

Intergovernmental Conference IGC: revision of the Treaties, the financial interests and the European Prosecutor

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CONTRIBUTION FROM THE ITALIAN DELEGATION CONCERNING THE SIZE AND COMPOSITION OF THE EUROPEAN COMMISSION In presenting its contribution, the Italian delegation stated that it was in favour of a strong, independent, democratic, dynamic and efficient European Commission. To achieve these objectives, it is therefore necessary to ensure the preservation of one of the distinctive features of the Commission's operation, namely that it is a 'college' and not a body composed of national representatives or delegates. Italy rejects the approach envisaged by some of having two categories of Commissioner, perhaps with different voting rules, because it would seriously harm the principle of collegiality and could well pose greater problems than it solved. Furthermore, the Commission's function as 'watchdog' is assured not by the fact that at any one time it has within it nationals of all the Member States, but rather by its independence, the expertise of its members and the transparency of its procedures. Italy considers that, even in the case of a Commission limited to 20 members, there should be further reinforcement, with specific provisions inserted in the Treaty, of the President's authority and power to give political guidance. For example, the President of the Commission could be given greater powers in the allocation of duties, while retaining the same voting power as the other Commissioners. The number of Vice-Presidents could also be increased so as to ensure that, in compliance with the principle of collegiality, the Commission's activities are coordinated. Lastly, amendments to the Treaty are probably necessary in order to include measures to increase the Commissioners' accountability. Regarding the individual accountability of the members of the Commission, it seems that the simplest, albeit not perfect, solution is the present one, that is the 'political' obligation of the Commissioner to resign if the President so requests, without providing for strict legal endorsement of this principle, which could involve sensitive problems relating to the nature of the appointment of a Commissioner by the Member States. As to the Commission's accountability to the European Parliament, the existing instrument of the motion of censure is sufficient. The argument for dissolving the European Parliament following a motion of censure against the Commission is not convincing: it would considerably weaken this instrument of democratic control, and it would severely undermine the institutional balances, with the resulting need for a broad rethink of the whole Community architecture. The fact remains that, in changed political circumstances, the present form of the instrument places the Commission in a weak position. Some thought needs to be given to this point: one approach might be to formalise the Commission's power to ascertain - following the investiture procedure currently laid down in the Treaty, and using a formula compatible with the inter-institutional balances - whether there is still a political consensus on the part of the European Parliament on the exercise of the Commission's prerogatives to initiate legislation and on its duties of implementing Community policies.