

## Preface

*by Romano Prodi*

The Convention has successfully wound up its work, it also has lived up to the expectations. For the first time, national parliaments, the European Parliament as well as the civil society were involved in a treaty revision exercise. The Convention has succeeded where Intergovernmental Conferences have failed. That is also true for the institutional questions. The coming Intergovernmental Conference will thus be presented – following the decision of the European Heads of State in Thessaloniki – with a well-balanced and comprehensive draft text without options. Enshrining the Charter of Fundamental Rights in the Constitution shows that the Union is not just a free-trade area but founded on definite common values and rights.

The text is unified and the result is simpler than the preceding treaties. The Union has a single legal personality and the number of procedures has been reduced. Competences have been assigned more clearly and a mechanism has been introduced for national parliaments to monitor the application of the principle of subsidiarity. Half a century of successes have largely been preserved. The debate has shown there is a need to clarify some points, but no one has called into question what the Community has done in the past. Instruments for action have been strengthened in the field of immigration, asylum rights and cooperation between judicial and police authorities. Lastly, it now seems clear that the Union will have a “Foreign Minister”, who will be a member of both the Council and the Commission. Some progress has also been made with regard to democratic legitimacy: the Commission President is to be designated in the light of the results of the European Parliament elections, and the European Parliament’s powers have been extended.

With regard to the question of establishing a permanent Chairman of the European Council, I have always openly displayed my scepticism: a Presidency that rotates every six months brings us the benefit of each nation’s cultural heritage and the enthusiasm and intelligence of national political leaders. It would be a pity to forgo all that. Now that the Convention has come to an agreement on this question, it will be important to clearly define the tasks of this

Chairman and to separate them from the responsibilities of the Commission President. Executive power in the Union needs to be wielded by a single body and this has to be the Commission. Duplicating the executive would be a serious mistake. The Council takes decisions, issues briefs for trade negotiations and lays down strategic policy guidelines. But it is for the Commission to propose texts reflecting 25 legal traditions. It is for the Commission to apply legislation and implement policies. It is for the Commission to ensure compliance with Community law. The heart of the Community system must be the body that defends the general interest.

We must endeavour to render our action more coherent and consistent, not put different bodies in competition. My main concern, however, is to do away with the requirement for unanimity in decision-making. What I find most worrying is seeing national governments defending their veto rights. A national veto is a safeguard in appearance only. In reality it only brings about stagnation. Such a system runs counter to the Community spirit and the political cost is unacceptable. Majority voting needs to apply across the board. We must review the debatable decision taken at Nice and adopt a double simple-majority voting system.

But the main challenge to the Draft Constitutional Treaty is still before us: the next Intergovernmental Conference, that should only adopt technical modifications and not reopen the text itself, will be followed by a phase of debates in the national parliaments and referenda in certain Member States. It is the task of the national governments and the European Institutions to explain the content of this Treaty to the European citizens. Only when the citizens have understood the purpose of European integration, they are willing to accept it wholeheartedly.