

Address given by Nicole Fontaine at the Tampere European Council (15 October 1999)

Caption: On 15 October 1999, at the Tampere European Council, Nicole Fontaine, President of the European Parliament, discusses the implications of the future European area of freedom, security and justice.

Source: Speech by Mrs Nicole Fontaine, President of the European Parliament at the Special Meeting of the European Council in Tampere on 15 October 1999. [ON-LINE]. [Strasbourg]: European Parliament, [20.09.2005]. Available on http://www.europarl.eu.int/summits/tam-pres_en.htm.

Copyright: (c) European Parliament

URL: http://www.cvce.eu/obj/address_given_by_nicole_fontaine_at_the_tampere_european_council_15_october_1999-en-e28f1c8a-f480-44b0-b84a-d8f68f1455c3.html

Publication date: 22/10/2012

Speech by Mrs Nicole Fontaine, President of the European Parliament at the Special Meeting of the European Council in Tampere on 15 October 1999

Mr President of the European Council,
Heads of State and Government,
Ladies and Gentlemen,

[...]

Turning now to the issue of the establishment of the area of freedom, security and justice provided for by the Amsterdam Treaty, you have decided to devote an extraordinary meeting of the European Council here in Tampere to this matter.

I should like to say to those behind this decision how much I welcome it, since it will send a clear political message to Europe's citizens.

I welcome it all the more because, when I was elected, I gave an undertaking to Parliament to make the restoration of public support for the ideal of European integration the focal point of my presidency.

I should now like to outline briefly the European Parliament's approach to this matter. Our institution takes the view that the achievement of this objective will represent a qualitative step forward in the development of the Union. After the decades devoted to the establishment of the single market, followed by the introduction of the single currency and, more recently, the framing of a coordinated policy to boost employment and a common external policy, the aim must now be to give fresh impetus to the concept of European citizenship.

A Parliament approach consistent with the prevailing views

The resolution which we adopted on 16 September 1999 in Strasbourg — and those which went before it — revealed a broad degree of consistency with the prevailing views in the European institutions and among the public as a whole.

Whether the issue is the control of immigration, measures to combat the insecurity linked to the development of international crime in all its forms - financial crime and the laundering of the proceeds of crime or drug trafficking, the most destructive aspect of this problem — or the establishment of a genuine European legal area, our fellow citizens want answers and I can assure you that our Parliament will lend its full support to the innovatory measures taken by the European Council.

Changes in approach vital to success

However, the European Parliament would like you to take account of the concerns it has highlighted in its debates, concerns which relate to the manner in which these measures will be adopted and implemented.

Given that the approaches to these problems have a direct bearing on Europeans in their daily lives and impinge on their most cherished ideals — freedom, security, justice — we must convince our fellow citizens that the Union is genuinely capable of turning these approaches into practical action.

Dispelling citizens' doubts with a view to strengthening our credibility

The very low turnout in the recent European elections has thrown down a challenge to all of us. It revealed the extent to which the support of our fellow citizens for the actions we take on their behalf has dwindled imperceptibly. Our fellow citizens doubt the ability of the Union to respond to their fears and aspirations and, ultimately, its will to take the decisions dictated by the logic of a Community with no internal borders.

Parliament is thus adamant that the five-year deadline laid down by the Amsterdam Treaty for the full

establishment of the area of freedom, security and justice should be inviolable and that every possible step should be taken as of now to ensure that the requisite measures can be planned in such a way as to meet the deadline. Irrespective of the difficulties involved, what is at stake here is the credibility of the Union, its leaders and its elected representatives in the eyes of citizens who are no longer satisfied with resounding policy statements.

Do you, as Heads of State and Government, believe that this objective can be achieved?

As regards this issue of credibility, let me quote an eloquent example, that of the hopes raised by the signing on 28 May 1998 of the Brussels II Agreement on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility, known as 'Brussels II'. Unfortunately, it was not ratified by the Member States in good time prior to the entry into force of the Amsterdam Treaty. However, against a background of increasing trade and freedom of movement, today thousands of children are caught in the trap of contradictory national laws when husbands and wives of different nationalities separate.

That agreement represented only one small step towards the framing of a body of European family law, a nettle which, sooner or later, will have to be grasped. May I add that it had the merit of being one of the rare achievements in the sphere of judicial cooperation under the Maastricht Treaty. Our fellow citizens failed to understand how an agreement which had taken fifteen years to draw up and sign could not be ratified. Today, Mr President, a proposal for a regulation is in the process of being adopted under the new arrangements laid down in the Amsterdam Treaty. I should like you to confirm that the intention of the Heads of State and Government is that this text should finally become positive law under your Presidency, since the Union needs more than virtual laws.

Radical moves to put our message across more clearly

Parliament takes the view that a further radical effort must be made to ensure that the results of our work are put across in terms which citizens can understand. The obscure nature of many Community acts seriously undermines conscious public support for the Union. It leaves the way clear for those who seek to play on citizens' vague collective fears. To cite just one example, the terms 'first, second and third pillar' are incomprehensible to people in the street. I could of course give many more examples of the Community jargon which cries out to us to make our texts and our decisions more readily understandable.

Overcoming problems by means of innovative approaches

The European Parliament acknowledges that substantial progress has been made in the sphere of police cooperation. It insists, however, that police forces must be able to exercise the right of pursuit in transfrontier areas without the obstacles which are still too often placed in their path. In contrast, judicial cooperation is running into genuine problems, prejudices or ingrained ideas of sovereignty which I do not underestimate, but which must be overcome in the higher interests of Union citizens. Rather than continuing the Sisyphean task of seeking to harmonise national criminal laws on the basis of a lowest common denominator, would it not be better to follow the approach employed in connection with the mutual recognition of diplomas. Initially regarded as revolutionary, it has cleared the way for the free movement of workers and freedom of establishment in the internal market. Do you, as Heads of State and Government, regard the mutual recognition of judicial decisions as an appropriate way forward?

Taking into account people's day-to-day feelings of insecurity

Still in the sphere of security, and with the same aim in view, I hope that the Council will not fail to take account of citizens' concerns, what I would term day-to-day security. What affects them most strongly is the insecurity or injustice they experience in their daily lives: the fact that they cannot walk down a street without the fear of having a bag stolen, blackmail in schools, aggressive behaviour on buses and trains, violence against children. In the statistics, this is categorised as 'petty crime'! In fact, it is a real social problem.

I am quite aware that this day-to-day security is the responsibility of each State and not a matter for intergovernmental cooperation, still less for the European institutions. However, citizens see security as a single issue. I hope that the Council, while giving due weight to the technical police or judicial expertise needed to combat cross-border organised crime, and the measures needed to crack down on it, can be seen by the public as having responded to its most deeply held concerns. Would it not be possible to encourage a wide-ranging exchange of information at European level on local, regional or national experiments which have proved successful and to promote all those which draw on the efforts of the voluntary sector? There is a considerable store of dedication, selfless commitment, specialist knowledge and capacity for conciliatory dialogue which could be used to supplement the efforts of the states, provided it is valued and encouraged.

[...]

As you can imagine, I am well aware of the current limits imposed by the Treaties. Needless to say, they represent our common interinstitutional law.

With regard to the 'second and third pillars', to use the barbaric expression I criticised a moment ago as being incomprehensible to people in the street, the European Parliament has only a very limited role to play. Nevertheless, Amsterdam has opened the way for certain matters to be brought within the Community sphere, thereby bringing to bear the principle that national sovereignty needs to be transferred and pooled in the fields of justice and home affairs. The European Parliament does not wish to play down what is at stake in this great adventure in the history of Europe, but there is no alternative to this sharing of values, when we remember the tragic events of the century now coming to a close.

Having said that, let me add that our institution invites you to take a further bold step towards ensuring that the Union operates in a genuinely democratic manner.

When it comes to defining the basic rights which individual Community citizens will enjoy throughout Union territory, drawing up a charter that will lay down the procedures for applying the humanist values most of them share, or revamping the European institutions in preparation for the decades to come, the people of Europe will find it hard to understand that the assembly they elect by direct universal suffrage should have only a minor advisory or token role to play. In tackling problems such as these which are crucial to the future of Europe and the men and women who live there, can Parliament be given a less important role than the one it was granted, through the codecision procedure, in connection with the completion of the internal market?

This is not the time to spell out in detail, as regards either the establishment of the area of freedom, security and justice or the future IGC, how we should determine the balanced procedures which, while seeking to avoid overlapping between the institutions, can ensure that Parliament makes a contribution well before the decisions are taken. However, I am sure that the winds of history and the principles inherent in the process of European integration and in the need for democracy to govern the functioning of the Union all argue in favour of this fresh step I am inviting you to take.

Parliament is required to give its assent to the accession of applicant states to the Union. Not to involve it now in the establishment of the area of freedom, security and justice, or later in the reform of the institutions in preparation for enlargement, would run counter to the very nature and dynamics of a mature European democracy.

Right from the outset, I have sought to pay tribute to the Council for the progress made in the Maastricht and Amsterdam Treaties. I am convinced that the Council will display the same open attitude and — why not — the same bold outlook in confronting the fresh challenges facing Europe.

Thank you.