

Governance Lunchtime Seminar, Tuesday 29 January 2002

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The view of the European Parliament on the White Paper on European Governance

Chairman: Mr G. Massangioli,
Director in the Secretariat-General

In his opening remarks, the Chairman laid emphasis on the depth and quality of the work of the Committee for Constitutional Affairs and of the seven other committees that produced opinions, leading to the final adoption of the Report on the White Paper on European Governance. He highlighted that, in addition to the above, Dr. Kaufmann is also a member of the European Parliament delegation for the forthcoming Convention.

Dr. Kaufmann began by stating that 'we all have to think about how to bridge the gap with people and Europe', a gap which is growing. In her twelve years as a politician, and in the EP as an Observer since the 1990s, Dr. Kaufmann said that people still have little knowledge about Europe, its institutions and about the manner in which they interact. We should not overestimate the effect of the EURO, which in itself would not build up a European consciousness.

Colleagues in the Committee for Constitutional Affairs asked themselves about the core aim of the Commission in the White Paper. In Dr. Kaufmann's opinion, the Commission was the first 'government' in Europe that was ready to engage in self-criticism and to propose items for reform. She said that many problems must be solved by the forthcoming Convention. Nevertheless, the process of revision of the treaties has to produce structures that are clearly understood by the people. Otherwise, the EU cannot meet new challenges such as enlargement.

Dr. Kaufmann focused on three points. Firstly, consultation. The European Parliament strongly supports the proposals in the White Paper on broader consultation, made in order to achieve openness and transparency. However, many colleagues had assumed that these proposals would lead to a 'consultation inflation'. It must be very clear, who decides and who has the political responsibility for decision-making. In its resolution on the White Paper (p. 11), Parliament stated that an inter-institutional agreement on this issue was needed. As far as she knows, the Council did not react to this proposal until now. In the plenary session, Mr. Prodi stated, that the Commission was ready to establish an inter-institutional working group. The EP supports this proposal. But until now it is not clear who will be its members, nor which topics shall be addressed. From EP's point of view better regulation and the consultation issue are of highest interest.

Secondly, transparency. Dr. Kaufmann highlighted the fact that a promise to publish a list of consulted bodies had already been made in Mr. Kinnock's White Paper for June 2000. A new proposal was again made in the governance-whitebook and in the paper on better regulation it is stated 'as soon as possible'. The Commission could quickly implement one point of the resolution: attaching an annex to each of its proposals itemising the organisations and institutions that had been consulted.

Thirdly, colleagues in the Parliament had been 'outraged' to learn during the governance-debate that the Commission intended to present at Laeken an Action Plan for Better

Regulation, because the Parliament had not been informed about it. There had also been a Report from the Mandelkern group on request of the Council, which became known in the parliament around the same time. A great deal of misunderstandings about the respective roles of each institution seems also to remain, however. The role of the European Parliament must not be weakened.

Finally, Dr. Kaufmann welcomed the opportunity for discussion. She also wished to ask how the consultation phase for the White Paper was proceeding. The Spanish presidency's working programme only briefly referred to the White Paper. Secondly, Dr. Kaufmann wished to know notably how the Commission communication for better regulation could claim (on p. 2) that 50 billion EUR could be saved by better regulation.

In the debate that followed, Mr. Jérôme Vignon, who was responsible for the White Paper on European Governance, first praised Dr. Kaufmann's achievement in taking the full range of political views into account in her report. In this manner, she obtained political agreement in the Parliament on the Committee for Constitutional Affairs' proposed amendments. Mr. Vignon said, that the European Parliament has a substantive contribution in establishing a political debate. He welcomed the fact that the Commission was perceived as being self-critical. Although academics felt, that the way the White Paper dealt with Community method was biased, Mr. Vignon said that we still need a body like the Commission on which to base the process of enlargement. If the Commission were indeed to become a government accountable to the Parliament, the monopoly of initiative would have to be shared. The status of the future executive of the EU is a major debate on which the European Parliament has taken a stance. On consultation, Mr. Vignon said that an inter-institutional agreement would be preferable, but it would have a binding effect and create some confusion between legislation and consultation. This was why the White Paper had instead sought to improve the quality of consultation by recommending a code of conduct that sets minimum standards. Finally, the Spanish presidency has said that it is in favour of an inter-institutional group with scope over consultation, comitology and better regulation. The Commission therefore has to bring forward its proposals more rapidly.

In response, Dr. Kaufmann said that the European Parliament resolution lays clear emphasis on the Community method, but the status of the EU executive would become clearer as result of convention work next summer.

A member of the Spanish permanent representation referred to the programme for the Spanish presidency, which states that a deep debate on governance issues will be promoted once the consultation process on the White Paper has finished at the end of March. The rest is still under consideration by the Spanish presidency. Mr. Aznar made no objections to the inter-institutional group on governance, especially on better regulation. Conclusions will be presented soon.

A member of the governance group said that it would be interesting to have an agreement between the Commission and the Parliament on the content of the proposed inter-institutional working group. It would also be worthwhile to have a common political strategy between the Commission and the Council, based on Dr. Kaufmann's report, for the White Paper proposals to be used in the Convention. He said that this working group should follow up all the political questions raised by the White Paper in order to provide continuity between the White Paper and the Convention. Dr. Kaufmann answered that it is preferable to concentrate on two or three issues because it would be impossible to cover all of those addressed by the White Paper.

Another questioner wished to know how relations between national parliaments and the European Parliament would be managed within the Convention. Dr. Kaufmann spoke about the report by Mr. Napolitano, chair of the Committee for Constitutional Affairs, which would

be debated in Strasbourg next week where a majority is expected. She informed about the first meeting of the EP-delegation in the convention on this morning and she mentioned, that there was also a debate today whether members of the Convention should be seated in alphabetical order or by political group. Dr. Kaufmann expressed a preference for seating in alphabetical order, as it would encourage greater inter-action and debate between members.

A participant stated that it was a pity, that the Lisbon European Council mandate for the Commission, Council and Member States did not mention the European Parliament. He pointed out that the figure of 50 billion EUR came from a survey by DG Internal Market. There is a similar figure in an OECD document on better regulation. Dr. Kaufmann replied that presenting such a figure in a Commission official document would produce high expectations that the Commission later might not be able to meet.

Another gentleman stressed the point that people just think about 'Brussels' and fail to distinguish between institutions and therefore to understand questions of governance. Dr. Kaufmann agreed that prejudices run deep and are exploited for political gain. Governments are prepared to blame 'Brussels' for decisions that they themselves took as members of the Council. There is also a problem that the national press and media are more concerned with domestic issues than European ones. The Convention should address all these issues.

A member of the Secretariat General explained that technical problems had hindered the publication of the 'consultation list'. Internal data collection would be ready by next month.

Another participant said that the debate on consultation focused on the preparation of proposals, but a Commission proposal elaborated after widespread consultation can be met by four hundred amendments from Parliament and even be rejected then. Dr. Kaufmann replied, that democracy means that long discussed proposals might even be rejected. But as far as the number of amendments in EP is concerned, she mentioned that a report by Mr. R. Corbett MEP is discussed now to address this problem. A two-thirds majority is needed in plenary for the adoption of this report.

Finally, Dr. Kaufmann agreed that there was a need for the European Parliament to be ready for reform and to look at it's work as self-critical as the Commission.

The Chairman expressed thanks to all participants for their significant contributions to the debate.