

CONV 773 /03

CONTRIB 347

NOTE

from :	Secretariat
to :	The Convention
Subject :	Contribution by Mr David Heathcoat-Amory, Mrs Irene Belohorska, Mr. Jan Zahradil, Mr. Jens-Peter Bonde, Mr. Peter Skaarup, members of the Convention and Mr Esko Seppanen, Mr. John Gormley, Mr. Per Dalgaard, Mr. William Abitbol, alternate members of the Convention: "Minority report - The Europe of democracies"

The Secretary General of the Convention has received the contribution annexed hereto from Mr David Heathcoat-Amory, Mrs Irene Belohorska, Mr. Jan Zahradil, Mr. Jens-Peter Bonde, Mr. Peter Skaarup, members of the Convention and Mr Esko Seppanen, Mr. John Gormley, Mr. Per Dalgaard, Mr. William Abitbol, alternate members of the Convention.

Proposal for a Common Alternative
Laeken mandated

Minority report

THERE IS ANOTHER WAY:
THE EUROPE OF DEMOCRACIES

AWARE OF the need to strengthen democracy, and respect for the rule of law and Human Rights in Europe

OBSERVING THE growing gap between the EU institutions and the people of Europe and the loss of popular support for the EU as proved by several referenda and European Parliament elections

CONCERNED THAT the Convention on the Future of Europe is not adequately addressing the 'democratic challenge facing Europe', as described in the Laeken Declaration

WE PROPOSE to transform the EU into a Europe of Democracies (ED), which shall be a treaty association of free and self-governing European states and an open economic area.

1. EUROPE OF DEMOCRACIES. The European Union (EU) shall not have a constitution. Instead, Europe should be organised on an interparliamentary basis by means of a Treaty on European Cooperation. This will create a Europe of Democracies (ED) in place of the existing EU. If the EU should have a new name it should be Europe of Democracies.

2. A SLIMLINE TREATY. The present 97,000 pages of the *acquis communautaire* covering the EU and EEA must be radically simplified. Instead, focus shall be placed on cross-frontier issues where national parliaments cannot effectively act by themselves. Decisions on subsidiarity shall be resolved by the national parliaments.

3. OPEN TO ALL DEMOCRACIES. Membership of the ED shall be open to any democratic European state which is a signatory of, and respects fully, the European Convention on Human Rights.

4. **SIMPLIFIED DECISION-MAKING.** The present 30 different ways of making decisions in the EU shall be reduced to two: laws and recommendations. Where qualified majority voting applies, the proposal in question shall require 75 % of the votes to be cast in favour, unless otherwise stated.
5. **A VETO ON VITAL ISSUES.** Laws shall be valid only if they have been passed by national parliaments. A national parliament shall have a veto on an issue it deems important.
6. **THE COMMON CORE ISSUES.** Laws shall deal with the rules for the Common Market and certain common minimum standards to protect employees, consumers, health, safety and the environment. In other areas the ED shall have the power to issue recommendations for Member States, which are always free to adopt higher standards.
7. **FLEXIBLE COOPERATION.** The ED may unanimously approve flexible cooperation for those nations that want to take part in closer cooperation. The ED shall also recognise and support other pan-European organisations, such as the Council of Europe.
8. **OPENNESS AND TRANSPARENCY.** The decision-making process and relevant documents shall be open and accessible, unless a reasonable cause for exception is confirmed by qualified majority.
9. **STRAIGHTFORWARD COUNCIL VOTING.** A simplified voting system shall operate in the Council, which may comprise each Member State possessing one vote in the ED Council. A decision by qualified majority shall require the support of countries with more than half the total ED population.
10. **NATIONAL PARLIAMENTS ELECT THE COMMISSION.** Every national parliament should elect its own member of the Commission. The Commissioner shall attend the European Scrutiny Committees of the national parliament concerned. National parliaments shall have the power to dismiss their Commissioner. The President of the Commission shall be elected by the national parliaments. National parliaments shall decide on the annual legislative programme and the Commission shall correspondingly act as a secretariat for the Council and the national parliaments.
11. **NO LEGISLATION BY THE COURT.** Legal activism by the European Court in Luxembourg shall be curbed, and the Court shall respect the European Convention on Human Rights.

12. PARTNERSHIP AGREEMENTS. The Member States and the ED may enter into partnership agreements of mutual interest with states or groups of states. The ED shall respect the parliamentary democracy of its partners and may assist poorer ones with a financial aid, while fostering free trade agreements.

13. BETTER SCRUTINY. The European Ombudsman, the Court of Auditors and the Budget Control Committees of the European and national parliaments shall have access to all documents and all financial accounts.

14. EQUALITY OF LANGUAGES. When legislating, all official ED languages shall be treated equally.

15. UNITED NATIONS. The ED shall not have its own army. Peacekeeping and peacemaking should be mandated by the United Nations and the Organisation for Security and Cooperation in Europe. Member States shall decide themselves whether they opt for a common defence through NATO, independent defence, or follow a neutrality policy.

Contribution by Convention members:

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Esko Seppanen (Alternate Member) European Parliament

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