

Improving the Quality of Legislation in Europe

Foreword by T. Koopmans

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In April 1997, during the Dutch presidency of the European Union, a three-day international conference was held in The Hague, The Netherlands, on the subject of The Quality of European and National Legislation and the Internal Market. The present publication comprises the proceedings and conclusions of this timely conference, which was organized by the T.M.C. Asser Instituut, The Hague, on behalf of the Ministries of Justice and Economic Affairs of The Netherlands and the European Commission.

The objective of the conference was to suggest ways of improving the legislation in the European Union against the background of the common market. The quality of the drafting of Community legislation is crucial if it is to be properly implemented by competent national authorities and better understood by the public and in business circles.

The conference focused on European legislation and on national legislation in the Member States. Representatives of the European Union, the governments, the academic world, industry and consumer organizations gave their views of and commented on the three main themes of the conference: (I) the experiences on European and national level regarding the judicial quality of legislation; (II) simplification of existing legislation and (III) assessment of draft legislation. The updated and revised versions of their studies and comments are published in the present book. During the final session of the conference, current initiatives in the field of improving the quality of legislation were reviewed (e.g., on consolidation, codification, guidelines and deregulation).

The main findings of the conference were brought to the attention of the Internal Market Council and the IGC as a preparation of the European Council of Amsterdam (16-17 June, 1997) where the Draft Treaty of Amsterdam was concluded. Many of the conference findings and suggestions were repeated in the documents of the Draft Treaty.

In addition to the above-mentioned contributions, the book contains (i) a valuable methodical digest of the conference, including a closer evaluation of the Draft Treaty of Amsterdam, and (ii) a summing-up of the results of the important debate by Professor L.J. Brinkhorst (European Parliament, Strasbourg/Brussels). The book is also enriched by relevant documentation in the field.

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