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The Consultative Function of the Economic and Social Committee of the European Community

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**The Consultative Function of the Economic and
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ROGER MORGAN

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THE CONSULTATIVE FUNCTION OF THE
ECONOMIC AND SOCIAL COMMITTEE
OF THE EUROPEAN COMMUNITY

by Roger Morgan

PREFACE

This report was written at the request of the Secretary-General of the Economic and Social Committee, Monsieur Jacques Moreau, and submitted in November 1990. I am grateful to the Secretary-General for permission to publish the report as an EUI Working Paper. It is divided into five sections:

- I. The rôle of the Economic and Social Committee, and some factors which limit the development of this rôle (p. 1)
- II. The composition of the Committee as a body representative of the economic and social forces of Europe (p. 5)
- III. The place of the Committee in the institutional system of the Community (p. 9)
- IV. Possible development of the Committee's rôle (p. 15)
- V. Conclusions (p. 19)

It should be noted that the report deals only briefly with some of the well-known problems of consultative institutions and their function at the level both of the European Community and of its member-states. Many of these questions were considered in detail in a report submitted to the Economic and Social Committee by the Trans-European Policy Studies Association (TEPSA) in 1989, under the title "Le Rôle du Comité Economique et Social et l'Avenir de la Fonction Consultative Professionnelle dans la Communauté Européenne". I acknowledge my great debt to the authors of the TEPSA study; to all those - Councillors, members of the Secretariat, and others - who gave so generously of their time and of their expertise in helping me to write the present study; and to Isabelle de Fraipont for her valuable assistance. The opinions and suggestions contained in the report are entirely my own responsibility.

Roger Morgan

August 1991

I. THE ROLE OF THE ESC; FACTORS LIMITING ITS DEVELOPMENT.

I.1. What can the ESC provide which cannot be provided by other EC institutions, or which these institutions could not obtain from other sources? In response to this question, it may be said that the Committee's precise function, a strictly advisory one, is clearly distinct from those of all the other Community institutions (executive, legislative, and judicial). The Committee's role is to provide the Community with advice and opinions based on a unique combination of expertise and representativeness. The expertise at the disposal of the Committee allows it to comment with authority on the most detailed aspects of Community policies, while the practical value of these opinions is enhanced by the fact that the Committee's working methods ensure that they are based not only on expert knowledge, but also on a thorough and systematic confrontation between the opinions of the most influential economic and social interests present in the countries of Europe. There has been much debate about whether the Committee renders its best service when it can show a consensus on some controversial issue, or whether it serves a more useful function by showing exactly where the points of disagreement between different interests lie. This is because on some questions the achievement of consensus is valuable, while, on others, the clarification of the limits of agreement, through the process of clear and open confrontation between the interests represented, is the most useful outcome. It is in any case one of the important functions of the Committee, very widely recognised, that its procedures bring the conflicting interests of various economic and other "lobbies" clearly to light, rather than allowing their pressures to be exercised only in private. It could be added that bringing the views of different interests into a direct confrontation, within the Committee, may itself contribute to the promotion of consensus in Europe; and that - even when this does not occur - the Committee's members, as a result of participating in its work, are better informed about the views of the other interests represented in it. Thus they can perform the valuable function of informing their own organisations, in Brussels and in their home countries, about these other views, and about the whole range of Community problems which the Committee has to consider.

I.2. There has been much discussion, in connection with the Committee's place in the Community's institutional system, of whether the rôle of the ESC, as the principal meeting-place for the economic and other interests of Europe, has been to some extent

usurped by other bodies. There has indeed been a proliferation of advisory bodies, the principal ones being created by the Commission, and most of them representing the "social partners": the most important have probably been the "Val Duchesse social dialogue", the Permanent Committee on Employment, and the earlier series of tripartite conferences. It can however be argued that the ESC, instead of considering these bodies or procedures as threats to its position, should welcome their work as complementary to its own. Even though the distinction between the concepts of "consultation" and "negotiation" is not absolutely precise, it is possible, and important, to distinguish the essentially negotiating function of the "Val Duchesse" dialogue (whose purpose is to reach specific agreements for implementation) from the purely consultative one of the ESC, where the purpose of the operation is to explore points of view and issues of fact in an attempt to reach an agreed opinion. If this distinction can indeed be respected by all concerned, the specific and unique rôle of the ESC as the central forum for (multilateral) consultation can be maintained.

I.3. The Committee can be said to have carried out its functions with some success, and there are strong reasons why it may expect to see its consultative function and its institutional status enhanced in the years to come. Briefly stated, these include:

- I.3.a) the impact on Europe of such powerful forces as rapid technological change and increased international migration, which will make the economic and social problems of Europe harder to resolve;
- I.3.b) the commitment of the Community to carry out, before "1992" and increasingly afterwards as well, a programme of economic integration of great complexity, requiring careful preparation;
- I.3.c) the growing consciousness of the need for the competitiveness of the European economy in the world to be enhanced, which underlines the contribution to be made by a body capable of assessing the conditions necessary for economic development;
- I.3.d) the well-known fact that "social" integration in Europe (reaffirmed in the Single Act in the context of "economic and social cohesion", but until now understood largely in the economic sense) poses a number of difficult problems, and requires an intensification of dialogue with organised representatives of the various national cultures;

- I.3.e) the problem, already evident to the Commission and other Community authorities, that the implementation of Community legislation in the member-states is often imperfect (and likely to become more so), so that closer liaison with representatives of national societies, from the pre-legislative stage, is more than ever desirable, to ensure that legislation is as "implementable", i.e. as "feasible on the ground", as possible;
- I.3.f) the fact that the importance of the ESC, in the context of such developments, has been more and more recognised by other Community institutions, notably the Commission but increasingly the Parliament as well.

I.4. Despite these and other arguments for the existence and the development of a European Community organ with the consultative and representative functions of the ESC, it is possible to observe a number of factors which tend to weaken its influence, or at least to prevent this influence from being allowed to grow. These include:

- I.4.a) a strong element in the present Zeitgeist in Europe (growing already when the concepts of "liberalisation" and "deregulation" came into vogue in the 1980s, and strengthened by the final discrediting of "socialism" in Eastern Europe), which argues that the "corporatist" or "collectivist" representation of economic and social interests, by bodies like the ESC or its national homologues, is anachronistic and harmful, and should be curbed;
- I.4.b) a movement of re-assertion of "states' rights" by the Community's member-states against the Community institutions, under the slogan of "subsidiarity", and motivated partly by the view that "European" economic or social policies formulated and adopted by these institutions (including the ESC) may be too abstract and remote to be relevant to widely-differing national situations;
- I.4.c) the fact that other Community institutions, despite their growing recognition of the value of the ESC, noted at I.2.f above, still remain

inclined to place limits on their readiness to work with it, and above all to support an expansion of its rôle or status;

- I.4.d) a tendency, on the part of some of the principal organised interests in Europe themselves, to ignore the ESC or to assign a low importance to it, either because they regard its work as irrelevant to them, or because they have other channels of communication with the Community.
- I.4.e) the sentiment that the Committee, like other Community organs, is required, partly by the absence in the Community of a clear distinction between legislative and administrative acts, to pronounce an opinion on every subject imaginable, with the result that too many of these opinions are of little interest (even, sometimes, for members of the Committee themselves).

II. THE COMPOSITION OF THE COMMITTEE: HOW REPRESENTATIVE OF THE ECONOMIC AND SOCIAL FORCES OF EUROPE?

II.1. The Treaties establishing the ESC clearly lay down that it should be "representative" of the main economic and social forces, but in fact its representative capacity has been questioned on a number of distinct grounds. The aspects which should be considered include the following:

II.1.a) The spread of interests represented. It is often argued that, while the present Groups I and II adequately represent the organised "social partners" of industrial society, the Committee does not properly reflect the diversity of social groups to be found outside the organised structure of industrial production. Is there not a case for increasing the representation of consumer and ecological movements, and of the worlds of information and other new technology, the services sector, research, education, and the mass media? (It may of course be objected that an excessive extension of the Committee's membership would make consensus harder to reach; and that the organisations represented in Groups I and II in any case have well-articulated views on such questions as that of the environment, so that no additional representation of those concerned with them is required. In any case it might be desirable, if the membership of the Committee were to be enlarged, for the existing balance of numbers between Groups I, II, and III to be maintained: thus representatives of the "new" interests would have to be able to affiliate, in addition, to one or another of the Groups.)

II.1.b) The under-representation of the larger member-states. As the figures show (Annex), the four larger countries are distinctly under-represented, in a way which is particularly striking if the (overall) increase of representation in the Committee is compared with that in the European Parliament: from 1957 to 1987 the size of the Committee increased in a proportion of 1 to 1.88, while the

Parliament increased proportionately from 1 to 3.65. Without suggesting that a consultative Committee should necessarily increase in size at the same rate as an elected Parliament, it may be argued that an increase in the seats allocated to the four larger member-states, from 24 to 36 each, would allow them to put forward additional members to "cover" the under-represented branches of society mentioned above. (The desirability of maintaining a balance between the three Groups, mentioned in the previous paragraph, would also have to be kept in mind.)

II.1.c) The disproportions between the representation of different interests. It has been argued that the lists of nominations from the member-states sometimes result in the over-representation of certain economic interests (for instance agriculture) at the expense of others, and that the Council of Ministers, by simply confirming without question these national lists, fails to take the opportunity of redressing the imbalance. For the Council to be more actively involved in this way - taking account of the advice of the Commission - would not involve any amendment of the Treaties, but only their application.

II.1.d) The strengthening of the Committee by the admission of alternate members ("suppléants"). The rule that members of the Committee are appointed "in their personal capacity" means that, even though they may appoint substitutes to represent them at working groups, this is not allowed for plenary or section meetings. The experience of comparable consultative bodies where alternate members are permitted (e.g. the Consultative Committee of the ECSC, or the Social and Economic Council in the Netherlands) suggests that this practice ensures a high quality of membership (the leading representatives of economic interests will accept membership if their presence is not expected at every meeting). The argument that the ESC should not add alternate members on grounds of expense is very weak: the additional cost would only be approx-

imately one per cent of the Committee's current budget. Another argument often put forward against the introduction of a system of alternates is that some present members of the Committee are opposed to this reform: if this is an important consideration, perhaps an acceptable compromise would be that the Committee should organise, in addition to its normal programme of work, a special annual high-level conference, to which the top leaders of the organisations represented in the ESC would be invited. This would associate them, and their organisations, more closely with the work of the Committee, without obliging them to accept the responsibilities of personal membership.

- II.1.e) Links with corresponding bodies at member-state level. Most of the Community's member-states have consultative bodies which correspond in some degree to the ESC. One of the consequences of this is that a certain duplication of work occurs, as both the Community's ESC and these national bodies are called on to work on the same problems, often without co-ordinating their efforts. There are indeed networks for communication between the Secretaries-General of the organisations concerned, and a certain number of joint activities have been carried out. As an additional step, however, it should be considered whether, for instance, the chairmen or committee chairmen or other members of the national bodies should not have observer status at the ESC. (This might help to overcome the fears about subsidiarity, mentioned above, I.3.b)

- II.1.f) Links with regional authorities within member-states. The European Parliament's Martin Report of 1990 underlined the importance of sub-national levels of government by calling for the establishment of a new Community advisory body, with a similar status to that of the ESC, to represent the views of the regions. Such an assembly would no doubt represent a development and institutionalisation of the Commission's Advisory Council of

Regional and Local Authorities, a small body of 42 members established in 1988. It could be argued that such a body, composed of the democratically-elected political representatives of regional governments, would be different in nature from the ESC, and should thus have a separate existence: against this, however, it must be said that the separation of "regional" from "economic and social" interests is highly artificial. It might be much more useful to find a way of integrating the proposed new regional representation directly with the ESC - perhaps in an enlarged Regional Policy Section, or as a standing Sub-Committee of Regional Representatives.

- II.1.g) Links with Community-level interest groups. The relations of the ESC with "European" interest organisations appear always to have been complicated, and - in view of the important contribution these organisations already make towards the creation of a Community-level consensus - unsatisfactory. Indeed, it seems clear that representatives of employers' and labour organisations at the Community level are permanently involved, through their day-to-day work, in just the sort of confrontation (and often reconciliation) of different interests which the ESC exists to promote. In view of this, should not steps be taken to ensure the presence of more representatives from these bodies in the Committee? Would it suffice if they were given more influence on the nominations put forward by national governments (and if so, how can this be done?), or would it be desirable - as proposed in the 1989 TEPSA report on the Committee - to give them the right to nominate some Councillors directly, so as to counterbalance the national influences?

III. THE ESC IN THE INSTITUTIONAL SYSTEM OF THE COMMUNITY.

III.1. Introduction

III.1.a) In September 1990 the Bureau of the ESC issued a statement calling for the modification of Art.4, Para.1 of the Treaty of Rome, and the corresponding Article of the ECSC Treaty, to read as follows: "La réalisation des tâches confiées à la Communauté est assurée par:

- un Parlement européen,
- un Conseil,
- une Commission,
- un Comité économique et social à caractère consultatif,
- une Cour de Justice".

III.1.b) It is in the context of this call for a re-formulation of the Committee's position among the institutions of the Community, and of the discussions to be held during the Inter-governmental Conference of 1990-91, that we must consider the ESC's relations with the other actors in the system: the Parliament, the member-states, the Commission, and the Council (including COREPER).

III.2. The Parliament

III.2.a) One of the central actors in the promotion of the Inter-governmental Conference (IGC), and in influencing its work, is the Parliament, which is acting as a motor of change, rather as it did through its Draft Treaty of European Union in 1984-86. The European Parliament has already made it clear that it will work in the course of the IGC for an up-grading of its own rôle, both in the co-operation procedure and in general. The degree of success that will attend these efforts is not clear, but we can already envisage a change in the Parliament's rôle, from an essentially advisory one in the early years of the Community to a rôle as co-legislator by the 1990s. As the Parliament makes this clear transition, the distinction between its own rôle and that of the ESC (still distinctly an advisory one) should become even more apparent.

III.2.b) In parallel, then, with the acquisition of greater legislative authority on the part of the Parliament, it would be logical and even necessary for the ESC to be given increased recognition as the principal consultative body in the decision-making process. The Committee should not only do its best to convince the Parliament that it is not a rival, but potentially a powerful ally: indeed, this should become abundantly clear, as the legislative powers of the Parliament increase, leaving the Committee more evidently responsible for the rôle of advising - in the sense both of giving opinions on specific items of legislation and of functioning more generally as an advisory body to the Parliament, as well as to the Commission and the Council.

III.2.c) As such a division of labour between the Parliament and the Committee becomes more evident, the Parliament should be more ready to welcome procedural revisions going in the direction of requiring the Parliament to take more account of the opinions and of the consultative rôle of the Committee. It would be logical for the IGC, if - as is to be expected - it gives a greater legislative rôle to the Parliament, to ensure at the same time that this body is guaranteed to act with the benefit of the expert and balanced advice of the Committee. This could be achieved by giving a formal Treaty basis to the status of the ESC as an advisory body to the Parliament, as well as to the Commission and the Council. The Parliament might be placed under an obligation to consult the Committee before completing its first reading of legislation, and to take its views into account; and there might be a revision of the co-operation procedure laid down by the Single Act, allowing Parliament, if it wished, to seek the opinion of the Committee before adopting its final position in second reading.

III.2.d) The experience of recent years suggests further reasons why the Parliament might be expected to welcome the support of the Committee. There have been several cases where committee rapporteurs of the Parliament have been glad to make use of the advice of their counterparts in the ESC, whose consideration of a problem often

combines the necessary technical expertise with the agreed - or partly agreed - consensus of a wide range of social and economic interests. A recent example concerned the rôle of fiscal harmonisation in the liberalisation of the internal market, a somewhat technical but also highly political issue, on which the EP's rapporteur was glad to draw on the work done by the ESC. It has also been evident that Parliament, when preparing its first reading position on legislation falling under the co-operation procedure (and thus not susceptible to the introduction of new points at the stage of the second reading), has taken particular care to inform itself in advance of the views of the ESC; the standing of the Committee has also been improved by the fact that the Council now transmits its own common position, as a matter of normal procedure, to the Committee. This is a recognition of the Committee's rôle which had no counterpart in the procedure in force before 1987.

III.3. The member-states.

- III.3.a) It should also be noted that, just as the Parliament will, during the IGC, deploy considerable efforts to influence the national parliaments of the member-states in favour of institutional reform (not least by following up the inter-parliamentary "assizes" held in Rome at the end of November 1990), it would be to the ESC's advantage to try to carry out a parallel strategy. It would help the Committee if its members could mobilize support in their respective national parliaments to try to ensure that the enhanced rôle of the Committee, envisaged here, received support at the national level. It should go without saying that any influence which members of the Committee could exert on their national governmental authorities, which will have the decisive voice in the IGC itself, would be useful. At the highest level of governmental authority, indeed, it would of course be of the greatest benefit to the ESC if an improvement in its status were recommended by the European Council. However, the key position of national parliaments in the whole process should be especially underlined here, since these

parliaments will have to ratify the outcome of the IGC before it can take effect. The increasingly systematic contacts between specialist committees of the European and national parliaments, which are now developing, provide a basis for discussions on this point.

III.4. The Commission

III.4.a) The ESC's relationship with the Commission is at once less formal and more intensive than those with the Parliament and the Council: it depends heavily on informal communication between officials, as well as on the procedural arrangements laid down formally. There has been much debate about the desirability of the Commission's informing the Committee of its general policy goals at an early stage of its planning, rather than waiting until a draft regulation or directive has already been formulated. This debate, naturally, has been stimulated by the initiative which the Commission took in 1988 in asking the Committee to give an opinion on the idea of a charter of basic social rights, which preceded, and clearly influenced, the proposals put forward by the Commission, and in part adopted by the European Council in December 1989. The desirability of making such procedures general is, however, open to question. On the one hand, there are evident advantages if the Commission communicates its general intentions at an early stage to the Committee, so that preparations for a more considered opinion can be made. (Incidentally, such "early warning" can also be useful in the Commission's dealings with the Parliament.) On the other hand, however, if the Commission took the more radical step of actually consulting the ESC in advance on the details of proposed legislation (creating what has been called an "upstream involvement" of the Committee), this could have negative effects on the status of the Committee's independent advice.

III.4.b) In general, the procedures established for communication between the Commission and the ESC, concerning the former's programme of work, appear to be operating satisfactorily. It is reported that the provisions

of the communication by Mrs Papandreou to the Commission (8 May 1989: "Relations avec le Comité Economique et Social") are being effectively implemented: they include regular monthly reports from each Commission Directorate General to the General Secretariat (which transmits them to the ESC) on its respective legislative proposals.

III.5. Relations with the Council (and with COREPER)

III.5.a) In view of the central rôles of the Council and of COREPER in the Community's legislative process (and of the fact that the ESC is legally an advisory body to the Council as well as to the Commission), relations in this direction cannot be described as satisfactory. In contrast to the fairly efficacious synchronisation of work programmes between the ESC and the Commission, co-ordination with the Council seems to suffer from certain failures of communication. Not only is the Council not usually represented at the ESC's meetings by an official technically qualified to follow the proceedings; there are often conflicts of timetable between the ESC's debates on a question and the meetings of the relevant Council working-group. A better system of communication concerning timetables, at the level of Council working-parties, would increase the chances of the Council's being well-informed about the contribution which the ESC could make, and often does make, concerning the subjects on its agenda. A closer co-ordination between the timetables of the Council and of the ESC would allow the Committee to make a greater contribution to the Community's decision-making process, despite all the obstacles created by the cumbersome structure of COREPER and the dominant influence of the national administrations.

III.5.b) Many of the proposals made in the Committee's Memorandum to the Council of 20 June 1989, concerning the Committee's future rôle, have not yet received an answer. In view of the important rôle the Committee can play in the development of the Community towards "1992" and beyond (as described in other parts of the present report),

it would seem logical for it to be given the status of a Community institution with full autonomy and responsibility: this would imply the control (within certain limits) of its own budget, and the recognition of its right to its own internal management on such matters as its personnel structure and the appointment of its senior officials.

IV. POSSIBLE DEVELOPMENT OF THE COMMITTEE'S ROLE

IV.1. Introduction

This section of our report will consider certain possible extensions of the ESC's present activities, all of them falling under the general heading of "consultative work". Some or all of them might at some future date be added to the Committee's present work, in order to increase the effectiveness of this, and/or to increase knowledge of it in circles where it is inadequately understood or appreciated. It should be stressed that this is not a proposal that the Committee's work-load should be increased without its being provided with the necessary additional resources; nor that the Committee should let itself be distracted from its central rôle of improving Community legislation by giving good advice in good time. The suggestions which follow merely sketch some possible extensions of the Committee's present consultative rôle, without listing them in any particular order of priority. They concern the following: greater publicity; advice on future policies; advice on policy implementation; and the informal reinforcement of written opinions.

IV.2. Greater publicity.

As we have seen, many of the Committee's opinions have been welcomed by those to whom they were addressed, and have had a certain influence. On the other hand, there is evidence that the Committee's work is not adequately known; there is surprising ignorance, for instance, of the fact that its plenary sessions are open to the public. Some of the potential addressees of the Committee's advice, in the other institutions of the Community, may not be fully convinced of its value. There is a risk that they may believe that the collective opinion of the Committee may be no different from the sum of the views of the sectional interests which compose it, each of which they - the addressees - may think they can and should obtain directly. Hence the importance of maintaining, and of ensuring wider awareness of, the special nature and quality of the ESC's "product": if, for instance, the Committee's atmosphere and working methods, those of consultation and dialogue, lead the "social partners", in certain cases, to accept or to propose opinions other than those they adopt elsewhere, this important fact should be brought firmly to the attention of those concerned. In cases where the Committee, after consideration of a major question, remains divided

between a majority and a minority opinion, it might be advantageous if both opinions, and the numbers of those voting on each side, were reported to the Committee's interlocutors.

IV.3. Advice on future policies.

It may be asked whether the concept and practice of "consultation" should be essentially linked, as it has tended to be, with the process of legislation. No doubt the Committee's central rôle in Community policy-making should continue to be to furnish advice on legislation which is being proposed or contemplated - preferably at an early stage in the process. However, the advisory function, by its very nature, lends itself readily to the "input" of ideas at other stages of the policy-making and governing processes of the Community, stages not directly concerned with the legislative programme as such. Despite its limited resources, the Committee has sometimes been able to combine the rôle of legislative advisor with that of a "think-tank" playing an active and innovative rôle in the international "market" of reflection on issues of European public policy. Examples of this have included a number of the Committee's "own initiative" opinions and "information" reports, as well as the conferences which it has conceived and organised on major questions of policy - for instance, new technologies, the European social space, or the nuclear safety code. (Further examples of effective initiatives by the Committee include the conference on co-operative enterprises - "the social economy" - which led to the creation of D.G. XXIII of the Commission, and the Committee's expert advice to Commissioner Andriessen on the development of vocational training in Eastern Europe.) Before the adoption of the Single Act, it was possible to argue that the important function of serving as a long-term "policy think-tank" for the Community - identifying and exploring questions not yet the subject of active political debate, and producing forward-looking reports on them - could be carried out by the European Parliament: indeed, to some extent it was. Is it possible, now that Parliament is increasingly occupied by its legislative work, for the ESC (if provided with the necessary resources) to increase its own "advisory" role in this direction, in addition to its strictly "consultative" work on current legislation? No doubt it should not try to produce too many "own initiative" opinions (not more perhaps than ten a year), but surely some extension of the "initiatory advisory" role along these lines would be a development from which the Community would benefit?

IV.4. Advice on policy implementation.

The earlier reference to the problems of implementation (II.2.e.above) suggests another direction in which the expertise and the representativeness of the ESC might allow it to extend its consultative role. As several recent studies have shown, the problem of incomplete or defective implementation of Community legislation remains considerable. There is a risk that the problem will grow as the volume of legislation increases. The principal responsibility for ensuring compliance with Community law lies, of course, with the Commission, but it does need help in this task. For instance, it needs to seek the help of the European Parliament in putting pressure on national parliaments. However, the question of implementation has many dimensions. As was suggested earlier (para.I.3.e), the ESC's explicit opinion on the ease with which proposed legislation is "implementable" would be valuable: indeed, a recent opinion of the Committee in the field of social policy has directly recognised the importance of this question by demanding the right to carry out an annual review of the policy area concerned, in the light of the Commission's annual report on it. (Such an "evolving control" also exists, of course, in the Committee's annual reviews on the economic situation of the Community, on competition policy, and on the use made of the structural funds.) A further reason why it would be of value for the Committee to play a part in the monitoring and evaluation of Community policies (a role which would be distinct from the legal one of the Commission, and from the financial control of the Court of Auditors), is that in future years the Community is likely to be concerned less with legislation, and more with the management of policies already in operation (for instance the implementation of competition policy, or the distribution and administration of the structural funds, etc.). If the consultation of the ESC in this managerial process is accepted as being desirable, it could be developed in several different ways. In the essential area of conjunctural policy, for instance, it would be possible to associate the Committee with the ongoing monitoring of the economic performance of the member-states, as well as with the production of proposals by the Commission for adjustments in national economic policies (as suggested in amendments to the Parliament's draft Report of 1990 on Economic and Monetary Union, PE 140.147). The Commission's annual reports on the harmonisation of technical standards will also provide opportunities for the ESC to give advice based on its members' knowledge of developments on the ground. More generally, it would be possible for each specialist Section of the ESC to issue periodic reports reviewing the practical functioning of that aspect of Community policy (energy,

research and development, etc) in whose elaboration it had participated. Such evaluative reviews of Community policies by the ESC - based where appropriate on concrete information which its members' organisations could be asked to provide - might be more valuable to the Commission than some of the reports it now receives from its own committees of experts: they would certainly be less costly to the Community, as the ESC's "network" operates at practically no cost.

IV.5. The informal reinforcement of written opinions.

A final question, which goes in this same direction of enhancing the Committee's consultative rôle in Community policy-making, and its influence and profile in policy-making circles, is how far it is possible to go beyond the medium of formal written communication between the Committee and its various interlocutors. It is no doubt of central importance for the Committee to be formally "seized" in good time with a request for an opinion; for this opinion to be communicated in due time to delegates to meetings of the Council; and for the Committee to receive as much and as clear information as possible about the follow-up given to its opinions. Similarly, the formal participation of the Committee in the inter-institutional bodies which plan the Community's legislative timetable is obviously of critical importance. At the same time, however, it is worth underlining that the follow-up to an opinion can be said to begin even before that opinion is delivered. In view of this, should the ESC (both members and secretariat) not make even greater efforts than hitherto to establish a position by informal contacts at an early stage of the consideration of policy by the Commission staff? Should they not take every opportunity for informal contacts with MEPs (which ought now to be easier, as the MEPs spend an increasing proportion of their time in Brussels)? And should the CES not follow the suggestion, made by its President Basil de Ferranti as long ago as 1978, that it should systematically try after each plenary session to ensure that the ministers in national governments (or their senior advisors) are personally "lobbied" by appropriate members of the Committee in support of the main opinions adopted?

V. CONCLUSIONS

In several passages of this report, analysis of the past and the present has been followed by suggestions concerning the future. This section will attempt to summarise the conclusions of the whole report, concentrating particularly on those suggestions for possible future action which seem to us to be worth consideration, in the light of our interpretation of the present situation. To concentrate in this way on suggestions for change inevitably means placing the emphasis on the weaker aspects of the Committee's situation. It should therefore be strongly underlined that the Committee is able to offer uniquely valuable advice to the decision-makers of the European Community (see para.I.1), and that there are good reasons for believing that its role will in future be more widely recognised and appreciated (para. I.3). Some of the suggestions which follow might help in this process:

- 1) The ESC might consider how the organised interests which it represents could be induced to attach more importance to its work (para.I.4.d).
- 2) The ESC might concentrate rather more on the opinions it expresses on important subjects, and give less attention to the minor ones (I.4.e).
- 3) Attention could be given to increasing the spread of interests represented in the ESC (II.1.a).
- 4) The same applies to the representation of the larger member-states (II.1.b).
- 5) The Council should use its power to ensure a better balance of interests in the ESC (II.1.c).
- 6) Consideration should be given to admitting alternate members, or to other ways of associating the leaders of major organised interests with the ESC's work (II.1.d; this is related to Point 1 above).
- 7) The ESC's links with its national counterparts might be intensified (II.1.e).
- 8) A closer relationship might be sought with representatives of Europe's regional authorities (II.1.f).
- 9) Ways might be sought to associate the important Community-level organisations of economic interests more effectively with the ESC (II.1.g).
- 10) Pressure will need to be exerted to achieve the proposed Treaty revisions (III.1.a).

- 11) The concept that a qualified consultative ESC can give powerful assistance to a more pre-occupied legislative Parliament deserves active promotion (III.2.a-d).
- 12) The ESC needs to increase its support in the capitals of the member-states (III.3.a).
- 13) The ESC's good relations with the Commission need to be cultivated (III.4.a-b).
- 14) The ESC might press the Council for more co-operation in planning work programmes (III.5.a).
- 15) It might also press for an answer on the non-answered points of its Memorandum of June 1989 (III.5.b).
- 16) More effective publicity might increase awareness of the specific contribution the ESC can provide in the policy-making process of the Community (IV.2).
- 17) The ESC's consultative function might be extended to include more forward-looking assessments of future problems (IV.3).
- 18) The ESC could increase its already very useful activity in the field of monitoring and evaluating how Community policies are implemented (IV.4).
- 19) The ESC might in various ways increase its efforts to reinforce the influence of its opinions by informal means (V.5).

ANNEXEVOLUTION DE LA COMPOSITION DU PARLEMENT EUROPEEN
ET DU COMITE ECONOMIQUE ET SOCIAL

	1958		1973		1978		1981		1987	
	PE	CES	PE	CES	PE	CES	PE	CES	PE	CES
BELGIQUE	14	12	14	12	24	12	24	12	24	12
DANEMARK	-	-	10	9	16	9	16	9	16	9
R.F.A.	36	24	36	24	81	24	81	24	81	24
GRECE	-	-	-	-	-	-	24	12	24	12
ESPAGNE	-	-	-	-	-	-	-	-	60	21
FRANCE	36	24	36	24	81	24	81	24	81	24
IRLANDE	-	-	10	9	15	9	15	9	15	9
ITALIE	36	24	36	24	81	24	81	24	81	24
LUXEMB.	6	5	6	6	6	6	6	6	6	6
PAYS-BAS	14	12	14	12	24	12	24	12	25	12
PARTUGAL	-	-	-	-	-	-	-	-	24	12
ROY.-UNI	-	-	36	24	81	24	81	24	81	24
TOTAUX	142	101	198	144	410	144	434	156	518	189

SOURCE:

Traité instituant la Communauté économique européenne (dans sa version originelle, et tel que modifié après les différentes adhésions et après l'adoption de l'Acte portant élection des représentants au Parlement européen, en 1976).



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