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de la: Secretaría

a la: Convención

Asunto: Contribución de D.^a Danuta Hübner, miembro de la Convención

El Secretario General de la Convención ha recibido de D.^a Danuta Hübner, miembro de la Convención, la contribución que se recoge en Anexo.

The European Union – open to citizens, open to the world.

**Contribution concerning Future of the European Union
by Ms Danuta Hübner, Secretary of State for European Integration, representative of
Poland's Government in the Convention**

The European Union grew out of its old shape. Having fifteen and - in the future – twenty plus member states, it will never again achieve the intimacy of the European Economic Community. However, both the context of the European integration and the role it is supposed to play have changed.

European identity

Europe shares such common values and traditions as personal freedom, human rights, tolerance and enlightenment, shaped by its civilisation that dates back to ancient times. The borders existing within the united Europe do not create dividing lines, do not close, do not isolate, but become bridges for exchange of values and a threshold for openness and understanding, facilitating overcoming of clichés constituting barriers to relations between European nations. Cultural variety among European nations constitutes the foundations for Europe's identity, facilitates the dialogue among civilisations and contributes to elimination of the sources of potential conflicts.

The European identity today is also about building increasingly deepening bonds, improvement of economic competitiveness, conserving the European lifestyle, European values, with personal freedom at the forefront, in connection with the rule of the social solidarity. In this increasingly open world, in the world linked by a dense network of inter-relations, the EU membership allows its members to be simultaneously themselves and draw upon the experience and heritage of others. The national and cultural identity can no longer be protected and deepened in isolation. This process needs to be performed among and with other nations. The European Union's special quality is that it makes the member states and their societies increasingly approach each other.

How much economy and how much politics?

Until recently European integration mainly meant for us economic integration. The association-related thought was built around this notion. That was also the case when the European Communities or the single market were established. Political integration was effected through economic integration. Such a strategy was a very good one in those times. It allowed for argumentation that solely economic issues mattered and the national interest remained the leading criterion in thinking about integration. The project to establish

monetary union was already the beginning of a new era. Economics became an instrument within the political vision. Economic benefits of the introduction of the 'euro' would not be capable on their own to contribute to such a comprehensive mobilisation of the European political class. A widespread opinion at that time was that the establishment of monetary union will force the EU to the swiftest possible progress in designing a political union and that the introduction of a single currency is a sovereign act and thus one eminently political. Some people feared that the establishment of the „euro” without appointing relevant political and democratic structures will lead to tensions which will endanger the status quo in near future.

Construction of any community that is based solely upon economic foundations is never adequate. Currently EU citizens express their European identity mainly in terms of economic success, through increasing well being. As a result it is no wonder that in times of recession, the trust for EU institutions and for the integration idea drops dramatically.

Political Union

It is no coincidence that the European revulsion towards politics coincided with immense changes in Central and Eastern Europe. The outcome for the European Union of the achievements of our region in the recent ten years is a testimony of the power of strong will and the issue of enlargement is a test of what is important for Europeans in the beginning of a new millennium. Will equality of rights and opportunities with a poorer and weaker but ambitious partner be recognised or will the EU rather choose to succumb to unjustified attachment to the status quo? Those questions result in an unprecedented volume of demand for forward-looking political leadership in Europe today.

Citizen, democracy

The period when Europe was able to evolve without active participation of its citizens - at their silent approval - has become history. Late nineties marked return to practical recognition that Europe is first of all a realisation of universal democracy, where human being is the main objective. Future of the Union, its further existence and development depend on the degree to which citizens and nations can identify with it. Such was always the idea of Robert Schuman: „*before Europe becomes a military treaty or economic entirety, it must be a cultural community in the noblest sense of the word, Europe is a realisation of universal democracy in the Christian meaning of the word.*” It must be expected that in subsequent treaty regulations, problems of European citizenship, increased authority of the European Parliament, and - more generally - of expanding democracy, will become the main topic. Already in the Treaty of Amsterdam, the most extensive part is constituted by the Title on The Union and the Citizen, and titles of the chapters - employment, social policy, environment, public health, consumer's protection – indicate that humanistic and ethical aspects of integration are increasingly taken account of.

On the other hand, one can look for sources of usually not very high interest in single Europe and its institutions in objective processes. Post-industrial future will mean gradual decline in the role within social life of such typical institutions as parliaments, governments, structures of power characteristic of national states. This translates directly into decreased interest among the public in politics and reluctance to get involved in political actions. Citizens of rich societies prefer following Dow Jones index' ups and downs to, e.g. subsequent stages of election campaigns.

Sources of the so-called democratic deficit of the European institutions are inherent in their origins. Three major institutions: the Council of Ministers, the European Commission and the European Parliament were established - in a way - in violation of the Montesquieu's principle of the triple division of power: the Council of Ministers is simultaneously a legislative and executive body, executive authority of the European Commission is strictly regulated by the letter of treaties, whereas genuine legislative competences were given to the European Parliament as late as in the Maastricht Treaty. Jurisdiction of the European Court of Justice is binding only with regard to activities of the Communities.

Democratic deficit consists in inadequate representativeness of the European institutions, limited control over executive bodies by elected bodies and citizens as well as in absence of the so-called transparency of their actions.

The European Parliament does not have genuine control over EU's executive bodies: the Council (in the executive function) and the Commission. Individual Council members – ministers in national governments – certainly are accountable to parliaments of their respective countries but there is no political accountability at the European level. The distance between the Commission and citizens has many causes, but the fundamental one is constituted by the supranational character of this institution as stipulated by the Treaty Establishing European Communities and implemented with great determination by its first president - Walter Hallstein. What was the Commission's main „virtue” in the first two decades of its existence, has now become its main „fault” – the European Commission has no electorate, it operates independently within its authority and it is a legalistic body. As a „guardian of treaties” it attaches main attention to enforcement of the *acquis*. This frequently results in bias towards apolitical view of integration processes.

Finally, a common sin of European institutions is absence of „transparency” of their activities. Complex procedures, legalism, specific meta-language isolate them from ordinary citizens. Raising the principle of subsidiarity to constitutional level and a provision in the Treaty of Amsterdam on transparency, openness and closeness to the citizen was no doubt a positive step forward but in practical terms it still seems to be a declaration of intent.

What ways out of this situation are available? It needs to be remembered that all democratic institutions in national states also face similar problems. A list of possible solutions is well known: a change in the proportion of votes of the Member States within the Council, enhancement of the legislative function of the European Parliament through extended use of the procedure of unanimous decision (Article 251 of the Treaty Establishing the European Communities), a consistent implementation of the principle of subsidiarity, facilitation of the citizens' access to institutions (access to documents, public sessions of the Council of Ministers - when it appears in its legislative function), improvement of the

quality (including language) of legislation, the upgrading of the management system of the European bureaucracy (the programme Sound and Effective Management, a code of conduct for Commissioners). Most of them have been formally implemented since the entry into force of the Maastricht Treaty, but they frequently bring about just a marketing effect, giving European leaders good arguments intended to convince citizens that the idea of integration is the only right one to follow.

In a global society, tightly encompassed by a network of universal information, in a society with „flattened” structures, where an increasingly important role is played by local communities, formulation by European institutions of a new message for citizens of the member states is their *raison d'être*. And this is exactly what needs to be understood under the notion of a new model of social communication. European institutions first of all have to decide on a new way of addressing genuine needs of citizens, one that will preclude the crossing of the thin line dividing „closeness to the citizen” – which is a value stipulated by the treaty - from populism.

Hence, European institutions need to target at citizens a message which will convince them of the rationale for implementation of the presented project and reach them before they start taking for granted any benefits ensuing from the project. It seems that currently such a message should mainly concern two issues: quality of life and public security. Certainly it must be remembered that those are in a way the most “selfish” aspects of the social life (hence the comment on a thin line dividing „closeness to the citizen” and “populism”). The European Commission, the European Parliament and the member states seem to acknowledge that. That is testified by numerous initiatives undertaken in recent years and months. Efforts to construct a uniform European system of asylum policy, enhancement of co-operation for combating paedophilia and trafficking in human beings, establishment of the European Food Agency, the dispute between Europe and the USA concerning beef hormones and genetically modified food (GMOs) are actions as much rightful as they are old-fashioned. Thus European institutions and member states have to develop the two aforementioned threads – quality of life and security of citizens – and formulate new projects in advance and in conviction of their rightfulness with a certain marketing aspect present.

The Union and its neighbourhood

Enlargement is currently a major challenge faced by the European Union. In political terms it is already determined, economically it is very much advanced. In a few years, the European Union of twenty-five or twenty-seven countries will be normality and business as usual. Enlargement will be consumed. Then also the role of the EU in the world, and in particular its relation vis-à-vis the nearest neighbourhood, will become a topic of the European debate. An answer will then be needed to the question about what part of responsibility for the international order the European Union can and is willing to assume. Will the EU be a „European fortress” inner-directed, focused upon its own problems and dependent upon the USA as a guarantor of world peace? Or will it – jointly with the USA and perhaps with some other regional powers – exert joint care over the multi-polar world? The truth is somewhere in between. The EU will be a global power but it will consider its nearest neighbourhood as the main area of responsibility. That will be so due to four reasons. Firstly, the scope of political stability of the European neighbourhood will

increasingly influence the EU. Each subsequent political crisis in the neighbouring countries will be a source of danger, which will be increasingly more difficult to control. Secondly, the energy-related dependence of the EU on its immediate neighbourhood will increase, which will potentially bring about serious outcomes for the condition of the European economy. Thirdly, the demographic structure of the EU societies is changing. Those societies will shortly need a supplement to their labour-force through a controlled external immigration. Fourthly, the European Union will more directly than today face the question regarding geographic boundaries of the scope of integration processes. Turkey commenced its path towards EU membership more than thirty years and such countries as Ukraine have advised on their aspirations thereto. The European Union needs to address such aspirations and efforts. It cannot consider part of its neighbourhood incapable of even partial participation in the integration process. Nor can it preclude that prospect due to the current economic condition of its neighbours. I am afraid that the European debate thereupon features too much concealment. Therefore I think that the European Union has to apply a criterion of openness with regard to its neighbourhood. At a certain time, immediately after 1989, Poland and other countries of the region were offered participation in the European process under the principle of confederation. It was unacceptable for us since Poland's goal from the very beginning was full membership in the EU. However, it seems plausible that the confederation formula would meet the expectations of Ukraine, Moldova, and the Balkan countries. Perhaps the commonly promoted idea of "enhanced co-operation" adequately reflects future relations of the enlarged EU and its European neighbours. The unification project works well in its internal dimension. In the years to come, more than ever, it will have to work equally well in the external dimension. Significance of that challenge is very big indeed.

For the countries of Eastern and South-Eastern Europe, the imminent enlargement of the European Union is an opportunity to develop closer relations with the integrated part of the continent. Just like Poland benefited from the inclusion of the former German Democratic Republic into the European Communities, our nearest neighbours will benefit from getting closer to the area of stability and prosperity. Nevertheless, implementation of this scenario constitutes a big challenge both to the future enlarged EU and countries located in the immediate proximity of new members. Any possible failure of the process of stabilisation in the South-Eastern Europe or the process of reforms in the Eastern Europe would have dramatic consequences for the security of the enlarged European Union. Pressure of illegal immigration or infiltration of organised crime are just some of the dangers that could result from realisation of such a scenario. The best recipe to counteract importing instability is to export stability. On the other hand, Eastern Europe needs also to be perceived through its immense economic potential, which will support the European Union in the future global economic competition.

The European Union currently applies two mechanisms of stabilisation policy in its relations with Eastern and South-Eastern Europe. In relations with Russia and Ukraine, it relies upon instruments of partnership and co-operation, which disregard prospects for EU membership. However, such prospects were outlined under the framework of the Stabilisation and Association Process proposed to the Balkan region. Basing on the experience of the future new members one can state that the more direct relations are – and the closer a membership perspective is – the stronger EU's influence upon the process of internal transformation becomes. This transformation can be called „*beneficial*

intervention". This is so because - from the political point of view - the range of changes required for qualitative progress of the reform process needs to have reliable justification for the public in a given country. Bringing the area of European integration closer is such a justification.

Therefore there is a need to design an alternative form of European affiliation of those countries so that a positive energy can be released in them; energy for further internal social and economic transformations. Substantial elements of this formula could be as follows:

- deepened political dialogue in the form of a Confederation Council (based on the existing formula of „troika”) with regular consultations in the area of economy, home affairs, energy, supported by summit meetings accompanying meetings of the European Council;
- gradual, asymmetrical liberalisation of trade in close connection with reforms in key areas of economic life;
- EU's involvement in development of the energy and transport infrastructure in those countries;
- regular consultations on development of the Common European Security and Defence Policy;
- ensuring controlled openness of borders, co-operation between border services;
- close co-operation in the area of home affairs;
- support to human dimension of regional co-operation: exchange of youth, access to educational programmes.

Ensuring controlled openness of borders is a matter of particular importance in the context of the imminent EU enlargement. Poland shares the view according to which a chain is only as strong as its links and therefore it carries out active actions aimed at reinforcement of its eastern border and preparation for operation under the Schengen system. Simultaneously it is indispensable to ensure simplification of technical regulations related to issuing visas and best possible minimisation of the costs thereof as well as to ensure optimum access to consular posts. Those measures are of particular importance with regard to representatives of national minorities residing in neighbouring countries and citizens of the Kaliningrad Oblast.

Poland wishes to participate in the inter-regional co-operation of the European states under the framework of the EU's Northern Dimension. Poland approves of the political goal of the initiatives, which consists in enhancement of positive relationship between Russia and the European Union. A particular area of the initiatives is related to regional co-operation, including the Kaliningrad region. We took enormous interest in the programme document of the European Commission on Kaliningrad of January 2001. It is our conviction that this document constitutes a step in the right direction and reflects the right train of thought. We gladly accepted the invitation to participate in the discussion concerning future shape of co-operation with the Kaliningrad Oblast, sharing the opinion that EU enlargement will bring positive outcome for economic co-operation with the Oblast.

The status of belonging to cultural circles has increasingly become a debated topic. Sometimes, however, the interest is focused more upon boundaries of the cultures' extent, cultural belonging or absence thereof, than upon cultural heritage. But experiences of the recent fifty years indicate that cultural and civilisation heritage most efficiently hold their own through openness, in contact with heritage of other societies. Therefore while fixing out political ties, we must not build barriers where they should not exist. This is also one of our fundamental tasks on the eve of accession to the European Union.

In his memoirs Jean Monnet wrote that Europe would be created by crises, although it will not be a sum of what those crises bring. Similarly Heraclitus said that „war is mother of all matters”. The Second World War was indeed a shock that brought recovery to Europe. While remembering the past, including the recent Kosovo crisis, we know how much we should value the fact that our transformations were so peaceful.

It is frequently said that Europe is a state of mind and hence something incommensurable and difficult to define. There is a lot of truth in this. But the truth also is that being European is something more measurable today – it translates into high standards in industry, environmental protection, agriculture, and science. It also means free movement of persons and hence unrestricted contacts among citizens of all EU states. It is about being together, awareness that problems of others are our common problems, and achievements – are joint achievements.
