

The Council's Permanent General Secretariat is also a highly valuable point of contact. This body provides vital technical and administrative support to the Council and, in particular, to the Presidency. It also seeks compromise solutions, and then secures agreements on proposals and issues which come before the Council.

The development of proposals within the Community's complex structure takes considerable time, and at each successive stage of the process, it becomes more and more difficult to make amendments or revisions. The earliest possible involvement in the process, however peripheral it may be, carries the greatest likelihood that particular opinions will be taken into consideration.

It is also essential to understand, in the context of bilateral or multilateral involvement with the Community, that unless the Community has used its external competence to accede to international obligations/conventions, the provisions of such conventions do not form part of Community law. This means that the Community cannot impose, or enforce obligations pursuant to such instruments (international obligations/conventions), although Member States can do so. Only those Member States acceding in their own right to those instruments which fall outside the Community competence will be under obligation to enforce such instruments at the national level.

Relationships with the Commission

The foregoing section is not intended to suggest that the Member States, directly and via their Permanent Representations, are the only key players. The Commission operates under the ultimate direction of the Member States, which act through the Council, in all but competition policy and Community safeguard measures. However, the Commission is the body which, technically¹⁵, has the exclusive right to initiate Community proposals, and in which the substantial elements of such proposals are developed¹⁶ in consultation with other Community institutions and organs. The Commission also has a right to be involved at every stage of the legislative process in the domain of Community affairs.

¹⁵ The Commission is generally considered to be the institution with the exclusive right and responsibility to initiate the proposal process. In practice, both the Council and the Parliament may request that the Commission take a particular initiative.

¹⁶ Proposals in all but the areas of competition policy and Community safeguard measures must go before Council for amendment and approval. In practice, however, few substantive changes will occur in the latter stages, where the Council's powers to amend proposals are in fact subject to limitation.

Regardless of the legislative procedure applicable, a proposal is always developed primarily by the relevant Commission DG. The preparatory work may involve a variety of informal consultations with committees of national officials and experts, with representatives of other DGs, and may extend to professional organisations, and trade associations. The process is frequently lengthy and often involves numerous draft versions and amendments before the Commission formally adopts and submits its proposal to the Council.

Timing is therefore a crucial concern for advocates of the Canadian position. Successful advocacy is dependent on: having as accurate an idea as possible of the stage in the process where an opportunity to raise Canadian concerns or views might arise; and, when to act on such an opportunity in order to yield the most favourable results. Depending on the nature of the proposal and the issues involved, there are definite strategic advantages to pursuing some level of informal involvement at the earliest possible stage, such as the possibility to obtain quickly a copy of the proposal or information on the content and progress of draft proposals.

The concern over appropriate timing is best addressed in a similar fashion to that used in relation to Member States. That is, through the establishment and ongoing maintenance of a level of contact with the DGs responsible for areas affecting Canadian interests.

Relationships with the European Parliament

The present influence of the European Parliament is more difficult to quantify and will vary depending on the particular issues. Understandably the Parliament, more so than the other institutions, is particularly sensitive to the prevailing political influences and to public opinion. The Parliament's diverse political composition means that on any given issue there will be a variety of positions taken by MEPs, and there will almost certainly be some MEPs who will adopt a stance that is favourable, or at least accessible to, Canadian interests. The contrary is also true.

The European Parliament's influence on the other institutions and its role in the legislative process has increased considerably since the TEU, and is set to continue to increase as more and more attention is given to the need for increased, more democratic representation of the citizens of Europe.¹⁷

The present Parliament's influence in the legislative

¹⁷ Important issue during the 1996 IGC.