

**THE EUROPEAN CONVENTION**

THE SECRETARIAT

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from           Secretariat

to             The Convention

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**Subject :**     **Contribution by Ms Hildegard Puwak, member of the Convention, and  
Mr Constantin Ene, alternate member of the Convention, supporting the  
Commission Communication on the Institutional Architecture of the EU**

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The Secretary-General of the Convention has received the attached contribution from Ms Hildegard Puwak, member, and Mr Constantin Ene, alternate member of the Convention.

**Contribution of the representatives of the Romanian Government supporting the  
Commission Communication on the  
Institutional Architecture of the European Union**

1. Giving expression to its function as a guardian of the European common interest, the Commission issued a communication on the institutional architecture of the EU. Romania considers it an important contribution. The document not only embodies the principles and the values which stand at the basis of the European edifice, with which any common citizen could only agree but **it is more significant that the Commission also offers its valuable expertise and suggests efficient technical solutions to many issues debated in the frame of the Convention.**

Since there is no doubt that we all expect that the European Union would not only work, but it will work **efficiently and in a transparent manner, consonant with the principles of democracy, solidarity and equality.**

2. In our view the approach put forward by the Commission tends to solve the difficulties involved by the fact that reforming the institutions and enlarging the European Union to almost 30 members may often force us to **trade efficiency or efficacy for more democracy, transparency or equality.**

Thus, passing from unanimity to qualified majority voting, simple dual majority or enhanced majority in the Council, may represent the efficient solution to ensuring each members state's right to vote, while the dynamism and the evolution of the Union is not affected.

Applying the codecision procedure as a general rule in the decision making process, and having the European Parliament and the Council legislating on equal footing, bring the citizens much closer to the Union, since it considerably reduces the democratic deficit.

Giving full right of initiative to the Commission, along with exclusive power to implement European legislation increases the guarantee that whenever the common interest is at stake, this institution will intervene protecting it.

3. Other propositions contained in the Commission Communication are also most important. The suggested European economic and social model is to imply achievement of an internal market offering the highest development potential and the premises for an efficient market economy with a large social dimension, a knowledge-based society and for loyal competition, consumer protection and social cohesion.

Giving the Commission the right to formal proposal instead of recommendations would increase the positive coordination of economic policies, by using the existing instruments, and would maximize the potential of growth in the Union in accordance with the implementation of the social, employment and environmental objectives, from a multi-annual perspective, while concurrently the Parliament and the social partners were consulted on drafting the Broad Economic Policy Guidelines.

Romania considers that the European Commission represents the only institution that can ensure both the continuity and the expertise of representing euro at the international level.

4. The events of September 11<sup>th</sup> 2001 have clearly demonstrated that maintaining a safe and stable Europe in the years to come, calls for developing an integrated and comprehensive strategy on JHA issues. An integrated approach will require an improved inter-pillar coherence, since it became clear that the frontier between external security and internal security has vanished.

Freedom is a basic principle governing all JHA activities. Recognizing the basic principles incorporated in the Charter of the Fundamental Rights can ensure the sensitive balance between the need of security and the democratic rights of the European citizens. For instance, the fight against illegal immigration must hamper neither the freedom of movement of persons within an enlarged EU, especially between the current and the future Member States, nor the individual security of the European citizens.

We support the idea that we have to identify appropriate instruments and institutional arrangements in order to facilitate an effective common JHA policy. An enhanced role for Europol and Eurojust will need to be considered whilst communitarising them, as well as setting up a European Prosecutor's Office.

5. The global responsibility of the Union should be committed through coherent and consistent policies covering the foreign economic relations, commercial policies, development policy, humanitarian aid, common foreign security policy, asylum and immigration, global aspects of environmental and disarmament policies.

The European model implies that common security can be achieved through cooperation and not through confrontation. Only the identification and the elimination of the causes of insecurity, that go beyond the traditional military dimension, can contribute to the accomplishment of sustainable and democratic security.

Romania strongly supports the fusion between the function of High Representative for CFSP and the Commissioner for External Relations. Accordingly, the High Representative would be chosen by the President of the Commission and by the Council. He/she will enjoy double legitimacy, coming both from the consensus of the member states and from the consent of the European Parliament given on his/her nomination.

6. In what concerns the foundation of the common policies, the future constitutional treaty should include provisions on the multiannual financial perspectives to be adopted by the European Parliament and the Council, based on a Commission proposal. The budget should be adopted according to a procedure based on codecision and will not separate expenses into compulsory and non-compulsory.

We are aware of the fact that changing the prerogatives of any one of the Community institutions may affect the institutional balance. That is why, in our view the general use of codecision between the European Parliament and the Council, along with the general use of the QMV in the Council, the election of the President of the Commission by the European Commission, an enhanced dual legitimacy of the Commission and a bigger involvement of the national parliaments in the decision making process are proposals intended to safeguard the institutional balance.

*We support the proposals put forward by the Commission, as an independent institution which ensures equality between the current and the new Member States, the rich and the poor, the northern or the southern ones and embodies coherence, transparency, high quality expertise and consideration for the common interest.*