

Statement by Mr Henrik Hololei
Alternate Member of the Convention
Government of Estonia
on the third part
of the draft Constitutional Treaty

4 July 2003, Brussels

Mr Chairman, Ladies and Gentlemen,

I would like to extend my congratulations to the Secretariat and to the Praesidium for their good work with a very long list of articles in part III. However, it is also necessary for the members of the Convention to reflect sufficiently on the draft articles. Here I would like to comment on some of the issues.

First of all, the aspects related to the economic governance. I believe that in many aspects the regulation in the existing treaties is sufficient and it should be preserved. For instance the new article III-76 should be amended so that it would reflect the current text. Namely, the Statute of the ESCB should only be amended unanimously. The reason for this is that this is an issue of constitutional nature and thus can only be changed on the basis of consensus. The same also applies to article III-74 on conferring certain special tasks to the European Central Bank.

Even more importantly, I insist that we would preserve unanimity in the field of taxation across the board. This also applies to article 59 and 60. While combating tax fraud and tax evasion are important, this should be done only as far as it is accepted by all Member States. I am convinced that all attempts to introduced qualified majority voting in this area are bound to needlessly complicate the negotiations at the IGC and eventually the proposals will have no chance of success.

Second, I am still of the opinion that the European Union should neither intend to develop into a defence organisation, nor should there be close co-operation in military issues under the auspices of the Union. This would needlessly increase divisions in Europe and make it weaker and I agree with Kiljunen that the common defence policy must be definitely common. Thus I would propose that we delete the articles 208 and 209 from the draft constitutional treaty.

In addition, I would suggest that the wording of the article 203 should be improved. I think we should not overregulate the role of the Political and Security Committee in the Constitutional Treaty. This is even more surprising in the situation where the role and the modalities of the European Foreign Minister have not been described with adequate clarity.

Third, I would like to support my Finnish colleagues in their proposal to amend the articles III-111 and III-113 in order to facilitate cross-border co-operation with third countries. At the moment co-funding of joint projects across the external borders is cumbersome and requires a huge effort of co-ordination from several financial sources and Commission services. The forthcoming enlargement will make the situation even more complicated and thus we should try to find good solutions to make the system more efficient and transparent also in this field.

Finally, I would like comment on art III- 170 and to support all those who have argued that the time is not yet ripe for creating a European Public Prosecutor. We should first attempt to use all existing means for judicial co-operation and only then start creating new posts.

Thank you, Mr. Chairman !