

Governance Lunchtime Seminar, Wednesday 7 November

Mr. Jo Leinen MEP
Co-reporter at the European Parliament for the Treaty of Nice
President of the Union of European Federalists

Nice, Laeken, Governance
and the Future of the Union Chairman

Mr. F. Fonseca Morillo
Deputy Head of Commissioner Vitorino's Cabinet

The Chairman, Mr. Fonseca Morillo, opened the debate by stating that he had met Mr. Leinen during the Convention that preceded the Nice I.G.C. in December 2000; he would play a role in the Convention that is planned as a prelude to the next I.G.C. in 2004.

Mr. Leinen began by stating that the Commission's White Paper on European Governance was much reduced in scope in relation to the expectations that had been attached to it.

Should we build Europe with or without its citizens? The 'dramatic' result of the Irish vote has given cause for concern. A Convention would provide a more positive framework for debate than an I.G.C. Mr. Leinen stated that he had fought with others for a long time to change the method of debate. He was confident that just as the first Convention had presented a complete political project, so the second would act as a political body that would present a coherent project, or the 'treaty that we are looking for'. The 'chances are bigger than the risks'. One chance is transparency. This Convention would include elected delegates as well as the representatives of national governments and of the Commission. A 'second circle' would include a structured dialogue with civil society, for example ECOSOC and European civil society networks. How would this be done?

In his capacity as a MEP, Mr. Leinen said that 'we have to establish a system of parliamentary democracy in the EU'. The European parliament looked at the White Paper with some concern because in it parliamentary democracy is by-passed. How could the historical achievement of establishing sovereignty of the people in Europe be integrated within the EU? The European parliament seeks co-decision in qualified-majority voting procedures, budgeting and the election of the president of the European Commission. Mr. Leinen expressed his hope for a statute on European party structures in the near future. Citizens should be given two votes: the first, a national or regional vote; the second, a European vote, without which European parties would not function. The Commission should be the "government" of the EU and not the Council. Mr. Giscard d'Estaing, President of the Council of European Municipalities and Regions, recently proposed in the European parliament that Commissioners should be made responsible to the President and to the European Council and Council of Ministers, in related matters of the 2nd and 3rd pillar. Common "Ministers" for the two organs of the EU.

One big criticism of the White Paper is that the Commission should seek to exclude the European parliament from its proposals for consultation of civil society. An inter-institutional agreement on this between the Commission, Parliament and Council would be appropriate. The European parliament should have a capacity to call back failing measures. The Commission should establish an action plan on regulation with the European parliament, but Laeken would be too early for this.

In the debate that followed, four main points were raised: the future Convention, the election of the Commission president, votes for European parliamentary elections and the role of national parliaments in relation to the European parliament.

The Chairman first questioned whether the future Convention could function with the same freedom as the previous one and how the link could be maintained between the end of the Convention and the following I.G.C. in 2004. In response to a participant, Mr. Leinen stated that it was true that the second Convention was charged with constitutional questions, whereas the first was simply asked to provide a 'description' of existing rights. However, just as the first Convention had raised important questions (for example in article 3 on cloning) so should the second. 'We must push the governance system forward in order to achieve a result that is qualitatively better than Nice and Amsterdam'. Proposals centre on seeking a consensus with minority positions at the end. This would be a big difference to just look for "options".

Another questioner asked how the second Convention could be brought closer to the citizens. The same lady pointed out that the White Paper sought to restructure the existing process of consultation: the European parliament will now be able to exercise control. Mr. Leinen answered that a forum will be created in order to structure debate: existing networks are preparing themselves. Parliaments should be much more 'awake' by the second Convention: 'we still have to organise the debate in our own countries'. Attempts to structure debate in the White Paper are actually pushing the European parliament to do the same: an inter-institutional dialogue on this would be the best.

Secondly, a participant asked whether the proposal of Mr. Giscard d'Estaing (to make Commissioners responsible to the Council) would not reinforce the executive function to the detriment of democratic control. The Chairman agreed with this opinion. Mr. Leinen argued that the present system would not work with enlargement; that was why the European parliament proposed the election of the Commission president through the lists of candidates for European parliamentary elections. The Council would then accept the president. In response to another question, Mr. Leinen stated that the direct election of a Commission president would not work, as direct elections are still premature.

Thirdly, a questioner stated that it was already the case that Europeans had two votes (one for national, the other for European elections) and asked for clarification on this. Mr. Leinen replied that we must include a transnational element in European elections.

Fourthly, what would be the role of national parliaments in a European parliamentary democracy? Mr. Leinen argued that national parliaments should be involved in the constitutional process. Benchmarking is a good idea for their role of controlling national governments. Links between national and European parliaments should be institutionalised: a third chamber is not necessary. The temporary meetings proposed by Mr. Jospin would be unworkable. In response to another questioner, Mr. Leinen stated that even the European parliament gains more power, representative democracy could not be enough on the European level. We need a combination of representative and direct democracy. The treaty should be adopted in a European referendum with a majority of states and of the people. A petition by referendum would create a European public identity, but this will not come before 2004.

Finally, it was argued that there are already so many European treaties; 'the debate is far too Euro-centric'; furthermore, one has to ask oneself: 'Why Europe'? When one looks at a Chinese map, the Pacific Ocean is at the centre: it is the geo-political centre of the world for the future. Secondly, presidents are generally far too old: they should be born at least after 1950. Mr. Leinen answered that the Laeken summit will nominate someone to be approved by the Convention to act as its president. He also said that the 'finality' of Europe is a fundamental question, which equally has to be answered.