



CABINET OFFICE

ANDREW TURNBULL

With the compliments of

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Deputy Secretary

22.1.85

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Coal file

*European Parliament
The Vice-President*

From The Baroness Elles, MEP



Strasbourg, January 16, 1985

Dear Peter

Please find attached a note on the Huckfield resolution on trade unions, and its consequences.

I had notified Malcolm Rifkind's office on Friday, 11th January, that there could be some trouble arising out of this resolution, and thought it might be helpful to you to have some background from here.

The Rt. Hon. Peter Walker, MP,
Department of Energy
Whitehall
London SW1

c.c. Malcolm Rifkind, MP, Foreign & Commonwealth Office
Sir Henry Plumb, MEP.

European Parliament
The Vice-President

From the Baroness Elles, MEP

Strasbourg, January 16, 1985

NOTE

Enlarged

On Thursday, January 10th, in the ~~Enlarged~~ Bureau, the President agreed to the setting up of a "Committee of enquiry to investigate repressive acts against trade unions in dispute".

Procedure

Under Rule 95 of the European Parliament (EP) Rules of Procedure, if a quarter of the members of the Parliament (109) request the setting up of a Committee of enquiry, the President has the sole right to decide whether the request should be acceded to. The only limitation is that the matter "must fall within the sphere of activities of the Communities".

Although President Pflimlin has said that he dislikes the rule, he has not managed to avoid allowing the setting up of this Committee, as well as, in answer to an earlier request, one on facism and racism.

He has however imposed conditions: a final report must be submitted by June 30th, 1985: the Committee shall only meet in one of the working places of the Parliament (that is, Brussels or Strasbourg): the Committee shall consist of 8 members, one from each political group.

Consequences

Huckfield has said he will be the representative from the Socialist group. It is worth recalling that of the eight political groups, Socialist, EPP⁺, EDG⁺, Communist, Gaullist⁺, European Right (Le Pen), Rainbow (German Greens etc), five are centre, centre right. No one has so far been appointed to represent any of the groups marked ⁺, and it may well be that it will take some time for any member to agree to serve on this Committee.

As names of representatives have to be submitted to the Bureau of the Parliament, until that happens, the Committee cannot be formally established.

Should it be established, the result must be to show that violence has come from the picket lines, many miners have been threatened by strikers, that the police have had an almost impossible task in protecting the rights of all citizens including those trade unionists exercising their right to work.

continued.....

European Parliament
The Vice-President

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It has also been repeatedly stated that if there should have been any violation of rights then the House of Commons, and the British Courts are the proper fora for such complaints - not the European Parliament which Huckfield spends his time deriding.

Miriam Allen

Copies of Documents attached:

- A. Rule 95 of Rules of Procedure
- B. Extract of draft minutes of Enlarged Bureau, 10th January, 1985
- C. Text of Huckfield's resolution

At the request of one quarter of its current Members, Parliament shall automatically set up a committee of inquiry; such a request need not be put to the vote in the House.

The President shall decide whether a request to set up a committee of inquiry meets the conditions set out in paragraph 1. The request shall contain a time-limit before which the committee must deliver to Parliament its Final Report. This time-limit shall not exceed 12 months. The committee may ask for the time-limit to be extended by submitting an Interim Report. A committee of inquiry shall not be entitled to submit a report to Parliament other than an Interim or Final Report on the outcome of the inquiry. Nor shall it be entitled to submit any motion for a resolution to Parliament or to deliver any opinion to another committee.

2. Parliament shall determine the composition of the committee of inquiry on a proposal from the Bureau, subject to the provisions of Rule 92(1), second sentence.

3. The provisions of these Rules of Procedure relating to the committees shall apply to the proceedings of the committee of inquiry and to the powers of its chairman. ✕

Rule 96

1. Parliament shall set up a Committee on the Verification of Credentials for the purpose of preparing decisions on any objections concerning the validity of elections.

2. This committee shall consist of nine Members who shall be elected pursuant to Rule 92.

The Committee on the Verification of Credentials is set up after the election of the President and the Bureau of Parliament pursuant to Rule 92. Until such time as their credentials have been verified, Members take part in the work of Parliament and enjoy full rights pursuant to Rule 6(3) (See also explanatory note on Rule 11(2))

Rule 97

1. Subject to prior authorization by the enlarged Bureau a committee may, in the interest of its work, appoint one or more subcommittees, of which it shall at the same time determine the composition and competence, pursuant to Rule 92. Subcommittees shall report to the committee that set them up.

2. The procedure for subcommittees shall be the same as for committees.

3. Substitutes shall be allowed to sit on subcommittees under the same conditions as on committees.

Committee on the Verification of Credentials

Subcommittees

Rule 98

Committee Bureaus

1. At the first committee meeting after the election of committee members pursuant to Rule 92, the committee shall elect a Bureau consisting of a chairman and one, two or three vice-chairmen.

2. Without prejudice to the second subparagraph of this paragraph, the Bureau shall be elected by secret ballot without discussion. Its election shall require an absolute majority of the votes cast; where, however, a second ballot proves to be necessary, a relative majority shall suffice.

If the number of nominations corresponds to the number of seats to be filled, the candidate or candidates may be declared elected without holding the ballot referred to in the first subparagraph.

Rule 99

Procedure without report
— Simplified procedure

1. At each committee meeting the chairman shall submit to the committee a list of the proposals which in his opinion and/or at the President's recommendation should be approved without report.

The chairman shall put each proposal on the list to the committee for decision. Unless at least three members object, the chairman of the committee shall inform the President of the approval of such a proposal.

2. At the recommendation of the President or following a proposal from its chairman, the committee may deliver an opinion on a proposal in accordance with the simplified procedure.

Unless at least three members object to this procedure, the committee chairman shall be deemed to have been appointed rapporteur. The draft report, consisting of a procedural section, a brief motion for a resolution on an identical model and a brief explanatory statement, shall be sent to the members of the committee. Unless at least three members of the committee object within a set time limit, which may not be less than fourteen days from the date of dispatch, the report shall be considered as having been adopted by the committee. In this case the motion for a resolution contained in the report shall be put to the vote in Parliament without debate pursuant to Rule 34.

3. If at least three members object to the procedure referred to in paragraphs 1 or 2, the procedure provided for in Rule 100 (procedure with report) shall be followed.

CHAPTER XII
COMMITTEES

Rule 91

Setting up of committees

Parliament shall set up standing or temporary, general or special committees, and shall define their powers.

Rule 92

Composition of committees

1. Committee members shall be elected during the first part-session following the re-election of Parliament and again two and a half years thereafter. Nominations shall be addressed to the Bureau of Parliament, which shall submit to Parliament proposals designed to ensure fair representation of Member States and of political views.

When a Member changes political groups he shall retain, for the remainder of his two and a half year term of office, the seats he holds in parliamentary committees. However, if a Member's change of political group has the effect of disturbing the fair representation of political views in a committee, new proposals for the composition of that committee shall be made by the Bureau in accordance with the procedure laid down in paragraph 1, second sentence, whereby the individual rights of the Member concerned shall be guaranteed.

2. Amendments to the proposals of the Bureau shall be admissible only if they are tabled by at least ten Members. Parliament shall vote on such amendments by secret ballot.

3. The Bureau of Parliament may provisionally decide to fill any vacancy on a committee with the agreement of the persons to be appointed and having regard to paragraph 1.

4. Any such changes shall be placed before Parliament for ratification at the next sitting.

Rule 93

Substitutes

1. The political groups may appoint a number of permanent substitutes for each committee equal to the number of full members representing them on the committee. The President of Parliament shall be informed accordingly. These permanent substitutes shall be entitled to attend and speak at committee meetings and, in the event of the absence of the full member, to take part in the vote.

2. In addition, in the absence of the full member and where no permanent substitutes have been appointed or in their absence, the full member of the committee may arrange to be represented at meetings by another member of his political group, who shall be entitled to vote. The name of the substitute shall be notified in advance to the chairman of the committee.

1. Paragraph 2 shall apply, by analogy, to the Non-attached Members.
2. The advance notification provided for in the last sentence of paragraph 2 must be given before the end of the debate or before the opening of the vote on the item or items for which the full member is to be replaced.

Rule 94

Duties of committees

1. Committees shall examine questions referred to them by Parliament or, during an adjournment of the session, by the President on behalf of the Bureau.

2. Should a committee declare itself incompetent to consider a question, or should a conflict arise over the competence of two or more committees, the question of competence shall be placed on Parliament's agenda on a proposal from the Bureau or at the request of one of the committees concerned.

3. Should two or more committees be competent to deal with a question, one committee shall be named as the committee responsible and the others as committees asked for opinions.

A question shall not, however, be referred simultaneously to more than three committees, unless it is decided for sound reasons to depart from this rule under the conditions laid down in paragraph 1.

4. Any two or more committees or subcommittees may jointly consider matters coming within their competence but shall not take a decision.

5. Any committee may, with the agreement of the Bureau of Parliament, instruct one or more of its members to undertake a study or fact-finding mission.

Rule 95

Committees of inquiry

1. Parliament shall, at the request of one quarter of its current Members and without previously referring the request to committee, set up a committee of inquiry to investigate specific matters. The request shall indicate the matter to be investigated, which must fall within the sphere of activities of the Communities.

2. Débat d'investiture de la nouvelle Commission des Communautés européennes

Il est pris acte, après un long échange de vues auquel a participé M. VARFIS, Membre de la Commission, qu'à la suite des démarches du Président auprès des Présidents de la Cour de Justice et de la Commission que l'assermentation devant la Cour de Justice de la nouvelle Commission aura lieu à une date postérieure au débat d'investiture de celle-ci qui se déroulera au Parlement le 15 janvier 1985.

3. Démarches de plusieurs Membres visant la constitution de groupes de travail interparlementaires ainsi qu'un support logistique à y apporter par le Secrétariat Général

Le Bureau élargi confirme sa décision du 16 novembre 1982 selon laquelle il n'y a lieu d'accorder aucune assistance aux réunions des intergroupes de la part du Secrétariat Général du Parlement européen.

Il reste entendu que ces inter-groupes peuvent se réunir à condition de ne pas porter préjudice aux travaux, ni des commissions parlementaires, ni de ceux de la séance plénière et que les groupes politiques puissent leur fournir un support logistique notamment pour ce qui est de l'interprétation.

4. Conférence européenne des délégations des commissions des budgets des parlements des Etats membres

A la suite d'une demande de la commission des budgets, une délégation de celle-ci, composée d'un membre par groupe politique, est autorisée à participer à la première Conférence européenne des délégations des commissions des budgets des parlements des Etats membres, qui se déroulera à l'initiative du président de la commission des budgets de la Chambre des députés de la République italienne, les 21, 22 et 23 février 1985 à Venise. Il est pris acte qu'aucune infrastructure, ni aucune mission de fonctionnaires du Parlement est à prévoir.

5. Constitution de deux commissions d'enquête

Le Bureau élargi prend acte de deux demandes tendant à la constitution de commissions d'enquête, conformément à l'article 95, paragraphe 1, du Règlement, dont l'une sur les actes répressifs dirigés contre les syndicats en lutte et l'autre, sur le problème de la drogue dans les pays de la Communauté, toutes deux déclarées recevables par le Président.

*Draft Minutes, E.C. Enlarged Bureau.
January 10th, 1985*

Dans ce contexte, le Bureau élargi prend les décisions suivantes :

- la commission d'enquête sur les actes répressifs dirigés contre les syndicats en lutte sera composée d'un membre par groupe politique et déposera son rapport définitif ayant le 30 juin 1985 ;
- la commission d'enquête sur le problème de la drogue dans les pays de la Communauté sera composée de quinze membres et déposera son rapport définitif avant le 30 septembre 1985 ;
- conformément à l'article 95 du Règlement, le Bureau sera saisi des propositions des groupes politiques sur la composition nominative de ces deux commissions d'enquête ;
- le nombre d'auditions par commission d'enquête est limité et il est entendu qu'elles ne pourront pas organiser des déplacements individuels ou collectifs hors des lieux habituels de travail du Parlement.

6. Démarche du Président du Parlement européen auprès des Chefs d'Etats des Etats membres de la Communauté ainsi qu'auprès du Président de la Commission des Communautés européennes à la veille du Sommet de Dublin

Le Bureau élargi prend acte d'une lettre envoyée par Le Président du Parlement européen aux Chefs d'Etats des Etats membres de La Communauté ainsi qu'au Président de la Commission des Communautés européennes, à la veille du Sommet de Dublin, ainsi que des réponses y afférentes de Mme THATCHER et MM. KOHL, MITTERRAND, FITZGERALD et THORN et décide de transmettre ces réponses, pour information, à tous les Membres de l'Assemblée.

7. Visites officielles du Président

Le Bureau élargi prend acte d'un compte rendu de la visite officielle que le Président a effectuée auprès des Autorités italiennes, les 19 et 20 septembre 1984 et de la rencontre qu'il a eue avec le Président MITTERRAND le 9 janvier 1985 à Paris.

Par ailleurs, il est pris acte de l'intention du Président de se rendre en visite officielle, du 22 au 25 janvier prochain, en République Fédérale d'Allemagne, sur invitation du Chancelier KOHL.

The Chairman

Strasbourg, 13 September 1984
RA/GH/HV

Dear Mr President,

More than the requisite 109 Members have signed the proposal to establish a Committee of inquiry, which you will find attached along with the names of the signatories.

I would ask you to implement the proposal as soon as possible pursuant to Rule 95 of the Rules of procedure.

(sgd) R. ARNDT

True copy.
20 20 September 1984
(8) [Signature]

Annex

Mr Pierre PFLIMLIN
President
European Parliament
Strasbourg

Motion for a Resolution
 according to Article 95 of the Rules of Procedure
 tabled by Mr Les Huckfield

On the creation of a committee of enquiry to investigate repressive acts against
 trade unions in dispute

- A. having regard to preamble indent 4 and article 3(e) of the ECSC Treaty which provides for the promotion of improved working conditions and an improved standard of living for the workers in each of the industries for which it is responsible,
 - B. with a view to preamble 3rd indent, to article 117 and to 118 of the EEC Treaty,
 - C. noting the system of international convention on labour law which, although not being part of the Community law in a strictly formal sense, forms the common and recognised principles on which the labour law of the European Community and the EC Member States is based,
 - D. in particular in the light of the obligations incumbent on the Member States to guarantee the right of trade unions in dispute to communicate with their members and within their organisation, deriving from articles 3, 8, 10 and 11 of the ILO Convention no. 87 on the Freedom of Association and the protection of the right to organise and to articles 5 and 6 of the European Social Charter,
 - E. having regard to the 1977 Joint Declaration of the European Parliament, the Council and the Commission, which stresses "the prime importance they attach to the fundamental rights as derived in particular from the constitutions of the Member States and the European Convention of Human Rights",
 - F. recognising that in the current miners' dispute in Britain, trade union and labour movement representatives have been arrested without reason, detained for many hours without being charged, restricted under house curfew and within their communities, with their freedom of movement severely impeded through massive police presence and intimidation,
1. Resolves that a Committee of Enquiry should be set up as quickly as possible, and that it should complete its investigations before the end of December 1984
 - on any interference into the communication between the trade unions and their members and within their organisations,

- on the prevention without legal basis of the freedom of movement of any British trade unionists within the European Community and the Member States,
 - on the lack of consultation between the National Coal Board as employers and the National Union of Mineworkers representing the workers in the industry in the matter of the proposed closure of collieries;
2. Charges its President to provide for the establishment of the Committee of Enquiry in the immediate future.

SIGNATAIRES

| | |
|-------------------------------|-----------------------------------|
| Victor ABEND | Vincenzo MATTINA |
| Paraskevas AUGERINOS | Georgios MAVROS |
| Rudi ARNDT | Thomas MEGAHY |
| Gianni BAGET-BOZZO | Alman METTEN |
| Richard A. BALFE | David MORRIS |
| Jean BESSE | Arthur Stanley NEWENS |
| Alain BOMBARD | Edward NEWMAN |
| Jürgen Georg BRINCKMEIER | Ka Konstantina PANTAZI |
| Mrs Janey O'Neil BUCHAN | Christos PAPOUTSIS |
| Mrs Barbara A. CASTLE | Jiri PELIKAN |
| Mme Gisèle CHARZAT | Mme NICOLE PERY |
| Kenneth D. COLLINS | Johannes Wilhelm PETERS |
| Jean-Pierre COT | Terence J. PITT |
| Mrs Christine M. CRAWLEY | Spyridon PLASKOVITIS |
| Ejner Hovgård CHRISTIANSEN | Ms. Joyce G. QUIN |
| George Robert CRYER | Mario RIGO |
| Mevr. Hedy d'ANCONA | Dieter ROGALLA |
| Pieter DANKERT | Georgios ROMEOS |
| Mario DIDO' | Frau Mechtild ROTHE |
| Mme Raymonde M.E.A. DURY | Willi ROTHLEY |
| Michael N. ELLIOTT | Jannis SAKELLARIOU |
| Louis EYRAUD | Dieter P.A. SCHINZEL |
| Roger FAJARDIE | Gerhard SCHIMD |
| Alexander FALCONER | Mme Lydie SCHMIT |
| Léon FATOUS | Heinz SCHREIBER |
| Ludwig FELLERMAIER | Barry H. SEAL |
| Ove FICH | Horst SEEFELD |
| James Glyn FORD | Hans-Joachim SEELER |
| Bruno FRIEDRICH | Frau SEIBEL-EMMERLING |
| Mme Yvette M. FULIET | Frau Barbara SIMONS |
| Mme Colette GADIOUX | Liewellyn T. SMITH |
| Max GALLO | George W. STEVENSON |
| Fritz GAUTIER | Kenneth A. STEWART |
| Emmanouil GLEZOS | Georges SUTRA DE GERMA |
| Ernest GLINNE | Carlo TOGNOLI |
| Fru Eva GREDAL | John E. TOMLINSON |
| Win (Winston James) GRIFFITHS | Ms. Carole TONGUE |
| Klaus HÄNSCH | Gunter TOPMANN |
| Michael J. HINDLEY | Mevr. Ien van den HEUVEL |
| Frau Magdalene HOFF | Mevr. Marijke J.H. VAN HEMELDONCK |
| Geoffrey W. HOON | Grigorios VARFIS |
| Leslie J. HUCKFIELD | Mme Marie-Claude VAYSSADE |
| Stephen HUGHES | Willy VERNIMMEN |
| John HUME | Heinz Oskar VETTER |
| Jan KLINKENBORG | Nikolaos VGENOPOULOS |
| Rolf LINKOHR | Mevr. P. (Phili) J. VIEHOFF |
| Mme Anne-Marie A. LIZIN | Benjamin VISSER |
| Alfred LOMAS | Kurt VITTINGHOFF |
| Charles-Emile LOO | Thomas von der VRING |
| Finn LYNGE | Manfred W. WAGNER |
| Michael McGOWAN | Gerd WALTER |
| Hugh R. McMAHON | Frau Beate WEBER |
| David W. MARTIN | Norman WEST |

Klaus H.W. WETTIG
Frau Heidemarie WIECZOREK-ZEUL
Eisso P. WOLTJER
Mario ZAGARI

Frank SCHWALBA-HOTH
Frau Dorothee PIERMONT
Friedrich Wilhelm GRAEFE ZU BARINGDORF
Bram van der LEK
H. VERBEEK
Frau Brigitte HEINRICH
Frau Undine-Uta BLOCH von BLOTTNITZ
Sig.ra Luciana CASTELLINA
François M.G.A.Ch.F. ROELANTS du VIVIER
Benedikt HÄRLIN
Paul M.J. STAES
Willy H.G.J.M. KUIJPERS
Jaak H. VANDEMEULEBROUCKE

Aldo BONACCINI
Sig.ra Maria Lisa CINCIARI RODANO
Giovanni CERVETTI (au nom du Groupe Communiste et apparentés)

22 JAN 1968

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