

CONV 135/02

NOTE DE TRANSMISSION

du: Secrétariat

à la: Convention

Objet: **Rapport concernant le débat national sur l'avenir de l'Europe**
- Irlande

Les membres de la Convention trouveront en annexe le rapport concernant le débat national organisé en Irlande sur l'avenir de l'Europe.

European Convention Ireland's National Debate on Europe

In the context of the debate on the Future of Europe launched by the Nice Declaration of December 2000, the need for a structured and wide-ranging debate on Ireland's role in the European Union was widely recognised. The outcome of the June 2001 referendum on the Nice Treaty underscored the point. In July 2001 the Government announced its intention to establish the National Forum on Europe which, following consultation with opposition parties, was set up in October 2001. In addition the Government has agreed with the Oireachtas (Irish Parliament) to establishment of a much more comprehensive and thorough system of transparency and accountability in relation to the examination of proposed EU legislation.

National Forum on Europe

Since its establishment, the National Forum on Europe has been one of the principal focal points for debate on Europe. Its mandate is to "facilitate a broad discussion of issues relevant to Ireland's membership of an enlarging Union and to consider the range of topics arising in the context of the debate on the future of Europe".

The Forum is intended to be as inclusive as possible. Its membership comprises the political parties and groupings represented in the Oireachtas (Irish Parliament). There is also a Special Observer Pillar involving the social partners and other representatives of civil society, in particular those with an interest in EU matters, as well as political parties from Northern Ireland. Its sessions are open to the public and provision is made for public participation in its debates.

Senator Maurice Hayes is the independent Chairman of the Forum.

Work of the Forum

The work of the Forum to date has been divided into two distinct phases. The first, from October to December 2001, concentrated primarily on the subject of the enlargement of the European Union. Its second phase, from January to March 2002, focussed more on the debate on the future of Europe and on Ireland's future in the EU. Issues discussed included the choices for Ireland in an enlarged Europe, questions concerning the governance of the EU, approaches to EU foreign and security policy and democratic legitimacy.

While the Forum meets normally in Dublin, sessions have also been conducted countrywide and the response was very favourable, with high levels of audience participation at every venue. The Forum has heard from a number of leading Irish and European figures, including some from the candidate countries and has received a significant number of written submissions on a broad range of EU issues from individuals, groups and organisations.

Forum Reports

The Chairman of the Forum has produced two reports to date, both of which are being made available to the Convention. The first Report, published in February 2002, concluded that there was a broad consensus, in the Forum and in the submissions received, in favour of the enlargement of the EU. It made clear that there was a strong awareness of the continuing immense economic and social benefits of European Union membership for Ireland. The Report also outlined concerns expressed in regard to the Treaty of Nice and other aspects of the future of Europe debate. It also noted that some contributors had expressed concerns about security and defence issues in the EU

and their effect on Irish neutrality, as well as the perception of a shift in balance in favour of the larger member states and inadequacies in the areas of legitimacy, accountability and transparency. The Forum Chairman's second Report, published in May, picked up on key issues identified in its first Report. It concentrated on the balances between Member States; governance; legitimacy, accountability and transparency; and concerns about sovereignty and sensitive policy areas (eg security and defence).

The Report identified a number of areas of common ground, including, once again, a strong consensus in favour of enlargement, the absence of a threat to Ireland's national and cultural identity from EU membership, the need for close EU integration in economic, social and environmental areas, implemented sensitively, and the valuable role played by the EU in the Northern Ireland Peace Process and in assisting the development of relations in the island of Ireland, North and South.

The Report looked at the decision-making structures of the Union, and in this respect examined the role, size and composition of the Commission, the role of the European Parliament and the part that national parliaments can play in scrutinising EU matters. In this regard, it welcomed proposals for reform of arrangements for scrutiny within the Oireachtas.

The Report made clear that the issue of security and defence policy was the area of greatest sensitivity for many participants. It stated that the problem for many citizens is how to ensure that "laudable peacekeeping objectives are preserved in ways which can be harmonised with Ireland's traditional policy of neutrality" and "in conformity with the principles of the UN Charter". It suggested assurances from the Irish Government that "nothing it commits to under Nice, or indeed earlier Treaties, requires, suggests or implies a departure from Ireland's traditional policy of military neutrality or the values underlying it" and that "there is no plan to change the basis on which Ireland participates in peace-keeping and conflict prevention operations" The Report added that a "plainly worded statement of the Government's perception of Ireland's commitments...could assuage these fundamental areas of concern" and that a further measure of reassurance would be for EU partners to confirm that Ireland's neutral status would be fully respected.

Future work of the Forum

The National Forum is expected to continue its work for the foreseeable future, and for the most part to focus its work on the themes being addressed by the European Convention. On 18 June, the Irish Members of the Convention are to address the Forum, and it is expected that contact between the Forum and the Irish Members of the Convention will continue. It is also envisaged that the Forum will in the autumn hold a further series of meetings outside Dublin.

Oireachtas

Alongside the National Forum the Oireachtas has increased its focus on EU matters, particularly since the referendum on the Nice Treaty in June 2001. The principal elements in the future of Europe debate, such as enlargement, have been the subject of much discussion in the Oireachtas and all political parties are more than ever cognisant of the need to ensure that there will be much more transparency and accountability in relation to EU matters.

Joint Committee on European Affairs

Within the Oireachtas, apart from the debate in both Houses, the main focus for debate on the future of Europe has been the Oireachtas Joint Committee on European Affairs. The Joint Committee is cross party in nature and includes members of both Houses of Parliament. It meets in public and its proceedings are televised and available to public broadcasters. In the lifetime of the 1997-2002 Dáil, it was chaired by Deputy Bernard Durkan.

In January 2002 the Committee published a detailed “Report on the Future of the European Union”. Deputy John Bruton, one of the two Oireachtas representatives at the Convention, acted as Rapporteur to the Committee on this report and has made the Report available to the Convention.

The Report was broad in scope, covering issues such as the EU and the wider world, European defence, making the euro work and agriculture and enlargement. It recognised the importance of a strong Council and Commission, encouraged the transfer of some items from Pillar 3 to Pillar 1, sought greater transparency at Council level and advocated a rotating Council presidency. It also looked in detail at how to enhance the Union’s democratic legitimacy. In this respect it, *inter alia*, proposed the direct election by European citizens of the President of the Commission, and called for national parliaments to play a greater role, especially at the level of domestic scrutiny. It did not favour a strict catalogue of competences, but advocated simplification and rationalisation of the Treaties. In regard to fundamental rights, it saw legal difficulties in incorporating the Charter of Fundamental Rights, and advocated EU accession to the European Convention on Human Rights. The Report did not call for any slowing down of the pace of change in the Union, but argues that mechanisms must be put in place to give all Europe’s citizens a much greater sense of democratic and personal involvement in process.

With respect to the Treaty of Nice, the Report made clear that the enlargement of the Union now envisaged could not happen without Treaty changes of the kind proposed in the Treaty. Asking why the Treaty was rejected, it pointed to a problem it believed existed in all Member States, that is, a feeling amongst EU citizens that they have little real part in the decision making process and little sense of identification with those making the decisions.

The Report examined the possible effects of a failure to ratify the Treaty, and concluded that this would pose huge economic and political difficulties for Ireland, especially for those sectors of society that are especially reliant on having a strong and guaranteed Irish input to European Union policy processes and/or to European markets.

The Committee also looked at ways in which Irish concerns about the Treaty could be assuaged and concluded that a political declaration of the European Council could help address these concerns. It noted that there is no commitment to mutual defence in the Nice Treaty, or in any other EU Treaty. Member States, like Ireland, retain complete freedom of action in defence matters and there is no proposal, either on the table or in prospect, that would change that. The Report commented that a declaration that reaffirmed all this could be helpful and reassuring.

The Joint Committee in a separate report on enlargement dated April 2002 fully supported the principles of enlargement and the declaration made at Laeken on the early admission date for the 10 selected applicant countries.

It is expected that the new Oireachtas Joint Committee, which is to be formed following the election of both Houses, will continue to monitor the Future of Europe debate closely.

Other Useful Work on the National Debate

Valuable contributions to the national debate have been made by organisations and groups, particularly the Institute of European Affairs, in promoting public awareness and understanding of EU issues through debates, papers, conferences and reports.

Dublin
14 June 2002