

**Contribution by Dr Dimitrij Rupel,
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Convention,**

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Slovenia considers it crucial that the enlarged European Union be based on community spirit, which should be further strengthened by institutional solutions. Exactly these, and not any others, have been the foundations for the development of the European integration process, which a number of new countries wish to join. Historic experiences show that the community method enables a creative life in a community since it is based on the impartial seeking and implementing of common interests, without any need for anybody to give up their identity and without re-introducing the patterns of the former organisation of the continent based on the search for balance between interests, which was supposedly aimed at alleviating tensions of the largest European countries striving to establish dominance.

Many governmental representatives to the Convention share similar views. We have therefore proposed common amendments to draft articles on the institutions. I would only like to stress the key elements of these amendments that, in my opinion, enable efficient, transparent and as legitimate operation of the Union as possible:

- The enlarged EU requires a system that would enable strong representation and implementation of the common interest. The community nature of the Union must therefore be strengthened. The role of the Commission and of its President must be reinforced in the Draft Constitutional Treaty. Their democratic legitimacy and accountability must be increased. I therefore propose that the European Parliament (or Electoral College composed of members of the European and national parliaments) should play a more significant role in the election of the President of the European Commission than was foreseen in the Presidency's proposal. The European Council should propose to the Parliament up to three candidates, and the chosen candidate must be supported by at least three fifths of the members of the Parliament. We further propose that the Constitutional Treaty entitle the President to initiate verification in the European Parliament of whether the Commission enjoys the required confidence. The Constitutional Treaty should also entitle the President to request a member of the Commission to resign. Approval of the College should be required in both instances.
- Greater coherence and continuity of actions will be required in the enlarged Union. We propose that a three-year strategic programme serve as a basis of greater coherence and continuity. The Council should draw up a draft programme in close cooperation with the Commission, and submit it to the European Council for adoption. Successive presidencies should then jointly submit draft annual operational programmes of the Council's activities. A further element of the continuity and coherence should be provided by a General Secretariat, which should grant all the necessary support to the European Council and the Council.
- Let me emphasise that I do not see sufficient and convincing reasons for the establishment of new institutions or a system that would blur competences of institutions or result in the overlapping or duplication of their competences, or even undermine the institutional balance and thus endanger the community spirit. I therefore propose that we do not define the European Council as a new institution separated from the Council, but rather as a body of the Union that, together with its

institutions, forms the institutional framework of the Union. It should work under the guidance of the presidency, which would operate on the principle of rotation. The role of the European Council must be defined more clearly. The Council should provide the Union with the necessary impetus for its development, and it should define general political directions and priorities. The provisions of the Constitutional Treaty should also make it clear that the European Council has no legislative competences.

For Slovenia, as one of smaller future EU members, it is essential that the enlarged European Union respect the principle of equality between its member states - small and large, old and new. This balance is a necessary element of the legitimacy of the European integration process. As to equality between Member States, we have to distinguish between equality in terms of equality before the law, i.e. of rules applicable to all Member States, and the issue of equal representation in the institutions. This representation should be based on the balance of the dual nature of the EU, which is a union of citizens and at the same time a union of sovereign nation states. The question of suitable representation of the countries in individual institutions relates to the balance between small and large Member States. I consider that, in the Presidency proposals, this balance has not been duly taken into account. I am therefore in favour of the preservation of the rotating presidency system at least at the levels of the European Council, General Affairs Council and COREPER, which guarantees a suitable representation and equality of all Member States, allowing at the same time for identification of citizens of each Member State with the EU. As to the question of equal representation in the institutions and the weight of the vote of individual members, I believe that an acceptable compromise solution was found at the Intergovernmental Conference in Nice. A change in any of the three elements of this compromise solution would open the issue of the other two. I therefore propose that the solution achieved in Nice be applied to the weight of votes in the Council, distribution of seats in the European Parliament and the composition of the Commission. Let me stress that the composition of the Commission will be of the utmost importance for new members. Any other composition that is not based on the principle "one state - one commissioner" would be acceptable only if founded on the principle of equality of members.

In conclusion, let me voice my support for solutions to the institutional arrangement for the EU's external action, proposed by the Presidency. The EU will be stronger in its external action if it is able to speak "with one voice". We therefore consider that the merging of the functions of a high representative for the Common Foreign and Security Policy and the commissioner for external relations in the role of the EU foreign minister is a suitable solution.