

Address given by Joschka Fischer on the outcome of the Nice European Council (19 January 2001)

Caption: On 19 January 2001, in the Bundestag, Joschka Fischer, German Foreign Minister, comments on the achievements of the Fifteen at the end of the European Council held on 7, 8 and 9 December 2000 in Nice.

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The results of the Nice European Council

Address by Joschka Fischer, Federal Minister for Foreign Affairs, to the German Bundestag on 19 January 2001

General evaluation

In other debates, one can see precisely where party boundaries lie on the basis of the positions for or against a proposal. However, in a debate on Europe, it is traditional for this house to discuss the relevant issues largely without regard to party boundaries, since Europe is not a party political topic. Mr Merz, I am disappointed to see that you are essentially trying to make it a matter of internal politics. So in assessing the results of Nice, please allow me to adopt a standpoint that is obviously the opposite of yours: the Nice summit constituted an important and decisive step along the way to European unification. In this respect, it was entirely successful.

To come back to the question of why people are really criticising the results of Nice, is it because there are one or two points that they are unhappy about, or because they think they didn't go far enough? Are they criticising them and rejecting them from the point of view of 'This is not what we want'? Would it not be more appropriate, given that Parliament can go further with its criticism than the Federal Government, which is tied to the European 'compromise' structure, to make the criticism constructive? I should just like to remind you that the Bundesrat and the heads of government of the *Länder* apparently chose the wiser option, and that this also yielded corresponding returns in the run-up to Nice. That is the crucial difference.

If you will allow me to speak frankly on this point, the process of European unification will decide the future of all the Member States in the 21st century. This means that from the perspective of the major historic challenge of enlargement, it will be absolutely crucial for us to make progress with this unification process. That is what the Nice summit had to do, and this is what it did do.

[...] As the Federal Chancellor has explained, important progress was made in Nice, namely on the issue of increased cooperation that is easier to manage and in specifying the post-Nice process, including the prospect of completing it by 2004.

So if we include the first steps, namely adoption of the Charter of Fundamental Rights as a policy, the expectation that the decision that was taken will, in fact, amount to a constitutional process in 2004 on the question of competences (in combination with the Charter of Fundamental Rights), and if we then include the elements of increased cooperation and see that the euro will be introduced on 1 January next year, that we are seeing the beginnings of enlargement, and that a further financial compromise will be necessary in the run-up to 2006, then all I can say to you is this – if you set these parameters and see what was achieved in Nice, but at the same time demand that we should both restore good relations between Germany and France and reject Nice, please tell me how you intend to reconcile these objectives short of a state of schizophrenia.

[...] If we were to say that Nice was a failure and were to adopt the FDP's position of calling for another summit because Nice was a failure, this would be almost the worst thing a Federal Government could do as regards Franco-German relations. [...] Consequently, not only is this demand unwise, but it is also contrary to Germany's interests, it is contrary to our interest in maintaining good relations between Germany and France, and it is contrary to European interests. Therefore we reject it.

Honourable Members, what was it that Nice actually needed to achieve? Mr Merz, I am sorry, but Nice was not expected to achieve everything about which you reproached the Federal Chancellor, from the point of view of consolidation. What needed to be achieved in Nice was to work through the 'leftovers' you cited. However, you did not go into a single 'leftover'. Let us go through the individual points – I have no desire to wear myself out with polemic, and would rather have a genuine debate.

Majority decision-making

You mentioned the issue of majority decision-making. As the Federal Chancellor said in the closing press conference (he said it more than once, and I also said it at the special meeting of the Committee on European Affairs), we were seeking a very ambitious result on this point. Two main problem areas stood in our way. You cannot offload that onto the Federal Government, since we were willing to take the matter further, but there was no unanimity on this.

The first main problem area can be described as financial and taxation policy. The UK had made it clear from the outset, and even in the run-up to Nice, that it had minimal room for manoeuvre in this area. That is a fact for which you cannot blame the Federal Government. Another of our aims was to obtain majority decision-making on foreign trade policy. Other Member States linked this with movement on the taxation issue. That was the situation.

In the interests of Europe, the Federal Government was willing to discuss both points further and get things moving, and also to give further ground in other areas. The Federal Chancellor made this offer in various discussions. You could accuse the Federal Government of having failed in being unable to achieve this, but that is unrealistic. You cannot make things better by dreaming that they are better than they actually are.

Size of the Commission

[...] The second point you raised, Mr Merz, was the size of the Commission. Together with the French government, the Federal Government said from the outset that we wanted the Commission to be smaller. However, that is not a 'leftover'. The demands of the small countries won through. Were it not for this, no results would have been achieved in Nice. The position of the FDP is that no result would have been better than this result. That is the consequence of the FDP's position on rejection. People need to know that.

[...] We would have liked to see a smaller Commission, but with the small Member States this was not achievable. Now the Federal Government is reproached for having to cultivate the small Member States. That is true. The Federal Chancellor really has done a great deal of travelling. [...] However, the crucial point is that each of the small Member States wanted to have a representative in the Commission. That is why it was not possible to reduce the size of the Commission. So this too cannot be described as a 'leftover'. [...]

Voting procedure

The third point relates to the voting procedure. I can tell you that the Federal Government would have liked to see the 'double majority' procedure. That was our position, since the principles of the majority of states (the principle of the federation of states) and the majority of the population (the democratic principle of Europe's citizens in the European Union) determine the majority rules of a Europe that is integrated and that I hope will one day achieve political unity. The Federal Government's position was that both the fundamental principles – equality of states and equality of citizens – should be put into effect. In view of the differences in size, this presupposes a degree of weighting, and we were unable to achieve this. On the other hand, a view that has been expressed and which we share is that good Franco-German relations are indispensable to the Federal Government and to the coalition, and the same applies to previous governments. They are what drives European unification forward. We must therefore show understanding for our partner's positions, even if they differ from our own, and we must find a way forward together.

Not only did we regard the French Presidency's proposal for the voting procedure, which contains an appropriate safety net, as a compromise that is tenable from the point of view of functionality, and also from those of the principles of the state and democracy, but it also met with our approval. This voting procedure is not a 'leftover'. The preconditions for starting on enlargement have thus been put in place.

And the reaction in the candidate countries alone makes it clear what expectations are associated with this. For that reason I emphatically advocate ratification. As a convinced integrationist and a convinced European, I myself know that many expectations were not fulfilled in Nice. At the same time, however, Nice has put in place a crucial precondition for the enlargement process, and we must now speedily drive this

forward. We have been waiting too long. The FDP in particular has constantly and rightly reminded us that it is high time we did the job properly, in other words that enlargement should take place.

[...] I shall say something about the prospects of the **post Nice process** as regards consolidation. [...] If we turn our thoughts to the future, the further steps to be taken towards political integration are of particularly crucial significance. This applies, for example, to the issue of delimiting competences. It will be a damn difficult undertaking to achieve unity on this in the post-Nice process. It is easy to call for competences to be delimited, but it is anything but easy to put this into practice – you only need to think of all the different national traditions and interests. The large groups in the European Parliament in particular will see how difficult it is in practice to put such delimitation in place.

Franco-German relations

The last point I want to address is the relationship between Germany and France. As I said earlier, and as the Federal Chancellor has also expressly emphasised, I think it is unfair how much the media and some of our citizens offloaded onto the French Presidency. There was a conflict of national interests.

Some things in Nice reminded us Germans in particular of the attempt by the old *Länder* to adjust their positions in the course of the ‘enlargement’ process (the issue under discussion at the time was the equalisation of *Land* financial burdens). Everything that happened in Nice was very familiar to me, as I myself was a member of a *Land* government at that time. To a certain extent, faced with the great historic task of enlargement, the old Union attempted to safeguard its position. When the old *Länder* tried to safeguard their interests, this did not hold up the unification process. It was a step that was taken and was followed by other steps. As we have seen, this process was very successful, despite everything that may be open to criticism.

I think it is unfair to offload all that onto the French Presidency. The French Presidency had to perform an extremely difficult task in an extremely difficult situation. We all need to realise that.

If good relations between Germany and France are important to us, we must also stand by our French friends and partners, particularly in such a difficult situation. The Federal Government is doing this. For us, good Franco-German relations are an essential basis for the process of European unification, on which we are continuing to work.

Further contribution by the German Foreign Minister to the same debate

‘In a European Union with 15 Member States, there are many different ways of looking at the results of Nice. I recently had a very good and engrossing discussion with a French colleague in Paris. [...] We must guard against seeing only our own viewpoint. Not only the French government, but also the French population, see some things differently. We must not bring about another problem between Germany and France owing to our views on Nice, as otherwise we shall certainly achieve the negative result we all fear. That’s what I care about.

‘If I were sitting here as an MP – as Mr Haussmann has said – I would not expect the results not to be criticised. On the contrary – it is the responsibility of MPs to criticise, and that helps us. However, we must all look towards ratification. If we now had to say in Paris “Our Parliament has said it is not satisfied with the results,” that would lead to a serious conflict with France. We cannot say in 2002 “We want another Intergovernmental Conference.” Nor did I consider this appropriate in the matter.

‘This argument alone should set you thinking, particularly against the background of the magnificent European policy tradition of your party and of the foreign ministers you appointed, and which you rightly emphasise. So I appeal once again for the Free Democrats to vote in favour.

‘I know we had the same situation with regard to Amsterdam. If the result had depended on our vote, naturally despite my misgivings I would have voted in favour, since I would never have permitted a

European treaty to be rejected by the German Bundestag as a result of my vote, even when I was in opposition. So I know about the temptation to reject it. But in view of the long tradition of your party and your group, which is very different, and in view of the magnificent European policy tradition of the foreign ministers you appointed, starting with Walter Scheel, you should seriously consider whether you are not under a particular obligation for precisely this reason. Therefore I urge the Liberal Party also and in particular to vote for ratification.'