

THE EUROPEAN CONVENTION

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COVER NOTE

from :	Secretariat
to :	The Convention
Subject :	Contribution presented by Mr Proinsias de Rossa, member of the Convention: - “The Institutions of the Union”

The Secretary General of the Convention has received the attached contribution from
Mr Proinsias de Rossa, member of the Convention.

*Contribution from Proinsias de Rossa, Member of the Convention**The Institutions of the Union*

The tabling by the Praesidium of the draft treaty articles on the Union Institutions marks the moment when the Convention turns its attention to the critical questions of power and influence.

The task of the Convention in the institutional field is difficult in its scope and sensitivity. If there is to be an effective outcome the debate must start from a clear set of principles and guidelines. The coming institutional debate must not become a struggle for position and influence between the big Member States, nor an inter-institutional battle.

The institutions of the European Union were constructed by Monnet on the basis of his belief that men and women "are essential to change but institutions are vital to see it through." He commented elsewhere that "it is institutions which govern relationships; they are the true cornerstones of civilization."

A number of principles or sets of values may be identified as fundamental to any comprehensive development of the institutions of the Union.

The Equality of the Member States of the European Union is an absolutely basic principle which becomes even more important as the process of enlargement goes forward. Nothing that we do in this Convention must place that principle at risk.

For example, the future shape, and composition of the European Commission must reflect the equality principle. In the Council, there can be no directorate of larger Member States. The overall system must not alone respect equality but must be clearly seen to do so.

The system created by Monnet was characterised by Balance – balance between Member States and the common institutions, and balance between the institutions themselves. There must be a proper balance between states which are:

*Rich and Poor;
New and Old;
Big and Small.*

The institutional structures of the Union must respect the principle of Openness which is at the heart of the Laeken Mandate. The broad agreement in the Convention on provisions such as that requiring the Council to carry out its legislative functions in public is welcome. The steps envisaged by the Convention for strengthening the linked principles of Subsidiarity and Proportionality are equally important in terms of transparency.

The primacy of the Community Method – centred on the Commission; involving QMV on a wide front and co-decision between Council and European Parliament – for all legislation - must be fully respected. The Community Method is the best guarantee that the interests of the smaller Member States, and of the new Member States following enlargement – will be protected and promoted. Ireland's history of EC/EU membership over the past thirty years bears witness to the benefits of the traditional Community Method.

An essential aspect of the Community Method resides in the acceptance of political responsibility by every Member State for joint decisions and their implementation. This is given concrete substance in the rotating Council Presidency which is of great significance in many Member States, and in particular in the smaller countries like Ireland. Whatever adjustments to the six-monthly presidency arrangement - for example some

form of team presidencies - may be considered, the guiding principle must be that all Member States will have a right to participate in the Presidency and that all Council meetings are chaired by elected politicians and not by officials such as the High Representative.

Within the Community Method, the central role of the Commission cannot be over-emphasised. The enlarged European Union needs a strong, effective Commission to serve the general interest of the peoples and Member States and to protect the fundamental principles and values of the Union. Any approach to the future evolution of the Commission structure must be based on this consideration.

The election of the Commission President by the European Parliament would greatly enhance the democratic legitimacy of the Commission as well as enhancing the electoral contest for membership of the Parliament in public opinion.

Equally, the future role of the Council will be enhanced by greater use of QMV in appropriate areas, by greater openness and by restoring the full-time position of Secretary General. However, the proposal that the President of the European Council should be elected for a period of years raises serious concerns, and should not be pursued.

Provision for three elected and long-term Presidents – European Council, Commission and Parliament – would complicate the institutional relationship within the European Union and endanger its current essential balance.

Last, but not least, the democratic role of the European Parliament will be enhanced by its involvement in the election of the Commission President and by the extensive use of co-decision. It should be given more authority for international agreements, through the assent procedure. The ending of the pillar structure will bring the Parliament into a more central position in key policy areas.

In looking at institutional reform and restructuring there must be recognition that the Union must carry out fully and effectively what has been agreed over the years, in areas such as

*Completion of the huge project of Enlargement
Strengthening the Single Currency and Single Market
Implementation of the ambitious Lisbon and Tampere Processes
Implementation of the wide-ranging Nice Social Agenda
Making the existing agreements on Security and Defence work rather
than pursuing illusory initiatives.*

There has been a worrying tendency over the years to turn to reform or reshaping of the institutions of the Union rather than to concentrate efforts on making policies themselves more relevant or effective. As we move forward to look at various proposals for Presidents, High Representatives and Foreign Ministers our priority should be to be true to the mandate of the Laeken Declaration which stated that

“the European Union derives its legitimacy from the democratic values it projects, the aims it pursues and the powers and instruments it possesses.”