

**THE FEDERAL TRUST**  
*for education & research*

*Enlightening the Debate on Good Governance*

# **The Constitutional Convention on the Future of Europe**

Speeches by

**VALÉRY GISCARD D'ESTAING**

**PAT COX**

**ROMANO PRODI**

**JOSÉ M. AZNAR**



**European Essay No.21**

## **A Definition of Federalism**

Federalism is defined as ‘a system of government in which central and regional authorities are linked in an interdependent political relationship, in which powers and functions are distributed to achieve a substantial degree of autonomy and integrity in the regional units. In theory, a federal system seeks to maintain a balance such that neither level of government becomes sufficiently dominant to dictate the decision of the other, unlike in a unitary system, in which the central authorities hold primacy to the extent even of redesigning or abolishing regional and local units of government at will.’

*(New Fontana Dictionary of Modern Thought)*

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## **Introduction**

Two hundred and fifteen years ago the Americans went through a similar process. Representatives of the thirteen colonies met in Philadelphia in May 1787, as Alexander Hamilton put it, 'to render the Constitution of the Federal Government adequate to the exigencies of the Union.' There were 55 delegates and it took them 16 weeks, through a long, hot summer when many found it hard to keep their patience and their temper. But they succeeded, producing a succinct document, approved unanimously, and which has subsequently stood the test of time.

At the very end of February this year the Europeans finally took what may well prove as decisive a step in their history of unification as that which the Americans took so long ago. While the founding fathers of the United States of America had a short prehistory – the Albany Plan of Union from 1754, the Articles of Confederation from 1781 – the members of the European Constitutional Convention have an abundance of previous documentation on which to work, from the Treaty of Rome to the Treaty of Nice. Technically, the Federal Convention that met in Philadelphia was called upon only to 'amend the Articles of Confederation', just as the European Convention is called upon in the Declaration of Laeken to 'prepare options' for the future of Europe. Wisely the Americans pushed for a comprehensive statement without reference back to the Articles of Confederation. The European Convention will be wise if it,

too, does not try to tinker with the complexities of the present EU structure but draws up a comprehensive plan for the governance of a whole continent.

These speeches – by the President of the Convention, Valéry Giscard D’Estaing; the President of the European Parliament, Pat Cox; the President of the European Commission, Romano Prodi and the President of the Council, José M. Aznar – are the opening statements in a debate that will continue inside the Convention for a full year and then echo through the subsequent Intergovernmental Conference that will draft the next set of changes to Europe’s ramshackle collection of treaties. Those treaty changes will then have to be ratified in every one of the member states and – since some of the candidate countries will be members, too, by then – in Eastern Europe as well. In America, once the Convention had drafted the new constitution, the debate raged between Federalists and Anti-Federalists as they tried to persuade each state’s legislature or popular convention to endorse or modify the draft. The same will happen here in Europe, both following the Convention’s conclusion and when the IGC results come before national parliaments or before the people in a referendum for endorsement.

For those close to these debates, every jot and tittle matters, every comma and every clause. But for the people of Europe what matters are two broad categories of issues. Firstly, those identified in the Nice Declaration on the future of the Union - the distribution of powers and competencies between Brussels and the member states, the role of national parliaments, a Charter of Fundamental Rights, and simplification of the treaties so that the law as well as the Constitution can be understood by those to whom it applies. And secondly, those identified long ago by the Founding Fathers of the American Constitution: amendment, the question of residual competence and ratification: in other words, how this basic law will be amended, what prospect there is for power to shift from one level of government to another, and whether

all states must agree before the Constitution can come into effect. The members of the European Convention will be inundated with advice about the issues identified at Nice. But they could do a lot worse than look at the issues identified at Philadelphia, and see how the Americans set about solving them.

For a start, the Americans agreed that the basic law could be amended if two-thirds of the members of both houses of Congress agreed, or two-thirds of the member states meeting in the Convention. If the European Convention can move the present and future member states beyond their insistence on unanimity for changes to the Treaties they will have performed a singular service to the cause of European integration. In principle, legitimacy need not be a matter of unanimity. What matters is how the majority respects the opinions and the interests of the minority. It comes down to a matter of trust and of tolerance.

Then residual competence. The debate between the Federalists and the Anti-Federalists which marked the thirteen American states' local conventions to endorse the draft constitution brought to light many serious concerns about law and liberty, balancing the wishes of those who did not want too much conformity and efficiency in central government with those who did not want too much disunity and inefficiency in government at the state level. It was a balance avoiding tyranny on the one hand and anarchy on the other. The compromises between these two camps formed a series of Amendments later incorporated into the Bill of Rights – notably the 10<sup>th</sup> Amendment – which states 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.' The European Convention could well borrow the wording lock, stock and barrel.

And ratification? The American solution was to propose that when three-quarters of the state legislatures had approved the draft Constitution

(or when three-quarters of them meeting in a Convention had approved it) the Constitution would come into force. If that were to be the case for Europe, 'enhanced co-operation' would take on a new meaning within the EU as three-quarters of the member states forged ahead with a coherent, simplified and efficient Constitution. Is it too much to imagine that the European Convention can open this door so wide? And how will those who are among the more reluctant Europeans adapt to the 'hard core' that may coalesce around a draft Constitution?

In his speech at the opening of the Convention, the President of the European Parliament quoted William Butler Yeats' famous line 'Tread carefully, for you tread on my dreams.' Was he referring obliquely – and poetically – to aspirations for a united Europe that go beyond the inter-state horse-trading backed by the power of veto that failed as a method so ignominiously at Nice? Benjamin Franklin looked at the golden orb embroidered on the back of George Washington's chair at the Philadelphia Convention and said as the Convention finished its work: 'Now I have the happiness to know that it is a rising not a setting sun.' Was the President of the European Parliament looking at the twelve stars in the European banner in an equally optimistic manner?

**Martyn Bond**  
**Director of The Federal Trust**  
**April 2002**





# **The Constitutional Convention on the Future of Europe**

**Brussels, 28<sup>th</sup> February 2002**

**Valéry Giscard D'Estaing**

**President of the Convention**

**Pat Cox**

**President of the  
European Parliament**

**Romano Prodi**

**President of the  
European Commission**

**and**

**José M. Aznar**

**President of the Council**

## **Valéry Giscard D'Estaing**

My thanks to the President of the Council (for creating us), to the President of the European Parliament (for accommodating us, and providing our contact with the electors of the only elected European institution), to the President of the Commission (for inspiring us, and sharing with us the experience of his institution).

Ladies and Gentlemen, you are the members of the Convention on the future of Europe. You are the 'Conventionists' of Europe. You therefore

have the power vested in any political body: to succeed, or to fail. On one side, the yawning abyss of failure. On the other, strait is the gate to success.

If we fail, we will add to the current confusion in the European project, which we know will not be able, following the current round of enlargement, to provide a system to manage our continent which is both effective and clear to the public. What has been created over fifty years will reach its limit, and be threatened with dislocation.

If we succeed, that is to say if we agree to propose a concept of the European Union which matches our continental dimension and the requirements of the 21st century, a concept which can bring unity to our continent and respect for its diversity, then you will be able to leave here and return home, whether you are Italo-European, Anglo-European, Polish-European – or any of the others – with the feeling of having contributed, modestly but effectively, to writing a new chapter in the history of Europe.

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I should like, at the start of this Convention, to tell you how essential our work is for Europe and indeed for the world; to tell you also that our task will be a difficult one, as it will have to combine the dynamism of a movement bringing together countries and peoples, with great rigour of thought and method. I shall conclude with a call for enthusiasm, a call to you, members of the Convention, and to the leaders of the member states and the candidate countries, and to all the citizens of Europe, to the eldest, who were the victims of the cruel confrontations of the past, and to the youngest, who dream of a wide area of freedom and opportunity opening for them in Europe.

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The European Council could not more forcefully underline the importance of our work than by creating this powerful Convention team, of which you are members.

This team of 105 members is strong enough to meet the challenge facing us:

- the Convention will rely on two Vice-Chairmen of the first rank, Mr Giuliano Amato and Mr Jean-Luc Dehaene, who have held high office in two of the founding states;
- the presence amongst the representatives of the European Parliament, the national parliaments and the governments of personalities of great stature, who have studied the facts of the European debate, will ensure the quality of their dialogue with the national bodies from which they come, and towards which they will play an indispensable intermediary role;
- here, I would like warmly to thank those bodies which have responded positively to my call to appoint women to represent them;
- as for the two representatives of the Commission, they will help us to benefit from their great expertise, and their practical knowledge of the Europe of the Communities;
- the strong representation from the candidate countries, with 39 members, will ensure that the Convention has precise knowledge of their aspirations, and of the role they wish to play in Europe;
- the post of Secretary-General to the Convention will be held by a senior diplomat, with experience of the European institutions. I would like to thank the United Kingdom Government for facilitating his appointment.

Finally, the small team at the General Secretariat, which is young and talented and selected exclusively on its merits will, I am sure, constitute a brilliant 'think-tank' for the great European adventure, and will help to make our proceedings consistent and methodical.



The Convention is part of the rich and fertile continuum of European history. The distance we have travelled since Jean Monnet, Konrad Adenauer, Paul-Henri Spaak and Alcide de Gasperi is vast and scarcely credible. Your very presence together in this room would have appeared unimaginable, would have seemed like a dream to the British, the Germans, the French, and the Dutch less than sixty years ago, and to the Czechs, Hungarians and Romanians less than fifteen years ago. Europe has moved forward step by step, from Treaty to Treaty. The road has been lined with partial agreements and with crises which have quickly been overcome. The most striking feature is that Europe may have appeared at certain periods to be blocked, but it has never taken a step backwards. In changing their currency, showing a remarkable capacity to adapt and a sort of popular joy, 302 million Europeans have just cast off the reproach of euro-sclerosis and shown that they are able to approve what is proposed to them when they judge it to be simple and useful.

All along this road, the European institutions, the Council, the European Parliament, the Commission, and the Court of Justice, have provided sterling service, to which we must pay tribute.

At the same time, we must admit that these measures are reaching their limits. The process of European union is showing signs of flagging, as the Laeken Declaration makes clear.

The decision-making machinery has become more complex, to the point of being unintelligible to the general public. Since Maastricht, the latest Treaties have been difficult to negotiate and have not met their original aims: discussions within the Institutions have often given precedence to national interests over consideration of the common European good. Finally, the abstention rate at European elections has reached a worrying level: in 1999 it exceeded the highly symbolic 50 per cent threshold for the first time!

The shortcomings affect Europe in its present configuration. They will be even more critical in an enlarged Europe. We must remedy them in the interests of Europe, but also in the interests of the world. Today's world lacks a strong, united and peaceful Europe.

The world would feel better if it could count on Europe, a Europe which spoke with a single voice to affirm respect for its alliances, but also to proclaim, whenever necessary, a message of tolerance and moderation, of openness towards difference, and of respect for human rights.

Let us not forget that from the ancient world of Greece and Rome until the Age of Enlightenment, our continent has made three fundamental contributions to humanity: reason, humanism and freedom. Indeed, everyone on our planet would feel better if the strong voice of Europe could be heard. If we succeed, in 25 years or 50 years – the distance separating us from the Treaty of Rome – Europe's role in the world will have changed. It will be respected and listened to, not only as the economic power it already is, but as a political power which will talk on equal terms to the greatest powers on our planet, either existing or future, and will have the means to act to affirm its values, ensure its security and play an active role in international peace-keeping.

Our work, Honourable Members of the Convention, will be only one phase in the new Europe, but it is a key stage in giving our multinational adventure a fresh start.

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Europe is at present marking time on account of several factors: the tangled skein of powers, the complexity of procedures, and perhaps also the weakening of political resolve. But there is, in my view, one prime reason: the difficulty of combining a strong feeling of belonging to the European Union with a continuing sense of national identity.

This difficulty already exists today. But it will be accentuated by the number and diversity of States taking part tomorrow in the life of the European Union.

This requirement is relatively new. During the first decades of the union of Europe, when national identities were still strong – to the point of fuelling bloody confrontations in order to protect or extend them, and when only a small and relatively homogenous Europe was involved – the only concern was to further European integration.

Since the 1990s, we have witnessed the growth of another need: the need for compatibility between the desire to be part of a strong European Union, and to remain solidly rooted in national political, social and cultural life. We must ensure that governments and citizens develop a strong, recognised, European ‘*affectio societatis*’, while retaining their natural attachment to their national identity.

It was in the light of all these aspects that the Laeken European Council decided to create the Convention on the Future of Europe, of which you are members, assigning to it the task of preparing for the reform of Europe’s structures and – if we prove equal to the task - setting us on the path towards a Constitution for Europe.

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What will our programme be? And how shall we conduct our proceedings?

The present situation of Europe prompts us to look back, to return to our sources and to ask ourselves what is the ultimate goal of the European project. The first stage of our work will thus be one of open, attentive listening. As members of the Convention we will have to ask each other, and ask all our interlocutors, this question: ‘What do Europeans expect of Europe, at the beginning of the 21st century?’.

We must embark on our task without preconceived ideas, and form our vision of the new Europe by listening constantly and closely to all our partners, governors and governees, economic and social partners, representatives of regional authorities – already present here – members of associations and civil society represented in the forum, but also those who have no other identity than that they form part of Europe.

In listening, we must pay special attention to two groups: young people, for whom I would like us to be able to organise a 'Convention for the Young People of Europe', which would meet using our own model as its basis; and the citizens of the candidate countries, who will be both discovering the European Union and learning how it works.

We will make use of contemporary, interactive listening methods, particularly on the Internet. Everyone must have an opportunity to be heard, which of course presupposes effective, decentralised organisation, making possible a dialogue with no ideological or partisan barriers.

Similarly, there is a desire for interactive surveys, enabling civil society to react to some of our future proposals. Vice-Chairman Jean-Luc Dehaene has agreed to co-ordinate the Convention's activities in that area. Our first meetings will be devoted to listening to what Europe wants.

Our survey will in particular cover how Europeans imagine Europe 50 years hence. Do they want a Europe tending towards homogeneity – a more uniform Europe – driven forward by a process of harmonisation? Or do they prefer a Europe which would keep its diversity, while respecting cultural and historical identities? These two objectives will obviously result in different approaches.

We shall also have to be more attentive to an issue which the Nice Declaration placed at the head of the demands being made on our Convention and of which the Laeken Declaration underlined the importance: defining the respective powers of the European Union and

the member states: the answer to the famous question: who does what in Europe? What should the powers of the Union and the states be? Must the emphasis be placed on exclusive competence or should we adapt to a large area of shared competence? What should be the means of exercising these powers so that they are understandable to the public?

During this listening phase we shall be able to draw on the very fruitful work conducted in the European Parliament. Perhaps, to make the process easier for our interlocutors in civil society, we should draw up a kind of 'questionnaire on Europe' as has already been done in some member states.

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After this listening phase, we shall have to conduct two parallel approaches.

First of all, we shall have to seek answers to the questions raised in the Laeken Declaration. They fall into six broad groups: fundamental questions on Europe's role; the division of competence in the European Union; simplification of the Union's instruments; how the institutions work, and their democratic legitimacy; a single voice for Europe in international affairs; and, finally, the approach to a Constitution for European citizens.

At the same time, we shall have to consider carefully the various prescriptions for Europe's future which others have put forward, and which are now in circulation.

At this stage, our role will not be to make value judgements on them, but simply to examine them, together with all their implications, and to check their consistency, particularly in terms of the issues raised at Laeken, so as to gauge their impact on the future of Europe 25 years and 50 years from now.



In particular, we shall consider the following formulae:

- the organisation of the European institutions resulting from the Treaty of Nice;
- the plan for a Europe organised along federal lines, as put forward by high-level German decision-makers in particular;
- the document prepared by the European Commission on modernising the Community method;
- the solutions submitted under the banner of a 'federation of nation states', whether or not they involve the creation of a second chamber.

Once that examination has been completed, the Convention will be able to embark on the third stage of its work: its recommendations, and indeed its proposal.

We shall have to respond to the request for simplification of the Treaties, with the aim of achieving a single Treaty, readable by all, understandable by all.

The Laeken Declaration leaves the Convention free to choose between submitting options or making a single recommendation. It would be contrary to the logic of our approach to choose now. However, there is no doubt that, in the eyes of the public, our recommendation would carry considerable weight and authority if we could manage to achieve broad consensus on a single proposal which we could all present. If we were to reach consensus on this point, we would thus open the way towards a Constitution for Europe. In order to avoid any disagreement over semantics, let us agree now to call it: a 'constitutional treaty for Europe'.

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I now come to the conduct of our proceedings.

Each of us can perceive the immensity of the task which faces us if we are to carry our discussions through to their conclusion and draft texts

reflecting our proposals. The one-year timeframe which we have been given is relatively short. We shall endeavour to comply with it.

However, I must say here and now that I am not prepared to sacrifice either the authenticity of our survey of European public opinion or the quality of work of our Convention and the proposals it draws up.

The practical working methods of our Convention are not a matter for this inaugural meeting. We shall finalise them at our first working meeting. However, I should like to put to you three comments which seem to me important for the direction of our work.

1. We are neither an Intergovernmental Conference nor a Parliament.

We are a Convention. We are not an Intergovernmental Conference because we have not been given a mandate by Governments to negotiate on their behalf the solutions which we propose. We are not a Parliament because we are not an institution elected by citizens to draft legislative texts. That role belongs to the European Parliament and to national Parliaments. We are a Convention.

What does that mean?

A Convention is a group of men and women meeting for the sole purpose of preparing a joint proposal.

The principle underlying our existence is our unity. The members of the four components of our Convention must not regard themselves simply as spokespersons for those who appointed them – Governments, the European Parliament, national Parliaments and the Commission – no more than Giuliano Amato will speak on behalf of Italy, Jean-Luc Dehaene on behalf of Belgium or I myself on behalf of France. Each person will of course remain loyal to his or her brief, but must make his or her personal contribution to the work of the Convention. Let us be clear about it. This Convention cannot succeed if it is only a place for expressing

divergent opinions. It needs to become the melting-pot in which, month by month, a common approach is worked out. In order to be ready to listen, the Convention will have to turn towards the outside world. However, in order to think about what proposals we can make, the members of the Convention will have to turn towards each other and gradually foster a 'Convention spirit'.

Outwards to listen. Inwards to make proposals.

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2. My second remark concerns what will happen within the framework of the Convention itself.

The Laeken Declaration gave the Convention two structures: a Chairman and two Vice-Chairmen and a Presidium of twelve members. Some of you have expressed concerns about the role of the Presidium and the Plenary, fearing that the bulk of the work will in practice be carried out by the Presidium. To you I would say that, for me, the Convention is the Convention!

It is normal for the proceedings of a Convention to be prepared and organised by a Presidium, as is the case for any assembly or organisation. However, discussions will take place here and will be public. Everything else will depend to a large extent on you and on the content of your contributions. If your contributions genuinely seek to prepare a consensus, and if you take account of the proposals and comments made by the other members of the Convention, then the content of the final consensus can be worked out step by step here within the Convention.

3. My third remark is simply a thought.

Our Convention represents the first occasion since the Messina Conference in 1955 for European leaders to set aside the resources and time to examine in detail the future of the European Union. Although

there have been several Intergovernmental Conferences in the intervening years, these provided an arena for diplomatic negotiations between member states in which each party sought legitimately to maximise its gains without regard for the overall picture. For its part, the European Council has decided on various occasions to hold meetings on the future of the European institutions, but those discussions have seldom lasted for longer than a day because of the pressure of international events and the constraints of the Council's schedule. The proceedings of our Convention are therefore by way of an intellectual reassessment of the future of the European Union.

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Ladies and Gentlemen, let me conclude by calling on your enthusiasm. A word which comes from the Greek *en-thousia*, meaning 'inspired by a god'. In our case, you might say 'inspired by a goddess' - the goddess Europa!

We are often upbraided for neglecting the European dream, for contenting ourselves with building a complicated and opaque structure which is the preserve of economic and financial cognoscenti. So let us dream of Europe!

Let us imagine a continent at peace, freed of its barriers and obstacles, where history and geography are finally reconciled, allowing all the states of Europe to build their future together after following their separate ways to West and East. A space of freedom and opportunity where individuals can move as they wish to study, work, show enterprise or broaden their cultural horizons. A space clearly identified by the way in which it successfully distils the dynamism of creation, the need for solidarity and protection of the poorest and the weakest. But also a space in which strong cultural identities continue to exist and thrive, both conscious of their origins and keen for the stimulation that exchange can bring.

Let us also imagine Europe's voice in the world, its unity ensuring its influence and authority. The richness of its culture and the ever-renewed strength of its creativity are known to all. Europe has brought the world reason, humanism and freedom. It has the authority to send forth a message of moderation, preaching the quest for mutually acceptable solutions and a passionate attachment to peace. Its tolerance is ensured by its cultural diversity. It must also show itself capable of ensuring its own security, whatever the dangers facing it.

We can indeed dream of Europe, and persuade others to share that dream!

If we were to fail, each country would return to the free trade system. None of us – not even the largest of us – would have the power to take on the giants of this world. We would then remain locked in on ourselves, grimly analysing the causes of our decline and fall.

Our call for enthusiasm goes out to other Europeans, but first and foremost to ourselves.

We must have a passionate interest in the success of our task if we are to engage and persuade others. It is a task modest in form but immense in content, for if it succeeds in accordance with our mandate, it will light up the future of Europe.

Long live Europe!

## Pat Cox

On behalf of the European Parliament I have great pleasure in welcoming you to our Chamber today - to the place where the idea of this Convention was born. I stake that claim now because we wish you great success and we know success will have many fathers.

In October 2000, before the Treaty of Nice was concluded, the European Parliament voted a report on the constitutionalisation of the European Treaties and called for the establishment of a Convention. Then we thought a Convention was desirable. After the Treaty of Nice the European Parliament was convinced that a Convention was a necessity.

In the annals of European Treaty reform, today marks a decisive and revolutionary step forward for European democracy and the parliamentary method.

This Convention strikes a blow for openness and transparency, for innovation and creativity.

Fifty years ago a generation of European leaders, after a devastating war that divided our continent, saw all too clearly what was, but they were prepared to dream of what could be. They had the courage of their European convictions. They opened for Europe a pathway to reconciliation and progress which none had walked before. We are the beneficiaries of that legacy and of their foresight.

Today our generation of Europeans is summoned here to answer the call of service to Europe. I am especially pleased that in representative terms this Convention is truly continental in scale. I welcome in particular to this constitutional table our friends and colleagues from the candidate states. Our challenge, your challenge, is also a generational one:

- for our place and for this time to define and to redefine Europe's contemporary public purpose, its added value and its global responsibilities

- to chart our way forward so that what we do and how we do it is efficient, open and democratically accountable and above all relevant in a meaningful way to the lives of our peoples.

The European Parliament attaches a particular significance to dialogue with citizens and civil society. We would urge you not just to be a talking, but also a listening Convention.

Our earnest wish is that this Convention should pave the way for a permanent dialogue with our peoples, the social partners, civil society, states and regions.

By following the parliamentary method, your work will be on the public record, beneath the public gaze and will be carried simultaneously on the internet through video-streaming on the European Parliament web site. It is a signal of the more open Europe which you are called upon to deliver.

In contemplating our common future, we should respect what has worked to serve Europeans' best interests in the past. On matters of institutional balance and prerogatives the European Parliament will emphasise the need to conserve intelligently without being conservative.

The ultimate test of the Convention being launched here today will be its ability to harness a collective wisdom and will; to forge a balanced and practical reform of what we do in common as Europeans and how we do it; and to do so in terms that will commend themselves decisively to the next Intergovernmental Conference on Treaty reform.

The European Parliament, as an active stakeholder and facilitator of this process, wishes you well.

Behind the Presidency, you see the image of Europe represented by the flag with twelve stars. We are politicians so, of course, we must be pragmatic and keep our feet on the ground; but nothing says that we cannot look to those stars in front of you today and dream our dreams about the common future we wish to imagine and create.

Speaking of dreams I conclude on this special day with a quotation from the Irish Nobel Laureate for Literature - William Butler Yeats

'I have spread my dreams under your feet; Tread softly because you tread on my dreams'.

## Romano Prodi

Ladies and gentlemen,

There are times when peoples are called on to affirm and define their reasons for being together. For the peoples of our Europe such a moment has arrived. You, the representatives of the states, institutions and peoples of Europe have come together in this Convention today because integration has been more successful than we could ever have hoped. You are together here because a whole continent is considering its own future.

It is your task to find the answers, answers worthy of the prize at stake.

The central question you are called upon to answer is not technical. It goes far beyond simple mechanisms, rules and institutional structures. Because Europe is far more than just that.

Fifty years ago, clear-headed, courageous and far-sighted men succeeded in embarking on a totally new course. Those men chose reconciliation rather than war, peace based on interdependence rather than mutual destruction, the rule of law rather than the 'might is right' approach. They laid the foundations for a Community of peoples and States. Completely new supranational institutions were constructed and, in the course of time, consolidated.



Working alongside the member states meeting in the Council, there is a Commission to safeguard general European interests, a Parliament elected by universal suffrage to represent the people of Europe and a Court of Justice to ensure that the rule of law prevails.

This collaboration has created a new European identity. It has encouraged exchange on an unprecedented scale. It has enabled and produced stability and growth. And lastly, it has brought about the birth of the euro, which has been welcomed with enthusiasm all over Europe.

Thirteen years have elapsed since the peoples of Central and Eastern Europe, who until then had been deprived of their liberty, took their futures into their own hands and chose the way of democracy. Today, those peoples - whose representatives I welcome with deep feeling and in friendship - are asking to join with us. We must answer this request with a firm yes, renewing and extending the European political pact.

The flaws in Community integration which definitely exist and must be ironed out are nothing when compared with what we have managed to build and what we can and must still achieve. The enlarged European Union, Greater Europe, can be a success. We have the capacity to make it happen.

But what is the project for the Europe of the future? I believe that it means meeting these four challenges.

Firstly, as Europeans, we must take our share of the responsibility for peace and development in the world. Indeed, the future of the world is at stake, the lives of millions of human beings forced to live in indescribable poverty and the fate of the innocent, who are forced to pay the highest price for senseless wars. And none of our states, acting alone, can do this.

As Europeans, we must also defend a balanced model of society able to reconcile economic prosperity and solidarity. Our prosperity and way of life are closely linked to the balance between growth, social justice and

environmental protection. And our capacity to create growth and employment is dependent on the single currency and the single market, both of which are based on a common system of rules.

Furthermore, as Europeans, we must guarantee freedom while adhering to the principles of security. Our history and our culture do not allow us to separate security, justice and liberty. When dealing with terrorism and crime that do not stop at borders or with large-scale migrations, we can only act on a European scale.

Lastly, we Europeans must stake our futures on making Europe a centre of intellectual and scientific influence and of innovation. Because in the field of intelligence Europe cannot allow itself to be left behind.

Once you have defined the project for the Europe of the future, then, and only then, Members of the Convention, will be the moment to address the more specifically institutional problems.

Let me share a few brief thoughts with you on this subject.

We have to give ourselves a Constitution, which marks the birth of Europe as a political entity. However, we must not forget the unique nature of European integration.

The European Union is unique in that it is a union of peoples and states. The real aim is not to build a superstate. Why do so now, at a time when classical state models are increasingly incapable of managing globalisation? The real aim, a combination of realism and vision, is to continue developing this unique structure towards an increasingly advanced supranational democracy: a European democracy based on the peoples and the states of Europe.

To do so, we have to adapt the major principles underlying our national democratic traditions to the unique structure of Europe. These are:

- the separation of powers;

- majority voting;
- public debate and a vote by the people's elected representatives on all legal texts;
- approval of taxes by Parliament.

The Union's decision-making system needs to be overhauled. We need new, simpler and more transparent procedures for taking and implementing decisions.

Tasks and responsibilities currently assumed at Union level can and must be reviewed and devolved to the member states. The Commission will not shirk its responsibilities and is ready to play its part, to change in accordance with Europe's new needs. It is ready to redefine its own tasks to take on new responsibilities in fields where the future of Europe is at stake. It is also ready to give up part of its powers if this contributes to the greater common good. All the Institutions here represented have in fact the duty to call themselves into question in the context of this Convention.

The Commission is the guardian of the Treaties. This means ensuring that the European Union evolves in a way that is true to itself. It does not mean preserving at all cost what time calls on us to change. While recognising and respecting the great cultural and spiritual traditions that are at the heart of Europe, we must work to bring about a genuine reform of the Union, a reform that is both far-reaching and faithful to the great principles that have provided the basis for our success.

We must move towards 'an ever-closer union among the peoples of Europe' because young Europeans will be unable to identify with a limited, straitjacketed project.

- We must share sovereignty if we are able to exercise it in any real sense (as we have done in the case of the currency).
- We must recognise the need for institutions which are responsible for the general interest.
- We must ensure that all states are treated equally.

Members of the Convention, Europe is not an alliance. It is the shared home of the citizens of Europe. It is the new protagonist of the new century. For this reason it cannot be based on the laws of the few largest, strongest or most senior members of the European club. The European Union is a 'union of minorities' where no state may have the right to impose itself on others. It cannot be satisfied with being a loose co-ordination incapable of resisting strong pressures.

Fifty years ago, Jean Monnet promoted the High Authority of the European Coal and Steel Community, convinced that an institution entrusted with defending a higher interest should ensure that everyone fulfilled one's undertakings.

On the basis of this conviction you, the Members of the Convention, will need to promote solid institutions. The Union is not, nor should it become a new League of Nations, reduced to impotence by selfishness and the right of veto. The European Union offers a harmonious model of supranational democracy.

It is the only real attempt to globalise democratically, in such a manner as to provide rights and growth. For this reason it can play a very special role in the world today and tomorrow.

I am confident that you will succeed in giving our continent the institutions its unique position requires, institutions in keeping with its past and capable of meeting the challenges we face in tomorrow's world.

Within the Convention, the Commission will be represented by Commissioners Barnier and Vitorino. It will provide its full and enthusiastic contribution, drawing on all its own experience and expertise.

## **José M. Aznar**

President of the Parliament, President of the Commission, Chairman of the Convention, Honourable Ladies and Gentlemen,

The Convention starts its work today of implementing the Laeken European Council agreement to prepare the next Intergovernmental Conference in accordance with criteria of breadth and transparency.

Today, according to the predictions of the Laeken Declaration, we are solemnly opening the Convention, which will be presided over by Valéry Giscard d'Estaing in view of the enormous prestige of his long political career.

All of you can imagine that this ceremony is of particular satisfaction to me, as well as to the Spanish Presidency. We are at the disposal of the Chairman, Vice-Chairmen and Members of the Convention with regard to whatever may be appropriate to enable their assignment to achieve the proposed objective, within the scheduled deadline.

Ladies and Gentlemen,

Nice is the reason why we are here today. A laborious shared agreement was concluded at Nice on the essential institutional reforms that had to accompany the enlargement and prepare the Union for the future. The Treaty of Nice responded to a powerful political reality, as is the reunification of the continent, and it was possible to approve it thanks to the skilful work of the French Presidency.

Immediately thereafter, the Heads of State and Government convened the Convention that is starting now, in the knowledge that the new stage calls for new forms of operation and deliberation in order to continue to create 'more Europe', as stated by the motto for this six-month period.

The European unity achieved until now constitutes the victory of a historic experience. Our Union today undoubtedly rests on the common policies and solid foundations of a single market and a single currency. Therefore I do not share the opinions that perceive an existential crisis in the process of integration.

On the contrary, such an alleged crisis coincides with an especially dynamic phase in the unitary process, as attested to by the rapidity of the putting into circulation of the euro, the swift progress recorded in the new Area of Freedom, Security and Justice, the effective beginning of a common defence policy, and the promotion of the processes of modernisation and economic and social reform.

Nevertheless, it happens that the world situation makes it imperative for the Union to quicken the pace of its advance. An illustrious European philosopher, the Spaniard Ortega y Gasset, called for the unity of the European states in order to counteract nationalism and the danger of decline in this region of the world called 'Europe'. In this connection, the European will at this time must sense the urgency of redefining its role in a world deeply transformed at the passing of one century to another.

But, let us be aware that it is our successes which now enable us to strive towards more ambitious goals. I believe that it will only be possible to attain the new objectives if we pursue, as the primary guide to our action, the consolidation of the European project. That is not, as might appear, an easy task, and nor does it have a conservative – or if you prefer – a conformist bent. It involves developing and improving two basic ideas of the process of integration.

The first is that our future depends on the balance between Europe's deep cultural unity and its obvious historic diversity. The political tomorrow must be one of pluralistic constitutionalisation, which respects the many legal systems of its member states. It is the development of a

system of law, the European Union law that the Laeken Declaration describes as 'the path to a Constitution for European citizens'.

The second principle of European integration is the progressive assumption, by the Union, of policies that until now fell within the exclusive sphere of states. Combining a better distribution and definition of responsibilities within the European Union is certainly not an easy task, since we must be able to offer formulas and solutions that will amount to a real improvement in the daily lives of all Europeans. Undoubtedly, the responsibilities must be clarified and better defined, so that people may more easily perceive who does what in the Union, and may in this way hold it accountable.

But this exercise must not bring about a regression in the already-implemented and consolidated European project. We must not go back to each of us doing on our own what until now we have done together, which produced an unsuspected standard of living with mutual benefits for the whole of Europe.

The entry into circulation of the euro must be understood as a point of departure and not of arrival. This very important commitment, which we have recently fulfilled, must direct our work towards those areas in which the people (and the international situation) expect intensified action from the Union: the enhancement of the Area of Freedom, Security and Justice, the modernisation of the European social model in order to achieve full employment, and the development of a true common foreign and defence policy.

Ladies and Gentlemen,

European integration is not an end in itself, but rather a means at the service of the most positive values of European culture: fundamental rights for everyone - without discrimination - pluralistic democracies, shared prosperity and economic competition.

The major objective that must inspire the work of this Convention is that of projecting a sustainable and effective Europe: a Europe in which all its citizens may enjoy, on an equal basis, the benefits of the internal market, the single currency and the European social model.

Notwithstanding the great progress made, there is still much ground to cover. Only an agenda of concrete projects and achievements will succeed in giving people a sense of identity with the building of a political Union. If Europe has a future – and I am fully convinced that it has – it must be something in which Europeans truly believe, and which they support and evaluate positively.

Ladies and Gentlemen,

I wish to convey to you the great confidence that the European Council, and I personally, have in this Convention and in its Chairman. An immense number of figures of relevance and prestige will be participating in its work. I am fully confident that the Convention and its Chairman will be able to meet the expectations of the Europeans, by focusing on the issues that are truly of concern to our citizens.

The success of this Convention will depend on its ability to be receptive to the concerns and expectations expressed by society through – among other channels – the different national debates and the European Civic Forum, whose contributions will be included in the discussions of this Convention.

In order that the work of the Convention may proceed in an orderly and effective manner, it is essential, on the one hand, that it maintain a synergetic relationship with the European Council, since this Institution will be responsible for taking the definitive decisions on the reform of the treaties; and on the other hand, that the period planned for the duration of the work is adhered to. Only in this way will the Intergovernmental Conference be able to conclude a new treaty within a short period of time, as would be desirable.

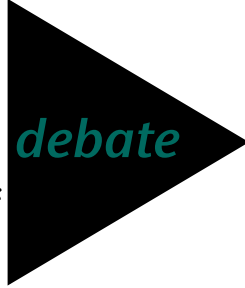


The challenge facing this Convention goes beyond the demanding and difficult task of preparing the reforms. It is also a matter of confirming the validity of a procedure already used for drawing up the European Charter of Fundamental Rights. The consolidation of the model would mean an extremely important step in the necessary evolution of the system established for decision-taking, and would be another reason for the recognition that the Convention will deserve in the extent to which it is successful in making ideal proposals for consolidating the European project, for furthering integration and for moving forward in the process of constitutionalisation of the European Union.

I wish to conclude by congratulating all the Members of the Convention on the honour you have received by being chosen to undertake this great responsibility, and by expressing my hope that your efforts will be rewarded by success.

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