

## 'The improvements made by the Community method' from the Europe Daily Bulletin (13 May 2003)

**Caption:** In his editorial dated 13 May 2003, Ferdinando Riccardi, Editor-in-Chief of the Europe Daily Bulletin, uses tangible examples to illustrate the inefficiency of the intergovernmental method and the advantages of the Community method.

**Source:** Bulletin Quotidien Europe. Dir. of publ. RICCARDI, Ferdinando ; Editor GAZZO, Marina. 13.05.2003, n° 8460. Brussels: Agence Europe S.A.

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**Publication date:** 17/09/2012

## A look behind the news

### About celebrations of Europe day – We see the limits of the intergovernmental method and improvements made by the community method every day – Lessons and examples

by **Ferdinando Riccardi**

**It's ancient history for young people.** I note with pleasure the efforts made to breathe greater life and visibility into this year's Europe Day (9 May), especially in schools and with regard to young people, who see the events of the 1950s as ancient history. It is by studying history that pupils should learn that European integration was a turning point not just in our tormented continent but in the history of the world. To understand this, one only has to recall that the two last intra-European wars turned into world wars, and that intra-European wars, in the EU at least, are a thing of the past.

**It is not just a struggle for power.** I have nothing to add to what was said on Europe Day (see Europe of 10 May, p.4) but I would like to stress the extent to which the essence of united Europe, the qualitative leap that it represents in alliances between countries, is badly or insufficiently understood even in political and scientific milieus. But the Community Method is a vital part of this turning point in world history, although it is often seen as a mere extension of traditional power struggles where each institution defends its prerogatives or tries to seize new ones.

There is a grain of truth in this reductionist description. Back in January 2003, Valéry Giscard d'Estaing wrote that the institutional debate stimulated passion in the initiated and galvanised the Brussels political milieu but was of little interest to public opinion. But when the public is convinced that an institutional innovation is desirable or even indispensable, it does not hesitate to support it doggedly and make efforts to impose it - take the example of the long-term, full-time presidency of the European Council. As far as I am concerned, I will never tire of stating that if well understood (because it is not just qualified majority decision-making, far from it), the Community Method is the vital innovation that distinguishes European integration from the traditional national alliances that have always existed throughout the history of Europe but which have not averted conflict and war. I am not going to make a theoretical demonstration of this today, but I would like to remind readers the extent to which current events and, situations demonstrate the shortcomings and gaps in the Intergovernmental Method.

Penelope's father, Francois Lamoureux, recently wrote in a document presenting the "draft Constitution of the European Union" that the method has survived everything - attacks from General de Gaulle, blackmail from Mrs Thatcher, a series of enlargements, German reunification and globalisation. Each time Europe has wanted to move away from it to try and draw up European policy in the intergovernmental mode, either directly between Member States or in international organisations, it has been a failure or ineffective. The Community interest does not come into existence spontaneously! In recent years, the simple but urgent need to take decisions has imposed as a last resort, after a detour via intergovernmentality, use of the Community Method for the police and judicial cooperation policy, maritime security and the Galileo satellite navigation programme. Lamoureux adds that Penelope is meant to show that the Method can be extended to all Community activities apart from defence.<sup>(1)</sup>

**Daily demonstration.** Taking Francois Lamoureux's words as my starting point, I could like to point out how we can see on a daily basis the inefficiency of the intergovernmental method. The Galileo programme that he quoted is in fact still suspended because it partly depends on an intergovernmental organisation, ESA, where a single reservation expressed by a single country on a single issue blocks necessary and urgent decisions. The EU has taken its decisions, based on a proposal by the Commission after a broad debate in the European Parliament, but the ESA (in other words, the united governments) cannot. Another example - deciding the headquarters of European Agencies and other bodies, which depends on intergovernmental procedures, which is why several decisions have been blocked for years because of a disagreement between two countries. To establish at all costs the highly important "Food Safety Authority", it had to start off in provisional headquarters in Brussels and it will stay there if differences continue, to the great displeasure of the two opposing countries, Finland and Italy since they will both lose out. Another example; but moving in

the right direction: France has announced that at the end of the month it will be proposing that European space policy becomes "Communitarised" since the current intergovernmental cooperation does not ensure the future of the policy and European risks disappearing as a player in this vital area.

This is the result of what Lamoureux calls "the simple but urgent need to take decisions"... In particularly difficult areas like chemicals (where environmental demands and industry requirements often conflict), regulations at European level are indispensable but they can never leave a kind of intergovernmental negotiation, otherwise they wouldn't be binding. It's already so difficult to pass them using Community procedures... Moreover, it is the environment per se which cannot survive without EU action and legislation because pollution knows no borders. With the Community Method we make progress, with intergovernmental negotiations (consider the Kyoto Protocol at world scale) we pussy-foot around.

**Protecting human health.** EU health ministers met last week to try and coordinate activity to combat Severe Acute Respiratory Syndrome or Sars and realised the extent to which the lack of Community measures and structures restricted their scope for taking action. European Commissioner David Byrne said that the EU is pretty well-equipped for fighting off animal epidemics - the structures in place mean that rapid decisions can be taken in common in all Member States, whereas in terms of human health Europe is powerless. Most Member States support the idea of a European Centre to Prevent, Monitor and Control Communicable Diseases. The idea is not to create new bureaucracies but to organise the automatic exchange of information, avoid duplicating work, create synergy by multiplying the efficiency of national initiatives, and establish procedures whereby common, binding decisions can be taken rapidly. It is clear that health policy has to remain in national hands in the name of subsidiarity, because every country has its own traditions and every community has its own mentality. But precautionary measures and emergency action should follow Community procedures. The "Penelope" project sees health as an "accompanying policy" where the EU acts alongside Member States, and we are aware of initiatives by MEPs in the same direction (see our bulletin of 7 May, for example, p.9). Or do we have to wait for disasters to happen before discovering the opportunity of acting in a Community manner?

**Even for foreign policy.** Generally, the impact of the lack of a European position on the war on Iraq has probably had a useful basic educational impact but at a very high cost. Member States seemed proud of each having the chance to have their own view and to defend it by displaying their muscles. But if it were possible today to get round the shields of national pride, we might be surprised. We might discover how many heads of state now regret not respecting the handful of coordination procedures that already exist for foreign policy, regretting even more the lack of more effective procedures that would have enabled them to be less exposed. Exposed to what? That depends: some say it's the deterioration of relations with their political party, others say it's the lack of support from a section of the electorate and others say it's problems with the US ally. The EU would not have been able to reach a common position because procedures and structures cannot replace compatibility of political ideas, but the stances would have been less improvised and less abrupt, each being partially covered by the European umbrella.

**Misunderstandings at a high level.** The problem is that misunderstandings sometimes occur at the highest level. At the last European summit in Athens one head of state said at a particular point in time that the government of Europe is us, each head of state would take responsibility for a ministry and together we would take Europe forward, implying that we don't need the Commission or other complications resulting from the Community Method. It is true that he said later that it was a joke, but I am not sure that there is not a fundamental misunderstanding of the Community Method and its significance (not only by the prime minister in question but by others too). If the Europe Day ceremonies helped increase to an extent understanding about the essence of the Community project, and if my lines here provide food for thought or at least raise a few doubts, this column will have proved its value.

(F.R.)

<sup>(1)</sup> "Pénélope, projet de Constitution de l'Union européenne", Préface by Romano Prodi, Texte et commentaires. "Le droit et les politiques de l'Union européenne" series, headed by A. Mattera. Publishers: Clement Juglar, 62 avenue de Suffren, Paris.

