

**CONV 701/03**

# **NEW VERSION**

**CONTRIB 312**

## **COVER NOTE**

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from	Secretariat
to	The Convention
Subject :	Contribution by Mr. Alberto Costa, member of the Convention and Mr. Guilherme d'Oliveira Martins, alternate member of the Convention : - "Draft Proposal of addition of a new article on "The open method of coordination"

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The Secretary-General of the Convention has received the contribution annexed hereto from Mr. Alberto Costa, member of the Convention and Mr. Guilherme d'Oliveira Martins, alternate member of the Convention.

This contribution is also supported by Mr Ernâni Lopes, member of the Convention and Mr Manuel Lobo Antunes, alternate member of the Convention, Ms Maria Eduarda Azevedo, member of the Convention and Mr. António Nazaré Pereira, alternate member of the Convention.

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## **The Convention on the Future of Europe**

### **Draft Proposal of addition of a new article on "The open method of coordination"**

**Presented by Alberto Costa and Guilherme d'Oliveira Martins**

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#### New Article: Open Method of Coordination

1. Member States may develop an open coordination of national policies in order to enhance their effectiveness towards some European common goals, respecting the national specificities.

The open method of coordination is based on the definition of common guidelines or common objectives by a decision<sup>1</sup> [or a recommendation<sup>2</sup>] from the Council, under a proposal from the Commission and can include timetables, indicators and exchange of best practices.

Member States establish and report on appropriate mechanisms to translate these common guidelines into the national levels. On a periodical basis, the Council, on a proposal from the Commission, shall carry out a follow up of this process and deliver an assessment, in the form of an opinion<sup>3</sup> [or a recommendation]. In this light, the Council may also adapt the common guidelines or common objectives.

2. The open method of coordination may be applied where the Union has no legislative powers, or where coordination is not specifically regulated by the Treaty.

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#### Justification

The open method of coordination is being applied in a wide range of policies with relevant outcomes for the European convergence and integration.

The present draft article aims at translating and clarifying the ongoing experience by specifying the instruments which might be used in this method as well as the role played by the European institutions.

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<sup>1</sup> Decision, according to article 24 of the Draft Constitutional Treaty, is a non-legislative act, binding in its entirety.

<sup>2</sup> Recommendation, according in article 24 of the Draft Constitutional Treaty, is adopted by the institutions and shall have no binding force.

<sup>3</sup> Opinion, according in article 24 of the Draft Constitutional Treaty, is adopted by the institutions and shall have no binding force.

The present formulation also tries to keep some flexibility in this method to cope with the diversity of policy areas and the specificities of the national situations.

Finally, this article shall be without prejudice to more specific provisions in Part II referring to the coordination of certain Member States' policies.

**Open Method of Coordination**  
**The existing tools and their possible translation into the instruments of the new Treaty (*in italic*)**

<b>Stages of OMC</b>	<b>Common guidelines or common objectives</b>	<b>National implementation</b>	<b>Follow up/assessment</b>
<b>Policies</b>			
<b><u>Information Society</u></b>	Action Plan: Common objectives, indicators, targets and deadlines  <i>Decision or Recommendation</i>	National programmes or initiatives for the Information Society	Progress reports  <i>Opinion or recommendation</i>
<b><u>European Research Area</u></b>	<i>Common objectives of the European Research Area</i>  <i>Decision or Recommendation</i>  Benchmarking of national research policies (objectives, methodology and benchmarks) Council Resolution  EP and Council Decision (FP6)	National research policies	Report on benchmarking of national research policies     <i>Opinion or recommendation</i>
<b>Innovation</b>	Common framework for innovation policy     <i>Decision or Recommendation</i>	National Innovation Strategies/Programmes	Trendchart on innovation Innovation scoreboard Report on progress in strengthening innovation policies at European and national levels Independent evaluations (voluntary basis) <i>Opinion or recommendation</i>

<b>Stages of OMC</b>	<b>Common guidelines or common objectives</b>	<b>National implementation</b>	<b>Follow up/assessment</b>
<b>Policies</b>			
<b>Enterprise Policy</b>	Benchmarks for benchmarking enterprise policy European Charter for Small Enterprises  <i>Recommendation</i>	No instrument foreseen	Scoreboard on benchmarking enterprise policy. National Reports on the European Charter for small enterprises <i>Opinion</i>
<b><u>Education and Training</u></b>	Common objectives and benchmarks E-learning Action Plan  <i>Decision or recommendation</i>	National reports Reference criteria communicated on voluntary basis	Joint Report on the objectives of education systems (interim 2004; final 2010) <i>Opinion or Recommendation</i>
<b>European Employment Strategy<sup>1</sup></b>	Employment Guidelines  Decision of the Council under a proposal from the Commission	National Action Plans	Joint Employment Report /Employment recommendations  Recommendation of the Council, under a Recommendation from the Commission
<b>The OMC on social inclusion</b>	Common Objectives Programme of Community Action  <i>Decision or recommendation</i>	National Action Plans for Inclusion	Joint inclusion Report/No recommendations  <i>Opinion</i>
<b>The OMC in the area of Pensions</b>	Broad Common Objectives  <i>Decision or recommendation</i>	National Strategy Reports on Pensions	Joint Pension Report/No recommendations <i>Opinion</i>

Art 128 of the TEU

**List of the main articles of current Treaty (Treaty on European Union and Treaty establishing the European Community) where the ongoing experience of the open method of coordination should be taken into account**

Art. 128 and 129 – Employment Policy

Art. 140 – Social Policy

Art 149 – Education and Training Policy

Art. 155 – Transeuropean networks

Art. 157 – Industrial, enterprise and innovation Policies

Art. 165 – Research and development Policy

Art. 175 – Environmental Policy

Art. 180 – Cooperation for development

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