

Malta's position on the forthcoming EU Intergovernmental Conference, which will focus on the draft EU constitution, was presented by Maltese Prime Minister Eddie Fenech Adami, in a letter sent on 8th September 2003, to Italian Prime Minister and current EU President Sig. Silvio Berlusconi.

The letter reads as follows:

In view of the upcoming Intergovernmental Conference that will be launched in Rome on October 4, I thought it useful to communicate my government's views on some of the issues that are to be considered by the said conference.

Malta welcomes the "Draft Treaty Establishing a Constitution for Europe" produced by the European Convention, and regards it as the culmination of an in-depth exercise representing a good basis for starting in the Intergovernmental Conference. There are nonetheless a limited number of proposals in the Draft Treaty on which Malta has certain reservations.

European Parliament: Malta is strongly opposed to fixing the minimum threshold of MEPs at four. Malta is of the firm belief that a meaningful participation in the European Parliament structures by the various components across the political spectrum in any member state would be seriously undermined if its allocation were reduced beyond an acceptable level, which Malta considers to be six members.

President of the Commission: Malta will seek assurances to the effect that the qualified majority required for the nomination of the President of the European Commission will be subject to the provisions of Article 24 (2) implying a qualified majority consisting of two thirds of the member states, representing at least three fifths of the population of the Union.

Preamble: Malta wholeheartedly supports the insertion of a reference to God and the Christian heritage of Europe. It maintains that as far as Europe's Christian heritage is concerned, this is not an issue open to interpretation or belief, but is a matter of historical fact.

On a number of other institutional issues, Malta feels that there should be further discussions, These issues concern in particular:

The new definition of Qualified Majority Voting: Malta would prefer to see the retention of the Nice arrangement, despite the fact that the blocking minority threshold established at Nice already puts Malta at a disadvantage;

Commission: Although it has always been disposed to consider options that respect the principle of equality between member states, Malta believes that the commission should be made up of one commissioner per member state. Malta believes that all commissioners should have equal status and be subject to collegiality. Malta would also prefer the Commission President to be elected on the nomination of the European Council by an electoral college made up of an equal number of national and European parliamentarians.

Elected President of the European Council: An elected long term President will bring the EU's rotating presidency system to an end. With all its weaknesses, the rotating presidency

has brought the EU closer to the citizens of its member states and vice-versa; the single presidency of the European Council and all council formations also provided coherence. At the very least, some kind of guarantee would need to be devised to ensure an egalitarian system, so that the incumbents of successive presidencies come from an appreciable cross section of member states. Malta would, in addition, seek assurances to the effect that the qualified majority required for the president's election will be subject to the provisions of Article 24(2);

The rotation of the Presidency in the Council formations: The precise mechanism remains to be elaborated. A clearer definition of how the system is to operate would need to be devised, especially since team presidencies are not ruled out.

Concerning other issues, Malta supports the retention of unanimity voting for areas of a politically sensitive nature, in particular foreign policy, defence, taxation and the establishment of new categories of "own resources" and sees no justification for extending qualified majority voting to these areas. Malta also agrees that decisions in the defence area should be adopted in accordance with the respective constitutional requirements of the member states, and without prejudice to the specific character of the security and defence policy of certain member states.

Malta also endorses the proposal, discarded by the Convention, for tourism to be specifically included as an area for supporting, coordinating or complementary action in view of the contribution of the sector to the national economies of a number of member states.

Concerning the role of national parliaments, Malta believes that members of national parliaments should also be able to communicate to the European Parliament or its committees recommendations on additional aspects of the Commission's legislative proposals (currently limited to subsidiarity and proportionality) which, in their opinion, may have a bearing on European citizens. This would be consistent with the desire expressed in the preamble to the Protocol on the Role of National Parliaments, "to encourage greater involvement of national parliaments in the activities of the European Union and to enhance their ability to express their views on matters which may be of particular interest to them."

The above constitute the highlights of the positions that my government will be adopting within the framework of the Intergovernmental Conference. I am convinced that we will be able to deliberate in further detail on the proposals before us in order to reach a common approach on the issues that will have a significant impact on the future of the European Union.

Taken from Malta -EU Information Centre Website:
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