

CONV 809/03

NOTA DE ENVIO

de: Secretariado

para: Convenção

Assunto: Texto apresentado por Edmund Wittbrodt, membro da Convenção

O Secretário-Geral da Convenção recebeu de Edmund Wittbrodt, membro da Convenção, a carta em anexo.

Gdańsk, 10 June 2003.

One of the main aims of our reform of the Union is bringing it closer to the citizens. A public debate about the future of the European Union is one of the best examples of it.

I would like to draw your attention to the project of a constitution created by the Forum of Young Diplomats, a Polish NGO dealing with foreign relations. It is not a constitution to be implemented today, but a vision of the European Union the day after tomorrow.

Edmund Wittbrodt

Member of the European Convention



Forum Młodych Dyplomatów
The Forum of Young Diplomats

POSITION PAPER ON THE FUTURE OF EUROPE

**Prepared by the European Convention Group
of the Forum of Young Diplomats**

We, the members of the European Convention Group of the Forum of Young Diplomats, representing young people from Poland, have decided not to be passive observers of the ongoing discussion around us. Instead, we want to take a position on the most important issues concerning the future of Europe.

As close observers of the works of the European Convention, we want to express our disappointment with the limited scope of changes proposed so far. We are particularly dissatisfied with the results of the debate on the key institutional questions. We feel that the discussion has been developing around traditional and well-known solutions.

We acknowledge the fact that the new Constitution will be a result of numerous compromises and agreements. However, we have decided to go beyond the contributions made to date by the European Convention. In the following position paper we call for a more federal Union, based on a transparent and effective institutional structure.

We consider our position paper as a “work in progress”. This document is by no means a final result and should be regarded as a contribution to the continuing debate.

1. Foundations of the Union

The European Union shall be based on the citizens of the Union and the Member States.

The Union, while exercising certain common competences in accordance with common values and objectives and in recognition of the diversity of all Member States; shall at the same time have as its ultimate goal the creation of a federal union of European states.

2. Union Institutions

The tasks entrusted to the Union shall be carried out by the following institutions:

- The European Parliament composed of the European Assembly and the Chamber of States
- the European Commission
- the European Court of Justice

Each institution shall act within the limits of the powers conferred upon it by the Constitution.

Both the Parliament and the Commission shall be assisted by the European Council and the Committee of Regions, both acting in a advisory capacity. In particular, the European Council, bringing together the Heads of States of Governments of the Member States, shall provide the European institutions with clear guidelines and advice concerning the direction of the Union's future development.

3. The European Parliament

The European Parliament, being the sole legislative institution of the Union, shall consist of two Houses: the European Assembly and the Chamber of States.

The European Assembly shall consist of representatives of the citizens of the Member States. These representatives shall be elected by direct universal suffrage for a term of 4 years. The European Assembly shall elect its Chairman by a majority of its members.

The Chamber of States shall consist of one representative of each Member State at ministerial level, delegated by the states only for this purpose. The Chamber of States shall elect its Chairman with a majority of its members.

The European Parliament shall exercise control over the activities of the European Commission.

The Chamber of States shall propose the candidate for President of the European Commission from the members of the Commission.

The European Assembly shall elect the President of the European Commission by a 2/3 majority of its members. If this is not the case, the Chamber of States shall

be obliged to propose a different candidate.

The Chamber of States shall approve by a qualified majority the internal organisation of the Commission proposed by the elected President.

The European Parliament may, acting by a 2/3 majority of both houses, force the European Commission to resign as a body.

4. The European Commission

The executive power of the Union shall be vested in the European Commission.

The Commission shall include one national of each of the Member States, elected by the national parliaments. Only nationals of Member States may be members of the Commission.

The term of office of the Commission shall be a period of four years.

The members of the Commission shall be completely independent in the performance of their duties.

The Commission shall work under the political guidelines of its President, who shall decide on its internal organisation by nominating Commissioners to fulfill specified tasks.

The Commission shall act by a simple majority of its members.

5. The President of the Commission

The President of the Commission shall be elected for four years. He shall chair the meetings of the Commission and undertake special representational duties.

The President of European Commission shall be the supreme representative of European Union and the guarantor of the continuity of the Union's authority. The President shall ensure observance of the Constitution, safeguard the sovereignty and security of the Union.

The President of European Commission, as representative of the Union in external relations, shall ratify and renounce international agreements, after receiving the assent of the European Parliament. He shall also appoint and recall the plenipotentiary representatives of the European Union to other states and to international organizations.

The President shall be supported by three vice- Presidents in charge of internal relations, economy and agriculture.

The President of the Commission and the three vice-presidents shall constitute the Union's Presidency. The Presidency shall be represented by four countries : one big, one medium-size and two small ones.

6. National Parliaments

The competences of national parliaments in relation to the affairs of the European Union shall comprise in particular:

- Scrutiny of their own governments' activities in the European Parliament. In order to keep national parliaments thoroughly informed of EU developments, the European Parliament shall be open to the press and public when acting in its legislative capacity.
- Monitoring the principle of subsidiarity. To this end political early warning system shall be established and the right to referral to the European Court of Justice on grounds of infringement of the principle of subsidiarity shall be extended.

7. European Citizenship

The rights established in the European Charter of Fundamental Rights shall be recognized as an integral part of the Constitution of the European Union.

Every citizen of the European Union shall have the right to vote and to stand as a candidate at elections to the European Parliament and the municipal elections in the Member State in which he or she resides, under the same conditions as nationals of that State.

The active voting rights shall be given to every citizen of the European Union in any place of the Union. The right to stand for election to the European Parliament shall be restricted by obligatory residence of a candidate in the State of election for at least three years.

Diplomatic and consular protection of European Citizens shall be recognized and executed by the diplomatic and consular missions of the European Union.

The European Citizens shall have the right to serve in the European army.

Member States shall have the right to decide on a catalogue of civic rights that will go along with the tradition of national law.

8. Common Foreign and Defence Policy

The Foreign Security and Defense Policy shall rest in the competence of the European Commission, with its President representing the European Union on the international scene.

The Chamber of States shall provide general policy guidelines for FSDP, on the basis of which the Commission will prepare the final policy submitted for the approval of the European Parliament.

All decision concerning FSDP shall be taken by a qualified majority vote of the Commission.

The President shall be supported in his duties concerning Foreign Security and Defence policy by a special unit lead by a Commander in Chief of the European Forces. The Commander in Chief shall be appointed by the European Commission,

with the approval of the European Parliament.

The national armies shall be maintained for the purpose of the national territory defense. Should any military action against any of the countries of the European Union occur, the President of the European Commission is obliged to approve immediately the use of national army.

The European Army shall be created on the basis of the already existing Rapid Reaction Forces strengthened by the voluntary enrollment of the European soldiers.

The Army shall be entitled to conduct peace-making and peace-keeping operations, which shall be initiated after the proposal of the President of the European Commission and approved by the European Parliament as a whole, acting by a qualified majority.

Foreign Security and Defence Policy shall be based on the previous institutional achievement of the United Nations, North Atlantic Treaty Organization as well as of the Western European Union. The European Union shall have common representatives to all international organizations.

In order to provide the cohesion of the policy it should be financed by the sources taken from the overall budget of the European Union.

The European Union shall be represented abroad by the European Consulates and in the future also by the European Embassies. The present national embassies of European Union countries within its borders shall play the role of the institutions representing commercial interests of the Union's countries.

9. Revision of the Constitution

The future Constitutional Treaty will formalize the method of the Convention which shall consist of a President, delegations from the European Parliament and the Commission, and an equal number of delegates from the member state parliaments.

*Text prepared by the European Convention Group
Forum of Young Diplomats*

Małgorzata Figwer (University of Łódź)
Katarzyna Hańczkiewicz (University of Łódź)
Anna Jassem (University of Warsaw)
Joanna Kamińska (University of Warsaw)
Izabela Milewska (Silesian University, Katowice)
Katarzyna Pisarska (Warsaw School of Economics)
Paulina Styczeń (University of Warsaw)
Anna Trzepak (University of Warsaw)
Michał Czaplicki (Warsaw School of Economics)

Warsaw, 25 May 2003