

CONV 323/02

CONTRIB 110

COVER NOTE

from : Secretariat

to : Convention

Subject : Contribution by Ms Anne-Marie Sigmund, Mr Göke Frerichs and
Mr Roger Briesch, observers from the Economic and Social Committee at the
Convention
– Resolution adopted by the Economic and Social Committee

The Secretary-General of the Convention has received from Ms Anne-Marie Sigmund,
Mr Göke Frerichs and Mr Roger Briesch, observers from the Economic and Social Committee at
the Convention, the Resolution adopted by the Economic and Social Committee which they submit
as a contribution to the Convention.

RESOLUTION

addressed to the European Convention

At its 393rd plenary session on 18-19 September 2002 (meeting of 19 September) the European Economic and Social Committee adopted this resolution by 167 votes to four with six abstentions.

1. PREAMBLE

1.1 At European level the Committee is the institutional forum for consulting, representing, informing and expressing the views of organised civil society, thereby allowing the representatives of Member States' economic, social and civic organisations to be an integral part of the policy-forming and decision-making process at Community level.

1.2 The Committee's special relations with Member States' economic and social councils or similar bodies, and with organised civil society in the third countries and geographical groupings with which the European Union maintains structured relations enhance the added value and legitimacy of its action in favour of a politically more accessible, more transparent and more participatory Europe. The close relations which the EESC has established with civil society organisations not represented in its midst also help boost this added value and legitimacy. The Committee intends to strengthen these relations.

1.3. In this resolution the Committee has decided to limit its comments to certain key considerations and standpoints vis-à-vis the debate on the future of Europe. It reserves the right to give its views at a later date on certain more specific matters dealt with by the European Convention.

2. The European model of society

2.1. The EESC expects the Convention to redefine the European Union's constitutional foundations. This new definition will (i) be marked by a balance between cultural diversity and political unity and (ii) allow the European model of society to develop while at the same time fostering socio-cultural identities.

2.2. The work of the Convention concerns the very essence of the European identity and the European venture, and the values on which this venture is based, and is not concerned solely with "competences" and the distribution of powers.

2.3. As an expression of adherence to common values, culture is a basic element in the European identity. The Committee calls for the future constitutional Treaty to interpret the concept of culture in such a way that EU policy in this sphere helps to build a genuine community of values while at the same time guaranteeing the blossoming of national and regional cultures.

2.4. The Committee reiterates its support for the development of European Union citizenship.

2.5. This makes it necessary to define an institutional architecture that is endowed with a strong democratic legitimacy within which:

- (i) the powers and responsibilities of the institutions are defined more clearly and
- (ii) the socio-cultural variety offered by European countries and the solid and continuous advances made by economic and social cohesion form the basic elements of a participatory European identity which is shared by all.

2.6. The Charter of Fundamental Rights constitutes in this respect an ethical, social and political commitment and is a key factor in creating this common identity. It reflects recognition of a community of rights and duties which all citizens endorse and embrace. The Committee calls for the Charter's incorporation in the constitutional Treaty.

2.7. The Committee thinks that the Union must assume a greater share of responsibility at international level and speak with one voice. It urges (i) that the Union be given the institutions which would enable it to conduct a genuine common foreign policy based in particular on the ideals of peace, democracy, solidarity and economic well-being, and (ii) that it support the development of civil societies in the partner countries and ensure their effective involvement in its cooperation programmes by providing for appropriate arrangements, as it has already done, at the suggestion of the EESC, in the Cotonou agreements and in the context of Mediterranean cooperation.

2.8. The EESC brings enhanced added value to the Union's action in the external relations sphere thanks to the structured dialogue it is continually developing with representatives of civil society in the applicant countries and with the partner countries of the Mediterranean, Africa, the Caribbean and the Pacific, Latin America, Russia and Asia.

2.9. The Committee thinks that the Union's competences with regard to justice and home affairs must be strengthened in order to respond to the public's concerns about combating crime in all its manifestations.

2.10. It is essential for the Union to be given the instruments needed to implement effectively a common immigration and asylum policy based on solidarity.

2.11. Policies for integrating immigrants need to be improved. The Committee calls on the Convention to examine the possibility of granting Union citizenship to third country nationals with long-term resident status.

3. Participatory democracy, civil dialogue and social dialogue

3.1. The Committee advocates that representative democracy be strengthened by developing participatory processes which allow civil society organisations to be involved at an early stage in the process of framing policy and preparing decisions and in implementing these decisions. By ensuring the participation of those directly concerned, civil dialogue is a key factor in enhancing the European Union's democratic legitimacy.

3.2. Without prejudice to its structure and competences, the EESC has a key part to play in organising the civil dialogue and is its natural focus.

3.3. In this regard, a clear distinction should be made between (i) dialogue with and between civil society organisations, and (ii) social dialogue. The European social dialogue is a mechanism with quasi-legislative powers. It is clearly defined in terms of participants, powers and procedures.

3.4. The participation and specific responsibilities of the social partners must be developed within the framework of moves to reinforce the European social dialogue.

3.5. The call for civil dialogue rests on the principles of democracy and subsidiarity. The subsidiarity principle not only concerns the distribution of powers between the various territorial levels, but is also the expression of a participatory conception of relations between public authorities and society and of the freedoms and responsibilities of citizens. When deciding who is to be involved in the preparation of decisions, account should thus be taken not only of territorial (vertical) subsidiarity but also functional (horizontal) subsidiarity, which is a major factor in good governance.

3.6. Both the social dialogue and the practice of co-regulation and self-regulation, which reflect a sharing of responsibilities between the institutions and interested parties, are part of this good European governance.

4. Economic and social governance

4.1. The EESC calls for economic policies to be coordinated in such a way as to make the most of the Union's potential for growth and employment, for the reinstatement of the Commission's right of proposal and mandatory consultation of the Committee in the procedure for drawing up the economic policy guidelines, for a better mix of macro-economic and structural policy instruments, and for a sustained dialogue between the various players involved in macro-economic policy, the social partners in particular.

4.2. The Committee calls for full employment to be mentioned explicitly in the constitutional Treaty as one of the objectives of the Union and for the relevant articles of this Treaty to state more clearly that economic and monetary policy must contribute to the attainment of the objective of growth and full employment.

4.3. The Committee calls for the Union to adopt the instruments necessary for making a success of the Lisbon strategy aimed at making Europe the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion.

4.4. The Committee also stresses that the success of the Lisbon strategy must be supported by the implementation of the Gothenburg Council conclusions, thus incorporating all the essential principles for the achievement of sustainable development.

4.5. The Committee also calls for:

- i) a strengthening of economic and social cohesion policy and the unification of procedures and arrangements in order to improve their efficiency and ensure that civil society organisations are involved effectively;
- ii) support for innovation and entrepreneurship in all its diversity in accordance with the lines of action defined in the European Charter for Small Enterprises in particular;
- iii) the insertion in the constitutional Treaty of a specific reference to the provision of services of general interest as being one of the areas that the Union, in close cooperation with the Member States, must develop in order to attain its objectives, and a provision ensuring that priority is given to the general interest goals pursued by the services concerned;
- iv) stronger instruments to combat financial fraud in cooperation with the Member States.

4.6. The Committee considers that, without prejudice to the Union's legislative powers, the open method of coordination constitutes an important instrument for furthering economic and social cohesion provided that the social partners and other relevant civil society players play an effective part. The Committee calls for a legal basis in the constitutional Treaty for this method - in the monitoring of which it intends to be involved.

4.7. With regard to the financing of Community policies, it is necessary to ensure that over the long term EU revenues are sufficient to finance commitments. The Committee urges that a new system of financing be introduced. Consideration should be given to boosting the Union's own resources.

4.8. The Committee calls for a lasting reform of the policy-forming and decision-making processes at Union level, based on the principles of solidarity, transparency, coherence, subsidiarity, proportionality and openness.

4.9. The simplification of legislative processes and of Community legislation itself is an urgent necessity and a prerequisite for enlargement; it will give economic and social players and the general public a better understanding of Community policies and the European integration process. In this context the EESC calls for the European institutions to adopt codes of conduct for simplifying the regulatory process, and the need to enhance the impact assessments which should accompany all draft regulations by including an examination of possible alternatives.

4.10. The Committee thinks that greater support should be given to co-regulation by combining a Community framework with input from the parties concerned in pursuit of greater flexibility and efficiency.

4.11. The Committee also requests that the constitutional Treaty give it the chance to fulfil its role even better by being systematically consulted upstream of the legislative process and in particular by receiving more requests from the other institutions for exploratory opinions.

4.12. As the Union extends the network of consultations to enhance the quality of democratic governance, the EESC considers it can act as a bridge between the Commission and organised civil society, as illustrated by the success of the recent Stakeholders' Forum on Sustainable Development in September 2002.

4.13. Finally, the EESC considers that it would be strengthened in its role if it were granted the status of institution in the new constitutional Treaty.

5. CONCLUSIONS

5.1. The Committee reiterates its belief that every effort must be made, at all levels, to involve European citizens fully in framing a blueprint for an enlarged Europe so as to give this project genuine substance. In the face of the European public's persistent concerns about a lack of transparency and involvement in the European integration process, it is vital that the Convention's work generate a vision of the future of Europe which encourages Europeans to support and identify more closely with this process.

5.2. The EESC reaffirms its willingness to continue to play in full its role in the European Convention and, in accordance with the resolution which it adopted on this subject¹, to contribute in particular to involving organised civil society as widely as possible in the debate on the future of Europe.

¹ Resolution on the future of Europe of 17 September 2001 – CES 1033/2001 fin