

THE EUROPEAN CONVENTION

THE CHAIRMAN

SPEECH

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CHAIRMAN OF THE EUROPEAN CONVENTION

Opening of the academic year at the College of Europe

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Check Against Delivery
Seul le texte prononcé fait foi
Es gilt das gesprochene Wort

Dear Rector, (*Robert Picht – Acting Rector*)

Chairman of the Board,

Professors,

Ladies and Gentlemen,

Students,

Allow me to thank you for giving me the opportunity to open this 2002-2003 academic year at the College of Europe. I am aware of its importance in the annual cycle of Europe.

I should like in particular to thank Jean-Luc Dehaene for his kind words, but above all for his eminent contribution to the work of the Convention. I commend his role as Vice-Chairman, responsible for contact with civil society.

Since the early stages of European construction, the College of Europe has been a constant feature in the landscape of Europe's integration. The College has prepared and educated generations of young people who have helped to realise the dream of Europe's founding fathers – the dream of reuniting peoples battered by war and building an integrated territory both in economic and political terms.

Since its inception at the Hague Congress in 1948, the College has demonstrated extraordinary discernment and intuition in anticipating the progress of European construction.

I am certain, Mr Picht, that the class of 2002-2003 will – under your management – be motivated by the same spirit.

"Europe will not be brought about in a day, nor will it be built in an overall structure: it will be built by specific achievements first of all establishing real solidarity", said Robert Schuman in his address on 9 May 1950.

The College has been able to anticipate political developments in Europe even before these have been reflected in concrete achievements. The invitation to the countries of central and eastern Europe to join your ranks well before the raising of the Iron Curtain was an act of vision which was a perfect response to the challenges which the Union has always set itself. The establishment in 1994 of the College's second campus on the emotive site of Natolin in Poland bears further witness to this. For a long time now you have been working within a post-enlargement mindset, just like the European Convention which I have the honour to chair.

We must together meet the challenge of making Europe more comprehensible and more transparent for our citizens. I am counting on you, dear professors and students, to assist us in this historic task. You form a European microcosm, where the aims of the Convention's work have already taken on tangible forms. On a daily basis, you live in this wider Europe, you exchange your opinions, you study together, you discuss the shape of the European Union to come. I invite you to share your ideas with us, to tell us about the reality of building a diverse but united continent. It is your Europe, the Europe of the future, the new Europe. It is for you that we are working in the Convention.

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Why this Convention?

We can give a procedural reply: the results of the Intergovernmental Conferences in Amsterdam and Nice fell short of expectations, while the Convention had proved itself as a method in the drawing up of the Charter of Fundamental Rights. However, the Laeken decision to convene this Convention is in fact much more: it is the recognition that the Union has reached a major turning-point in its history, and that it must therefore rethink, readjust and – in part – reinvent the system, and propose a New Europe. Why?

Firstly, because we will soon be much greater in number. The negotiations under way for the extensive enlargement will probably result in an agreement with up to ten candidate countries in Copenhagen in December this year. This enlargement, the most extensive since the beginning of European construction, will be the culmination of one of the most significant geopolitical upheavals in Europe, marked by the fall of the Berlin wall, the break-up of the Soviet Union, in short the end of the post-war system.

Secondly, because the European Union has begun to organise itself to act in areas which go beyond the initial ambitions and powers in the Treaty of Rome: external policy, defence policy, and justice and internal security policy.

The early stages of European construction had two fundamental aims: Franco-German reconciliation and the dismantling of customs tariffs in Europe in order to create an economic community, thus binding Member States' interests and making war between them impossible.

Economic integration culminated in the introduction of the single currency – the euro – at the beginning of this year. The introduction of the euro marks the completion of the founding Europe. On the other hand, the new policies introduced by the Treaty of Maastricht, both in relation to foreign and defence policy and justice and internal security policy, are at the very core of our concept of the State.

The founding fathers knew that their system, which remains the basis for integration, would have to evolve and transform itself once European construction moved beyond economic integration to address political matters. In his memoirs, Jean Monnet, who was in this sense as much a visionary as a pragmatist, points out that: *"The purpose of the Community was confined to the areas of solidarity enshrined in the Treaties, and while we always believed that those areas of solidarity would call forth others, and would gradually result in the broadest integration of human activities, I knew that their progress would halt at the boundaries where political power begins. At that point, it would be necessary to reinvent."*¹

Such is the historic challenge for the Convention. It is not a question of expressing a preference for the Community method as opposed to intergovernmental cooperation. Nor is it a question of choosing between Monnet and Metternich.

¹ Translation of "Mémoires", Jean Monnet, pp. 598-599, Librairie Arthème Fayard, 1976.

It is a matter of building a broader, coherent system around the acquis of European integration and the three European institutions – the Council, the Parliament and the Commission – that is, around the single market and the single currency. The system must be able to make our Union work with more Member States and also, in the decades to come, to allow us to act effectively in the political areas where our cooperation is currently only in the early stages.

Our approach is therefore – in the thinking of Jean Monnet himself – a continuation, but a continuation which must adapt and which must remain innovative in the face of significant historic changes.

To respond collectively to these challenges, we must be as innovative and pragmatic as Monnet and his generation were in their day: we are "updating Monnet".

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What is the Convention? The composition of the Convention reflects the stage already reached in integration. For the first time in the history of European integration, representatives of the institutions (of the European Parliament and Commission), of the Member States' governments and national parliaments are being asked to reflect together on the future of Europe.

For the first time, this process is being held publicly. And Heads of State have allowed enough time for an in-depth, overall discussion.

So we were able to begin with a "listening phase", in which we asked both these representatives and wider public opinion to consider afresh the purpose of the Union: "Europe: what for?". In my view, this was essential. The members of the Convention, coming from very varied cultures, had at the outset widely differing conceptions. Now they are beginning to understand each other, and comprehend each others' aspirations and hesitations. We have now reached the "study phase", where we are asking ourselves how the Union can best perform the tasks which it clearly has to undertake, and how to ensure that the boundaries of its tasks are clearly understood and respected.

Only when these questions have been answered shall we move to the third stage of our work, the "proposals phase", when, in the light of a wide-ranging consensus on means and ends, we shall have to choose the best institutional arrangements, that is, the best linkage between the three sides of the institutional triangle, in order to ensure optimum results.

That is our path. We have, in the first months of our work, defined the approach to be adopted by the Convention. It is deliberately gradual. From the initial plenary debates have sprung ten working groups, all of which will report back to the Convention, this autumn, allowing 10 further plenary session debates, before Christmas, on the basis of their recommendations.

What has been my advice to the working groups? In a word, "simplify". The texts which govern how the Union and the Community work are so complex as to be in many cases incomprehensible to the citizen (unless blessed with an education in this College). Yet they matter crucially to the citizen. One knows how their complexity has come about, through successive diplomatic negotiations amending or partially amending the basic texts, decking them out with additions and exceptions, protocols and declarations, all at the time politically important to someone, and resulting in a text now standing at 1 045 pages.

But the Convention method permits one to stand back, to take a larger view, to ask whether all the accretions still make sense, and whether all complexity is necessary. The answer plainly is No.

Yet equally one must not over-simplify. It is clear, from the Convention's debates, that there is no single blueprint applicable across the board. To give just one example, the Member States would not agree to apply the full Community method to the full range of the CFSP, let alone Defence; conversely, even diehard intergovernmentalists accept that there can be no question of abandoning the Community method for External Trade Policy. We need the best of both methods: each has its part to play.

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Let me give you another example. This week the Convention will debate recommendations on Subsidiarity prepared by a working group chaired by Mr Mendez de Vigo, a distinguished member of the European Parliament.

That Working Group has agreed that a new mechanism should be put in place which permits proper monitoring of the principle of subsidiarity, the principle which in the future is to ensure that any action by the Union is taken at the most appropriate level and that the Union acts only if there are true advantages in its so doing. In this context, there is a strong tendency in favour of involving national parliaments in that monitoring process. This would be a major innovation, whereby, for the first time in the history of European construction, national parliaments would have a direct hand in the European legislative process. Greater involvement of national parliaments will be a step forward for European integration.

In a system which will soon comprise 25 Member States with nearly 450 million inhabitants, political action cannot and must not be centralised. Power must be decentralised and exercised at the various local, regional, national and European levels, which must act at a level that is the closest possible to the citizen, with due regard, of course, for the internal structure of each Member State. Would such an innovation be a success for intergovernmentalists, or for communautarians? The answer is as obvious as the question is absurd: it would be neither, but rather an advance for the Union, and its citizens.

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Let me give another example of how the Convention method works.

Mr Amato will be reporting to us on the recommendations of the Working Group on Legal Personality. If – as seems likely – the Group recommends that we move towards a single legal personality, that will make it possible to:

- envisage a merger of the two current Treaties, the EC Treaty and the Treaty on European Union, and
- approximate and rationalise those of the Union's legal instruments which are similar in scope, but come under different pillars.

That then opens the way to simplification of the Treaties, enabling us to move towards the rationalisation of the system that public opinion demands. But the question of legal personality also requires us to answer the following three questions:

- Who will embody that legal personality which we are to endow with a constitution?

- What will be the nature of our new and better Union?

I see it as being a Union of European States closely coordinating their policies and administering certain common competences, along federal lines.

➤ What will this new and better Union be called?

It seems to me that four possible names present themselves:

- ◆ Communauté européenne,
- ◆ Union européenne,
- ◆ Europe unie,
- ◆ Etats unis d'Europe

In English:

- ◆ European Community,
- ◆ European Union,
- ◆ United Europe,
- ◆ United States of Europe.

This is no trivial issue, for the name has a symbolic force, making clear to every citizen the nature and thrust of the European project.

So it seems to me that it would be interesting to find out what the people of Europe, in particular the young people, feel about this issue, before it is discussed by the Convention.

Once the Convention has discussed Mr Amato's report we have undertaken to make a preliminary presentation, at the end of October, of the architecture for the future constitutional treaty. My preference – as I have already told the Convention – is for a single text containing a constitutional section and a section on policies, possibly to be supplemented by protocols, which would include certain details on implementation. The constitutional section must provide an understanding of the actual foundations on which our Union rests. This is a very important matter and requires thorough discussion.

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I understand those who are impatient to start immediately on "the major institutional issues" – the future Council Presidency, the Union's external representation, the means of making the Commission's European role a more effective one and of giving the Union more visible democratic legitimacy in the future.

But these are matters for the final stage of the Convention's work – when it has more clearly defined the Union's roles and procedures, when it better understands the import of the arguments of efficiency and transparency which have been adduced, when it has a clearer idea of the desirable overall shape of its recommendations. And they are matters requiring not an absolutist philosophical approach but a pragmatic approach, as envisaged by Schuman and Monnet.

I would note, by the way, that Monnet was characteristically far-sighted when he supported the creation of the European Council, i.e. the regular meetings of European Heads of State and Government decided on at the Elysée Palace in December 1975. As he anticipated, it has come to provide a crucial political impulsion, binding together national governments, and, given the Commission's presence, creating solidarity between Community aspects and joint action by the Member States. Some, unlike Monnet, greatly feared in 1975 that it might make the Community too intergovernmental.

In fact, as a recent study ¹ by two distinguished friends of this College points out, the Union of today is a far more supranational construction than the Community of the '70s, and all the major steps in this evolution (Single Market, Monetary Union, Co-decision, Euro-Citizenship) spring from the European Council.

In the modern jargon, the involvement of the top national politicians has "internalised" European problems, and the search for their solutions, within the Member States. The European Council is now enshrined in the Treaties: the Convention's task is to help it work better. And its history teaches us not to fall prey to false fears of innovation, or over-rigid theology.

Personally, I would add that it might be desirable now to take the process of "internalisation" within the Member States a little further. That is why I have been wondering – aloud! – whether we should not create a "Congress of the Peoples of Europe", bringing together members of the European Parliament and a proportional number of representatives from national parliaments, which would meet periodically to review the "State of the Union". It would be a sort of European "global constituency".

¹ "Le Conseil européen" by de Schoutheete and Wallace. Notre Europe. September 2002.

Such a Congress, without legislative power – which would remain the strict preserve of the European Parliament – would be consulted on the development of the Union and its possible future enlargement. At regular fixed times it would hear a report from the President of the Council and the President of the Commission on the external and internal State of the Union and could make, or confirm, appointments to certain high political offices in the Union.

But that is a question which the Convention has yet to address.

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In any case, these fascinating institutional issues must not distract us, at this stage, from the severely practical tasks of the Convention's ten working groups. Institutional arguments must not drive our debate on the basic questions: rather our answers to these basic questions about the competences and means of action of the Union will dictate our eventual institutional prescriptions. This can only be addressed in the framework of an overall proposal based on the guidelines set out by the working groups on the basic issues.

Such an overall proposal must answer all the questions, and must be carefully prepared – prepared in the sense that it can be made only after study and consideration of all the facts. It will be the cornerstone in our edifice, the last to be laid and, if well crafted, will hold the entire edifice together. It must be aimed at simplifying and, if possible, shortening the proceedings of the Intergovernmental Conference which is to follow. However, this cornerstone cannot be laid until the constitutional walls have been constructed, and the institutional stone patiently crafted and prepared to perfection.

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During your year in Bruges, you will bear witness to the steps we take. At the end of your academic year, we too will be handing in our work. And it will, I am sure, serve to assist the Intergovernmental Conference to follow, thus forming the basis for the functioning of our Union over the five decades to come, given that the European Union takes fifty-year strides.

You may think me an optimist for believing that we are going to arrive at a consistent overall proposal over the coming months. My reply to that would be another sentence from Jean Monnet: "*I am not an optimist, I am determined.*", and I sense the same determination around me, in the Praesidium and in the Convention.

As George Washington said in 1787, "*We cannot ensure success, but we can deserve it.*".

I believe that the members of this Convention are proving, by their efforts, that they do indeed deserve their success.

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