

## Address given by Roy Jenkins to the European Parliament (16 April 1980)

**Caption:** On 16 April 1980, addressing the European Parliament, Roy Jenkins, President of the European Commission, outlines the scope of the measures advocated in the Spierenburg report with a view to improving the efficacy and functioning of the Community institutions.

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Mr Jenkins, President of the Commission. - Mr President, let me begin, if I may, by adding my words of welcome to Mr Colombo in his new capacity amongst us as President-in-Office of the Council of Ministers. Since he and I first came into close contact over 12 years ago, when we were Finance Ministers of our respective countries, our lives have been inter-wined in a quite remarkable way, and I have had the honour of serving with him as co-President — he in two capacities, I in one — throughout a great part of the last 3 1/2 years. It is a pleasure to have him as a co-President of a major Community institution once again.

I warmly welcome the decision of this House to devote some time — not, perhaps, quite as much time as we envisaged at one stage, but some time — to a debate on the wide range of institutional questions raised both by the report of the Three Wise Men and by the report of the Spierenburg Review Body which was established by the Commission and which reported to it last autumn.

I think that a debate on our institutions at this time is, perhaps, particularly opportune. First, it is being held very shortly before a European Council which may well itself wish to begin its own discussion of the report of the Three Wise Men. Both the resolution tabled by the European Democrats — and I listened to Mr Scott-Hopkins with great interest — and the resolution from the Political Affairs Committee introduced by Mr Key, with his commanding knowledge of the workings of the Commission, raise questions of major importance for consideration by the European Council.

Second, this debate comes at a time when the Commission itself is nearly at the end of its own examination of the Spierenburg report. We have already taken a number of decisions and remain determined to give effect to a substantial programme of internal reform following Spierenburg during the life-time of this present Commission. It would, I think, be appropriate in this debate for me to say something about the conclusions that we have reached on the means of improving the internal efficiency and operation of the Commission.

Third, and perhaps most important, this Parliamentary discussion today comes at a time when there is a special need to reassert the basic framework of the Community as enshrined in the Treaties. The whole carefully-balanced edifice of powers and responsibilities on which the Community is based depends upon respect for its rules and the full-hearted support for its institutions. It is a point that I have made in this House before. I do so again today, because respect for the Treaties implies above all a respect for the integrity of our common institutions established under the Treaties. They are the very essence of our Community.

Before I turn to a number of the more detailed points raised in the three resolutions before the House, I would like, if I may, to make two preliminary remarks. First, the Commission welcomes the clear statement by the European Parliament of the need to ensure that, within the institutional balance, the Commission can and does continue to exercise its political powers of initiative in full independence. That is indeed our prime responsibility. In the Commission's view, any watering-down or weakening of its right of initiative to make proposals could only act to the detriment of the Community decision-making process itself. The right of initiative is the central part of the Commission's political mandate. It cannot be shared and it must be exercised to the full in the interests of the Community as a whole. This we intend to do.

Second, the institutional framework of the Treaties must be seen as a whole. Essentially, this framework is based on interdependence, a creative partnership between independent bodies, each respecting the other and each with its own defined responsibility. Each institution relies for its daily functioning on the contributions of others. It is a shared process. Thus, it follows that for each institution a prerequisite of efficiency is the pursuit of good and balanced relations with the other institutions within the Community framework. The Commission attaches the highest priorities to the continuing development of the good relations which it hopes, and indeed believes, have been rapidly built up since direct elections with the Parliament. We will continue to take all necessary steps to ensure that, when preparing proposals for the Council, the opinions of Parliament that may have been expressed on the subjects concerned are carefully and regularly considered.

Against this general background, it would, perhaps, be helpful to the House if I were to look in a little more detail at the principal issues raised in the three resolutions under discussion. I concentrate in the main on the Rey resolution put forward on behalf of the Political Affairs Committee and I do that because, unlike the other two resolutions, the Rey resolution concentrates on the Commission and its role. I will, however, with your permission, Mr President, take up one or two points on the resolutions introduced by Mr Scott-Hopkins and by Mr Blumenfeld.

I start with the future size and composition of the Commission. Here, as I have made clear to the House on a previous occasion, our experience, as a Commission, does not lead us to think that the Commission should necessarily be smaller than the present one. We believe it has been possible to function effectively as a college with 13 Members. We are, however, much less clear that the Commission would gain from being significantly larger. Further thought needs to be given before it is agreed that the Commission should grow automatically to 17 Members — perhaps even more. In particular, there needs to be fuller consideration of the weighty analysis presented by the Spierenburg team about the number of portfolios that the present and prospective work-load of the Commission could reasonably bear. It may be that a suitable time for such reflection could be after the entry of Greece, which will increase the Commission to 14 — which is not a significant or qualitative change from 13 — but before enlargement to include Spain and Portugal. In 1981, I am also sure that it would be right for the new Commission of 14 Members to include one or more women. That is certainly the Commission's view. It is also mine. I would not like to concentrate on any particular figure; I merely say that there should be women Members of the Commission...

*(Interruption : 'Why not 13 ?')*

... I think that might be a little unbalanced the other way, but you might say that it was redressing the period of several decades.

*(Interruption)*

Well, we are against discrimination, as you know, we are all against that! But, if I may remind the House, before the present Commission was established, or indeed, when it was being established, I worked hard within the powers I had at my disposal to try to secure the appointment of a woman Commissioner and it was to my real regret that that did not prove possible in 1977. I hope very much that it will be the case in 1981.

The resolution also rightly draws attention to the need to improve the system of coordination within the Commission. This was a main concern of the Spierenburg team which we appointed in 1978. We have already acted on a number of the recommendations in that report. First, we have embarked on a major reorganization of the departmental structure of the Commission which has as its objective a reduction of the number of basic administrative units by 50. Second, we have adopted a number of proposals for improving internal coordination, for strengthening policy planning and the monitoring of priorities and for reinforcing our internal budgetary procedures. Third, we have decided upon new procedures in line with Spierenburg to ensure that the overall staff resources of the Commission are deployed in the most economic and effective manner possible. Fourth, we have started on detailed consultation with the staff on a wide range of proposals designed to give effect to the Spierenburg recommendations on staff policy, including recruitment, training, mobility and career development. My friend and colleague, Vice-President Ortoli, has with a small group of Commissioners devoted a great part of the time over the past few months to pursuing these objects and has made considerable and rapid progress. I am very grateful for the work which he and the others have done.

The Commission has also considered the concept of a Commissioner with special responsibilities for certain internal administrative functions, including coordination. This is certainly an idea which we hope the next Commission will consider seriously. We are not, however — and I should be frank with the House, as I have been with the members of the Spierenburg team - convinced at this stage that the range of duties identified by the Spierenburg report for such a Commissioner is necessarily exactly the right one nor that such a Commissioner need necessarily be Vice-President or Deputy President of the Commission. What we regard as essential at this stage is that the machinery and procedures of internal coordination are strengthened and

improved. And the action we have already taken has that major objective in mind.

I turn next to the ideas expressed both in the European Democratic Group's resolution and in the Rey resolution about the role of this House in the process of appointment to the new Commission and in the establishment of its policy programme. Here let me say straight away that I have considerable sympathy for the views which have been expressed. I start from the position which I made clear to the House in my programme speech for this year in February. It will be essential, in my view, if the next Commission is to fulfil its functions, that it should be in a position to feel that it has been accepted by those who represent the people of the Community. However, it is difficult to see precisely how the Parliament could be consulted about the Commission's policy before the new Commission takes office, certainly how it could be consulted in a formal sense. The Commission is a college — that is very much of its nature and essence — and policy can only be agreed on the basis of discussion between all the Members of the college. I cannot, of course, speak for a new President, but I would see merit myself in an arrangement such as is suggested, whereby the Political Affairs Committee might have the opportunity for a general exchange of views with the President-designate. Such a procedure would necessarily have to be informal, and clearly the new President would not be in a position to commit his future colleagues, the college as a whole, until it had come together and deliberated on policy matters.

The first task of a new Commission will be to consider its policy priorities and to draw up a programme for submission to and discussion by this House. A new Commission, like its predecessors, will present its policy programme to the Parliament at the earliest opportunity after taking office. That is the moment for a public debate. Indeed, I would myself find it difficult to envisage the content or purpose of a public debate in advance of a presentation by the new President on behalf of the college of its policies to this House. At that stage, however, it would be both natural and desirable that the Parliament should express its view on the Commission's first programme. There is no reason why it should not do so then or, indeed, on subsequent annual programmes by any means it thinks right, including a vote, if that is the wish of the House.

The resolution of the Political Affairs Committee also raises an important point about the Commission as the executive organ of the Community and the role of committees. Here I think it is right to draw a distinction between powers delegated to the Commission under Article 155 of the Treaties and the Commission's duty to implement the budget under Article 205. As to the former, I would wish to reaffirm the Commission's acceptance of the existing procedures as regards management and rule-making committees generally. The legality of these procedures has been confirmed by the Court, which has ruled that Article 155 enables the Council to determine any detailed rules to which the Commission is subject in exercising the powers conferred on it; that these committee procedures form part of these detailed rules; and that the committees themselves, as they do not have the power to take a decision in place of the Commission or Council, do not lead to a distortion of the balance between the institutions.

As to committee procedures to assist the Commission in its task of implementing the budget, the Commission has made clear its views to this House on this issue on a number of occasions. The Commission takes the view that the aim should be to ensure that the role of any committees created to assist the Commission in the implementation of the budget should be purely advisory. This should be the aim, and it is one which the Commission, conscious of its duties under Article 205 of the Treaty, takes seriously. I must, however, remind the House that the Council is not in agreement and, as regards proposals now pending before it, is tending towards a position which would confer on it greater power than it has under the Regional Fund committee model. The Commission considers that in the case of proposals involving third countries, as all those pending before the Council at present do, the involvement of the Council in the committees is appropriate, but the Commission is not, in any event, willing to accept formulae which go beyond that of the Regional Fund model. I must stress to the House that the Commission feels that this question should be solved politically rather than by resort to the Court. Parliament has asked for conciliation in relation to one of the pending cases. The Commission supports this and looks to the Council to respond in a manner which will enable a constructive inter-institutional dialogue to take place.

Finally, I turn to a number of different aspects of the procedures for consultation between Parliament and the Commission which are raised in all three resolutions. In general, let me say again that the Commission's

commitment and firm resolve is to make sure that, when preparing its proposals for the Council, opinions which have been expressed in Parliament on the subject in question are carefully and regularly considered. We remain sympathetic and ready to do all that we can to promote the aim of increased consultation. At the same time, however, the Commission considers that the institutional balance between the Parliament, the Commission and the Council should be fully respected. That implies that nothing should be done which could lead to a weakening of the Commission's role under the Treaties as the independent initiator of Community legislation. In the Commission's view, a consultation procedure which had as its aim an agreement on the broad lines of proposals before they were decided upon and submitted to the Council would in practice distort and upset the balance between the institutions. We are not therefore in favour of an inter-institutional arrangement setting up new consultation procedures. Rather, we believe that, maybe, the best way to proceed is through informal discussion in Parliamentary committees and, where appropriate, by the use of discussion documents which can form the basis of debate in Parliament before formal proposals are made by the Commission.

Both the Scott-Hopkins and the Blumenfeld resolutions raise the question of extending the existing consultation procedures with Parliament on the Community's international agreements. The role of Parliament in these matters has evolved over a number of years under the Luns-Westerterp procedures. It is arguable that these procedures have yet to be used to the full and the Commission, for its part, would certainly be ready to consider with all concerned how they might be improved. The further development of these procedures would, however, need to involve the Council as well and would naturally have to take place within a framework which fully respects the role of each institution under the Treaties.

Against this background, we could start by studying the feasibility of extending to further types of agreement existing procedures for briefing and consulting Parliament. We might also examine in turn what improvements might be made to the present arrangements for involving Parliament at various stages of the negotiations.

Thus, in the preparatory phase, thanks to the Luns-Westerterp procedures, Parliament is already free to hold a public debate before the initiation of negotiations for association on trade agreements. Given the confidential nature of negotiations, it is difficult to envisage a full-scale debate on the draft negotiating directives themselves. On the other hand, I see no reason why the appropriate Parliamentary committees should not be fully informed as to the general political and economic factors on which negotiating directives will be based. The Commission would be ready to supply documentation on these general factors on an ad hoc basis. During negotiations, the Commission already briefs Parliamentary committees on the progress of negotiations. The Commission would be ready to discuss Parliament's wishes as regards the exact scope and form of these briefings, it being understood that contacts must remain informal and confidential. I believe that if we were to set to work along these lines, we should be able to attain the objective of this resolution of enabling Parliament to play a fuller role in negotiations with third countries.

The Blumenfeld report also raises the issue of Parliament's involvement in procedures for the accession of new Member States. To begin with, on this point we should recognize that there is a fundamental difference between the negotiation of accession agreements and the negotiation of Community agreements. Although the Council provides administrative support to the Conference of negotiation on accession and though the Commission may be given specific assignments within the framework of that negotiation, legally both negotiation and conclusion are matters for the Member States.

This being said, my own view — and I clearly cannot here commit the views of Member States — is that Parliament could, here too, play its role at the first stage of negotiations. On the basis of material provided by the Commission, it could, for example, discuss the problems arising and suggest appropriate solutions. I recall that this was indeed the case when the previous Parliament discussed Greek enlargement on the basis of a report by Mr Amadei.

In the course of negotiations, it might also be possible to envisage procedures within an appropriate framework for keeping Parliament informed on progress. Equally, I see no objection in principle to the suggestion that at the end of negotiations Parliament might sum up its own opinion in much the same way as

the Commission does under the provisions of Article 237. Indeed, there is nothing to prevent Parliament at that stage from organizing the equivalent of a 'ratification' debate in parallel with those taking place at national level in the parliaments of Member States. Clearly, the outcome of such a debate would have no binding effect, but it could certainly be an important influence on the stand adopted by national parliaments.

I have sought, Mr President, to set out the views of the Commission on the numerous points of substance which are raised in these three important resolutions. If there are any points, as there may well be, which I have not been able to cover in the course of my remarks, I will listen to the debate and, if necessary, endeavour to take them up at the end of the debate if there is then any time left. This is a debate, as I said at the beginning, of major importance, since the continuing strength and vitality of our Community institutions will more than anything else determine whether we can move forward to tackle the deep-seated economic and social problems that face us. These resolutions demonstrate the determination of this House to uphold and strengthen the institutions of the Community. I hope I have demonstrated that the Commission shares that determination, that it shares a great part of the approach of this House. I welcome this debate and look forward to hearing the views of the honourable Members.

*(Applause)*