

Contribution of Mr. Puiu Hasotti, MP (Romania) on "The Functioning of the Institutions" Brussels, 20-21 January 2003

The institutional reform represents a decisive element of the European integration. The EU is facing now 3 challenges:

- a) globalization
- b) enlargement (the challenge of the number)
- c) democratic deficit

I think that we should take the assumption according to which more Europe meets better the challenges than less Europe.

The three challenges could be addressed at least to some extent by an institutional reform based on the following principles:

1. **Efficiency** to respond to the challenge of the number
2. **Legitimacy** to respond to the challenge of the democratic deficit
3. **Single external representation** to respond to the challenge of globalization
4. **Institutional equilibrium** to rightly balance the interests of the European citizens (the Union of the citizens) and the interests of the Member States (the Federation of the nation states)

1. Efficiency

The challenge of the number suggests us some almost compulsory reforms:

- i. With 27 states or more in the EU unanimity means paralysis. Therefore, it is necessary to have QMV as the main rule in the Council. For sensitive areas, flexibility could be provided by the extension of the reinforced co-operation and constructive abstention.
- ii. One Commissioner for each country would lead to a too big Commission and consequently an inefficient Commission. Therefore, the number of Commissioners should be reduced. I see 2 options for the Commission:
 - a. A Commission as an independent body, however elected by the European Parliament, but with fewer Commissioners than the number of the states, nominated through an algorithm conforming to a fair rotation.
 - b. A political Commission elected by the political majority in the European Parliament. This second one is my preferred option.

- iii. The European Parliament should have no more than 600 seats, provided that an electoral reform will lead to the election of the MEP's within the European constituencies.
- iv. The rotating Presidency system should be reformed at least for the executive sectorial Councils, whose chairmen are to be elected by their peers.

2. Legitimacy

Legitimacy has a double dimension, one given by the European citizens, and the other one given by the states:

- i. Legitimacy given by the European citizens will be fully achieved only if the European Parliament is perceived as such by the citizens. Therefore, the European Parliament should be elected on the basis of the European constituencies through a uniform electoral system in order to reflect better the demographic reality of Europe. The co-decision procedure would be extended in all the cases when the Council decides on a legislative act.
- ii. Legitimacy given by the states will be achieved through the Council. In this respect it is useful to separate the Council in two sides: an executive one and a legislative one:
 - a. **The Legislative Council** along with the European Parliament will decide on the legislative initiatives launched in principal by the Commission, but not only by it. The Legislative Council will not meet in sectorial formations. It will be one Legislative Council composed by the designated or elected representatives of the Member States.
 - b. **The Executive Council** will further function in distinct formations depending on the subject on the agenda. It will mainly play a co-ordination role in the following fields:
 - i. Economic and social policies
 - ii. Security and defence policy
 - iii. Justice and internal affairs

3. Single external representation

The external representation will be the task of the European Foreign Secretary after the merger of the HR and the Commissioner for external relations, the latter as a Vice-president of the Commission.

4. Institutional balance

A well-balanced institutional architecture presupposes:

- a. a stronger European Parliament

- b. the **right balance between the Council and the Commission** which in my view represents the key element of the institutional reform.

The Commission as an independent collegial body representing the European interests was an optimal solution when few states were members of the Community. The community method in its present form will increasingly create frustrations among the states and even among the citizens.

Only a political Commission elected by a political majority of the European Parliament and eventually by the Legislative Council, and becoming a genuine European government, will be able to define a European common political interest and only a European common political interest is suitable to more Europe. Therefore, in my view, we need an improved community method, "a community method +", to be accepted both by the states and the citizens.

If things are not yet ripe for such a solution, the Commission and its President should at least be elected by the European Parliament, thus a political legitimised Commission.

The European Council should be formally recognised as an institution of the Union in charge with the political strategies of the Union and not as a body resolving the unfinished business from the sectorial Councils.

While supporting most of the proposals of the French-German contribution on the institutional architecture of the Union, I have some reservations relating to the permanent President of the European Council, which could create frictions between him/her and the President of the Commission, unless a clear division of competences between the two presidents is completed. However, the Convention might eventually embrace the idea, but some clarifications are needed to gain larger support among the conventionalists.

I support most of the ideas comprised in the contribution "Key elements of institutional reform" signed by a group of members and alternate members of the Convention.