

31 -03- 1994

Ankunft Kab. Brüssel, am _____
Geschickt zur Registrierung.

CONSEIL
DE
L'UNION EUROPEENNE

Bruxelles, le

EP	LE
-7.-4-1994	
4 7 3 3	

Monsieur Egon KLEPSCH
Président du Parlement européen
Case Postale 1601
LUXEMBOURG

Monsieur le Président.

Le Conseil a décidé de demander l'avis conforme du Parlement Européen, prévu par l'article "O" du Traité sur l'Union Européenne, sur les demandes d'adhésion à l'Union Européenne de l'Autriche, de la Finlande, de la Norvège et de la Suède.

Les négociations avec les 4 pays candidats se sont clôturées le 30 mars 1994 par un accord sur le chapitre Institutionnel, dernier chapitre encore ouvert. Vous trouverez, ci-joint, un rapport exposant le résultat des négociations sur ce chapitre qui vient compléter les rapports antérieurs déjà transmis au Parlement Européen concernant les autres chapitres. Ces rapports ont été établis sous la responsabilité de la Présidence du Conseil en collaboration avec les Services de la Commission.

Le texte du Traité entre les Etats membres de l'Union Européenne et l'Autriche, la Finlande, la Norvège et la Suède relatif à l'adhésion de ces derniers Etats à l'Union Européenne, sera transmis au Parlement Européen dans la semaine commençant le 11 avril 1994.

Je vous prie de croire, Monsieur le Président, à l'assurance de ma haute considération.

TRANSMISE A *R. Dornier*

Th. PANGALOS
Président

POUR PREPARER REPCNSE	
POUR AVIS	
POUR SUITES A DONNER	<i>✓</i>

COPIES			
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Brussels, 31 March 1994

ADDENDUM II

TO THE

REPORT

**on the results of the negotiations on the accession
of Austria, Sweden, Finland and Norway
to the European Union,
drawn up under the responsibility of the Presidency of the Council
in co-operation with the Commission's departments**

CHAPTER 28. INSTITUTIONS.

The agreement reached does not include the cases where the adaptation of institutions and bodies upon accession follows automatically from the application of the pertinent provisions of the Treaties or secondary Community law. It is understood that the status of the new Member States in these cases is the same as that of the present Member States.

European Parliament

The total number of members will be increased by 74 to a total of 641. Sweden will designate 22 members, Austria 21, Finland 16 and Norway 15.

Council

- a) When the Accession Act enters into force the Council will adopt a decision to amend the rotation of the Presidency. The office of the President shall be held for the first six months of 1995 by France, for the second six months of 1995 by Spain. For the subsequent periods of six months the Presidency shall be held by the following countries in turn in the following order : Italy, Ireland, Netherlands, Luxembourg, United Kingdom, Austria, Norway, Germany, Finland, Portugal, France, Sweden, Belgium, Spain, Denmark, Greece.

Within the same decision it will be stipulated that the Council may decide, acting unanimously on a proposal from the Member States concerned; that a Member State may hold the Presidency during a period other than that resulting from the above order.

The necessary changes will be made to Article 146 of the Treaty on European Union.

- b) For the weighting of votes within the Council the current weighting will be maintained for the present Member States. Sweden and Austria will have 4 votes each, Finland and Norway will have 3 votes each.
- c) Accordingly, the threshold necessary for a qualified majority shall be fixed at 64, which maintains approximately the current percentage. A declaration has been accepted by the 12 present Member States which includes a decision ("Beschluss") of the Council. This text has also been agreed with the 4 acceding States. This document, which neither forms part of the Treaty nor of the Final Act, but will be noted in the minutes of the Accession Conferences, is annexed to this Report for the information of the Parliament. Moreover, the "Beschluss" will be published in the Official Journal ("C" series).

The majority requirement in Article 28 of the ECSC Treaty will be amended from one ninth of the total value of coal and steel output of the Community to one tenth. The majority requirement in Article 95 of the ECSC will be amended from 10 out of 12 to 13 out of 16.

The qualified majority threshold in matters concerning the Social Protocol shall be 54 out of 80.

European Commission

The number of members of the European Commission will be increased from 17 to 21.

Court of Justice

Each Member State will propose one judge for appointment. In addition, should an even number of member states accede, Germany, France, Italy, Spain and the United Kingdom will take part in a system involving the rotation of an additional judge. A joint declaration, similar to that adopted for the 1973 enlargement, will be entered in the Act of Accession to cover the eventuality of an uneven number of applicant countries acceding by allowing the thirteenth acting Judge to become an Advocate-General.

Germany, France, Italy, Spain and the United Kingdom will each propose one Advocate -General for appointment. The other Member States will take part in a system involving the rotation of three Advocates-General.

Court of First Instance

Each Member State will propose one member for appointment.

Court of Auditors

Each Member State will propose one member for appointment.

Economic and Social Committee

For Sweden 12 members shall be appointed to the Committee, for Austria 12, for Finland 9 and for Norway 9.

Committee of the Regions

For Sweden 12 members shall be appointed to the Committee, for Austria 12, for Finland 9 and for Norway 9.

European Investment Bank

In the Protocol to the EC Treaty on the Statute of the EIB the following changes will be made:

- the qualified majority within Article 10 of the Statute will be increased from 45% to 50% of the subscribed capital,
- the number of Directors in the Board of Directors as set out in Article 11 will be increased from 22 to 26. Each new Member State will be represented by one director,
- the number of alternates to the Directors in the Board of Directors will be increased from 12 to 13. The additional alternate will be appointed in common accord by Sweden, Austria Finland and Norway.
- Qualified majority in Article 12 shall require 18 out of 26 votes.

With regard to the EIB Management Committee, the Conference has decided to invite the Board of Governors of the EIB to decide without delay, after enlargement has taken place, to increase the number of vice presidents by one.

ECSC Consultative Committee

It has been agreed that four members for each country shall be appointed on behalf of Sweden, Austria and Finland; three members shall be appointed on behalf of Norway. The total number of members of the ECSC Consultative Committee shall be between 87 and 111.

Euratom Scientific and Technical Committee

The number of members of the Committee as determined in Article 134(2), first subparagraph of the EAEC Treaty will be increased from 33 to 39 members. Two members each will be appointed for Sweden and Austria, and one member each for Finland and Norway.

Advisory Committee for the Euratom Supply Agency

The number of members of the Committee will be increased from 44 to 52. Three members will be appointed for Sweden, two each for Austria and Finland and one member for Norway.

In relation to this allocation, Sweden will pay 192.000 EMA unit of account to the capital of the Euratom Supply Agency, Austria and Finland 96.000 EMA each and Norway will pay 32.000.

Setting up of the institutions

- a) For the election of Representatives in the European Parliament, Sweden, Finland and Norway have indicated that they will organize direct elections to designate their representatives in the European Parliament within two years after accession.

Austria has indicated that it intends to hold elections to the European Parliament during the interim period between the signature and the entry into force of the Treaty of Accession, in autumn 1994 at the same time as national legislative elections, enabling its representatives to the European Parliament to take their seats immediately after the entry into force of the Treaty.

In the time between the date of accession and the designation of elected members of the European Parliament for the three other new Member States, their representatives shall be appointed from among the members of the respective national parliaments.

- b) The institutions and bodies for which the term of office of the members appointed upon accession shall expire at the same time of those of the members in office at the time of accession are : the Commission, the European Parliament, the Economic and Social Committee, the Committee of the Regions, the ECSC Consultative Committee, the Euratom Scientific and Technical Committee and the Advisory Committee for the Euratom Supply Agency.

For other committees established by EU secondary legislation not falling under the comitology rules (Council Decision 87/373/EEC of 13.7.1987), two lists will be made, one for committees which will follow the standard rule, a second for committees the membership of which shall be completely renewed upon accession.

The term of office for the directors and the alternate of the EIB Board of Directors to be appointed upon accession shall expire at the end of the annual meeting of the Board of Governors during which the annual report for the 1997 financial year is examined.

- c) For the Court of Justice, the term of office of two of the judges appointed upon accession shall expire on 6 October 1997. These judges shall be chosen by lot. The term of office of the other two judges shall expire on 6 October 2000.

The term of office of one of the two Advocates-General shall expire on 6 October 1997. That Advocate-General shall be chosen by lot. The term of office of the other Advocate-General shall expire on 6 October 2000.

- d) For the Court of First Instance, the term of office of two of the Judges of the Court of First Instance appointed upon accession shall expire on 31 August 1995. These judges shall be chosen by lot. The term of office of the other two Judges shall expire on 31 August 1998.

- e) For the Court of Auditors, the term of office of two of the Members of the Court of Auditors appointed upon accession shall expire on 20 December 1995. These members shall be chosen by lot. The term of office of the other two members shall expire on 9 February 2000.

Official Languages

The official languages of the institutions of the Union after enlargement will be the nine existing official languages, to which will be added on accession Finnish, Norwegian and Swedish.

1996 Intergovernmental Conference

The following declaration will appear in the Final Act :

"In adopting the institutional provisions of the Accession Act, the Member States and the applicant countries agree that, as well as examining the legislative role of the European Parliament and the other matters envisaged in the Treaty on European Union, the Intergovernmental Conference to be convened in 1996 will consider the questions relating to the number of members of the Commission and the weighting of the votes of the Member States in the Council. It will also consider any measures deemed necessary to facilitate the work of the Institutions and guarantee their effective operation."

CHAPTER 29 : MISCELLANEOUS

Transparency

The following unilateral declarations will be included in the Final Act :

- Declaration by Norway and by Finland :

"[Norway] [Finland] welcomes the development now taking place in the Union towards greater openness and transparency.

In [Norway] [Finland] open government, including public access to official records, is a principle of fundamental legal and political importance. [Norway] [Finland] will continue to apply this principle in accordance with its rights and obligations as a member of the European Union."

Declaration by Sweden and declaration made by the Union in response :

= "DECLARATION ON OPEN GOVERNMENT

Sweden confirms its introductory statement on 1st February 1993.

Sweden welcomes the development now taking place in the European Union towards greater openness and transparency.

Open government and, in particular, public access to official records as well as the constitutional protection afforded to those who give information to the media are and remain fundamental principles which form part of Sweden's constitutional, political and cultural heritage."

= "The twelve present Member States of the European Union take note of the unilateral declaration of Sweden concerning openness and transparency.

They take it for granted that, as a member of the European Union, Sweden will fully comply with Community law in this respect."

(Texts to be entered in the minutes of the Conferences, the Decision of the Council ("Beschluss") being published in the Official Journal)

1. Declaration of the 12 present Member States of the European Union

The representatives of the 12 States referred to above have adopted the following Declaration at the end of the Conferences having elaborated the text of the Treaty on Accession of Norway, Austria, Sweden and Finland to the European Union :

- a) The twelve present Member States of the European Union have agreed that, in the hypothesis where four new Member States will join the Union, the threshold necessary for a qualified majority required by the Treaties shall be fixed at 64 votes. They have also agreed that the question of the reform of the institutions, including the weighting of votes and the threshold of the qualified majority in the Council, shall be examined during the Conference of representatives of the governments of the Member States which shall be convened in 1996, in accordance with article N, paragraph 2, of the Treaty on European Union.
- b) Besides, they have agreed to invite the European Parliament, the Council and the Commission to establish a report on the functioning of the Treaty on European Union. These reports will provide input for the work of a Reflection Group of Representatives of the Foreign Ministers which should be created by the European Council in Corfu and start its work mid 1995. This Group will work in association with the European Parliament. It will, inter alia, prepare options based on the positions and arguments of all Member States on the weighting of votes and on the threshold of the qualified majority decisions, taking into account future enlargement.

- c) They have taken note that the Council has decided that, if Members of the Council representing a total of 23 to 26 votes indicate their intention to oppose the adoption by the Council of a decision by qualified majority, the Council will do all in its power to reach, within a reasonable time and without prejudicing obligatory time limits laid down by the Treaties and by secondary law, such as in Articles 189 B and 189 C of the Treaty establishing the European Community, a satisfactory solution that could be adopted by at least 68 votes. During this period, and always respecting the Rules of Procedure of the Council, the President undertakes, with the assistance of the Commission, any initiative necessary to facilitate a wider basis of agreement in the Council. The members of the Council lend him their assistance.
- d) They have finally agreed that the different elements of the present Declaration shall continue to be in operation until entry into force of an amendment to the Treaties, following the 1996 Conference.

2. Declaration by the four applicant States

The four applicant States, i.e., Finland, Norway, Austria and Sweden, have expressed their agreement on the above texts of the Declaration by the twelve Member States of the European Union as well as on the text of the Decision by the Council.

31 -03- 1994

Ankunft Kab. Brüssel, am
Schickt zur Registrierung.

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L'UNION EUROPEENNE

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Président du Parlement européen
Case Postale 1601
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Je vous prie de croire, Monsieur le Président, à l'assurance de ma haute considération.

Th. PANGALOS
Président

Attended

yesterday,

no. Council

ΣΥΜΒΟΥΛΙΟ
ΤΗΣ
ΕΥΡΩΠΑΪΚΗΣ ΕΝΩΣΗΣ

Ο Πρόεδρος

Βρυξέλλες, 08 ΑΥΡ. 1994

κ. Egon KLEPSCH
Πρόεδρο του Ευρωπαϊκού
Κοινοβουλίου
Case Postale 1601
ΛΟΥΞΕΜΒΟΥΡΓΟ
(Μεγάλο Δουκάτο του Λουξεμβούργου)

3496

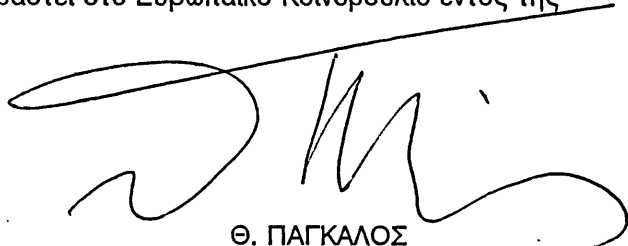
Κύριε Πρόεδρε,

Το Συμβούλιο αποφάσισε να ζητήσει τη σύμφωνη γνώμη του Ευρωπαϊκού Κοινοβουλίου, όπως προβλέπεται στο άρθρο "Ξ" της Συνθήκης για την Ευρωπαϊκή Ένωση, σχετικά με τις απτήσεις προσχώρησης της Αυστρίας, της Φινλανδίας, της Νορβηγίας και της Σουηδίας στην Ευρωπαϊκή Ένωση.

Οι διαπραγματεύσεις με τις 4 υποψήφιες χώρες ολοκληρώθηκαν στις 30 Μαρτίου 1994 με την επίτευξη συμφωνίας για το θεσμικό κεφάλαιο, το μόνο κεφάλαιο που εκκρεμούσε ακόμα. Συνημμένα σας διαβιβάζω μία έκθεση στην οποία παρουσιάζονται τα αποτελέσματα των διαπραγματεύσεων σχετικά με το κεφάλαιο αυτό και η οποία συμπληρώνει τις προηγούμενες εκθέσεις που έχουν ήδη διαβιβαστεί στο Ευρωπαϊκό Κοινοβούλιο σχετικά με τα υπόλοιπα κεφάλαια. Οι εκθέσεις αυτές εκπονήθηκαν με ευθύνη της Προεδρίας του Συμβουλίου, σε συνεργασία με τις υπηρεσίες της Επιτροπής.

Το κείμενο της Συνθήκης μεταξύ των κρατών μελών της Ευρωπαϊκής Ένωσης και της Αυστρίας, της Φινλανδίας, της Νορβηγίας και της Σουηδίας σχετικά με την προσχώρηση των κρατών αυτών στην Ευρωπαϊκή Ένωση θα διαβιβαστεί στο Ευρωπαϊκό Κοινοβούλιο εντός της εβδομάδας που αρχίζει στις 11 Απριλίου 1994.

Με εξαιρετική εκτίμηση,



Θ. ΠΑΓΚΑΛΟΣ

Συνημμένα