

The meeting of the European Council in Fontainebleau under French chairmanship on 25-26 June 1984 (See Document 44), also agreed on increasing the Community's 'own resources'.

The French Presidency further obtained agreement to the appointment of an ad hoc Committee on Institutional Affairs, said to be 'on the lines of the Spaak Committee' of 1955. This was not an apt analogy. The Spaak Committee had had a clear task: to give effect to the Messina Declaration.

The new Committee had no similar agenda. The decision to set it up made no mention of a new Treaty.

The Committee chairman was Senator Jim Dooge, friend of Irish Prime Minister Fitzgerald and a former Foreign Minister. The other members were a mixture of independent persons (two of them members of the European Parliament) and serving junior Ministers or high-ranking officials.

Most Committees of this type are expected to seek consensus. The Belgian member, Fernand Herman, a European deputy, proposed, and it was agreed that the Committee should not even try to reach a high level of agreement. In the event, from the opening word 'Preamble', the report is studded with thirty-seven footnotes and reservations and two dissenting annexes. This may have enhanced its value as a thinkpiece, but it made it less operational.

One of the disputed matters concerned voting. The majority favoured the extension of qualified majority voting. The minority (Denmark, Greece, UK and less vigorously Ireland) emphasized that if a member State considered that very important national interests were at stake, discussion should continue until unanimity was reached.

The majority (Denmark, Greece and UK dissenting) also recommended the convocation of an inter-governmental conference to negotiate a draft Treaty of European Union.

The Dooge Committee reported to the European Council meeting in Brussels on 29-30 March 1985. At the Milan meeting on 28-29 June 1985 the Italian Presidency took a snap vote in which the Belgian, German, French, Irish, Italian, Luxembourg and Netherlands delegations voted in favour of a conference to draft a new Treaty. The material for the conference was to be Franco-German and UK drafts on a 'common foreign and security policy' (which the UK had not intended for a Treaty drafting conference), and especially, the proposals of the Dooge Committee.

'Ad hoc Committee for institutional Affairs: Report to the European Council' [Dooge Report], Brussels, March 1985

Priority objectives

A homogeneous internal economic area. The aim is to create a homogeneous internal economic area, by bringing about the fully integrated internal market envisaged in the Treaty of Rome as an essential step towards the objective of economic and monetary union called for since 1972, thus allowing Europeans to benefit from the dynamic effects of a single market with immense purchasing power.

This would

mean more jobs, more prosperity and faster growth and would thus make the Community a reality for its citizens.

1. Through the completion of the Treaty.

By creating a genuine internal market by the end of the decade on the basis of a precise timetable.

This involves:

(a) the effective free movement of European citizens;

- (b) a favourable climate for investment and innovation through stable and coherent economic, financial and monetary policies in the member States and the Community;
- (c) pending the adoption of European standards, the immediate mutual recognition of national standards by establishing the simple principle that all goods lawfully produced and marketed in a member State must be able to circulate without hindrance throughout the Community;
- (d) more rapid and coordinated customs procedures, including the introduction as planned of a single administrative document by 1987;
- (e) the early introduction of a common transport policy;
- (f) the creation at an early date of a genuine Common Market in financial services, including insurance;
- (g) the opening of access to public contracts;
- (h) the creation of conditions which will favour cooperation between European undertakings and in particular the elimination of taxation differences that impede the achievement of the Community's objectives;
- (i) the strengthening of European financial integration, inter alia through the free movement of capital and the creation of a European financial market, hand in hand with the strengthening of the European Monetary System.

2. Through the creation of a technological Community.

The growth capacity of Europe, backed by this genuine internal market, will have to be based, inter alia, on wholehearted participation in technological innovation, and must result in the creation of a technological Community through, among other things, the introduction of faster decision-making procedures. This process must enable European industry to become a powerful competitor internationally in the field of production and application of the advanced technologies.

This means in particular:

- (a) that industrial enterprises in the Community must have at their disposal common European standards and suitable procedures for advanced technology products;
- (b) that international cooperation during the development phase must be strengthened;
- (c) that public and semi-public contract procedures in the Community, concerning inter alia, the supply and use of electronic and communications equipment, must be liberalized;
- (d) that the exchange of services connected to the use of advanced technology must be liberalized;
- (e) that a successful techno-industrial development in the technological Community depends upon and must increasingly allow for wider scope for individual creativity and performance;

and in addition the following specific activities:

- (f) the development of vocational education and training;
- (g) the encouragement of universities and research institutes to orient their activities more towards the commercial sector and to ensure the transfer of the results of their work;
- (h) the coordination of research and development at national and Community level;
- (i) the promotion and support of greater industrial cooperation between European companies including the launching of transnational projects in key sectors;
- (j) the furthering of undistorted international exchange of technology and advanced technological products through an active common commercial policy in conformity with GATT obligations.

3. By the strengthening of the European Monetary System (EMS). The European Monetary System, which was created and set up pending restoration of the conditions for the gradual achievement of economic and monetary union, is one of the achievements of the Community during the last decade. It has enabled the unity of the Common Market to be preserved, reasonable exchange rates to be maintained and the foundations for the Community's monetary identity to be laid.

The time has come, however, to forge ahead towards monetary integration through:

- (a) the closer coordination of economic, budgetary and monetary policies with the aim of true convergence of economic performance;
- (b) the liberalization of capital movements and the removal of exchange controls;
- (c) the strengthening of the European monetary and financial market to make it attractive and capable of supporting the growth and investment effort;
- (d) the participation of all member States both in the EMS and in the exchange rate mechanism, provided that the necessary economic and monetary conditions are met;
- (e) the increased but non-inflationary use of the ECU in transactions between central banks whether they are members of the system or not;
- (f) the elimination consistent with monetary stability of obstacles to the use of the ECU in private transactions;
- (g) the promotion of the ECU as an international reserve currency; the coordination of exchange policies with regard to third currencies and in particular the dollar and the strengthening of the role of the European Monetary Cooperation Fund (EMCF) by stages depending in the progress made in the use of the ECU.

Through these measures as a whole it will be possible for the EMS to progress towards the second institutional phase envisaged in the decision of the European Council in Bremen in 1978.

External policy . . . On the diplomatic front several measures could be considered initially which might allow progress to be made towards finding a common voice.

1. The strengthening of political cooperation structure by:

- (a) the creation of a permanent political cooperation secretariat to enable successive Presidencies to ensure greater continuity and cohesiveness of action; the secretariat would to a large extent use the back-up facilities of the Council and should help to strengthen the cohesion between political cooperation and the external policies of the Community;
- (b) the regular organization of EPC working meetings at the Community's places of work, while meetings of Ministers should also be arranged in the member States' capitals.

2. The improvement of political cooperation through:

- (a) an explicit undertaking by the member States to promote EPC by agreeing to a formalization of the commitments to a prior consultation procedure;
- (b) seeking a consensus in keeping with the majority opinion with a view to the prompt adoption of common positions and to facilitating joint measures;
- (c) adopting common positions in multilateral and inter-regional relations, particularly at the United Nations.

3. Member States and the Community should examine on a case-by-case basis the desirability of common representation at international institutions, especially in the UN framework and in the countries where only a few member States are represented.

4. Codification of EPC rules and practices.

Security and defence. The aim is to encourage greater awareness on the part of the member States of the common interests of the future European Union in matters of security. The relevant member States will make the fullest contribution both to the maintenance of adequate defences and political solidarity, and to the pursuit of security at the lowest possible level of forces through the negotiation of balanced and verifiable measures of arms control and disarmament. In any event, this question will have to take account of:

1. The frameworks which already exist (and of which not all partners in the European Community are members) such as the Atlantic Alliance, the framework for and basis of our security, and the Western European Union, the strengthening of which, now under way, would enrich the Alliance with its own contribution.
2. The differing capabilities and responsibilities and the distinctive situations of the Community member States.
3. The existence of interests and objectives which member States, while respecting their individual situations as regards defence and security, recognize as common, in particular the need for the Atlantic Alliance to maintain adequate military strength in Europe for effective deterrence and defence, in order to preserve peace and protect democratic values.

Accordingly, the following measures are proposed:

(a) Developing and strengthening consultation on security problems as part of political cooperation. Such consultation could involve in particular:

- (i) discussion of the nature of external threats to the security of the Union;
- (ii) discussion of the way in which member States' security interests may be affected by the international context, in particular by developments in weapons technology and strategic doctrines, changes in relations between the great powers and the progress of negotiations on disarmament and arms control;
- (iii) an effort to harmonize, whenever possible, the stances to be taken by member States on the major problems posed by the preservation of peace in Europe.

(b) The stepping-up of efforts to draw up and adopt common standards for weapons systems and equipment, taking account of the work being done in the relevant bodies.

Particular attention is to be paid by member States to:

- (i) rationalizing their military equipment research and development;
- (ii) support for production capacity for high-technology equipment which can strengthen Europe's defensive capabilities.
- (c) A commitment by member States to design, develop and produce such systems and equipment jointly.
- (d) The will on the part of the member States to create the technological and industrial conditions necessary for their security.

The means: efficient and democratic institutions

Easier decision-making in the Council, which means primarily changes in practice and certain adjustments to existing rules.

1. Less bureaucracy within the institutions, as national authorities have, through their experts, gained too much ground over the last ten years; in particular, the authority of the Permanent Representatives over the various Working Parties must be strengthened in order to improve the preparation of the Council's decisions and to focus its discussions on the most important matters.

2. The growing number of areas of Community activity has led over the years to the Council meeting in a multiplicity of special

compositions. The Council must remain a single institution in which a pre-eminent role of coordination and guidance must be preserved for the ministers with general responsibilities (the 'General Affairs' Council). 3. The rules and procedures governing the Council should be rigorously applied in the interests of its own efficiency and internal cohesion.

4. Concerning principles of voting:

(a) the majority of the Committee favour the adoption of the new general principle that decisions must be taken by a qualified or simple majority. Unanimity will still be required in certain exceptional cases, which will have to be distinctly fewer in number in relation to the present Treaties, the list of such cases being restrictive.

In a spirit of a return to the Treaties, the Presidency must call a vote if the Commission or three member States so request. The vote must be taken within thirty days.

(b) the majority of the Committee considered that more use will need to be made, especially in the context of the enlarged Community, of the majority voting provisions laid down in the Treaties. Once a reasonable time has been devoted to the search for consensus, the Presidency should call for a vote.

Where the Treaties require decisions to be taken by unanimity member States should also make greater use of the possibility of abstention in accordance with Articles 148(3) (EEC). 118 (EAEC) and 28 (ECSC).

When a member State considers that its very important interests are at stake, the discussion should continue until unanimous agreement is reached.

S. In order to ensure the implementation of certain decisions, the use in exceptional circumstances of the method of differentiated Community rules, provided such differentiation is limited in time, is based solely on economic and social considerations and respects the principle of budget unity.

A strengthened Commission. The Commission guarantees autonomous representation of the common interest. Wedded to the general interest whose guarantor it is, the Commission cannot be identified with individual national interests.

If it is to carry out fully the tasks entrusted to it, which make it the lynchpin of the Community, its powers must be increased, in

particular through greater delegation of executive responsibility in the context of Community policies.

In the first place, its autonomy must be confirmed so that it can be completely independent in the performance of its duties in accordance with the obligation specifically imposed upon it and on each of its members individually.

To this end it is proposed that the President of the Commission be designated by the European Council.

The other members of the college shall be appointed by common accord of the Governments of the member States, acting on a proposal from the President-designate.

The Commission must not include more than one national from any member State.

At the beginning of its term of office the Commission should receive a vote of investiture on the basis of its programme.

Similarly, the Commission must now be acknowledged as an organ with full powers of initiative, implementation and administration. The European Parliament as a guarantor of democracy in the European system. A Parliament elected by universal suffrage cannot, if the principles of democracy are logically applied, continue to be restricted to a consultative role or to having cognizance of only a minor part of

Community expenditure. That dooms it to oblivion or overstatement, and more often than not to both.

An enhanced role will be sought for it in three areas:

(a) by effective participation in legislative power, the scope of which will be specifically defined, in the form of joint decision-making with the Council; to this end the Commission proposal will be discussed first of all by the European Parliament; the Council will deliberate on the text adopted by the European Parliament; in the event of disagreement, a conciliation procedure will be initiated on the basis of a proposal of the Commission; the Commission will retain its power of initiative throughout the legislative procedure;

(b) by increasing its supervision of the various policies of the Union and its political control over the Commission and over cooperation in the external policy field: the association and accession agreements negotiated by the Union will also be submitted to the European Parliament for approval:

(c) by giving it responsibility in decisions on revenue as the copingstone of the establishment of a new basic institutional balance;

conciliation between Parliament and the Council would take place at the moment when the frame of reference on the basis of multiannual planning is defined; decisions governing the development of own resources will be taken jointly by the Council and Parliament so that the latter may be able to have a hand in the balancing of expenditure by revenue.

These developments should go hand in hand with increased representativeness of Parliament itself through the standardization of voting procedures to elect its members.