

JENS-PETER BONDE

MAMMA MIA

**ON 25 YEARS OF FIGHTING
FOR
OPENNESS IN THE EU**

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On 25 years of fighting for openness in the EU

By Jens-Peter Bonde
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After a meeting of the EU Presidency Conference, I took Mr Prodi to one side and showed him the two piles of paper. 'Here are the minutes you publish on the Internet and send to the Parliament. Here are the minutes you distribute internally within the Commission'. One pile contained 10 – 12 pages, while the other amounted to around 100 pages. One pile clearly showed what had been discussed within the Commission, while the other showed what the Commission wanted the public to see.

'Mamma mia,' Romano exclaimed spontaneously. I am absolutely sure he was genuinely surprised.

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Preface

Silver Anniversary with the EU

On 7 June 2004 I will celebrate my silver anniversary with the EU. On that day it will be exactly 25 years since I was first elected to the EU Parliament. I am now the youngest of the 14 veterans, who have stayed in office since 1979, where the first direct elections took place.

Much has happened during those 25 years in the EU Parliament. After the Danish “NO” to the Treaty of Maastricht on 2 June 1992, Denmark was on the front page of many European newspapers, which stood in line to bring our success stories of openness and democracy.

I was invited to meetings and TV debates in many countries and I quickly found out, to my great surprise, that the resistance against Brussels was NOT limited to Scandinavia and Great Britain, but was at least as large in countries like Germany and France.

I started off as a Danish resistant but gradually became an EU-critic. I propose alternatives to the EU's lack of democracy. In 1994 I founded an EU-critical group in the EU Parliament, of which I have been President every since.

The EU has continually increased its members. From 1 May 2004, there are 25 countries in the EU. In 2007, Bulgaria and Romania will most likely join. Turkey, Macedonia and Croatia have likewise applied for membership. A Norwegian application can also be expected in the near future, as can an application from Switzerland.

Whether one likes it or not, it is clear to see that most of Europe is coming together in the EU. Does that mean that the Europeans are happy and satisfied with this centralisation of power in Brussels? No, on the contrary, critical voices are now heard loud and clear in all countries.

EU Constitution or a Europe of Democracies

A new EU Constitution is on its way. It is expected that it will be agreed upon on 17 June, just after the elections for the European Parliament. It is a historical paradox that so many countries unite without creating democracy in the EU.

I do not want an EU Constitution that will prevail over the national constitutions. My vision of Europe is a “Europe of Democracies and Diversities”. That is also the name of my group in the EU Parliament. Our name is our goal.

With an EU Constitution, power over laws will, as the main rule, continue to be decided by officials and ministers behind closed doors in Brussels. Many people think that the EU Parliament gains the amount of power that the national parliament loses. That is not the case. The national parliaments lose much more power than the EU parliament gains. It is the voters who lose. We lose the last word over our own laws when the power is moved to Brussels.

In the Convention, together with other EU critics, I have proposed a 15 point alternative of democracy and openness to the Convention’s proposal. This alternative takes its point of departure in the national parliaments and gives every parliament the right to appoint – and fire – its own representative in the EU Commission in Brussels.

I have treated this subject in a number of books as well as on my websites, www.bonde.com and www.euabc.com, where you can also find a reader-friendly version of the draft EU Constitution as well as our alternative report.

In this book, I especially look back on 25 years of fighting for openness and democracy. It has been up-hill but I have also achieved many results. It is certainly not easy, but nevertheless possible to work critically, constructively and European.

Jens-Peter Bonde, 3 May 2004

When the Commission fell

1999: A high point in my EU life

Monday 15 March 1999 was the high point so far of my life in the European Parliament. At 5.15 p.m., together with the seven other chairmen of the political groups, I received an envelope with a report written by an independent investigative committee of five experts.

Many Danish newspapers' EU correspondents sat in my office while we read through the thick report and reached the final verdict on the Commission: 'The studies carried out by the committee have too often revealed a growing reluctance among the members of the hierarchy to acknowledge their responsibility. It is becoming difficult to find anyone who has even the slightest sense of responsibility.' When we read that line and repeated it to ourselves, we were certain that the Commission's days were numbered. The verdict of the press would be crushing. It would be impossible for Jacques Santer's Commission to continue.

At 7.00 p.m., as we headed to an extraordinary meeting of the Conference of Presidents, the report was put on the Internet. The chairman of each of the Parliament's groups attended the meeting, and here we listened to the independent investigative committee present a report of its work. This report added to, rather than subtracted from, what we had already read.

The investigators repeated the crushing verdict. As the five had been hand-picked to sweep the long list of scandals neatly under the carpet, some had anticipated they would soften the verdict. But they did not.

At the establishment of the investigative committee all truly independent persons proposed were flatly rejected. I had, for

example, proposed the former Danish ombudsman, Lars Nordskov Nielsen, for the job. But my fellow chairmen from the large groups would only accept their own loyal party henchmen who could quieten the uproar. However, during the committee of wise men's work, as they quietly swept matters under the carpet, something happened which shocked them. The Commission obstructed the independent investigation, and did not allow them the control they were familiar with from equivalent tasks in their own countries.

A Dutch EU official, Paul van Buitenen, passed them a large number of documents which they could not get from the Commission. Other officials also helped secretly. The wise men could now see for themselves not only how fraud had taken place, but how the Commission was, without formally refusing to give them everything they asked for, actively obstructing its investigation and attempting to starve the wise men of information.

This was too much, even for the handpicked acolytes. Their integrity was offended. Now they got down to writing, adding a damning verdict at the very last minute so that it could not leak to the press before the report was officially delivered.

The President of the Commission received the report a day before us, so he could consider an appropriate response. Mr Santer was not prepared to step down voluntarily. He could not see that he had done anything wrong and did not think about what he should have done when he received a letter detailing fraud from Mr van Buitenen with 5,000 pages of documentation attached.

Most of the group chairmen now wanted to place responsibility with one or two Commissioners. The former French Prime Minister, Edith Cresson, was a prime candidate because she had herself taken money from EU coffers and given it to René Berthelot, her dentist. The late Monsieur Berthelot received large amounts of money to act as an advisor on HIV, a subject

which he knew nothing about, and each weekend he had a paid trips to their château in France.

Another prime candidate was the Spanish Commissioner Mr Marin who also had an objective responsibility. For the Christian Democrat and Liberal Groups the two names had the great advantage that they were both Socialists, so their own friends were not affected.

For the Socialist Group it was not much fun to cut down party colleagues, so the Socialist Group preferred to avoid placing any responsibility at all. At the extraordinary meeting I proposed that we should call Mr Santer immediately and suggest to him that the Commission should resign voluntarily.

In that circle, with my conclusion, I stood entirely alone. The meeting concluded instead that we should not do anything immediately, but hold a meeting with Mr Santer the following day.

Outside the meeting the report was snapped up from the 7.00 p.m. Internet posting, and our copy had been copied and circulated to the press in advance. In the corridors almost all the journalists came to the same conclusion: the Commission should resign. This was the opinion that prevailed among the ordinary members of the European Parliament who had no desire to defend a Commission in which nobody took responsibility.

Our meeting of chairmen ended at 9.00 p.m., allowing us to then go back and inform our colleagues in the various political groups who were waiting in great anticipation. In the Socialist Group's office the Chairman, Pauline Green, was now in a hopeless minority. At 9.50 p.m. she had to call Mr Santer with my proposal that the whole of the Commission should resign voluntarily if they wanted to avoid a vote of no confidence.

At 10.00 p.m. the Commission were to give its response. The Commissioners first tried to get Ms Cresson to carry the can, but the French President called and vetoed this solution as if he were the leader of the Commission. The Spanish Commissioner received similar support from his Prime Minister. The two would not resign 'voluntarily'.

Ritt Bjerregaard and other Commissioners then tried to get Mr Santer to take responsibility alone or together with the two, so that the other Commissioners could save face. But Mr Santer would not go along with that because he did not feel that he had any special responsibility. It was not in his area that evidence of fraud had been found and a general duty of supervision was an alien concept to him.

The Austrian Commissioner, Franz Fischler, now took the initiative. He sent a spokesman down to the press corps and announced that he would take responsibility and resign. He was certainly not the most criticised and could have avoided personal blame, but his courageous action changed the course of the meeting.

The Belgian member, the former leader of the Flemish Socialists, Karel van Miert, now took the floor with some practical information about pension rights of commissioners who resign voluntarily and about the unclear financial position of commissioners who are thrown out in a vote of no confidence.

This observation tipped the balance. If the whole Commission resigned voluntarily, the unblemished could return in the next Commission. All would have the guarantee of a substantial allowance and a large pension.

Shortly before 1.00 a.m. Mr Santer announced that the whole Commission was resigning voluntarily. How could this have come about?

Paul van Buitenen

It was the revelations from Paul van Buitenen that led to the Commission's fall. He is a Dutch-born official who was employed as a bookkeeper in a low-ranking, non-graduate, 'B-grade' post.

He got wind of various kinds of fraud and reported this to his superior. Nothing happened, so he went further to the person responsible for accounts at the Commission and finally to the President himself, Luxembourg's former Prime Minister, Jacques Santer. Nobody listened.

The devout Protestant then went to his church minister with his troubled soul and afterwards delivered a report of 34 devastating pages with 5,000 pages of documentation to the chairmen of the political groups. The Belgian Chairman of the Greens received the material the day before the other group chairmen and she reacted swiftly.

I arranged a meeting with Paul van Buitenen and we have been good friends ever since. He could tell a tale or two. Scandal after scandal with fraud and waste of our hard-earned tax money.

He knew how money authorised for further education instead went to other places. He knew how it was possible to help oneself from the various funds, and, worse still, he knew how the Commission covered up fraud.

Now the scandals appeared in the newspapers and, for the first and so far the only time, a number of different media in Brussels initiated a cooperation to bring matters out into the open.

Unexpected rebellion in 1998

Each year the European Parliament's Budgetary Control Committee discusses a report on the approval of the previous year's accounts.

This is done on a recommendation from the Court of Auditors. The European Parliament is supposed to give its approval after receiving an opinion from the Council. The right to approve the accounts is an important competence called 'discharge'. The procedure is therefore called the 'discharge procedure'.

In 1998 we discussed the accounts for 1996. After great drama it was approved by a margin of just one vote on the committee. We then began organising the ordinary members and on 17 December 1998 some 270 members voted to postpone approval, while 225 followed the committee's majority recommendation to approve the accounts. This is where the Commission's fall began, and it happened almost by accident.

The United Kingdom's new Prime Minister, Tony Blair, did not want to have new problems on his plate. The usually critical Labour members were instructed to vote to approve the accounts, which they would otherwise have voted against. Mr Blair threatened that they would otherwise be deselected. The threat worked.

The rebellion of ordinary members came as a complete surprise, and we who organised the rebellion had not expected such a great victory. I had anticipated that we had only a small chance of success.

The Socialist Group Chairman, Pauline Green, was furious and reacted spontaneously by saying that we should either accept the accounts and express our confidence in the Commission, or take the consequences of our failure to do so.

She now wanted, on behalf of her group, to table a motion of censure against the Commission. Then we, the foolhardy people who did not want to approve defective accounts, would have to bring down the Commission.

'Mr President, those people who believe that it is possible to say to the public, to the European Commission and to this House that they have no confidence in the financial competence of the European Commission, but who are not then prepared to do what politically follows and sack them, simply are not fit to be in this House. We challenge them to do that!', she threatened. *'I have here a motion of censure which I will now table ... My Group will be voting to give confidence to the European Commission to continue their work over the next year ...'*

We understood the tactics immediately, because a motion of censure requires a two-thirds majority, and we booed her. It was not a censure motion, but a confidence motion, which she was sure would be rejected. If the situation ultimately got out of her control, she could simply withdraw it and there would be nothing to vote on.

My little group in the European Parliament now took the initiative to collect the 63 signatures, which is 10% of the members, required for a proper motion of censure, but it was difficult. We collected pledges from various members, but had to promise them that their signatures would only be used if we were also able to get this person and that person to sign. Right to the last second it was uncertain whether we would reach the 63.

There were so many conditional signatures that I had to get on the phone and convince some key people that so many scandals would emerge that it was smartest for them to join the clean-up team from the start.

Each year all the governments had approved the presentation of accounts in the special working party in the Council of Ministers

which deals with the, so-called, discharge. A member has told me how each year they shook their heads on the committee and then asked each other about their instructions from home. Each year they would all give approval to a set of accounts which, if it came from a national government, no democratic assembly would approve.

On the final day we reached 70 signatures. With this motion it was now certain that there would still be something to vote on if Ms Green decided to withdraw her group's censure motion. The vote came on 14 January 1999. The censure motion attracted 232 votes. There were 293 votes against. There would have been a majority for censure if the British Labour Party and the German SPD had not been commanded to vote against their instincts – and their consciences – by their party leaders in London and Bonn.

Instead of the censure motion, Ms Green had a so-called counter-motion adopted. An expert committee with five members was to be set up which could investigate the matters being criticised and produce its own assessment and proposal to place responsibility as required.

The Commission announced that it was happy with the outcome and would comply with the recommendations of the independent committee. There had been various dinner and breakfast meetings with key people from the Parliament and the Commission at the Hilton hotel, and the Commission were well aware that the independent experts would be hand-picked to ensure that matters quietened down.

The scandals were now buried in a committee. But Mr van Buitenen had gone to the group chairmen with 34 pages of damning revelations and the accompanying annexes which we passed on to the press which continued the hunt for more details. The committee of wise men made several attempts. They received the documents they requested, but they did not receive

them automatically. They had to know what documents to ask for. The Commission was not as helpful as it should have been. This was the reason why the Commission fell. A little drop, from which the ripples spread. A little accident which simply grew and grew. It was not because of the content of the scandals, but because the Commission did not show any willingness to expose the scandal-ridden administration.

The conclusion of the committee of wise men is the only proper one in a society founded on the rule of law. As the report's instructive conclusion read, *'The responsibility of individual Commissioners, or of the Commission as a body, cannot be a vague idea, a concept which in practice proves unrealistic. It must go hand in hand with an ongoing process designed to increase awareness of that responsibility. Each individual must feel accountable for the measures he or she manages. The studies carried out by the committee have too often revealed a growing reluctance among the members of the hierarchy to acknowledge their responsibility. It is becoming difficult to find anyone who has even the slightest sense of responsibility. However, that sense of responsibility is essential. It must be demonstrated, first and foremost, by the Commissioners individually and the Commission as a body. The temptation to deprive the concept of responsibility of all substance is a dangerous one. That concept is the ultimate manifestation of democracy.'*

15 March 1999 was the end for the Santer Commission. The new Commission under Italian Romano Prodi stated that fraud would now cease. There will be 'zero tolerance' of fraud, Prodi promised when he took office. He has hardly lacked the will to intervene, but he has also had to recognise that the President of the Commission is merely a figurehead astride an ungovernable monster.

It is no surprise that, three years later – nothing has changed.

2002: Eurostat scandal

On 9 July 2003 I took my usual morning walk in the park opposite the Commission's Breydel building in Brussels. I had no idea of the drama, which had unfolded in the course of the night.

At that time I was working mainly in the European Convention where our work was drawing to a close. I was unable to get the Commission's representatives, Michel Barnier and Antonio Vitorino, to sign up to a demand to change the burden of proof in openness cases, so that in future everything would be open unless a decision was taken to make a specific meeting or a matter 'closed'.

Both Commissioners supported the proposal, they said, and they both also promised to back it up in the Convention Praesidium. In spite of the fact that a large majority of the Praesidium's members promised to support it, according to the minutes, the point never came up for discussion at the Praesidium's meetings. That is why I now had to get hold of the Commission President Romano Prodi personally, and the evening before I had agreed a meeting with him in his office at 8.00 a.m. Quite practical, because when I am in Brussels I live right opposite.

I arrived on the dot of 8.00 am and was shown into the waiting room for a cup of coffee. There the Commission's Vice-President, the former Labour leader Neil Kinnock, and the Commission's Secretary-General, the Irish-born David O'Sullivan were sitting, restlessly in their seats.

They greeted me in a friendly manner, as one does, even though we are not political friends. But they were clearly nervous. What had I stumbled upon now?

I mentioned the purpose of my visit and Mr Kinnock confided in me that the British Prime Minister Tony Blair was personally in

favour of the increased openness I wanted. During the conversation, Neil's Danish daughter-in-law, the Danish Social Democrat Member of the European Parliament, Helle Thorning-Schmidt, called to arrange childcare. Then he relaxed.

I was taken into Mr Prodi's office, or should we say reception room, because it is more like a large room with a desk area, meeting table, sitting corner and grand classical Italian art on the walls. Contrary to the usual practice I did not receive the usual southern European hug. Something was up. I again explained the purpose of my visit. Then he too appeared relieved and promised to do what he could to support my proposal.

I also told him that I had just moved in on the other side of the street (into Freddy Blak's old apartment) and now lived only a stone's throw from his office. 'Of course, I won't take advantage of that', I added.

Shortly after I realised that a crisis meeting had been called at the Commission concerning Eurostat. At 12.00 noon the same day I would see Mr Prodi again with Mr Kinnock for an extraordinary meeting of the European Parliament's Conference of Presidents. They had called us in at short notice to present their plan of action concerning Eurostat in order to avoid us taking the initiative when the audit report leaked.

Mr Kinnock, Mr O'Sullivan and Mr Prodi had all believed, of course, that I was aware of the night's drama through a leak, but in fact I was not. I had no idea of the night's events, but suddenly understood why they had reacted so nervously that morning. Did I know something? Was I on my way with the new scandal? I was not, because the Convention's constitution proposals took up all my time and I had to take a break from following the Budgetary Control Committee's numerous affairs, which on their own can keep every MEP fully employed.

The Eurostat scandal unfolds

The scandal had been revealed somewhere else. It was the German weekly magazine *Stern* which published an internal OLAF report and turned 28 February 2002 into a special day in the Union's history – the day when the Eurostat scandal began to unfold. As I write, we are still waiting for responsibility to be placed.

Eurostat is the EU's statistical office which works on producing all kinds of statistics. Eurostat is based in Luxembourg. There are 918 employees on the official payroll, but that is hardly enough to produce the statistics required. Eurostat therefore buys in a lot of external assistance and enters into contracts for the supply of figures. It has done this for many years and there are so many contracts that at some time someone presumably said that one more or one less makes no difference. So people began to enter into false contracts and put the money in their own pockets. Whose pocket is as yet unknown, but hundreds of millions of euros have disappeared from EU coffers through false contracts. We still don't know where the money went.

For me the affair began in 1998 when I met the Dutch-born EU auditor Paul van Buitenen. He was employed in the Commission and had a highly developed nose for fraud. He pointed out Eurostat as one of many cases in a 5,000 page dossier which he delivered to the Commission's fraud office, which was then called UCLAF.

He was then suspended on half-pay while disciplinary proceedings to get him fired took place. This procedure was much more energetically pursued than the investigation of the cases he had uncovered.

The Eurostat case then came up in the European Parliament's Budgetary Control Committee. The scandal gained new

momentum when one of the Eurostat employees began to 'sing'. It was a Danish secretary who now set the ball rolling.

Dorte Schmidt Brown and Freddy Blak

Her name was Dorte Schmidt Brown, and she was employed at Eurostat in Luxembourg. She went to her immediate superior to report her suspicion of false contracts with a company called Eurogramme. This did not do any good because the Director-General to whom she complained was the person organising the fraud. We know that now.

She took her criticism further, but was invariably turned away and told to keep quiet. So she then went directly to the European Parliament's Budgetary Control Committee. Here the Danish Vice-Chairman, Freddy Blak, took her in hand.

Freddy raised the matter, first on the committee, then in public. It did not help much. The Commission's Vice-President, Neil Kinnock, flatly rejected Mr Blak's allegations of fraud in Eurostat. Dorte Schmidt Brown was hounded out of her job. The humiliating treatment made her ill and she had to apply for an invalidity pension. For months we had the case as a standing item on the agenda, but the Commission was immovable. It rejected the matter even though the pile of evidence grew thicker and thicker.

I pressed Mr Kinnock hard in the committee. The Commission's Vice-President simply closed his ears and failed Dorte Schmidt Brown. Until one day he received an internal audit report which confirmed the extensive fraud. Now Mr Kinnock promised to come to Dorte's aid, but as I write she has still not received full restitution or compensation for loss of earnings capacity.

With the internal audit report on the table the Commission reacted swiftly. A crisis meeting was called and a raid removed

documents and evidence from Eurostat's offices. The Commission and its special fraud unit OLAF set up a special control unit of 47 people.

You cannot investigate yourself

At the extraordinary meeting of the European Parliament's Conference of Presidents after the Commission's crisis meeting, Mr Prodi and Mr Kinnock gave an account of the night's raid and presented a timetable of how they would get to the bottom of the matter. A special investigative team would be set up under the leadership of the Commission's own Secretary-General, David O'Sullivan.

I protested against this on principle and proposed instead that an independent investigative committee be set up which could question everyone without having to defend this or that person. We had been working on the case for several years. The Commission had been made aware of the fraud cases and had done nothing. "You, the Commission, cannot investigate yourself!"

When the Commission is strongly interested in controlling an investigation you get a bit suspicious when you have been working with fraud in the EU for almost 25 years.

A raid can have two objectives: (i) to obtain evidence, or (ii) to get it out of the way.

An investigation can also have the objective of obstructing independent investigations, and thus allow dirt to be swept under the carpet and matters kept closed to the public, to the Budgetary Control Committee and to the police. An investigation can also be serious and have the objective of investigating matters. Most of the employees and Commissioners are decent people. But you can never be absolutely certain that the objective is well intentioned.

Therefore the separation between members of the legislative, executive, judicial, investigative, auditing and controlling authorities is wholly and utterly decisive as to whether that which can come out will come out. Any confusion of functions should make the professional observer suspicious. Whether or not it is justified in a specific case, you must put forward the worst hypotheses and try to have them confirmed or denied. If the person who is to do the controlling can take orders concerning the control from the person to be controlled, in my mind alarm bells automatically start ringing.

The hidden agenda

There must be a reason why people want this control of the controllers. Otherwise, why not simply let the police, the auditors and the control committee come and do their jobs unhindered.

Why should independent investigators always be denied the right to see this and that? If there is nothing to hide, there is no reason not to open the doors and allow an inspection by the auditors, the ombudsman and the Budgetary Control Committee.

The purpose of the raid and the special team of 47 may not be to clear up the Eurostat scandal. *Perhaps* the hidden agenda is to clear up the scandal slowly so that conclusions cannot be drawn until the current Commission has retired on full pension in November and until the Secretary-General has been sent to New York as the EU Ambassador, far from the scene of the crime. *Perhaps* the purpose of the team put together under the Commission's own leadership is to ensure that all future controls shall be brought directly under the Commission so that even the current very small degree of independence at OLAF can come under the control of the Secretariat-General. There is a lot to suggest that this *was* the real agenda. Apart from the suspension of the Director-General and one senior member of

staff in Eurostat, nobody has yet been made responsible for the scandal and there are rumours that they now want to set up a special internal control unit in the Commission's Secretariat-General itself to keep a lid on future cases.

This suspicion is reinforced when you see what has happened since in relation to the Eurostat scandal. The special investigative team asked to be allowed to carry out a sample check of 78 contracts from among the many thousands under suspicion. Of the 78, the committee could only produce documentation on 60. The five largest suppliers accounted for 38% of the combined purchased tasks. Breaches of tendering rules were found in 28% of the contracts examined. Why was it not possible to obtain all the contracts? Why was it not possible to obtain bank statements for the accounts where the money was being or is still being held? We still know only that the money is gone, but not what it was used for. Nor does it look like we will ever find out, in spite of the special investigative committee of 47.

The special team has simply not been allowed to carry out the necessary checks. 'It is outside our mandate,' admitted the competent leader of the internal audit service when I approached him in the Budgetary Control Committee. The Dutch leader, Jules Muis, has produced excellent internal audit reports which Members of Parliament are not allowed to see at any price. Why are we not allowed to see these reports? Who is being protected? And why?

Jules Muis himself is now leaving the system. In a leaving interview with EUObserver.com he criticised the Commission's lethargy and lack of will to reform the system. 'It was a very heavy uphill battle just to get half way in that direction,' said Mr Muis.

Flying in through the window

Sometimes these kinds of report do, nonetheless, turn up in my office. As a rule they arrive without a delivery note. Often I have no idea where they come from. I can only imagine that the brown envelopes open the window, fly in and plonk themselves on my desk. They then ask to be read and shown to someone who will not disclose the source, but will follow up the tip.

Sometimes a gifted journalist drops in with something or happens to see something that he should not have seen and which he in any case did not see in my office. And suddenly there is a case in the newspapers because something has leaked from, for example, Freddy Blak's office or my office. None of us would ever dream of leaking confidential documents which we receive under a promise of confidentiality. But when we have not promised to keep a paper confidential it is understood that the content may come out – only the source is hidden. It also happens sometimes that my large chairman's office is set up as a reading room for journalists because we cannot allow a document to be photocopied without revealing the source.

It may well be that the Commission has a specific suspicion about who our source is. But, if from time to time an internal leak should occur, they cannot punish the offender without having the conclusive evidence. Such evidence does not slip out of Freddy's office or mine, and it is difficult to fire an official because he has talked to an elected representative or 'forgotten' a paper in an elected representative's office.

Such forgetfulness can strike even the best of us. Or, to be more accurate, it usually strikes the best, i.e. those who believe that the EU needs a Commission without fraud, which all citizens can trust. Conscientious civil servants who want to be proud of working for the EU. Employees like Dane Dorte Schmidt Brown, Dutchman Paul van Buitenen or Spaniard Marta Andreasen.

On Wednesday the journalists have gone home

Sometimes the Commission itself presents internal reports to the Budgetary Control Committee and the group chairmen. That is what happened in the Eurostat scandal when we were most humbly allowed to meet up one Wednesday afternoon in a locked room in Strasbourg. We were handed a brown envelope in return for signing a solemn statement that we would keep our mouths shut.

The timing was calculated by the Commission's highly paid spin-doctors. On Wednesday afternoon the journalists would have gone home. If the matter is raised at a meeting of the group chairmen on Thursday afternoon there would be only five fanatical journalists. All the others are away and by the next week the matter will be forgotten.

That was the calculation made by the Commission's so-called public relations people, but on that occasion they were partly wrong. When we came out of the reading room the hall was packed full of radio and TV stations and press journalists and I and other colleagues had to give interviews in English, German, French, Swedish and Danish. These cases capture the attention of the press only momentarily.

In the reading room we were watched by civil servants with instructions to take note of our movements. We were not allowed to write things down or use dictionaries and Freddy Blak was not allowed to have a French-speaking colleague with him, even though the documents were written alternately in English and French. All the names had been removed from the internal audit reports, so they only stated how many contracts had been entered into with nn, pp and zz. In this anonymised form the papers should have been made publicly available; I do agree that you should not expose named persons publicly unless they have been charged and have legal representation. I never expose names when I release confidential information.

In this case there were also reports which were not anonymised. We did not get to see them, but the smartest journalists had them. From those I could get a decoder enabling me to see how many contracts had gone to Planistat, which the Director-General himself had helped to set up, and the CESD, the European Centre for Statistics and Development (Centre Européen pour la Statistique et le Développement), and other large suppliers in fiddles and scams.

Mr Solbes was responsible

In the Eurostat case we still don't know which parties or individuals organised the fraud. But the responsible Commissioner, Pedro Solbes, is a Spanish Socialist and in the Budgetary Control Committee he uttered the famous words: 'I can't be blamed or asked to take responsibility for something I don't know about.'

No, he did not know anything officially, because a letter with all the details had been sent, not to him but to his closest colleagues in his Cabinet, where the most serious illegalities had been removed from the letter before it was passed on to Mr Solbes. We still don't know who removed the crucial passages or why. It is the kind of question that the Commission cannot bear to answer, even though I have phrased it very precisely.

Two mutually independent sources have told me that Mr Solbes did know and was therefore being less than frank, but I cannot use such statements for anything because such statements are not proof. I have not therefore demanded that Mr Solbes should resign because he is guilty. Together with Freddy Blak I have demanded that he should resign because he has *responsibility* for the Eurostat scandal.

There is a difference between guilt and responsibility. If you first have to prove guilt, then there would rarely be anyone to

hold responsible. For that reason the core of parliamentary ministerial responsibility is that the minister is responsible and must resign unless he himself can find where the guilt lies and establish that he in no way shared responsibility, including for sins of omission.

Mr Kinnock also knew of the fraud before he eventually acted, say my sources, but I cannot use that information for anything either. I have instead called for an independent investigation to find out where the guilt lies and to place responsibility.

Romano Prodi is taken hostage

My sources also say that the Commission's President Mr Prodi did not know, but that does not free him from responsibility either. In 1999 he was elected on a promise that there would be zero tolerance for fraud.

Mr Prodi has been President for almost five years. In that time he has never taken any interest in financial matters. Nor has he answered letters from members of staff when they disclosed fraud. As with Solbes' staff, his Chief of Cabinet and the Secretary-General have presumably ensured that he has not read them.

But the choice of Chief of Cabinet and Secretary-General is the President's responsibility. It is therefore the President who decides what he will see. An independent investigation could therefore very well reach the conclusion that Mr Prodi was responsible by omission.

Romano Prodi should have acted on the many suspicions. He did not because, like his predecessor Jacques Santer, he is not a leader but a hostage. He is administering the sins of the past together with those who are responsible for the sins. That is not easy to escape. It is easier for him to say that he is here to

achieve the historic reunification of Europe, that he does not have time to meet with number crunchers and auditors.

Neil Kinnock was given responsibility for administrative reforms and began his tenure fully intending to 'clean-up'. He even hired a Danish consultant from Mercuri Urval to interview all the Directors-General. He set about the work in a professional way, but he too was stopped by those who do not want reform. It is easier to control the money yourself without unnecessary interference from elected representatives and auditors who only waste valuable time.

New, and critical, watchdogs should monitor these officials during the next Parliament. Although, of course, the Commissioner responsible should take responsibility and go, otherwise there is no Commissioner responsibility. If you take Economic and Monetary Affairs Commissioner Pedro Solbes at his word, every Commissioner from here on will be able, free of any responsibility, to say to his Cabinet: 'Don't let me see anything unpleasant, sort things out yourselves, I don't want to be involved in or responsible for anything unpleasant. I only want the letters containing praise.'

The Director-General of Eurostat has been suspended, but still roams freely around the buildings. One of the people who helped to uncover the fraud is also suspended. But she has been banned from the offices. She has to stand beyond the gate, press her nose to the window and see the fraudsters walk freely in the warm.

Marta Andreasen

On 28 January 2004 the Budgetary Control Committee was invited to the Commission's accounts department to see a presentation of the new accounting system. After numerous delays it is now supposed to come into use from 1 January 2005. According to his farewell interview with EUobserver.com, Mr Muis, the head of internal auditing, does not believe that.

After the presentation I asked Marta Andreasen's replacement, Deputy Director-General Brian Gray, whether the new accounting system would show the number of working parties, their members and the travel allowances paid. But, no, you still won't be able to see that under the new accounting system.

People doubt the veracity of the claim: but it is true! They cannot answer such a simple question today, nor will they be able to tomorrow, under the new accounting system. This is because the accounting system is not designed for controlling. It simply collects the data, which is submitted. It is not, nor will it be, possible to go in and see how much has been paid to an exporter of dairy products in Denmark, and you cannot see whether the same consignment of milk powder has received aid from another EU fund.

Of course, you can go round and take samples at the 90 local payment offices, but there is no automatic facility to transfer data to the central accounts department in Brussels. After the presentation of the new system I am also not sure that it provides any guarantee against future Eurostat scandals. But I am not an accounts expert, and the Commission did not permit me to bring a real expert, Marta Andreasen, onto the premises.

The Commission suspended Marta Andreasen as chief accountant on 22 May 2002. After 20 months suspension she was still denied access to the Commission's buildings. She is not allowed to do a day's work, but receives more than DKK 130.00

Euros per year after tax. They would like to put her on half pay, but then the case would have to be resolved within six months according to the Staff Regulations. The Commission therefore decided to let her continue on full pay; paid by the taxpayers without us getting any work for the money. It is contrary to European human rights to have a suspension lasting so long without the matter being brought to a close.

Marta Andreasen is a proper accounts expert with previous experience in the private sector and previous employment at the Organisation for Economic Cooperation and Development (OECD). Having been headhunted to lead the 130-strong EU accounts department, after only a few weeks she realised that the Commission had an accounting system that was open to fraud. She did not say that there *was* fraud, simply that the system was open to fraud. Staff can make untraceable alterations in the system. The accounts for the various departments do not match up. You cannot compare appropriations and utilisation of funds, as you should be able to do. There is no double-entry bookkeeping to allow you to follow income and expenses, both when they are booked in the accounts and when they are paid. This is a requirement, which every state imposes on the smallest bookshop. Once an amount is entered it must only be able to come out with a new entry. Otherwise you can both borrow and steal from the till without it being noticed. It is the most elementary principle in all bookkeeping, but it is not yet fully used by the Commission in Brussels.

Marta Andreasen was professionally shocked to find the deficiencies. She wrote as much in a memo to the Commissioner responsible and made a proposal for a new accounting system, which would do the job, and a timetable for its implementation. When that did not do any good, she went right to the top, to Mr Prodi himself, and that did not do any good either. She then went to the European Parliament with her criticism. At last, something happened: she was immediately suspended and banned from her own office.

I believed Marta Andreasen was crazy

In my first meeting with Marta Andreasen I believed that she was crazy. What she said was impossible. The Court of Auditors could not have audited the accounts for twenty years without having taken action against such a defective accounting system.

Marta then showed that accounting figures were submitted on Excel spreadsheets, which could be altered without trace. She also showed that some of the figures presented to us had been altered. That was the biggest shock I have had so far in my dealings with bureaucracy in Brussels. We cannot rely on the figures we are given by the Commission! The Court of Auditors has also expressed reservations about the correctness of the underlying transactions every year since 1994, but until 2003 they did not criticise the accounting system as strongly as they should have done as professional controllers. Their criticism has been far too soft until recently, and we can thank Marta Andreasen for the fact that, in spite of everything, something is now happening on the accounts front.

But I would like to have an independent assessment of whether the new system and the plans for its implementation are good enough. When we received an invitation to the presentation at the Commission, Marta Andreasen offered to come with us to the meeting as our expert. She was quite willing to offer her advice free of charge because she is still being paid for doing nothing. With Marta Andreasen at my side I could get an independent assessment of the new accounting system. The invitation allowed me to send someone other than myself. That suited me perfectly because I had also been invited to a function with the Queen. I wrote to the Commission (sending a copy to the Chairman of the Budgetary Control Committee) to say that I wanted Marta Andreasen with me at the meeting.

The meeting was arranged so that I could manage both the Queen and the accounts. But then Marta Andreasen's ban on

entering the Commission's building was invoked. For the sake of correctness, as was her nature, she had asked the Commission whether she could accompany me to the presentation of the accounting system. She could not, wrote the personnel manager bluntly in reply, presumably on the orders of his boss, the Commission's Vice-President, Neil Kinnock

I explained my problem in a little hand-written letter to Romano Prodi, which I handed to him during a mini-session in Brussels. I asked him to change the decision and I asked whether he really could take responsibility for the fact that the suspended head of Eurostat, who demonstrably had embezzled EU funds, can walk freely around in the Commission's buildings, while Marta Andreasen, who had exposed the possibilities of fraud, was locked out. Mr Prodi read the letter and immediately handed the matter over to his Chief of Cabinet. A few days after the meeting I received a personal reply from Mr Prodi in which he wrote that he had been amused by my letter and then he replied jovially with a reference to Montesquieu on the trichotomy of power.

A Member of Parliament cannot be accompanied by a Commission employee, and, in principle, he is quite right. But the Commission itself combines legislative, executive and judicial authority and has itself worked hard to have Commission employees included as secretaries for the elected representative and government appointed members of the European Convention. The Danish Government's representative, Henning Christophersen, was given a Danish Chief of Cabinet from the Commission whom he had worked with previously. The Irish member was given an Irish member of staff from the Commission. In view of that, he could well have made an exception from Montesquieu and given Marta Andreasen one day's meaningful work assessing the new accounting system.

Why don't they proudly show the new accounting system to one and all?

The European Parliament has been demanding a new accounting system since the showdown with the Santer Commission in 1998 and 1999. The Commission has promised to introduce it, but we still don't have it, and reliable sources say that it is very doubtful that it will start working in 2005.

As previously mentioned, as a little test I put a very simple question to Deputy Director-General Brian Gray after he had presented the system:

'Can the system show me how many working parties there are, the names of the participants and the travel allowances paid? I have tried for around ten years now to find out how many working parties there are in the Commission and who is on them.'

'Ask the Secretary-General, he can tell you', said Brian Gray. 'I have already done that,' I replied and added: 'The Secretary-General said that it was the individual Directorates-General that had the information.'

'But you pay the travel allowances?'
'Yes, but we don't know to whom, because that is done by the individual Directorates-General.'

It is, therefore, possible to take part in several working parties in the same week, receive several travel allowances and multiple subsistence allowances without it being discovered. I am not saying that that happens. I am simply saying that it can happen, with the added bonus that it would not be discovered if it did.

This little detail about small figures says more than many words.

Working parties that do not exist

As an elected member of the European Parliament, as Group Chairman and member of the Budgetary Control Committee, I am unable to find out how the Commission uses funds for the

around 1 350 working parties which have so far been discovered.

A Swedish researcher has studied the subject and I have studied it with a special working party and a full-time researcher for a year and we have all found a long list of working parties that do not officially exist.

From a good source I received a document (although I will, of course, deny his involvement should anyone ask), which showed that the Commission actually had a better overview than the one that they would officially give to those of us who are tasked with 'controlling'.

In 1999 I could publish the names of 500 invisible working parties, and the Swedish researcher has now discovered that the total number of working parties in the Commission is around 1 350.

Why can such a list not be sent to us officially? Why are we not allowed to follow the many working parties which are preparing proposals for new EU measures which can give the Commission even more power? Those responsible are not generous with the truth, nor do they always speak the truth. They do not want to have an accounting system, which can be asked for the whole truth about the use of *our* tax money. That is the only rational reason for not allowing me to bring Marta Andreasen to the presentation at the Commission. Marta Andreasen has also been banned from presenting her criticism and good advice to the European Parliament's Budgetary Control Committee. The committee has asked for this, but the Conference of Presidents forbade it, against my vote.

The chairmen of the large groups are loyal to their political friends in the Commission. I am sure they themselves are all honourable, but they do not want problems to come out into the open. They believe (naively, in my opinion) that people will

have faith in the system if there is no mention of scandals in the newspapers.

Cowardly custard

I do not believe people react negatively to scandals if you do something to put them right. On the contrary, I believe that people will have faith in a system which openly acknowledges mistakes made, places responsibility and does as much as possible to avoid repetitions. But I don't have any political friends in the Commission to protect which makes it easy for me and my small group to make idealistic demands.

The European Parliament's control of the Commission is not working, because the bosses in the two places belong to the same supranational European parties. The President of the Court of Auditors is a Spanish Christian Democrat and former member of the European Parliament. He can also be persuaded to soften criticism when his political friends ask him to, which they did when he received a provisional report containing a particularly strong criticism of the accounting system which I got my hands on and published. On the Budgetary Control Committee the majority are willing to control, but they do not have enough support in their political groups to implement effective controls.

A good example is the Danish Liberal member Ole B. Sørensen. He has sound instincts, but did not have the courage to meet Marta Andreassen when I tried to arrange a meeting.

As rapporteur for the accounts he has a key responsibility if things do not work from 1 January 2005. The cowardly custard did not even dare stand up and ask for the internal audit reports to be handed over. He delivered his report, with his own name on the cover, without knowing the whole basis. How humiliating.

At the committee meeting I had to ask German Commissioner Michaele Schreyer, who is responsible for financial matters, three times whether she had made the internal audit reports available to the Budgetary Control Committee's Chairman and rapporteur. The third time I spoke to her in German and then got the answer: they were internal and we could not have them.

Ole B. Sørensen was content with that as rapporteur. Even though I pointed out at the meeting that there was someone outside the Commission who had read them and had been shocked by the contents.

Ole B. Sørensen is hardly likely to win the June Movement's Frode Jakobsen prize for proven personal political courage.

In 2003 the prize went to Marta Andreasen for her efforts to give the Commission an accounting system without opportunities for fraud.

In 1999 the prize went to the first known whistleblower, Paul van Buitenen, whose criticism led to the Commission's fall in the spring of 1999.

In 2004 Dorte Schmidt Brown won the prize for showing personal courage. She was a Danish employee in Eurostat and made her superior and the Commission aware of fraud in the statistical office, Eurostat. Instead of praise, she was hounded out, made ill and she has still not received compensation for her loss of earnings capacity. She shared the award with German journalist, the EU correspondent for Stern, Hans-Martin Tillack.

Journalist arrested

One Friday morning in March 2004 six Belgian police officers appeared in a journalist's home in Brussels at 7.10 a.m. They took four mobile telephones with built-in records of his sources, two laptop computers, a collection of visiting cards and address books. Then they took him to his office in the international press building where they also took 17 boxes of documents and all his bank records.

He was arrested and taken to the police station for 10 hours where he was questioned about the sources of his articles. He demanded to speak to his wife, employer and lawyer. He was refused. But they could not refuse to allow him to visit the toilet in the press building and there he was able to tell a German journalist, who told others, who then told his wife, his employer and his lawyer. He was Hans-Martin Tillack, the first journalist to write about the Eurostat scandal

The raid took place at the request of the partially independent investigative office, OLAF, which suspected an employee of having provided information to Mr Tillack for money. That sounds highly unlikely given the large salaries such people earn. Mr Tillack's sources are more likely to be officials frustrated by the EU not taking action against the fraudsters in Eurostat, but only against those who had disclosed the fraud.

The police took bank statements and mapped the whole network of sources of the journalist who writes about the scandal, but they did not obtain bank statements for the accounts where the money from the false contracts in Eurostat, among other places, was deposited. And the most senior Commissioner responsible manages to avoid reprimand by saying that he did not know what was happening.

In a normal society, founded on the rule of law, you punish those responsible for the crimes. In the Eurostat affair the boss was suspended, but he still receives a full salary and can visit the

offices. Those who have been punished in this context are Paul van Buitenen, who first brought attention to irregularities in Eurostat; Marta Andreasen, who showed how easy it was to embezzle all the other accounts and refused to endorse accounts which she was not allowed to control; Dorte Schmidt-Brown, who did her duty when she refused to use taxpayers' money for false contracts; and, most recently, the journalist who wrote about the affair.

Those that have been punished are those that did their duty. It is hard to believe that this is Europe in the year 2004.

The hunt for the billions in agriculture

In all my 25 years in the European Parliament, the Commission's accounts have been inaccessible for critical control. I don't remember any proper answers to my numerous questions to the Commission.

I was first on the Budget Committee for ten years, spanning from 1979 to 1989. Since then I have worked on the Budgetary Control Committee from time to time. I don't remember any time when I had faith in the accounts.

The basic trust I have in the Danish Finance Act and the accounts of the Government and local authorities in Denmark is completely evaporates when it comes to the EU. It is not only my own little insight as rapporteur for the Parliament's budget, which opened my eyes. It was, in particular, my hunt for the many billions of kroner, which, according to the official accounts, we receive for Danish agriculture every year.

In fact, for many years we have received for agriculture alone three times as much in subsidies than farmers have declared in total net income from agriculture! Either the farmers have massively fiddled their incomes or the figures are an expression

of enormous waste in the EU's agricultural policy. I believe the latter.

It is not the EU in Brussels, which sends subsidies to individual farmers. All payments are made through 90 different local agencies in the Member States. Each Member State has an interest in the largest possible amounts. If the State's auditors find incorrectly paid amounts, they must be repaid by the State. With that arrangement no-one has any interest in the figures being correct. All the links in the administrative process have an interest in 'us' getting as much as possible from Brussels. Every single embezzled Euro helps the balance of payments.

In Denmark a special EC Directorate makes the payments. From there for many years around DKK 10 billion has been sent to pay subsidies to around 20 000 full-time farmers who account for 80% of the total production and have therefore on average received an annual subsidy of around DKK 400 000 (EUR 55 000) per full-time farmer. That is direct aid from EU coffers. The indirect aid from consumers in the form of artificially raised prices is of the same order of magnitude. I could work that out for myself on the basis of the published figures, but I have never been able to see who received what.

Mr Skimmed Milk

I tried everywhere to get detailed figures of who received what. I could not get them. I could only find out that a certain 'skimmed milk' had received more than DKK 1 billion from the EC Directorate in one particular accounting year. Where this Mr Skimmed Milk lived was confidential. It did not concern an elected controller.

Then I tried to obtain statistics on how the item 'skimmed milk' was composed. How large a share of the amount had gone to the largest beneficiary? How large a share had gone to other suitable

groups of skimmed milk providers? I couldn't get that data either. It was highly confidential how much had been paid out to individual dairies and to dairy groups like Nestlé, which, it was rumoured, was the largest single beneficiary of the funds which EU politicians claimed went to Danish farming.

Then I looked at export aid for sugar. It was also secret, but I then found out that Danisco alone received a quarter of a billion kroner per year just for selling sugar to its Norwegian subsidiary. They had had only one inspection visit in 15 years, and I could not see whether the same sugar also received subsidies from elsewhere in the EU coffers. I have absolutely no suspicion that there was fraud at Danisco's predecessor. My mission was simply to have a system, which made fraud impossible and showed elected representatives where the money went.

I also wondered about the subsidies for the export of meat. There were different rates for slaughterhouse waste and tenderloin and big differences in the subsidies depending on which country they were to be sold to. It was tempting for someone to import slaughterhouse waste with a low import duty and sell it on to a high-subsidy country as tenderloin with a higher export subsidy, the so-called export refunds. How do you tell the difference between tenderloin and slaughterhouse waste in a refrigerated lorry containing 50 tonnes of frozen meat?

Fraudsters

The first generation of fraudsters actually moved meat backwards and forwards across a border.

The next generation were happy just to simulate the transports with computer tapes and false stamps from the 'recipients'.

The third generation got their people into the Commission and found out how the prices of the various products were to be set. Then they could speculate on them through a sophisticated system for the buying and selling of rights to buy and sell various consignments of agricultural products at some time in the future.

In the United Kingdom, in particular, the common agricultural policy was criticised for being planned economics. In my studies I found neither planning nor economics.

For the 1987 accounting year I carried out detailed calculations for the various parts of the Danish agricultural sector and found out that incomes for farmers were greatest where the EU did not get involved with subsidies and disastrous precisely where the EU gave the largest subsidies, to milk and to beef and veal. Moreover, pig and poultry producers were punished because they had to pay an artificially high price for their feed. Even so, they had the highest incomes. The milk producers earned nothing, even though they received large subsidies from EU coffers.

The common agricultural policy was crazy, but it was a holy cow in Denmark. The Agricultural Council of Denmark was pleased with it, all the politicians in EC parties in Christiansborg acclaimed it as the great advantage for Denmark of being in the EC. There was also an advantage for agriculture through higher transfer prices when we joined the EC. However, the higher prices were soon capitalised into higher prices for land and property. The 50% of farmers who sold their farms in the first seven years of Denmark's membership made massive gains.

Ever since, the subsequent generation of farmers has had to achieve a return on higher land prices. After all it is not turnover, but the difference between income and expenses that they have to live on. That was overlooked during Denmark's first 25 years in the EC.

In recent years there has almost been a consensus in Denmark to scrap the agricultural schemes and to introduce normal supply and demand to agriculture.

An EU cow

One day, in my hunt for the agricultural billions, I went to the EU's top auditors, who are the equivalent of Denmark's state auditors. At the Court of Auditors in Luxembourg I wished to access computer tapes of payments from the Danish agriculture directorate and to conduct computer analyses of the composition of the subsidies.

I was sure that with the figures I could design an EU cow with far more tenderloin than intestines and belly. That would make a good story... as journalists say when something is very bad.

But not even at the Court of Auditors could I gain access to detailed figures or computer tapes. Nonetheless, they did have the right to inspect the tapes at the EC Directorate in Denmark. However, the EU auditors did **not** have the same right to inspect the payments from Germany and France.

In order to implement, in spite of everything, minimal controls, they had to enter into pragmatic agreements with the two countries to the effect that they could receive the computer tapes if the codes for the beneficiaries of the aid were removed from the tapes.

The Court of Auditors could then check whether correct calculations had been made for the various consignments of agricultural products, but could not check whether Nestlé had received aid for the same consignments in several countries or in the same country.

I have no particular reason to suspect Nestlé. The Swiss group and Unilever are simply the two largest beneficiaries of EU aid.

Just imagine, the EU's auditors, who are equivalent to the Danish state auditors, do not have the right to see who receives what. I was shocked.

Once I asked the President of the Court of Auditors, the Swedish Social Democrat Jan Karlsson, whether it was still the case that the Court of Auditors did not have the right to check all supporting documents from the Commission.

He confirmed that he did not have the right to see everything! How can he, as the most senior auditor, accept that the person to be audited will decide for himself what he will allow to be checked?

In spite of all the obstructions, each year the Court of Auditor's annual report is as thrilling as a horror film. Every year since 1994 the Court of Auditors has expressed reservations about the correctness of the underlying transactions. In fact, only 5% of the accounts are verified: the administrative budget. However, even there, the funds are 'fiddled'.

One day a special working party was set up in the Budget Committee, which together with the Commission was to look at a reorganisation of various things. I was included in the working party, which was led by the then Danish Commissioner Henning Christophersen.

Commission President Jacques Delors had given the former Chairman of the Danish Liberal Party and former Danish Foreign Minister responsibility for staff and finances on the grounds that Denmark was a small country. The number of fellow countrymen he could support with lucrative jobs was limited.

I posed a number of questions to Henning Christophersen on the use of funds, but never got a satisfactory reply. I thought it was because he did not want to cooperate with a Danish Eurosceptic who at that time wanted Denmark out of the EC. I have since realised that even he could not get the figures from his own Directorate-General for Agriculture!

Every office monitors the use of funds. Others must not interfere, especially not the elected representatives in the European Parliament.

The Directorate-General for Agriculture in Brussels was headed by a Frenchman for 13 years and paid large amounts of money to France. The rest of us could not scrutinise the payments or see whether the money could not be better used than to provide every beefsteak with a subsidy that was larger than its production cost.

A 1,5 Euro beefsteak received an export subsidy of the same value when it was sold, for example, from Denmark to Greenland or from Italy to the Vatican State (which, according to statistics, had the largest consumption of butter per inhabitant!)

Each Directorate-General had its own accounts and there was no combined presentation of accounts, which would allow crosschecks to be made. In this closed morass, it was easy to embezzle funds and people who were so inclined soon realised that.

The Italian Mafia have probably helped themselves to many billions of euros from EU coffers, and various political parties have probably also allowed themselves to be financed partly from EU funds.

We do not know where the many billions have vanished over the years because full controls have never existed. 1998 was the

long-awaited, dawn of public awareness. Only now is the European public so aware of the fight against waste and fraud in the EU that there is a real chance of forcing through the necessary reforms after the European elections in June 2004.

Be assured, the next parliament will require alert watchdogs!

It came as a shock

1979: Our first political group

I began my career in the European Parliament opposing Denmark's membership of the EC, but since 1992 I have spent the majority of my time fighting for openness, closeness and democracy for the whole of Europe. I entered the EU Parliament via the first direct elections to the EC Parliament. The popular movement against the EC put forward a candidate, having collected 125,000 signatures.

I saw to the creation of our first political group, which comprised four members. We didn't sit grouped according to country in the EC Parliament. Nor, do we do so in the EU Parliament. Members are divided into political groups, and all matters, from time allotted for speaking, to the allocation of assistants, are handled through the groups.

As a journalist from the EC-sceptic newspaper, *Notat*, I had very little advance knowledge of the system. I had written a major paper on the EC's budget at university, but now I wasn't certain that sufficient resources could be mustered for oneself, one's party or one's movement. We were barred from joining any political group, so instead we set about creating our own group together with other lists and parties, which did not fit into the political groups.

Our first group was called the Technical Coordination Group to indicate that we did not have a common policy, simply solidarity: we all wished to ensure equal treatment for the various members and groups.

Marco Pannella from the Italian Radicals was one of the chairmen. The group also contained a Belgian member from Volksunie and the coalition of the regional parties, two from the

Italian left wing and three from the Italian Radical Party, plus the four Danish EC-opponents, altogether 11 members.

The big group war

The composition of our group was the cause of major in-fighting. The established groups did not want to accept this new social climber, and they immediately set about changing the rules so that our group could be dissolved based on the fact that it wasn't a proper political group.

This, however, required a formal amendment of the rules of procedure. These rules can only be amended with the support of an absolute majority of the members. Thus began the first big group war.

Marco Pannella and the former fisheries commissioner Emma Bonino were used to the Italian parliament sabotaging parliamentary discussions by talking for hours and putting forward countless proposals for amendment. It's called 'filibustering' - dragging things out unnecessarily.

They set a computer to produce 5,000 different proposed amendments to the rules of procedure. If all of them had to be dealt with by roll-call, bearing in mind each roll-call can take a long time, it would not in practice be possible to amend the rules provisionally.

I was shocked that anyone could behave in such an unparliamentarily way. But it was very common practice, which did not shock the others involved in the process, and I had to realise that such a threat was probably the means to a diplomatic solution that I needed.

I negotiated with the other group chairmen and was offered some worthwhile help from an ordinary member of the socialist

group, *Willy Brandt*, who used to be the German chancellor until an East-German spy brought him down.

He had a very Scandinavian attitude towards fairness and was opposed to dissolving our group by force. He got a German deputy chairman for parliament, Bruno Friedrich, to support a compromise, which I finalised with the other group chairmen. That was the end of the matter. We finally received permission to continue as a group.

The budget committee – a good place to learn

I started off as a member of the budget committee and came to sit next to *Altiero Spinelli*, a leading Italian federalist, a former EC commissioner, now elected to the EC Parliament with a link to the Italian communists.

I will never forget the day I came across a set of confidential economic conditions for Italy in connection with a balance of payments loan. It involved requirements for a quick fix with unemployment as the price.

That must have excited the interest of my neighbour, Spinelli. But no, he was fully behind the requirements for Italy. If they just sent money to Italy, it would end up in the Mafia's or the Christian Democrats' pockets, or both.

He plainly had no confidence in the Italian authorities. I saw there a world of difference between us. I was critical of Denmark, but I had full, basic confidence in Danish municipalities, offices and the state. I did not consider our public authorities to be corrupt or Mafia-like. He had no confidence whatsoever in his country's authorities, so the more Brussels made Italy's decisions for her, the better, in his eyes.

Now, every day, I enter the Spinelli Building in Brussels, named after him and which houses the parliamentary members and their assistants.

The budget committee was a good place to learn. This is where I found out about all the EC's nooks and crannies. Every activity has an expense, which is reflected in the budget. Every activity must have an entry in the budget in order for it to be performed.

It was also through the budget that the EC Parliament gradually fought for more power, like the Danish Parliament, the Folketing, fought for parliamentarianism by gaining power over the Estrup government's budget.

Normally, an expense can only be defrayed if an amount has been set aside in the budget and a law has been passed, authorising the government to defray an expense. You therefore need money in the budget and a legal basis. The EC Parliament increased its power by putting amounts in the budget, which they requested the Commission to use without the legal basis having been approved. We called it legislating via the budget.

It was clearly unlawful, but the money was granted and also used. There was a certain connection between the decisions adopted in 'planet Parliament' and the reality back on earth.

The fight for power bred power, and the EC Parliament gradually gained considerable influence over the budget. In the draft EU Constitution arising from the 2003 Convention on the Future of Europe, the intention is to give parliament the last say over all types of expenses.

Funds are currently grouped into 'compulsory' and 'non-compulsory'. The EU Parliament has the last say over non-compulsory funding. Such funds have increased from comprising just 8% of the budget to 58% of the budget in 2003.

Spy for the Danish government

I fought against the transfer of power, and gave incendiary speech after incendiary speech against the supranational parliament's reprehensible unlawful acts. Not one soul was interested save those in the Foreign Ministry and the Finance Ministry who always agreed with me – and against the power-crazy parliament.

I also took part in the, so-called, budget consultations, in which a delegation from the Parliament met with a delegation from the Council of Ministers to decide on the next year's budget.

In these consultations I acted as the Danish government's spy in the Parliament's negotiating delegation. I was happy to report on what had been discussed and what was in danger of happening.

Such assistance was rarely reciprocated. The popular movement was detested in the Folketing and was unwelcome in most of the state administration. It was as if the tax the EC opponents pay, in the same way as EC supporters, to the servants of democracy counts for nothing.

It was in the budget committee that I first came across the hush-hush side of the EC. The Council of Ministers discusses the budget line by line, and from the confidential minutes of the meetings you can see what country supports what.

Knowledge of these minutes is absolutely vital if you're to know what's going on, what's being discussed, where there's conflict, and what the forecast for compromise is.

But these minutes were not available to members of parliament, and I have never seen any sign of them having been passed on to the Folketing, and I have never seen them in the hands of Danish civil servants.

I was unable to access these documents through the budget committee's secretariat, since it didn't issue them and didn't always have them in its possession.

I could only get hold of them by approaching a civil servant or minister who had the documents and asking for permission to copy them. I pulled it off for the most part because there are always kindly folk in the corridors, but I often ended up with a text in French or Portuguese, when a Danish civil servant with just an ounce of feeling for the needs of the elected could have passed me the documents in Danish.

You got used to working with a host of different languages. The figures were the same, the budget lines had numbers; after a while you'd know the numbers by heart.

Out of the budget committee's 50 members there was only a handful who were passed class A information. The others sat as onlookers and contributed issues for debate unconnected to the actual negotiations being held in the Council of Ministers. Typically, over 90% of members of a committee were unaware of what was being negotiated – as far as fine details were concerned. It's quite a shock for anyone who thinks there isn't anyone above or to the side of the elected. But that's the way the whole legislation process always works in the EU Parliament. We sit in the committees with the Commission's original proposals while behind us sit young trainees from the member states' permanent representations with the actual documents in front of them.

They have access to discussion document no. 17, while we sit with a completely out-of-date proposal. I have raised the matter time and time again, but the members show no inclination to rebel. It's obviously very convenient not to have to read it and follow proceedings oneself. It's easier to let one's assistants and lobbyists do the work for you, you feel a certain affinity to them - and they have the latest documents from the confidential

legislation process. After all, that's what they're paid for and pay for. Civil servants and lobbyists tend to dress smartly, members of parliament rarely do.

A 'Bonde report'

It's not just in the Commission where money is wasted. I was first shocked at the poor level of management in the EU Parliament itself.

In 1980, I was appointed as spokesman for the EU Parliament's own budget. The job of spokesman is rotated among the groups, so it wasn't a particular honour for a Danish EC-opponent. When I arrived in Luxembourg to write my report, there on the table lay a fully finalised 'Bonde report'. It was written by my appointed employee, Julian Priestley – who today is the top civil servant in the EU Parliament with the title of Secretary-General. At that time he was already a clever civil servant, and he had written the whole paper himself, which I just had to put my name to. The report was not bad, but nor was it critical enough for it to be a report of mine.

So I started interviewing people in the system to find out just what each individual entry was based on. And so came another shock. In all departments budgeting was reduced to a single sheet of paper on which the departmental manager would write the amount he wanted for the next year. For example, it might say: +45% funds next year. Reason: price rises. Nowhere were the expected annual price rises calculated at the official rate of inflation. All the figures were completely random. This lenient procedure meant that every year departments would have much more money at their disposal than was used.

The budget was not a budget, but a chequebook, for officials to use during the course of the year. If a line ran dry, they simply moved money over from another line. The budget always had several large reserves going under various curious names.

The scandals

All serious authorities work with budgetary requirements. Out of all the accounts, just one met these requirements. That was the entry for the publications office's expenses. It was not possible to make mistakes with or add extra inflation to their figures.

One day, a Dutch member of the EC Parliament invited me to lunch at a venue out of town. During this meeting, he and his closest employee disclosed several hours' of entertaining details on scandals in the EC Parliament's administration. A socialist group chairman had gone on an 80,000 km safari through Africa in parliament's chauffeured official car. The Dutch member wanted to be chairman of the EC Parliament and make a career for himself, so he couldn't have his own name associated with the publication of these scandals.

I was fully aware of this, so we had a common interest. If I made public the scandals, he would be an excellent candidate for cleaning up the corruption, and so our work was decided.

There wasn't an agreed plan as such, but it worked that way. Once I had created sufficient fuss about the money situation in the Parliament's administration, the British conservatives quite rightly swapped sides in the election for President and now backed the late Piet Dankert.

Dankert became President in 1982 and set immediately to work on cleaning up the system, but he ran into difficulties. There were people in the administration who had parked several months of funds in a special bank in Luxembourg. These non-interest-bearing funds remained there while the interest was siphoned off into their private accounts. They insisted that the money was in a desk drawer, which probably wasn't illegal, but should have been grounds for immediate dismissal.

Dankert tried to get people moved, but he lost the case to a pair of civil servants who managed to protect their misdemeanours thanks to all sorts of formalities.

Fired

Cheating was rife from the top to the bottom. It started right at the top with the parliament's group chairmen. They each had use of a chauffeured car, to drive them to and from work no matter what the distance.

When they arrived at parliament, they signed a travel expense settlement giving them, in essence, double payment. Firstly the journey with the parliamentary car, and, secondly, the fixed mileage allowance.

One day, I joined two employees from the accounts department in Luxembourg. We stayed up all night copying travel expense settlements from the group chairmen and other odd-looking vouchers.

Chairman after chairman, every week received a fixed allowance, while parliament also paid for the transport.

Today, cheating also goes on with the travel allowances, but no group chairman to my knowledge receives double allowances. All group chairmen agree that they want to clean up the decades of scandal in financial management.

Over the years it has become systematically entrenched, and Julian Priestley, my one-time helper, is now the top official and a decent man, to the extent that he is not put under pressure from the leading parties.

When I was finished with my own Bonde report, I held a press meeting and presented some of the scandals. The very same day,

contrary to all the rules, I was fired from my position as spokesman.

The group chairmen met informally and simply decided that I should leave my job. The budget committee's chairman, an honourable German social democrat, Erwin Lange, had no choice. He had to execute the judgement, despite the fact that it was an unlawful decision from a formally non-existent meeting.

Lange was a decent man who also believed in the need for a clean-up. The same went for the majority of the budget committee. He was secretly glad about the position I took and he supported it for as long as he could. The people at the top didn't want the scandals aired publicly. I had permission to work provided I kept the information to myself, but a press meeting was going too far.

Times were different then, only a few newspapers reported the scandals.

That's the way the story goes

Piet Dankert was the second President of a directly elected EC Parliament. He was elected by such a small margin that he was grateful to me for making the difference.

The first President was the former French minister Simone Veil. As a French Jew, she had survived Hitler's gas chambers. She now appeared as a distinguished queen. Her first official act was to buy 1500 bottles of French champagne.

Since parliament was meant to be open, she circulated a requirement to all female employees to wear dresses, but not blue ones since that colour was reserved for the chairman.

It was also in the first year that parliament advertised for a nurse with a 'comely appearance'. Apart from being a French liberal, Simone Veil was a strong supporter of equality.

Parliament was fairly Mafia-like. A general director recruited 18 young Italians from his home village and installed them in an office where they received wages for the whole village.

Every Sunday, one of them who was given the job of chauffeur, had to present the Secretary-General's wife with a bunch of flowers to say thank you for his job in parliament.

That's the way the story goes. On closer inspection, most of the stories turned out to be completely true. During my time as a budget spokesman, I won many friends in administration, who were just as frustrated as I. It was an honest German lady working in members' cashier administration who set me on the trail of the group chairmen's double returns. It was not the done thing where she came from.

A lot of nonsense went on in our technical coordination group, since our Italian radical leader, Marco Pannella, wanted to discuss anything going, all the time. One day, he was on one of his many hunger-strikes for all good purposes and we said to each other: why don't we send him a request to stick it out and go on and on and on.

After the first five years there was one thing all members agreed on: we would never join a group again with Marco Pannella, who has become a guiding light in his latter years and still sits in parliament.

A speech can shift reality

2001: European Politician of the Year, candidate for the post of President and member of the Convention

In Brussels, there is a newspaper known as the *European Voice*. It is published by the reputable British weekly *The Economist* but it is sold as a local paper.

The publication also functions as a local paper for staff in the EU's institutions. The gossip column on the back is the most popular item, featuring as it does wry stories about people who are familiar from everyday life in Brussels and the surrounding area.

70% of readers live in Brussels. There is no real European public sphere, or other real European media. With just 10 000 readers, the *European Voice* is the largest of its kind. In 2004, the daily number of people who read the Internet-based news bulletin *EUObserver.com* has exceeded the number of those who read the *European Voice* every week, but we are still talking about very small figures in relation to an EU population of more than 400 million citizens.

In 2001 the *European Voice* (or 'European Noise' as some members of the Commission call the, sometimes rather critical, weekly paper) began a new tradition of awarding prizes at a classy party, which resembles a royal banquet, for Ministers, Members of Parliament and MEPs. Male guests come dressed in black tie or tails and the women in evening dresses, which are occasionally rather low-cut.

The guests are the cream of Brussels society. Readers are the EU elite, members of parliament and their employees. They are the ones who vote for the winners of the annual prizes, including

Business Leader of the Year, Commissioner of the Year, MEP of the Year or Politician of the Year.

At the inaugural prize-giving ceremony I, and the Parliament's future President Pat Cox, had been nominated by a jury to compete in no fewer than three categories. Cox was named MEP of the Year, while I won the prize for European Politician of the Year. Up against me in this category were the British Prime Minister Tony Blair, the German Chancellor Gerhard Schröder and Pat Cox. We had not really taken the new initiative seriously in our offices, so not even my closest colleague voted for me.

Presumably, the prize was awarded in recognition of my efforts to promote openness in the EU, and I gave the cash part of the prize, which amounted to EUR 5000 (DKK 37 500) to a British campaign group that publishes a magazine called *Statewatch*. They monitor police cooperation in the EU and do a great deal to promote openness within the European Union. I was awarded the very first prize at the prize-giving ceremony, and it therefore fell to me to give a speech of thanks to the 200–300 party-clad EU bigwigs.

Someone had whispered something to me about the possibility of my winning in my ear the day before, so to be on the safe side I had prepared a good spontaneous acceptance speech that strongly criticised the lack of openness in the EU's institutions. The speech made the most significant progress towards openness that we have yet witnessed. Here is a clip:

**Jens-Peter Bonde's acceptance speech
for the European Politician of the Year prize**

12 December 2001

Ladies and gentlemen,

*What would happen if a multinational company bought the
European Commission, by mistake?*

And what if they wanted to find out what they had bought?

Can I have the telephone book?

- *Sorry, since 1999 it is not a secret, but you can't get it.*

How many laws are valid?

- *Sorry, we do not count.*

How many projects are you running?

- *We stopped counting when we reached 100.000.*

How many committees are You running?

Sorry, it is a secret.

Who takes part in the preparatory meetings?

Sorry, we don't know.

But you pay travel allowances to them?

- *Sorry, we don't know whom we pay.*

*Can I have a look at the laws to be negotiated with the 12
newcomers?*

- *Sorry.*

*Can't you give me the minutes from the meetings on
transparency?*

- *Sorry, they are secret.*

Yes, sorry I am not able to buy the European Commission and liberate Romano Prodi from his fortress.

I am only elected to control the Commission and the Council.

Like the Ombudsman, the Court of auditors and the budget control committee I cannot get what should belong to elected bodies in all parliaments.

I am very pleased to receive the prize from European Voice.

I see it as a popular support for the campaign for transparency, decentralization and democracy that we are running through the SOS Democracy intergroup in the European Parliament.

The prize I receive I will donate to an organization, which has done an outstanding job for transparency:

Statewatch, who watch over transparency and the legal cooperation, where we now risk comforting Bin Laden by violating our own civil rights.

We call ourselves critical AND constructive Eurorealists. Here is the first official copy of the Commission telephone book, and tomorrow the chairs of the political groups will meet with Mr. Prodi to see if he has more answers to my simple questions.

And my advice to the multinationals?

Buy. Close most of it. Focus on cross border issues where national parliaments cannot govern on their own.

Then we, the electorate, have nothing to lose, but everything to gain.

Then we do not add to the democratic deficit.

Then we shape a democratic surplus, giving people a voice – a European Voice – where they previously had no say.

It is not very often that a speech can shift reality, but that is what actually happened here. It was rather embarrassing to sit at the round tables and explain to the guests who were not members of the Commission that Mr Bonde may well have worded things a bit strongly, but that what he was saying unfortunately happened to be true.

Less than five months after the speech, we received five major promises of greater openness.

- In spring 2002, the Spanish Presidency gave its undertaking to open all Council meetings up to the public during the first and last readings of bills.
- The Spanish Foreign Minister also promised that all working documents from the Council's 300 working groups would be made accessible.
- As a first, the Council provided information relating to the various countries' positions in the debate on openness.
- The European Commission formally promised to provide the Parliament with a copy of all documents sent to the Council.
- The Commission also promised, once again, to publish the correct agendas and minutes from its meetings.

We cannot afford to rest until these concessions have been met, but the first few months of 2002 were a great period for openness in the EU – and that under a Spanish Presidency, which most certainly did not include openness as one of its main priorities.

Candidate for the post of President

Shortly after I was named Politician of the Year in 2001, a new President had to be found for the European Parliament. The term of office lasts five years, split into two halves. From January 2002 onwards, the Parliament would need a new President when the French conservative politician, Nicole Fontaine, had completed her term. The Christian Democrats and the Liberals had entered into an agreement after the election in 1999, and now it was the turn of the Liberal Group to fill the post. Their candidate was the Group's President, the Irish independent MEP Pat Cox.

The Socialist Group nominated one of the best Vice-Presidents of the European Parliament, David Martin from the British Labour party, as a rival candidate. The outcome was a foregone conclusion in the way the mandates were divided. But then SOS Democracy decided that we would use this opportunity to push through various reforms for the benefit of private members, small groups and independent members of larger groups. We wanted an election campaign and lots of action, and that is precisely what we got. I suggested that we nominate the eurosceptic and Irish Green MEP Patricia McKenna as a rival candidate. If she were to win the votes of her Green Group, as well as those of the left wing and the members of SOS Democracy, which also included 10–12 British conservative members, we could amass more than 100 votes, threaten Mr Cox – and thereby force the Christian Democrats and the Liberals to make democratic concessions.

But the Greens refused to nominate a Green eurosceptic, and chose instead to put forward their Vice-President in the Parliament, the French MEP and architect Gerard Onesta. The European United Left/Nordic Green Left Group put forward the President of their group, Francis Wurtz.

None of the large groups wanted to be associated with the Irish 'no' to the Nice Treaty, which Patricia McKenna had fought for - not even her own Green Group. Some of the French members of my group also refused to support the Irish Green MEP, so instead the lot fell on me. I had to be nominated as the rival candidate in order to make any meaning in the madness. I would be able to draw votes from the Conservative Group, the centre and the left wing.

I was not very keen on the idea since it was a demanding task on top of a great deal of other demanding tasks, but since my group promised to provide the necessary assistance during the election campaign, I accepted and announced my candidature.

The *European Voice* set up an election meeting together with a reform group, which is attempting to eliminate travel perks within the Parliament and introduce greater efficiency, and we had a really good election debate with the five candidates that were now vying for the post of President. Election meetings were also held within the various different political groups. I was invited, for instance, to take part in debates by the Liberal Group, the Group of the European People's Party (Christian Democrats) and European Democrats and the Socialist Group.

SOS Democracy had prepared a 'FairChair' political platform for the occasion - there was absolutely no way that I would be campaigning on an anti-EU ticket. Our election programme won over many members and set the tone for the debate. Mr Wurtz and Mr Onesta went out during the first round, having won only the votes of their own group members. I won 66 votes during the first round and therefore proceeded to the next round, where I won 76 votes even though there were only 18 members in my own political group.

It was an impressive and totally unexpected result, and the two presidential candidates attended an SOS Democracy meeting and listed the concessions they were willing to make to gain our

support. Personally, I was in favour of supporting David Martin, with whom I have worked for a number of years. He is an honest federalist, and he is in favour of openness, subsidiarity and democracy, as indeed am I. But as the President of a political group and an intergroup, it is not only my personal views but the opinion of the majority that counts. My mandate was to negotiate with both candidates and obtain as many concessions as possible from both, and that is what we got. Both sides now promised internal parliamentary reforms and greater consideration to private members, small groups and independent members.

Small groups would be allowed an observer member in the Parliament Bureau, where we are currently not represented. All Group Chairmen submitted this concession on paper, but it was never granted. I obtained the same concessions during the election in 1999, but nothing happened in reality. Next time, they will not receive one single vote from us unless the concessions are actually granted.

An agreement is not always an agreement

It is difficult to get used to the fact that an agreement in the EU is not necessarily an agreement, and that concessions may be extremely 'flexible'. I did, however, succeed in gaining the right for smaller groups to send a representative to the European Convention, which we would not have been permitted under the so-called d'Hondt rule, which favours the large political groups.

We did manage to amend the general principles employed in the distribution of seats, as I had demanded, but the two largest groups agreed to yield a post each to the two smallest groups. I was only allowed to participate because I won 76 votes at the presidential election in the European Parliament. Needless to say, this was not sufficient to be elected but it represented more than the difference between the two favourite candidates. It was

therefore 'my' votes that would determine whether Mr Cox or Mr Martin would be elected as President of the Parliament. If one of them rejected our demands, the other would get the job. Both therefore agreed to the majority of our requests.

As a result, I refrained from recommending one over the other. Pat Cox might win because he had already curried favour from the Green Group. The Green Group sits in front of my EDD Group in the centre of the European Parliament, between the Liberals and the Socialists. If I had recommended David Martin he would have been elected, but I had no mandate to do so when both candidates granted the required concessions.

SOS Democracy can sometimes tip the scale because we have members from all political camps. We have a dozen supporters in the largest Christian Democrat Group. The other groups do not like us, but they are fully able to count the majority in a ballot. We are impossible to ignore because we are a part of them. Even small groups can make a difference.

I did not stand for President of the Parliament in order to become President, but to attain good working conditions for independent members and small groups. All posts in the Parliament are distributed according to a principle known as d'Hondt, so-called after the Belgian mathematician who invented the system. The number of votes of the different parties are divided by 1, 2, 3 etc. and all posts are then distributed according to the largest remainder method. This system very much favours large parties and discriminates against the small. When 16 representatives are to be elected to the Convention, the two smallest groups in the European Parliament will not even be represented.

A Convention now had to be appointed to prepare the next treaty, and I was very keen to be either a fly on the wall or, even better, a full member, so that the eurosceptics would have at least one seat. I broached the subject with David Martin and Pat Cox and the backers behind the two serious presidential

candidates, and we arrived at a bargaining position that required the Christian Democrat Group to cede one seat to the UEN Group, and the Socialist Group to cede one seat to the EDD Group. We did not manage to change the d'Hondt method, but we got the seat we wanted. I took the seat reserved for the EDD Group, with my French colleague William Abitbol as my deputy.

Member of the Convention 2002
– working towards a European constitution

In 2002 a special *Convention* was set up to work on a draft for a new treaty or a constitution to replace the previous treaties.

The Convention was composed of 15 representatives from the governments, 30 representatives from the national parliaments and 16 representatives from the European Parliament and a corresponding number of deputies. 13 government representatives and 26 members of parliament who attended as observers represented the 13 applicant countries. The applicant countries did not have any deputies. Bulgaria, Romania and Turkey were included among the applicant countries.

The Commission was also represented. The French Commissioner Michel Barnier and the Portuguese Commissioner Antonio Vitorino performed this role.

The former French President, Valéry Giscard d'Estaing, led the Convention's Presidency. It also included the former Belgian Prime Minister Jean-Luc Dehaene and the former Italian Prime Minister and constitution expert, Giuliano Amato. Three fervent federalists.

Mr Giscard himself had been President of the International European Movement for eight years. Mr Dehaene had been picked for the post of President of the European Commission

back in 1995, but the British Government vetoed him because he was far too pro-European for their liking. Mr Amato, like almost all Italian politicians, is fervently pro-Brussels, and is also a highly competent constitution expert.

I was familiar with the Presidency already. Mr Giscard had been a member of the Institutional Committee of the European Parliament and spokesperson for a report on the subsidiarity principle on which – at the time – we fully agreed.

Dressed to the hilt

I know Mr Dehaene well from countless past meetings. We still have the occasional laugh when we look back on a meeting we both attended at the Oxford University Students' Union. We were there to discuss the pros and cons of the Maastricht Treaty and there were three of us on each side. He was on the yes-side with the then EU External Affairs Commissioner Hans van den Broek and the leader of the British Conservatives in the European Parliament, Tom Spencer.

I was on the no-side with the conservative Lord Norman Tebbit and the late Lord Peter Shore from Labour. I had known Peter Shore since 1972, when he assisted us with the Danish referendum on EU membership.

Lord Tebbit came to Copenhagen at the time of the Maastricht vote to give us his support; we were a close-knit no-side.

The debate was transmitted live on TV and was followed by a vote which we won hands-down. I particularly remember the preliminary meeting with the committee members of the Union. The young, dapper British up-and-coming academics proposed a toast to Her Majesty the Queen followed by another toast in honour of the evening's sponsor, Royal Dutch Shell.

When the toastmaster said Queen, the gathering answered: Queen. When he said Shell, they responded loudly: Shell.

We were also photographed together, and presumably our picture still hangs in the Oxford University Students' Union, showing me in my best suit and everyone else dressed in black tie!

I was not aware of the traditions of this exclusive club. Mr Dehaene had been warned, but I had not, and I have to admit it was a little embarrassing at the time.

President of the European Democracy Forum

I had known Mr Amato on and off, but it was when we were part of the Convention's working group on simplification that we really came to respect one another. He signed my proposal on openness and another demanding a referendum on the European constitution in all countries.

The Convention was unevenly composed. A third of the Convention members from Denmark, the Czech Republic and Great Britain were against a constitution, but the opponents were greatly outnumbered in the delegations from the other countries.

In Ireland, more than half of all voters had said 'no' to the Nice Treaty. In the Convention, only a single deputy represented this section of the population. In Sweden and Finland half had voted 'no' to membership. Here, too, the 'no's were represented only by deputies.

In Sweden the vast majority of voters said 'no' to the Euro in September 2003, but they did not get a voice in the Convention.

In France, some 49% of voters said 'no' to the Maastricht Treaty in 1993. Not a single deputy in the French delegation represented them.

Given such an imbalanced group, things were bound to go wrong. And they did – from the very first day.

We attempted to get just a single eurosceptic in the Praesidium. Our request was denied. We could not get so much as a single observer into one of the three secretariats that were in charge of preparing the texts. Not a single eurosceptic was allowed to participate in any of the preparatory meetings.

The sceptics therefore decided to form a special Democracy Forum. I was President together with the former British European Affairs Minister, David Heathcoat-Amory, and the Czech conservative Shadow Foreign Minister Jan Zahradil, from the former Prime Minister, and now President Václav Klaus' ODS party, a non-socialist party whose policies correspond largely to those of the Danish Conservative People's Party. Our Democracy Forum sent a suggestion to the Convention that the 13 applicant countries should be represented in the Praesidium by at least two members. The proposal was not forwarded to the other members, nor was it translated, and it was nowhere to be found on the agenda for the first meeting.

I asked to be allowed to speak at that meeting, but my request was refused. We immediately sent a written protest to the Praesidium, and a few weeks later I received a call from the General Secretary of the Convention, the former British EU ambassador and Head of the Foreign Office, Sir John Kerr. I was on my way to Brussels by car from Strasbourg at the time, so fortunately I was already sitting down when he rejected our suggestion with a sentence that remains etched in my mind: 'It would set a very bad precedent if members of the Convention were able to table proposals'.

Mr Giscard's idea of consensus

'It would set a very dangerous precedent if members of the Convention were able to table proposals' – I can still hear the sentence, pronounced in John Kerr's clipped British accent.

As members, we were not even to be allowed to table proposals. I raised the matter again at the following meeting. By then, the sense of discontent among the applicant countries was so palpable that Mr Giscard had to give in and allow them a single observer. The majority of the Convention members were in favour of the two seats we had proposed, but Mr Giscard refused to put our proposal to the vote. That was to be our first lesson in the decision-making method that came to be employed within the Convention – something Mr Giscard called a 'consensus'.

Commonly, a consensus means that everyone is agreed to the extent that no-one objects. If so much as one person votes against, there is no consensus. Mr Giscard succeeded in modifying this system so that there was a consensus when he agreed, but none if he did not.

In the Praesidium he called for space exploration to be a new EU objective. No one supported him, but it became a part of the 'consensus'.

I gathered 200 out of a possible 220 signatures from the members of the Convention in support of a suggestion to reverse the burden of proof in matters of openness. No other proposal gained as much support in the Convention. The suggestion was supported by all members of the national parliaments and all members of the European Parliament apart from a single Frenchman, and by 23 out of 28 governments. The Danish Government, among others, did not support the motion. But the proposal that received the greatest support did not become a part of Mr Giscard's 'consensus'.

The members prepared more than 5000 proposed amendments to the texts we received from the solidly pro-Union Praesidium. None of them were translated, circulated or put up for debate and vote. I put forward 180 proposed amendments myself, along with an equal number of editorial suggestions.

The Convention had been entrusted with bringing the institutions closer to the citizens and making the EU more democratic, but the Convention itself was not democratic. Democratic votes were not permitted. That is reason enough to reject the results of the Convention.

Our Democracy Forum prepared a minority report. We told Mr Giscard that we were prepared to sign the full report if the minority report was printed along with the majority proposal. In the event, the minority report was included in the full report passed to the heads of states and governments, but it was omitted in all versions distributed to the press and the public. I knew instinctively that this would happen, being fully aware that we were dealing with people who could not be trusted. But I signed anyway in order to keep my part of the agreement. It is difficult to get used to the fact that an agreement in the EU is not necessarily an agreement. Lying is acceptable, as is reneging on your promises.

Great method – wrong mix of people

The negative experiences were not all that I took with me from the Convention. It was great to be part of the working group for simplification, with Mr Amato as President. There was a fantastic collegiate spirit among members, and I managed to push through some of our suggestions about simplification. In future, for instance, a regulation will be known as a law and a directive as a framework law.

Finally. Terms we are familiar with from our national systems. But even here, some of the lawyers were so keen on the concept of 'regulation' that they invented a completely new type of decision to be known as a 'delegated regulation'. It is hard for them to get used to plain words and simple terms.

It was very exciting to meet the representatives from the 13 applicant countries, and I made many new friends. The working atmosphere in the Convention was excellent, particularly within the working groups. It was a great method, but the wrong mix of people. Next time, we have to make sure that there are an equal number of supporters and opponents, women and men, young and old. In short: a Convention that truly represents the voters.

Our opposition group came together at a working lunch before every meeting of the Convention to plan what was to be said and done and by whom. It was at these lunches, working alongside members of the European Parliament intergroup SOS Democracy, that we prepared our alternative proposal which contained 15 issues.

My co-Presidents were both real characters. Jan Zahradil, Vice-Chairman of the ODS, is now on his way to the European Parliament and likely to be named Foreign Minister of the Czech Republic in 2006. In Soviet times, he sported long hair and played Beatles music in a kind of inner exile.

There were other colours present too. The President of the Irish Greens, John Gormley, a very popular left-wing politician from Finland by the name of Esko Seppänen, and the leader of the Maltese Labour Party, Alfred Sant, as well as Malta's former Foreign Minister, George Vella.

There were 10–12 of us who met up regularly. Eight signed the minority report, which contains a number of demands that would gain a majority following in most countries if the opinion polls are to be believed. We are asking, among other things, for

all countries to have their own Commissioner, and that he or she should be elected and answerable to their own national parliament. We want all European regulations examined by the national parliaments so that we, as voters, have more of a say in these regulations and so that we can keep an eye on who says what. The 15 issues are the essence of the concept of Openness, Subsidiarity and Democracy. They represent a positive alternative to the further centralisation proposed in the draft constitution.

The constitution will transfer power in 15 new areas from the Member States to Brussels without transferring power in so much as a single little area back to the Member States. It will eliminate the demand for unanimous agreement in around 40 areas. In short, it will give the voters far less of a say and hand over even more power to the civil servants behind their closed doors, where elected representatives and the public cannot follow.

It will also enable the Prime Ministers to change the constitution without asking the electorate again. It is not a constitution I would recommend.

Gisela Stuart's self-criticism

I was at the EU summit in Thessaloniki in Greece when Mr Giscard presented the report to the heads of states and governments. Once again, Mr Giscard had promised to print the minority report along with the majority proposal, and again it failed to happen despite repeated requests. Mr Giscard is so distinguished that he lacks common honesty.

Mr Giscard was also leader of Auvergne Regional Council, but he lost his seat at the regional elections in France in March 2004. Europe's great constitution expert did not even make it through the first encounter with his own voters. It must have been a strange sensation, actually having to count the votes,

instead of simply claiming that there was a ‘consensus’ and that the majority supported him.

The British member of the Praesidium, Gisela Stuart, was born in Germany but elected in Great Britain, and her German and English language skills are far superior to her French. One evening, as she was about to leave for home, Mr Giscard passed her a new paper about security and defence policy. In French. Defence policy is a sensitive issue in the UK, which has a special relationship with the US and seeks to preserve NATO, which France would prefer to marginalise in favour of a French-led European defence. Mr Giscard proceeded to explain that the contents of the paper were the same as those of another she had recently read in English. Gisela then began to study the French text, which she did not fully understand, but she understood enough to see that there was no mention of NATO – or OTAN, as the North Atlantic Treaty Organisation is known in French. It was an example of pure manipulation, which Gisela Stuart later described in her enthralling book about the European Convention.

Gisela was Mr Blair’s woman in the Praesidium, and she was extremely loyal to Mr Giscard during the Convention meetings. I am not aware of what happened consequently, but suddenly the Fabian Society published a book in which she rubbishes Mr Giscard and warns against approving the constitution which she herself helped to create.

It is surprising, but pleasing, to encounter such self-criticism. She has taken on board many of my own points of view concerning the subsidiarity principle. She is more than welcome to adapt the remainder of the 15 requests put forward by SOS Democracy and the Democracy Forum.

'Mamma Mia,' said Mr Prodi

1999: An honest federalist, thick-skulled bureaucrats and a secret telephone directory

There are European Parliament elections in June every five years, and the procedure to appoint the new European Commission begins immediately afterwards. It is not the European Parliament but the Prime Ministers of the Member States that appoint the new Commission – the European Government.

All candidates for the new Commission are subsequently subjected to the approval of the European Parliament. The EU's elected representatives can say 'no' to the chosen President, but they cannot nominate another. They can also say 'no' to the entire Commission, but they still cannot nominate another. The power of Parliament bears no comparison to the power of national parliaments which, in every Member State, are responsible for appointing the country's government following each parliamentary election.

Parliamentarism is common to all European states, but the concept of parliamentary democracy is set aside when sovereignty is split and we select a common European Government. Even so, Parliament's power to block a new Commission is so real that the appointed Commissioners take it very seriously indeed. They duly turn up to be questioned by the committees, where we present them with both oral and written questions relating to their past and future, and ask them what they think about this and that, focusing in particular on the area in which they will be working. The President also takes Parliament seriously, and visits the various political groups before the official poll.

After the fall of the Commission in 1999, I therefore had a visit from the former Italian Prime Minister Romano Prodi. He was keen to meet my group before the election. His future Vice-President, Loyola de Palacio, was also extremely friendly before she took office. That was one of the only two occasions on which she set foot in my office. Mr Prodi's visit was the beginning of a friendship with a real academic character. I have to admit that I actually like the man. I do not see him as evil, but as someone who has no real way of controlling the monster in Brussels.

There are a number of brief anecdotes that show the kind of conditions he works under every day. I asked him the usual range of questions about openness. To my huge surprise, he agreed to all my demands. He pledged zero tolerance for fraud, and he promised a new era of openness in the European Union. He would take the first step and put both his incoming and outgoing mail on the Internet for public scrutiny. I was pleasantly surprised – the latter was something I had not even dared ask for. I wanted him to promise that the agendas and minutes from the Commission's meetings would be made publicly accessible. He promised that they would, and he was true to his word, but it is a very long story.

To be on the safe side, I asked him to repeat his promise to my group in the Parliament so that the new Commission's intention to open up to the public would become official.

But his civil servants were not impressed with his undertakings. They refused to comply with the promise of openness. Mr Prodi himself posted (some of) his mail on the Internet, but the agendas and minutes we were promised never appeared.

I returned to Mr Prodi to remind him of his promise, and suddenly things started happening. The Commission began to publish both the agenda and the minutes of its meetings on the Internet. I then discovered that the civil servants had invented a

new kind of agenda for the occasion, which contained just some of the points to be discussed, along with a new type of concise resolution minutes, which largely corresponded to their usual press releases.

We had not been granted the additional openness promised by Mr Prodi. I collated the official minutes for a month and managed, at the same time, to get hold of the actual minutes from the Commission's meetings for the same month. After a meeting of the EU Presidency Conference, I took Mr Prodi to one side and showed him the two piles of paper. 'Here are the minutes you publish on the Internet and send to the Parliament. Here are the minutes you distribute internally within the Commission'. One pile contained 10 – 12 pages, while the other amounted to around 100 pages. One pile clearly showed what had been discussed within the Commission, while the other showed what the Commission wanted the public to see.

'Mamma mia,' Romano exclaimed spontaneously. I am absolutely sure he was genuinely surprised. He believed his instructions to publish the agendas and minutes had been followed. He said he would immediately go back and make sure that the complete minutes were made available. But that still has not happened, and it is not likely to either – the monster will not allow itself to be controlled by the person who has been chosen as President and is answerable for its actions. It may be Mr Prodi's responsibility, but it is hardly his fault.

For that same reason, my group chose not to vote for the Prodi Commission. We have no faith in Commissions that are appointed on the basis of the current rules, and we do not vote for centralised European governments, which we strongly oppose. Mr Prodi was well aware that he would not get our votes. He made the concession without getting anything in return. Why? Because he is an honest federalist who genuinely wants greater transparency in the Union.

A layer of thick-skulled bureaucrats

As a matter of course, Mr Prodi gladly said 'yes' when I asked him to contribute to a book about different visions for Europe. He was to describe his vision of Europe's future, and I would set out my own, very different, vision.

The book, which was published in Danish by Vindrose, is entitled *The Next Union Treaty* (Den næste Unionstraktat). His contribution is extremely well written. Needless to say, Mr Prodi himself did not write it, but a bright British civil servant within the Commission wrote a draft that was completed by Mr Prodi. It was a real battle to get the manuscript out of the Commission. On the bottom shelf sat a bright civil servant who was looking forward to the task at hand. On the top shelf sat a President who had decided to contribute to a book edited by a eurosceptic with a murky past in the DKP, the Communist Party of Denmark. Just below Mr Prodi sit a layer of bureaucrats who cover up fraud, hate openness, sabotage all openness reforms and refuse to contribute to a discussion book about the future of Europe if said book has anything to do with that awful Dane by the name of Bonde. But I got the manuscript in the end.

The story repeated itself when I asked Romano Prodi to write the preface to my book about the Nice Treaty. Once again, the spin-doctors dug their heels in. At long last, however, I managed to get an excellent preface for my book, this time written by a Belgian civil servant and dispatched by Mr Prodi's office. We agreed on a joint photo session for the book launch, featuring Mr Prodi, the book and myself. The pictures were to be taken in the corridor during a meeting of the European Parliament. We posed near the hall in which the meeting was held, with big smiles, the book and a photographer.

Romano Prodi seldom acts like a politician. He is an economics professor. He is an academic with a lot of ideas, and he is in favour of openness and dialogue, even with a Danish

eurosceptic. Mr Prodi is, quite simply, an honest federalist. There are very few of them in Denmark, and I am a friend of them all. We may disagree, but I respect their opinion. In December 2002, during the EU summit in Copenhagen on the expansion of the EU, Mr Prodi came towards me in the company of the then Head of the Danish information office, Peter Stub Jørgensen. Peter did what he believed he had to do in his position, and warned Mr Prodi strongly about me and my misdeeds, to which Mr Prodi answered: 'Him – he's a friend of mine!' I got a big hug and Peter Stub a valuable lesson in common courtesy. He has since been exemplary in his behaviour.

The Commission's secret telephone directory

As Commission President, Jacques Santer was effectively of the same mould as Mr Prodi: friendly, correct and prepared for greater openness than before. I first got to know him when he was Prime Minister in Luxembourg and in charge of the negotiations on the Single European Act in 1985. I was in close contact with his predecessor as Prime Minister in Luxembourg and Commission President, the liberal Gaston Thorn. It was him, for instance, who told me that the liberal parties in Europe were in the process of creating the first European coalition in 1976. Mr Santer gave a detailed description of the negotiations on the Single European Act and the restrictions of the right to veto, and an audacious agreement that the right of veto granted under the Luxembourg Accord would no longer be employed.

Since joining the Parliament, I have worked hard to make the Commission's telephone directory available to the public. As President, Mr Santer agreed to my suggestion and promised to send me the Commission's internal telephone directory officially. It was a huge victory, which also had practical advantages; I only had an old outdated version of the directory, which a kind civil servant had given me when he replaced it with an updated edition. Old editions were passed from civil

servants to lobby offices and the most quick-witted members of Parliament, but the book was not officially available.

I had to remind Mr Santer about his promise several times, and then suddenly one day I received a CD-ROM through the internal mail containing all the Commission's addresses and local telephone numbers. In an instant, Brussels ceased to resemble Moscow during Soviet rule. It was all quite legitimate – the telephone directory had been made available officially and was even accompanied by a covering letter.

A year or so later, I happily recounted this story of greater openness to a group of journalists from the daily newspaper *Det Fri Aktuelt* who were undertaking further training in Brussels. They refused to believe it could be true, so they put the story to the test. They asked for a copy of the telephone directory, only to be told that it was not available. The telephone directory was an internal tool, which could not be made available to the public. I had no choice but to get back on the case.

Following several discussions, the Commission published the telephone directory on the EU Intranet so that it would be available to all members of staff in the EU's institutions. At the same time, however, they refused to publish it in print or on a CD-ROM like the one I had received. My CD-ROM is now a collector's piece, the only copy of the Commission's telephone directory to be lawfully found outside the impenetrable walls of the Commission.

The civil servants simply reversed Mr Santer's decision. They blankly *refuse* to hand over their telephone numbers, because if they were to do so then anyone could call them, and then where would we be, Mr President? It makes no odds that anyone can go into a bookshop and buy a telephone directory that lists every member of staff in the Danish ministries and government agencies without causing the central administration in Denmark

to break down. You can even subscribe to the Danish telephone directory and receive an updated version four times a year.

I resumed my telephone directory crusade under the Prodi Commission, but the civil servants are still not keen to hand it over. The latest is that I have succeeded in getting the telephone directory published on the Commission's website, on a trial basis, where it may be consulted but not copied in any form. I have also been strictly informed that I am not to make the telephone directory publicly available.

No difference between truth and falsehood

I have also published a number of different books with Jacques Santer. It was no easier back then to wrest the manuscripts from the Commission. Martine Reichert, Mr Santer's spokesperson, was standing by his side when I reminded him about our agreement for the third time. She got a dressing down she is not likely to forget. She was told in no uncertain terms to hand that manuscript over here and now. And sure enough, a few days later it arrived and was published as his preface to my reader-friendly version of the Amsterdam Treaty from 1998.

Just another trivial little story, but it is precisely these kinds of stories that go to show that the Commission President is often more of a victim than an offender. The EU elite is surrounded by a layer of highly-paid top bureaucrats, most of whom have totally forgotten that they are there for the benefit of the citizens, and not just to benefit from the citizens.

There are notable exceptions, of course, but far too many no longer know the difference between truth and falsehood. This is clearly demonstrated by another, in itself relatively insignificant, anecdote concerning the dismissal of a Danish civil servant.

Sack the Director General

In 2001 the common fisheries policy had to be renegotiated. The fisheries policy, along with the common agricultural policy, came under the remit of Austrian Commissioner Franz Fischler. But he his plate was more than filled by agricultural reforms, he had little time left to spare for fish.

The fisheries portfolio was therefore, effectively, being looked after by his Director-General, the Danish-born civil servant Steffen Smidt. I know Steffen from my time at the Department of Political Science at the University of Aarhus where we both studied. He was a price student I was not. He was an EU supporter I was not. He wanted a career I did not. He ended up as Director-General in Brussels with responsibility for the Commission's personnel policy – fortunately, I did not.

In this capacity, it was Steffen who had to suspend Paul van Buitenen and call him to order – or rather tell him to get things in order. The dismissal was hardly Steffen's idea, but it was up to him to execute the Commission's ruling. Paul van Buitenen was not very complimentary about my former fellow student, even though I defended his integrity. Steffen Smidt was no worse than the others; far from it. It is the irony of fate that he was to be the next to go. This is what happened:

One Sunday afternoon, the Spanish conservative Prime Minister, José Maria Aznar, called the Commission's President, Mr Prodi, and told him in no uncertain terms that the Commission's proposed fisheries policy was unacceptable to Spain. Mr Aznar wanted the Danish Director-General dismissed and replaced by someone with more 'interest' in the problems facing Spanish fisheries.

The fisheries policy was still on the drawing board and had yet to be published. The Commission's Spanish Vice-President, Loyola de Palacio, had – against all rules, but in line with the

actions of many other Commissioners – given her fellow party member, Prime Minister Aznar, the internal information. She had also pointed out that things would be far simpler if they could only get rid of this blasted Dane.

Steffen Smidt was no ordinary civil servant. In the absence of the Commissioner, he faced a lot of stick from the Spanish press, which also ran some very nasty caricatures of him.

Aznar got down to business – Steffen Smidt had to go. Later that same Sunday afternoon, Mr Prodi called Mr Fischler and told him to get rid of Steffen Smidt. It is not every Sunday that the Commission President calls his Commissioners. This was a very unusual situation. Fischler proved to be weak and accepted the dismissal, even though he had nothing personal against Smidt. Responsibility for staff rests with the Commission's Vice-President, Neil Kinnock, and it is therefore up to him to dismiss people formally.

The next day, Kinnock's right hand man called Steffen and informed him that he was to be transferred – at his own request. It would be best if they could agree on the explanation that was to be given to the public. The Chief of Cabinet did not invite a discussion about the grounds for dismissal, which were fabricated. As far as he was concerned, the decision had already been made and all that remained was to carry it out with as little commotion as possible.

It did not even enter into his considerations that Steffen Smidt might not be prepared to lie. In his position, people become so used to adapting their words to suit the existing demands that the idea of telling the truth does not even enter into the equation. Steffen Smidt was not prepared to go along with the lie, so he told the public that he had been transferred against his wishes. He would have liked to finish the new fisheries policy before going on to a new challenge.

It is of little interest that people may tell a white lie if pushed, or that they may be a little economical with the truth rather than give themselves away when they find themselves in a tight spot. It should not happen, but it does. Ministers and Commissioners are not allowed to tell little white lies, but they can at least be explained, if not defended. The interesting thing here is that the truth is not even an option. That loyalty to Director-Generals means that people become used to agreeing on how they should lie or avoid telling the truth. It becomes a social convention.

This trivial little tale is a lesson in the fruits of unbridled absolute power.

Steffen Smidt was sacrificed

Steffen Smidt was dismissed even though many of us did what we could to prevent it, but the Danish Government chose to go along with the story.

Thus, Anders Fogh Rasmussen faced a Danish Presidency of the EU during which he had to get a reluctant Spain to approve the expansion of the EU by ten new countries that would divert some of the structural fund money previously received by Spain.

Understandably enough, Mr Fogh was not interested in a conflict with Mr Aznar. But he did not have to sacrifice Smidt. Mr Fogh was not involved in the conflict in any way. He could simply have allowed Steffen Smidt to take his unfair dismissal to the European Court of Justice as a normal employment case.

The dismissal could easily have been avoided. Denmark, or Steffen Smidt himself, could simply have threatened to go to the European Court of Justice about a transfer brought about by a Prime Minister. The case would undoubtedly have been settled before it reached the judges in Luxembourg. Steffen Smidt

either could not or would not bring the case himself against the wishes of the Danish State.

Needless to say, he was keen to remain in the employ of the Danish State and desperately hoped that the Royal Danish Ministry of Foreign Affairs would offer him a more exciting challenge, so that he would not have to be paid to sit idly by in a commission office in Brussels. Steffen Smidt did not suffer financially as a result of his dismissal. The Commission treats its loyal employees well, unless they expose internal fraud.

Smidt was not formally dismissed, but simply transferred to an office with no staff, no responsibility, but a six-digit salary in Euros after tax. That is a harsh sentence for a good civil servant who simply did his job as Director-General of fisheries and bore the political pressure from Spain, which, by rights, should have been aimed at Fischler. I was in close contact with one of Steffen Smidt's friends during this time, and I helped to get the ball rolling in the international press, including major publications such as *Die Zeit*, *The Economist* etc. We could easily have won the case, but not without the help of either Steffen Smidt himself or the Danish Government.

Steffen Smidt would undoubtedly have liked to take part in the spring-cleaning exercise, but he could not since he was just a small cog in the large machine, which had forced him to play the role of executioner in the case of Paul van Buitenen. In a system such as this, the people are not in control. They play the roles they are assigned according to the manuscripts they are given, and they cannot just skip their lines when their conscience tells them to.

Highly enlightening but not very comforting.

'It's an ill wind that blows no good' goes an old saying. After Mr Aznar's little Sunday chat, the Commission was unable to make any significant changes to the existing proposal for the new

fisheries policy. A proposal that would have been impossible coming from a Commission with Loyola de Palacio as Vice-President.

Steffen Smidt was the victim, and Danish fisheries avoided an even more unfavourable proposal for the new fisheries policy.

The Budget Control Committee also dealt with the case. All the Spanish members supported the dismissal. I would have liked to ask the two parties who were involved to attend an interview with the Committee. It seemed to me that the case was very simple. Mr Prodi and Mr Aznar do not speak English together. Instead, they use high-ranking civil servants to interpret. We could have summoned these civil servants and asked them to tell us what had been said, and thus revealed that Mr Aznar's denial that he requested the dismissal was a direct lie.

It was on this occasion that my late friend in the Commission, John Fitzmaurice, pointed out that people in that particular wage-bracket have very poor memories. Even so, I would have liked to put one up against the other in order to uncover their deception. We had sufficient statements to know that they could not all be true. Someone was lying. But, as in George Orwell's futuristic novel *Nineteen Eighty-Four*, there is no difference between truth and falsehood. You simply say whatever suits your purpose, here and now.

Here and now, we need a thorough clear-out of the EU elite, applying Openness, Subsidiarity and Democracy.

Small steps forward in the fight for openness

2001–2002: A Swedish cause and a Spanish comrade-in-arms

On 1 January 2001 Sweden took over the Presidency of the EU. The time had come to strike a blow for openness. Openness was to be a Swedish cause, and I was all in favour, although I warned our Swedish friends against turning it into a high-profile cause. The best way to campaign for openness is to avoid making it a cause célèbre, to stay out of the limelight and promote it discreetly.

Sweden enjoys a high degree of openness in its national administration. The country even benefits from so-called whistleblower protection, which makes it a criminal act for the authorities to try to identify anyone who may have passed a document to the press. This whistleblower protection is lacking in both Denmark and the EU. Sweden was particularly keen to campaign for greater freedom of information in the EU. It is a constitutional right in Sweden, and the fact that the EU forbids Sweden to observe its own constitution causes all sorts of problems for the Swedes.

Openness is also an official Danish cause, but Danish civil servants do little to promote freedom of information. As far as the Danish negotiators are concerned, openness is more a question of the press being allowed to attend meetings of the European Council of Ministers. As a result, even Sweden and Denmark were unable to agree on their demands for openness, which would have put both countries in a much stronger position. The Danes were against the demands of the Swedes in practical terms, and the Swedes did little to support us. On their

own, however, the Danes and the Swedes were willing to fly the flag for openness.

It fell upon Sweden to negotiate a new regulation on openness. It was a so-called promissory clause in the Amsterdam Treaty, and a new openness regulation had to be negotiated within two years of the entry into force of the Amsterdam Treaty. The deadline was 1 May 2001, and Sweden wanted the regulation to become law before 1 July when they were due to hand over the Presidency to Belgium. In Denmark, the Amsterdam Treaty had been sold as the solution to all openness problems. If we just voted 'yes' to the Treaty we would see openness in the EU said supporters. But it was not to be that simple.

Prior to the Amsterdam Treaty, steps towards greater openness could be adopted by the Council of Ministers by a simple majority, i.e. eight out of 15 countries had to vote in favour of a proposal. Following the Amsterdam Treaty, however, a qualified majority was required, i.e. 62 out of a possible 87 votes were required in the Council of Ministers. Suddenly, three large countries such as Spain, France and Germany with a total of 28 votes could block any further steps towards greater openness, even if all the other countries were in favour.

Following the Amsterdam Treaty, it therefore became rather more difficult to achieve greater openness, not easier, even though Mr Nyrup and his colleagues tried to tell us otherwise.

On an everyday basis, it was the small countries in particular who voted in favour of small steps towards greater openness when it came to the actual publication of specific documents in the special information group that deals with these cases within the Council of Ministers in Brussels. France, Germany and Spain were strongly against openness, as was Great Britain when it came to foreign policy.

So, far from helping us, the Amsterdam Treaty seriously hampered the efforts of those who are in favour of openness.

The only advantage is that openness regulations now have to be adopted by means of a so-called joint decision-making process which gives the Parliament an opportunity to influence the result. The European Parliament has been a staunch supporter of openness since the Danes voted 'no' to the Maastricht Treaty on 2 June 1992.

Lobbying

The Swedish Presidency cut short the decision-making process in favour of lobbying with three representatives from the European Parliament. Negotiating on behalf of Sweden was the EU Ambassador, Gunnar Lund, now a Minister in Göran Persson's Government.

The European Parliament was represented by Hanja Majj-Weggen from the Dutch Christian Democrats, a former Minister and someone I have worked closely with on the issue of openness.

The Parliament's spokesperson was the actor Michael Cashman from Labour. The Chairman of the Committee on Citizens' Freedoms, now Chairman of the Liberal Group in the European Parliament, Graham Watson, also took part in the negotiations.

Together with Gunnar Lund, these three managed to improve the formulation of various parts of the Commission's proposal, but the Commission's proposal was not an acceptable basis for negotiation since it represented a setback in terms of previous legislation relating to openness.

The Finnish-born Jakob Söderman, then Ombudsman and former Finnish Minister of Justice, and I independently reached the same conclusion: the most important difference in the proposed openness regulation was that it would curtail openness in the Scandinavian countries in areas where we already enjoyed

freedom of information. The reason being that the regulation contained a provision that the Member States must respect the EU's regulations on openness. If a document was classified in Brussels, then it could not be handed over to Swedish journalists in Stockholm where no restrictions apply.

The logic of the argument is easy to follow. Upon request, a journalist had been given access to 18 out of 20 documents from the legal policy committee in Stockholm, but he had only managed to get hold of *two* of these documents in Brussels. If anyone could obtain the information in Stockholm, then the restrictions in Brussels were not much use to those who wanted them.

That aside, the regulation simply included the improvements brought about by active citizens at the European Court of Justice, such as the duty to review a document and assess whether parts of it may be made public. This was now added so that civil servants have a duty to review documents, but it was already standard practice at the European Court of Justice. The regulation did not constitute any major *new* progress once it had been finalised and presented as a successful Swedish cause.

Openness behind closed doors

I decided to test the goodwill of the Swedes and demanded access to the records pertaining to the negotiations on openness. My request was refused by the Swedish representation in Brussels!

Not even working documents on openness would be made available to an elected representative of the sister country that had made openness its main priority. At the end of the Presidency, however, I was given access to some of the minutes and working documents after repeating my request for access to the records.

The negotiations on openness were conducted behind firmly closed doors. I met the European Parliament's Citizens' Rights Committee to warn them of the outcome, and to ensure that it would be duly considered and discussed. But it was not to be. The Parliament itself cut short negotiations. No conciliation committee was convened, which would have allowed 15 members of Parliament to discuss the issue with the 15 representatives of the Council. There was not even a second reading.

Parliament accepted the compromise in the first reading and refrained from proposing any amendments. That was a great shame, as we would have been in a far better position without a regulation. Then, the citizens could have gone to the European Court of Justice (armed with a spare 100.000 Euros) and called on the standard principles of democracy and openness in the Amsterdam Treaty. That might have avoided the setback that resulted from the regulation.

Sweden has since joined ranks and is doing its best to avoid handing over documents that have been classified by Brussels. Any progress on transparency issues now comes from the European Court of Justice, except for a reform on greater openness in Council meetings. It is a decision, which only the Ministers themselves can adopt.

Since Sweden had stated that openness was to be a high-profile cause, they felt obliged to present the outcome as a victory. Gunnar Lund had no reservations about doing so, having been a part of COREPER, the Permanent Representatives Committee, for many years – a body not known for its love of transparency. His kind is not in favour of openness. The same is true of his successor, Sven-Olof Petterson. He refused to sign my proposal on openness in the European Convention, even though all members who were elected representatives from Sweden signed, as did his own Minister.

Anna Lindh, the murdered Swedish Foreign Minister, was genuinely in favour of openness and very frustrated in the face of the opposition she encountered. When she could make no further progress on the inside, we discretely agreed that I could criticise France, Germany and Spain publicly – three countries that were firmly in the way of greater openness.

A Spanish comrade-in-arms

Since joining the EU, Spain has fought any moves towards greater openness in unison with France and Germany in particular. When the Spanish took over the Presidency on 1 January 2002, I therefore saw it as a chance to focus on openness and set things in motion.

This is completely logical if one stops to think about it. A Presidency is all about compromise. As President, it is not possible to promote one's own cause if it conflicts with the wishes of others. As President, one has to intervene and endorse the wishes of the majority of countries in the Council.

I therefore arranged various meetings in Madrid with the people who were going to lead the Presidency, and had some very useful discussions where I was able to submit a realistic list of requests and get things moving. One of those I talked to was the future Spanish Foreign Minister Ana Palacio. Ana had been the President of the European Parliament's Citizens' Rights Committee, which dealt with openness rules.

She was in her first period as President for the Legal Affairs Committee, which has always been rather uneasy about openness. But when she changed committee, she also modified her attitude to openness and became a staunch supporter. She realised there was no way around it, and became a trusted comrade-in-arms during the Spanish Presidency.

I also contacted all other leading members of the Spanish Government party to get them to exert pressure where it was needed, namely on Prime Minister José Maria Aznar, former Foreign Minister Josep Piqué and European Affairs Minister Ramón de Miguel. When I visited Madrid, the European Affairs Minister was very forthcoming. The operation had been a success, Spain was now ready to reform the Council of Ministers no less, and introduce a greater degree of openness than before.

The details are complex but progress was made on several fronts, and at the next Presidency Conference with the Spanish Presidency, I opened the bidding with unwavering support from Ana, who was there in her capacity as President of the Parliament's Group of Committee Chairmen. The Foreign Minister was the most difficult person to sway, but collective pressure paved the way and he declared his support for something that would never have been adopted during the Swedish Presidency.

At the next EU summit meeting in Seville, Denmark and the other countries in favour of openness succeeded in pushing through a decision that the Council of Ministers' work as a legislative body should, in general, be conducted in the open.

If I had stood up and loudly proclaimed the virtues of openness as a just cause, I would have made little progress. It is by keeping in the background – and in this book I have chosen to make an exception – and by forging the right alliances that one can bring about change in the hallowed corridors of Brussels.

Not enough to trumpet, but small improvements, which make working in the EU more bearable.

I was not there as a Dane

2002: The Danish Presidency

1 July 2002 was the day on which Denmark was to take over the Presidency of the European Union from Spain and make it an even greater union with the accession of ten new countries.

The Nyrup Government had prepared the Presidency well and made things easy for Anders Fogh Rasmussen's Government. Before Denmark took over the Presidency, I was invited to a seminar in North Zealand for a group of staff from the Royal Danish Ministry of Foreign Affairs where they were given advice, in particular, on how to deal with the European Parliament.

Sweden had started its Presidency by falling out with the Parliament's largest group, the Group of the European People's Party (Christian Democrats), PPE. Sweden did not prioritise meetings with the European Parliament, and as a result it made trouble for itself from the very beginning. Denmark was smarter and began by inviting all Group Chairmen to a meeting with the Government in Copenhagen, followed by dinner at the Prime Minister's guest residence at Marienborg near Bagsværd Lake.

Personally, I do not think it is politically correct to suck-up to the supranational parliament, but it was an extremely productive exercise for a Government that was set on expansion and did not want to make enemies of the bigwigs in the Parliament. The Chairmen felt they had been well treated, and Denmark enjoyed a peaceful six months with the Parliament and was able to concentrate on more important issues.

Not a Danish polemic

When the Presidency programme was presented, some of the Danish members attacked the Danish immigration and refugee policy. I did not, and I gave my reasons at the time.

A Presidency is about the EU, not about Danish domestic policy. I thought it was perfectly in order for Fogh to be challenged by our Swedish colleagues since immigration and refugee legislation is a shared European concern, and they are entitled to approach Fogh in that forum. I did not, however, wish to invite a Danish polemic in the European Parliament at a time when Anders Fogh had taken on the enforced task of expanding the European Union from 15 to 25 countries. I felt he should be allowed to concentrate on that task during his first meeting with the Parliament, instead of arguing with me.

It must also be said that I speak not only as a Dane during the major debates. I am called upon to speak in my capacity as chairman of my group, and I must be careful not to let what I say turn into a speech from the Danish June Movement. I always consider what the various opponents and sceptics agree on. I am the spokesperson, for instance, for the entire group in the large political debates before and after every Presidency.

It was not as a Dane that I was invited to Marienborg, but as chairman of the smallest group in the European Parliament. It was also as a representative for the Group for a Europe of Democracies and Diversities that I took part in the Convention. The Folketing and the Government refused to give the June Movement and the other Danish anti-Union movements a seat in the Convention.

Berlusconi in Rome

It was also as a representative for my group that I travelled to Rome before the Italian Presidency started on 1 July 2003. A few days earlier, on 27 June, the Parliament's Group Chairmen had met the Italian Government, headed by Silvio Berlusconi and Deputy Prime Minister Gianfranco Fini, for negotiations on the Italian Presidency programme.

Negotiations may be too strong a word since the European Parliament has no influence on the Presidency programme. But we can exchange views, and that is what we do on these occasions. In the evening, Berlusconi hosted a grand Italian dinner in the historic Villa Madama on one of the Seven Hills of Rome.

Villa Madama is just one of the 48 000 houses owned by the Italian State. Silvio Berlusconi bewailed the huge burden represented by their upkeep. Italy's Prime Minister is a real charmer and a true oligarch, who also bemoaned the fact that all his media feel they had to prove their independence by criticising him. With irony, I offered to lessen his burden by taking over the media so that he could escape persecution...

Villa Madama is a hugely impressive building from the days when Italy had a real upper class. Berlusconi showed me round all the rooms, guiding me by the arm as the former Italian Prime Minister Giulio Andreotti and other Mafia-related individuals had done before him.

He also showed me the bathroom, a beautiful marbled space with a marble bathtub and a panoramic view of Rome and the place where he spends his nights while his wife and children are in Milan.

Berlusconi told many funny stories and joked about his colleagues, including the US President George W. Bush.

French President tricks everyone

2003: The negotiations on the European constitution

The Italian Presidency was to bring an end to the negotiations on the European constitution at a summit meeting in Brussels in December 2003.

The EU summit had been exceptionally well prepared over the course of 16 semi-secret meetings of a special working group of lawyers who completed all clauses, protocols and declarations. The text of the constitution, some 600 pages, had been completed apart from a small number of important outstanding issues, which only the Prime Ministers themselves could resolve. These issues, too, were carefully and professionally prepared at a special meeting of Foreign Ministers in Naples. I had gone there to wander the corridors and hear what the Ministers and their civil servants had to say. As always during EU summits, I also gave a number of interviews to various different radio and TV stations and printed media from abroad.

The Italian Presidency submitted a paper containing 82 amendments to the text of the convention. The amendments were not formally confirmed, but there was an unspoken assumption that these were what the countries could agree on, provided they could agree on the major final outstanding issues. The Italian Foreign Minister, Franco Frattini, the EU ambassador, Umberto Vattani, and their teams in Rome and Brussels had done what they could to ensure that the constitution would be adopted in Brussels, so that it would be ready for the official signing in Campidoglio in Rome on 9 May 2004, the 50th anniversary of the Union. But Silvio Berlusconi, however, had not.

During a Presidency, the Prime Minister generally conducts a tour of European capitals prior to the concluding summit

meeting in order to sound the other members out and ‘work’ on those that may otherwise block the decisions. The President’s task is to establish how compromises may be reached. During summit meetings, the Presidency’s Prime Minister may also employ the so-called ‘confessional method’ and hold closed-door sessions with the different members in turn, in order to ask them what they may be persuaded to give and take, provided other members also give and take.

Silvio Berlusconi cheerfully declared that he would not be visiting the capitals. If people had something to say, they could come to him. Rome was a lovely city, and he would treat his guests to a good dinner.

That is not the way to reach compromises, although it is possible that Berlusconi may have heard from Chirac in France that he need not over-exert himself since France was not yet ready to compromise.

Rumours had it that Berlusconi himself was not too keen on completing the constitution since his competitor and collaboration partner Gianfranco Fini from the National Alliance would take all the glory as he was the Italian Government’s representative in the European Convention.

I do not know the real reasons, but the major compromises were not the work of Berlusconi. The ideas in the four drafts he brought along to the European summit in Brussels did not fall within the realms of possibility. The possibility of reaching any compromise on the division of power, or the so-called system of qualified majority voting in the Council of Ministers, simply did not present itself in Brussels.

But it was difficult to know that would be the case since we had not been privy to the innermost thoughts of those in charge: President Chirac and Chancellor Schröder, the FrancoGerman tandem.

Chirac in trouble

On the second day of the summit, Chirac decided to return home early. We have since found out that he made this decision either in the morning or before the start of the meeting. Chirac was not prepared to compromise. I know this with some certainty, because he stated quite clearly that he was not ready to compromise on the constitution before the European elections in June 2004 when speaking to Prime Minister Bertie Ahern from the future presidency country Ireland.

Chirac's Government was having popularity problems, and regional elections were due in March. Furthermore, he had consulted the various political parties as well as his own regional leaders within the UMP party, and they all wanted a referendum on the European constitution. At the same time, he had promised Mr Blair and Mr Schröder that there would be no referendum in France. In short, Chirac was in trouble.

Instead of admitting it, he went to the press and issued a statement of excommunication against Poland and Spain for ruining the European summit by refusing to compromise. It was the most ridiculous accusation I have heard in many years, coming as it did from someone who impeded a compromise. I met the Polish Minister of European Affairs, Danuta Hübner, in the morning and she was certain a compromise would be reached. Poland was quite clearly intent on compromise.

The Spanish Prime Minister Aznar had a visit from his Foreign Minister Ana Palacio, who brought regards from their joint conservative party PP as well as Mariano Rajoy, who had been picked to replace Aznar. It would not be terribly considerate to hand him a defeat in Brussels as his first prime ministerial undertaking. Aznar was to do away with any potential problems, went the message. Spain was therefore also prepared to compromise.

Germany, however, was not prepared to bow to the demands for voting rights to reflect population size, and Chirac was not prepared to negotiate at all at this particular summit meeting. And that is why the EU summit collapsed.

One could perhaps say that the European summit would not have collapsed if Spain and Poland had just accepted the Convention's proposals on the so-called double majority system. But that was not how the cookie crumbled.

At the European summit in Nice in December 2000, Spain secured a position as European superpower, almost on par with the four largest EU countries. Spain secured 27 votes in the Council of Ministers against 29 for Germany, France, Italy and Great Britain. This was to benefit Poland during the accession negotiations, since it was hardly fair to offer Poland's 40 million inhabitants fewer votes than Spain's 40 million, so Poland was also offered 27 votes. This voting power became a part of Poland's criteria for membership. The Government and the yes-parties drew particular attention to it as being a major advantage for Poland in the EU. They may have won the referendum on the basis of Poland's future influence in the Council of Ministers. As a result, they could not simply behave as if nothing had happened and abandon their argument now that the Poles had said 'yes'.

Even so they were, and are, quite prepared to negotiate a solution, but the same could not be said of Chirac at that time. He had come along with a ready-made treaty for a 'core Europe', but failed to win the support of one single Prime Minister of the member states that were to form that core.

It is not always possible to believe what the public is told at a summit meeting. In this case, all the journalists were sent on their way with a French lie.

At a summit meeting in March 2004, the European Prime Ministers decided to complete the constitution by 16–17 June (at the latest) – three days after the elections to the European Parliament.

Poland and the double majority

Personally, I hoped that Poland stood firm and blocked any solution involving the so-called double majority system. The double majority principle paves the way for a drastic change in the existing cooperation process, and makes it difficult for countries with different population figures to work together. The system means that small countries, such as Denmark, will have far less influence than they do at present.

Under the double majority system, a simple majority of member states is required to approve a decision. That means 13 out of a possible 25 countries - simple enough. But the majority must also represent at least 60% of European citizens. In this way, the three largest countries can block a decision that has the support of the 22 other countries. This means that any President of a Council meeting or a Council working group will look to the representatives from the three largest countries first in order to gauge their opinion.

Countries will not be equal in a double majority European Union. In time, the European Union may come to be dominated by populous states such as Turkey and Germany or Russia and Germany. It is now that we must consider the rules governing the interplay between the EU countries, large and small.

If we look at the figures in more detail, Poland is not really fighting for Poland, but for the small and medium-sized countries in the EU. Poland's own proportional influence in the Council of Ministers will be almost the same under the new Convention proposal on double majority voting, as under the

voting regulations laid down in the Nice Treaty. The adjustment will affect the smaller countries.

Under the Nice Treaty, a small country like Denmark has 2.03% of the votes in the Council. Under the double majority system, that would be reduced to 1.18%. Poland has 8.41% of the votes under the Nice Treaty; under the double majority system, that figure would rise to 8.54%. Germany, meanwhile, has 9.03% under the Nice Treaty, but under the double majority system that would increase to 18.18%, while the figures for France are 9.03% under the Nice Treaty and 13.17% under the double majority system.

It sounds complex, but the figures express the level of influence that individual countries would exert in the Council of Ministers under the so-called qualified majority voting system, where the opinions of the Parliaments of the various member states can be voted down.

With Ahern in Dublin

After the break in negotiations on the European constitution following the EU summit in Brussels, it was Ireland's turn to take over the Presidency and the Irish Prime Minister, Bertie Ahern, invited the Group Chairmen to Dublin shortly before Christmas 2003.

I arrived a little earlier than the others and had a quick chat with Bertie Ahern and his European Affairs Minister, Dick Roche, who became a good friend during the European Convention where he represented the Irish Government. We both represent small countries, which will be holding referendums on the final outcome. What is certain is that whatever the outcome, he will be asking the Irish voters to say 'yes', while I, if the text is anything like that which is on the table at present, will be asking mine to vote 'no'.

We have never really tried to convert each other, but we had a common interest during the Convention in trying to avoid the centralisation of decisions in Brussels. He had things in common with us eurosceptics since he wanted as little Union as possible – in order that the constitution would be approved back home in Ireland. As a result, he supported many of my proposals during the Convention, and I occasionally supported some of his.

A public educator, not a politician

Public information in Europe

I have written 45 books about the EU in Denmark, a figure that will soon reach 50. Together with this little book, I have completed a large basic textbook on the EU, a textbook about the European Parliament, a large reader-friendly version of the draft European constitution, and a small book, which provides a rapid overview of the European constitution. My books may be downloaded free from my Danish website *Bonde.dk* or the English version *Bonde.com*. The Danish taxpayers pay me and I do not have to make a living as an author.

At present my worthy colleagues and I are currently putting everything into informing the public via the Internet rather than through books. We are developing the largest Internet-based public information project on the European Union ever, although it is quite a paradox that this work should be done by us. The address is *EUABC.com* and corresponding addresses in the other European countries. At the heart of the project is a dictionary containing some 1100 terms relating to the EU, where I explain the meaning of the word or term in language that may be read and understood by anyone with basic schooling. In addition to these terms, there are now more than 3000 links which will provide exhaustive explanations and links to further information on the Internet. Hardened EU supporters have checked all information to avoid any bias. The contents of the dictionary are objective and balanced. A term such as the *democratic deficit* has both a federalistic and a more eurosceptic explanation.

The dictionary *has* already been translated into a number of European languages. I wrote the original in English and completed a Danish version so that two slightly different originals are now available. Other language versions, including

French, Polish, Hungarian and Estonian, have now been completed. Many of the reference terms have been translated into more than 20 languages. We are working on complete editions for all European countries. It is a huge project, which requires far more resources than we can spare with our present three mandates to the June Movement.

In addition to the definitions, the site also contains overviews of the most important EU issues and a review of the draft constitution. Terms may be searched alphabetically or subject by subject. When a word is entered in the search field, a definition is displayed along with links to further information on the Internet.

Alongside the definitions is an overview of the five latest articles on the topic in question taken from the electronic newsletter, *EUobserver.com*. Readers of *EUobserver.com* will also find links to the dictionary. Difficult words in the articles are underlined, and clicking on the underlined term will take the reader to the definition in the dictionary. The two information systems are independent, but together they have been designed to meet the information needs of the vast majority of users.

As far as I am concerned, it has become a hobby to sum up what I know and render it accessible to others in everyday language. Many excellent academic books about the European Union have been published, particularly in English, with hundreds of complicated footnotes. I have written a few myself, including one with Ole Krarup about the Danish constitution and the EU, that featured 171 footnotes and 10 000 pages of associated documentation. But I strive to write books without footnotes that are easy to read, and publish more detailed documentation on the Internet so that it is available to anyone who wishes to find further information.

My hope is that anyone with an interest in the EU may be able to read about the subject without encountering any reading

comprehension problems. I therefore explain any foreign words and technical terms before I use them. That is the least I can do for readers who are hungry for information but may not have a graduation certificate. Even bright students can read about complex subjects in an easily understandable language. I see public information as an essential part of a representative government, and I spend most of my working hours and all my free time on this subject - and enjoy every second of it.

My vision for Europe

I see myself as an author and a public educator, although I know that most people think of me as a *politician*. I do not, since I have not sold party politics to the public since the referendum on EC membership back in 1972. I do not have a particular view that I wish to promote. All, regardless of beliefs, may use my information. Everything I write is freely accessible, even to those who wish to use it on their own website. My attitude is that it is up to individual members of the public to decide what they want with Europe on the basis of balanced information. That is why I take part in dialogue projects, where objective information is accompanied by comments for and against various elements of the draft constitution. I have an opinion, but as far as I am concerned I am happy for others to use the information I provide to reinforce their own beliefs.

But I also have my own vision for European collaboration, which may be summed up in just three words: Openness, Subsidiarity and Democracy.

By openness, I mean that every EU decision, as a rule, should be accessible on the Internet to anyone who is interested. Information on EU expenses should be open to public scrutiny.

By subsidiarity, I mean that the EU should only legislate on cross-border issues, which we cannot legislate effectively

against within the national Parliaments. If the European Union restricts itself to such issues, we have nothing to lose and everything to gain since it would allow us to influence the solution to a problem we would not otherwise be able to solve.

By democracy I mean that decisions in the European Union should be taken in the same democratic manner in which national laws are adopted. The essence of representative government is that we, the voters, should always have the last say. We should be able to vote, get a new majority and then a new law. This process should also be at the heart of decision-making within the EU. Our Europe should be constructed from the bottom up, and not from the top down. We should start by making the Commissioners in Brussels directly responsible to the voters. Every national parliament should be able to elect and remunerate its own representative in Brussels. That would give every country a shop steward in Brussels.

The Commissioner must come to the national Parliament every Friday and explain what they voted last week, and what they intend to do next week. This information should be passed on to the press, until the pro-EU parties decide to open the meetings of the European Scrutiny Committee. Then our representative in Brussels will be *our* man/woman in Brussels, rather than Brussels' highly paid representative towards us. If we are no longer satisfied with our representative, we should be able to replace him/her by a simple majority in the national Parliament. Such is the nature of democracy, for better or worse.

In the European Union, we should be critical, constructive and European.

Critical, because the monster in Brussels needs to be disinfected, cleaned and aired.

Constructive, because it is not effective to be angry and negative.

European, because the EU, whether we like it or not, now decides the majority of laws in Europe. We cannot escape the interference of the EU bureaucrats unless we seize our freedom *as* Europeans. Today, our freedom can only be won *together* with the other Europeans. Euro-scepticism is now a shared belief, a European movement. We have to see ourselves as part of a European movement for Openness, Subsidiarity and Democracy.

European referendum campaign

As I write this, we are heavily engaged in a European campaign to get a referendum on the draft European constitution in all Member States. So far, we have been promised a referendum in nine out of the 25 EU countries.

Euro-realists and federalists have created a joint campaign. At the first press conference in Brussels in the summer of 2003, I presented the campaign alongside the former French European Affairs Minister, Alain Lamassoure. He said he did not agree with me regarding the contents, but that he did agree that our differences over the Constitution should be settled by means of a referendum.

We hope to have a referendum in all EU countries, preferably on the same day, so that the sequence of events cannot be disputed. When Ireland voted 'no' to the Nice Treaty, they were simply asked to vote again. The same happened in Denmark when we voted 'no' to the Maastricht Treaty. Instead of letting the Irish and the Danes vote twice, it would be better to ask the entire European Union. And that is precisely why we are collecting signatures: *EU-constitution? Ask the people*. To sign, visit our website *EU04.com*.

Friends with enemies

From spaceship out of touch with the earth to influential assembly

In the beginning, the European Parliament resembled a spaceship out of touch with the earth. When we went to Strasbourg and Brussels we left behind the voters and reality. Then the Parliament bought a sense of reality by setting up its own TV station so that we were constantly followed around by TV crews and made to feel important.

The European Parliament fought for influence through the budget. I was on the budget committee and I protested against every single step that would give greater power to Brussels. I became familiar with the EU and all its nooks and crannies. The more I saw, the more sceptical I became.

I have not become any less critical of the system over the years; quite the opposite in fact. But I *have* softened my attitude towards the people in the system. I do not see Commissioners, Ministers and civil servants as enemies. I see them as people who play a designated role and have no way of following their own conscience.

One day I am working with a Swedish social democrat against the introduction of the European Monetary Union, the next day he has become Prime Minister and is pressing the Swedes to vote 'yes' to something he was previously against.

Another day I may be working with a Finn to guarantee referendums on the EU constitution. Shortly thereafter, he has become Finnish Prime Minister and is refusing to hold a referendum.

It is as if the majority of politicians simply act the roles they have been designated, and play their parts without any desire to write their own lines for the next act.

The Commission's President is not as powerful as one would think. He is more of a figurehead whose soul is in thrall to the Prime Ministers of the largest countries and an ungovernable layer of well-paid, anonymous and distant highly-ranking civil servants.

I do not see Jacques Santer and Romano Prodi as enemies, but as victims and hostages at the head of an uncontrollable monster that rides them in the direction of its own choosing. Mr Santer sincerely wanted to slim down the EU and adopted my motto: *Less and Better*. But in the end he was toppled for having done More and Worse. Mr Prodi promised 'zero tolerance' for fraud, instead we ended up with zero tolerance for those who uncovered fraud or dared to write about it.

I criticise the EU leaders politically in speech after speech, but we are not enemies. On a personal level, I have a lot of friends in the EU and no one that I would call enemies. We may disagree in political terms, and disagree quite vehemently in some cases, but we are not enemies.

On the day we had collected sufficient signatures for a vote of no confidence in the Prodi Commission, I was able to approach Prodi at his seat in the plenary and tell him about our campaign to assign political blame in the Eurostat scandal. I did not want him to read about it in the papers first.

I was heavily involved in the fall of the Santer Commission, but that did not mean that I fell out with Mr Santer. That is why, personally, I am prepared to stand for election to the European Parliament for the sixth time, although I have never wanted power to pass from the Folketing to the Parliament.

It is not just a calling for a typical South Jutlander who never gives up. I actually enjoy the early mornings, the long working days and the book-writing holidays. I am always happy to go to work, and I look forward to every single working day. I know I have made, and can make, a difference. That is obvious from the many testimonies presented by other politicians in this book. I am quite overwhelmed by the praise heaped upon me by my many political ‘enemies’.

There is a good working atmosphere between all the Group Chairmen in the Presidency Conference. There is a sense of mutual goodwill between the members of the Constitutional Affairs Committee, even though I am part of a small, time-consuming minority among the large majority of federalists.

It was exciting to be involved in the first Charter Convention, and later in the Constitution Convention. Many friendships were forged, particularly with politicians from the new Member States that we did not previously know.

There are also many cross-party friendships within national parliaments. But on election day, the parties and the candidates are fighting for the same votes. That is not the case in the European Parliament – yet. We come from different countries and we are not in direct competition. And that makes cross-border loyalty and friendships far simpler.

We have many allies in the fight for Openness, Subsidiarity and Democracy right across Europe.

More power than the *Folketing*

Since 1987, the European Parliament has fought and won a great deal of power over the everyday lives of European citizens. Via the cooperation procedure, and then the conciliation procedure, the European Parliament has acquired power over our laws. We

may propose amendments to most bills, and occasionally they may even be adopted, particularly if they have the support of the Commission.

In parallel with these developments, however, the national parliaments have lost both power and influence. Power has, essentially, shifted to the Commission and the Council of Ministers in the European Union. Closed working groups in the Council of Ministers adopt 85% of all EU regulations.

In every country, legislative power rests with the national parliament. In the EU, it rests with the civil servants and the Ministers, not with the elected representatives. All voters in Europe have experienced a loss of democracy. When the EU legislates, only the non-elected Commission has the right to draft legislations. Elected representatives cannot propose new regulations. Those who draft the legislation are not up for election.

The Ministers can only change the Commission's drafts if all countries are in agreement. If the Commission's proposal is supported by just one of the now 25 EU countries, then the 24 remaining Member States will not be able to adopt any motion other than that proposed by the Commission. This is a unique kind of power that most people are not familiar with.

A qualified majority in the Council of Ministers now adopts the majority of the regulations that are proposed by the Commission – individual countries have no *right of veto*. There are 321 votes in the Council of Ministers, and 232 votes are required for a qualified majority. Individual national parliaments have thereby been effectively sidelined. The elected representatives may submit requests to their respective Ministers, but they may in turn be outvoted in Brussels. Voter influence is now confined to the European Parliament in the many areas on which the EU legislates. But an absolute majority, i.e. 367 members, is required to table proposed amendments.

There are now more than 100 000 pages of legislation in the EU which affect every aspect of our society. Today, the only form of minister who does not negotiate joint legislation and measures in Brussels is a minister of the church. It is therefore essential for all of us to consider the so-called democratic deficit and work towards a more democratic solution.

Jens-Peter Bonde's websites:

Bonde.dk – with free newsletter in Danish

Bonde.com – with free newsletter in English

EUABC.dk – Internet dictionary with 1100 entries and more than 3000 links in Danish

EUABC.com – Internet dictionary in English and all other EU languages