

**Speech of Mrs. Danuta Hübner,
Secretary of State for European Integration
at the plenary session of the European Convention
*Brussels, 24 May 2002***

The EU carrying out its missions: efficiency and legitimacy

Mr President, Colleagues,

Our fundamental task in this Convention is to find ways of regaining the support and confidence of the citizens of the Union. In looking at the ways in which the Union should carry out its missions. I find it correct to look at legitimacy and efficiency.

I believe that legitimacy comes partly through the close association of citizens with the development of legal instruments, from their first conception through to their entry into force.. Consultation has to be the rule for all planned EU action and this should not be restricted to interest groups in the particular sector covered by the legal instrument – legislation affecting the steel industry should not just be consulted with the steel lobby or the labour code should not be consulted with these who are employed. There may need to be further work on procedural rules for consultation.

My second point on legitimacy concerns comitology. While considerable progress has been made in making the legislative process more transparent, these committees operate in the shadows, with a variety of procedures followed. Yet they decide on vastly important matters to our citizens. In my view measures must be found both to reduce the number and complexity of committee structures but also to render their work more transparent. The idea that officials from the Member States and the Commission are quietly making far-reaching decisions affecting the lives of all our citizens but in total opacity is worrying.

Turning to the question of efficiency, this in my view cannot simply be measured in terms of the speed of the legislative process. Although slow, the directive appears to me to be an ideal instrument in the context of very diverse systems of implementation of law in the Union. Directives should leave the maximum amount of flexibility for adjusting implementation mechanisms to national specificities. This also makes consultation with interested parties necessary at the national level and therefore enhances Union legitimacy.

But of course as the background paper for today's meeting suggests, especially in the economic field as well in technology, speed is an important element. For areas where speed matters it may well be necessary to design fast-track

procedures, including fast consultation procedures.

In my view however the Union should also make greater use of non-legislative instruments such as open coordination and self-regulation. These are surely every lawyer's nightmare and they are obviously not suitable for many areas of Union activity, where legal certainty is indeed necessary, but they often can achieve progress where legislative tools cannot deliver.

Finally let me say that an aid to achieving both legitimacy and effectiveness is certainly to legislate less. This will enable us to produce higher quality legislation and facilitate consultation. And it will lower the costs imposed by legislation on businesses and citizens throughout the Union.

Thank you.