

**ADDRESS BY HE MR MESUT YILMAZ,
STATE MINISTER AND DEPUTY PRIME MINISTER
OF THE REPUBLIC OF TURKEY,
TO THE CONVENTION ON THE FUTURE OF EUROPE
(BRUSSELS, 23-24 MAY 2002)**

MR. PRESIDENT

EFFICIENCY AND LEGITIMACY ARE INTERCONNECTED. JUST LIKE THE NATIONAL POLITICAL SYSTEMS, THE EUROPEAN POLITICAL SYSTEM CANNOT OPERATE EFFICIENTLY, IF IT LACKS DEMOCRATIC CREDIBILITY AND LEGITIMACY.

EFFICIENCY FIRST OF ALL DEPENDS ON TWO CONDITIONS: FIRSTLY, HAVING A SUBSTANTIVE PROJECT AND SECONDLY, HAVING ADEQUATE INSTRUMENTS.

THERE IS INSUFFICIENT CLARITY ON ISSUES REGARDING THE LIMITS OF THE COMPETENCES CONFERRED UPON THE UNION AND PROCEDURES AND INSTRUMENTS BY WHICH THE UNION EXERCISES SUCH COMPETENCES. THEREFORE, WE WELCOME THE EFFORTS TO CLARIFY THESE MATTERS IN RELEVANT TREATIES. SUCH CLARIFICATION WILL ENHANCE THE UNION'S CAPACITY TO DISCHARGE ITS MISSIONS, ESPECIALLY IN THE NEW ERA AHEAD OF US.

IN DOING SO, WE SHOULD AVOID CAUSING ANY DAMAGE TO THE WELL- FUNCTIONING PARTS OF THE INSTITUTIONAL AND LEGAL STRUCTURE OF THE UNION. THESE HAVE BEEN ESTABLISHED STEP BY STEP OVER FIFTY YEARS AND WITH GREAT EFFORTS.

THE NATURE OF INTEGRATION ACHIEVED BY THE UNION RENDERS IT DIFFICULT TO DRAW UP CLEAR-CUT LISTS TO DETERMINE WHO WOULD EXERCISE WHICH COMPETENCE. THIS DELIMITATION OF COMPETENCES IS, FOR HISTORICAL REASONS, NOT REFLECTED IN THE TREATIES IN A SYSTEMATIC WAY.

THEREFORE THE PRIORITY HAS TO BE GIVEN TO CLARIFICATION OF THE CURRENT SYSTEM SO AS TO MAKE IT MORE ACCEPTABLE TO ALL ESPECIALLY TO POTENTIAL NEW MEMBERS.

DURING THE INTEGRATION PROCESS, THE UNION HAS BEEN GIVEN NECESSARY POWERS TO ACHIEVE ITS GOALS AND OBJECTIVES. THIS WAS VITAL FOR ACHIEVING RESULTS. IN THE PERIOD AHEAD, THE UNION MUST CONTINUE TO EXERCISE SUFFICIENT POWERS. FUNCTIONAL POWER OF THE UNION SHOULD THEREFORE BE PRESERVED.

THE MOST APPROPRIATE METHOD TO PREVENT THE UNION'S COMPETENCES AND INSTRUMENTS FROM EXCEEDING ITS LIMITS, IS NOT TO DEPRIVE THE UNION OF COMPETENCE IN SOME AREAS, BUT TO ENSURE BETTER IMPLEMENTATION OF THE PRINCIPLES OF SUBSIDIARITY AND PROPORTIONALITY. THESE PRINCIPLES MUST BE APPLIED UNDER EFFECTIVE MONITORING.

WE THINK THAT IN ADDITION TO THESE TWO PRINCIPLES, THE PRINCIPLE OF SOLIDARITY MUST ALSO BE WELL DEFINED AND BE GIVEN A MORE INSTITUTIONAL SUBSTANCE.

THE LEGAL INSTRUMENTS THAT THE UNION USES SHOULD BE REDEFINED IN THE UNION AND COMMUNITY TREATIES AND THE CONCEPTS RELATED TO THESE INSTRUMENTS SHOULD BE HARMONIZED. THE PROBLEM HERE PARTLY RESULTS FROM THE THREE-PILLAR STRUCTURE OF THE UNION. THE MALFUNCTIONING AND INCONSISTENCY AMONG THE PILLARS SHOULD BE ELIMINATED THROUGH PROGRESSIVE DISMANTLING OF THREE-PILLAR STRUCTURE OF THE UNION. THIS CAN BE ACHIEVED BY WAY OF USING COMMUNITY METHOD. SINCE WE DO NOT AIM TO CREATE A EUROPEAN SUPER STATE OR A EUROPEAN GOVERNMENT, I THINK THAT IT WOULD BE USEFUL TO EXTEND THIS METHOD TO ALL AREAS EXCEPT THOSE WHERE INTER-GOVERNMENTAL METHOD IS IMPERATIVE.

THE EFFICIENT FULFILMENT OF THE UNION'S MISSIONS DEPENDS, ON THE ONE HAND, ON A SUITABLE LEGAL STRUCTURE AND ON THE OTHER HAND ON SUFFICIENT FINANCIAL MEANS WITHIN AN ADEQUATE BUDGET.

WHILE SEEKING THE EFFICIENCY OF THE UNION WHICH IS BASED ON DEMOCRATIC PRINCIPLES, IT IS NECESSARY TO QUESTION THE LEGITIMACY OF ITS INSTITUTIONS. THE DEMOCRATIC LEGITIMACY AT EU LEVEL HAS EMANATED, SO FAR, FROM THE EUROPEAN PARLIAMENT AND THE NATIONAL PARLIAMENTS. THIS DUAL LEGITIMACY IS NECESSARY IN ORDER TO OVERCOME THE CURRENT DEMOCRATIC DEFICIT. WE ARE IN FAVOUR OF ENHANCING THE ROLE OF NATIONAL PARLIAMENTS IN THE LEGISLATIVE ACTIVITIES OF THE UNION.

IN SEARCH FOR FORMAL LEGITIMACY, WE ARE ALSO IN FAVOUR OF MAKING A DISTINCTION BETWEEN LEGISLATIVE AND EXECUTIVE ACTIVITIES OF THE COUNCIL AND ENSURING THE TRANSPARENCY BY MAKING THE COUNCIL DELIBERATIONS PUBLIC, WHEN IT ACTS AS A LEGISLATOR. WE THINK THAT THE CONVENTION SHOULD ALSO CONSIDER POSSIBILITIES OF THE COMMISSION PRESIDENT TO BE ELECTED BY THE EUROPEAN PARLIAMENT OR DIRECTLY BY THE PEOPLE.

FINALLY, WE ARE OF THE OPINION THAT LEGITIMACY OF THE UNION CANNOT BE ACHIEVED FULLY WITHOUT AN EFFECTIVE JUDICIAL CONTROL. WE THINK THAT INCREASING THE GROUNDS FOR THE INDIVIDUALS TO ACCESS TO THE JUDICIAL PROCESS WITHIN THE UNION WOULD HELP TO TAKE POSITIVE STEPS TO THIS END.

THANK YOU.