

Speech by H.A.F.M.O. van Mierlo, representative of the Netherlands Government in the EU Convention
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Distinguished fellow members of the Convention

I shall do my best to answer the presidium's questions.

Question A

In a number of essential areas, there are tasks that are either not yet recognised or that are currently being performed so far below the required level that we may as well call them new tasks.

Externally, the EU will have to find a common European answer to challenges that the member states cannot address individually. These include globalisation and an effective and authoritative response to international developments. And that is not all. We also need to propagate the principles that we all share as members of the European Union – democracy, equality, solidarity and the rule of law. These can only impress and have an impact if we promote them in a joint effort. In the international arena, the world expects Europe to act in accordance with its economic, cultural and intellectual capacity. In addition, the EU must be able to safeguard the stability of its borders and, where necessary, to intervene in crises far beyond them. As I said the last time we met: The world expects a great deal of Europe, while only too often, we fail to deliver. The big question is how we can best structure that external capacity. I have some ideas about that, but I understand that this issue is not on today's agenda.

Internally, too, cross-border problems and the abolition of the EU's internal borders call for a European strategy. This applies not only to the environment, but also to the issues of asylum and migration, and to joint efforts to tackle crime. In these areas, where individual member states find it increasingly difficult to pursue an effective policy, a common European approach has much added value.

A third task is of a different order and I wish only to touch on it here. If the EU seeks to engage the interest of its citizens, if it is serious about wanting to give people the feeling that they live in a European as well as a national democracy, it must take action – together with the individual member states – in the areas of education and communication. I am speaking

here of action aimed solely at teaching people – and children in particular – to set their sights on Europe. This, too, I see as a new task for the EU.

Partly in the light of the enlargement of the EU, which will decrease rather than increase the power of the average member state, this is not the time to reduce the EU's tasks.

Question B

The principles of subsidiarity and proportionality continue to be the most important criteria for the allocation of tasks to the EU. I would like to add the criterion of solidarity, which becomes relevant when most member states are perfectly capable of solving a problem at national level while a few cannot.

It is essential, in any case, to make the process of weighing these principles clearer, more transparent and demonstrable. At the moment our preference would give this task to the Council, but we can discuss that the next time we meet.

Question C

I am in favour of drawing up two treaties, one constitutional and the other on policy. We will be discussing this issue later in the Convention.

The principle of subsidiarity must be incorporated into the constitutional treaty with the fundamental rights. But the powers that are allocated to the EU must be included in the second treaty, which can easily be amended. And clearly, all other tasks should be the responsibility of the member states for the time being.

Question D

This also answers the fourth question: Europe is a 'work in progress' and we must not close the door on our options. There should always be scope to expand or decrease the Union's powers.

One ideological issue that I do not consider relevant, but which others might, is defining the task of the government, be it national or European, as opposed to what people must do themselves. If there are differences of opinion on this point, which might impede the kind of joint approach I am advocating, the question should perhaps be submitted to the European Parliament, in which all ideological schools of thought are represented. We must in any case ensure that this discussion – if we want to have it at all – does not muddy the waters of the debate on subsidiarity.