

Statement by Mr Henrik Hololei
Alternate Member of the Convention
Government of Estonia
on article 1 of the draft Constitutional Treaty

27-28 February 2003, Brussels

Ladies and Gentlemen,

Thank you so much Mr. Chairman. I will have to come back to article 1 as I wanted to intervene before but due to lack of time it had to be postponed.

The original idea of Laeken was to make Europe more understandable for the citizens. It has been claimed that the wording of the article 1 paragraph 1 also intends to improve clarity, stating in a matter-of-fact manner that “the Union shall administer certain common competences on a federal basis”. This is supposed to acknowledge the existing state of the art. I am not convinced.

Even though reflecting the reality, this wording may explain the functioning of the Union to some of the citizens of the Union, notably those *living* in a federal state – for them, it might ring a bell. But you all know well that there are other countries where this word would not help to explain the functioning of the Union but it would rather complicate things and confirm the fears they have held for a while – that Europe is developing into a superstate.

The first part of the art 1 para 1 sounds well but the second part as Mr Roche proposed could be deleted or changed as follows - "...within which MS shall co-ordinate certain policies at a European level to achieve common goals. In order to achieve that, Member States delegate certain competences to the Union, which shall administer those competences in common."

Some speakers have mentioned that the younger generations would not forgive us if we delete the word federal – please be careful, as one of the youngest members of the Convention I have the right to say that the younger generations would not forgive, if we could not find more appropriate wordings acceptable through all generations across Europe.

I would like to fully support Lena Hjelm-Wallén who has intervened for the use of “treaty” as a shorthand for the constitutional treaty throughout the text. We are working on a treaty that is going to be signed between the Member States - if I remember correctly, this was a preferred option decided in the beginning of the work of the Convention. Our tabled comments have also underlined that controversy.

Thank you!