

ORAL QUESTION H-0227/03

for Question Time at the part-session in May 2003

pursuant to Rule 43 of the Rules of Procedure

by Per Gahrton

to the Commission

Subject: Constitutional changes entailed by possible EMU membership

The Commission's latest convergence report for Sweden mentions a number of provisions in Swedish legislation that are not in keeping with the provisions of the treaty dealing with economic and monetary union nor with the ECB statute. Several of the abovementioned Swedish provisions are fixed in Sweden's constitution and are therefore constitutional in nature. The ECB's convergence report also indicates that Sweden's constitutionally guaranteed rules on open government run counter to the ECB's confidentiality requirements. Since the constitution can be changed only by two identical decisions with an intervening ordinary general election, none of the constitutional rules can be changed until after the 2006 general election at the earliest.

Does the Commission consider that Sweden can become a full member of EMU without having carried out all the constitutional changes affecting provisions which have been pointed out by the Commission and the ECB in their convergence reports as being incompatible with the EU Treaty and the ECB statute? If so, should this be interpreted to mean that the Commission considers that EU law at all times outranks the Swedish constitution, entirely irrespective of the decisions and legislation of the Swedish Parliament? If this is the case, why then has the Commission requested that Swedish legislation be modified to bring it into line with the EU Treaty and the ECB Statute?

Tabled: 04.04.2003

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