

**Speech by Mr Józef Oleksy at the plenary session of the Convention
on the final report on simplification of legal instruments**

Brussels, 5 December 2002

It is a good starting point to say – as the group stresses - that nothing is more complicated than simplification.

The working group proposes to limit the number of the Union's instruments. It is certainly a good direction. I would doubt however whether limiting the number of instruments to five respects the specificity of some of the areas of Union's action. I mean here especially the second pillar. I am not sure whether a decision – as the group proposes – will simply be enough in that case.

Moreover, I am not fully convinced by the proposal to change the name of regulations and directives into “laws” and “framework laws”. The former names have been deeply anchored in the Union legislative concept. “Laws” and “framework laws” are rather perceived as national measures. They are inevitably linked with the states. The Union is not a state and has probably a very long way to become one!

I welcome the group proposal to include in the Treaty a rule whereby the legislator should abstain from adopting non-standard acts on a subject when legislative proposals have been submitted. It should however not make the system too rigid in practice.

Establishing a clear hierarchy of the Union legislation is a good solution. In this respect I especially welcome the link made between the legislative act and the co-decision procedure.

On the simplification of procedures, the group noted that we have about 30 different procedures today. I agree that this situation needs to be changed. We must however bear in mind that the large number of procedures is not simply caused by the existence of the three pillars. It is the effect of compromises and balance of influence of the various institutions.

It is a good idea to generalize qualified majority voting where co-decision applies, as well as simplifying the composition of the Conciliation Committee. While as for the name of the co-decision procedure - I would not change it, as it perfectly shows the nature of lawmaking.

Finally, I also agree with the simplification of the budgetary procedure as well as the abolishment of the cooperation procedure and replacing it by consultation.

Thank you for your attention.