

**NOTE**

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Subject :       **Summary Report of the Plenary Session**  
                  **- Brussels, 11 and 12 July 2002 <sup>1</sup>**

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**I    Opening of the session**

1. The President opened the session by congratulating Ms Palacio, on behalf of the Convention, on her appointment as Spanish foreign minister, and Mr Zaplana on his appointment as social affairs minister. Messrs Lequiller, Carey and Floch were welcomed as new members of the Convention.
  
2. The President informed the Convention that the July session marked the end of the 'listening' phase and the start of the 'study' phase. The first six working groups were examining specific issues which had been raised during the first plenary sessions. They would be drawing up recommendations or options which the Convention would be examining in the autumn. They had made good progress, although in certain cases the number of participants was disappointing. The Praesidium considered that four further working groups should be set up. As far the issue of the creation of an area of freedom, security and justice was concerned, a draft mandate covering the most important issues raised during the May plenary session had been agreed by the Praesidium and circulated in document CONV 179/02. The Praesidium considered that in order to examine some of the issues raised in the plenary discussions on instruments, a working group should be established on the simplification of legal procedures. The Praesidium also considered that groups should be established in the areas of foreign policy and defence policy. Their mandates would be drawn up in the light of the plenary debate, and would be circulated once the Praesidium had had the opportunity to reflect on the discussions. Members of the Convention would be invited to apply for one or other of these four groups once their mandates

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<sup>1</sup> A verbatim record of the plenary meeting is given on the website  
[www.european-convention.eu.int](http://www.european-convention.eu.int).

had been established. They would begin work in September, with the objective of submitting options in October or November. The Convention would then have at its disposal ten sets of building blocks which would be key for the third phase of its work, during which it would examine proposals for legal texts.

3. The President informed the Convention about the programme for the autumn. Firstly, the Praesidium envisaged a debate at the 12-13 September session on simplification of legislative procedures, based on a secretariat paper which would issue before the summer break, in order to provide a basis for the new working group. Secondly, the report from the working group on subsidiarity should be available in time for it to be examined in plenary on 3-4 October. Thirdly, the Convention would receive in mid-October reports from the two groups looking at Legal personality and the Charter (both directly relevant to the future Treaty structure). These would allow the Praesidium to make proposals to the Convention in late October for an outline Treaty structure. This structure would provide the outline into which the building blocks from the working groups would be inserted, provided that the Convention was in agreement with them. A new version of the Treaty, substantially fleshed out, would follow in December or January, and would serve as the basis for the third phase (the 'negotiating' phase) of the Convention's work.

## **II EU External Action: general debate**

4. The President opened the discussion on the EU's external action by referring to the reflection paper drawn up by the Convention secretariat (CONV 161/02).
5. Members of the Convention agreed that it was important for the EU to be a strong, effective, and efficient player on the international scene. Many believed that its performance so far in this area fell short of expectations, especially considering its economic and financial weight. Several underlined that the challenges of globalisation only strengthened the importance of the Union fulfilling this role. Only a strong and united Union could influence international developments and effectively protect European interests.

6. Many stressed that the values which were at the heart of the Union were themselves an argument for a greater role globally, and that these values should underpin and inform the Union's external policies. Several members also mentioned the need to respect the fundamentals of the UN Charter.

### **Single or common policy?**

7. Several members considered that the intergovernmental nature of foreign and security policy had been unable to deliver effectively. The 'Community' method had worked well in other aspects of external relations. Extending the capacity of the Commission to define common policies and act as guardian of the common interest in this field would help improve the effectiveness of the EU's foreign policy.
8. Others drew attention to the specific character of foreign policy, noting that it is much less legislative in nature than many internal policies. Several stressed the differing interests of Member States. The close link between foreign policy and national sovereignty called for specific arrangements. Many of the shortcomings of common foreign and security policy could be attributed to lack of political will rather than insufficient instruments or procedures. The objective should remain the achievement of a common policy and not necessarily a single policy. Several highlighted the important role of the European Council in defining the common foreign and security policy.

### **Coherent external action**

9. All agreed that properly coordinated use of all instruments, economic and political, was important for the Union's capacity to exert influence on the international arena. A large number of speakers felt that current arrangements were an obstacle to a coherent approach and made such coordination difficult. Some called for abolition of the pillar structure and recommended that the two functions of the High-Representative for CFSP and the Commissioner for external relations be attributed to one person ('double hatting'), who would be Member or Vice President of the Commission. Others preferred to improve coherence through reform within the Commission and the Council, and through better coordination between the HR and the Commission. Some proposed that the HR and the Commissioner responsible for external relations should be able to present joint initiatives covering all aspects of external policy/actions. Further use and development of Common Strategies was also mentioned.

### **A pro-active foreign policy**

10. All members of the Convention underlined the importance of the EU having a dynamic foreign policy capable of responding promptly to international developments. A number of speakers pointed out that the requirement for unanimity in CFSP restricted the Union's capacity to act. When Member States failed to agree, the absence of a clear Union policy created a vacuum, which was subsequently filled by individual, sometimes contradictory, national foreign policies. Some added that the rule of unanimity favoured a policy dictated by the least ambitious position and considerably delayed decision-making, whereas prompt reactions were often required.
11. For a number of speakers the solution was to be found in extending QMV to the area of CFSP. Some believed that all foreign policy decisions (excluding security and defence) should be taken by QMV, while others proposed that, as a first step, joint initiatives by the HR and the Commissioner responsible for external relations should be made subject to QMV. Some members expressed their wish to maintain unanimity as a general principle, and underlined a preference for improving mechanisms designed to bring about a better convergence between Member States. The possibility of extending the right of initiative to the HR and a better use of joint policy assessments were mentioned in particular. For a number, maintaining unanimity as a general principle did not rule out a wider application of QMV in specific cases such as within the framework of common strategies, or, possibly, when deciding on proposals submitted jointly by the HR and the Commission. Other proposals for overcoming inertia in CFSP included developing 'enhanced cooperation' as well as more widespread use of 'constructive abstention'. This would allow a 'coalition of the willing' to take an initiative on behalf of the EU, provided that no Member State objected to this initiative and that the opportunity was kept open for others to join at a later stage.
12. The issue of a pro-active foreign policy was directly linked to the question of funding CFSP. Prompt action required access to appropriate resources, both financial and human. A number of speakers stressed that the CFSP budget should be increased and that financing procedures should be made more flexible. Possible pooling of diplomatic resources in third countries and the possibility of giving responsibility to the HR for the foreign policy activities of external delegations were also mentioned.

### **Effective representation**

13. A number of members called for greater clarity over external representation in the area of external policy. Some proposed that a way should be found for the Union to speak with a single voice, whilst others considered that the most important objective was to ensure that it had a single message. A number considered that external representation would be simplified through having a single legal personality.

### **Issue of legitimacy**

14. Several speakers detected a democratic deficit in the second pillar and called for increased involvement of the European Parliament, e.g. through use of codecision. Others stressed that democratic legitimacy came from national parliaments (in particular in the case of deployment of military force) and called for better scrutiny and accountability at the national level.

### **Defence and Security Policy**

15. A number of members underlined the importance of the Union developing an effective security and defence policy. This depended first on ensuring sufficient and appropriate capabilities, both military and civilian. Some argued that military action by the Union should be limited to peacekeeping, and should be dependent on the existence of a mandate from the UN.
16. Some members saw defence as primarily an issue for NATO, and a number underlined the importance of the development of ESDP taking place within the framework of close consultation with NATO. Some called for "enhanced cooperation" to be extended to the area of security and defence. It was suggested that the development of a security and defence policy should be based on a staged approach, allowing for a gradual development of capabilities. A number stressed the need to address the issue of interoperability between national armed forces. A number called for better coordination of research, development and acquisition policies in order to achieve value for money at the European level. Several argued in favour of creating a European armaments agency, and some saw a need to review and modify Article 296 of the Treaty so as to bring the arms industry within the scope of the Treaty.
17. A number of members underlined that decisions relating to security and defence would have to continue to be taken by unanimity, given their sensitivity, and that oversight in this area was primarily an issue for national parliaments.

## **II Report by the Youth Convention**

18. The Chairman of the Youth Convention, Mr Filibeck, and its two Vice-Chairwomen, Ms Tedesco Triccas and Ms Norby, presented the text adopted that morning by the Youth Convention, meeting in Brussels since 10 July 2002. In their statements the youth representatives pointed in particular to the importance of consulting young people and directly involving them in the European process. They added that the text adopted called for clarification of areas of competence and for stronger European institutions and that a majority of youth representatives also wanted Europe to move towards a federal-style system. In conclusion, the Chairman of the Youth Convention called for the momentum to be maintained and a second meeting of the Youth Convention arranged, so that the discussions could continue and the work carried out could be taken further.

In the ensuing debate, a number of members of the Convention commended the work done by the youth representatives and welcomed the content of the text adopted. Some also expressed a wish for contact with youth representatives to continue.

One member of the Youth Convention reported a statement of views, signed by a significant number of Youth Convention participants, criticising the methods followed and the results achieved.

In his Vice-Chairman's winding up, Mr Dehaene endorsed the aim of maintaining the momentum created by the holding of the Youth Convention and to that end outlined the following three procedural arrangements:

- the Chairman of the Youth Convention and its two Vice-Chairwomen would from now on be invited to attend the European Convention's plenary meetings, so that they could report back on them to Youth Convention participants as a whole;
- the Internet site (youth-convention.net) would remain in operation, so as to foster further debate among young people and provide a channel for communication with them;
- each component (national delegations, the European Parliament, the Commission and the Chair) would be asked to maintain close contact with the young people designated by it, keep them regularly informed of progress and obtain their views and proposals.

### **III Procedural proposal by certain members of the Convention**

18. The President referred to the proposal submitted by certain members of the Convention that the Commission should be invited to prepare the draft text of a constitutional Treaty. The President noted that this proposal had been examined by the Praesidium and unanimously rejected since it would imply that the Convention was shirking its responsibilities. He referred to the alternative approach which he had outlined at the opening of the session, which it was hoped would meet the concerns of those who had put forward the proposal.
19. Ms Berger, who had forwarded the proposal to the Praesidium, said that she was entirely content with the way in which it had been handled, and confirmed that it had been withdrawn.
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List of speakers following order of intervention.

**Plenary meeting 11 and 12 July 2002**

**LIST OF SPEAKERS**

**Thursday 11 July**

EU external action: general debate

1. Ms Ana PALACIO - Spain (Government)
2. Mr Elmar BROK - European Parliament
3. Mr Êrnani LOPES - Portugal (Government)
4. Mr Frans TIMMERMANS - Netherlands (Parliament)
5. Ms Hildegard PUWAK - Romania (Government)
6. Mr Michel BARNIER - Commission
7. Mr Bobby McDONAGH - Ireland (Government)
8. Mr Antonio TAJANI - European Parliament
9. Mr Michael ATTALIDES - Cyprus (Government)
10. Mr Alojz PETERLE - Slovenia (Parliament)
11. Mr Peter SERRACINO-INGLOTT - Malta (Government)
12. Mr Jens Peter BONDE - European Parliament
13. Mr Louis MICHEL - Belgium (Government)
14. Mr Olivier DUHAMEL - European Parliament
15. Mr Peter HAIN - United Kingdom (Government)
16. Mr Göran LENNMARKER - Sweden (Parliament)

*Blue cards: Duff, Hain, Haenel, Berès, Hain*

17. Mr Ben FAYOT - Luxembourg (Parliament)

*Blue cards: Hain, Voggenhuber, Barnier*

18. Mr Henning CHRISTOPHERSEN - Denmark (Government)
19. Mr George KATIFORIS - Greece (Government)
20. Mr Pavol HAMZIK - Slovakia (Parliament)
21. Mr Peter GLOTZ - Germany (Government)
22. Mr John BRUTON - Ireland (Parliament)

*Blue cards: Stuart, Maij-Weggen, Belohorská*



23. Mr Alejandro MUÑOZ ALONSO - Spain (Parliament)
24. Mr Matjaz NAHTIGAL - Slovenia (Government)
25. Mr Pierre LEQUILLER - France (Parliament)
26. Mr Gianfranco FINI - Italy (Government)
27. Ms Ayfer YILMAZ - Turkey (Parliament)
28. Mr Alain LAMASSOURE - European Parliament
29. Lord MACLENNAN - United Kingdom (Parliament)
30. Mr Roberts ZILE - Latvia (Government)
31. Mr Andrew DUFF - European Parliament
32. Mr Paraskevas AVGERINOS - Greece (Parliament)
33. Mr Lamberto DINI - Italy (Parliament)

*Blue cards: Hain, Barnier*

34. Ms Teija TIILIKAINEN - Finland (Government)
35. Mr Jürgen MEYER - Germany (Parliament)
36. Ms Cristiana MUSCARDINI - European Parliament
37. Mr Rytis MARTIKONIS - Lithuania (Government)
38. Ms Hanja MAIJ-WEGGEN - European Parliament
39. Mr Kimmo KILJUNEN - Finland (Parliament)
40. Mr Peter SKAARUP - Denmark (Parliament)
41. Ms Androula VASSILIOU - Cyprus (Parliament)
42. Mr Dam KRISTENSEN - Denmark (Parliament)
43. Mr Josep BORRELL FONTELLES - Spain (Parliament)
44. Mr Edmund WITTBRODT - Poland (Parliament)
45. Mr Juraj MIGAS - Slovakia (Government)
46. Mr Marco FOLLINI - Italy (Parliament)
47. Mr Hannes FARNLEITNER - Austria (Government)
48. Mr Alvydas MEDALINSKAS - Lithuania (Parliament)
49. Ms Lena HJELM-WALLEN - Sweden (Government)
50. Mr Reinhard BÖSCH - Austria (Parliament)
51. Mr Mesut YILMAZ - Turkey (Government)
52. Mr Proinsias DE ROSSA - Ireland (Parliament)
53. Mr Péter BALÁZS - Hungary (Government)
54. Mr Jozef OLEKSY - Poland (Parliament)

55. Mr Carlos CARNERO GONZÁLEZ - European Parliament
  56. Mr Pierre MOSCOVICI - France (Government)
  57. Mr Caspar EINEM - Austria (Parliament)
  58. Mr István SZENT-IVÁNYI - Hungary (Parliament)
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### **Friday 11 July**

#### **Presentation of Report by Youth Convention**

1. Mr Giacomo FILIBECK, President Youth Convention
2. Ms Ellen NØRBY, Vice President, Youth Convention
3. Ms Roberta TEDESCO TRICCAS, Vice President, Youth Convention
4. Ms Helle THORNING-SCHMIDT - European Parliament

*Blue cards: Duhamel, Dobbyn (Youth Convention), Duff, Skaarup, Bonde, Juri (Youth Convention), Derosier (Youth Convention), Brok, Witherick (Youth Convention), Maij-Weggen, Thorning-Schmidt*

#### **Continuation of debate on EU External Action (Defence)**

1. Mr René van der LINDEN - Netherlands (Parliament)
2. Mr Gunter PLEUGER - Germany (Government)
3. Mr Antonio VITORINO - Commission
4. Ms Marietta GIANNAKOU - Greece (Parliament)
5. Baroness SCOTLAND - United Kingdom (Government)
6. Mr Esko SEPPÄNEN - European Parliament
7. Ms Danuta HÜBNER - Poland (Government)
8. Mr Michael FRENDÓ - Malta (Parliament)

*Blue cards: Duff, Fini, Einem, Vitorino*

9. Ms Gisela STUART - United Kingdom
10. Mr Diego LÓPEZ GARRIDO - Spain (Parliament)
11. Ms Eduarda AZEVEDO - Portugal (Parliament)
12. Mr Jacques SANTER - Luxembourg (Government)
13. Mr Valdo SPINI - Italy (Parliament)

14. Mr Kenneth KVIST - Sweden (Parliament)
15. Mr William ABITBOL - European Parliament
16. Mr Jan KOHOUT - Czech Rep. (Government)
17. Mr Edvins INKENS - Latvia (Parliament)
18. Mr Alvydas MEDALINSKAS - Lithuania (Parliament)
19. Mr Kimmo KILJUNEN - Finland (Parliament)
20. Mr Jürgen MEYER - Germany (Parliament)

Procedural proposal by certain Members of the Convention

1. Ms Maria BERGER - European Parliament

*Blue cards: De Rossa, Kiljunen, MacCormick, Hallengren, Einem*

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