

## Address given by Michel Barnier to the European Parliament on its proposals for the IGC (11 April 2000)

**Caption:** On 11 April 2000, Michel Barnier, European Commissioner with special responsibility for regional policy and responsible, ad personam, for the Intergovernmental Conference (IGC), delivers an address to the European Parliament in which he comments on the report drawn up by the Committee on Constitutional Affairs on the reform of the institutions.

**Source:** RAPID. The Press and Communication Service of the European Commission. [ON-LINE]. [Brussels]: European Commission, [20.05.2005]. SPEECH/00/136. Disponible sur <http://europa.eu.int/rapid/pressReleasesAction.do?reference=SPEECH/00/136&format=HTML&aged=1&language=EN&guiLanguage=en>.

**Copyright:** (c) European Union, 1995-2012

**URL:**

[http://www.cvce.eu/obj/address\\_given\\_by\\_michel\\_barnier\\_to\\_the\\_european\\_parliament\\_on\\_its\\_proposals\\_for\\_the\\_igc\\_11\\_april\\_2000-en-7ab696b0-a0f4-48b0-9648-bad5d24a128b.html](http://www.cvce.eu/obj/address_given_by_michel_barnier_to_the_european_parliament_on_its_proposals_for_the_igc_11_april_2000-en-7ab696b0-a0f4-48b0-9648-bad5d24a128b.html)

**Publication date:** 21/10/2012

Michel BARNIER European Commissioner in charge of European policy and responsible, ad personam, for the Intergovernmental Conference.

## **Proposals by the European Parliament for the Intergovernmental Conference Plenary session of the European Parliament (Strasbourg, 11 April 2000)**

Ladies and gentlemen,

First of all I would like to comment on the quality of the report you are debating, prepared by Giorgos Dimitrakopoulos and Jo Leinen. It is a clear and comprehensive report, presented by the Committee on Constitutional Affairs on its own initiative. I would like to congratulate the Committee and its Chairman, Giorgio Napolitano, on their work.

I have two points to make on this report and your debate.

The positions of the Commission and Parliament are close on many points

Parliament, like the Commission, has been equal to the challenge, which faces the Union, with the prospect of an unprecedented increase in the number of Member States and increasing diversity among these States.

This House is aware that it is necessary to reform the institutions and to do so seriously, in order to overcome short-term national interests and present the public with a treaty of sufficient substance for them to approve it. This is what is at stake in the negotiations, which must be successfully concluded at the end of this year in Nice. Not just concluded, but, I repeat, successfully concluded.

These changes are essential if enlargement is to be a success. They are also necessary right now because the present institutional set-up is no longer able to cope in many ways. I am thinking, for example, of the Court of Justice's workload or the impasses we encounter in certain fields because of the unanimity requirement in the Council.

Your Assembly has considered the decision-making system in the Council and the composition and functioning of the Commission in depth.

You know the Commission's positions. For the Commission itself we have proposed that each country should have one Commissioner, with two options: - either all the countries should be represented at the same time, - or they would not be represented all at the same time, but, in both cases, the States would be represented on an equal footing, which is not the case today.

What we felt was important, beyond setting the basic direction, was to open up the debate. This means giving ourselves time to consider the advantages and disadvantages of the various options. The time to judge between short-term reflexes to change as little as possible - and the long-term needs to give our institutions a new boost. Negotiations have hardly begun. Whatever the solutions, which are ultimately adopted, your debate and ours too will ensure that the Intergovernmental Conference makes its decisions in a more responsible and more considered fashion.

There is broad agreement on qualified majority voting.

QMV must become the general rule for decision-making in the Council, in conjunction with the co-decision procedure for legislative issues. This is exactly what the Commission said, and it has recommended a method to achieve this result, by identifying the categories of decisions where it is conceivable that unanimity be retained.

We know perfectly well that some of these subjects are difficult for certain Member States. One example that immediately springs to mind is taxation, where we are aware of their hesitations. What the Commission must do, what the European Parliament must do, is precisely clear away these hesitations, and sincerely,

honestly, face the issue of the coherence and efficiency of the internal market. We must have a pragmatic rather than ideological debate on this subject. As you know, we have presented a detailed contribution on social security and taxation.

On other subjects the composition of the European Parliament, closer co-operation, the creation of a new post of European Public Prosecutor, which Ms Theato has come out in favour of, the Court of Justice and the Court of First Instance and many other points our positions converge. This does not surprise me, because the Commission and the European Parliament have always pursued a very similar line of thought on these subjects, based on the same concern for the European general interest, and we will continue to do so.

The European Parliament must be active and committed

Parliament's privileged perspective leads me to stress how much commitment is necessary both from the House and from each of you individually. First, in negotiations, as your representatives in the negotiating group, Elmar Brok and Professor Tsatsos, well know. Their contribution often puts the debates into perspective. Second, in ministerial debates and I welcome the most recent discussions, which took place on Monday in Luxembourg with your President, Nicole Fontaine. But, above all, today I would like to emphasise the work of explanation and dialogue which must be carried out with the national parliaments and the citizens of each country of the Union and the candidate countries.

Lastly, I would like to draw your attention to a few specific topics that we need to look at more closely.

## **II. Specific topics**

Debates about the right "size" of the agenda, the scope of the negotiations, are, for the most part, behind us. This is something positive and I would like to thank the current Presidency, in particular Jaime Gama and Francisco Seixas da Costa, for having chosen as pragmatic and objective a path as possible a path which consists of starting out from the needs and limitations of the current system and proposing remedies. The aim of this is to prove that we can work on the basis of the Helsinki mandate if the political will exists.

In addition to this fairly weighty, difficult agenda, there are some subjects which, for the moment, are being left on one side. But the time for decisions will soon come and I would like to make some suggestions.

### **1. European defence**

Since the Cologne European Council, and particularly since Helsinki, the necessary structures have been put in place on a temporary basis at the Council's General Secretariat. As provided in the Treaty of Amsterdam, the Union is currently equipping itself to fulfil the Petersberg tasks, i.e. humanitarian and evacuation tasks, peacekeeping and crisis management missions, if necessary by peacemaking operations.

Discussions are under way on the relations between the European Union and NATO. The Defence Ministers of the Member States met at Sintra on 28 February. Some initial working documents have been drawn up on civilian crisis management. It is therefore clear that progress has been made and that there is the political will to move forward. Chris Patten, who is dealing more directly with these questions, could confirm this view for you.

In Feira, i.e. in a few weeks' time, the European Council will have to assess whether the Treaty should be amended to develop the Helsinki European Council guidelines. The group of representatives has not yet raised these questions, but I would like to share a few thoughts with you.

After justice and police matters, security and defence are probably the last major common policy to be put in place. The current treaty, as amended at Amsterdam, is making considerable progress possible. This is what we are seeing today. However, can everything be settled within the framework of the current treaty?

For now, let us leave on one side anything to do with the future of the WEU Treaty and the commitment to

collective defence that it contains or anything to do with the differing status of the Member States of the Union regarding NATO and the WEU. Looking only at the Petersberg tasks, it seems to me that the European Council has not finished its discussions on the organisation within the Union of a political authority that will give instructions to the chain of command now being put in place.

It may be the case that, before it is concluded, the Intergovernmental Conference will have to ponder the structures and relevance of the current treaty. I have no answer to this question but I think that it must be considered and an answer found by the Conference. I believe that it would be premature to close this matter at Feira. However, I still hope that the Presidency will be able to keep increasing its political momentum on the question of defence.

## **2. The Charter of Fundamental Rights and the democratic values of the Union**

The work of the negotiation body is progressing well, according to what I am told by Antoniò Vitorino, who is representing the Commission in these discussions. The interest that this draft charter is creating, and the growing support that can be seen for its inclusion in the treaty, confirm what I see as a need to restate the fundamental values of the Union, to set out once and for all the principles which all the citizens of Europe share. This is the same need, which inspired the report by your Assembly prepared by Mr Duff and Mr Voggenhuber. Perhaps these are principles, which go without saying.

But, as we all know, it is sometimes necessary to state the obvious, for all the current Member States and all those, which are preparing to join the Union. Because democracy and respect for citizens' rights must never be taken for granted, but fought for and defended.

This House has considered these questions, as it has the existing provisions of the Treaty, which penalise the violation of the fundamental principles of the Union. The Commission will be ready for this debate, which I believe is necessary once it is freed from the polemic surrounding it.

## **3. Reorganisation of the treaties**

The report that is before you speak of the constitutionalisation of the treaties what the Commission, more modestly, calls the reorganisation of the treaties.

A word, perhaps, on this difference in wording. As you know, the Commission is having a feasibility study carried out by the Robert Schuman Institute in Florence on the division of the treaties into essential provisions and implementing provisions.

The work is progressing well and I hope that I will soon be able to present the main results to you. But I must emphasise the technical difficulty of this exercise; the further we go, the more we realise just how enormous the task is. The reason the treaties are complicated is not because there is a deliberate intention to discourage readers; they are complicated because writing down the shared intentions of six, then nine, ten, twelve and now fifteen Member States, over forty years, is neither a linear operation nor always as logical and simple as we might imagine after the fact. Other than starting again from scratch and who would seriously contemplate that we have to base ourselves on what we have. We must go for the best result within the limits of what is possible

Finally, if this reorganisation is possible and convincing, as I believe it is, the procedure for amending these restructured texts should be examined. But the Commission is taking one step at a time and, for the moment, is confining itself to the pragmatic and painstaking work of reorganisation.

In conclusion, ladies and gentlemen, I would like to reiterate my and Romano Prodi's willingness to prolong and intensify these discussions. As the work of the conference continues, it is essential that we consult and act in unison.