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Conference on Participation to the Law Making Process in the Economical Field

General Aspects of the Participation of Stakeholders in the Construction of the EU

This subject, which has been planned for a while comes at a time when Macedonia has, only some days ago, applied for EU accession, therefore its actuality has increased and it now a real issue. The second question of lobbying which is like a red file going through all contributions also reminds me that recently an Association for the Improvement of the Breeding Standard of Cats has been founded in Brussels - maybe as the ultimate subject of lobbying in Common Agricultural Policy.

But after all, as to lobbying the recent application by Macedonia reminds me of the situation of Slovenia in the late 1990s when you could ask people in the streets in France, UK, Italy or Germany on Slovenia, and there was just the reply "Are they still shooting down there?", or it was a general mix-up of Slovenia, Slovakia and Slavonia. The consequence is - and this is a new task for this country - that the whole of **Macedonia must lobby for its own country**, to make it more known, to induce in the Europeans more conscience of it, and to obtain positive associations with this name.

The European construction started not only in the early 50s, but politically today's European integration started in those days. At the origin there was **peace as main objective**, expressed 1950 by wise and unique leaders like the French Foreign Minister Robert Schuman, which in the following years led to a European Movement in every EU country trying in demonstrations to tear down the customs barriers physically at the border stations - and this only a few years after World War II!

This Schuman principle - to avoid once and for all a new German-French war, which has been conducted three times within 70 years, and which principle is self-evident today for Western Europeans - leading to **European integration is exactly what the Balkan needs today, in order to overcome nationalisms**. This idea of a supranational structure "Europe" beyond all national structures turned out to be extremely attractive and successful, otherwise we would be zero member states, having started with six, and not today 15 and tomorrow 25. Croatia and Macedonia are the first two Balkan states who

submitted their applications to join the EU, which will now induce a cumbersome, tough, long but rewarding process in these countries.

Who should actively pursue, now in this country, the construction of the EU?

First of all these are the **institutions of the states**, or of Macedonia. They should serve insofar their economies as they propose and adopt rules for their economy which let the business of Macedonia profit as much as possible from the European Union and its Single Market

Second, it is the **business**: It is in their own proper interest that and if Macedonia is as fast as possible included in the EU Single Market and the Euro zone. To be *de facto* a member of the Single Market and therefore to profit of this unique - and nowadays often imitated zone in the world - is not a matter of being a statutory member of the EU, it is a matter of clever legislation and enforcement hereof even years ahead of the inclusion into the Single Market, quasi anticipating its effects, what we often could see in the present EU at the end of the 1980s.

Third, it is the **civil society** - the NGOs, the associations, the media, the churches etc. In this context Macedonia must be congratulated to have a **European Movement** of its own, which should be very active, very qualified, linked up to their counterparts in the EU and thus playing the European conscience. From what I have seen here, this is fully the case, and I wish this European Movement all the best in its further endeavors!

It is an expression of this civil society that there is and should be a broad-scope and **non-partisan approach**. In this context, the other Europeans have appreciated that not only the Prime Minister, but also his deputy, an Albanian, as well as the Minister of Foreign Affairs as well as the leader of the opposition has made up the Macedonian delegation to Dublin some days ago, when deposing the application for EU membership. In all other existing and forthcoming EU countries, there is no division between government and opposition on substantial questions of EU membership.

In this context, it should be expressed that it is now time that Macedonia becomes acquainted with the forthcoming **EU Constitution**, and above all its part II, the EU Charter of Fundamental Rights. Only one issue continues to remain not being agreed upon, the question of the weighing of the voting rights in the Council of the European Union, but also here a solution is in sight. This EU Constitution should, by the way, be integrated as much as possible in the conscience of the future Macedonian EU membership by the people for it will terminate for several years the patchwork we have obtained by the ever fast following new treaties: Rome 1957, European Single Act 1986, Maastricht 1992, Amsterdam 1996, Nice 2000. The EU Constitution will contain not only the values and fundamental rights, but also many functional clauses, and therefore it will be a well operating basic law for all future members of the EU as well as for the present ones.

What role plays the **European Parliament** in the context of the participation of stakeholders in the construction of the EU? The European Parliament is the voice of the people and the peoples of Europe, and though it has not yet reached a status which is fully parallel to most of our national parliaments, it has a lot of political influence. It has also legal influence and this more than some people and institutions like. But in general it can be said that the European Parliament is following a step-by-step strategy. It controls the Commission by many means - written and oral questions, debates, reports to laws, by controlling the budget, by being involved into the budget, by confirming and recalling the Commission, which latter has been once defacto the case some years ago. But it is also the "rabble rousing" mechanism, the public debates which can be started by any of the Members, which make it unique in its impact. Seen only under this aspect, it is much wiser to belong to the European Union and have a voice within its mechanisms than being outside without having a say inside.

But also for the **lobby**, the many associations to the EU institutions, it is important. Who knows lobbying can exercise a big influence - not necessarily as lobbyist but as an information giving person to the Parliament whose members sometimes do not know exactly what they have to discuss about, and who are grateful to anybody giving them information. They usually know how to differ objective and one-sided information. Who lobbies in a wrong way, is out; with these persons no one plays ball any longer.

The EU is an extraordinary test lab for the **best practices in government, in administration, in regulation.** We have up to now 15 different ways of administrating, and more and more the best ways crystallize out. This best practice principle is yet far from being over-used, there is still much potential.

The Single Market, for example, has brought in the 1980s a strong **deregulation**: only about 300 EU laws - regulations and mainly directives - have replaced some 5000 national laws. Although national laws are difficult to be lifted, we achieved this objective. Let us emphasize in this context that the small and medium enterprises in the EU are the backbone of the economy - we have some 11 million of them in the EU of the 15. If a law in the EU is made, it must contain an **impact assessment** especially for SMEs, the "fiche PME". I do not know many national administrations and parliaments who take care so much to question themselves permanently if the interests of the SMEs are concerned and if so how.

The deregulation which has been mentioned concerned not only the sales and purchase of goods to and from everywhere. It concerns also for example the freedom to work where one wants to, the mutual recognition of university and other diplomas, the freedom of active and passive voting in local and European elections, etc. It is also a great chance for companies to work with partners, often to the mutual benefit, within the EU. Macedonia could have lots of opportunities as it is a country close to Central and Eastern Europe, to Southern Europe, but also to Northern Europe where there are many Macedonian expatriates.

How does the European Union now make sure that in the **preparation phase** of a new law or legal package a single citizen, a single company can introduce its interests and know-how?

The right of **petition** to the Petitions Committee of the European Parliament, the complaint to the **EU Ombudsman** on EU institutional misbehaviour towards citizens, or the access to the European Court of Justice in particular in **preliminary rulings** (by any national court in case EU law is concerned and on the application of any citizen or company) concern a situation mainly **after** a law has been adopted.

Before this is the case, there are the following elements:

Green Papers are always proposals for action, promoting the exchange of ideas, of different points of view, of perspectives. They are ought to tailor action to needs.

The EU also held the **European Business Panel pilot project**, where more than 1700 businesses have been questioned on a proposed project on electronic waste. This was an activity where questionnaires have been used. The results of these surveys have been taken into account.

The **quality of drafting** is always improved; it is absolutely important that legal texts are understood not only by the people who write them but by the people who should read or read them. **Laws must be simple and transparent**, and e. g. Macedonian draftspersons should keep more regularly contact to their European colleagues on how laws are drafted and perceived.

Finally there is the access to information which must be mentioned: The EU now publishes its reports more and more in the Internet and keeps regular dialogues with the enterprises and the citizens. Here a single citizen can really influence the drafting of a law - provided he has the right arguments. The EU Commission also maintains Internet forums in special fields, like company taxation for example, where everybody can be logged in. The EU Internet server, http://europa.eu.int, is one of the world's most hit servers, with more than 70-80 million hits per month, from all over the world. It is worth to surf on this page, to which I would like to encourage you. Furthermore, it must be added that since some years in the EU there are laws providing every citizen his personal files, or the ones concerning him (EU Information Directive) or about everything which concerns his special interests in environmental matters (EU Environment Information Directive) which concern him.

If you then know that for instance every EU citizen has the **right to write** to any EU institution and to **obtain a reply in his native EU language**, you see that running a multilingual Europe costs money, but makes sense as even far-away Brussels is close to the single citizens.

We all know that to keep all these options is a big task ahead. But it should be immediately started, if not already done, in order to integrate more and better into a European pattern. Other countries from the region - and from the EU! - are no valid examples fro Macedonia.

This is - in very short version - a part of the possibilities for the EU citizens, except, of course, from voting their local, regional, national and European Parliaments, which all today concern European affairs. Macedonia, which shows by the way some very good examples, must adapt these ways very quickly - as without doubt within some or several years which of course I cannot quantify today we'll meet again in the European Union.