

CONV 812/03

CONTRIB 367

COVER NOTE

from : Secretariat

to : Convention

Subject : Contribution by Mr Daniel Valtchev, member of the Convention

"Contribution to the European Convention Session of the 11-13 June 2003"

The General Secretariat of the Convention has received the contribution set out in annex hereto from Mr Daniel Valtchev, member of the Convention.

**CONTRIBUTION BY DANIEL VALTCHEV,
REPRESENTATIVE OF THE BULGARIAN PARLIAMENT
TO THE EUROPEAN CONVENTION
SESSION OF 11-13 JUNE 2003**

I welcome the overall results of the Convention as embodied in the final version before us. 15 months of our efforts have not been in vain. I am pleased that the final draft largely reflects the principles which we hold dear, namely the necessity to strengthen the community method, to keep a balance between the main EU institutions and of course, to preserve the equality among the member states - small or large, existing members or newly joining.

However, I am very much surprised, and I must say - unpleasantly surprised - that article 1 of the Draft Protocol in Annex III to Part I of the Constitution does not include any provisions for Bulgaria and Romania. It is exactly the wrong political signal to send to the public opinion of our two countries and indeed to the whole region. And it could create unnecessary political and legal problems.

Article I-19 (2) provides that the members of the European Parliament shall not exceed 732 in number. It also contains a reference to the Draft Protocol in the Annex III which set out a specific distribution of these 732 seats among nationals of 25 countries. According to the Accession treaty with the 10 candidate countries that will join in 2004, all these 732 seats will actually be taken up as of next year. The draft Constitution does not contain any provision whatsoever about the possibility for Bulgaria and Romania to send representatives to the European Parliament for the period between their accession (due in 2007 according to the Copenhagen European Council) and the year 2009.

The impression that Bulgaria and Romania are indeed left out of the picture is further enhanced having in mind the provisions of Article I-24 about qualified majority voting (QMV). Paragraph 3 provides for the new definition of QMV to take effect on

1 November 2009 or possibly up to three years after that date. From the moment of accession of 10 new member states until the date set in Article I-24, the weighting of votes in the Council is defined in Article 2 of the abovementioned Draft Protocol. There is no provision indicating how this weighting of QMV will be changed after the upcoming accession of Bulgaria and Romania.

The fact that Bulgaria and Romania were invited to participate on a practically equal footing in the work of the Convention was appreciated very highly in my country. I sincerely hope that the issues which I outlined are the result of a misunderstanding and will be corrected.