

(tepin2)

EPIN / CEPS

8th Meeting of EPIN on the Future of Europe Debate

The Future of Europe Convention: into the last months

Tony Brown, Institute of European Affairs, Dublin

The Nice Treaty

The initial phase of the debate in Ireland on the Future of Europe was completely overshadowed by the national argument on the Nice Treaty and the two referendum campaigns.

The first of these was characterised by a lack of information and a failure to engage by the proponents of a 'yes' vote which saw a minimal turnout and a clear rejection of the treaty by those who bothered to vote. The debate centred on issues such as Irish neutrality, perceived loss of influence in the EU institutions and fear of the 'creeping' power of Brussels over Irish affairs.

The second Nice campaign was very different in nature. The Government was fully engaged, highlighting the importance of the enlargement process and recalling what Ireland had gained from EU membership. Information was conveyed effectively by official and voluntary agencies and through the active involvement of political parties, academic circles and civil society groups.

The Institute of European Affairs arranged a high profile programme of public lectures by key personalities on both sides of the debate and published accessible explanatory material in print and electronic form. Short texts clearly establishing the importance of enlargement for Ireland and for Europe as a whole were widely distributed.

The second referendum resulted most importantly in a strong 'yes' to Nice but also in a remarkable improvement in the level of interest and understanding of European issues. This has led to a significant advance in media attention to the on-going European debate which is now centred on the work of the European Convention.

Attitudes and Behaviour of the Irish Electorate in the Second Referendum

The results of the referendums should be recalled.

In 2001, the result was a 54 to 46 per cent majority in favour of the No side on a turnout of 35 per cent. Only two of forty-one constituencies voted Yes.

In 2002, the result was a 63 to 37 per cent majority on favour of the Yes side on a turnout of 49.5 per cent. All forty-one constituencies voted Yes.

In effect, everyone of those who voted in the second referendum, having abstained in 2001, voted Yes.

A survey conducted on behalf of the European Commission is revealing:

Perceived Level of Understanding	Nice I	Nice II
Good Understanding of Issues	8	22
Some Understanding	28	39
Vague Awareness	28	25
Do not know what it is about	36	14

Key findings included:

The main determinants of increased participation were (a) improved communication in many forms and (b) higher levels of knowledge of the EU as measured by both subjective and objective indicators

A 25 percentage point increase in the proportion of people who felt they understood at least some of the issues involved in the Nice Treaty

Indicators of general orientation to European integration shifted substantially by comparison with the immediate post Nice I period

Abstention by young people showed itself to be a persistent problem and one that is independent of the various communication and attitudinal effects considered in the report

The key implications for communication and debate are summarised as follows:

Communication works or can be made to work

The main mechanisms by which it works are the mass media and interpersonal discussion

When it works it has demonstrable effects on behaviour in terms of both participation and the direction of vote choice

Knowledge and people's sense of assurance about their knowledge also have a significant influence on behaviour

Attitudes do change in response to unfolding events

Although communication in the area of European affairs can be effective, it is not easy; awareness of specific initiatives remained limited

Two-in-five citizens were left uninformed or feeling uninformed about the issues

The report concluded that:

“Thus, there is much to be done by campaigners on both sides and by policy makers at national and European level to create a genuine and on-going debate

about European integration. The Irish case is in many ways an illustration of a wider problem and, via the two Nice referendums, can be thought of as a test bed for potential remedies. The challenge for Irish and EU political leaders and

policymakers is to continue the effort to engage and mobilise the citizens of Ireland, the citizens of other referendum-holding countries, especially of the candidate countries, and with a view to consolidating the legitimacy of the Union, also the citizens of those member states that follow the representative rather than the popular route to ratification of EU treaty changes.”

Government Initiatives

In approaching the second referendum campaign the Government, with broad parliamentary support, undertook two important initiatives.

The terms of reference of the Oireachtas (Parliament) Committee on European Affairs were enhanced to provide for more intensive scrutiny of EU legislation and for wide-ranging and open debate of current EU issues.

The Constitutional Amendment approved in the referendum not only permitted ratification of the Nice Treaty but also provided that Ireland may not accede to any common EU defence arrangement without the specific consent of the people in a referendum.

The Debate in Parliament

With its new remit, the Oireachtas Committee has undertaken a series of public hearings on the Convention agenda. These have included the first meetings of the Committee outside Dublin. The Irish government and parliamentary representatives at the Convention are providing regular briefings to the Committee at sessions which are attended by Irish MEPs.

In an important initiative, the Irish Senate has commenced a series of debates on the work of the Convention, which have already been addressed by the President of the European Parliament, Pat Cox, and a number of the Irish Convention representatives.

The National Forum on Europe

In the aftermath of the first Nice referendum the Government took up a proposal first advanced by the opposition Labour Party for the creation of a forum for public debate of the Future of Europe agenda already under discussion in both EU Member States and candidate countries.

The National Forum on Europe was launched in October 2001. Its membership includes the parties and groups represented in the Oireachtas and Irish MEPs. Party delegations include the Taoiseach (Prime Minister), the Minister for Foreign Affairs and several opposition Party Leaders and former Ministers.

A Special Observer Pillar involves organisations representative of civil society, including the social partners, groups which had been active in the Nice referendum campaign, registered political parties not represented in parliament and parties from Northern Ireland. More than forty groups take part in the Observer Pillar, with speaking rights at all meetings and regular consultation on the Forum's programme.

The Chairman of the Forum is Senator Maurice Hayes, an independent member of the Irish Senate and former Ombudsman of Northern Ireland.

To date, the Forum has held 47 meetings in all – 27 plenary sessions most of which were held in Dublin Castle – and 20 public debates in venues across the country. It has visited 22 cities, towns and suburban areas. It has held 4 National Conferences aimed at those groups which have been identified as the least engaged with the EU project – women; young people; farming, fishing and rural groups; and industrial and service workers.

These initially addressed the key issues arising from the Nice campaigns before moving on to the Future of Europe debate and the Convention agenda. The Irish Convention participants are all members of the Forum and report to it on their contribution and on overall progress and prospects. For example, the recent plenary session on Justice and Home Affairs was addressed by John Bruton, former Taoiseach (Prime Minister) and a member of the Convention Praesidium, who chaired the relevant Convention Working Group and by the Government Representative, Minister of State Dick Roche.

Many visitors have spoken at Forum sessions, including European Commissioners, Ministers and political leaders from EU Member States, academic experts and representatives of the candidate countries, including the President of Slovenia and the Polish Foreign Minister. Speakers have come from fourteen countries to date.

In its two published reports, the Forum has identified four broad clusters of key concerns: the balances between Member States; governance; legitimacy, accountability and transparency; and concerns over sovereignty and sensitive policy areas, such as neutrality. These continue to underlie the debates as the Forum deals with the Convention agenda. A third report will be issued shortly.

The Forum has commissioned a video on the work of the Convention which is being used at regional meetings and which will be delivered to every secondary school in the country. The video covers the work of the six Irish representatives at the Convention and includes interviews with Irish Ministers and with Romano Prodi, Giuliano Amato, Alojz Peterle and Dimitri Rupel. Essay and debating competitions for school students are underway.

The current Forum programme includes a number of plenary sessions on major Convention themes – the next session on 10 April will address the Charter of Fundamental Rights. Further sessions are scheduled for 1 May, 22 May and 16 June. Five regional meetings will be held in the period up to June.

It is anticipated that the Forum will continue its work through the rest of 2003, covering the completion of the Convention's work and the transition to the IGC.

Institute of European Affairs

The Institute continues to monitor developments within the Convention through a special Working Group chaired by the former Taoiseach, Dr. Garret FitzGerald.

It has initiated a new series of lectures on relevant themes, commencing with an authoritative presentation by Commission Secretary General, David O’Sullivan and a discussion of issues connected with Justice and Home Affairs and the Charter of Fundamental Rights, addressed by the Head of the Legal Services of the Commission, Michel Petite and other experts. The President of the European Parliament and the Irish members of the Convention Working Group on Defence are due to speak at the Institute in the coming weeks.

An analytical paper on the key Convention themes – “A Constitutional Treaty for Europe: Implications for Ireland” – has been presented to the Oireachtas Committee on European Affairs and more widely circulated. Ten detailed background papers have been posted on the IEA website:

Values and Objectives of the Union	Garret FitzGerald
The Democratic Life of the Union	Brigid Laffan
The Nature and Membership of the Union	Joe Brosnan, Mahon Hayes
Competences and Actions of the Union	John Handoll
The Charter of Fundamental Rights	Eugene Regan
Institutions in an Enlarged Union	Noel Dorr
External Action and Defence	Ben Tonra, Patrick Keatinge
Freedom, Security and Justice	Eugene Regan
Economic Governance	Peter Brennan, Tony Brown
Social Europe	Tony Brown

Address by Minister for Foreign Affairs

In the annual ‘State of the European Union’ speech at the Institute of European Affairs in January 2003, the Minister for Foreign Affairs, Brian Cowen, stressed the importance of the Convention and pointed to its potential influence on the subsequent IGC. This made it vital that Ireland’s essential values and interests are reflected in the outcome of the Convention’s work.

The Irish input to the Convention will be based on a number of principles: notably balance in the institutional framework with the interests and equality of all Member States fully protected; recognition that the nation state remains the basic building block of the Union; commitment to the principle of solidarity; and willingness to match the drive for economic competitiveness with enhanced social cohesion.

The Minister welcomed the proposal to create a single legal personality for the Union, paving the way for a single, clear treaty text. Recognising the existence of concerns about the idea of an EU Constitution, he argued that the outcome of the Convention and IGC would be a new treaty but that “as it will set out the basic values, objectives and procedures of the Union, the...description of it as a ‘Constitutional Treaty’ is

reasonable. If some choose to call it a Constitution, then so be it.” He argued that the new treaty will not affect the status within Ireland of the Irish Constitution. Ireland supports the extension of QMV to policy areas where it can help to increase the effectiveness of decision-making but argues that there is a limited number of areas of such sensitivity that unanimity must continue to apply. For Ireland, that argument applies in particular to the areas of tax harmonisation, foreign policy and some aspects of Justice and Home Affairs.

Ireland will adopt a pragmatic approach to the incorporation of the Charter of Fundamental Rights in the new treaty but continues to have concerns about the possibility that this might increase EU competence over social policy issues which are for national governments to make.

Speaking about the institutional aspects of the Convention’s work Minister Cowen described the effectiveness of the Commission as central to the success of the Union. Ireland supports the Benelux paper’s call for a strong Commission “in accordance with the Nice decisions.” The principle of equality of all Member States is central to the Irish position. Ireland supports the election of the President of the Commission and has put forward the model of an electoral college, comprising representatives of the national parliaments and the European Parliament, for this purpose.

While supporting the proposal for so-called “double-hatting” in respect of the Union’s external relations, the Minister expressed scepticism about the creation of a President of the European Council which could upset the existing balance between the Council and the Commission. Ireland has always seen the rotating Presidency of the Council as a highly visible expression of the equality of Member States, but there is openness to alternative approaches, such as ‘team presidencies’ which might meet the requirements of effectiveness and inclusiveness.

Minister Cowen went on to express some Irish concerns about aspects of the emerging proposals on Justice and Home Affairs, arguing that there should be openness to “carefully defined treaty change where this can be shown to be both strictly necessary and clearly beneficial.” Ireland cannot agree to communitisation of foreign policy but supports moves to make existing, and agreed, arrangements more practically effective. While the proposal for a solidarity clause to confront terrorist threats can be supported, the new Irish constitutional changes rule out entry into an EU common defence arrangement without the direct consent of the people.

The Minister concluded that the Convention must seek a genuine consensus, an effort to which Ireland will contribute positively, building the alliances necessary to protect both fundamental national interests and those of the Union.

15 March 2003