

<b>Informal European Council Athens 16 April 2003</b>
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## **European Convention**

### **Background Note**

#### **1. Context.**

The President of the Convention, Valéry Giscard d'Estaing gave his last state of play on the Convention for Heads of State/Government at the Copenhagen Summit. The original intention had been to have a further discussion at the Spring European Council but this proved to be impossible to organise.

In advance of the Spring European Council, the President of the Convention wrote a letter to Prime Minister Simitis proposing that five institutional issues should be dealt with at the meeting. The content of the letter raised a number of concerns amongst Member States. Some delegations (IRE, NL, P) felt that other issues should be addressed, such as the process and the calendar of the Convention's work. Whilst not opposing the idea that the Heads should address those five questions, they insisted that this should not constitute a shift from the Convention to the European Council, and that the Convention should continue its work until it reached its outcome. This position reflects a general concern surrounding the approach of the President of the Convention and the emphasis that he has given to certain positions of the larger Member States.

The informal European Council will begin at 9.30 with an exchange of views with the President of the European Parliament, Mr Pat Cox. The formal session of the European Council will then run from 10.00-12.00. The fifteen existing Member States and the ten new Member States will be present for the session.

#### **2. Risks associated with the meeting**

The meeting in Athens on 16 April is primarily to sign the Accession Treaty, adopt the Acropolis (Athens) Declaration and provide an image of the re-unification of Europe.

The Presidency must be careful to ensure that the following scenarios are avoided:

- The Athens event is overshadowed by a return to the divisions between large and small Member States that has been simmering since Nice or the division between blocs of countries on the key institutional issues that has existed for the last eighteen months;
- The suggestion that the views of the new Member States are not taken seriously;

- The impression that the work of the Convention has been ignored and the sensitive issues will only be addressed by the Heads of State and Government in the forthcoming Intergovernmental Conference;
- The impression that Giscard d'Estaing has "Carte blanche" to orientate the outcome of the debate and overrule the Praesidium and the plenary of the Convention

### 3. Approach

Giscard d'Estaing has raised five specific questions for deliberation by Heads of State/Government and Foreign Ministers. Due to the risks associated with the questions of the President of the Convention (see below), it is important that the Presidency controls both the format of the debate and the conclusions that are drawn from the meeting.

We would recommend that the following approach should be adopted:

- a) An intervention by the President of the European Parliament following by an exchange of views. The Presidency should be prepared to raise a small number of questions to Mr Cox to ensure that a real debate takes place.
- b) At the start of the formal meeting on the Convention (10.00 am), the Prime Minister should make a brief introduction (2-3 minutes) on the reason for the meeting and the importance that the Presidency attaches to achieving a debate on the report at the 30 June special European Council. It should also be stressed that this is not the decision-making phase but the time to give an indication of the type of changes that should be envisaged. Specific reference should be made to the importance that the Presidency attaches to the views of the ten new Member States.
- c) The President of the Convention should then be given the floor to make a brief statement (no more than five minutes) on the current state of play and the reasons behind the five questions he has submitted.
- d) Before handing over for delegations to intervene, the Prime Minister should then intervene to underline that delegations are free to raise other issues than the five questions outlined in the Giscard d'Estaing letter. We would also propose that the Prime Minister stresses that he does not intend to go through the questions in order, but that delegations have a maximum of 2-3 minutes to give the orientation points they wish to make.
- e) Delegations make their interventions and the President of the Convention responds to any specific questions that are asked.
- f) At the close of the meeting, the Prime Minister should make a series of remarks on the general direction of the debate. This will be the opportunity to highlight a number of points of importance for the Presidency and Greece (Community

method, democratic accountability, strengthened role of the Commission, simplification rather than addition of new institutions etc) and also a chance to restrict the room for manoeuvre of the President of the Convention who will be keen to focus the attention on his own priorities (President of the European Council, a Congress, a limited role and size of the Commission etc).