

# **Intergovernmental Conferences: An Overview**

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Once very rare indeed, the Intergovernmental Conference (IGC) has become a surprisingly frequent event on the European Union's political calendar. The IGC of 1996 will be the fourth in eleven years, but only the sixth in the Union's 45-year history. All of its predecessors have marked crucial advances in the European construction.

Their growing regularity is vital testimony to the pressures for change which have been, and continue to crowd in on the Union. Pragmatically, but with determination, the three in the last decade have tried to respond to these pressures with a mix of institutional reforms, changes in procedures and the addition of new competences and forms of cooperation.

Obviously, the IGC process is not an invention of the Union - it is as old as the relationships between sovereign powers. With the growth of global interdependence, intergovernmental conferences have been seeking multilateral solutions to problems in such areas as the environment, aid programmes and international trade. They have resulted in agreements and Treaties between sovereign nations which expand the frontiers of international cooperation, and frequently deepen it.

Within the Union, however, the IGC process has acquired a more general importance. IGCs do not directly develop the specific content of policies - as might, for example, an international agreement limiting pollutants - but they do alter the legal and institutional framework and the procedures by which policy agreements are made between Member States. The two IGCs of the 1950s were exercises in political construction based on the writing of new Treaties. The three most recent, were involved in adding to the existing Treaties and in amending them.

## **Characteristics of an IGC**

An IGC is, by definition, a negotiation between governments outside of the framework of the Union's procedures and institutions. Each has its own particular flavour and qualities, but they all share important similarities:

- their negotiations are usually shaped by a previously-prepared reports and recommendations
- most of the detailed work is done by expert officials under the guidance and coordination of the Council of Ministers (1985 and 1990-91). In 1991, the final terms were determined by the European Council
- all have succeeded in achieving their fundamental objectives

## **Laying the Foundation Stone - The 1950-51 Intergovernmental Conference**

This was the founding moment in the Union's history. The IGC, which began in May 1950, brought together France, Germany, Italy and the Benelux countries under the chairmanship of Jean Monnet. Other participants included Walter Hallstein, who led the German delegation and was subsequently an outstanding President of the Commission, and for the Dutch delegation, Dirk Spierenberg, later a prominent public servant in European affairs.

Negotiations were based on the Schuman Plan - the proposal for placing Franco-German coal and steel production, and that of other nations that wished to join, under a common High Authority.

The Treaty of Paris of April 1951 placed the Coal and Steel Community under the control of a High Authority which was made answerable to an Assembly with powers to dismiss it. Its actions could be legally challenged at a European Court of Justice.

Essentially, this institutional model was to be adopted for the European Economic Community at the second IGC.

## **Building Europe - 1955-57 Intergovernmental Conference**

After the foreign ministers of the Six had launched the IGC at Messina in April 1955, a project group was set up under Paul-Henri Spaak which reported in favour of creating a common market for all goods and services based on a customs union with a common external tariff. It also proposed a union in the field of nuclear energy. The report was approved by Foreign Ministers at Venice in May and negotiations between officials began shortly afterwards at the Chateau Val Duchesse in Brussels.

In March 1957, the Six signed the Treaties of Rome establishing the European Economic Community and the European Atomic Energy Community (Euratom). The institutions of these two Communities were merged with the ECSC in 1965.

From the outset, the EEC shared the same Parliamentary Assembly and Court of Justice with the ECSC but its High Authority, the Commission, had less authority over member governments.

### **A long interlude**

Twenty seven years were to elapse after the launch of the EEC before Member States were again to resort to an IGC in search of a response to new challenges. Why was this? Some historians say there was a decline in the federalist impulse which had led to the creation of the ECSC and the EEC. Others put the blame squarely on the economic difficulties created by oil price shocks which pushed inflation and unemployment up and political confidence down.

Certainly, attempts were made in the early 1970s to set the Community on a path to economic and political union after its enlargement to include Britain, Denmark and Ireland in 1973. But these were not based on any use of the IGC and were nullified by economic crisis and political weakness. At the same time, a new and transparently intergovernmental element was introduced into Community decision-making in 1974 with the first meeting of the European Council.

Originally conceived by the then French President Valery Giscard D'Estaing as an opportunity for intimate and informal discussion and agreement between heads of state and government, the European Council swiftly filled a void in Community decision-making. It became the locus of discussion and negotiation on issues which the Council of Ministers was unable to resolve. From that point, it was only a small step for the European Council to assume its modern strategy-setting role, not only for internal policies but also in determining common positions on key issues of foreign policy.

### **The 1980s turning point**

During the first half of the 1980s, however, new external and internal pressures were strengthening demands for reforms which prompted most member states to think in terms of reviving the IGC mechanism. Internal demands for change were generated by widespread dissatisfaction with the working of the Community and anxieties that Europe was steadily falling behind the US and Japan in economic performance and technological development. Economic weakness was attributed by many to fragmentation of the Community's market by non-tariff barriers.

Many blamed this lack of dynamism on a reassertion of national power at the expense of the Community's institutions and procedures. This view was particularly rooted in the European Parliament which had been directly elected since 1979. In 1984, the Parliament adopted the Draft Treaty of European Union, inspired by the mercurial, grey-bearded Altiero Spinelli, an Italian radical and former Commissioner.

The Draft's proposal for a federal reform of the Community institutions appeared to many to be too federalist for its time. Nevertheless after the European Council had responded by setting up an ad hoc committee, this committee (headed by the Irish Senator James Dooge) produced a report in favour of institutional reform which found much to commend in the Parliament's draft.

Meanwhile, the new Commission headed by Jacques Delors produced its recipe for galvanising the Community's economy: the White Paper, *Completing the Internal Market*, which set out a detailed timetable for enacting nearly 300 measures to remove non-tariff barriers by the end of 1992.

But if this was the remedy for economic weakness, it could only be applied by attacking the sclerosis which was steadily invading the Community's decision-making process. At the European Council in Milan in June 1985, the heads of government approved the Commission's White Paper on the internal market and also decided, by an unprecedented majority vote, to set up an IGC to consider institutional reform.

### **Relaunching Europe - the 1985 IGC**

The Dooge Report and the Single Market White Paper were working papers for this IGC. The political objective was to agree a package of reforms which would guarantee fulfilment of the 1992 programme. In reviving the IGC mechanism, governments could now draw upon nearly 30 years of experience of working together to use it to best advantage.

Most of them fielded their Permanent Representatives as chief negotiators. These all had immense knowledge of the Community's policies and practices and knew each other well from their weekly encounters in the Committee of Permanent Representatives. As members of an exclusive club with well-established conventions and a high level of personal trust between many of its members, they knew how to negotiate to agreement. This IGC reached a rapid conclusion in less than four months between September and December.

The trophy presented to the European Council was the Single European Act, a series of treaty amendments which at the time disappointed those who were looking for a federalist leap forward. Subsequent experience revealed, however, that the Single Act enabled the Community to make very significant progress.

It committed the Member States to completing the internal market by 1992, made this possible by a significant extension of majority voting, developed the Community's powers in economic and social fields, enhanced the role of the European Parliament and formalised cooperation in foreign policy and the existence of the European Council - neither of which had previously featured in the Treaties.

### **Towards Economic and Monetary Union - the 1990-91 Intergovernmental Conferences**

As it became clear that Member States had the political will and, thanks to the Single Act, the procedural flexibility needed to achieve the single market, attention swiftly turned towards the question of a single currency. Jacques Delors, the Commission President, shared the view of many influential economists that free movement of capital goods and services was not compatible with nationally determined monetary policies.

They believed that the European Monetary System was too fragile an arrangement to survive this anomaly, and that it could be severely damaged if economic and monetary policies were not unified - a conviction that was vindicated by the currency storms of September 1992.

In June 1988, the European Council set up a committee, chaired by Delors, to produce proposals for an economic and monetary union. The Committee reported in April 1989 and explicitly drew attention to the transfer of powers to the Union which would be necessary as well as the institutional changes. In December of that year, the European Council decided to call an IGC to prepare the necessary Treaty revisions for a complete economic and monetary union.

The sudden collapse of the Soviet empire in eastern Europe and the reunification of Germany in October 1990 led both France and Germany to seek closer political integration of the Community. The European Council of June 1990 adopted the proposal of Chancellor Kohl and President Mitterrand that an IGC on political union be held in parallel with that on monetary union. Both were formally launched by the European Council in Rome in December

1990 and resulted in the Treaty on European Union, agreed by the European Council at Maastricht in December 1991.

### **One IGC will lead to another**

The IGC on economic and monetary union was comprised mainly of officials from national Treasuries and Finance Ministries. As did all previous IGCs it had a seminal report to draw upon - the Delors report - and also a great deal of preparatory work that had been carried out by governors of the Community's central banks. The result was a structured design for EMU based on a single currency, a European Central Bank and a phased programme for establishing them by 1997 or at the latest by 1999.

Most Member States again deployed their permanent representatives in Brussels for the IGC on political union - France, Denmark and Italy were the only exceptions. The result of their labours was more complicated - stronger powers for the European Parliament, a modest extension of Community competences and of majority voting into areas of social policy, counterbalanced by cooperation in the fields of justice and home affairs on a largely intergovernmental basis.

Modest steps were designed towards the construction of a common foreign and security policy in a system which is more intergovernmental than that of the Union, although the Commission and Parliament do play a part and there is an opening for the use of majority voting.

The Treaty on European Union, which amends the other Treaties but does not replace them, is the first to schedule a subsequent IGC to review its working. This is to be launched in 1996 with preparations opening, symbolically, with a meeting of Foreign Ministers in Messina on the 40th anniversary of that historic conference which laid the path to the Treaty of Rome.

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[IGC]

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# **Intergovernmental Conferences 1950-95**

**1950-51:**

**resulting in the Treaty establishing the European Coal and Steel Community**

**1955-57:**

**resulting in the Treaties establishing the European Economic Community and the European Atomic Energy Community**

**1985:**

**resulting in the Single European Act**

**1990-91:**

**two IGCs resulting in the Treaty of European Union**

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**[Back]**

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# **The Importance of Reports**

**Most IGCs have been shaped by a key report:**

**in 1950: the Schumann Plan**

**in 1955: the Spaak Report**

**in 1985: the Dooge Report and the Single Market White Paper**

**in 1990-91: the Delors Report on Economic and Monetary Union**

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[\[Back\]](#)

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