

EUROPEAN AND EXTERNAL AFFAIRS COMMITTEE EUR-03-02(p3)

Date:	8 May 2002
Time:	9.30am
Venue:	Committee Rooms 3 and 4, National Assembly Building
Title:	The Future of Europe Debate

Purpose: To inform members of the parameters of the Future of Europe debate.

Chronology

1. The origins of the Future of Europe debate lie in the Nice Inter-Governmental Conference of December 2000. Insufficient preparatory work had been done and a scheduled two-day summit turned into a five-day marathon. Deals were finally done in the middle of the night to enable enlargement to take place. No one thought this method of working suitable for the future in a much larger Union.
2. The prospect of enlargement under-scored other important. As the remit of the EU became broader it became less obvious, in some instances, how responsibilities should be divided up between the Commission and Member States. It was suggested that a gap had grown between the Union's greatly broadened remit and its working machinery, and that it had lost touch with its core identity. Hence, the need for a debate.
3. Another IGC was scheduled for 2004 to address these issues. It was decided that the 2004 IGC should be fore-shadowed by a consultative process to prepare the ground. This consultation has taken the form of a Convention on the Future of Europe.

Who Sits On The Convention?

4. The Convention comprises Member State governments and the European Union institutions. Its chairman is former French president **V. Giscard d'Estaing**. He is supported by two vice chairs: **G. Amato**, the former Italian Prime Minister and **Jean-Luc Dehaene**, a former Belgian Prime Minister. It is supported by a Secretariat headed by **Sir John Kerr**, the former head of the UK Diplomatic Service

and former UK Perm Representative in Brussels.

5. Each Government from the EU 15 Member States is represented by one minister. For the UK, this is the Minister for Europe **Peter Hain**.

Member States are allotted two members drawn from their national parliaments. From the House of Commons, these are **Gisela Stewart** (Labour) and **David Heathcoat-Amory** (Con).

6. The European Parliament supplies sixteen members. The European Commission is represented by two Commissioners, Barnier and Vittorino.

7. Applicant countries are each represented by one government representative and two national parliamentarians. The applicant countries have full speaking rights but cannot prevent a consensus from developing among the EU 15.

8. The Committee of the Regions has six representatives with observer status (ie speaking rights, but not voting rights); Ecosoc sends three representatives, also as observers. The "Non-Government" sector is represented by three observers.

The Convention's Method

9. The Convention met for the first time in plenary session in Brussels on 28 February. Further meetings were held on 28 Feb; 21/22 March; 15/16 April. It will meet at roughly monthly intervals in Brussels until March/April 2003.

10. The shape and agenda of the Convention is driven by a 12 member Praesidium chosen from the representatives.

11. The Convention will consider various issues and draw up a final document. This may comprise either different options, showing the degree of support they achieved, or recommendations if a consensus is achieved. Alongside the national debates on the Future of Europe, the document will provide a starting point for the discussions at the next IGC (probably 2004) which will take the ultimate decisions.

12. Running in tandem with the Convention is a "Forum" for which vice chair Dehaene has the responsibility. This exists in virtual form as a web-site for contributions to the debate from civil society: academia, NGOs, business etc. It is not clear whether it will initiate public hearings.

The Issues: A Summary

13. The terms of reference for the debate are set out in the Laeken Declaration. This summary aims to offer a flavour of the extent of the debate and is not definitive.

14. The European Union currently has four treaties. Should these be rolled up into a single "**Constitution**"?

15. How can the **division of competence** be made more transparent? Should there be a clearer distinction between the three types of competence: the exclusive competence of the Union, the competence of Member States and the shared competence of the Union and Member States? How is the principle of **subsidiarity** to be applied here and how should it apply to the regional tier of government?

16. **Simplification**: whether the Union's various instruments should be better defined and whether their numbers should be reduced. Is it best to have more **framework legislation**, leaving Member States more room for manoeuvre in achieving policy objectives?

17. More **democracy and transparency**: Should the President of the EU be appointed or elected? By who? Should the role of the EP be strengthened and **co-decision** extended? Does the Council need reform? Should it meet in public and should its documents be made more widely available?

18. Democratic legitimacy: should **national parliaments** be represented in a **new institution** alongside the Council and the EP? What should their role be? (Would we see a role of the Assembly in such a body? What would be the implications for the Committee of the Regions?).

19. Should there be more **Qualified Majority Voting**? How can co-decision be speeded up? What of the six monthly rotation of the EU presidency – is it efficient?

Some key questions for the Assembly:

- What values and policies should be at the core of the Union? Do we need an EU constitution and what should be in it?
- Assembly Ministers regularly attend the Council of Ministers – how would the Assembly fit into any revised arrangements?
- Does the EU need a new institution for national parliaments? If so, what part should the Assembly play? What are the implications for the Committee of the Regions?
- How can democratic legitimacy in the EU be improved?
- Should there be a greater role for the EP?

What are the channels of influence for Wales?

20. Member States will carry the greatest clout in the Convention and subsequent IGC. There is regular government machinery for the First Minister and colleagues to contribute to the wider UK discussion, notably MINECOR and JMC (Europe). At the last JMC, the Foreign Secretary said he would be glad to come to Wales to help extend the public debate and the First Minister is pursuing this option.

21. The First Minister met the UK parliament representatives (Ms. Stuart and Mr Heathcoat-Amory) on

the Convention in London on 22 April as part of his programme with UK committee chairs. He met Mr Hain bi-laterally on 26 April, and will have further meetings with him.

22. First Minister will meet with Commissioner Barnier in Brussels on 13 May as part of a group of regional government heads to discuss the Future of Europe. Wales has been at the forefront of this group of regions which has produced a joint-response to the Governance White Paper.

23. The UK national debate is important and the Assembly will want to influence it. We will also want to look at wider views to inform our discussion.

Rosemary Butler and Wales' other members of the Committee of the Regions are well placed to lobby on the Convention.

24. The First Minister will have opportunity through the Regions with Legislative Powers group to discuss issues both bi-laterally and through the whole group at its conference in November.

Taking the Debate Forward in Wales

25. One of the drivers of the Future of Europe debate is to broaden out discussion away from the sole preserve of governments and diplomats. The approach taken in Wales to the European White Paper on Governance was a good one and could provide a model. In any event, the following actions are possible:

- Ministerial lobbying within UK government machinery (Minecor, JMC Europe, bi-lateral meetings etc) – First Minister;
- Discussion at European Affairs Committee to define core issues;
- Intelligence from other European regions for "compare and contrast" analysis – Brussels Office;
- Assembly plenary debate for cross-party views;
- European Forum style event/s bringing together Wales' elected representatives with wider civil society;

Desmond Clifford

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European and External Affairs

Further Reading

The Laeken Declaration

Europe's Crossroads – Hywel Ceri Jones : Institute of Welsh Affairs, Agenda Spring 2002

www.fco.gov.uk – Foreign Office site: especially, sections on Europe and Peter Hain's contributions to the Convention

european-convention@eu.int – the Convention's own web-site giving full details about its work

The Forum for civil society can be conveniently accessed through the Convention site above – the Assembly of European Regions contribution is of particular interest.

European and External Affairs Directorate

