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NOTE TO HEADS OF REPRESENTATIONS AND ANTENNES

Subject: Information Strategy/IGC

You may be interested in the enclosed Compte Rendu of some presentations made on the subject of information strategy and the IGC in the last few weeks.

Peter DOYLE

Enclosures: Presentations by Ramon de Miguel, D. Martin & J-L Bourlanges, President Hensch, Michel Petite

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Compte Rendu of Presentations on the Subject of Information Provision

Ramon de Miguel

May 3rd marks the end of the new Commission's first 100 days. Jacques Santer described its ambitions in his speech to the EP from which we can draw 3 central messages:

- 1) That the EC should be closer to the people
- 2) That it therefore should keep to the motto of "Less, but better"
- 3) That it should work more closely with other institutions

In pursuit of the first we must therefore ensure that we put out clear and simple messages. Even if they deal with technical matters they must be explicable. The Bruxelles press corps is extremely knowledgeable because they have been here for such a long time; because of this we do occasionally have a tendency to talk jargon. Subsequent articles are thus not always intelligible to many readers. Another related problem is that there is often too much emphasis on the written press; we must make every effort to use multimedia possibilities.

In pursuit of the second we must concentrate on those things we do best. Subsidiarity should be applied to information policy. This does not mean necessarily that the Commission should do less but rather that the member states should do more. And it works both ways - added value may best be achieved at an EU, not national level. It is worth noting that the Edinburgh Council drew up a list of 100 directives that should be withdrawn in the interests of Subsidiarity. Of these only 3 were initiated by the Commission; the rest had been suggested by the Council. Subsidiarity also means that there should not be one single message as the markets for information are different. At the very least we should be able to vary our presentation across different audiences.

In pursuit of the third we must ensure greater co-operation with the EP. The Commission and Parliament have frequently ignored each other. At present their respective offices are not in the same location and their messages are often different. We also need more co-operation with the Member States.

It is not a coincidence that Mr Oreja's portfolio contains both DG X and the IGC. One of the most serious mistakes of Maastricht was its being behind closed doors. Every Member State should hold a Referendum, and will be under pressure from electorates to do so. Governments will have a big information role to play.

The IGC should be the Member States' main EU Info commitment for 1996. It will last longer than we think, perhaps a few years. We need to win the fight on the streets.

IGC (David Martin and Jean-Louis Bourlanges)

David Martin:

- 1) The need for the EU to deliver effectively on existing and future policies.
- 2) The need to be more appealing and closer to citizens (Subsidiarity)
- 3) The need to cope with enlargement (decision-making is close to breakdown).

To provide these it stresses,

(1) A simpler and more inspiring treaty. The average citizen should be able to read it and understand the aims of the EU and how it works. Ireland produced 10 pages on Maastricht and got a "Yes"; the Danes did the opposite.

DM would like to consolidate and get rid of outdated articles. (E.G. That the CAP should increase agricultural production.

It will be difficult to get a single institutional structure in 1996, because it would mean getting rid of the structure of 3 pillars, which it would be premature to try and remove. Pillar III takes one of the 4 freedoms (movement of people) out of the Commission structure and could thus be a breach of the treaty of Rome.

(2) Concerning "becoming more appealing to the Citizen": The chapter on Economic and Social Rights, and Working Rights, is extremely relevant here: So are new rights relating to racism, xenophobia, & human rights & the social dimension. Properly handled, this could provide a clear statement that the EU speaks for people. We need also more openness in decision-making. All documents should be made available unless there is a political decision otherwise. The Council should meet in public when passing legislation (not when acting as executive).

(3) Concerning Subsidiarity, there are too many overlapping competences.

(4) In order to "deliver", we will require more efficient decision-making and more accountable institutions; instead of 25 decision-making procedures there could be 3.

Other recommendations are:

- Co-decision and majority voting should be the norm.
- Assent (e.g. for multinational).
- Consultation only for foreign policy and non-legislative areas.
- On Majority voting versus unanimity, there are arguments for using QM for changes in the treaty, eg re own resources and tax matters.

We hope also to change institutions for Enlargement.

71% of votes could be still a minority of the population. Double majority might then be recommended. A QM and population cohesion combination is complicated. It would be better to give 4 Member States 15 votes.

- The quid pro quo for smaller member states would be the guarantee of 1 Commissioner per Member State while getting rid of 2 Commissioners for some states.
- Concerning the 2 courts, we must go below 1 judge per Member State. We could not have 24 or 30 judges.
- Similarly the EP is close to breaking point and +700 MPs would be unworkable

Policy Framework for the 21st Century:

We must consider

- How and when to get rid of Pillars
- Reform of the CAP (whose goal is to increase production)
- The distinction between obligatory and non-obligatory spending
- On EMU we must not reopen criteria on timetable but could add goals for employment, cohesion, etc.

These ideas would move the EU closer to federalism, especially by giving the Commission a greater role in all pillars.

Jean-Louis Bourlanges

Federalism means different things in different member states. In France it means a United States of Europe. It is a more respectable word in Germany.

DM

We favour disproportional weight to small member states but the question is how disproportionate. Luxembourg has 2 votes so Malta and Cyprus should get at least 2. Some smaller Member States like Ireland are not against 15 votes for the larger countries.

- On EMU, there should be no new criteria but there is a need for a parallel economic policy to go alongside monetary union.
- A lot of dead articles, and technical working groups should be set up as part of the IGC to look at these. e.g: EP has to make annual report to Council of Europe assembly (ECSC Treaty).
- Need to have the final legal text of the new treaty available when national parliaments' debates start.

J-LB

I am against extra votes. I prefer conditional simple majority voting, and not double majority.

With Pecos we will have 6 large and 14 small states - this would lead to a situation in which the small states could block a majority.

Double majority might be too complicated and 15 votes easier and neater.

Problems to be faced are that:

- There is too much technocracy
- The regionalisation of security in Europe will result in the gradual withdrawal of the US.
- QM in the PESC will be difficult in the short term. So some member states could act and others not, but there should be no blocking by those who don't want to participate.
- PESC presidency has no real power. The Big 3 ignored it in Yugoslavia.
- The Commission should have initiative powers and the Council decision-making powers. But it will be difficult to persuade Member States to reverse Maastricht.
- The Commission should be politically responsible before the Council as well as the Parliament. Delors was ready to accept this.
- There is a need to cope with the greater diversity of the EU which enlargement will exacerbate.

- Extra members must mean end of unanimity. It is ironic that an inter-governmental Europe has become more à la mode when it should be the opposite. It is the dying kick of nationalism.
- I favour a massive reduction of the number of Commissioners
- We must accept that there is no such thing as European public opinion but there is National public opinion on the EU. There is only derived EU citizenship, and not direct.

President Hensch

The EP now has more real power.

- Mr Santer would not be President of the Commission without EP vote. Ditto the Commission as a whole. The hearings have given more legitimacy to the Commission, which is now more dependent on the EP.

- The EP also has more power over legislation; some legislation has to have EP approval. For example, the EP rejected the genetics patent directive and the Turkey Customs Union.

- It is misleading to say that the EP has no power over the Commission because it can only dismiss it as a whole and not individual Commissioners. National Parliaments don't have this power either, (except theoretically).

- EP should have co-decision in all cases of Q.M. This is a central EP demand for the IGC.

- It is better to use our present powers correctly than to press always for new ones. Also we must make our use of them more transparent and democratic. The general public has trouble knowing which of the institutions decides what.

- There is more public interest in the IGC than Maastricht, where people only woke up 1 week before to what was going on - due to the closed nature of the debate. The bulk of the information work must be done in the individual states and the more local the better - not just governments but also political parties.

- The notion of national parliaments composing an EU senate is daft. The same is true for any additional institution, which would only confuse people more. What we need is a better balance between existing institutions and more efficiency

- There is more likely to be a different shareout of power between different EU institutions rather than more transfer of sovereignty to us. If we can persuade people of this they might take more interest in and/or be less hostile to the IGC.

- The Conference of Presidents of the EP and the 15 national parliaments which is held annually takes place in London on May 15th. They will discuss information among other forms of cooperation. A sub-group COSAC meets every 6 months. Now concentrating on IGC. There also will be ad hoc meetings. Brok and Guigou (members of IGC Groupe de Reflexion) will be in close touch with National Parliaments.

Michel Petite

There are more questions than answers at this early stage.
The overall agenda is composed of three phases.

- From now until June 2 Reports will be prepared and published on the functioning of Maastricht by the three institutions. We have had only one and a half years of experience of Maastricht.

- From June 2 to end 1995: Messina will establish a reflection group which will produce a Report for the Madrid Summit on what the IGC should agree. Could also produce options if there is agreement.

- Jan 1 96 beginning of IGC under the Italian Presidency

(1) Concerning these Reports - That of the Council is very factual but if one reads between the lines one can find some criticism of Maastricht, although Council doesn't want to commit itself to radical change. The Commission will be between the Council and EP approaches. It sees three shortcomings:

(a) Maastricht was overcomplicated with +/- 20 different legislative procedures (co-decision, Cooperation, QM etc). These should be reduced to 3 or 4 eg one for foreign affairs, one for internal, one for budget, and one for changes in the Treaty.

It must be clear who is responsible for decisions - people tend to blame Brussels.

(b) The PESC in particular is very complicated. Also it has not worked well. With better procedures something might have been done in Yugoslavia. The procedures are certainly faulty - however the real problem is the lack of political will. There has been no central analysis faculty. France, the UK and so on have their own and come to the table with their own national analysis. A central cell could both do analysis and provide options. The PESC suffers from a "deficit of personality". Who, for instance, does Clinton phone. He used to phone Delors who had to say he had no power. So Clinton has to scrap his telephone numbers every 6 months. One suggestion is to have one PESC specialist minister appointed by the summit and attached to the Council (For how long? Would he also be attached to the Commission?) It would be difficult to make the Presidency longer. With 15 you are allocated. Also it has not worked well. With better procedures something might have been done in Yugoslavia. The procedures are certainly faulty - however the real problem is the lack of political will. The system providing for QM for implementation has never been used.

ready have to wait 7 1/2 years.

(3) The Third Pillar. This has been the worst failure of Maastricht. It has not worked at all. The main reason it has not worked is that its procedures were directly copied from Pillar II. But PESC is quickly moving whereas Pillar III concerns issues of long duration. (The negotiation of conventions).

• We must consider the efficiency of Maastricht in view of the new Europe. Can we have unanimity with 30 (6 PECO's + 3 Baltics + Malta + Cyprus + some ex-Yugoslavian republics). We may need to remove areas subject to unanimity such as tax from the Treaty.

- The question of multispeed options must be considered. So far, what has worked is where "balanced priorities" were agreed on, e.g. The UK wanted the liberalization of financial markets, Germany wanted common industrial standards. These had to be done together or not at all.

There should be economic as well as the monetary union. If there is too much à la carte action you end up by dismantling the Union. All multispeed questions will be left to the end of the negotiations.

- There will of course be parallel agendas to that of the IGC.

(a) In 1998, WEU review (Treaty of Bruxelles)

(b) In 1999, end of structural package (Delors II)

(c) Also, PECO enlargement which is linked.

Sometime towards the end of the IGC the (b) & (c) agendas will coincide

(d) EMU in 1999. IGC will not re-open the criteria. That is the general feeling.

The Commission cannot go too far in its demands too quickly because it is not equipped (eg defence) but also because it does not want to offend member states. Most of the IGC reflection group are Secretaries of States. The Reflection Group will not necessarily be a negotiating group but could end up like that as some options become clearer.

On Pillar III, we have seen very loose cooperation on traditional areas but no real progress on issues such as the asylum convention. So either you communitarize this with, perhaps, a different legal tool (rather than relying on directives).

Another recommendation could be an extension of co-decision. The Commission feels that it has worked well and that it combines well with QM. Michel Petite favours extending it to all QM votes.