



# European Union (Approvals) Bill

Bill No 119

RESEARCH PAPER 14/03 8 January 2014

The *European Union (Approvals) Bill 2013* aims to approve two draft EU Council Regulations concerning:

- access to the historical archives of the European Union institutions from a single location at the European Union Institute in Florence;
- the 'Europe for Citizens' programme (promoting remembrance of Europe's history) from 2014 to 2020.

Primary legislation is needed for both draft decisions in accordance with the provisions of the *European Union Act 2011* before the UK Government can support their adoption in the EU Council.

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## Research Paper 14/03

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## Summary

The *European Union (Approvals) Bill* (HC Bill 119) will receive a Second Reading in the House of Commons on 13 January 2014.

The Bill aims to approve two draft EU Council Regulations made under Article 352 of the *Treaty on the Functioning of the European Union* (TFEU). They concern:

- access to the historical archives of the European institutions from a single location at the European Union Institute in Florence;
- the ‘Europe for Citizens’ programme (promoting remembrance of Europe’s history) from 2014 to 2020.

Article 352 TFEU<sup>1</sup> allows the EU to act where there is no specific applicable Treaty base, as long as this does not entail harmonisation or affect the Common Foreign and Security Policy. This Article, referred to as the “enabling clause”, requires the unanimous approval of the 28 EU Member States and the consent of the EP before a measure can be adopted.

In accordance with Section 8 of the *European Union Act 2011*, a Minister may only vote in favour of an Article 352 decision in the EU Council if the draft decision has been approved by an Act of Parliament. This was intended to give Parliament the power to veto any extension of EU competence into areas not covered by the EU Treaties, but one of its consequences has been that an Act of Parliament is now needed for fairly unimportant decisions for which there is no Treaty base, as well as the more significant ones.

The historical archives draft regulation concerns the deposit of the historical archives of the EU institutions (except the European Central Bank and the Court of Justice) at the European University Institute in Florence (EUI). The proposal formally confirms the role of the EUI in preserving the documents and making them publicly accessible. The UK Government generally approved of the draft provisions and the European Scrutiny Committee cleared it in December 2012.

The extended Europe for Citizens programme aims to promote active citizenship in Europe, including encouraging citizens to participate in constructing an ever closer, democratic, tolerant and culturally diverse European Union, and developing a European identity based on common values, history and culture. The Government believes the programme could support the UK Government’s aims and programmes, such as the Big Society and Positive for Youth, and that there would be potential benefits for UK civil society organisations, local authorities, grassroots sports and culture projects. The Government is concerned, however, that the proposed budget is an increase in current funding for the programme and said it would recommend a reduction during negotiations on the Multiannual Financial Framework (MFF).

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<sup>1</sup> Formerly Article 308 TEC

## 1 The Bill

The [European Union \(Approvals\) Bill \[HL\] Bill 40](#) was introduced in the House of Lords on 16 July 2013 [HL Bill 40], and received a 2<sup>nd</sup> reading in the Lords on 30 July 2013. It was [reported without amendment](#) on 14 October 2013, and was passed with one amendment<sup>2</sup> on third reading on 21 October 2013 and sent to the Commons the same day, as [European Union \(Approvals\) Bill](#) (HC Bill 119). The Bill will receive a second reading in the Commons on 13 January 2014.

The Bill aims to approve two draft EU Council Regulations made under Article 352 of the [Treaty on the Functioning of the European Union](#) (TFEU). They concern:

- access to the historical archives of the European institutions from a single location at the European Union Institute in Florence;
- the running of the ‘Europe for Citizens’ programme (promoting remembrance of Europe’s history) from 2014 to 2020.

According to the [Explanatory Notes](#) on the Bill, there will be no financial effects and no impact on public service manpower as a result of the Bill; there is no need for an Impact Assessment, and the Bill’s provisions are compatible with the European Convention on Human Rights.

UK legislation is needed for both items in accordance with the provisions of the [European Union Act 2011](#) (see below).

## 2 The requirements of the *European Union Act 2011*

Article 352 TFEU<sup>3</sup> allows the EU to act where there is no specific applicable Treaty base, as long as this does not entail harmonisation or affect the Common Foreign and Security Policy. This Article, referred to as the “enabling clause”, the “flexibility clause” and formerly “la petite revision”, has been controversial in the past. It was the subject of a Commons European Scrutiny Committee report, “Article 308 of the EC Treaty”.<sup>4</sup>

Draft proposals made under Article 352 require the unanimous approval of the 28 EU Member States and the consent of the EP. The EP has no power of co-decision under this Article and cannot propose amendments to the draft Decision, but the Council cannot adopt it without the EP’s consent.

Section 8 of the 2011 Act sets out the requirements for UK approval of decisions under Article 352 of the TFEU. This Article states:

If action by the Union should prove necessary, within the framework of the policies defined in the Treaties, to attain one of the objectives set out in the Treaties, and the Treaties have not provided the necessary powers, the Council, acting unanimously on a proposal from the Commission and after obtaining the consent of the European Parliament, shall adopt the appropriate measures. Where the measures in question are adopted by the Council in

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<sup>2</sup> This was a [minor amendment](#) changing the reference number of the EU proposal on the Europe for Citizens Programme to 12557/13, reflecting the most recently revised version of the proposal.

<sup>3</sup> Formerly Article 308 TEC

<sup>4</sup> [Twenty-ninth Report of Session 2006-07](#), 13 July 2007

accordance with a special legislative procedure, it shall also act unanimously on a proposal from the Commission and after obtaining the consent of the European Parliament.

Section 8(3) of the 2011 Act provides that a Minister may only vote in favour of an Article 352 decision in the EU Council if the draft decision has been approved by an Act of Parliament. This requirement does not apply where urgent approval is required (section 8(4)) or where the draft decision relates to an exempt purpose (section 8(5)), as defined in section 8(6). Neither of these Sections in the 2011 Act applies to the draft regulation on the Historical Archives of the EU or the draft Regulation on Europe for Citizens made under Article 352 TFEU, so an Act of Parliament is needed before the UK Government may support their adoption in the EU Council.

Article 352 may be the basis for a proposal of considerable significance, with cost and sovereignty implications, or it may be used to approve largely unimportant or non-contentious proposals, such as the present ones. This is the second EU (Approvals) Bill in recent months. The last one, introduced in November 2012, was to approve three EU draft measures, two of them Article 352 proposals.<sup>5</sup> This gave rise to a comment from the Liberal Democrat, Martin Horwood, who suggested that Parliament might reflect on “whether it is a good use of parliamentary time to spend time in the main Chamber dealing with issues that are relatively non-contentious and, in many cases, relatively unimportant in the great scheme of things” (c 63). However, the Conservative, Jacob Rees-Mogg, thought it was “fantastic that we are spending parliamentary time scrutinising what is being done in the European Union”. The ESC, in its [23<sup>rd</sup> Report](#) in December 2012 on the EU Archives draft, concurred with the Government that exemptions under section 8 of the EU Act 2011 did not apply in this case, concluding: “we think this is consistent with a faithful interpretation of that section, even if the consequence is that an Act of Parliament will be required before the Government can agree to this unimportant proposal in the Council”.

Germany, like the UK, requires an Act of Parliament to adopt Article 352 TFEU proposals. Under Section 8 of the [Responsibility for Integration Act](#), the German representative in the Council may approve a decision on the adoption of measures based on Article 352 TFEU or abstain from voting on such a decision only after a law to that effect as defined in Article 23(1) of the Basic Law has entered into force. In the absence of such a law, the German representative in the Council must reject the proposal for a decision.<sup>6</sup>

According to the EU Interparliamentary Exchange (IPEX), the Czech Republic, Germany, Italy, Lithuania, Portugal and Spain have completed the scrutiny process for the EU Archives proposal, and Austria, Czech Republic, Germany, Ireland, Italy, Lithuania, Poland, Portugal, Slovakia, Slovenia, Spain and the Netherlands have completed scrutiny of the Europe for Citizens draft.

### 3 The Historical Archives Proposal

Proposal for a Council Regulation amending regulation (EEC/EURATOM) NO 354/83, as regards the deposit of the historical archives of the institutions at the European University Institute in Florence, [13183/2012 \(COM\(2012\)456\)](#).

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<sup>5</sup> See Research Paper 13/7, [European Union \(Approvals\) Bill](#), 31 January 2013, Standard Note 6565, [European Union \(Approvals\) Bill \[HL\] 2012-13: Committee Stage Report](#), 26 February 2013, and [European Union \(Approvals\) Act 2013](#).

<sup>6</sup> [Bundestag](#) information, [IPEX website](#)

The Historical Archive of the European Union (HAEU) has been kept at the European University Institute (EUI) in Florence since 1986. The EUI is responsible for collecting and preserving documents from the various EU institutions (with the exception of the Court of Justice) and making them available to all EU citizens and members of the public residing in the EU, subject to the standard 30-year rule. The Archive also holds archives of particular individuals and international organisations relating to the founding of the European Communities, including a substantial oral history collection. The mandate for the Archives is contained in [Decision 359/83](#) of the European Coal and Steel Community (ECSC) and [Regulation 354/83](#) of the EEC and Euratom as amended by [Regulation \(EC, EURATOM\) 1700/2003](#). The right of access was laid down in Article 255 of the *Treaty of Amsterdam* as implemented by [Regulation \(EC\) 1049/2001](#). A [Framework Partnership Agreement](#), signed on 8 November 2011, laid down a medium-term programme, setting out the responsibilities of the EUI and the EU institutions in relation to processing private deposits and providing access to digital archives.<sup>7</sup> Under this agreement the EUI undertakes to conform to international standards on the physical protection of archives and at least respect those technical and security rules used for management of public archives in Italy.

The archival services of the EU institutions are responsible for the identification, description and preparation of the archives for deposit in accordance with international archival standards. The EUI is responsible for preparing inventories and other finding aids according to the same standards.<sup>8</sup> It also makes available suitably equipped reading rooms complying with international standards and provides online dissemination of the archives in accordance with the Encoded Archival Description schema used by Archives Portal Europe<sup>9</sup>

### 3.1 The new Regulation

Although Regulation 354/83 requires EU institutions to establish archives and make them accessible to the public once they are over 30 years old, it does not specify where the archives are to be held. In practice the European Parliament (EP), the Council and the Commission, the European Economic and Social Committee, the European Court of Auditors and the European Investment Bank all deposit their paper archives at the European University Institute. The draft Regulation formalises this arrangement by requiring all EU institutions, with the exception of the European Central Bank (ECB) and the European Court of Justice, to deposit their non-digital archive documents there. Most Court of Justice records are case files which often contain sensitive personal data and need to be quickly accessed; The ECB exemption is because of the Bank's organisational autonomy and its historical records are subject to a separate 2004 EU regulation. The ECB and Court may deposit documents voluntarily.

The Regulation also formally confirms the role of the EUI in preserving the documents and making them publicly accessible. The Italian Government has made premises permanently and freely available to the EUI to ensure that the deposited archives are preserved and protected in accordance with recognised international standards (see above). Ownership of the documents remains with the originating institution and the operational and staff costs of maintaining the archives will be funded from the EU budget (apart from the maintenance of

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<sup>7</sup> See European University Institute- [About the Archives](#). [Webpage accessed 14.6.2013].

<sup>8</sup> The main standards are the General International Standard of Archival Description - [ISAD\(G\)](#) and the International Standard Archival Authority Record For Corporate Bodies, Persons and Families - [ISAAR\(CPF\)](#) both published by the International Council of Archives.

<sup>9</sup> See [APEX project](#) pages on the Archives Portal Europe website for more information

the EUI buildings used to house the archive). Digital archives will remain the responsibility of the originating institutions.<sup>10</sup>

### 3.2 EU process and cost

The European Data Protection Supervisor issued an Opinion on 10 October 2012 recommending amendments to the proposal to strengthen the data protection and privacy elements of the legislation.<sup>11</sup> The EP gave its consent to the proposal on 21 May 2013. The Commission's Explanatory memorandum to the proposal notes that:

The proposal to make the deposit of the historical archives at the EUI obligatory will have no new budgetary implications in the short and medium term. The long-term budgetary implications are not expected to be significant.

The existing funding is €2.31m per annum. This is not expected to change between 2013 and 2019.

### 3.3 UK Government and Parliamentary views.

In its Explanatory Memorandum of 17 September 2012 the Government welcomed the clear arrangements proposed in the draft regulation and approved of the move towards a single central archive for all EU documentation. The Government noted that no mention was made of how digital documents would be preserved technically and sought to clarify this during negotiations.

The European Scrutiny Committee (ESC) queried the exemption of the European Central Bank (ECB) and the European Court of Justice (ECJ) from the requirement to deposit archive documents with the EUI. The ESC accepted the clarification supplied that these two institutions had asked to be excluded from the mandatory deposit; the ECJ on the grounds that it had substantial archives often containing sensitive personal data; the ECB on the basis of its organisational autonomy. The ECB also considered that access to its archives was governed by separate Banking rules, which is similar to the archive arrangements of other Central Banks (including the Bank of England).

Having accepted that Article 352 was the correct Treaty base, the ESC cleared the proposal in December 2012. The Lords EU Sub-committee E - justice, institutions and consumer protection cleared the proposal on 12 June 2013.

## 4 The 'Europe for Citizens' programme

### 4.1 EU citizenship

EU citizenship was formally introduced in Article 2 of the *Treaty on European Union* (Maastricht Treaty) in 1992, which stated that the Union aims to "strengthen the protection of the rights and interests of the nationals of its Member States through the introduction of a citizenship of the Union". In addition to the right to move, work and reside freely in any Member State, Maastricht introduced voting and election rights in EP and local elections, and extra consular protection for EU citizens. The *Treaty of Amsterdam* extended citizens' rights with a new anti-discrimination clause, but stipulated that Union citizenship "shall complement

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<sup>10</sup> See Commission's Explanatory memorandum to COM(2012)456.

<sup>11</sup> See [OJC 28 of 30 January 2013](#) for summary of opinion.

and not replace national citizenship". Following the adoption of the *Treaty of Lisbon*, the terms of EU citizenship are set out in Articles 20-24 TFEU.

## 4.2 The Europe for Citizens programme

The *Europe for Citizens Programme* for 2007-2013 was set up by [Decision 1904/2006/EC](#). The programme aims to encourage active citizenship in Europe. Its general objectives include giving citizens the opportunity to participate in constructing an ever closer, democratic, tolerant and culturally diverse Europe, and developing a European identity based on common values, history and culture. The specific objectives of the programme have included exchanging experiences and opinions, fostering debate, interaction between citizens and civil society and developing closer ties between older and newer Member States.<sup>12</sup>

The Programme is managed by the Education Audiovisual and Culture Agency (EACEA) (reporting to the European Commission Directorate-General for Communication) with a budget of €215m for the seven-year period 2007-2013.<sup>13</sup> As of 14 December 2011 the Programme had supported 9,000 projects per year.<sup>14</sup> The activities funded by the programme include developing town twinning and other transnational networks, and remembrance activities (particularly relating to the rise and consequences of totalitarian regimes in Europe).

The present proposal is for a Council Regulation establishing the 'Europe for Citizens' programme for the period 2014-2020, (original text at [18719/2011](#), [COM\(2011\)884](#)). Following discussions between the EU institutions, an agreed draft proposal was published on 17 September 2013 as [12557/2013](#). This is the text referred to in the Bill currently before the House of Commons. Amendments to this document were published as [12557/2013/COR 4](#) on 25 November 2013 following EP approval on 19 November 2013. See also the impact assessment [SEC\(2011\)1562](#), and executive summary of the impact assessment [SEC\(2011\)1563](#). The draft Regulation establishes a new Europe for Citizens Programme to run from 2014 to 2020. The Commission's Explanatory memorandum to the draft Regulation sets out the following objectives for the new programme:

General objective:

- Strengthen remembrance and enhance capacity for civic participation at the Union level.

Specific objectives: (to be implemented through actions on a transnational level or with a clear European dimension):

- raise awareness on remembrance, the Union's history, identity and aim by stimulating debate, reflection and networking; Progress will be measured against the number of beneficiaries reached directly and indirectly, quality of projects, and percentage of first time applicants.
- encourage democratic and civic participation of citizens at Union level, by developing citizens' understanding of the Union policy making-process and promoting opportunities for societal engagement and volunteering at Union level. Progress will be measured against the

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<sup>12</sup> [Objectives of the Europe for Citizens Programme](#) [Webpage accessed 14.6.2013]

<sup>13</sup> For further information see [Europe for Citizens Programme](#) on the EACEA website [accessed 14.6.2013]

<sup>14</sup> See Commission press release [IP/11/1538](#), 14 December 2011.

number of beneficiaries reached directly and indirectly, the perception of the EU and its institutions by the beneficiaries, quality of projects, and percentage of first time applicants.<sup>15</sup>

The accompanying press release to the proposal highlights the programme's emphasis on civil society debate, remembering Europe's history, and town twinning:

As part of helping citizens become aware of the different aspects of European citizenship, the new 'Europe for Citizens' programme will support think tanks, citizens' groups and other civil society organisations. In addition, it will promote better understanding of the EU, its history and values, and knowledge of the impact of EU policies on their daily lives. Under the remembrance part of the programme, citizens engage in a reflection on the history of European integration, its identity and its goals.<sup>16</sup>

### 4.3 EU process and cost

The proposal was discussed in the Education, Youth, Culture and Sport Council on 10-11 May 2012, when the Council generally welcomed the programme and reached a partial general approach. This excluded the budgetary provisions which were subject to the outcomes of discussions on the proposed Multiannual Financial Framework (MFF) 2014-2020.<sup>17</sup> The Council noted the simplified structure of the new programme into three strands (Remembrance, Civic participation and Valorisation).<sup>18</sup>

The European Economic and Social Committee (EESC) issued an opinion on 11 July 2012 welcoming the proposal and recommending an increase in funding for the programme, noting in particular the lack of public confidence in EU institutions. The EESC called on the EU institutions to support the aims of the programme by issuing green papers and using their own resources to encourage public participation, in addition to the projects funded by Europe for Citizens. The opinion made some additional recommendations and amendments to the proposal, including giving a greater priority to small and medium scale projects and organisations, and dropping the use of annual work programmes to administer the programme on the grounds that this discouraged long-term focus.<sup>19</sup>

The Committee of the Regions issued an opinion on 18 July 2012, welcoming the proposal and expressing strong support for the programme. In particular the Committee asked to take part in drafting annual work programmes, and noted the increased flexibility of the new programme's structure.<sup>20</sup>

The programme had an anticipated budget of €229m under the 2014-2020 MFF.<sup>21</sup> The Commission proposed a 5% reduction for the next MFF. The [European Council summit](#) in February 2013 wanted further cuts. According to civil society groups, these would amount to a reduction of 23% and a budget of €164m for the 2014 – 2020 period.

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<sup>15</sup> See [COM\(2011\)884](#) pp2-7.

<sup>16</sup> Commission press release [IP/11/1538](#), 14 December 2011.

<sup>17</sup> The MFF is a spending plan that translates the EU priorities into financial terms. It is the basis for the annual budgetary exercise; it limits expenditure over a fixed period and defines the maximum amounts available for each major category of spending.

<sup>18</sup> Council Press Release [PRES/12/185](#) 11 May 2012.

<sup>19</sup> See [OJC 299 of 4 October 2012 pp122-127](#).

<sup>20</sup> See [OJC 277 of 13 September 2012 pp43-50](#).

<sup>21</sup> *Ibid.*

#### 4.4 UK Government and Parliamentary views

In its [34<sup>th</sup> Report of 2010-2012 on the Multiannual Financial Framework 2014-2020](#), 25 April 2012, the House of Lords European Union Committee concluded:

168. We repeat our call for the importance of communicating the work of the EU to citizens to be recognised in the MFF. The Europe for Citizens programme is linked to this important objective. We support the proposed aims of Europe for Citizens and would support a proportionately larger budget for the programme within a reduced MFF.

In an [Explanatory Memorandum \(EM\)](#) on 26 January 2012, the Government approved of the proposed simplifications to the programme's administration and observed that the programme reflected, and could potentially support, the UK Government's aims and programmes, in particular the Big Society agenda and Positive for Youth. There were also potential benefits to UK civil society organisations, local authorities and organisations, and grassroots sports and culture projects. The Government expressed concern that the proposed budget represented an increase in current funding for the programme and stated its intention to recommend a reduction during negotiations.

In a [letter of 24 April 2012](#) the Minister for Culture, Media and Sport, Ed Vaizey, noted that the Europe for Citizens Programme had "the smallest budget of any of the Commission's proposals for the 2014-20 funding period", and that the indicative budget increase was "around 6.5% above that of the €215 million current programme for the period 2007-13". The Government, he said, would "seek to maintain the prioritisation of civic participation over remembrance, while at the same time looking to achieve reductions in those components of the budget which have been allocated to 'valorisation'<sup>22</sup> of results and programme management, where in particular we would see scope for savings in the latter".

In its [1<sup>st</sup> Report on 16 May 2012](#), the ESC noted the Government's support for the general objectives of the Europe for Citizens Programme and indicated that the Minister could agree to the partial general approach proposed by the Council. The ESC supported the Government focus on seeking to reduce the budget for the programme and kept the proposal under scrutiny pending progress on the MFF.

Following the negotiations on the MFF in 2013 Ed Vaizey wrote to the ESC noting that the budget allocation for the "Europe for citizens" programme was now reduced to €185 million, "some 14% below that for the previous programme".<sup>23</sup> He also indicated that the text for the draft Regulation had been agreed by the Commission and the Council and was awaiting the consent of the European Parliament. In response to ESC concerns about the nature of this agreement<sup>24</sup> the Minister wrote a further letter on [19 November 2013](#) explaining that the text agreed by COREPER<sup>25</sup> in March 2013 would be sent to a full Council meeting at a future date. The Minister noted that the current draft did not differ materially from the text partially agreed in May 2012, "with the exception of the reduction in the budget, thus meeting our primary objective". In its report on 27 November 2013 the ESC welcomed the reduction in

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<sup>22</sup> FN 56: "Valorisation actions" are intended to ensure that the results of activities funded by the Programme are made available for analysis, dissemination and exploitation.

<sup>23</sup> See Ministerial correspondence dated [31 October 2013](#)

<sup>24</sup> See 22<sup>nd</sup> Report of the European Select Committee [HC 83-xx 2013-14](#), 6 November 2013

<sup>25</sup> The Committee of Permanent Representatives, which prepares the work of the Council.

the budget for the programme, but questioned “the justification for EU expenditure in this area” and referred the proposal to European committee C for debate.<sup>26</sup>

#### 4.5 Second Reading debate in House of Lords

The Bill was [debated](#) in the Lords on 30 July 2013. Introducing the Bill, Lord Gardiner of Kimble outlined the reasons for the ECB and Court of Justice exemptions from the archives proposal, and said of the Europe for Citizens programme (c 1654):

At a time when we hear so much about the democratic deficit of the European institutions, and the perception that they are remote from the people they were set up to serve, these are worthwhile and important objectives. Europe for Citizens is a funding programme that will support a range of organisations with a general European interest, with a view to stimulating citizens’ interactions on EU matters, together with organisations that promote debate and activities concerning European values and history.

The Minister was especially pleased that the Commission had confirmed that funding from the programme would be eligible to support projects commemorating the centenary of the outbreak of World War I in 2014, and welcomed the prospect of a lower budget allocation for the programme than originally proposed by the Commission, which “would be a realistic response to the constrained financial conditions which we all have to take into account, but not so severe as to jeopardise the integrity of the programme as a whole” (c 1655).

Welcoming the Bill, the Liberal Democrat foreign affairs spokesperson, Baroness Falkner, raised the matter of the ECB’s lack of transparency on interest-setting decisions, and asked whether the Government supported greater transparency. She also wanted more emphasis in schools and in the GCSE and A-level curriculums on EU processes, procedures and structures (c 1656):

There are no courses at A-level that prepare candidates for European Union decision-making studies or employment in the EU. While this lies in the purview of national Governments, this Government have been profoundly aware for many years of the lack of United Kingdom participation in the EU Civil Service and the institutions of the EU, and the extremely low numbers of civil servants that find themselves working at EU level.

She was critical of the ‘valorisation’ aspect of the citizenship proposal, which would not, she thought, help to counter any anti-EU bias in the UK media and public discourse (c 1657):

All these programmes are top-down rather than bottom-up. They are guided rather than being spontaneous in any sense; anyone who has worked with civil society will know that bottom-up approaches are far more important. They do not speak to citizens in terms that enthuse them about the value of the European Union.

Lord Liddle asked whether the archiving proposal would end the secrecy surrounding EU decision-making (c 1658).<sup>27</sup> The Council has been criticised for a lack of transparency, which it has sought to address over the years. Before the adoption of [Regulation 1049/2001](#) on transparency and access to documents, most Council documents were not publicly available.

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<sup>26</sup> 25<sup>th</sup> Report of the European Select Committee [HC83-xxii 2013-14](#), 27 November 2013.

<sup>27</sup> For information on Council secrecy, see Standard notes 6646, [Voting Behaviour in the EU Council](#), 23 May 2013.

In 1993 the Council started to publish press releases detailing topics discussed and measures and common positions adopted, indicating which Member States voted against or had reservations. Later came the publication of [timetables and agendas](#), a monthly [summary of Council Acts, Council Minutes](#) and the outcome of voting on legislative acts at [Public Votes](#).<sup>28</sup> The Council sits in public when it is discussing and voting on a proposal for a legislative act or when there is a general debate.

Lord Liddle suggested the archive proposal could go much further, making available correspondence between Commissioners, the records of *chef de cabinet* meetings, verbatim European Council reports and COREPER proceedings, for example.

Will those documents be part of the archive? This is an important point. We have seen in the 60-year development of the European Union that we are moving step by step from a world of secretive diplomacy, where suspicious nation states came together to take the first bold steps towards union, to a much more open democracy. Analysing that process will be very important for the future.

Lord Gardiner hoped (c 1660) that the archive would be of great value to historians “not just for the agenda and minutes of the meetings but for the discussions and how they came to the decisions that they made”, but did not clarify whether the archives would include the documents mentioned by Lord Liddle.

#### **4.6 Other views on European citizenship**

The Irish Presidency in the first half of 2013 designated 2013 the ‘[European Year of Citizens](#)’, with the aim of making EU citizen rights more widely known and encouraging constructive public debate about what EU citizenship means for the people of Europe. The first Civil Society Citizens’ Summit was held on 24 and 25 June 2013 in Brussels.

On 27 June 2013 over a hundred civil society organisations under the auspices of the European Year of Citizens Alliance (EYCA) signed an [open letter](#) to EU Heads of State and Government calling for a “properly funded” Europe for Citizens programme for the 2014 – 2020 period.

## **5 Further reading**

[Explanatory Notes on Bill \(Commons\)](#)

[Explanatory Notes on Bill \(Lords\)](#)

UK Government Explanatory Memorandum on the [Evaluation of the 'Europe for Citizens' Programme 2007-13](#).

EP DG for Internal Policies, Policy Department B: structural and cohesion policies, culture and education, [Europe for Citizens \(2014-2020\)](#) Note, September 2012.

Open University research, Enacting European Citizenship, [summary](#), 17 July 2013.

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<sup>28</sup> However, there is no public record of how governments voted in the 1970s, 1980s and early 1990s.