

FOLLOW-UP REPORT

**BRIDGING THE GAP BETWEEN CITIZENS AND BRUSSELS**  
**TOWARDS GREATER LEGITIMACY AND EFFECTIVENESS**  
**FOR THE EUROPEAN UNION**

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## Foreword

In the words of the Laeken Declaration on the future of the European Union, the EU is 'at a crossroads, a defining moment in its existence'. The Convention on the Future of Europe has now reached a decisive stage. A number of draft articles for a new Treaty are now being discussed.

The Convention has already been mentioned in two earlier advisory reports by the Advisory Council on International Affairs (AIV).<sup>1</sup> This emphasises the great importance that the AIV attaches to the Convention and its outcome. In its advisory report *A Convention, or conventional preparations? The European Union and the IGC 2004*, the AIV expressed the hope not only that the preparations for treaty amendments by the Convention would be more transparent, but also that the Convention would dare to make more far-reaching changes and would achieve more than traditional types of preparation. It is already clear that the range of issues now being discussed by the Convention is broader, and that they are being discussed in greater depth, than in any previous preparations for an Intergovernmental Conference (IGC). In its advisory report *Bridging the gap between citizens and Brussels: towards greater legitimacy and effectiveness for the European Union*, the AIV went on to examine a number of topics in detail. The Government responded to this – indirectly – in a memorandum entitled *Europe: work in progress*.<sup>2</sup> The Convention has now reached a stage where crucial choices will be made, and in this connection the AIV believes that a brief update on various key issues is indispensable. It has therefore decided to produce the following advisory report on its own initiative. The report follows on from previous ones and is based on the same guiding principles. It also takes account of the political realities that are emerging within the Convention. The AIV hopes that this report, which can be seen as a follow-up to *Bridging the gap between citizens and Brussels*, will make it easier to adopt a position and will contribute to the debate on these issues at this decisive stage of the proceedings.

The report looks at such fundamental matters as procedures for approving and amending the Treaty, relations between the institutions and the Council Presidency, the distribution of powers, the role of the European Court of Justice, the development of the Common Foreign and Security Policy and the European Security and Defence Policy (CFSP and ESDP) and the coordination of economic policy. The report also re-examines a number of matters such as measures to increase public support and democratic control, since it believes these are essential if the Convention is to be brought to a successful conclusion.

1 AIV Advisory Report No. 24, *A Convention, or conventional preparations? The European Union and the IGC 2004*, November 2001, and AIV Advisory Report No. 27, *Bridging the gap between citizens and Brussels: towards greater legitimacy and effectiveness for the European Union*, May 2002.

2 *Europe: work in progress. The Dutch contribution to the next stage of the Convention on the Future of Europe*, 26 September 2002.

Substantive preparations for the report were completed on 21 March 2003. This means that proposals submitted after this date are not discussed or taken into account.

This follow-up report was prepared by the AIV's European Integration Committee. The members of the Committee are Professor F.H.J.J. Andriessen (chair), Dr B. Knapen (deputy chair), Dr M. den Boer, H.J. Brouwer, W.S.J.M. Buck, P. Dankert, Professor P.J.G. Kapteyn, N.W. Meuter-Dijkers, H.C. Posthumus Meyjes, Professor J.Q.T. Rood, C.E. Roozmond, P. Scheffer, W.K.N. Schmelzer, Professor A. Szász, F.A.H. Vigeveno, M.G. Wezenbeek-Geuke and Professor J.W. de Zwaan. E.P. Wellenstein of the AIV's Peace and Security Committee was seconded to the Committee for the purposes of this report. The Committee was assisted in its work on the report by its civil service liaison officers at the Ministry of Foreign Affairs, D.J. Oldenburg and J.A. Werner. Secretarial assistance was provided by M.M.J. Louwerens, secretary to the Committee. The staff were assisted in drawing up the report by trainee C. van der Sanden. The report was adopted by the AIV on 4 April 2003.

The structure of the report is as follows. Chapter I sets out the guiding principles on which the report is based. Chapter II discusses the approval and amendment of the Treaty. Chapter III looks at the issue of institutional relations within the EU. Chapter IV examines various matters relating to the CFSP and ESDP, and Chapter V deals with the coordination of economic policy. Annexe I briefly reviews various topics which are not discussed in the main body of the report but have been the subject of proposals during the Convention. Finally, Annexe II contains a list of abbreviations.

# I Guiding principles

The guiding principles on which this follow-up report is based are the same as in the advisory report *Bridging the gap between citizens and Brussels*. They are set out below. In its pursuit of peace, prosperity and democracy, European integration has so far been a success. From the original goal of economic union it has expanded into a whole range of policy fields. The key question, however, is whether integration has now reached an irreversible stage. There are two main issues here.

The first is the enlargement of the EU to twenty-five, and ultimately more than thirty, members. This will make it considerably more heterogeneous. Today's fifteen-member EU is already finding it difficult to reach decisions, operate efficiently and present a united front. If the present arrangements are left unchanged when the EU is enlarged, these problems may become unmanageable. Unless agreement can be reached on far-reaching institutional and policy changes designed to protect and to further the goals, effectiveness and efficiency of European cooperation, there is a risk that the integration process will grind to a halt. Enlargement must be used as an opportunity and a catalyst for these highly urgent reforms.

The second issue – and one the AIV considers even more important – is the democratic legitimacy of the EU. Such has been the success of European integration that 'Brussels' is now involved in almost all areas of policy, including such traditionally domestic ones as justice, employment, asylum and migration. Another important point is that the way in which the EU is arranged – as an interplay between elements of national and international law, and between intergovernmental and supranational elements without a clear centre of political power – has meant that in many policy areas 'Brussels' is now a player in its own right alongside national and subnational authorities. The distribution of powers among players and the institutional agreements and procedures differ in each case. Approaches thus vary from one policy field to the next, making the EU a complicated kaleidoscope of procedures, instruments and methods. As a result, EU citizens have no clear idea of what European cooperation actually involves.

This has undermined public support for European cooperation – something the AIV believes must be strengthened. If properly organised, European cooperation may prove more effective than action by national governments, and this may increase public support. On the other hand, in the absence of sufficient public backing, it is a realistic assumption that integration may grind to a halt and that its achievements may start to be eroded. A good example is the approach to asylum and migration policy. The continuing 'Europeanisation' of domestic policy also extends to this area of policy, which is sensitive at the political level and among the general public in practically every Member State. Given the scale of the problem, a more integrated European approach to such a sensitive issue makes sense, but this will be hard to achieve if citizens reject what they see as 'interference from Brussels'.<sup>3</sup> Another example is the coordination of economic policy, which will be discussed in Chapter V.

3 In this connection the AIV wishes to point out that these decisions are often adopted jointly by the Member States under the responsibility of their national governments, rather than that of 'Brussels'. Moreover, with the increased transparency of the Council, national governments are now increasingly accountable for such decisions.

For all these reasons, the AIV believes that integration is by no means assured of lasting success and that far-reaching reforms are needed, especially in order to increase the democratic legitimacy of the Union. An important factor in increasing democratic legitimacy is strengthening the positions of the European Parliament and the European Commission, and doing so in a cohesive way. The basic principle for reform should be maintenance and consolidation of the 'Community method', which has always been, and will remain, the key to successful integration. This model, whereby Member States undertake to abide by joint agreements and the European Commission acts as initiator and protector of the common interest, is ultimately the best way to increase decisiveness, legitimacy and cohesion and to maintain a degree of equilibrium between larger and smaller Member States.

## II Approval and amendment of the Treaty

In its advisory report *Bridging the gap between citizens and Brussels*, the AIV proposed that the new treaty be referred to as a Basic Treaty. The idea was that it would lay down the basic principles and goals of European cooperation. This Basic Treaty would be accompanied by Protocols concerning the policy to be pursued in order to achieve these goals. To avoid confusion, however, the present report will use the terminology adopted by the Convention, which refers to a two-part Constitutional Treaty. Part I contains basic principles and goals, and Part II contains policy provisions.

The AIV reiterates its recommendation that a relatively simple 'Community' amendment procedure be created for amendments to Part II of the Treaty. Under this procedure, the Council would reach a decision on the proposal of the European Commission by a qualified or possibly a reinforced qualified majority. Such decisions would require the assent of the European Parliament. A qualified majority of national parliaments – to be determined in accordance with the rules on the weighting of votes in the Council – would also have to approve the proposed amendment within a previously agreed period.

The AIV has also reexamined the question of which amendment and approval provisions should be applicable to the Constitutional Treaty and any successors to it. In its previous advisory report the AIV proposed that the current rule – unanimous approval by all Member States in accordance with their constitutional procedures – should be maintained for amendments to Part I.<sup>4</sup> Recently, however, it has become clear that the rule requiring unanimous approval entails a risk that a given amendment may not be ratified by one or more Member States. This risk will be even greater in a Union of twenty-five or more members. The AIV also points out that, in a Union of ultimately more than thirty members, maintaining the unanimity rule as it stands will inevitably cause problems and seriously hamper the development of new constitutional arrangements. If this happens, the problems will spread to other policy areas, owing to the aforementioned lack of public support.

It would be evidence of 'ever closer ties between the people of Europe' if decisions to amend the constitutional part of the Treaty could be reached by majority vote (a reinforced qualified majority, of course). However, the AIV believes it would be premature to introduce this system the very next time the Treaty is amended. In fact, if this were attempted too soon, it could give opponents an extra argument for opposing ratification in the Member State concerned. *The Treaty that emerges from the forthcoming IGC must in any case be adopted in accordance with the current unanimity rule.*

Nevertheless, this does raise the question of when, and under what circumstances, a majority-vote procedure can be introduced for approving amendments to Part I of the Treaty. The AIV considers this a desirable goal in itself, as otherwise there will be an unacceptably serious risk that the achievements of European integration may grind to a halt and be eroded. However, this is a major, fundamental step which is only conceivable if the European Union continues to develop in such a way that the Member States eventually cease to be thought of as 'masters of the Treaty'. It will then be possible – and, if European unification is to continue progressing smoothly, necessary – for Treaty

4 See Article 48 of the Treaty on European Union.

amendments approved by a majority of Member States to be imposed on a dissenting minority. It is imperative that such an amendment procedure be hedged about with appropriate safeguards. These could include a rule requiring a reinforced qualified majority in the Council, and possibly a second reading if not all Member States ratify the amendment the first time round. Once the procedure has been completed, however, even Member States that have not ratified an amendment would have to abide by the majority decision. In such circumstances, European cooperation would have to become more Community-minded than is now the case, which is contingent on there being sufficient public support.

In this connection it has been suggested that Member States should be given the option of seceding from the Union if they cannot agree to a Treaty amendment and find themselves in a minority. This is based on the currently prevailing idea that the parties to the Treaty must continue to have the final word and hence cannot be forced to accept amendments they have not agreed to. The possibility of leaving the Union is a logical consequence of this. However, the AIV believes that such an option would undermine and conflict with the fundamental notion that European Union has created an indissoluble, everlasting bond between the countries that have entered into it. Moreover, it would create an uncertain legal, institutional and de facto situation which would damage the Union and its achievements as well as both the departing and the remaining Member States. *For these practical and fundamental reasons, the AIV therefore recommends that the Treaty should not give Member States the option of seceding from the Union if they fail to ratify a Treaty amendment.*

The Convention is also considering an even more far-reaching alternative, namely that the Treaty should include a general secession clause which can be invoked by any Member State at any time.<sup>5</sup> If, in extreme circumstances truly constituting a 'worst-case scenario', a Member State were to indicate that it was no longer willing or able to consider itself bound by the existing or amended provisions of the Treaty, a very serious political problem would arise. Any such political conflict would have to be resolved by political means. It could well prove counterproductive and damaging to make legal and constitutional provision for the possibility of secession at this early stage. *The AIV therefore rejects the idea of a general secession clause.*

5 See CONV 369/02, 'Preliminary draft Constitutional Treaty', 28 October 2002, Article 46.

## **III Institutional relations within the EU and the CFSP/ESDP**

### **III.1 General**

There is a vigorous debate going on within the Convention about the shape of future institutional relations. The focus here is on the position and presidency of the European Council, particularly as regards the position of the High Representative and the composition and working procedures of the European Commission. The AIV takes the view that the institutional equilibrium between the Council and the European Commission should be restored; at present it is skewed in favour of the Council and at the expense of the Commission. This chapter contains a number of recommendations designed to strengthen the position of the European Commission. The same topic will be discussed in Chapter V in connection with the coordination of economic policy.

### **III.2 The European Commission**

The AIV reiterates its earlier advice on the election of the President of the European Commission, namely that the President should be elected by the European Parliament and that the European Council should confirm this choice by a qualified majority. The AIV also reiterates its recommendation that the appointment procedure for all the members of the European Commission be based on a majority (possibly a reinforced qualified majority) in the European Parliament and a qualified majority in the Council. This would eliminate the risk that a Commission whose members were chosen by its President might not adequately reflect the EU's political diversity.

In this connection the AIV again refers to the question of the future size of the Commission and the distribution of portfolios within it. The governments of the Netherlands and six other Member States take the view that each Member State should continue to supply a Commissioner, even after enlargement, until the EU reaches a total of twenty-seven members.<sup>6</sup> However, the AIV believes not only that this would be inefficient but also, above all, that it is completely at odds with the Community nature of the European Commission. The AIV therefore stands by its earlier advice that the number of Commissioners be limited to fifteen. It also maintains its earlier recommendation that the Nice agreements on the rotation scheme be implemented in such a way that Commissioners from larger Member States are appointed relatively more often than ones from smaller states. This is because the AIV fears that the extremely heterogeneous make-up of the EU (with a small number of large Member States and a large number of smaller ones) following the accession of a large number of smaller Member States may lead to problems when reaching decisions by simple majority. A rotation system of the kind proposed may ensure that larger countries do not seek other ways of maintaining their influence. In this respect the AIV does not share the views of the Dutch government, which together with the aforementioned other six Member States believes that the equality principle should be maintained.

<sup>6</sup> The other six Member States are Austria, Belgium, Finland, Ireland, Luxembourg and Portugal.

*The AIV hopes the Convention will not decide to maintain the Nice agreements whereby the size of the European Commission will only be limited once the Union reaches a total of twenty-seven members. However, if the Convention does so decide, the AIV takes the view that the President of the Commission should retain the freedom to determine how the Commission works, including the freedom not to give every Commissioner a portfolio of his or her own. Such detailed organisational arrangements have no place in a Constitutional Treaty.*

### *III.2.1 Comitology*

The general principle, as currently laid down in the Treaty, is that the Council delegates to the European Commission the power to adopt detailed regulations for the implementation of its decisions. However, the Commission's power and freedom to adopt detailed implementing regulations are seriously restricted by what is known as 'comitology' – a set of committees of national experts (and their procedures) with powers not only to advise but also to direct the Commission. The AIV reiterates its recommendation that the progress, effectiveness and transparency of the decision-making process be increased by stipulating that these committees will normally only have an advisory function. The only exception would be in relation to topics on which the Council still normally has to reach a unanimous decision.

Accordingly, the AIV wholeheartedly supports the section of the Franco-German proposal on the shaping of institutions that advocates a radical reform of comitology.<sup>7</sup> It is therefore also opposed to the proposed Article 28 of the draft Constitutional Treaty.<sup>8</sup> This article leaves further details of comitology to the standard legislative procedure, on the basis of qualified majority voting. At first sight this may seem a good idea, but on closer inspection the article would be a disturbing step backwards compared with the present situation. At present, the standard rule is that powers of implementation are granted to the European Commission but that they *may* also be granted to the Council. In Article 28 this is reversed, so that powers of implementation *may* be granted to the European Commission. Moreover, the proposed article no longer refers to 'conditions' under which this can occur, but to 'control mechanisms', which means that the Commission's executive powers would effectively be curbed by the direct involvement of the committees in the decision-making process.

*The AIV therefore advocates that such merging of powers should be prevented and that the committees should normally have only advisory powers. Draft Article 28 of the Constitutional Treaty should be amended to this effect. The AIV is sorry to see that the Dutch government – unlike the parliamentary members of the Convention – has not adopted a position on these proposals.*

<sup>7</sup> See the *Franco-German Contribution to the European Convention on the Institutional Structure of the Union*, dated 15 January 2003 ([www.dgap.org/english/tip/tip0301/chirac\\_schroeder150103.htm](http://www.dgap.org/english/tip/tip0301/chirac_schroeder150103.htm)). The AIV notes that in the responses to this contribution there has been a great deal of negative focus on the proposal that European Council should have a full-time external president; this may distract attention from the proposals in the contribution that can be viewed as positive, since they entail reinforcement of the Community method.

<sup>8</sup> See document CONV 571/03 of 26 February 2003, Draft of Articles 24 to 33 of the Constitutional Treaty.

### *III.2.2 The European Committee accountable to the European Council*

A feasibility study on a constitution for the European Union was published in December 2002. The study was produced by a working group at the request of the President of the Commission, Romano Prodi, in agreement with Commissioners Michel Barnier and Antonio Vitorino. The AIV is surprised at the far-reaching suggestion in the study that the European Commission should be made accountable to the European Council, in the same way as it is to the European Parliament.<sup>9</sup> Such accountability would be conceivable and acceptable if the European Council operated like a senate in a bicameral system; however, it does not, nor will it do so in the foreseeable future. The proposed arrangement would reinforce the existing intergovernmental trend, especially if the role of the European Council were further expanded, for example by establishing a fixed presidency. In such a scenario there is a risk that the European Commission may lose its independence and become a purely executive agency of the European Council.

*The AIV therefore emphatically rejects the idea of making the European Commission accountable to the European Council, as this would seriously undermine the Community method.*

### **III.3 The European Parliament**

In its advisory report *Bridging the gap between citizens and Brussels*, the AIV emphasises the importance of adequate democratic control within the European Union, and in this connection reiterates its view that appropriate involvement of all the citizens of the Member States in the development of European cooperation is vital to the success of this integration process. There are various conceivable ways of involving citizens and increasing democratic control, one of which is to expand the role and involvement of national parliaments (for more on this, see Section III.6). Another possibility is to grant additional powers to the European Parliament; although not sufficient in itself, this is certainly necessary if the 'democratic deficit' is to be reduced. The first recommendation is aimed at boosting the now limited public support for the European Parliament. This is followed by recommendations (some made earlier) which are designed to extend the European Parliament's powers.

In this connection one is struck by the fact that the position of the European Parliament is not a separate topic of discussion at the Convention. However, its role is discussed in a paper on the functioning of the institutions, which rightly underlines the importance of having a truly representative Parliament.<sup>10</sup> The paper also refers to Council Decisions on a number of common principles governing the direct election of Members of the European Parliament. Unfortunately, these decisions have not yet led to the emergence of a uniform procedure for those elections. *The AIV therefore calls for a truly uniform procedure for elections to the European Parliament, based on European electoral lists, to be drawn up at European level in 2004.*

9 See *inter alia* Articles 42 and 52 in Feasibility study: *Contribution to a preliminary draft Constitution of the European Union*, working document dated 4 December 2002 (to be found at [www.europa.eu.int/futurum/documents/offtext/const051202\\_en.pdf](http://www.europa.eu.int/futurum/documents/offtext/const051202_en.pdf)).

10 Document CONV 477/03, *The functioning of the institutions*, 10 January 2003, sections 4-12

As regards the strengthening of the European Parliament, the AIV refers once more to its earlier recommendation in the report *Bridging the gap between citizens and Brussels* that the distinction between compulsory and non-compulsory expenditure be abolished, so that the European Parliament's powers can be extended to the EU's entire budget, including spending on agricultural and structural policy. Among other things, the strengthening of the European Parliament must also mean that, in cases where EU cooperation results in binding legislation, the Parliament has the right of codecision.<sup>11</sup> If this principle is accepted, various improvements will have to be made to the existing arrangements – not only in certain policy areas covered by first-pillar cooperation, but also in relation to binding legislation adopted under the third pillar and possibly even the second pillar.

*The AIV recommends that codecision be extended to all areas of legislation about which the Council reaches a decision by qualified-majority voting, coupled with the recommendation that qualified-majority voting should become the general rule.*

### **III.4 The Council**

The discussions within the Convention concerning the Council have focused closely on the possibility of abolishing the rotating presidency. In this connection the Benelux countries have expressed the view that maintaining the present system of a six-monthly rotating presidency is 'no longer a viable option.'<sup>12</sup> However, the main focus has been on the Franco-German proposal to establish an external presidency for the Council for a period of two-and-a-half to five years. In its earlier advisory report the AIV called for the principle of a six-monthly rotating presidency to be abandoned, since in an enlarged Union the advantages of such an arrangement will no longer outweigh the disadvantages. The rotation principle should be replaced by a system of longer, more technical presidencies for the European Council, the Coordination Council, the CFSP Council and the specialised councils. The AIV's ideas (some of which have since been worked out in greater detail) on the presidencies of these councils are set out below. The basic principle of a technical presidency has been retained, but account has now been taken of proposals submitted since the previous report.

#### *III.4.1 The European Council*

One of the AIV's recommendations in its advisory report *Bridging the gap between citizens and Brussels* was that the European Council should focus once more on its original function, which is to determine overall strategic policy and set priorities for the EU. This task can only be performed effectively if the meetings of the European Council are carefully prepared and the work of the specialised councils is effectively coordinated at an early stage. In this connection, the AIV therefore called for the coordinating tasks of the General Affairs Council to be transferred to a Coordination Council and for the General Affairs Council of foreign ministers to be converted into a CFSP Council.

The Franco-German proposal to appoint a full-time semi-permanent president of the European Council has carried weight with the Convention and therefore calls for a

<sup>11</sup> There is also support for this principle within the Convention: see section 20 of document CONV 508/03, which contains the report on the discussions on the aforementioned document CONV 477/03.

<sup>12</sup> See, for example, the Benelux Memorandum *A balanced institutional framework for a more efficient and transparent enlarged Union*, 4 December 2002.

response. The AIV is in favour of changing the system of a rotating presidency, but shares the Dutch government's view that the idea of a more permanent presidency should be judged by the length of the appointment, the question of whether or not the president is a member of the Council, and what his or her powers and duties would be. The governments of the Netherlands and six other Member States are opposed to the idea of a full-time semi-permanent president.<sup>13</sup>

There are various risks attached to the appointment of a semi-permanent president who is not a member of the European Council, especially if, as in the Franco-German proposal, the president would have a major part to play in planning and implementing Council policy and in representing the EU externally. Such a president would be a clear and probably influential exponent of the intergovernmental trend that has been gaining ground for some considerable time, at the expense of the Community method. This would tip the scales even further against the Community structure. A semi-permanent president would undermine the position of the European Commission and its president, especially if he or she were made responsible for supervising the implementation of European Council decisions. All this would also be damaging to the Commission's executive function, at a time when a consensus appears to be emerging within the Convention that the Commission's right of initiative should be consolidated and its executive function reinforced.

A similar problem would arise with regard to the High Representative, whose function, in the opinion of the relevant Convention working group, should be considerably strengthened. The working group has proposed that a 'double-hatted' High Representative (i.e. one that combines the functions of High Representative and Commissioner for External Relations) be made primarily responsible for representing the Union externally on matters concerning the CFSP/ESDP, thereby assuming the tasks currently performed by the 'troika'. The EU would thus be represented externally by both the external president of the European Council and the new-style High Representative – clearly an undesirable arrangement given the need for the EU to present a more united front. To make matters worse, the resulting rivalry would fatally undermine the High Representative's position. It has also been suggested that a full-time semi-permanent presidency could lead to domination by the large Member States. In the opinion of the AIV, a more likely risk is that of constant rivalry between the president and the large Member States themselves.

The AIV stands by the proposal to elect a president from among the members of the European Council, with a mandate essentially limited to chairing meetings. Under this arrangement, the presidency would not represent a Member State. In this connection the AIV previously advocated a two-year presidency. *However, given the current stage of the debate within the Convention, the AIV now recommends that consideration be given to a system whereby the presidents' successive terms of office would be more consistent with the five-year periods of the European Commission and the European Parliament (for example five one-year presidencies).*

#### *III.4.2 The Coordination Council and the CFSP Council/General Affairs Council*

The Seville European Council decided to set up a new council known as the General Affairs and External Relations Council (GAERC). The GAERC is responsible for both coordination and the CFSP/ESDP, and its composition may vary. The AIV reiterates its recommendation that the General Affairs Council should be split up into a CFSP

13 The same Member States as mentioned in III.2.

Council and a Coordination Council. The question of the presidency is again relevant here. In the Convention the idea is gaining ground that the General Affairs Council should be chaired by the President of the European Commission and the CFSP Council by the 'double-hatted' High Representative or a European foreign minister. The Franco-German proposal calls for the General Affairs Council to be chaired by the Secretary-General of the Council and a separate CFSP Council by the High Representative. Such arrangements would lead to an undesirable overlap of responsibilities. The Commission should be completely free to make and defend proposals. This means that it must be separate from the Council, the decision-making institution. *The AIV continues to reject these proposals concerning the presidencies of the General Affairs Council and the CFSP Council.*

The question of 'double hatting' is discussed in further detail in Chapter IV.

#### *III.4.3 The specialised councils*

The Convention has been discussing the possibility of a joint or dual presidency for the specialised councils, with tasks distributed among the incumbents. Here again, the AIV is in favour of selecting a chairman from among the members of the council concerned for a longer period, in line with the Franco-German proposal for the presidencies of ECOFIN, the Eurogroup and the Justice and Home Affairs Council. In the light of the debate within the Convention and the various proposals made, the AIV sees no reason to diverge from this view. The need to guarantee the continuity and coherence of the specialised councils is an additional reason to set up a Coordination Council, whose main task would be to assess legislative proposals submitted by the specialised councils before these are forwarded to the European Parliament.

### **III.5 The Court of Justice**

#### *III.5.1 General*

The AIV's report *Bridging the gap between citizens and Brussels* does not discuss the role of the Court of Justice. This is because extensive reforms were agreed on in the Treaty of Nice and the AIV believed it should wait and see what the effect of these would be. Meanwhile, however, a Convention working group has been looking at the way the Court functions, and two important questions have arisen in this connection:<sup>14</sup> the appointment of judges and advocates-general, and access to the Court by private individuals.<sup>15</sup>

#### *III.5.2 Appointment of judges and advocates-general to the Court of Justice*

Under the current procedure each Member State proposes a candidate who is then appointed by the governments by mutual consent (presumably with only the reasonable-

<sup>14</sup> See CONV 543/03, *Discussion circle on the Court of Justice*, 7 February 2003.

<sup>15</sup> On 25 March 2003 the government published two memoranda for the Convention discussing the role of the Court of Justice. The first is a Spanish-Dutch paper containing proposals to guarantee the efficiency and effectiveness of the Court of Justice and the Court of First Instance, and the second is a memorandum entitled *Bijdrage van de Nederlandse regering over rechterlijke toetsing op het terrein van Justitie en Binnenlandse Zaken* ('Contribution by the Dutch government on judicial review in the field of justice and home affairs') as set out in a letter to the House of Representatives of the States-General (ref. DIE-129/03). The AIV sees no reason to discuss these memoranda in this advisory report, but may return to them in subsequent reports.

ness of the nomination being assessed) for a period of six years, with the possibility of reappointment. This procedure does not provide sufficient guarantees that judges who fully satisfy the prescribed standards of independence and judicial competence will be appointed. The fact that this has never caused serious problems in the past is no guarantee that such problems will not arise in the future in a Union of twenty-five or more members, with a Court that will increasingly be playing a constitutional role.

In this connection the AIV notes with concern that, following the considerable extension of the geographical scope of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the President of the European Court of Human Rights has on more than one occasion found it necessary to call upon the more than forty European states that have ratified the Convention 'to respect the Court's judicial independence, particularly in respect of the election of judges'<sup>16</sup> and to draw their attention to 'the special character of the Court's judicial function, which should command the same respect owed to a national judiciary.'<sup>17</sup>

*The AIV recommends that the procedure for appointing judges and advocates-general to the Court of Justice (Article 223 of the EC Treaty) and the Court of First Instance be made more transparent. In particular, arrangements should be made at either national or European level to obtain the views of representatives of the most senior judicial authorities in the Member States on candidates to be proposed or appointed.<sup>18</sup> Moreover, the independence of the judiciary would be considerably enhanced if at least the judges were appointed for a longer period than six years (nine years, say) but could not then be reappointed.*

### *III.5.3 Direct access to the Court for private individuals*

The AIV is hesitant as to whether the wording of Article 230 paragraph 4 of the EC Treaty should be amended, particularly as regards allowing private individuals to appeal against decisions by the institutions that have general application. It should be remembered that almost any regulation or directive will affect the interests of large or indeed very large numbers of private individuals in the EU. Allowing all these individuals to apply to the Court of Justice or the Court of First Instance to have these acts annulled could lead to a flood of appeals against large numbers of decisions.<sup>19</sup> This could cause great legal uncertainty in the Member States while proceedings are pending. Since the decisions have general application, the Court would only be able to apply a test of reasonableness in such appeals. Although this means that there would be little likelihood of annulment, this would probably not dissuade appellants from instituting proceedings.

<sup>16</sup> See the text of the press conference of 28 September 2000, referred to in Press Release 651 of the same date, which can be found at [www.echr.coe.int](http://www.echr.coe.int). See also *NJCM-Bulletin Nederlands Tijdschrift voor de Mensenrechten*, p. 1296, Vol. 25, No. 7/8, December 2000.

<sup>17</sup> See *Solemn hearing of the Court of Human Rights on the occasion of the opening of the judicial year*, Thursday 23 January 2003, which can be found at [www.echr.coe.int](http://www.echr.coe.int).

<sup>18</sup> Cf. the procedure for proposed appointments to European judicial authorities, which has been in force in the Netherlands since 2000. See the answers to questions from Representative Jurgens in annexes to *Parliamentary Proceedings I*, 1999/2000 No. 7 and I, 2000/2001 No. 1.

<sup>19</sup> It might be less objectionable to make such appeals possible for interest groups organised at EU level.

Those in favour of increasing access to the Court in this way base their argument on the right to effective judicial scrutiny based on the Member States' shared constitutional traditions and on Articles 6 and 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. However, it is doubtful whether this right implies a *direct* right to request annulment of any decision that has general application. Admittedly, under the EC system, natural or legal persons cannot lodge such a direct appeal against Community acts that have general application, but they can invoke their invalidity if Community or national measures specifically affecting them are taken in the course of implementing such acts. In the decentralised EC system, the latter will often be the case. The national implementing measure can then be used as a basis for lodging an appeal with the national judicial authorities on the grounds that the Community act on which the measure is based is invalid (it should be borne in mind that national judicial bodies cannot declare the act in question invalid on their own authority, but only on the basis of a preliminary ruling by the Court of Justice).

It is, of course, an unsatisfactory feature of this system that the only way a private individual can request that a decision that has general application be declared invalid is to infringe it and thereby risk a penalty. *In this connection the AIV recommends that the Member States be required to create provisions in national procedural law that allow private individuals to contest (for example, by means of a declaratory judgment) the validity of a decision that has general application and that threatens to infringe one of their rights.*

Article 47 of the Charter of Fundamental Rights of the European Union also confirms that anyone whose rights and freedoms as guaranteed by EU law have been violated is entitled to an effective remedy before a tribunal. From this one could infer the intention to introduce within the EU a system whereby natural or legal persons can request the Court of Justice or the Court of First Instance to review Community acts in the light of those rights and freedoms. The effect would be to turn the EC system of legal protection, which is also largely decentralised, into a more centralised system. That would impose an unacceptable burden on the Court of Justice or the Court of First Instance and would necessitate the adoption of far-reaching organisational, procedural and financial measures. *The AIV therefore recommends that this approach be avoided.*

### **III.6 Subsidiarity and proportionality**

The draft Protocol on the application of the subsidiarity and proportionality principles includes a provision expressly stating that the Court of Justice is competent to take cognizance of any appeal lodged by Member States (possibly at the request of their national parliaments) concerning a violation of the subsidiarity principle. The Committee of the Regions would also be entitled to lodge such an appeal.<sup>20</sup> The inclusion of such a provision in the Protocol suggests that in future the Court may be required to determine whether or not the institutions have had good reason to conclude that the objectives pursued by the decision whose annulment is requested cannot be adequately attained by the Member States and can therefore (given the scale or the consequences of the envisaged action) be attained more effectively by the Community.

<sup>20</sup> See CONV 579/03, *Draft Protocol on the application of the principles of subsidiarity and proportionality*, 27 February 2003.

In its advisory report *A multi-tiered Europe: the relationship between the European Union and subnational authorities*, the AIV already indicated that subsidiarity is above all a political principle.<sup>21</sup> It therefore takes the view that the assessment on which such a conclusion is based is largely a matter of policy and that the institutions have very considerable latitude in determining whether the conditions imposed by the subsidiarity principle are satisfied. As a number of rulings have already made clear, the Court can only examine the reasonableness of this assessment, only perfunctorily; it can do little more than determine whether the substantiating arguments are sound and whether the rules of procedure for the application of the principle have been observed.<sup>22</sup> As a judicial body, the Court cannot be required to determine what the outcome of the assessment required by the subsidiarity principle should have been. That is a policy decision which must be reached by the competent institutions.

*The AIV does not consider it desirable for the Protocol on the application of the principles of subsidiarity and proportionality to include a provision expressly stating that the Court of Justice is competent to take cognizance of any appeal lodged by Member States or the Committee of the Regions concerning a violation of the subsidiarity principle.*

### **III.7 The role of national parliaments**

The Convention has devoted a great deal of attention to the role of national parliaments in the integration process.<sup>23</sup> They must be able to play an appropriate part in European cooperation and become even more aware than they are at present of their responsibility for the smooth progress of European integration. Their main role is to critically monitor the development of European integration as such. Their most conspicuous powers in this respect concern the approval of European treaties (and amendments thereto) and their own ministers' work within the EU institutions. Active oversight by national parliaments enhances the quality and credibility of positions adopted by Member States in Brussels. Moreover, it is a good thing from the citizen's point of view if a Member State's approach to EU cooperation can be debated more often and in greater depth by its national parliament.

In this connection the proposal to give national parliaments a say in how the subsidiarity principle is applied at European level is an important one. The idea is that if at least one third of national parliaments believe that a Commission proposal violates the subsidiarity principle, the Commission must review it.<sup>24</sup> This proposal could indeed encourage the involvement of national parliaments and hence increase public support.

21 See AIV Advisory Report No. 19, *A multi-tiered Europe: the relationship between the European Union and subnational authorities*, April 2001.

22 See, for example, Case C-377/98, *Netherlands v. Council*, Jur. 2001, p. I-7079.

23 See CONV 353/02, *Final report of Working Group IV on the role of national parliaments*, 22 October 2002.

24 CONV 579/03, *Draft Protocol on the application of the principles of subsidiarity and proportionality*, Section 6, second paragraph. The options open to the Commission when reviewing its proposal are to maintain it, withdraw it or amend it. The Commission must give reasons for its decision.

In this respect it may be considered positive, and there is broad backing for it in the Convention. However, there are a number of potential hazards.<sup>25</sup> For example, the question arises of whether national parliaments would misuse this power for substantive reasons rather than in defence of the subsidiarity principle. The proposal would also allow influence to be exerted at an early stage of the EU decision-making process – something only the Council and the European Parliament are authorised to do. Furthermore, it is not inconceivable that the proposal could open the door to an insidious extension of the intergovernmental trend, especially if the recommendations made by national parliaments become, or are perceived to be, more compelling than as envisaged at present. However, after weighing up the pros and cons, the AIV considers the most important thing is to increase public support and the involvement of citizens and national parliaments.

*Accordingly, despite the aforementioned objections, the AIV is not opposed in principle to the proposal to give national parliaments a say in how the subsidiarity principle is applied at European level, since this may increase the involvement of the parliaments and citizens. However, the European Commission's exclusive right of initiative must be maintained in procedural matters as well as in matters of substance.*

<sup>25</sup> See Karel Boutens, *Het subsidiariteitsbeginsel: een kwestie van toepassing* ('The subsidiarity principle: a question of application'), *Internationale Spectator*, 62(2003)3, March 2003, p. 130.

## **IV The CFSP/ESDP and the ‘double-hatted’ High Representative**

### **IV.1 General**

In its earlier advisory report the AIV set out the reasons why the European Union must have a credible, coherent, efficient and effective common foreign, security and defence policy. Firstly, this is essential to the maintenance of stability and hence the defence of the Union’s political and economic interests – something that will be all the more urgent after enlargement, when the EU will border on regions that threaten to become less stable. Secondly, one of the EU’s goals is to promote the values on which the European edifice is founded, such as democracy and the rule of law. Thirdly, an economic heavy-weight such as the EU can be expected to present a united front. Compared with the initial years of development of a foreign policy, the EU has taken considerable steps towards a coordinated, coherent policy; the experience in the Balkans, in particular, has increasingly brought home to Member States the importance of a united approach. However, even the harsh lessons of the Balkans have not taught the European countries – particularly the crucial ‘big three’ – to speak with one voice on key foreign and security policy issues. This became painfully apparent before and during the war in Iraq. Deep divisions and an unwillingness to coordinate and cooperate on a matter of such importance have seriously damaged efforts to develop an effective, coherent CFSP. Indeed, it has been asked whether under the circumstances one can meaningfully continue to speak of a more thoroughgoing institutionalisation of that policy. In *Bridging the gap between citizens and Brussels* the AIV recommended that the CFSP be consolidated within its present framework and that the CFSP be better coordinated with other external action. Despite the disappointing recent developments, the AIV believes that institutional efforts must also be made to improve the CFSP, if only because the questions to be answered will not always be so crucial. For example, it should certainly be possible to adopt a common European position on EU action in the post-Saddam Hussein period. The AIV will therefore take advantage of developments within the Convention to highlight some of its suggestions.

### **IV.2 The CFSP/ESDP**

*The AIV backs the proposal to bring crisis control under the CFSP and to regulate defence matters in a separate protocol.<sup>26</sup> The AIV also supports the Franco-German proposal to introduce qualified-majority voting on all current CFSP matters, with the possibility of appeal to the European Council in cases where a Member State’s serious interests are involved.<sup>27</sup> This idea is in line with the AIV’s earlier recommendations, as is the suggestion that an exception be made for the deployment of military and/or police resources, for which a unanimous decision will still be required.*

26 See CONV 461/02, *Final report of Working Group VIII - Defence*, 16 December 2002, in which the Convention working group itself suggests that a separate protocol be drawn up between Member States that want to cooperate more closely militarily.

27 These proposals basically confirm the existing provisions of the Treaty, which however are hardly ever implemented in practice.

*The AIV also reiterates its earlier recommendation that a ‘manifest crisis procedure’ be established.<sup>28</sup> The AIV recommends that such a procedure be linked to the proposal by the Convention Working Group on Defence that the High Representative be responsible for carrying out operations in consultation with the Political and Security Committee. Since such an arrangement holds out the prospect of a more effective structure, the latter suggestion deserves to be worked out in more detail.*

*As regards military-industrial cooperation, arms procurement policy and related matters, the AIV backs such ideas as closer cooperation within a separate protocol, amendment of Article 296 so that the defence market can also become subject to the provisions on the free market, and an Armaments Agency, provided that these are open and hence non-discriminatory arrangements.<sup>29</sup>*

### **IV.3 ‘Double hatting’**

The AIV reiterates its recommendation that the High Representative and the European Commissioner for External Relations should not be the same person (a ‘double-hatted’ High Representative), as this may lead to an undesirable clash of interests. Another reason to reject this proposal is that it may lead to conflicts between the Council, the European Parliament and the President of the European Commission regarding the appointment of the person concerned. In particular, the AIV points to the potential for conflict arising from the double-hatted official’s accountability to the European Parliament. Such clashes (which can be expected to occur) between the Council, the European Commission and the European Parliament would damage the image of an official who is supposed to be the symbol of the EU in its dealings with the rest of the world.

*Although the idea of a double-hatted High Representative is currently very popular, the AIV stands by its view that the solution to problems of coordination in the field of external relations should be sought in close cooperation between the two officials rather than in a merger of their functions. With this aim in mind, the AIV recommends that the High Representative be allowed to attend the deliberations of the European Commission in an advisory capacity. It further recommends that there be consultations between the two officials and also, preferably, that they exercise their formal rights of initiative jointly.*

*Should there nevertheless be a consensus within the Convention in favour of double hatting, the AIV recommends the adoption of a ‘special statute’ that lays down the official’s powers and duties by virtue of his membership of the Commission and in relation*

28 The idea behind this procedure is that a group of Member States can constitute itself and act quickly and effectively on behalf of the European Union and its Member States, subject to approval or correction by the fully constituted competent institutions of the Union. Decisions by the group are assumed, provided that they are non-military, to be approved by the Council unless it decides otherwise by a qualified majority. Decisions on military matters must be unanimously approved.

29 To avoid confusion, it should be mentioned here that the term ‘Agency’ has been used in widely differing meanings in the CFSP. The Maastricht Treaty (Declaration 30 on relations with the Western European Union) refers to ‘enhanced cooperation in the field of armaments with the aim of creating a European armaments agency.’ Here the same term is used for a less ambitious concept: no joint planning or decision-making on armaments, but a Treaty-based coordinating structure and reform of the current Article 296 of the EC Treaty, which exempts the defence industry from the normal rules of the internal market.

*to the Council respectively. It is important here to ensure, in this statute, that the European Commission can exercise (or continue to exercise) its exclusive right of initiative on matters that are not connected with the CFSP/ESDP. In this connection the AIV is pleased to see that in the proposals now circulating, the official would no longer be Secretary-General of the Council in his capacity as High Representative. However, a proposal that the High Representative be made Vice-President of the European Commission is being discussed. Since he would then be the President's first deputy, this could lead to considerable confusion over responsibilities, ambiguities and potential conflicts in relations with both the European Parliament and the Council. Given this official's special status within the European Commission, the AIV therefore rejects the proposal that the High Representative also become Vice-President of the Commission.*

*Furthermore, the AIV emphasises the importance of maintaining the official services of the European Commission and its delegations in third countries intact, rather than (as some within the Convention have advocated) partly or wholly detaching them from the European Commission and merging them with external departments of the Council Secretariat headed by the High Representative.<sup>30</sup>*

30 In any case, if the latter were to become a 'double-hatted' member of the Commission, there would be no reason whatsoever to do so.

## V Coordination of economic policy in the European Union

EMU is based on a centralised monetary policy and subsidiarity in matters of economic policy, as well as on the notion that it can only last if Member States coordinate their financial and economic policies. Obligations in this regard are set out in the Treaty and the Stability and Growth Pact. In its advisory report *Bridging the gap between citizens and Brussels*, the AIV asked whether the (soft) approach to policy coordination adopted in connection with EMU was sufficient to maintain the required budgetary discipline in times of economic difficulty, and noted that a great deal remained to be done when it came to coordinating economic policy.

The coordination of economic policy in the European Union has now become a matter of concern, as a number of countries whose economies together account for three quarters of the total did not take sufficient advantage of the recent years of relatively favourable economic growth to bring their finances into structural equilibrium or indeed surplus, as they had undertaken to do in the Stability and Growth Pact. In the present adverse economic climate their deficits have therefore risen (or are threatening to rise) above the reference value laid down in the Treaty, namely 3% of gross domestic product. Germany and France have particularly excessive budget deficits, and in 2003 France will do so for the second year running.

Nor has much progress been made so far with the structural reforms the Member States have undertaken to carry out. Ageing of the population makes restructuring of unfunded pension systems inevitable, but this is running into political resistance. The same is true of the Lisbon strategy to make the European economy more competitive. The postponement of reform of (among other things) Germany's labour market has helped slow down economic growth there, with repercussions on the rest of Europe's economy. Such sluggish growth has made it more difficult to fulfil budgetary commitments, which may in turn lose their credibility.

Improvement in this area can only be achieved by adopting a simultaneous two-track strategy.

The proposals made by the European Commission at the end of 2002 are a good starting point for ensuring fulfilment of the commitments set out in the Stability and Growth Pact. *The AIV supports the Commission's proposals to place more emphasis on debt ratios and structural budget balances. The AIV also believes that procedures for monitoring compliance should be made more effective, with a greater role for the European Commission. Statements by the Commission must influence the deliberations of the Council, and the Commission must be able to call the Council to account. Nevertheless, the Council must retain its central role. The AIV is also pleased to see that the ECOFIN Council in March 2003 did not bow to pressure to relax the present commitments. Finally, the AIV recommends that the periodic consultations on structural reform be made less non-committal than they are at present.*

However, real improvement is unlikely if only the above measures are taken. This is because government finances are at the very heart of national sovereignty. Member States can only be expected to accept *de facto* curtailment of their sovereignty if they

come to see EMU as part of a process of ongoing political integration. In this connection it is vital for the general public and politicians to acknowledge and support the need for such integration and accept its implications – not for the sake of EMU, but on its own merits.

Lasting EMU will therefore depend on more effective rules to ensure fulfilment of commitments, with greater authority vested in the European Commission. *At the same time, the AIV points out that progress must be made with political integration, based on the Community method and hence on restoration of institutional equilibrium<sup>31</sup> In the absence of such equilibrium, the European Commission cannot be expected to act with the necessary authority. The outcome of the talks on the future of the European Union will therefore be at least as important to EMU as the proposals specifically relating to it. Progress with political integration will depend not only on a successful conclusion of the Convention and successful implementation of the agreements reached there, but also on increased public support for it within the Member States. This brings us back to the recurrent theme of this advisory report: the need to generate public support for European cooperation.*

31 The AIV will be pleased to consider any request for an advisory report on the form and content of political integration.

This Annexe contains an initial assessment of various proposals that are currently being discussed by the Convention but have not been mentioned in this advisory report. The assessment only concerns proposals made public before 21 March 2003.

#### Simplification of legislation and legal instruments

*The AIV supports the proposed simplification of the legislative structure. The number of legal instruments has been reduced. A clear hierarchy has been introduced, and legislative decisions are now taken in accordance with a single procedure, as set out in the current Article 251 of the EC Treaty.*

#### European Convention for the Protection of Human Rights and Fundamental Freedoms

*The solution proposed by the Praesidium is in line with earlier proposals by the AIV. The AIV supports the proposal whereby the EU would be granted legal personality, so that it could accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms. The AIV also favours such accession.*

#### Powers

*The AIV supports the Praesidium's proposals, since these would improve and clarify the constitutional order. It also agrees with the Praesidium's proposals to refer to the EU's "own powers" instead of exclusive powers, since this would reinforce the EU's status as a legal person with rights (and duties) of its own.*

The AIV has the following comments on the list of areas included in the three articles dealing with powers. Such a list may become unnecessarily rigid if the procedure for transferring powers to a different category is too ponderous. The fears of an insidious extension of the EU's powers can be sufficiently dispelled if Article 5 of the EC Treaty on subsidiarity and Article 308 of the same Treaty (the flexibility article) are properly applied.

*However, since there are now proposals that include lists, the AIV believes it is important to limit the damage as far as possible. This means that preference should be given to as long a list of topics as possible in the first two articles (dealing with the EU's own powers and shared powers). The AIV rejects any restriction on the possibility of amending the lists at a later stage, in order to ensure that certain areas are not permanently excluded from harmonisation.*

#### Area of freedom, security and justice

To promote the development of this area, the AIV has recommended that the matters regulated in the third pillar be transferred as quickly as possible to the first pillar, so that they become subject to the Community method. *The AIV supports the proposals by the Convention working group to abolish the pillar structure and to greatly extend majority voting and the Commission's right of initiative (whether or not shared with the Member States). The AIV also supports proposals to grant Europol and Eurojust more powers, to give these powers a solid legal basis and to declare the EU competent to combat serious cross-border crime. In this connection the AIV assumes that account will be taken of the need to protect human rights (particularly Articles 5 and 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms) when these proposals are worked out in more detail. In addition, the proposal to set up a European public prosecution service deserves*

*support; however, further attention must be paid to the division of powers between this office and the European Anti-Fraud Office (OLAF), national prosecuting agencies and Eurojust.*

#### Community method

As always when EU treaties are amended, there have been many proposals to increase the number of cases in which decisions can be reached by qualified-majority voting, including from the working groups on social policy and on freedom, security and justice. If these proposals were adopted, the EU's effectiveness would be greatly increased. *Accordingly, the AIV supports such proposals to extend qualified-majority voting.*

It is said that another working group will be set up to examine the financing of the EU. Here the AIV reiterates its earlier view that the EU should increase its own resources, *perhaps even by levying EU taxes which would enhance its status as a distinct entity. See also the recommendation to abolish the distinction between compulsory and non-compulsory expenditure in III.3.*

*The AIV considers it regrettable that in general the Convention is paying so little attention to the position of the European Commission. A strong Commission is essential to the smooth functioning of the Community decision-making process, and it should not be possible for its role to be restricted. Unfortunately, its right of initiative has been removed in a number of areas, so it is recommended that efforts be made to expand its role in other areas. The AIV therefore supports the Spanish proposal to have the European Commission draw up multi-year plans for the EU's work. This method of retaining the initiative could also be extended to areas in which the Commission now has too few powers, so that Community decision-making can successfully be introduced.*

**List of abbreviations**

<b>AIV</b>	Advisory Council on International Affairs
<b>CFSP</b>	Common Foreign and Security Policy of the European Union
<b>EC</b>	European Community
<b>EMU</b>	European Monetary Union
<b>EU</b>	European Union
<b>ESDP</b>	European Security and Defence Policy
<b>IGC</b>	Intergovernmental Conference
<b>OLAF</b>	European Anti-Fraud Office

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