

Speech by Jacques Santer to the European Parliament (11 December 1985)

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Mr President, ladies and gentlemen, the meeting of the European Council which took place in Luxembourg on 2 and 3 December last and on the results of which I now have the honour to report to you was without doubt the first for many years to have devoted virtually all its time to considering the problems of Europe's future. All too frequently in the past it has served as a court of appeal or as a forum for settling matters relating to the past, and I can therefore report with satisfaction that the 31st European Council devoted itself to a great extent to an in-depth and fruitful discussion of

- the text of a draft Treaty on European Cooperation in Foreign Policy, and
- the details of changes to the Treaty of Rome.

Both of these matters have already received the attention of the European Parliament, which can in both cases legitimately claim the privilege of having been at the birth of the train of ideas which have led the Heads of State and Government to translate these two grand designs into reality.

At first sight the 'Political Cooperation' treaty appears to be no more than the codification of the long-standing practical political cooperation of the Ten, and shortly the Twelve. The conversion of purely conventional arrangements into a formal Treaty would in itself be a considerable step forward. But contrary to the apparently widely-held view, this draft Treaty does comprise a number of innovations, whose overall effect is to strengthen the procedures and means of cooperation in foreign affairs.

The Treaty goes beyond the Stuttgart declaration, which itself had laid down a number of rules and procedures for political cooperation, in particular by giving particular responsibility to the Presidency and the Commission to ensure consistency between European Community foreign policy and the policies agreed as part of political cooperation.

Political Cooperation will, as in the past, be conducted according to the rules of intergovernmental cooperation, and though these rules may not be imperative in form, they have none the less gained in clarity and their systematic application will form the basis of a more evident and more effective solidarity.

The reciprocal obligations to advise and consult are stressed. Such consultations must take place before Member States finally define their attitudes, in such a way that they can result in the effective definition and implementation of common European positions.

Further, the Twelve will avoid any action or adoption of a position likely to undermine their effectiveness as a cohesive force in international relations and within international organizations.

Another important innovation is the undertaking to refrain as far as possible from preventing the emergence of a consensus and the joint action which might result from it.

As regards security, the Treaty includes both old and new. The old aspect is that cooperation as regards security is restricted to its political and economic aspects. What is new is that every Member State recognizes that closer cooperation on questions of European security will contribute to the development of a European identity. What is also new is that for the first time Member States will be asserting their determination in treaty form to maintain the technological and industrial resources necessary for their security.

I would personally have wished the European Council to have gone further in the matter of security policy. The European Parliament will, of course, continue to be closely involved in political cooperation. The new Treaty specifically requires the Presidency to ensure that due account is taken of the views of Parliament.

A great deal of discussion has been devoted to the problem of setting up a secretariat. A reasonable compromise has been found in the decision to set up an 'operational' secretariat which will give material and practical support to the successive Presidencies, and thus in particular provide a support to the Presidency

through continuity of action.

Will the Treaty on European Political Cooperation be included amongst the changes made to the Treaty of Rome? There are arguments for and against having one single treaty and a series of specific treaties and, in accordance with the instructions of the European Council, the Ministers for Foreign Affairs will in the coming days have to decide on this question. As you realize, it is a question which goes far beyond the mere problem of presentation, which is the light in which some people appear to see it.

Mr President, it is only five months since I reported to you on the outcome of the Milan European Council and had the opportunity to state the Presidency's view of the aims and ambitions behind the unusual and significant step of calling an Intergovernmental Conference to amend or add to the Treaty. It was agreed at that time that I would report at your December part-session on the progress made by this Conference which, as you know, was the principal topic of discussion and decision-making at the 31st European Council in Luxembourg on 2 and 3 December.

The idea of updating our political, economic and social objectives, and at the same time adapting the institutional framework, appeared vital to most of the Member States' governments. Your Parliament had itself initiated the process with its draft Treaty establishing the European Union.

The texts adopted by the European Council do not cover all the fields dealt with in the preparatory work of the Intergovernmental Conference. It was apparent from the outset, in fact, that it would prove impossible in the space of a few months to cover all the ground covered in the Treaties as a whole or even to include in the discussions all the proposals in the European Parliament's draft.

The choice thus lay between amendment, in a limited number of fields, and a Conference which would result in a veritable remoulding of the Treaties, with the political risks that such an operation would undeniably entail.

The Community is a living organism, obliged to adapt constantly to changing realities, both internally and externally. It is an original creation, unprecedented in history and therefore unable to base itself on any model. Its transformation into a European Union, which, whatever one may say, has already begun, will owe its success more to new forms of solidarity and cooperation than to the genius of its architects.

The texts drawn up by the European Council should thus be considered as an extension of the present Treaties. This draft Treaty is intended to draw a number of conclusions from the development of the Community since its inception and at the same time to constitute an opening and a framework for the future developments which we sense or hope will take place.

Under the aegis of the original Treaties, the European Communities have passed the milestone of their first quarter-century. The Community of the Six has blossomed, even though some of the present Member States were originally sceptical about its success. In a few weeks, our Community will comprise twelve Member States. Thus what some of the founder members, despite their assertions to the contrary, viewed from the start with certain misgivings, to say the least, has become a reality.

The political and economic points of reference have changed. The common market of yesteryear has proved to be insufficient to constitute the genuine economic, social and cultural entity to which our peoples aspire. Our methods and procedures are still as they were at the start, and have even been distorted by the ever-present temptations of a nationalism which, if we are honest, it is not easy to overcome and which each of us feels as a kind of primary reaction, not to say a natural reflex.

The world is changing, and changing very quickly, and the national peculiarities which we all have are decidedly difficult to reconcile with the demands of the larger European entity. It seems to be a case of two steps forward and one step back.

Ten years ago, our predecessors opted firmly in favour of the direct use of democratic legitimacy as a means

of promoting integration. Thus it was decided, with this in mind and in agreement with our national parliaments, that the European Parliament would henceforth be elected by universal suffrage. This introduced into the process of European integration a new dimension with consequences which have still to be fully assessed.

But at the same time it was also felt that there was a need for a stronger injection of economic integration or, at least, economic cooperation going beyond the traditional level of cooperation, even if this was supported by the inestimable contribution of the Institutions. Thus both you in Parliament and the governments of the Member States felt the need to adapt to the new conditions prevailing as we near the end of the century.

All the political initiatives of these last few years - the Solemn Declaration of the Stuttgart European Council, your draft Treaty establishing a European Union, the Dooge report, to name but a few - have agreed on the need to adapt the objectives of the European Community and the rules of cooperation between its Member States, as well as the working of its Institutions. This is what led to the convening of the Conference of the Governments of the Member States.

The time available for carrying out such an important and complex initiative was short, perhaps too short. But in fixing such a tight deadline, the Heads of State or Government were clearly anxious also to carry out quickly what could be achieved by common accord rather than allow negotiations to drag on when it was generally recognized that time would probably not bring about any improvement.

It is in fact vital that at a given moment we should be able to measure clearly and precisely how far our common will to achieve something actually extends. This common will, needless to say, depends of necessity on the amenability of political and economic forces both nationally and at European level.

When the Luxembourg Presidency found itself, following the Milan European Council, responsible for channelling a broad flow of ideas into the concrete mould of a Treaty, it had to face the choice of either

- cultivating the many differences of opinion between Member States or, indeed, between Parliament and some Member States;
- or trying to seek out a joint position within the Conference at the highest possible level.

As I said to the European Parliament last July, the Presidency - which, in this case, expressed the opinion of the majority of the Member States' governments - deliberately and resolutely chose the path of an agreement which could receive the unanimous support of all the Member States. This choice - which I still believe to be the only realistic one - has led us to the results that I am presenting to you today.

As with the outcome of all major negotiations, the terms of the agreement are no doubt not ideal for anybody. The diversity of opinions and interests and the varying degrees of amenability led us to adopt a number of compromise solutions whose principal virtue is, perhaps, that they have been criticized equally vehemently by those who think they don't go far enough and by those who think they go too far.

But if a reform is moderate in its ambitions and represents a level of consensus emphasizing what is possible rather than what is desirable, this does not mean that its true significance should be underestimated.

Mr President, around a central theme - setting up and consolidating a single large market - are grouped several priority themes, directly linked with the single market. Whereas the European Parliament's draft Treaty is woven around a constitutional framework, the texts drawn up and negotiated in preparation for and adopted by the European Council tend rather towards creating or strengthening a more tightly-knit economic solidarity. The result is inevitable differences in the structures as well as in the content of the texts.

The original plan to set up a single market by the end of 1992 has been amended considerably during the negotiations. Thus the final deadline no longer involves any specific legal sanction. Similarly, the number and scope of the - potential and possible but not necessarily inevitable - exemptions mean a step down from

the ambitions expressed at the outset.

This part of the draft Treaty, which was and still is the benchmark for all the reforms, still retains sufficient substance and expresses the wishes of the Governments sufficiently clearly to constitute a message which will be understood by the economic operators whose responsibility it will be to carry out this grand design in our various countries.

The chapter thus devoted to the Internal Market is, appearances notwithstanding, of considerable significance. To implement it, we shall need hundreds of new regulations, directives and decisions, most of which can be adopted by a qualified majority after the conclusion of the cooperation procedure with Parliament. In other words, the power of governments to block decisions is being considerably diminished whilst the power of the European Parliament to influence the Council's final decision is being increased. It is therefore not surprising that it was precisely this part of the draft Treaty that was most fiercely discussed. In short, there will be a radical change in the Community's decision-making process.

This has been achieved only after lengthy discussions, as a result of a genuine political will.

Any suggestion of calling into question the outcome of these talks would inevitably reopen the whole discussion. You will therefore understand why the Heads of State or Government - without prejudice to the position adopted by Italy - have sanctioned with their political authority the compromises reached.

One of the most positive aspects of the Council's decision is its recognition of the Community's future monetary role.

You will have been following the day-to-day developments in the debate on this subject - a debate which has been particularly lively recently - and you know what a delicate, controversial operation this is.

By deciding to include a specific reference to the Community's monetary role in the future Treaty, the European Council has probably reached a turning-point. It is true that the ideas produced in Luxembourg were neither outstandingly bold nor couched in particularly concrete terms. It proved necessary to make allowance for certain reservations, particularly on the subject of preserving national monetary management and policy structures in a number of Member States.

The future Treaty will thus contain a reference to Economic and Monetary Union.

As regards the European Monetary System and the ECU, the future Treaty not only recognizes the existence of this system, which has hitherto been outside the Community framework proper, but also specifies the prospects for future development. When the time comes, the Treaty will have to be amended to provide the necessary legal basis for relations between Governments and monetary institutions at national level.

The reference to the monetary role was, as you know, a key factor in the positive development of the negotiations as a whole. Once the stumbling block had been overcome of the initial refusal on the part of some Governments to as much as sanction the aim of Economic and Monetary Union or to recognize the existence of the European Monetary System in the Treaty, the European Council finally began to make progress towards overall agreement.

Mr President, from the very outset of the negotiations it was clear that the future geographical size of the Community and the differences in economic performance were a fundamental factor which would have to be given even greater consideration than hitherto. It is therefore essential to include some sort of 'solidarity clause' in the Treaty. The expressions adopted, which strike a delicate balance between the various positions, are doubtless not in the bold language which many would have wished.

However, the significance of this chapter lies in the fact that all the Member States acknowledged the need, for the sake of the future of the Community, for greater cohesion both internally and externally, and for using all of the instruments and measures available to the Community in order to achieve this. These

instruments must be strengthened and rationalized. The future Treaty points the way. Some Governments are probably not happy about the absence of quantitative details, which were rejected on the grounds that the legal and institutional framework of a treaty is not a suitable vehicle for defining the political content, which remains the concern of the Institutions.

The technological research and development policy is at the forefront of the efforts to adapt Community policies to late 20th century conditions, as the European Parliament has repeatedly insisted.

The formulae finally adopted also strike a delicate balance between global action requiring an overall programme, and specific operations for defining and implementing which more flexible methods and procedures are to be introduced. This future framework should ensure that Community action is both consistent and effective.

At the same time a connection has been established between global action by the Community and initiatives involving a limited number of Member States. This will enable the links between the various types of action to be defined in a constructive and Community-based way, which will benefit European research and technology as a whole.

Once the provisions in this chapter come into force, they should create the conditions of confidence and cohesion which are essential if initiatives of various types, but all pursuing the similar goals, are to have the necessary clarity and generate the massive joint effort without which Europe cannot become organized and competitive and deploy its considerable resources.

The chapter on the environment also constitutes a considerable innovation. It would have been difficult for a new Treaty not to refer explicitly to a field which will have increasing influence on the direction taken by and the application of a number of policies. Outline rules have been drawn up so that Community can develop jointly in a coordinated way with the action taken by the authorities at national level.

Steps have been taken to strengthen certain provisions in the social field. As you know, responsibility for most areas in this field lies with the Member States, and it is difficult at this stage to extend the action taken at Community level.

However, the European Council recognizes the importance of a dialogue between the two sides of industry at Community level. It gives its support a priori to the notion of relation established by agreement at Community level, if this is deemed desirable by those directly involved. For anyone familiar with the traditional reluctance on the part of Governments to move in this direction, the inclusion of this approach in the Treaty must be a sign of a progressive change in attitudes and behaviour.

It is within this general framework, Mr President, and with particular reference to the internal market, that we should assess the outcome of the European Council with regard to the *powers and responsibilities of the European Parliament*.

You yourselves, ladies and gentlemen, have repeatedly stated that the problem of democratic powers should be seen in the context of the development of the Community and the introduction of what are referred to as 'new policies'.

Last July, when I first had the honour of addressing you, I drew attention to this link. I will admit now that the connection has proved in reality to be even stronger and closer than I at first thought. What was then merely hypothetical has now become a political factor. All the decisions taken by the European Council are on much the same level. All attempts to separate the institutional part of the reforms from the economic part or vice versa have failed to produce the hoped-for results.

I myself recognize, however, that increasing the powers and responsibilities of the European Parliament answered a twofold objective: firstly, to strengthen the decision-making process by harnessing the enormous potential of a directly elected Parliament for the benefit of future Community action, and secondly, to repair

an omission which dates back at least ten years, by drawing certain logical conclusions from the fact that you were directly elected, irrespective of the development of the Community with regard to the internal market, technology and other fields.

This line of thought, which is shared by certain Heads of State or Government, was not received as well as I had hoped. In other words, the transformation of the legislative power structure, the conditions and means for which are set out in the Treaty drafted by Parliament, has not come about. Neither the individual Governments nor the Commission can be held responsible for this. It is simply that people are not ready for the Community to develop towards European Union as quickly as Parliament would like.

Having failed to achieve this breakthrough, should we, as some people seem inclined to do, have abandoned the whole project, or should we, as others have recommended, try to find a solution to our future problems by making pragmatic changes within the framework of the current rules? I am personally convinced that history will prove right those who finally opted for what was possible. However, I am here today to give you details of the European Council's decisions and to defend them, rather than to express my personal feelings.

I should therefore first like to stress a little-recognized political fact: that the section of the reforms which deals with the powers and responsibilities of the European Parliament involves a substantial change: even if the system of joint decision-making described in your draft Treaty is not to be implemented, the 'cooperation' formula should at least be a step in the right direction. Let there be no mistake about it, a hitherto unbreachable barrier has been breached. Once the future Treaty enters into force Parliament will cease to be the consultative institution described in the Treaty of Rome, which even direct elections have been unable to change.

The Treaty is to give the European Parliament specific powers, and it was precisely this first step which gave so much difficulty. Thereafter we will have a system which can be added to and perfected.

Although leaving the last word for the Council, the Member States have introduced a system which they are well aware will set in motion a new dynamism. It was for that reason, and that alone, that it proved so difficult to obtain a consensus at the European Council.

Parliament will no doubt have another opportunity to debate the details of the mechanism, independently of this purely political statement. It will then see that certain features of the plan approved by the European Council substantially transform the present function of the European Parliament. For the first time, Parliament's vote will, in a good many cases, have a specific legal effect. In practice, this will entail substantial changes on all sides as regards conduct and the ways of applying the rules governing the decision-making powers.

The European Parliament's approval of some of the most important acts, such as Treaties of Accession or Association, means that on matters of broad policy there could be a similar development to that affecting the day-to-day decision-making process.

Thus, whatever regrets may be felt, the European Council, with the reservations of which you are aware, considered the amendments to be substantial enough to be adopted in the form of a draft Treaty.

Any other attitude would have been - or would be - self-destructive. No part of this agreement should be judged in isolation: all parts belong to a coherent whole and proceed from the same inspiration. They mean substantial concessions for each Government in relation to the positions originally defined. If we do not seize this opportunity, no-one can guarantee that we will have another chance in the near future.

The people we are counting on in our respective countries to make a start on setting up the single market will not find a 'yes, but ...' attitude very convincing. Our determination alone can spur them to action. By thus adopting a set of texts which, a priori and in isolation, appear to fall short of their initial aspirations, the members of the European Council wished to follow those who founded the Community in the 1950s and move forward with measured steps. That first wager was won - why not this new one?

It is a joint responsibility, ladies and gentlemen, and Parliament will have an eminent role to play.