

## EDITORIAL COMMENTS

*The Report of the "Three Wise Men"*

Since the European Council at its meeting of 29-30 November 1979 in Dublin was faced with the problem of Britain's financial contribution to the EEC, the Heads of Government have had no time or inclination to discuss the Report of the Group of "Three Wise Men" concerning the adjustments to be made to the machinery and procedures of the Institutions. Yet this report deals with an urgent matter and requires immediate attention. If one wishes to preserve the Community's capacity for action it is very necessary to come to grips with its organisational weaknesses and the extreme cumbersomeness of the process by which it handles its business. Disproportionate efforts, in terms of energy, time and money, are needed to produce a rather modest output. The prospective enlargement of the Community and the increasing complexity of the subject-matter it must tackle can only add to the operational difficulties. If nothing is done to rationalise the Community machinery and the institutional procedures, one can harbour no illusions as to the final outcome.

In their Report the Three Wise Men (Mr. Biesheuvel, Mr. Dell and Mr. Marjolin) realistically observe that the failure to maintain the momentum of integration is not primarily due to faulty mechanisms of institutional ineptitude. The best institutional system of the world could not have saved the Community from the economic crises of the 70's. No reforms they could suggest can make unemployment, lagging growth, inflation and the political problems to which they give rise disappear. However, the substantive problems may be aggravated when the machinery and procedures are cumbersome and inappropriate. Therefore one should not underrate the importance of removing the extra handicaps imposed by inefficiency and dispersion of effort within the machinery itself. To improve the situation there is no need for far-reaching and politically controversial institutional reforms. The Committee therefore proposes no changes in the balance of institutional powers as it stands. Its suggestions are purely practical, quite limited in scope and should be relatively easy to implement. In general terms they aim to ensure that the priority issues are clearly singled out, that the responsibilities and resources for dealing with them are allocated in a specific, transparent and coherent manner, and that results are achieved with the maximum economy of effort.

The Report's main emphasis is on the role, functions and working methods of the European Council, the Council of Ministers and the Commission. Since all the organs of the Community are interdependent and

each organ relies for its daily functioning on the contributions made by others, good and balanced relations with other organs are a precondition of efficiency. The Committee's suggestion include quite a few recommendations for improving inter-institutional co-operation. For the European Council and the Council of Ministers this means in particular that they should stop belittling or ignoring the other Institutions.

On the whole the Committee shows itself satisfied with the role of the European Council. It wishes to preserve this body's procedural simplicity and flexibility. Only in this way can the European Council fulfil its specific role as a forum of free and informal exchange of views and as a body for generating overall impetus. To most of the purely operational problems of the European Council good solutions have been found already but, the Report suggests, it might be a good idea to strengthen the Presidency's responsibility for maintaining certain standards of discipline in European Council proceedings.

It is in the European Council's relations with the Treaty Institutions that the Committee has found most scope and most need for improvement. These relations should be regularised and developed to their full potential so that the impetus generated by the European Council can be transmitted effectively to the rest of the machinery. In this connection proposals are made for preserving a due role for the Council, for strengthening the Commission in its collaboration with the Heads of Government (this should be facilitated by increasing the authority of the Commission's President within the Commission) and for establishing direct relations between the European Council and the European Parliament. It is further proposed that the European Council adopts before 1981 an explicit scheme of priorities for Community action in the next few years. Such a "master plan" must indicate not only the aims but also the immediate paths which should be followed to attain them and the broad lines on which responsibility should be allocated for their execution. The list must be a declaration of intent rather than a pious hope. The Commission must be closely associated with the work of drawing up the plan and the European Parliament should be given an opportunity to discuss it. The European Council should review it as often as it thinks necessary, preferably once a year. In this way the plan could be used as a framework for the shorter-term policy and operational plans which each Institution should draw up on its own account.

As was to be expected, the Three Wise Men have little sympathy for the way in which the Council of Ministers is discharging its functions. The increased significance of this organ has not gone hand in hand with improved performance. There is no need for new organisational techniques beyond those which have been invented in the course of the Community's

evolution. The real task is to get these procedure enforced. This cannot be achieved without a clearer definition and a consistently more efficient execution of responsibility for the management of business.

As a first priority the Report suggests a strengthening of the Presidency in its dual role of organisational control and political impetus. It should be recognised that the State holding the chair has certain fixed responsibilities for management of the Council business, including an efficient handling of relations with other Institutions. The Presidency must have the authority to impose good order and discipline. It should be given the organisational and personal resources it needs to carry out its tasks with maximum efficiency. The Committee does not believe that well-known options for changing the term of the Presidency (one year rotation scheme) or its structure (for example the "troika" system in which the current Presidency is flanked by the preceding and following Presidencies) would help matters. In particular the Committee finds no merit in a permanent Presidency or, implicitly, in a Presidency reserved to certain Member States. A further contribution to improved performance is rather to be expected from measures designed to relieve the Council from taking decisions of a minor, technical or recurrent nature. Finding the right level for decisions implies a more conscious and more frequent use of opportunities for delegating powers to the Commission. It is further recommended that COREPER and its subordinate bodies are given more responsibility and more precise instructions for resolving points of little or no political significance. The threat of increasing fragmentation of Community business should be offset by better vertical and horizontal co-ordination.

The "Luxembourg Compromise" has become a fact of life in the Community, but something should be done about the current practice that any Member State can obstruct agreement in the Council for reasons which it knows full well to be insufficient. The introduction of the confrontation technique would be beneficial. It should be the normal practice to take a vote, in all cases where the Treaty does not impose unanimity, after an appropriate but limited effort for consensus has been made. If a State wants to avert a vote because of very important interests, it should say so clearly and explicitly and it should take responsibility for the consequences. Naturally the application of this solution lies in the hands of the Presidency.

On the subject of the Commission the Report endorses the findings of the study recently made by the Spierenburg Group appointed by the Commission itself. It would be fatal to the Commission's efficiency and to its capacity of playing a political role if its membership were to be extended after enlargement and if nothing were done to make the college of Com-

missioners more homogeneous. The structure of the Commission machinery must be rationalised at all levels and the number of Directorates-General should be reduced and brought into a rational relationship with the number of portfolios. Administrative co-ordination must be strengthened and staff management must be improved. The authority of the Commission's President needs to be reinforced in every way possible.

All in all, the Report may be considered to give quite rational indications as to how some of the Community's institutional and operational deficiencies can be mended. Its most striking feature is that it combines a clear Community spirit with a large measure of political realism and "wise" self-restraint. Its suggestions appear to be the fruit of wisdom in that they are concrete and seem to be dictated by common sense. If Member States were to show no willingness to make a serious effort to implement these proposals, they could justifiably be accused of lack of Community loyalty.

With proper preparation and timing and without delaying tactics on the part of certain States who do not share some of the Wise Men's views, much can be achieved by the time Greece enters the Community. Undoubtedly the European Parliament can and should bring quite a bit of pressure to bear upon a sluggish (European) Council or Commission. To have a "*Europe des Rapports*" is not necessarily a bad thing. To file and forget good reports is, however.

#### SIJTHOFF AWARD 1980

Although several good articles were submitted for the Award, their quality was not sufficiently high to merit publication. The Editors and Publishers have therefore decided not to award the prize this year.