

**Summary of the official position of the Government of the Slovak Republic (SR) on
the draft Treaty establishing a Constitution for Europe**
(summarized by Vladimir Bilcik)

The Slovak government adopted its position on 2 October 2003. Whilst it regards the final product of the Convention on the Future of Europe as a good basis for negotiations at the Intergovernmental Conference, the Slovak government wishes to open the following five points in the course of the IGC:

1. **The composition of the European Commission** represents the main priority of the SR. Slovakia is interested in keeping a strong Commission and the principle of two categories of Commissioners does not guarantee the maintenance of the Commission's strong standing. Slovakia supports the principle 'one country – one Commissioner' with equal powers for all members of the Commission. It does not see a difference in the effective work of a Commission composed of 20 or 25 members.
2. Slovakia is going to push for a change in the name of the final document that should read '**Constitutional Treaty of the EU**' throughout the whole text of the future new basis of primary law in the Union. Slovakia will also support a mention of Christian values in the preamble of the Constitutional Treaty of the EU based on a concrete suggestion for changes to the proposed text.
3. Slovakia supports the change of the proposed article I-24, so that **qualified majority** will be defined at the very least as composed of 60 percent of all member states and 60 percent of EU population.
4. Slovakia does not support the use of qualified majority voting (QMV) in the areas of taxation, social policy and defense and hence will not support proposals calling for the **application of QMV** in these fields. Also, in the area of economic and social cohesion Slovakia disagrees with the move from unanimity to QMV after 1 January 2007. Finally, Slovakia will be against the weakening of the principle of unanimity in the areas of criminal law, justice and police cooperation, asylum, migration and culture.
5. Slovakia supports a much clearer **specification of the principle of rotation** with respect to the proposed President of the European Council and with respect to the presidency of sectoral Councils.

In addition to the aforementioned five points of priority, the Slovak government expects that the IGC is going to discuss and open several other issues. The following are of particular importance and Slovakia holds its respective positions outlined below:

1. Slovakia supports the creation of a position of the **Union Minister for Foreign Affairs**. (Article I-27) However, it also supports an exact delineation of his or her relationship to the President of the European Council and his or her responsibility to the Council on the one hand and to the European Commission on the other hand.

2. Slovakia has several points of concern with respect to **articles I-39, 40 (CFSP)**. It supports the solidarity clause. Slovakia also supports the application of enhanced cooperation in the area of CFSP but prefers to raise the threshold for triggering the mechanism of enhanced cooperation from one third to one half of all member states. Slovakia has a negative attitude toward the possibility of creating an exclusive group of states that permanently attain a higher degree of integration in the field of common European security and defense policy. Hence, according to Slovakia, the mechanism of enhanced cooperation is sufficient for the purposes of structured cooperation. Finally Slovakia supports cooperation in the area of mutual defense with the exception of structured cooperation (article I-40, par. 6)
3. Should the issue of the **President of the European Council** be re-opened, Slovakia holds its original position – namely, in support of maintaining the rotating presidency of the European Council.
4. Slovakia demands the **specification** of the term ‘a significant number of member states’ in the article I-46, par. 4 enabling a **citizens’ initiative** whereby the Commission may be asked to prepare an appropriate proposal on matters where citizens consider that a legal act of the EU is required for the purpose of implementing the Constitution.
5. Slovakia does not support the creation of a **legislative Council** (Art. I-23).
6. Slovakia supports the maintenance of the current state whereby **the European Court of Justice does not possess jurisdiction in the area of CFSP** (except, of course for cases foreseen in Art. III-209 and III-282).