

## Address given by Bertie Ahern on the European Union (Dublin, 6 November 2000)

**Caption:** On 6 November 2000 in Dublin, one month before the Nice European Council, Bertie Ahern, Irish Prime Minister, delivers an address in which he outlines the political and institutional implications of the forthcoming enlargement of the European Union.

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## Shaping a New Union: An Irish Contribution

### Address by the Taoiseach, Mr. Bertie Ahern, T.D., to the European Movement Ireland (Dublin Castle, 6 November 2000)

#### The European Debate

The Irish people have consistently supported our membership of the European Union. This has been demonstrated in four referendums, and emphasised time and again by opinion polls. People know that membership has been good for Ireland. However, it is often said that there is too little discussion here of fundamental questions about the future direction of the Union. We have seen elsewhere the serious difficulties which can develop when people come to feel that Europe has nothing to do with them, that it is a matter for politicians and bureaucrats. The results of the European Movement's recent consultations underline what you describe as "an overwhelming desire for more information."

It is all the more important that public support for the Union be maintained at a time when the Union itself is changing, and Ireland's role in it is changing, in line with the huge transformation of our economy over the past decade. That is why earlier this year, addressing the Institute of European Affairs, I tried to launch a public debate.

[...]

Furthermore, as you know, we are reaching the climax of an Intergovernmental Conference on possible changes to the Treaties. All of the Member States are determined that the IGC will end with agreement at the Nice European Council next month. At Biarritz some weeks ago, the Heads of State or Government had a very valuable discussion of the issues, and intensive work is continuing.

It seems like a good time, therefore, to set out again the basic principles underpinning the Government's approach, and our main objectives in the current negotiations. I also want to set out some preliminary thinking, and to pose some questions, on longer-term issues.

[...]

#### Enlargement

It is scarcely surprising, therefore, that the core foreign-policy objective of the young democracies of Central and Eastern Europe, and of a number of other States, has been their earliest possible accession to the Union. It is entirely right, and in line with its own founding principles, that the EU should have declared itself eager to receive them as members.

The negotiations with the applicants, who are at varying stages of preparation, are complex and demanding. They are in the course of restructuring not just their economies but also their administrative and legal systems. It is important both for existing members and for the prospective entrants that, when the time comes, they are genuinely ready to assume their new obligations and face their new challenges. It is also important, as we know from our own experience, that they receive the assistance and understanding they need.

But good progress is being made. While it may not be helpful at this stage to set deadlines, I see no reason why, if the accession negotiations continue to go in the right direction, the first new members should not enter by 2004. This would allow them to take part in the next European Parliament elections and to be represented in the next Commission.

The Government is naturally determined to ensure that Irish interests are fully taken account of in the negotiations. The details of what is agreed, including in regard to transitional arrangements, must be broadly satisfactory to us.

However — and I would emphasise this — a larger single market of 500 million people will create fresh opportunities for trade and investment, and indeed our business interests in Central and Eastern Europe are already expanding significantly.

An increase in the size of the EU will undoubtedly reduce the direct influence of each individual Member State by itself. That is inevitable. As Minister Brian Cowen has pointed out, that will make partnerships and alliances between Member States all the more significant. Of course, that should hold no fears for us. Many of the applicants already look to us as an example of how a small country can thrive in the EU. We share a range of common interests, including in the agricultural sector, where I am convinced that enlargement will have a number of positive effects. Ireland's standing, and our capacity to network, were underlined by our election to the UN Security Council. Maintaining and building on our good relationships with our partners, current and future, is a top priority for the Government. I have personally, including through my bilateral visits to Estonia, Hungary, Slovenia and Poland, sought to highlight the importance of this. I also plan to visit Malta and Cyprus early next year.

We have to focus on the detail, but we also have to make sure that we can see the wood for the trees. The enlargement of the EU is fundamentally about the further consolidation of freedom, democracy and human rights across our once-divided continent. These *are fundamental European values*:, and they are *fundamental Irish values*. They are at the very heart of what the EU is about.

Enlargement is profoundly in Europe's interest, and it is in our national interest too. Not to support it wholeheartedly would be hypocritical, short-sighted and ungenerous.

## IGC

As everyone recognises, the prospect of enlargement raises issues, not just for individual Member States, but for the Union as a whole. Clearly, given that we can expect the number of members nearly to double over the coming decade or so, it is vital that ways be found to reform the Union's institutions and procedures to equip them to cope with the changed situation. That would be common sense in any organisation. Some of the necessary changes were made in the Amsterdam Treaty, which we ratified, after a referendum, in 1998, but even at Amsterdam it was recognised that we needed to come back to a number of issues. That is what the current Intergovernmental Conference is concerned with.

The details of the IGC may seem dry and technical. However, they have to be seen in a wider context. They have to be related to the essential character and purposes of the European Union.

Our starting point is that the Union is a Union both of peoples and of States. It is more than a grouping of States, but less than a federation. Supranational, yes, but also intergovernmental. People relate to the EU both directly, as Europeans, and indirectly, as citizens of their own countries. If the EU is to retain and attract the support of the people of Europe, the balances within and between its institutions must reflect the balances within their hearts and minds.

Operational efficiency and effectiveness are vital. But, so too, and of a higher order, is *democratic legitimacy*. One important way in which that legitimacy will be assured is through the continuing identification of the citizens of each of the Member States with the Union's institutions.

In our opinion, the roles currently assigned to those institutions, and the relationships between them, are broadly satisfactory. That does not mean that there is no room for improvement. On the contrary, we see the need for and the value of change. However, in taking forward necessary changes, it is important that the existing balances not be radically altered. In looking at the problems we might face today, and at the inefficiencies and blockages that undoubtedly exist, people are often too quick to ignore just how remarkable the success of the Union has been, just how much it has achieved and continues to achieve. In using the Community method, as it is called, we must have been doing something right. Indeed, we must have been doing a great deal right.

In particular, as a small State, Ireland values the key role of the Commission, as holder of the right of initiative and as guardian of the Treaties and of the common interest. As President Prodi said last month, it "is the melting pot into which the various national interests and tensions are poured, and from which emerge proposals that seek to reconcile these often conflicting interests". In our experience, it has indeed played that part, and we therefore continue to attach great weight to its continuing centrality.

The Member States, gathered in the Council, are also at the heart of the decision-making process, as indeed they must be, but any shift towards a situation in which Governments on their own played the decisive part would almost certainly be to our disadvantage and that of the other smaller States. Equally, adherence to established procedures can seem tedious and slow, but, where so many and such diverse interests are involved, order and coherence are important, and positive, values.

From that starting point, therefore, how do we assess the issues before us in the IGC? They are all interlinked, but can be approached separately.

The first main issue is that of the size of the Commission. At Amsterdam, it was envisaged that, in the interests of efficiency, the five larger Member States would give up their right to nominate a second Commissioner. This would be subject to a satisfactory reweighting of votes in the Council, which would serve to compensate the big five by reflecting relative population sizes better. We continue to believe that a fair and equitable deal can be done on this basis.

While Commissioners do not serve national interests, it is vital that, if the Commission is to play its role at the heart of the institutions, its members have first-hand knowledge of each Member State, and, most importantly, that the citizens of each see that their country is represented on it. In our view, it is essential that we agree at Nice that each Member State retain the right to nominate a Commissioner. At this stage of the Union's development, and given also the expectations of the candidate countries, I see no other way forward.

It is of fundamental importance to us that the Commission retains the capacity to act dynamically and effectively. I recognise the danger that, as more Member States join, it could become unwieldy or inefficient. We believe that the best way to prevent this would be to give the President, as head of the Commission, greater and more flexible power over its organisation and management, but we would not favour the creation of a Treaty-based hierarchy of Commissioners.

Some of our larger partners have said that they believe the way forward is to place a ceiling on the number of Commissioners, and would be prepared to see a situation in which Commissionerships would rotate among Member States on an equal basis. That may seem fair. Very frankly, however, I would fear for the authority and credibility of the Commission in a period where, for example, there was no French or German — or, indeed, Polish — Commissioner. The reality is that the Commission does take account of the various national concerns. It does not live in an ivory tower. In my view, this quite clearly enhances its authority.

If the question of the Commission is satisfactorily resolved, I believe that it should be possible to agree on a reasonable formula for the reweighting of votes in the Council. For our part, we see great merit in a dual majority approach, where a proposal would have to be supported both by a weighted majority of votes and by states representing, say, approximately 60% of the Union's population. This would be clear, logical, and flexible. However, it appears several States would favour a simple reweighting. If need be, we would be prepared to accept modest movement in that direction, and would look pragmatically at specific proposals, provided that existing relativities were not radically upset.

It will also be necessary to agree on how seats in the European Parliament will be reallocated to take account of enlargement. While we accept that enlargement has to lead to some scaling back of the Irish presence, it is essential that the burden be equally shared among all Member States, and that our level of representation remains adequate and meaningful.

The same applies to the Committee of the Regions and the Economic and Social Committee. I understand that satisfactory progress is being made in relation to membership of the European Court and the Court of Auditors.

A further key issue is that of the extension of qualified majority voting in a range of areas: in other words, limiting those areas in which there is a continuing right to a national veto. We fully support that broad objective, in particular in the context of enlargement. Good progress is being made, and there is every prospect of agreement on a substantial package. Of course, negotiations continue, and different Member States have particular problems with this or that specific proposal.

As is well known, we, and some other countries, are firmly opposed to any move away from unanimity in the taxation area. Taxation is a core function of national governments, and in the eyes of the public is intimately connected with their democratic representation in the national parliament. National Governments are still responsible for the vast bulk of public expenditure within the EU, and will remain so for the foreseeable future. We believe that there must be room within the Union for a range of diverse approaches to the key issue of taxation, and for competition between different economic models. In Ireland's case, low tax rates have played a crucial role in creating our economic success. Some suggest that only relatively minor aspects of taxation would move into the QMV category. However, experience shows that all aspects of a tax code are, in the real world, interlinked. Changes in one area can have unpredictable knock-on effects. Moreover, there is a danger that a seemingly innocuous precedent could be seized on and used as a bridgehead for wider change.

Another complex issue is that of "flexibility" or "enhanced cooperation". At Amsterdam, it was agreed that, in limited cases where the Union as a whole was unable to agree on a common approach, and subject to clear criteria and strict safeguards, groups of Member States should be entitled to decide to move ahead together on a given issue. No use has yet been made of these provisions, though in practice EMU, for instance, is an existing example of this kind of arrangement.

Various proposals to develop the concept of enhanced co-operation are now on the table. We are examining these carefully. The potential advantages are apparent, above all in a much larger Union, where the differences between the interests and capabilities of the members may be greater than is now the case. In those circumstances, flexibility may be simply a matter of common sense.

At the same time, however, we have to be careful to ensure that closer co-operation does not upset the current institutional structures. It must in no way undermine the Single Market or the existing *acquis*. Likewise, it should be used only when it is impossible for all members to proceed in a normal way. Above all, there should be no permanent inner core. All Member States must retain the right to join in at any time. And co-operation should be conducted squarely within the framework of the Treaties and through the existing institutions.

If suitable safeguards and arrangements can be agreed — and I hope and expect that they will be — Ireland will support change in this area. I can see us in the future being ready to use the flexibility option, where worthwhile possibilities exist.

However, we have particular sensitivities in regard to the possible development of flexibility in the second pillar, in regard to all or part of the Common Foreign and Security Policy. There have been very substantial developments in the CFSP in recent years, developments which we have supported and which we are continuing to take forward with our partners. The Union should play a role in the world commensurate with our economic weight and with our commitment to the enduring principles of democracy, human rights, and justice.

For instance, we see participation in the EU Rapid Reaction Force which was agreed at Helsinki last December as enhancing the future Irish contribution to peace-keeping, in line with the UN Secretary-General's focus on the role of regional groupings in peace-keeping. Our EU and UN roles will be complementary and mutually reinforcing. Of course, any decision as to whether to take part in a particular

initiative will be made on a case-by-case basis and only where there is a UN mandate. So, there is already a degree of flexibility in this area.

I must say that we remain to be convinced about the value of further extending flexibility to areas in the second pillar, and look forward to hearing more concrete proposals as to how it might operate in practice. We will be very careful to ensure that the developing coherence and unity of CFSP are not undermined by any changes.

Finally, it is likely that at Nice there will be a formal proclamation of the European Charter of Fundamental Rights, the text of which we approved at Biarritz. There will be no attempt at this stage to reach a decision as to its future status. We and many others believe it should most appropriately remain as a political document. The legal protection of human rights is in our view comprehensively assured through our own Constitution and the European Convention on Human Rights.

So, there are many issues to be decided next month. At Biarritz, I advised journalists travelling to Nice to book for the full three nights.

If I had to bet, it would be that a reasonable deal will be done, though, of course, the detail of the final agreement will not emerge until the very end. As I have made clear, it will only be then that we can decide, on the basis of precise legal advice, whether or not a referendum will be necessary in this jurisdiction. At this stage, I do not know whether or not it will be. If it is, then we shall have one, and will approach it confidently and positively. We want to do the right thing both for Ireland and for Europe. We have to remember that, behind the details, this IGC is about allowing us to achieve a crucially important goal: enlarging the Union to promote peace and prosperity in Europe. There is no doubt about it. That is the right thing to do. I believe the people would readily agree.

### **Future of Europe Debate**

Major decisions have to be made at Nice. Despite that, there is already talk of a further process of institutional reform. It is clear from listening to my colleagues in the European Council that many of them believe a full-scale debate on what is known in shorthand as "the future of Europe" will be necessary.

The Irish Government certainly looks forward to such a debate. But I believe collectively we should take the time to consider calmly just how we should go about things. It is important that we are not distracted, either in the run-up to Nice, or at the Summit itself, from tackling the issues we need to resolve now.

Perhaps more importantly, there is already a huge amount of work ahead of the Union over the next few years. This includes enlargement; the introduction of Euro notes and coins, which will have a huge impact on the people of Europe in their everyday lives and must be a complete success; developing our economic competitiveness as agreed at Lisbon; and a new international trade round. There are many more highly important issues.

Of course, there is a great deal about the way the EU works which can be frustrating and inefficient. However, looking at the record, it would be quite unjustified to conclude that a radical departure from the present broad institutional balance is necessary.

Some, including within the European Parliament, continue to urge a rapid movement to a more federal Europe. I have to say that, whatever about the very long term, I simply do not see this as in any way desirable or feasible in the foreseeable future. The fundamental point is that it would go well beyond what most Europeans currently wish for or are prepared to accept. There is not, as yet, a coherent sense of a common European identity, which is stronger or more meaningful than national identities. A European consciousness is growing. I expect it will continue to develop, in tandem with the development of the Union, but it is not yet fully fledged. The growth of a Europe-wide public opinion will only occur gradually and organically.

Yes, most people want to work closely and effectively together. They see the sense of doing many things at a European level. But their primary identification is with their own countries.

On the other hand, I would oppose, for reasons which I hope I have made clear throughout this speech, any significant repatriation of powers back to national Governments, even functioning together in the European Council. Within the EU, Governments already exercise very substantial powers. It is we, in the end, who make the key decisions. Through those decisions, we play a central role in charting the Union's future course. It is vital that the right balance be retained between the Council and the Commission. The larger the Union gets, the more important it will be to ensure that there is a powerful advocate for the common European interest, who can objectively try to take account of all our concerns and suggest a way through. That has to be the Commission. Its relationship with the Council should be one not of rivalry but of complementarity.

My doubts about any major shift in the balance between the institutions does not mean that I am opposed to reforming those institutions, to making them more efficient, more open and transparent.

It is commonly argued, from both ends of the spectrum of opinion on Europe, that a major problem with current arrangements is the Union's alleged absence of democratic legitimacy.

This can be overstated. I believe that the participation of democratically-elected and accountable national governments in the Council does contribute powerfully to the Union's legitimacy, as does the direct election of the European Parliament. In the Irish case, our four referendums have anchored and deepened public support for the EU. Nevertheless, I accept that there are real concerns in relation both to greater public understanding and to greater accountability.

We need to look at the underlying causes of these difficulties, however. Any decline in European public support for the EU may well have as much to do with a general loss of interest in politics generally as with the EU itself. All across the Western world, many of the traditional political dividing lines have become blurred. People question the relevance of politics and of political institutions to their daily lives. In a way, these problems are those of success. In the EU's case, the passage of time inevitably dims memories of the World Wars and of the price of conflict.

The best solution to this problem, both at the national level and within the EU, is to press ahead with actually delivering good and effective government, government which makes a clear and visible difference, government which makes lives better. The issue is less one of image or of structures than of policies and substance. Ultimately, the European Union will only sustain the support and command the loyalty of the people of Europe through continuing to demonstrate that in many areas it can collectively achieve more than can the Member States individually.

At the same time, there are a number of challenging and potentially valuable longer-term proposals in the institutional area. These need to be examined and debated. It is possible that, if implemented satisfactorily, they could rationalise and clarify the functioning of the Union, and so enhance its democratic legitimacy, without destroying present balances.

For instance, it might be possible to consolidate and reorganise the Treaties in a way which would make them clearer and more accessible, distinguishing between basic principles and matter of detail.

Likewise, it should be possible, as suggested both by the British and the German Governments, to examine in depth the implications of the principle of subsidiarity, with a view to drawing up a "catalogue of competences", making clear the dividing lines between national and EU competences, without calling the present *acquis* or the Commission's role into question.

Moreover, the future handling of the Charter of Fundamental Rights, and the EU's relationship to the European Convention on Human Rights, also have to be considered further.

We might also look at ways in which national parliaments could be more closely associated with the work of the Union. One idea which has been mooted is that of a second chamber comprising national parliamentarians.

For my part, at a national level, I am ready to look at ways in which we can improve our co-ordination of EU business within Government at political and administrative level, and in the Oireachtas. My colleagues and I are open to exploring greater use of the Oireachtas committee system to discuss key issues with Deputies and Senators before or after major EU Summits. This is a matter which the Chief Whip and his colleagues might pursue in the wider context of Oireachtas business. Likewise, the expertise of our MEPs is still not properly harnessed.

In wanting to see a strong and effective Commission, we support the reform efforts now under way, and in the IGC we favour increasing the powers of its President. One longer-term question is how the standing and public visibility of the President might be further enhanced.

These, and other, ideas are all worth careful study and wide debate. However, we should not be impatient or prescriptive. There is much to be said for a period of reflection and assessment before deciding how and in what timescale to take forward future work. Therefore, I do not believe that at Nice it would be wise to try to agree a definitive date, agenda or structure for a future IGC.

Our priority at Nice must be to achieve a successful outcome to the present IGC. I believe that is within our grasp, if all countries are prepared to stretch a little. All of us who are committed to the continuing success of the EU have to be prepared to do what is necessary. Ireland will not be found wanting.

We want to see a Union, which is at the same time larger, more effective and more dynamic. That is clearly in our national interest. We would not be where we are today without the EU. Our future development as an economy and as a society — as a people — will also depend crucially on the continued success of the Union, and on outplaying our rightful part in it.