

CONV 54/02

NOTE

from :	Praesidium
to :	Convention
Subject :	Meeting of the Convention on 23 and 24 May 2002 – Achieving the tasks of the Union

1. The Praesidium has proposed that debate in the Convention meeting on 23 and 24 May 2002 should focus on how the Union could better exercise its competence.
2. As background, Members of the Convention may refer to discussion paper CONV 47/02 on the delimitation of competence. That paper is an elaboration of CONV 17/02, which was circulated before the meeting on 15 and 16 April; it reflects the Convention's discussions at that meeting (summarised in CONV 40/02) and seeks to identify issues and avenues that the Convention might go on to explore in plenary and in the working parties.
3. Members of the Convention may also refer to CONV 50/02, which sets out the full range of instruments currently used by the Union to implement its competences. The picture which emerges is somewhat complex. Among the questions which arise therefore is that of simplifying (and/or classifying more clearly) the instruments and procedures for adopting them.

4. With these two papers as background, Members of the Convention are asked to consider the following questions:
- (i) Does the current delimitation of competence between the EU and the Member States match the Union's tasks as identified by the Convention? Is that delimitation sufficiently clear?
 - (ii) How can the delimitation of competence, including the principles of subsidiarity and proportionality, be enforced?
 - (iii) Should the instruments available to the Union for exercising its competences be clarified (or reduced in number)?
 - (iv) Are existing decision-making procedures and individual Institutions' roles in those procedures capable of ensuring optimum efficiency?
 - (v) And can they ensure the democratic legitimacy of the decision-making process?
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