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## **BRIEFING NOTE ON THE FUTURE OF EUROPE DEBATE**

This briefing note provides information on The Future of Europe Debate which is currently taking place within a formal framework, in anticipation of the intergovernmental conference (IGC) of representatives of the governments of the member states which is to take place in 2004. The formal framework involves an open debate facilitated by Futurum (a European Commission hosted website) and the European Convention which runs from March 2002 to March 2003.

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## THE FUTURE OF EUROPE DEBATE

1. Debate about the future shape of the European Union is nothing new. However, currently this debate is taking place within a formal framework, in anticipation of the intergovernmental conference (IGC) of representatives of the governments of the member states which is to take place in 2004. The formal framework involves an open debate facilitated by Futurum (a European Commission hosted website) and the European Convention which runs from March 2002 to March 2003.
2. The key significance of an IGC is that it may amend the treaties upon which the Union is founded (albeit that any amendments made will not enter into force until they have been ratified by all the Member States). The most recent IGC was completed in December 2000, when, under the French Presidency, the [Treaty of Nice](#) was adopted and a [declaration on the future of the European Union](#) agreed. The declaration called for a "*deeper and wider debate about the European Union*" which was to involve all levels of society in wide ranging discussions on issues such as:
  - how to establish and monitor a more precise delimitation of powers between the Union and the Member States;
  - the status of the EU Charter of Fundamental Rights;
  - simplification of the Treaties with a view to making them clearer and more understandable;
  - should the European Union be endowed with a European Constitution; and
  - the role of national Parliaments in the European architecture.
3. A future of Europe website (Futurum) has been established by the European Commission to act as a permanent gateway for information on the progress of the debate. The website aims to provide interactive tools to help fuel the debate (forum), and to gather and publish contributions to the discussion from everyone involved. The Commission's intention is that 'government representatives, MEPs and national politicians, elected representatives in general, as well as socio-professional groups, academics, the media and opinion-formers etc., participate in public debates or themselves to organise debates on the future of the European Union and that the minutes or conclusions of such meetings may be submitted to this site as evidence of the discussions under way'.
4. The website currently contains contributions from, amongst others:
  - All 15 Members States;
  - The Community institutions and bodies;
  - The Scottish Parliament's European Committee;
  - The Conference of Presidents of Regions with Legislative Power;
  - The Assembly of European Regions;
  - The Colloquium of the Constitutional Regions; and
  - The Conference on Peripheral and Maritime Regions.

## EUROPEAN COMMISSION WHITE PAPER ON GOVERNANCE

5. A significant contribution to the Future of Europe debate was publication by the European Commission in July 2001 of its White Paper on Governance. In the paper the Commission argue that the EU is seen as “too remote and yet at the same time too intrusive”. The Paper contains a set of recommendations on how to enhance democracy in Europe and increase the legitimacy of the institutions and lays the foundations for the IGC in 2004

## THE LAEKEN DECLARATION AND THE EUROPEAN CONVENTION

6. In December 2001, in Laeken/Belgium, the EU leaders adopted, the "[Laeken Declaration](#)". The Laeken Declaration elaborated upon the Nice declaration with an analysis of the strengths and weaknesses of the EU. The declaration posed a series of questions which are to be addressed at a special Convention on the future of the EU (the European Convention). The task of the Convention is 'to pave the way for the next Intergovernmental Conference as broadly and openly as possible'.
7. Mr Giscard d'Estaing was nominated President of the Convention by the EU ministers and the inaugural plenary meeting of the Convention took place on 28<sup>th</sup> February 2002. The Convention is composed of the main parties involved in the debate on the future of the Union. In addition to its Chairman and two Vice-Chairmen, the Convention consists of:
  - 15 representatives of the Heads of State or Government of the Member States (one from each Member State),
  - 13 representatives of the accession candidate countries (one from each candidate country),
  - 30 representatives of the national parliaments of the Member States (two from each Member State),
  - 26 representatives of the national parliaments of the accession candidate countries (two from each candidate country),
  - 16 members of the European Parliament,
  - 2 representatives of the European Commission.
8. The Economic and Social Committee (three representatives), the Committee of the Regions (six representatives), the social partners (three representatives) and the European Ombudsman are invited to attend as observers. The Laeken Declaration provides for the accession candidate countries to take part in the proceedings without, however, being able to prevent any consensus which may emerge among the Member States.
9. The number of questions posed at Laeken has been described as 'huge' and it has been noted that Mr d'Estaing will have to give a strong steer to the work of the convention. One series of questions is focused on how the division of competence in the EU can be made more transparent. For example, the Laeken Declaration asks whether a clearer distinction can be made between three types of competence: the exclusive competence of the Union; the competence of the Member States; and the shared competence of the Union and the Member States.
10. A second series of questions aims to determine whether there needs to be a reorganisation of competence. Specifically the Laeken Declaration asks:

- at what level is competence exercised in the most efficient way? How is the principle of subsidiarity to be applied here?
  - should not the day-to-day administration and implementation of the Union's policy be left more emphatically to the Member States and, where their constitutions so provide, to the regions? Should they not be provided with guarantees that their spheres of competence will not be affected?
  - how to ensure that a redefined division of competence does not lead to a creeping expansion of the competence of the Union or to encroachment upon the exclusive areas of competence of the Member States and, where there is provision for this, regions.
11. The work of the Convention will involve 3 stages. Firstly, there will be a period of listening in order to find out what people want and expect from the European Union. The second stage will be a period of analysis for comparing the pros and cons of the proposals put forward for organising the European Union. The third phase will seek to draw together the different proposals and draft recommendations.
12. An official European Convention website has been established. Its purpose is to provide background information on the Convention and how it functions, to offer regular updates on its proceedings and future work programme, and to publish all documents submitted to the Convention in the course of its work.
13. The Convention is due to conclude its deliberation and report in March 2003 , in order that its conclusions can feed into the 2004 IGC.

### **USEFUL LINKS**

Treaty of Nice (including declaration on the Future of Europe)

[http://europa.eu.int/comm/nice\\_treaty/index\\_en.htm](http://europa.eu.int/comm/nice_treaty/index_en.htm)

European Commission – White Paper on Governance

[http://europa.eu.int/comm/governance/white\\_paper/index\\_en.htm](http://europa.eu.int/comm/governance/white_paper/index_en.htm)

The Laeken Declaration

<http://db.consilium.eu.int/Newsroom/loadDoc.asp?max=1&bid=76&did=68758&qrp=4056&lang=1>

Futurum (the Future of Europe website)

<http://europa.eu.int/futurum/>

European Convention (Official site)

<http://european-convention.eu.int/default.asp?lang=EN>