

From Listening to Consensus-Building – The second working stage of the Convention

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Dear Readers,

The EU Convention is about to embark on the second and decisive round of negotiations. There is no parallel in the history of treaty reform for the gargantuan task with which it is now confronted. Proceeding in an open and democratic manner and in the spirit of parliamentary traditions, its brief is to suggest reforms which on the one hand will prepare the EU for both the future and enlargement, and on the other lead to consensus across large sections of society. Originally established in order to determine the finality of Europe, and to deal with the lamentable lack of democracy in the European reform process, it must now indicate the direction in which it proposes to lead the EU.

The current political constellation is unparalleled, and for this reason it behoves us to make certain inescapable decisions:

- The density of integration which has already been achieved prompts us to attempt to determine the finality of Europe with even greater urgency.
- The blurring of the old geographical images of the unification process, which is part and parcel of enlargement, makes it impossible to sidestep the issue of European identity.
- The new dimension of challenges of a global and security policy nature makes it imperative to ensure that the EU is in a position to take effective action.
- The historic introduction of the common European currency makes it clearly apparent that the issue of a stable political framework is of paramount importance.

In order to be able to meet these challenges, the Convention should set itself ambitious goals: Europe must develop beyond a community with a common fate to become a success-oriented community. The European project has often demonstrated that visions

can indeed come true. At the same time there is an ongoing need to explain why European integration is something positive, and this will continue to increase. On the basis of past integrational achievements, Europe should become enshrined in its citizens' hearts and minds as a formative force which can make a decisive contribution to the future. A vibrant, success-oriented community of this kind would be characterised by the following salient features:

- Greater public participation is needed if the European institutions are to be construed in a way as to genuinely enhance acceptance by 'us, the European citizens'.
- Furthermore, such a community should possess structures which make it possible to formulate common interests clearly, and subsequently put such proposals into practice.
- By the same token, Europe must assume a number of global responsibilities. These include participation in the fight against terror and in peace-making measures, the protection of minorities, and the prevention of famines.
- Last but not least, a characteristic feature of a success-oriented community of this kind is that it will propagate and practice sustainability.

The Convention can create the institutional and structural preconditions for such a success-oriented community. Thus it is confronted with two important tasks. In the course of the hearings, it has assembled numerous suggestions in the various policy areas. The way in which the Convention manages to integrate these suggestions into its proceedings, whilst continuing to develop a clear-cut plan for reform, is now of crucial importance. At the same time the Convention must ensure that its conclusions will constitute the central point of reference of the Intergovernmental Conference.

On account of these challenges the Convention is under considerable pressure to succeed. Thus it should not, as in the past, merely seek to reach agreement on the level of the lowest common denominator. In fact it should have the courage to propose new and conclusive concepts. However, in spite of the many positive suggestions, there is at present insufficient dynamism to impel the Convention to make greater progress. It can only advance to become the real powerhouse of the reform process if and when it has conducted a thoroughgoing strategy debate and has the confidence to demonstrate political leadership. It is of outstanding importance that citizens, the members of the Convention, and the heads of state and government should come to expect the Convention 'to be a success'.

The Convention's initial round of consultations certainly points in the right direction. Important issues, which may well lead to a consensus, have already emerged in the plenary session debates. Most of the members of the Convention agreed that a homogeneous text which could be described as a basic or constitutional treaty (and not merely a

paper outlining options) should form the result of its deliberations. The subject areas of the ten working groups that have now been set up to all intents and purposes cover the various aspects of a constitutional treaty. However, two key issues must be added to the current agenda and these should also have an influence on the structure of the working groups:

(1) Institutional Reform Requirements

If its aim is to achieve a transparent division of powers and effective political and strategic leadership, the Convention, on the level of the working groups, must address itself to the following institutional reforms: a more precise definition and enhancement of the role of the European Parliament and the Commission; a redefinition of the Presidencies of the Council and the Commission; the Council's procedural arrangements; and greater involvement on the part of the national parliaments.

(2) Flexibility Mechanisms

The question arises, especially in policy areas which the deliberations of the Convention (on the basis of what EU citizens expect) have identified as being future priorities, of according an avant-garde role to member states which are both willing and able to embark on deeper integration. This applies especially to foreign, security and defence policy, to justice and internal policy, and to finance and economic policy. Since the significance of differentiated integration will continue to increase in an EU comprising 25 or more member states, the flexibility regulations contained in the treaty should be expanded and revised.

The Convention constitutes an opportunity to pursue the European reform process in a manner compatible with parliamentary traditions, and with the broadly-based participation of EU citizens. This opportunity should not be missed. Furthermore, if the new approach were to fail, sinister alternative scenarios would threaten to materialise: the return of nationalism, the decay of the Union, and the end of EU solidarity. The history of our continent demonstrates only too well that crises and catastrophes can occur at any time. For this reason Europeans would be well advised to make good use of the Convention in order to achieve the civilisational feat of drawing up a constitutional order for Europe that will enable it to meet the challenges of the future.