


# Question 1783 from Jean-Pierre Klein to the Luxembourg Foreign Minister (2 August 2002)

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## Question from Jean-Pierre Klein, Member of Parliament, on the dismantling of the seat in Luxembourg and answer by Lydie Polfer, Minister for Foreign Affairs and External Trade of the Grand Duchy of Luxembourg

### Question 1783 (2 August 2002) from Jean-Pierre Klein (LSAP) on the dismantling of the seat in Luxembourg:

The recent press conference held by one of the European Commission trade unions has created a considerable commotion over the issue of the policy on the seats of the European Institutions, in particular the relocation of the Hygiene and Industrial Safety Departments, the Directorate-General for the Dissemination of Information and the Directorate for Health Protection away from Luxembourg.

It should be borne in mind that, by a decision of the governments of the Member States on 8 April 1965, the Merger Treaty creating a Single Commission of the European Communities provided, on a transitional basis, that these European Commission departments would be located in Luxembourg, this arrangement becoming definitive on 12 December 1992 under an agreement concluded at the Edinburgh Council.

At present, it appears that various units of the former 'Directorate General for the Dissemination of Information', currently known as the 'Innovation Directorate', are about to be moved to Brussels. The role of the 'Directorate-General for the Dissemination of Information' was, in particular, to disseminate information from nuclear research programmes and was later extended to the other treaties when the first non-nuclear research programmes under the aegis of the EC Treaty were adopted in the 1970s and 1980s. It was gradually extended to cover other areas in connection with the promotion of technology transfers and all the related contractual and intellectual property problems as well as the use of new tools to encourage the dissemination of findings and innovation. As proof of its success, the Innovation Directorate has always maintained its financial and operational autonomy because of the niche that it occupies and the highly specialised responsibilities that it has acquired.

In the light of the above, I would like to ask the Minister for Foreign Affairs the following questions.

In view of the plans to dismantle more and more of the main Commission departments located in Luxembourg, how does the Government intend to react in order to address this *'fait accompli'* strategy?

In general terms, what is the state of play with the consultations between the Government and the Commission on the strategy finalised on the basis of the Chantraine report on the situation and the future of the Commission departments in Luxembourg?

### Answer (6 September 2002) from Lydie Polfer, Minister for Foreign Affairs and External Trade

The Luxembourg Government has been holding intensive negotiations with the European Commission on the future of its departments in Luxembourg since the publication of the Chantraine report in December 2000. The Government has made clear the political and historical importance that it attaches to the Commission's presence in Luxembourg and has left no room for doubt that the Treaty, which lists the Commission departments located in Luxembourg, must be respected. The aim of these negotiations must be to consolidate the Commission departments in Luxembourg.

When he visited Luxembourg on 18 June 2002, Commission Vice-President Neil Kinnock presented to me a proposal which included losing DG SANCO, DG EMPL and DG ENTR in exchange for strengthening DG TREN in Luxembourg and establishing in Luxembourg a future Executive Agency for Education and Culture. I made it clear that this proposal is not acceptable to Luxembourg for various reasons:

— The Commission has still not been able to give coherent explanations as to why it is not able to comply with the Treaty or to affirm that the departments located in Luxembourg under the Treaty (DG SANCO, DG EMPL, DG ENTR) are not able to operate efficiently.

— The future executive agency for DG Education and Culture programmes is still only on the drawing board. The legal basis for the creation of executive agencies has not even been adopted yet.

— The Commission has not yet given assurances that the units that it is offering us in compensation can operate efficiently in Luxembourg and will not be subject to a similar tug-of-war from the other side of the Ardennes in a few years.

— The Commission has not given us any assurances either that the legal basis for the new units that the Commission proposes to locate in Luxembourg will have an equivalent status to that enjoyed by the departments currently located in Luxembourg.

The Luxembourg Government expects the Commission to put forward coherent proposals as soon as possible, taking due account of the arguments that I put to Mr Kinnock during our discussion.

With regard to the question asked by the Honourable Member regarding gradual dismantling, the Luxembourg Government will not allow the Commission departments in Luxembourg to become mere shells. Any reorganisation must be done in consultation with the Luxembourg authorities and the staff involved. The Luxembourg Government considers that a '*fait accompli*' strategy would amount to a failure to comply with the Treaty, one to which the Government would not fail to respond.