



**From the European Convention to Public Discourse:
Debating on Common European Future**

**Istituto Affari Internazionali
in cooperation with
The Trans European Policy States Association**

convention watch

SWEDEN

1. Evaluation of the work and results of the European Convention

1.1 Overall assessment of the results of the Convention

What is your government's overall assessment of the results of the Convention? How have they been received by the other main political and social actors?

The Swedish government has given a general assessment of the outcome of the Convention. It has argued for some adjustments but sees the Constitution draft as a sound compromise that will strengthen the Union while preserving the balance between its institutions. It considers that the questions asked at Nice and Laeken have been properly answered. If forced to say yes or no to the Constitution draft the Swedish Prime Minister, Göran Persson, has said it would be a yes¹.

There has been a broad support in the Swedish parliament for the work of the Convention. The controversial issue has been the proposal concerning the full-time President of the European Council. The proposal has sparked intense dissatisfaction among all the other parties (see question 3.3.1). The conservative and the liberal parties are happy with the results in general but would have liked to see further steps, including the extension of QMV to other areas, for example the CFSP. The Christian Democrats and the Centre parties are also satisfied and have fewer objections than the government, asking only for some small adjustments. The only direct opposition comes from the left and the green parties who see the Constitution draft as a further step towards the supranational union they fear. The support for the Convention is solid among the most influential social actors. The Swedish Trade Union Confederation and the Confederation of Swedish Enterprise as well as the Federation of Swedish Farmers are generally happy with the results of the Convention.

¹ Göran Persson in Svenska Dagbladet 2003-06-19.

1.2 Convention method

Is there the perception in your country that the Convention has contributed substantially to making the process of constitutional reform of the EU more transparent and democratic? What are considered to be the main positive elements of the Convention method? And those that, on the contrary, have drawn the most widespread criticism?

The Convention model has been widely appreciated in Sweden even though it was initially underestimated by some actors, including the government. The Swedish participants as well as the majority of the political parties think that the Convention model allowed for a fruitful policy process and are content with its level of transparency. The open debate as well as the widespread publications of a variety of documents on the Convention web page have been seen as positive aspects. Negative views about the Convention as a method have been raised mainly by the green party, which has complained about the excessive role played by the President as well as the lack of voting².

1.3 Performance of national representatives

How do you judge the performance of the representative of your government in the Convention? Do you think that he/she played a proactive and dynamic role? What are the Convention issues on which he/she concentrated his/her interventions and proposals? Did your government work actively to adopt common positions or establish a unity of action with other governments? Did the representatives from your country at the Convention take similar stances on the most important issues, or did their different political affiliations and ideological convictions reflect in substantially different positions?

First it should be said that both the representative of the Swedish government and the other Swedish members of the Convention have changed their attitude towards the Convention as work has advanced. Many of them had initially few expectations but have realised the effectiveness of the Convention model and appreciated the atmosphere. The representative of the Swedish government, Lena Hjelm Wallén, contributed in many areas, including transparency, environment, common agricultural policy, good governance, the open coordination method and equality between the sexes, just to name a few. Alone or together with others she handed in 18 texts. She also participated in the group of the smaller states that mostly focused on the co-ordination of institutional questions. Sweden was for example among the authors of the small state initiative, Contribution 288, to the Convention on March 28, 2003.

The representative of the Swedish government and those of the Swedish parliament took common stances on some areas of special importance to Sweden. They also had a fruitful co-operation on issues concerning transparency and human rights and handed in many amendment proposals together. All the Swedish Convention members have participated in a variety of debates, workshops and seminars to create understanding and encourage the debate about the work of the Convention and the future of Europe.

² Per Garhton and Gustav Fridolin in Svenska Dagbladet 2003-08-06

2. National debate and public opinion trends

2.1 Public opinion trends

How have the attitudes of public opinion towards the EU evolved in your country in the last months of the Convention's work? Can it be argued that the completion of the Convention's activities, and the presentation of the draft constitutional treaty have had a substantial impact on public opinion trends?

The attitude of the Swedish public opinion has been broadly stable over the last years and no changes can be traced during the period of the Convention. A survey from June 2003³ recorded a drop in public support for Swedish participation in the European Union compared with November 2001. This should however be seen as a part of the normal trend - the high results from 2001 were probably due to the September 11th terror attack and the Swedish presidency of the EU, which both bolstered the support for the European Union. Considering the low awareness of the work of the Convention it can hardly be said that the constitutional Treaty has had a substantial impact on public opinion trends.

2.2 The role of parliament

Was the draft constitutional treaty approved by the Convention discussed in your national parliament? Did the committees of your parliament working on EU issues address and examine, on a more or less regular basis, the work of the Convention? How did the government inform parliament about its initiatives and positions concerning the constitutional reform of the EU?

The draft constitution Treaty, as presented by the Convention, has not yet been discussed in the Swedish parliament. Consultations and discussions with the Swedish representatives and the Swedish parliament occurred throughout the Convention in the Committee on EU Affairs (*EU-nämnden*). There have also been public hearings and seminars in the parliament and elsewhere with the Swedish delegates of the Convention. On June 18th the Swedish Prime Minister Göran Persson attended a meeting of the Committee on EU Affairs where positions at the upcoming Thessalonica summit were explained. In August the Swedish Foreign Minister Anna Lindh participated in a hearing of the Committee.

The co-ordination between the Swedish parliament and the Swedish government has worked well. There was however a major contrast concerning the proposal of a full-time President for the European Council. The Swedish government has supported this proposal of the Convention. Indeed it even advocated a rather similar idea in a non-paper. By contrast, the Swedish parliament has rejected the proposal. For this the Prime Minister Göran Persson has been warned by the Committee on the Constitution but neither side has changed views and the conflict remains unsolved at the time of this writing. (See question 3.3.1.).

³ *Allmänhetens kunskap och uppfattning i frågor som rör EU's framtid.* [The Public Awareness and Opinions on Issues Concerning the Future of the EU] ARS RESEARCH AB.

2.3 Other relevant initiatives

Do you think that the many initiatives undertaken by the EU to promote a public debate on European constitutional issues, notably by involving civil society, have had an impact in your country? Has your government played an effective role in raising the knowledge and awareness of public opinion concerning the Convention's goals and activities?

The involvement of civil society in the policy process has not stimulated the debate in any substantial way. The Swedish government has been working fervently to promote the discussion on the future of Europe. A parliamentary committee, The EU2004 Committee, established in the aftermath of the Nice treaty, has been working through a variety of activities to promote debate and strengthen awareness about the work of the Convention and the coming intergovernmental conference. The seminars, conferences, forums and web pages of the Committee have undoubtedly attracted a large number of citizens but the overall impact is hard to estimate. In fact, still only 31%⁴ of the Swedes have heard about the Convention which must be seen as a setback for the Committee.

2.4 Media coverage

How was the media coverage of the final, crucial phase of the Convention's work? How extensive has information on the content of the draft constitutional treaty been? Has it been presented in a positive or negative light? Which issues have been covered the most?

During spring and summer the media coverage of the Convention has been overshadowed by the debate on the introduction of the euro. Most of the political parties have chosen to keep the results of the Convention out of the euro debate and the media have also mainly focused on the functionality of the monetary union and the upcoming Swedish referendum. The work of the Convention has quite often been portrayed in optimistic and hopeful ways and often from a European perspective instead of a more narrow national perspective. The reports on the Convention concentrated on the question of the European Council President because of the controversy between the government who supported the idea of abandoning the present rotation system and parliament who took the opposite view (see question 3.3.1.). This has perhaps prevented other important proposals to reach the general public.

3. Prospects for the Intergovernmental Conference

3.1 Link between the Convention and the IGC

The Thessaloniki Council did not go beyond defining the text of the draft constitutional treaty "a good basis for starting the Intergovernmental Conference". In your government's view, should the IGC limit itself to endorsing the results of the Convention, concentrating only on the few issues that still remain controversial, or engage in a more comprehensive review of the draft constitutional treaty?

⁴ Flash Eurobarometer 142

The Swedish government sees a risk if the compromises reached within the Convention are put into question in the IGC. The risk is that the final result will be worse. The outcome of that will not be better than today's compromise. The government is also eager to protect the balance between the institutions as it is defined in the draft constitutional Treaty. It will argue for some adjustments but will not ask for a comprehensive review of the Treaty.⁵ It is also possible that after the Swedish rejection of the euro it will be eager to emphasize that Sweden is still a convinced supporter of the EU and therefore will show a more co-operative attitude in the IGC.

3.2 Organisation of the IGC

To prevent the upcoming Intergovernmental Conference (IGC) from bogging down in obscure and prolonged negotiations, as in the previous IGCs, the Italian government, which will hold the EU's presidency until December 2003, proposes that the IGC be held mostly at top-level, i.e. at the level of the Heads of State and Government and the Ministers of Foreign Affairs. Does your government agree with this approach?

The Swedish government does not mind discussing more areas at a lower level, possibly even at the level of civil servants. A juridical and technical review is also considered necessary.⁶ The Swedish government will see no need to speed up the process in order to reach a conclusion this year. If necessary, the Swedish government regards the Irish presidency to be well suited to conclude the negotiations.⁷

3.3 Controversial issues

3.3.1 Elected President of the Council

While there is general agreement concerning the establishment of a permanent and elected President of the Council, there are still different ideas on his/her functions, especially on whether or not he/she should play a co-ordinating role with regard to the presidencies of the other Council formations.

As mentioned above the Swedish government supports the idea of a full-time European Council President as proposed by the Convention, even though the Swedish parliament rejects the idea. In November 2002 Sweden launched a proposal of its own in the form of a non-paper. According to this proposal a chairperson would be supported by a group presidency, in which several countries share responsibility, each of them dealing with different policy areas. Through strict rotation, presidencies would not need to occur less frequently than today. This was launched as a compromise proposal, designed to be acceptable to big and small countries.⁸ The Prime Minister and the Foreign Minister were criticized by the parliament and the Committee on the Constitution: the Swedish proposal had been launched without prior consultation with the Committee on EU

⁵ See for example Göran Persson in the Committee on EU Affairs 2003-06-18.

⁶ Personal communication with sources within the Foreign Office.

⁷ Swedish Foreign Minister Anna Lindh at a public hearing in the Committee on EU Affairs the 14th of August.

⁸ Information to the Riksdag giving the Government's views on the future of the EU, presented by Prime Minister, Göran Persson, 19 February 2003.

Affairs and also lacked support in this Committee.⁹ However, the Convention did not adopt this proposal. Sweden was sometimes mistakenly seen as supporting the proposal of the bigger states. Nevertheless the representative of the Swedish government participated in most meetings among the small states and was invited to all of them.

For Sweden the continued involvement of all member states is important hence its proposal to limit his/her powers. Moreover, the Swedish government considers it essential that the proposed rotation of chairmanships of the other Council formations is eventually endorsed by the IGC. Sweden also refers to the various possibilities of team presidencies which the Convention document opens up for.¹⁰ The government now supports the proposal of the Convention as a whole and does not think that a better compromise can be reached. It now wants to wait and see how the proposal evolves while not committing itself to any specific view. In the meantime it hopes to raise support for the idea at home.

3.3.2 Composition of the Commission

The debate in the Convention concerning the European Commission eventually concentrated on its composition. The Convention approved the following proposal: "The Commission shall consist of a College comprising its President, the Union Minister of Foreign Affairs/Vice-President, and thirteen European Commissioners selected on the basis of a system of equal rotation between the Member States." In addition, "the Commission President shall appoint non-voting Commissioners, chosen according to the same criteria". Does your government back this proposal or is it in favour of a different solution?

For the Swedish view on the Union Foreign Minister, see question 3.3.5. As for the composition of the Commission the Swedish government appreciates that the principle of one state - one commissioner remains. It would also like to keep the principle of one voting commissioner per state. However, it supports the idea of non-voting commissioners provided that the rotation of commissioners is based on a mechanism that ensure full equality.¹¹

3.3.3 Definition of qualified majority voting

The Convention has proposed abolishing the current weighting system for qualified majority voting (QMV), by defining QMV as the majority of the member states representing at least 60% of the European population. Is your government satisfied with this provision, or would it rather change it?

The Swedish government would prefer not to abolish the weighting system approved in Nice. However, it is aware of the existence of a strong support for a reform of the current system. It has not indicated any strong preferences on this issue and is unlikely to oppose a reform.

⁹ Konstitutionsutskottets betänkande 2002/03:KU30 [Report by the Committee on the Constitution]

¹⁰ Ministry for Foreign Affairs, Ds 2003:36, p36.

¹¹ Göran Persson in the Committee on EU Affairs 2003-06-18.

3.3.4 Extension of qualified majority voting

Does your government support an extension of QMV to policy fields other than those indicated in the draft constitutional treaty, such as taxation and CFSP?

The Swedish government agrees on the proposal of the Convention to extend the areas of majority voting. However, it is not in favour of the extension of QMV to all policy areas. In particular, it has said no to qualified majority voting in the taxation area. Concerning CFSP the Swedish government is in favour of an extension of the qualified majority voting in specific areas as long as there has been a prior unanimous vote about the general principles or strategy to be followed. Nevertheless no country should be imposed a foreign policy view.

It should also be said that the Swedish government is reluctant to give the European Council the possibility to, with a unanimous vote, move one policy field from unanimous voting to qualified majority voting. This can be seen as a way of circumventing the procedure for constitutional changes, namely the ratification by national parliaments.

3.3.5 Minister of Foreign Affairs and EU diplomatic service

While there is a consensus on the creation of a EU Minister of Foreign Affairs, different views exist concerning the executive structure he/she should rely upon. What is your national government's position on this issue? Should the structure be placed within the Commission or the Council?

The Swedish government sees advantages in an appointed Foreign Minister but have some concerns about this proposal. It is reluctant to accept that the Foreign Minister is given the chairmanship of the Foreign Affairs Council as well as the responsibility for initiation and implementation in the Commission. The government is aware of the strong support in favour of the proposal and will concentrate their efforts on securing a minister post that will work in practice. The Foreign Minister should be backed up by an effective administration drawing from the Commission's and the Council's already available resources.

4. The ratification process

4.1 Eventual obstacles

Do you think that the process of ratification of the new constitutional treaty may encounter difficulties or major political opposition in your country? If so, which?

The Swedish rejection of the euro in the September 14th, 2003, referendum will probably set the stage for the political debate on all EU matters in the near future. Also the murder of Swedish Foreign Minister Anna Lindh may have political consequences that today are hard to foresee. The green and the left parties who are against the new Constitution will feel strengthened by the no vote in the euro referendum. The political as well as the public opposition to the new Constitution will be based on the view that the new Constitution moves the EU closer to a centralised supranational actor,

something they reject. Immediately after the euro referendum, members of the green and left parties said that this clear signal from the public must be considered in a wider EU context and in the debate on the future of Europe. They will also push for the formal inclusion in the new Constitution of a provision excluding Sweden from participation in the euro area. However, as mentioned under question 3.1, the Swedish government may now want to send a positive signal to the other members of the EU, and an increased co-operation with the EU positive parties in the Swedish parliament as well as a co-operative attitude in the IGC may be a way of doing this. On the other hand the Swedish Prime Minister will have to heal his own divided party and cope with the widespread EU scepticism in the Social Democratic party. For this reason, the future direction of the Swedish EU policy is today hard to foresee.

4.2 European Parliament elections

According to the conclusions of the Thessaloniki Council, the Intergovernmental Conference should “complete its work and agree the Constitutional Treaty as soon as possible and in time for it to become known to European citizens before the June 2004 elections for the European Parliament”. Do you expect the constitutional issues to become a central matter of debate during the electoral campaign in your country? Or do you think that the European Parliament elections are more likely to be dominated by national issues?

As mentioned under question 4.1 the Swedish rejection of the euro will have a deep impact on the future debate on EU matters. After the no vote, parliamentarians with a negative or critical view of the EU will feel strengthened and might be able to gather a stronger support to oppose the new Constitution. There is also a possibility that the forces which fought for a yes in the euro campaign will prove unable to regain the initiative and then be less active in the Constitution debate.

As in many other European countries the elections to the European Parliament has in Sweden so far functioned as a sort of national election of second order. However, both sides are willing to place the European institutional questions, and not national issues, at the top of their agenda.¹²

4.3 Referendums

For constitutional reasons, some countries need to submit the EU Constitutional Treaty to a national referendum before it can enter into force. Others may decide to hold a referendum in order to give the national ratification more legitimacy. Is a referendum foreseen in your country? If so, do you expect this to be a factor that will complicate or facilitate the ratification process?

The Swedish government has no plans for a referendum. It wants the new Constitution to be ratified through a vote in parliament, as has been done with previous treaty changes. This is based on the assumption that the new Constitution does not pose any major challenges to vital Swedish interests. A large majority of the Swedish parliament is likely to vote for the new Constitution.

¹² Based on personal communication with various Swedish members of the European Parliament.

The green party, as well as a few members of other parties demand a national referendum on the new Constitution, but will probably not be able to gather enough support for this in parliament. Considering the level of general EU scepticism in Sweden the outcome of a national referendum on the new Constitution is hard to foresee.

4.4 What to do in case of failed ratification

Has your government expressed any preference on the eventual initiatives to be undertaken in case one or more countries should fail to ratify the new treaty?

According to article IV-8 of the Constitution draft, the Constitution must be ratified by all treaty signatories. In the case of failed ratification in one or more countries, it is up to the member states and the institutions of the Union to evaluate the political consequences as pointed out by the Convention Presidency¹³. The Swedish government has not expressed any other preferences.

¹³ See Convention document 647/03.