

NOTE

Subject : **Summary report on the plenary session**
 – Brussels, 5 and 6 December 2002¹

I. OPENING OF THE SESSION

1. Presentation of the Commission communication by President Prodi

Chairman Giscard D'Estaing opened the plenary session of the Convention and welcomed the Commission President, Mr Romano Prodi. Mr Prodi then presented the Commission communication of 4 December 2002 on institutional architecture (COM(2002) 728 final).

2. Simplification of instruments and procedures

- **debate on the report by Group IX, chaired by Mr Amato (CONV424/02)**

i. Presentation of the report by Mr Amato

Mr Amato began by emphasising that simplifying procedures and instruments was not a purely technical exercise; there were political issues at stake as well. Hence, decision-making procedures varied according to whether or not they comprised fundamental policy choices.

¹ The verbatim record of the plenary session may be found on the following website:
<http://european-convention.eu.int>

Mr Amato stated that the report suggested scaling down the number of instruments from 15 to 6, and distinguishing between them according to their effects. These would be:

- binding legislative instruments - laws and framework laws, intended to replace Regulations and Directives respectively. Some "decisions" currently adopted by way of "complementary competence" (assisting measures) would also take the form of "laws";
- binding non-legislative instruments - Decisions and Regulations;
- non-binding instruments - Recommendations and Opinions.

These instruments would also be used for the requirements of the current Titles V and VI TEU. Hence, in Title V, the main instruments would be the "CFSP Decision" (and the "CFSP implementing decision"), while laws and framework laws would be used in the justice and home affairs areas.

"Non-standard" acts (conclusions, Resolutions, communications, etc.) would be retained, in the interests of flexibility, but they would be used only where there was no provision for recourse to a formal act. The Group had recommended that the existence of the open method of coordination should be recognised in the Constitutional Treaty, whilst specifying that this mode of concerted action by Member States could not supplant Union action in areas where competence lay with the Union.

As Mr Amato explained, the Working Group had focussed on defining the concept of a legislative act as containing essential elements in a given field or new policy choices. The legislature would still have some degree of discretion in interpreting this concept. In order to discourage the legislature from going into the technical and detailed aspects of an act, the idea of a new type of act had been mooted; this was the "delegated act", which would flesh out the detail or amend certain elements of a legislative act under powers defined by the legislature. As a rule, delegated acts would be adopted by the Commission. However, in some cases, particularly those likely to come under possible executive formations of the Council (ECOFIN, Foreign Affairs or Police Cooperation), delegated acts could also be adopted by the Council. The decision to have recourse to delegated acts would be taken by the legislature itself. The delegation of powers would be subject to control mechanisms to be laid down by the legislature in the legislative act.

Mr Amato pointed out that when implementing acts for implementing a "law" were required to be adopted at Union level (instead of by the Member States, as was the rule), they would usually be adopted by the Commission or, in some cases, by the Council (Article 202 of the TEC). Provision would also need to be made for them to be adopted by regulatory authorities (agencies). Lastly, some acts adopted directly on the basis of the Treaty were not legislative in character either (internal organisation of Union Institutions and bodies, appointments, technical activities by the Commission or the European Central Bank, implementation of fundamental policy choices contained in the Treaty).

Mr Amato pointed out that although there did seem to be a large number of procedures, this was merely an impression resulting from the many variants for consultation of certain institutions or bodies. The report recommended that the codecision procedure be extended to all legislative acts and accompanied by qualified majority voting in Council, subject to some exceptions. The cooperation procedure (which currently covered four legal bases) would be abolished and replaced by the codecision procedure or by ordinary consultation, as necessary. The consent procedure would be kept for the conclusion of certain international agreements. As for legal bases currently requiring ordinary consultation of the European Parliament, these should be reviewed in the light of the principles laid down in the report.

It was stated in the Group's report that the codecision procedure was felt to be working well overall. However, the composition of the conciliation committee could be made more flexible while retaining parity between the Parliament and the Council. The Commission's sole right of initiative should not be called into question, but there should be an enhanced role for the mechanisms already provided for in Articles 192 and 108 of the TEC, whereby the Parliament or the Council could ask the Commission to submit a legislative proposal. Lastly, some terminology questions could be reviewed.

On budgetary procedure, the Constitution could enshrine a number of budget-related principles (balance, unity, annual budget, budgetary discipline, etc.). The report also proposed simplifying the annual procedure, provided that spending discipline was guaranteed, in particular by formalising in the Treaty the financial perspective setting overall expenditure ceilings by heading.

Mr Amato concluded his presentation by alluding to the sections of the report on transparency, recommending inter alia that the institutions should sit in public when acting in a legislative capacity, and on the quality of legislation.

ii. debate in plenary

A broad consensus emerged on the report's general approach.

The great majority of speakers agreed with the Group's report as far as the simplification of Union acts was concerned. All speakers were in favour of a radical cut in the number of the Union's legal instruments (from fifteen down to six). The Convention members were also in favour of changing the names of the main two legislative instruments, the "Regulation" and the "Directive", to "law and "framework law" respectively, as these terms would be easier for the public to grasp and gave a better indication of their legislative character. The term "Regulation" would be kept for the adoption of implementing acts or "delegated acts" (if this last concept were approved by the Convention). All the speakers were accordingly agreed that the Union's legal instruments should be confined to: "EU law", "EU framework law", "Decision" (broader in scope than at present), "Regulation", "Recommendation" and "Opinion". They further agreed that these instruments should also be used in areas currently covered by Titles V and VI of the TEU.

Some Convention members drew attention to the need for the "framework laws" to be less detailed in order to leave Member States more latitude when implementing them.

Some members of the Convention wanted to create a new type of act, the "organic law", which would have less force than the Constitution but more than a law.

Lastly, there were some misgivings on the inclusion of the open method of coordination in the Constitutional Treaty.

On the subject of the hierarchy of Union acts, many Convention members accepted the idea that the Treaty should include a hierarchy of Union legal instruments, with essential elements or policy choices in a given field being the preserve of "laws" and the "framework laws". This would enable the legislative arm to concentrate on the truly important matters in a field and to relieve it of the task of adopting the more technical rules, if it so wished. A large majority of speakers felt that these acts should normally be adopted by codecision, although exceptions should be allowed.

Opinion was divided on introducing into the Treaty a second tier of "delegated" acts which would flesh out the detail or amend certain non-essential elements of legislative acts. Some speakers supported the Working Group's proposal, whilst others wanted further clarification of the concept and of how these acts would differ from implementing acts, before they formed a view.

Some Convention members stressed how important it was for the Constitutional Treaty to include a "call-back" mechanism for the legislature when it had recourse to delegated legislation.

Attention was also drawn to the need to give Member States greater latitude in the implementation of Union acts at national level.

Some Convention members pointed to the need to amend Article 202 of the TEC to provide that, when acts were adopted by codecision, implementing powers were to be conferred by the Parliament and by the Council. Some pointed out that the existing committee structure would need to be simplified if the delegated act mechanism were introduced in the Constitutional Treaty.

In the matter of procedures, a broad consensus emerged in favour of extending the codecision procedure to the adoption of legislative acts. However, a number of Convention members emphasised the need to allow exceptions in some areas of special sensitivity for particular Member States. Social affairs, taxation and agriculture were mentioned. Other Convention members stated that, if there were to be any exceptions, they should be few in number and clearly defined.

Some Convention members wanted the codecision procedure to be extended to the four legal bases which currently came under the cooperation procedure, while others advocated the ordinary consultation procedure. Some wanted Parliament's consent to be required for conclusion of all international agreements in order to strengthen democratic control of the Union's international activities (in particular as regards trade policy).

As regards conduct of the codecision procedure, a number of speakers raised the question of Council representation in the Conciliation Committee, and felt that given the importance of this stage in the proceedings, ministers would need to be present.

A number of speakers also raised the question of unanimity. Some recommended doing away with this mode of decision-making altogether, even for the common foreign and security policy. A number of speakers felt that unanimity should be kept, but only for quite exceptional cases. It was also suggested that, in some cases, unanimity might be replaced by enhanced qualified majority (or "super-qualified") voting. Some Convention members felt it was imperative to retain unanimity in some cases, even where the codecision procedure applied.

As regards budgetary procedure, a broad consensus emerged on the need to list the major principles governing the Union budget in a specific article of the Constitutional Treaty. However, where simplification of the budgetary procedure resulted in a change in the current institutional balance, opinion was divided, as a number of speakers felt such a change to be unacceptable. In particular, the removal of the distinction between compulsory and non-compulsory expenditure would mean that the Council would no longer have the final say on agricultural expenditure which was judged to be sensitive.

Other Convention members supported the report's proposals for the annual procedure (simplified codecision with the European Parliament having the final say) provided that spending controls were guaranteed. In this respect they cited legal force for the budgetary discipline mechanisms established by the financial perspective and maintaining the Council's paramount role as regards the Union's own resources and adoption of the perspective. Lastly, some speakers wanted codecision to apply to adoption of the financial perspective, the annual budget and the system of own resources.

On transparency and the quality of legislation, a number of Convention members raised the need to make the Council's discussions public when it was acting in a legislative capacity. Others also highlighted the need to guarantee the quality of European legislation, in particular through consultation of the circles concerned, including the regional and local authorities which would often be called upon to implement it. Some Convention members felt that recourse to "*sunset clauses*" might help to improve the quality of the existing corpus of legislation.

iii. Conclusions

At the close of debate, the Chairman noted that there was consensus on a radical cut in the Union's legal instruments, from the present fifteen down to six, with names which would be more in keeping with Member States' traditions, thus giving the public a better understanding of their effects and the sources of their legitimacy. These instruments would be as follows:

- the legislature would have at its disposal two binding instruments, the "law" and the "framework law", which would replace the "Regulation" and the "Directive" and would also be used in areas covered by Titles V and VI of the Union Treaty, while safeguarding the special character of these areas should the need arise.
- There would then be "Regulations" and "Decisions", which would be reserved for binding acts adopted by the executive as delegated acts or as implementing acts.
- Lastly, there would be non-binding instruments, "Recommendations" and "Opinions", which would remain as at present.

The Chairman noted that the Convention had broadly welcomed the idea of a three-tier legislative system through including a hierarchy of legislation in the Treaty, although he stressed that some aspects of the system would need to be defined more accurately at a later stage. Against this background, the Constitutional Treaty would enshrine the concept of a legislative act, which would be an act adopted directly on the basis of the Treaty and containing essential principles and fundamental policy choices in a given field. It would be for the legislature to decide the scope of the concept on a case-by-case basis.

The Chairman then noted that there was no consensus at present on the introduction of a new category of acts, delegated acts, the purpose of which would be to relieve the legislature of aspects of legislation which were too technical or too detailed, thus freeing it up to concentrate on essential matters. These would, as a rule, be acts adopted by the Commission, authorised by the legislative arm, and would flesh out the detail or amend certain non-essential elements of a legislative act. The delegation of powers would go hand-in-hand with a procedural call-back option for the legislature. The Chairman announced that more detailed proposals for the concept of delegated acts and the distinction between them and implementing acts would be submitted at a later date for the Convention to give its views.

The Chairman then referred to the third tier of the hierarchy of legislation proposed by the Group, which would be made up of implementing acts. These acts would come within the Member States' sphere of competence and would be adopted by the Union institutions only in exceptional cases, usually by the Commission under the procedures set out on the basis of Article 202 of the TEC (committee procedures). As some Convention members had acknowledged that the proposed new hierarchy of legislation should have implications for the Commission's monitoring machinery, the Chairman felt that the question of simplifying committee structure should be looked at in more depth. The wording of Article 202 should also be revised to take into account the European Parliament's legislative power in the codecision procedure.

The Chairman noted that many Convention members supported the Group's proposal that legislative acts should normally be adopted by the codecision procedure, although exceptions would continue to exist for various reasons. He added that there should not be too many of these exceptions and that they should be clearly defined.

He also concluded that the cooperation procedure should be abolished and replaced, depending on the circumstances, by ordinary consultation of the European Parliament or by codecision, and that the assent procedure should be reserved for approval of certain international agreements.

The Chairman also noted consensus on the Group's proposal for a single article of the Constitution enshrining cardinal budgetary principles viz., annual budgets, unity, balance between revenue and expenditure, budgetary discipline, necessary means, prior adoption of a basic act giving reasons for the expenditure and the principle that the budget must be wholly financed from own resources.

This latter principle raises the question of the procedure for creating such resources.

Conversely, the Chairman observed that the proposals for the budgetary procedure were subject to reservations which would need to be studied more carefully at a later stage, particularly as regards the planning of expenditure.

Lastly, the Chairman concluded that the Praesidium would be making proposals on these matters, bearing in mind the views expressed during the debate, and would begin drafting texts.

3. Mr Dehaene's progress report on Group VII on External Action

Mr Dehaene gave a brief progress report on proceedings in the Group he chaired, which was followed by a short exchange of views. The Group's final report will be examined at the Convention's next plenary session.

4. Mr Barnier's progress report on Group VIII on Defence

Mr Barnier likewise mentioned the main points considered by his Working Group, which would be adopting its final report on 10 December 2002. The report would also be on the agenda for the next plenary session. There was a brief exchange of views.

5. Formation of Working Group XI on Social Europe

The Chairman announced the formation of the above Group, which will be chaired by Mr Katiforis, representative of the Greek Government. The Group is requested to submit its final report at the end of January 2003, for debate at the plenary session on 6 and 7 February 2003.

6. Security and Justice

– Debate on report of Group X chaired by Mr Bruton (CONV 426/02)

i. Presentation of the report by Mr Bruton

Mr Bruton, Chairman of Working Group X covering the area of freedom, security and justice, presented his report (CONV 426/02). He placed particular emphasis on citizens' expectations in the area concerned and on the need to meet these expectations through strong political action at European level. He then briefly outlined the main proposals in the report, referring in particular to:

- the recommendation that the current pillar structure be abolished and the provisions on the area of freedom, security and justice incorporated in a single chapter of the Treaty;
- replacement of the "conventions", "framework decisions" and "decisions" provided for in Article 34 TEU by "laws" and "framework laws";
- the Group's desire to extend the codecision procedure and qualified majority to as many sectors as possible, given that unanimity would inevitably lead to bottlenecks – particularly after enlargement, and to impoverishment of the content of acts;
- approximation of the constituent elements and penalties in certain sectors of substantive and procedural criminal law;
- the need to make provision in the Constitution for the principle of mutual recognition of judicial decisions (civil and criminal);

- the desire by part of the Group to apply the codecision procedure and qualified majority also to judicial cooperation measures in civil matters with respect to a part of family law concerning parental responsibility;
- certain measures aimed at involving national parliaments in this sector.

ii. **Plenary debate**

Approximately 40 members of the Convention (cf. attached list) took part in the debate that followed this presentation. Generally speaking, most speakers supported the analyses and proposals outlined in the Group's report, many of them beginning by expressing their satisfaction with the results obtained and with the Group's suggestions.

The two "golden rules" or basic principles proposed by the Group in its report were well received. A very large majority were in favour of incorporating "third pillar" provisions in a common general framework. Some Convention members wanted all the provisions concerning the area of freedom, security and justice to be included in a single chapter of the Treaty. There was also broad consensus on the advantage of making the dividing line between legislation and operational cooperation in this area more distinct.

The report's recommendations concerning asylum, immigration, border control and visa policies, pressing in particular for the formulation of more general legal bases, the application of qualified - majority voting and codecision, and enshrinement in the Treaty of a general principle of solidarity amongst the Member States, were approved by the large majority of speakers. Some Convention members also wanted an explicit legal basis that would facilitate the creation of a legal status for long-term residents with third-country citizenship in the Union. One member of the Convention emphasised that Union competence in the area of immigration should not extend to access to the labour market.

Regarding judicial cooperation in civil matters, a number of speakers emphasised that progress needed to be made with the application of qualified-majority voting and codecision in cooperation regarding family law or at least to certain aspects of family law such as parental responsibility. Some had reservations on this point. One member suggested that the subjects covered by this procedure could be defined by a unanimous Council decision. Some members also wanted the scope of the legal basis in civil law matters extended, and no longer linked to the proper functioning of the internal market and/or the requirement of cross-border implications .

Virtually all Convention members were in favour of reforming the legal instruments and of replacing those provided for in Article 34 TEU by "laws" and "framework laws". A very small number, however, doubted whether these instruments could be applied as they stood in all the areas covered by this pillar, or suggested that directives (or framework laws) should have no direct effect.

The Group's recommendations regarding clarification of the Treaty's legal bases in the field of judicial cooperation in criminal matters were very widely endorsed. Enshrinement in the Treaty of the principle of mutual recognition of judicial decisions (civil and criminal) was generally accepted; at the same time, numerous speakers pointed out that common minimum standards (or according to some "a common base") for approximating substantive and procedural criminal law would be required in certain areas. Several Convention members also emphasised the importance of common standards for the rights of individuals in criminal proceedings, over and beyond the rights guaranteed by the ECHR and reflected in the Charter.

Some Convention members felt that the approximation of substantive criminal law should cover a wider area than that proposed in the Group's report; they had reservations on the strict "cross-border dimension" criterion or on the fact that the "list of crimes" could only be amended unanimously. Other members pointed out, however, that for them, application of qualified-majority voting in these areas would be possible only with precise delimitation of competences – as outlined in the report in particular by dint of a "list of crimes" in the Treaty .

A large majority of speakers acknowledged that provision needed to be made for qualified-majority voting and codecision in current "third pillar" areas as a general rule, and that unanimity should be allowed only in exceptional cases. The Group's detailed identification of areas which are to be subject to qualified-majority voting or which would continue to require unanimity was considered by many speakers to be a good compromise or a sound working basis, even though some expressed reservations regarding certain fields or said they needed to examine the matter in greater detail. One Convention member was prepared to consider qualified-majority voting but had reservations about codecision. Another argued in favour of a transitional period for the shift to qualified-majority voting and held that extension of Europol's powers should be subject to unanimity. Some Convention members emphasised the danger of complete deadlock, and hence of zero legislative action, following enlargement, in those areas liable to remain subject to the unanimity rule, and suggested making this rule more flexible through recourse to an enhanced qualified majority.

Regarding the right of initiative in "third-pillar" areas, a number of speakers commended the Group's proposal to accept initiatives submitted by a group of Member States exceeding a certain threshold. Some Convention members, however, questioned whether Member States should have a right of initiative in legislative areas covered by codecision. They would also prefer an arrangement that would oblige the Commission to substantiate any refusal to act on an invitation from the Council or from the European Parliament to draft a legislative proposal.

The Group's proposal that the Commission be given the right, as "guardian of the Treaty", to initiate infringement proceedings in all areas was generally approved, as was the proposal that increased use be made of "peer review mechanisms" (which some believed were of particular importance, specifically in consolidating application of the mutual recognition of judicial decisions in criminal matters).

Some Convention members emphasised the importance of external relations in justice and home affairs policies. One member asked the Working Group on External Action to consider how to ensure that Member States retained sufficient freedom to take external action in these areas.

A large majority of Convention members felt that the general rules on the Court of Justice should be made applicable to matters relating to the area of freedom, security and justice. While they agreed with this point in principle, some Convention members, despite abolition of the pillars, wanted the limits on the Court's jurisdiction with regard to police and law and order/internal security measures taken by national authorities (see Article 35(5) TEU) to be maintained. Others, while accepting the Group's proposals, drew attention to the possible attendant workload for the Court in certain areas such as asylum; they therefore wanted the issue of Court reform included in the Convention's debate on the institutions.

With regard to the operational aspects, most speakers found the current situation unsatisfactory and welcomed the proposals the Group had put forward in its report.

Many Convention members supported the prospect of the Council or European Council adopting a multiannual programme of action, though some voiced doubts.

The proposal that a reinforced coordination structure be set up within the Council on the basis of Article 36 TEU, covering the coordination of all police and security operations (police cooperation, facilitation of cooperation between Europol Eurojust, peer review, civil protection), was well received. One Convention member regarded the proposal as merely a step in the right direction and felt that an official or high representative responsible for the area of freedom, security and justice should be set in place.

On Europol, many Convention members agreed that a more appropriate definition of its powers should be included in the Treaty by introducing a new legal basis. Some wanted Europol, under certain conditions, to be given real investigative and operational powers covering the entire territory of the Member States and the changes to its statute and mode of operation to be adopted by qualified majority: others entertained reservations. The question of the democratic control of Europol was raised on numerous occasions, several speakers welcoming the prospect of the European Parliament exercising closer scrutiny. Others concurred with this view but wanted to see democratic scrutiny extended to national Parliaments, finding the Group's proposal that national parliaments be involved in the consideration of Europol's annual reports too limited.

On the question of the management of external borders, a good number of speakers thought it was desirable to move gradually towards a genuine common integrated management system. One member of the Convention in fact thought that the process had already been initiated with trials in certain candidate countries. Several speakers pointed to the need for solidarity, including financial solidarity, between Member States.

Many members of the Convention expressed their support for the Group's proposals on Eurojust, particularly where the adoption of a new legal basis was concerned. They wanted Eurojust to have the means to develop in the future.

A question arising frequently during the analysis of Eurojust was that of a European Public Prosecutor or a Public Prosecutor's Office; this issue was discussed in depth by the members of the Convention, with a number of them expressing their unqualified opposition in principle to any approach along these lines. They pointed out in particular that the differences in legal systems as between Member States would make it difficult to conceive of a European Public Prosecutor or Public Prosecutor's Office. Others stressed that Eurojust should foreshadow the function of a European Public Prosecutor. In the view of some members, a legal basis should be created which would provide for or permit such a development. Other members thought decisions on this matter should be adopted by qualified majority. They thought the conclusions on this issue in the Group's report were over-cautious. Several speakers also said that if such a Public Prosecutor were to be established, he should be responsible only for the protection of the Union's financial interests, while others thought he should have a wider remit to cover other serious crimes.

One of the horizontal questions addressed in the report and most frequently raised was that of the role of national parliaments. All those who spoke on the subject underlined the particular responsibility borne by national parliaments as regards the area of freedom, security and justice. A number of members thought the suggestions made in the report were satisfactory while others regarded them as inadequate.

The question of the opting-in/opting-out arrangements was raised only to consider whether, as the report suggests, these arrangements should be examined in a broader context.

Following speakers' interventions, Mr Bruton replied to a number of questions and clarified certain points; it then fell to the Chairman of the Convention to draw the necessary conclusions from the debate.

i. Conclusions

The Chairman welcomed the fact that the Working Group's results had on the whole been given a favourable reception. He emphasised the importance of the matter dealt with and of the proposals for the future. He said that broad consensus had been reached on the following points :

- Merges of the current provisions in Title VI of the TEU with those of the EC Treaty. The 3rd pillar can be abolished as a result;
- Replacement of "conventions", "framework décisions" and "decisions" by "laws" and "framework laws";
- In legislative matters, the ordinary law procedure will be the codecision procedure, with the Council acting by qualified majority. The list of acts in the report is the result of a compromise reached in the Group and provides a sound basis for future discussions;
- Enshrinement in the Constitution of the principle of mutual recognition of judicial decisions (civil and criminal);
- In the area of visas, asylum and immigration, the Union will act in accordance with the codecision procedure by qualified majority and the Treaty will acknowledge the principle of solidarity;
- The Constitution should include appropriate legal bases that are more precise than the existing ones, to enable some approximation of certain aspects of substantive and procedural criminal law. A list of crimes – which could form the subject of an approximation of national legislation – is to be drawn up having regard to the particular seriousness of these crimes and their cross-border implications.
- The Commission will see its role reinforced , particularly through the possibility of bringing proceedings before the Court of Justice should a State fail to meet its obligations;
- Progress should be made in the area of civil law in matters with cross-border implications;
- In operational matters, the Council's work should be better coordinated. Europol and Eurojust should be reinforced along the lines advocated by the Group;

Finally, the Chairman noted that opinions differed on the possible creation of a European Public Prosecutor or a Public Prosecutor's Office and hoped that there would be more detailed discussion of this point.

The Chairman then concluded by saying that the Convention would return to the subject of the area of freedom, security and justice on the basis of proposals for articles put to it by the Praesidium.

II. NEXT MEETING OF THE CONVENTION

The Chairman announced that the next meeting of the Convention would take place on Friday 20 December, starting at 9.30. It would be devoted to examination of the reports of Working Groups VII and VIII ("External Action" and "Defence").

Plenary session on 5 and 6 December 2002

LIST OF SPEAKERS

following order of intervention

2. **The simplification of instruments and procedures**
– **debate on the report by Group IX chaired by Mr AMATO (CONV 424/02)**

Valéry GISCARD d'ESTAING, Chairman
Mr Giuliano AMATO, Vice-Chairman
Mr Gijs de VRIES - Netherlands (Government)
Mr Klaus HÄNSCH – European Parliament
Mr Louis MICHEL - Belgium (Government)
Mr Alain LAMASSOURE - European Parliament
Mr Panayotis IOAKIMIDIS - Greece (Government)
Mr Lamberto DINI - Italy (Parliament)
Mr Dominique de VILLEPIN - France (Government)
Mr Elmar BROK - European Parliament
Mr Alfonso DASTIS – Spain (Government)
Mr Ivan KORCOK – Slovak Rep. (Government)
(Blue cards : Stuart, Rack, Kauppi, Tomlinson)
Mr Paolo PONZANO - Commission
Mr Joschka FISCHER - Germany (Government)
Mr Carlos CARNERO – European Parliament
Mr Pierre LEQUILLER - France (Parliament)
Mr Joachim WUERMELING - European Parliament
Mr Michael ATTALIDES - Cyprus (Government)
Mr Diego LOPEZ GARRIDO – Spain (Parliament)
Mr Wolfgang SENFF – Germany (Parliament)
Mr Henning CHRISTOPHERSEN - Denmark (Government)
(Blue cards : Heathcoat Amory, Einem, Speroni)
Mr Andrew DUFF - European Parliament
Mr Henrik HOLOLEI - Estonia (Government)
Mr Valdo SPINI - Italy (Parliament)
Mr Hannes FARNLEITNER - Austria (Government)
Mr Dick ROCHE - Ireland (Government)
Ms Maria BERGER - European Parliament
Mr Peter HAIN – United Kingdom (Government)
Mr Jens-Peter BONDE - European Parliament
Mr Göran LENNMARKER - Sweden (Parliament)
Mr Jürgen MEYER – Germany (Parliament)
Mr Guilherme d'OLIVEIRA MARTINS - Portugal (Parliament)
Mr Johannes VOGGENHUBER - European Parliament
Mr Matti VANHANEN – Finland (Parliament)
M. Ernâni LOPES - Portugal (Government)
Jozef OLEKSY - Poland (Parliament)
Mr Jan KOUHOUT – Czech Rep. (Government)
Ms Hanja MAIJ-WEGGEN - European Parliament
Ms Lena HJELM-WALLÉN - Sweden (Government)

Mr Jan FIGEL – Slovak Rep. - Parliament
Ms Liia HÄNNI - Estonia (Parliament)
Ms Teija TIILIKAINEN - Finland (Government)
Mr Michael FREMDO – Malta (Parliament)
Mr Aloiz PETERLE - Slovenia (Parliament)
Ms Danuta HÜBNER – Poland (Government)
Ms Claude DU GRANDRUT - Observer

6. **Security and Justice**
– debate on the report by Group X chaired by Mr Bruton (CONV 426/02)

Valéry GISCARD d'ESTAING, Chairman
Mr John BRUTON, Chairman of Working Group X
Mr Paraskevas AVGERINOS - Greece (Parliament)
Mr Alfonso DASTIS – Spain (Government)
Mr Antonio TAJANI - European Parliament
Mr Alberto COSTA - Portugal (Parliament)
Ms Pascale ANDREANI - France (Government)
Mr Antonio VITORINO - Commission
Ms Marietta GIANNAKOU - Greece (Parliament)
Mr Diego LOPEZ GARRIDO – Spain (Parliament)
Mr Gijs de VRIES – Netherlands (Government)
Mr Hubert HAENEL - France (Parliament)
Mr Joschka FISCHER – Germany (Government)
(*Blue cards: Speroni, McCormick, Spini*)
Mr William ABITBOL - European Parliament
Mr Erwin TEUFEL - Germany (Parliament)
Mr Jan KOUHOUT – Czech Rep. (Government)
Mr Valdo SPINI - Italy (Parliament)
Mr David HEATHCOAT-AMORY – United Kingdom (Parliament)
Mr Ben FAYOT - Luxembourg (Parliament)
Mr Andrew DUFF - European Parliament
Mr Sören LEKBERG - Sweden (Parliament)
Ms Anne VAN LANCKER - European Parliament
Baroness SCOTLAND of ASTHAL - United Kingdom (Government)
Mr Filadelfio BASILE – Italy (Parliament)
Mr Yasar YAKIS - Turkey (Government)
Mr Jürgen MEYER - Germany (Parliament)
Mr Dick ROCHE - Ireland (Government)
Mme Pervenche BERÈS - European Parliament
Mr Hannes FARNLEITNER - Austria (Government)
Mr Jacques FLOCH - France (Parliament)
Ms Androula VASSILIOU - Cyprus (Parliament)
(*Blue cards : Duff, Stuart*)
Ms Elena PACIOTTI - European Parliament
Ms Genowefa GRABOWSKA – Poland (Parliament)
Mr Ernâni LOPES - Portugal (Government)
Mr Antti PELTOMÄKI – Finland (Government)
Mr Mihael BREJC - Slovenia (Parliament)