document) which has been submitted by the Presidency of the Intergovernmental Conference clearly shows a shift towards intergovernmental cooperation, which will increase the democratic deficit of the Union;
2. Issues a formal call to the Heads of State and Government and points out to them that, as a matter of political urgency, the forthcoming reform of the Treaties must lead to a reinforcement of the democratic character of the European Union in order to ensure the smooth and successful accession of new members;

**European constitutional process**

3. Considers that the difficulties in the negotiations show that the current intergovernmental method of the Treaty reform cannot tackle the challenges the EU is faced with;
4. Considers that, in view of the need to develop the European Union into a genuine European democracy, notably with a view to enlargement, a constitutional process must be launched in Nice with the aim of expressing in a short and solemn Constitution the founding principles, the objectives and the institutional framework of the European Union and the allocation of powers;
5. Is convinced that the inclusion in the Treaty of a specific recognition of political and legislative powers of Member States' internal political units in their relations with the EU institutions is necessary in order to deepen democracy at European level;
6. Points out that an appropriate solution to the question of the representation of states, regions and people within the EU institutions and notably within the Council and the EP can only be found in the framework of a Constitution;
7. Underlines, however, that this IGC must ensure that the method of allocation of seats at the European Parliament allows fair representation of peoples and political movements in the European Union even after enlargement; insists therefore that an increase in the number of Members of the European Parliament beyond 700 after enlargement must be considered by this IGC; in any case, the possibility of establishing electoral lists corresponding to a single European constituency must lead to a corresponding increase in the number of Members of the European Parliament;

**Charter of Fundamental Rights**

8. Calls for the Charter of Fundamental Rights and the right of individual access to the European Court of Justice to be incorporated in the Treaty of Nice in order to render them legally binding and to ensure comprehensive protection of fundamental rights within the legal order of the European Union;

9. Urges the Intergovernmental Conference to:
  - lay down a procedure for the future amendment of the Charter along the lines of the Convention;
  - empower the Union legally to sign the European Convention on Human Rights;
  - initiate a constitutional process through which the Charter of Fundamental Rights will also be completed;
  - include, as a minimum and as a first step, a reference to the Charter in Article 6(2) of the Treaty on European Union;
10. Calls on the Commission to publish an annual report on the impact of the Charter on the European Union;

### **Institutional balance and legitimacy of the European Union**

11. Points out that a 'substantial extension' of majority voting within the Council is essential and urges the IGC to extend the codecision procedure to all areas in which the rule on qualified-majority voting applies, failing which the legitimacy of European Community legislation will be seriously undermined; considers that this extension must also apply to areas which were already subject to qualified-majority voting under the Amsterdam Treaty, in particular agriculture and certain competition-policy issues;
12. Considers that, in order to provide democratic control and ensure that the mechanism works in each of the three pillars, Parliament's assent must be made part of the procedure for authorising any enhanced cooperation, that referral to the European Council must be abolished and that at least one third of the Member States must be required to take part;

### **External trade**

13. Reiterates the call for close involvement of the EP in the definition of the negotiating mandate on trade issues, and full information of the EP during the negotiating process and the assent procedure for the ratification of agreements; calls for these changes to apply equally to the bilateral and multilateral negotiation of agreements and to EU policy in the WTO;

### **Economic policy and taxation**

14. Expects the Council to agree on closer cooperation in the field of economic and social policy and wishes it – also with a view to the external value of the Euro – to speak with one voice on these issues;
15. Expects the Council to agree that decisions on taxation issues (Article 93 and Article 95(2)) should be taken by a qualified-majority vote in order more effectively to fight harmful tax competition and tax evasion;
16. Urges the Council to finally come to a conclusion regarding the taxation of energy products, which is of particular importance when oil prices are volatile;

## **Common European Security and Defence Policy**

17. Stresses the importance of transparency and accountability in the field of security and defence; regrets that the parliamentary dimension of the ESDP has not been mentioned in any of the declarations adopted at the European Council; considers it essential that the European Parliament be fully involved in the further development and implementation of the CFSP/CESDP;
18. Regrets that under the French Presidency the prevention and management of crises by peaceful means are continuing to lag behind considerably compared to development of the military dimension;

## **Enlargement**

19. Calls upon the Council to agree on the priority schedule and timetable for the conclusion of accession negotiations in 2002 as outlined in the Commission's Enlargement Strategy Paper and to ensure the feasibility of the envisaged scenario, in which connection earlier conclusion of negotiations should be possible if the preparedness of a candidate country so permits; expects in this regard the elaboration of a formula enabling the parallel ratification of the outcome of the Intergovernmental Conference and the accession treaties;
20. Stresses the need for a democratic public debate on the opportunities and challenges, as well as on the concrete implementation, of the enlargement process; believes therefore that parliamentary control of accession negotiations needs to be established, and calls on the Council and the Commission to provide Parliament with the necessary information on the state of the negotiations, including the draft common negotiating positions;
21. Welcomes the proposal of the French Presidency to revitalise the European Conferences as a forum for multilateral political consultation among the EU and the candidate countries; calls on the Council to use it as an instrument for close involvement of candidate countries in the future development of the EU's institutions and internal policies, while ruling out the possibility that after the conclusion of the Intergovernmental Conference any further institutional reforms might be considered preconditions for enlargement;