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COVER NOTE

from :	Secretariat
to :	Convention
Subject :	Contribution from Mr Olivier Duhamel, member of the Convention, and Ms Pervenche Berès, alternate member of the Convention - "Objectives for the Union"

The Secretary-General of the Convention has received the contribution annexed hereto from Mr Olivier Duhamel, member of the Convention, and Ms Pervenche Berès, alternate member of the Convention.



Groupe du parti des socialistes européens

*Contribution tabled by the French socialist delegation to the European Parliament
presented by Pervenche Berès and Olivier Duhamel*

GOALS FOR THE UNION

We, French Europeans socialists want to build a Federation of the States and people of Europe, truly democratic, founded on the values of the European model of society guaranteed by the European Charter of the fundamental rights, political, economic and social.

Today, the institutions of the Union do not function well. At this stage, they would prevent an enlarged Europe to be governed. They do not enable it to face its responsibilities and its new ambitions in globalization.

To build a more democratic, more effective and more transparent European Union, requires a new definition of the objectives and a reform of the structures. Europe should not be a project of elites, but should imply all the citizens and all the people who live on the territory of the Union. The right-hand political parties in Europe which flirt with chauvinist populism or accept only the commercial dimension, limit their horizon to the national borders or reduce the policy of it to the whims of the market.

We think that to live better, and to live together, the citizens need policies and democracy which enable them to blossom and to recognize themselves at various levels:

- on the local and national level, in order to preserve elementary solidarity, the identity of the citizens and the diversity of the cultures;
- at the European and world level in order to make live the specific social model of our continent, in order to share sovereignty on questions where the national States cannot any longer, alone, undertake an effective action. In order to act to guarantee peace, solidarity and sustainable development.

GOALS FOR THE CONVENTION

We, French Europeans socialists defend the political and institutional choices which follow, the seconds having to favorize the implementation of the firsts.

A. POLITICAL GOALS

1. Social Europe

The specificity of the 15 States of the Union is to have created during the history a social model, foundation of the European identity, with a high level of employment, public services of quality, a requirement of social protection and social dialogue.

The Charter defines in its chapter "Solidarity" these principles and basic rights on social matters. In addition to the incorporated Charter, the objectives of the Union included in its constitution must be corrected and supplemented by the research of the social harmonization aiming the top, of the full employment, by the fight against poverty and exclusion and the addition of the European social model as an element of assertion of our identity.

The treaty on the European policies must make it possible to rebalance the economic objectives of the domestic market with social objectives and the adoption of frame laws, of a European working contract, the fixation of European social minima, the fight against poverty and exclusion.

2 - Sustainable development

To satisfy the needs for the present without compromising the aptitude of the future generations to satisfy their own needs constitutes a top priority of the Union.

In this respect the growth, the social progress and the safeguarding of the environment are indissociable factors of an ambitious policy of sustainable development, inside and outside the Union and particularly of our policy of co-operation.

In order to guarantee this priority the Constitution refers expressly to the durable development thus defined and poses the principles of responsibility - on all the levels - and of precaution, conditions of its implementation.

It establishes the concept of public goods, elements of a common inheritance, not to be managed like simple commercial goods.

3. Public services

The public services are an essential element for social and territorial cohesion solidarity and the equality between the citizens and substantial competitiveness. Their legal statute is consolidated and stabilized. They are thus mentioned in the constitutional article on the objectives of the Union.

A specific title of the treaty on the European policies will precise the European definition, will insert the realization of the missions of public utility in the general objectives of the Union, will distinguish the commercial public services from the services of general economic interest, will reintegrate the tariff principle of "péréquation" by cross financings and will legalize the aid of State when necessary. These new provisions will exclude expressly certain public services from the international trade and rules of competition.

4. The coordination of the economic and social policies

It incorporates the social and employment policies, proposed by the Commission, adopted by the Council with majority qualified, after consultation of the national parliaments and in

partnership with the European Parliament. The taxation on the incomes of the financial saving and the profits of the companies is harmonized. An economic and social quinquennial program is adopted at the beginning of the legislature, and is annually re-examined. The eurogroupe ensures this coordination. It has capacity to decide on the subjects which relate to the Euro zone. Interlocutor of the European central Bank, - whose mandate will have to be supplemented by growth and of full employment goals- it informs the European Parliament of the operated choices and of their implementation.

5. The common agricultural and fishing policy

The goals of the common agricultural and fishing policy are redefined to integrate the environmental protection, food safety, the safeguarding of natural spaces and the regional development as well as the policy of development aid of the Union. The financial assistances given to farmers and fishermen remunerate the services they offered the society and ensure a minimum income to them. These assistances are essentially independent of the production managed by the OCM (common organization of the markets). The European Parliament co-legislates on equal footing with the legislative Council for the main options on the matter.

6. Education and culture

The Union respects the diversity of the cultures and the modes of education.

It grants to all the citizens of the Union the means to enrich mutually by guaranteeing to each student the right to achieve one six-month period of studies in another country of the Union.

The construction of Europe and the integration of its citizens pass through education as well as through the institutions or the economic exchanges. The educational programs must reflect and promote the European values. A teaching of the European history is jointly elaborated and will be taught in the Union countries.

The Union respects and protects the diversity from the languages. To support the communication between the citizens of the Union, each Member State is due to ensure the training of two European foreign languages from the primary education teaching.

The European Union sets minimal common standards to ensure the respect of the pluralism of the media, essential guarantee of the respect of freedom, fundamental value of European civilization.

It recognizes the specificity of the sport.

7. Europe of justice

The Charter incorporated in the European Constitution, and the European Convention of the human right to which the Union adheres, pose the common values making it possible to bring closer our legal systems.

The civil and penal co-operation for the police and legal questions of transnational dimension concerns the Community method to ensure the full effectiveness of it.

The Union consacrates the mutual recognition of the Court decisions. It harmonizes the procedures and adopts joint definitions of the infringements, when necessary, to fight effectively against all the forms of criminality. For this purpose Europol is reinforced, a European Parquet is created, under the democratic control of the European Parliament. To regulate the separation of the binational couples and the custody of their children, an arbitration body is created.

8. A common policy of asylum and immigration

The Community method will make it possible to lay down a true common policy of asylum and immigration, not being limited to the control of clandestine immigration and contributing to eradicate the traffic of human beings. The control of the external borders of Europe is communautarized. The Union fixes common rules ensuring the integration of the immigrants in

particular by a common procedure of family regrouping. It adopts and implements a European policy of Co-development.

9. A European foreign policy, a policy of European defense

Europe will be fully political by affirming its role in the world with the service of peace and international justice, of the political resolution of the conflicts, solidarity with the developing countries, of the promotion of the democracy, the Human rights and the sustainable development.

The Union gives itself the means of speaking and of acting with one voice on the international scene. There is a fusion between the high representative of the Council and the Commissioner in charge of the foreign relations. The European Minister for the Foreign Affairs belongs to the Commission and holds his mandates by the positions adopted by the Council of the Foreign Affairs. He informs the European Parliament. The States of the Union have only one representative in the main international institutions: Security Council of the United Nations, International Monetary Funds, the World Bank, in order to implement a reorientation of globalization. The reinforced co-operations allow the States which wish it to integrate in a deeper way their foreign politics and/or of defense for more effectiveness.

1. B Institutional GOALS

10. A Constitution for the European democracy

We need a Constitution for the citizens, so that they know how is allotted and organized the power at the European level. We need a Constitution to mark the advent of political Europe which assumes itself fully like a Federation of the States and the people of Europe. One thus needs a fundamental constitutional text, the various European policies being described in a second more detailed text.

11. The Charter to affirm and guarantee the rights for everyone

The Charter of the basic rights proclaimed at the end of 2 000 consecrates in understandable wording of the political rights and the social rights, on equal footing. Its integration in the beginning of the European Constitution will say our values and will guarantee these rights to the European level.

12. A legal personality for the Union

Our European Federation must have a legal existence, adopt international agreements, be responsible of its acts. The duality between the Community and European Union is suppressed. The Union adheres to the European Convention of the Human rights.

13. A European financing

Europe needs a sufficient budget, considering the tasks to achieve in particular to ensure solidarity at the European and world level. It must be constituted of own resources, (tax, loan...) - and not on the addition of national contributions.

14. Specified competences

The Member States of the Federation have the competence of common right. The Federation has exclusive competences, which are precisely allocated to it. Other competences are shared between the Union and its States under, before, political control, and, afterwards, jurisdictional. In the fields of the competence of the only States, the Union can act, coordinate the policies, engage of the programs, but it does not adopt laws.

15. A Commission which impels

The Commission, in charge of the European general interest, ensures the initiative and the execution of the European laws. Its legitimacy is based on the double legitimacy of the Union: that of the States, with the European Council, that of the people, represented in the European Parliament. The President of the Commission is co-designated by the Parliament and the European Council shortly after the European elections. It incarnates the Union. Commission and the Council work in concert, the qualified Commissars direct the meetings of the Council.

16. The Council which acts

It is time to clearly separate the Council-legislator from the Council-executive. The legislative Council is composed of permanent representatives of the States, which decide by the rule of double majority of the States and the population. It sits in public, and votes the laws with the European Parliament. The Councils of the ministers are recomposed according to the main fields. The European Council of the heads of government fixes the main European political orientations.

17. A European Parliament which legislates and controls

The European Parliament votes the laws on equal footing with the legislative Council and adopts the budget. It calls and controls the executive of the Union. It represents the citizens of the Union and its States, part of the European deputies being elected on European lists, the others being linked to a regional territory.

18. National parliaments which take part

The national parliaments take part in the political life of the Union. They discuss legislative program of the Commission. They intervene in the fixing of the positions of their State, which will vote the laws in the legislative Council. They express themselves in the respect of the principle of subsidiarity during the elaboration and the adoption of the European laws. They control the European policy of their governments.

19. A voluntary Union

No State, no people can, alone, prevent the Union from progressing.

No State, no people is held to remain in the Union against its will.

The European Constitution is in force if it collects the majority in two thirds of its States representing two thirds of the population of the Union. A State in which this approval is not given decides finally to grant it or leave the Union, with which it can build a new relation of especially associated State.

20. Citizens who decide

The Constitution is adopted by a European referendum, organized the same day in all the States of the Federation. The further revisions of the European Constitution which will have to be prepared by conventions obeying the same rules, which require the approval of a very vast majority of the citizens.