

Address given by Göran Persson on the European Convention (Stockholm, 19 February 2003)

Caption: On 19 February 2003, Göran Persson, Swedish Prime Minister, informs the Swedish Parliament of the position of his government on the work of the European Convention and on the future of the European Union.

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Information to the Riksdag giving the Government's views on the future of the EU, presented by the Prime Minister, Göran Persson (Stockholm, 19 February 2003)

[...]

Mr Speaker,

I will now turn to the Convention and developing EU cooperation.

The main task of the Convention on the Future of Europe is to strengthen the Union's democratic legitimacy.

The central issues that are being discussed by the Convention are the following: a clearer demarcation between the powers of the Union and the powers of Member States, simplification of the treaties, fundamental rights and the role of national parliaments in relation to the Union.

The EU's future cannot be seen in isolation from the wider context – the increasingly globalised world economy and the new security situation in the world. The discussions on the future of the Union are being carried on alongside the other major reform processes that the EU is now undergoing – realisation of the Economic and Monetary Union, the Lisbon process and the historic enlargement.

A Union with over 25 members needs new effective working methods to be capable of carrying out improvements for its citizens. But in an enlarged Union that embraces the whole continent of Europe, it will be more important to respect each country's distinctive cultural and political character.

With the changes now being discussed we are moving into a calmer phase. The new treaty will hold good for 10–15 years and will be capable of managing new enlargements. The EU will continue to grow, which is good, new countries will accede, such as, for example, the Balkan countries.

The model of a convention is innovative and creative. However, to some extent it involves a problem for us in Sweden. We have clean cut consultative procedures between the Government and the Riksdag before and during an Intergovernmental Conference. It is therefore important to the Government that we act in the current situation in a way that asserts the Riksdag's influence.

To contribute to the discussion, I would like to give some views on the work in the Convention.

The aim of this Convention is to present a proposal for a new comprehensive treaty. It is to replace the three existing treaties with all their hundreds of additional protocols. The Convention President, Valéry Giscard d'Estaing, has said that the Treaty should be comprehensible to the average upper-secondary school pupil. It is a good yardstick.

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The ten new Member States and the three other candidate countries are taking part in the Convention. It is essential that the acceding countries are given an equal opportunity to participate in the Intergovernmental Conference also and are not pushed out just to speed up results. It is equally natural that the new Member States be allowed to take part in the ongoing security policy discussions on what line should be taken regarding the situation in Iraq.

The European Council has stated it is in favour of a timetable with a reflection phase between the conclusion of the Convention and the subsequent start of the Intergovernmental Conference.

This timetable is now being questioned by some. They want to commence negotiations in the

Intergovernmental Group in early autumn. The Nordic Prime Ministers have jointly expressed opposition to this idea.

Whatever the result, consultation between Government and the Riksdag must be strengthened now. Today's information is part of this ambition. Furthermore, the Government intends to present a written communication to the Riksdag, based on the final outcome of the Convention.

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The issues concerning the future that are now being discussed have been of importance ever since the establishment of the communities. What is the Union's role? How do we go about it? Who should do what? What responsibility lies with the EU and what responsibility lies with the states? And at what level do we make the most effective decisions with democratic support intact?

Some people in Sweden are concerned that the EU will take over too much power from the nation state. At the same time, there is increasingly broad support for our membership of the EU.

It is essential that we take both the concern and the growing support into consideration. We are therefore guided by two principles for our action in the debate on the future of the Union.

The first is that we must never move power further than necessary from the people. This is the principle of subsidiarity in political-science terms.

The second is that we must never exaggerate in terms of proportion when the EU decides. But, on the other hand nor should we hold back too much when problems are of a genuinely cross border nature and broad solutions the only possibility. This is the principle of proportionality.

The Convention must respect both these principles when it formulates its proposals. I don't believe we will see a completely different Union when the work is finished. On the other hand, we will see many improvements and modernisation of procedures. I will describe what I think will be the outcome of the work in the Convention.

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All power held by the EU has been assigned by the Member States. That is the foundation. Whether or not an issue is to be handled by the EU should, first and foremost, be governed by the very nature of the issue. If the questions are of a genuinely cross border nature and national decision making is not sufficient to achieve our political goals, we need EU cooperation. Examples of such issues are organised crime, environmental degradation, and the fight against unemployment. It is a question of legitimacy. People want to see improvements in their everyday lives.

The EU plays a supportive role in relation to its Member States in areas such as employment, education, cultural issues and public health, where the state bears the main responsibility. This will become even clearer in the new Treaty.

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Another lasting result of the Convention may be a more transparent Union, a more modern administration and a limitation in the number of decision making procedures and ways of legislating. Ever since our entry into the Union, Sweden has pressed for an extension of public access to official documents to cover all EU institutions, and for the Council and other institutions to act more openly, above all, as legislators.

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The Charter of Fundamental Rights established two years ago will probably be incorporated in some way

into the new Treaty. I can accept this as long as it does not mean the Union's competence is thereby indirectly extended to new and unidentified areas. It is also very gratifying that the Convention appears to agree that the EU should accede to the European Convention on Human Rights, as Member States already have. This has been a definite requirement of the Swedish Riksdag. It will strengthen citizens' rights.

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The proposal to make the EU a legal personality is hardly radical, but highly practical. It would enable the Union to enter into international agreements and, in addition to Member States, be a member of international organisations. The division between the EC and the EU will be scrapped. The Riksdag has already made the amendments to the Constitution needed for this. Few will miss the so called pillars, which, to be honest, some of us never really got the hang of.

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The Convention has not yet managed to deal with all the issues included in the Treaty, actual policies. There is some suggestion that parts of this work will be transferred to the Intergovernmental Conference.

Whether or not this takes place, we will pursue proposals for improving and reforming cooperation in essential areas such as employment, the environment and agriculture.

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I already mentioned the Lisbon process. It is crucial not just as an issue in itself, but also because it is an innovation for decision making and implementation. The new order is that the traditional method of legislating will now be complemented with what is known as the open method of coordination. This means that Member States voluntarily, on political grounds, pledge themselves to common goals.

I think the open method of coordination should be entered into the new Treaty.

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The Government also wants to preserve the achievements made by the EU regarding sustainable development in general and, in particular, maintain a high level of environmental protection and enhancement of the quality of the environment.

But we can envisage going further than this and tightening the Union's undertakings.

The present Treaty states that environmental protection requirements must be considered in the formulation and implementation of EU policies and activities. Provisions on each relevant policy area should be added to this. This applies in particular to the outdated agricultural and fisheries policies which must be adapted to today's environmental and consumer requirements and not remain tied to the post war requirement of maximum production.

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Few issues engage people as much as asylum and migration policy. It is my firm conviction that a humanitarian policy based on solidarity must be drawn up jointly between all the democracies of Europe.

We have pressed for this at previous Intergovernmental Conferences. These issues have not declined in importance, rather the reverse. Then, as now, we want to see more majority decisions in this area.

Nor can corrupt elements that exploit the free movement of people be dealt with in isolation from other countries. I am thinking of the women in the real life Lilja 4 ever, of trafficking in human beings, human smuggling and organised crime.

The aim of an EU as an area characterised by freedom, security and justice must also be seen in the light of international terrorism. In practice, this is often closely intertwined with smuggling, drug trafficking, money laundering, financing and other aspects of organised crime.

As openly as possible, I want us to think about how the member states of the Union can cooperate more closely in the field of criminal law. Discussions are under way in the Convention on a special list of what could be regarded as "European crimes", that is, crimes that are of a genuine cross border nature and can be combated more effectively by common decision making.

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To a lessening degree does the international threat come from states in the conventional sense of the term. Terrorists take advantage of weak states, which was the case with the Taliban regime in Afghanistan. They attack our open, democratic societies, as they did on 11 September.

Should a Member State fall victim to an international terrorist attack, the other Member States would come to its assistance if the attacked state so requested. Greater vulnerability thus breeds greater solidarity. I have nothing against committing this solidarity to a treaty. But it must not take the form of a common defence.

Today, Member States coordinate their police, judicial and financial instruments. I see clear advantages in also being able to coordinate the civil resources of the Member States in order to protect their populations and democratic institutions against the effects of a terrorist attack. In the event of an anthrax attack, for example, we must be able to act rapidly in assembling the available medical and other expertise, irrespective of where they are in the Union. This is a question of solidarity.

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Many members of the Convention want the High Representative to be President of the General Affairs and External Relations Council. Many also wish to amalgamate this post with that of the Commissioner for External Relations, a function that would serve two masters.

I consider that this would create more problems than it would solve. There would be ambiguities in the division of responsibility. In addition, foreign policy is largely of an intergovernmental nature.

Crucial and overall decisions in foreign and security policy should continue to be taken unanimously.

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Social policy has been discussed in the Convention. There is broad agreement on the principle that majority decisions should apply to cross border issues, such as information and consultation between employer and employee. The right of trade union organisations to international sympathy action is also something that should be written into the treaty.

Gender equality in the EU context is also part of the social area. We have fought to include in the new Treaty the progress that we have already achieved. Equality between women and men should be a fundamental value and a prioritised political objective.

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I have previously noted that countries, via treaties, have chosen to transfer certain of their powers to the EU in specific areas. There are also areas, which, in my opinion, should remain national. Such an area is the welfare system, including its financing. The Swedish Riksdag imposes taxes on the Swedish people. It must continue to do so.

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The EU rests on a unique balance of power between the institutions, and between these institutions and the Member States. Through the Council, EU cooperation is rooted in the democracy of national parliaments, while at the same time the European Parliament is responsible for legislation and for gaining support for certain issues. The Commission has an important role in safeguarding the common interest. The institutions complement and balance each other.

This is the current state of affairs of the EU, and I do not believe that the ongoing reform process will noticeably change this.

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The Council needs to be strengthened. A more long term perspective is needed in the work of the Council. This will be achieved by having working programmes extending over several years, and by greater continuity in Council leadership.

The idea of an elected chairperson of the European Council is gaining ground among the circle of members, both among large and small member countries. This is positive.

For me, this is particularly a question of that person acting as a clearer voice for the common foreign and security policy. The chairperson should not be a president with enormous political power, but a function that can coordinate what democratically elected Heads of Government and State have agreed upon.

In our model, the chairperson is supported by a group presidency, where several countries share responsibility. This must be included in the discussions on an elected chairperson, otherwise the equation does not add up. The task of individual countries will be more focused on the questions that they have been assigned to deal with. Through strict rotation, presidencies would not need to occur less frequently in tomorrow's enlarged Union than they do today. This is a compromise proposal that should be able to unite both the large and the small countries.

The Council must become more transparent and, when dealing with legislative issues, hold completely open meetings. On the other hand, I do not believe in a special legislative council. It is not possible to distinguish between legislation and other tasks in a meaningful way.

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The Commission's role must be maintained and its independence strengthened. Its main tasks are to ensure that Member States comply with jointly-decided legislation and that the internal market is developed and adhered to. In addition, the Commission should advance the work of the EU in an unbiased way. The ideal is that the Commission should be the body that safeguards the common interests of the Union. When the Commission has functioned most successfully, it has been both visionary and competent, in a concrete manner. The current Treaty already gives the Commission a great potential that has not been used to the full in recent years.

The Commission's exclusive right of initiative should be retained. The Council should increasingly be able to delegate to the Commission the adoption of detailed regulations in legislation, which would correspond most closely with our Government's right to issue ordinances in Sweden.

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A group in the Convention have brought up, once again the old issue of how the President of the Commission should be appointed. My point of departure is that the manner of appointing this person, so important to the Union, must not lead to division and party politics. The person holding this post must represent the entire Union and must not become a hostage of the current majority in the European

Parliament.

I see no great need for changing the current procedure. Those who speak of a lack of legitimacy in the present way of appointing the President of the Commission are actually questioning the whole system of representative democracy.

If there is to be a new procedure, national parliaments should be involved at least as much as the European Parliament.

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A more general strengthening of the European Parliament is also being discussed in the Convention. We need to discuss how European legitimacy can be increased. This is a process that will take time.

In some areas such as, for example asylum and migration policy and the general direction of agricultural policy, it may feel natural to assign a greater role to the European Parliament.

But there is no automatic connection between the introduction of majority decisions in the Council and co decision for the European Parliament.

The Council consists of representatives of national governments. These governments, in turn, are given their mandates by their respective national parliaments. In the foreseeable future, this will be the most legitimate democratic link between the national and the European level.

The European Parliament will gradually be able to strengthen its position. But this will not occur without greater voter participation. Voter participation reflects commitment and democratic legitimacy. If this increases, the European Parliament will have more power in the long term.

If the Parliament is given more power, voter participation will increase. This is true, too. We must, therefore, find a balance. We have a common task to increase voter participation and thus, strengthen the legitimacy of the European Parliament.

The three Nordic EU countries' national systems for information, consultation and, above all, accountability to their governments in Council work have been focused upon by a number of people during the Convention.

I hope, therefore, that the Convention will draw attention to the special democratic legitimacy of the national parliaments.

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Mr Speaker,

This, roughly speaking, is the drift of the discussion on the future of the Union, and this is the opinion of the Swedish Government on these issues.

The discussion may seem complex, but it is necessary that more people learn about the issues and take part. It is all about our future Europe, and thus about our future Sweden.

We have long left behind the issue of a 'yes' or 'no' to the EU in Sweden. Sweden is a member of the Union – a Union that is evolving. It is a cooperation that is dynamic. The EU is changing, and needs to change. EU cooperation is improving and needs to improve. We are in the process of creating tomorrow's European cooperation – that we will be taking part in, be dependent on, and able to influence ourselves.

This is a task for the Government and me, for all of you and for as many others in this country as we can involve.