

## Address given by Nicole Fontaine at the opening of the IGC (Brussels, 14 February 2000)

**Caption:** On 14 February 2000, Nicole Fontaine, President of the European Parliament, delivers an address at the opening of the Intergovernmental Conference (IGC) in Brussels on the reform of the institutions of the European Union.

**Source:** Speech by Mrs Nicole FONTAINE, President of the European Parliament at the opening of the ICG. [ON-LINE]. [s.l.]: European Parliament, [19.05.2005]. Available on

[http://www.europarl.eu.int/president/Presidents\\_old/president\\_fontaine/president/speeches/en/sp0018.htm](http://www.europarl.eu.int/president/Presidents_old/president_fontaine/president/speeches/en/sp0018.htm).

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Ladies and Gentlemen,

Three years ago a decision was taken to hold the Intergovernmental Conference which is opening today under your Portuguese Presidency, Mr President-in-Office of the Council, with a view to achieving clearly defined objectives which are still highly topical, but which must now be seen against a political background which has changed considerably and which must take account of the expectations and fears of our fellow citizens as much as of institutional requirements.

Naturally enough, the European Parliament acknowledges that its key objective is to resolve, prior to the forthcoming enlargement of the Union, the three issues, namely those of the Commission, the weighting of voting rights and the extension of the areas covered by qualified-majority voting, on which no consensus when the Amsterdam Treaty was negotiated.

Let us be clear about this, however: these are technical issues which mean little or nothing to the vast majority of our fellow citizens. Admittedly, they are priorities in terms of the way the Union institutions work, but Parliament shares the Commission's view not only that they will not be enough to revitalise those institutions and give fresh impetus to the Union, but above all that the political changes which have occurred over the last three years call for open-minded consideration of the Union's future and a more ambitious approach.

Parliament's view, moreover, is entirely consistent with the Amsterdam Treaty itself, since Article 2 of Protocol 11 to the Treaty, which was approved and ratified by all the Member States, stipulates that the Conference we are opening today should carry out 'a comprehensive review' – please note the word 'comprehensive' – 'of the provisions of the Treaties on the composition and functioning of the institutions'.

As soon as it took office, the Portuguese Presidency made clear its determination to work towards that objective. Parliament is grateful to you, Mr President.

It looks to the Conference to adopt an audacious, transparent approach: audacity is needed if we are to meet the challenges facing us, transparency if we are to make our fellow citizens aware of what is at stake in the new era of history which starts today.

Although I hardly dare to say it, if greater account had been taken of what some critics referred to as the European Parliament's 'Utopian' views when the two previous Treaties were negotiated, we would not now be faced with the task of squaring the circle on the eve of the enlargement of the Union.

On 2 October 1997, when the Amsterdam Treaty was signed, there was every reason to believe that a political Europe and a common security and defence policy, whose foundations it laid, would become a reality, albeit by virtue of the same slow and laborious process which had led to the establishment of an economic Europe.

However, the pressure of internal and external events turned that schedule upside down. Today, a political Europe has taken its first steps and is set to shake up our institutional habits. This inescapable development is the most important of the last three years.

Two fundamental breakthroughs have brought substantial changes in their wake: the first was the introduction of the single currency, which led 11 European peoples to agree to share sovereignty with no sense that in so doing they were weakening their national identity. The second was the Kosovo tragedy, when the 15 Member States, breaking with the hesitant, powerless approach which for too long had governed our actions in Bosnia, recognised and fulfilled their duty to intervene in places where fundamental human rights are being violated.

Above all, however, European public opinion has gained a powerful new role as one of the driving forces behind closer European integration: agri-food scandals, the crisis in working methods which led to the resignation of the previous Commission, ecological disasters linked to the lax standards governing the international transport of petroleum products, unrestricted plant relocations, the risks inherent in the untrammelled globalisation of trade and the fresh humanitarian disaster in Chechnya have given European public opinion an opportunity to express its views and an awareness of its influence and power. This goes a long way towards explaining the changed view which the peoples of Europe now take of the Parliament they recently elected again and which they now expect to be fully involved in all aspects of the work of running and fully developing the Union.

One of the key features of this new collective European consciousness is an ethical vision of the Union. Today, it is vitally important for Europe that it should no longer simply be an economic power. Its roots lie in democracy and the need to banish forever the demons of the past which tore it apart.

The voices which have been raised throughout Europe to warn our Austrian friends of the dangers inherent in the path they were contemplating draw their strength from that vision. This is a warning which has brought home to us the precarious nature of the democratic ideal, even on the territory of the Union.

The Intergovernmental Conference will be guilty of failing to grasp an historic opportunity if it ignores or underestimates the importance of this powerful new Europe which is emerging, founded on ordinary individuals and moral values.

In that same spirit, the European Parliament, which will be represented at the Conference by Mr BROK and Mr TSATSOS, urges you to incorporate into the new Treaty the charter we are now drawing up in cooperation with the national parliaments. It will add to and consolidate the fundamental rights of Union citizens. By giving practical expression to the principles of humanism and democracy on which it is based, the charter must take on the force of a pre-eminent law which will guarantee, in all the Member States and applicant countries, respect for our shared values. It will mark the culmination of the process of establishing a citizens' Europe and will act as a powerful reminder to citizens of their European identity. The Treaties, the directives and the very substantial case law of the Court of Justice incorporate the fundamental components of the charter. However, they are spread across many documents, which are inaccessible to most citizens, and it is vital that we should go further in this respect.

It is also vital that we should lay down tailored procedures for the revision of the Treaties once the Union has expanded and is required to legislate for half a billion men and women. Today, all the provisions of the Treaties have equal importance and their revision entails both cumbersome procedures and a unanimous vote. That unanimity will be impossible to secure once the Union has 25 or 30 Member States, if not more. Unless we wish to condemn the Union to paralysis or expose it to unacceptable blackmail by states threatening to employ their veto, a hierarchy of texts must be established now, with a distinction being drawn between constitutional principles and implementing provisions and with tailored provisions being introduced with a view to the revisions which will inevitably be required in the future.

There is another area in which steps must be taken to avoid paralysis. Apart from the suspension of voting rights in the Council, in the event of a serious and persistent breach by a Member State of the fundamental principles on which the Union is based, the Treaties make no provision for that state to be excluded from the Union or to leave it. In the event of a serious, lasting crisis, the result would be complete deadlock. In a much larger Europe, this eventuality must be discussed.

It is vital that the Conference should improve, by making it more flexible, the system enabling Member States who so wish to move forward on the basis of 'strengthened cooperation arrangements' without their proposals being vetoed by another Member State and whilst respecting Parliament's prerogatives.

All these examples show that the Conference which is opening today can have only one major goal, what might be termed the constitutionalisation of the Treaties, as the Commission, supported by Parliament, has proposed.

This same wish to anticipate the consequences of the enlargement makes it essential that qualified-majority voting, under the codecision procedure between Parliament and the Council, should be extended to cover virtually all legislative acts. Qualified-majority voting must become the rule and unanimity the exception. In return, and Parliament will be receptive to this approach, more specific legal bases will be required, with a clear distinction being drawn between legislative and non-legislative proposals.

May I add that Parliament strongly urges the Conference to extend the codecision principle to cover a number of issues under the second and third pillars of the Union. There are two reasons for this: firstly, as these two new areas of the Union develop the array of legal bases and procedures may become unmanageable; secondly, where their rights are concerned citizens would be perplexed if the European Parliament which represents them were merely consulted on legislative acts binding on the Union as a whole.

This Conference was convened in order to reform our European institutions in the light of the implications of the enlargement. It is vital that we should carry out this task, with a clear eye to the consequences. At the same time, however, it is just as important that the Conference should secure the support of our fellow citizens for a grand, collective design which will take shape over the coming decade. In order to achieve that objective, we must persuade our fellow citizens to love the Europe which we are building for them and which we have no choice but to build with them.