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COVER NOTE

from :	Secretariat
to :	Convention
Subject :	Contribution from the PES members of the Convention "Priorities for Europe"

The Chairman of the Convention has received the contribution ¹ annexed hereto from members of the Convention belonging to the Party of European Socialists.

¹ The 11 language versions have been forwarded to us and will be available on the Convention website as soon as possible.

Priorities for Europe

The Party of European Socialists in the Convention on the Future of Europe

3 October 2002

A third of the Convention's members are from the Party of European Socialists. They represent the EU, its member states and countries seeking EU membership. This document – published as detailed work begins on recommendations for a new European Constitution – sets out their vision of a Europe with a strong social dimension and enhanced democracy.

Further papers examining aspects of the debate on Europe's future in greater detail will be published as the work of the Convention proceeds. A final position paper will be published before the Convention concludes its work in June 2003.

Making the European Union work for everyone

We European socialists and social democrats want to build a European democracy – a Europe for citizens – based on the double legitimacy of the member states and the peoples of Europe, underpinned by our shared values as Europeans. These values are proclaimed in the European Charter of Fundamental Rights; they are given substance in the European social model that balances competition and solidarity; and they are founded on the principles of equality and respect for minorities.

The creation of a more democratic, open and efficient European Union means we must reform existing EU structures. The greater democratic legitimacy, on which further European integration depends, requires much greater transparency and accountability in European decision-making. Reform must be accompanied by strenuous efforts to promote public understanding of the EU and the benefits it brings. We must encourage people to engage in politics – and we must deliver what people need and want.

Europe must not be an obscure project for technocrats and political élites: it should involve everyone who lives in the Union, whatever their position in life. Europe's horizons must stretch beyond purely economic issues: its policy ambitions must not be blown about by the winds of the free market.

Enhanced democracy at EU level will reinforce local, regional and national democracy.

At all levels, socialist and social democrat members of the Convention on the Future of Europe envisage communities stimulated by competition, buttressed by cooperation and united by solidarity.

A framework for reform

People are confused by the way EU affairs are organised. We have four treaties that set out more than a thousand articles as well as many protocols – and we have two different entities, the European Community and the European Union.

To dispel confusion and the perception that Europe is not open enough, we must simplify and re-organise the treaties.

We need two texts. The first will set out the basic principles of the Union and its constitution. The second will set out policy detail.

The European Constitution will define the character of the Union including its aims and missions, its powers and institutions and the rights of its citizens. The Constitution will also determine relations between the Union and its member states and its regional and local authorities as well as with neighbouring countries: it will provide for the financing of the Union and set out a procedure for constitutional amendment.

The Constitution must incorporate the Charter of Fundamental Rights. This will give the people a firm guarantee of the Union's respect for their rights at EU level. It will also sum up the social principles and values that should inspire the Union's activities. Inclusion of the Charter will give citizens extra rights without extending EU powers. The EU must accede to the European Convention on Human Rights.

The division of policy into three so-called "pillars" is another feature of the EU that confuses people in the world at large. These "pillars" must be removed when we turn the Union into a single legal body.

We want to promote greater integration of EU countries and we seek a single institutional framework for the EU. But we will preserve Europe's unique way of exercising power – sometimes at EU level and on other occasions as the result of intergovernmental cooperation and coordination between our States. In such a scheme, different policy areas will require different methods of work and we will need specific arrangements for the common foreign and security policy.

The reformed Union should retain the main treaty clauses on its relations with member states – for instance those that allow countries to develop certain policy areas faster than the Union as a whole (the so-called enhanced cooperation). Another measure that should be retained – as set down in the Nice Treaty – is the procedure for dealing with violation of democratic principles.

The specific character of the Union's most distant regions, such as the Azores, the Canaries and the French overseas departments, must be protected in the European Constitution.

It would be wise to create a new status for countries that are neighbours of the EU but that do not seek EU membership. This would allow us to develop stronger political, economic and cultural links with them.

A number of changes must flow from this new institutional framework if it is to reflect our values and aspirations.

Updating and enriching the aims of the Union

Four broad areas summarise our ambitions to update and enrich the Union's aims:

- PROMOTION of sustainable development and economic and social cohesion;
- DEVELOPMENT of Europe's cultural wealth;
- SAFEGUARDING rights and freedoms; and
- ASSERTION of Europe's identity in the world.

The promotion of sustainable development should be based on growth, full employment and a high level of social protection in a competitive, innovative and dynamic social market economy. Our aim is to construct a knowledge-based economy and information society. We want a Union that stresses equality between men and women and that stresses the enhancement of opportunities for our youth: it must embrace the key role of public services, a high level of environmental protection and respect for the rights of future generations. An important feature of the Union's promotion of sustainable development will be solidarity between its peoples, between its member states and between its cities and regions with the aim of strengthening social and economic cohesion throughout Europe.

The wealth and diversity of cultures in Europe must be protected whilst we develop shared values and accept common responsibilities that match the rights of citizenship.

The contribution of cultural, social and religious groups will be of crucial importance in achieving this aim.

Our third aim for the Union is to make it an area of freedom and personal safety endowed with a system of justice that guarantees respect for individual rights and freedoms.

At world level, the Union must assert its identity, promote our social model, combat the negative side effects of globalisation and pursue the security of European citizens in an international order based on:

- respect for the UN Charter and international agreements;
- peace and democracy;
- respect for fundamental human rights;
- protection of children's rights;
- equality between men and women;
- rights to a healthy environment;
- eradication of poverty and the exclusion of people from a normal life in society; and
- promotion of free and fair competition on global markets.

Promoting Basic Principles

The Union must not be a centralised bureaucracy that issues heavy-handed edicts. Decisions should instead be taken at the most appropriate level of government whether it be local, regional, national or European, recognising that these spheres will often have to work in partnership to achieve their goals. Whenever possible this should give the greatest chance of engaging people in decisions that affect their lives – and European legislation, when needed, should have, whenever possible, a light touch.

These principles of subsidiarity and proportionality are political. National parliaments need to see that they are respected before EU legislation is enacted. The parliaments should do so primarily by establishing new forms of review over Commission proposals for legislation and in their role of supervising the actions of their governments in the Council.

The European Court of Justice must enforce respect for these principles.

Encouraging as many people as possible to play a part in decision-making – the principle of participatory democracy – will lead the Union to recognise the key role of European political parties in forming and representing public opinion. At the same time, citizens and organisations that represent particular interest groups should have the opportunity to contribute their ideas on every area of EU action. We need to find ways in which such views can be put forward. The role of trade unions and their right to organise supranational activities, employer organisations and other social partners should be recognised and where appropriate strengthened – and civil society should be granted a right to be consulted on legislation.

A Better Way to Share Power

It would be a mistake to draw up a hard and fast list of responsibilities for EU member states. What really matters is to define the scope and scale of EU authority in areas where it is needed so that member states and peoples can pursue their common aims. We want to promote and develop the Community method of decision-making in which EU institutions share responsibility.

The new Constitution should therefore say clearly what the Union's exclusive responsibilities are – and it should spell out those areas in which the Union shares responsibility with member states. In the remaining areas, which fall under the responsibility of member states, the European Union can give support through promotion and coordination of national policies.

The Union should be able to act forcefully as a political unit when it needs to – but it should also avoid imposing needless conformity. Therefore:

- We want to promote and protect our social model. There must be a strong link between economic and social coordination. This will allow us to use the economic potential of the Union and of the euro in order to achieve full employment, a high level of social protection and to ensure that people in all regions of the Union enjoy the same high quality of life. We must set economic and social priorities for the Union as a whole, with targets for economic, employment, social and environment policy that member states are committed to achieve.
- Policy coordination should be introduced into the Treaty. This new instrument would allow member states to coordinate their policies around common defined aims, benchmarks and guidelines, adopted by the Council and the European Parliament, on a proposal of the European Commission.
- We want Europe to be a strong and dynamic world actor. It should take its responsibilities in facing the challenges of globalisation. In foreign and security policy, the need for unanimity in decision-making should be limited to the adoption of new European strategies. The member states should act only in conformity with these common strategies or where there is no common EU position. The possibility for constructive abstention should be maintained.

- Conflict prevention needs special attention and we must develop our security and defence policy in order to carry out peacekeeping duties – the so-called "Petersberg tasks" – equipping ourselves with an operational capability for both military and civilian crisis management, where the deployment of troops should remain under national control. Security and defence policy must be under adequate parliamentary scrutiny. The Union should increasingly have representation in international bodies whose activities relate to areas in which the EU itself has authority. Such a provision will not impinge on the rights of member states to be represented themselves in such international organisations.
- The notion of the European Union as an area of freedom, security and justice must be brought into line with the Charter of Fundamental Rights. Policy should mainly be set out in framework legislation. This will allow national and regional authorities to define the detail of legislation in a way that best responds to local needs. At the same time, the Union must remain able to adopt EU-wide legislation when it needs to apply standard rules in all member states in order to tackle problems of a cross-border dimension.

When the Union's power is limited to the production of framework legislation, the European Court of Justice should have the power to adjudicate on challenges to the Union if it has exceeded its powers.

The Union is the world's largest geographical area for the free trade of goods and services. The smooth operation of this market is essential and the Commission's powers over competition should be safeguarded and where necessary bolstered. Where measures for maintaining this smooth operation are needed – but full harmonisation of national rules would conflict with the principle of subsidiarity or the principle of proportionality – institutions should have recourse only to measures allowed by the treaties to eliminate market distortions.

Making the Union more open

Europe must change the way in which it passes laws – and to begin with it should use the words "laws" and "framework laws" instead of confusing jargon such as "regulations" and "directives".

The European Commission must continue to have the sole right to propose new laws and the European Parliament must have a full say in legislation through a single, clear, legislative procedure. The EU must create a single new Council for Legislative Affairs, which should legislate with open doors.

A streamlined Council will meet in specialist groups to coordinate policy on foreign affairs, economic issues, justice and home affairs, social and employment policy. National ministers, meeting in the General Affairs Council, will prepare EU summits.

The budgetary procedure, which must be reorganised on the lines of the legislative one, will be applied to an annual proposal made by the Commission. This proposal will cover spending (removing the distinction between compulsory and non-compulsory) and resources. To this effect, agreements between institutions on budget matters should be incorporated in the treaties, as should the framework to keep spending under control – the so-called "financial perspective".

The European Commission should be in charge of any follow-up legislation that is needed as well as enforcement and coordination.

The European Parliament and the Council of Ministers should have the right to recall by a special majority Commission measures to implement decisions.

Under this simpler structure for EU institutions, summits of the Heads of State or Government – the European Council – would define the Union's strategic priorities and would take a specific, wider role in foreign, security and defence policies.

The European judiciary will guarantee full respect for European law by the member states and the European institutions. It will also guarantee that all European citizens and residents enjoy the respect, defence and development of their rights provided for by the Constitution and the Treaties.

Making the institutions more effective

The arrangement that sees EU countries hand over the Presidency of the Council from one to another every six months must be reviewed. It obstructs policy continuity in the Council. A longer term for the new Presidency, aimed at safeguarding the continuity of Council policies, should be part of a wider arrangement based on equality between member states and an overall balance between institutions.

Unanimity should apply only to legislation that has a constitutional impact or concerns vital questions of national sovereignty. All other legislation should be decided on by qualified majority voting, with a double majority, first of member states and second of the population across the EU as a whole. This is both the fairest and the most easily understood way of reaching decisions at EU level.

Europeans need to speak with one voice on the international stage. So we should put an end to the confusing duplication of tasks between the Council's High Representative for the common foreign and security policy and the Commission's designation of a member in charge of foreign policy. A new European spokesperson on foreign policy would ultimately answer to the European Council.

The authority of the President of the European Commission should be enhanced, first by giving him or her a wider democratic legitimacy, second by conferring on him or her the right to allocate and re-allocate policy responsibilities for Commissioners, so that they are as competent a group as possible.

Making the institutions more democratic

The European Parliament's advice and, whenever appropriate, approval, must be given for all appointments of constitutional importance. These provisions should also apply to international agreements.

The European Parliament must exercise control over new European activities concerning justice and home affairs policy respecting the principle that questions of criminal justice should remain a primary responsibility of member states.

EU institutions as a whole must apply the principle of gender balance when they make appointments.

The workings of all EU institutions should be founded on the principle of absolute transparency. The principles of public access to official documents should be extended to cover all institutions and EU bodies. The Constitution should establish the freedom to publish and introduce

rules restricting the right of institutions to identify sources of information.

The citizen's right to good administration should be guaranteed by the Constitution. All EU institutions and organs should be obliged to adhere to binding rules on good administrative behaviour and to inform the citizens of what they have a right to expect.

National parliaments must have a stronger role, especially in checking on compliance with the principle of subsidiarity, without creating new institutions. Closer cooperation with the European Parliament is needed in various aspects of Union policy. In this way, we will improve democratic control mechanisms.

The important role of the regions and local governments must be supported. Their authority should be better safeguarded and the Union should be open to proposals that involve them more closely in drawing up EU rules and putting them into effect on the ground.

Finally, a more democratic Europe requires the European Parliament, national parliaments and Europe's citizens to have a role in future amendments of the new European Constitution.
