



**European Movement
Mouvement Européen**

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14/06/2004

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**European Movement
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PRESS RELEASE

Resolution of the International European Movement on the draft Constitution

The International European Movement welcomes the success of the Convention, which was above all a triumph for a new, democratic and transparent method for revising the Treaties and for beginning the constitutional process.

The project marks a very significant step towards the objectives of transparency, coherence and democracy, and in the reinforcement of the political dimension of the Union, in particular in the areas of the EU's foreign and security policy, in justice and home affairs and in the development of the European constitutional order.

There are therefore, numerous reasons to support the significant innovations and the fundamental balance of the draft, and to oppose any forces which seek to challenge or weaken them.

At the same, the IEM – like the European Parliament – has a duty to point out those areas where some inadequacies and contradictions remain in the draft Treaty, and to invite the IGC to reflect on how to improve the overall coherence of the text. At the same time, the IEM emphasises its demand not to unravel the basic compromise reached by the Convention. The new Union of today, with 25 members, and with more in the years to come, must have the capacity to face the challenges of the future. This is the best way of countering demands from a number of governments to present changes to the draft which can only threaten the Union's capacity to fulfil its role in the world today and in the future.

In the event of a positive result from the IGC – as we would like – the IEM is convinced that the battle to explore and realise the full potential of the Constitutional Treaty must continue. For this reason, the ratification debates following the IGC are of crucial importance for the development of the EU's constitutional process, for the building of a sense of community, for the protection of the Union's institutional equilibrium and for the continued success of the integration project. For the evolution of the future Constitution, we must foresee procedures for revision, with a reinforced majority of Part III of the Treaty, which cannot have the same constitutional status as Parts I and II.

Brussels, 30 September 2003

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**European Movement
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RESOLUTION

Resolution of the International European Movement on the European Convention and on the follow-up to the Draft of the Constitutional Treaty

1. The International European Movement (IEM) has examined the work so far accomplished by the European Convention. It emphasises that the work of the Convention is to produce a draft Constitution, which expresses the wishes and aspirations of the people of Europe and the means, needed to achieve them. It appeals to the members of the Convention to make one last effort to realise their ambition and innovation.
2. The Constitution must not represent a step backwards from the provisions of the present Treaties. In this context, the IEM demands that in Article Two, equality between men and women is clearly stated to be a value fundamental to European Union identity. In addition, the IEM demands that the principle of non-discrimination in the areas included in Article Thirteen of the Treaty on the European Community should be included in the Constitution.
3. The IEM is pleased that many of the priorities demanded by its Federal Council in Copenhagen, December 2002, have been accepted, but it insists on its demand for the abandonment of unanimity with regard to taxation and the revision procedure as well as the necessity to foresee the replacement of national contributions by own resources.
4. The IEM is convinced of the necessity to give the Constitution a strong legitimacy, supported by the citizens. This implies that the necessary time should be foreseen between the adoption of the text by the Convention and the beginning of the Intergovernmental Conference (IGC) to allow for discussion within the national parliaments and the civil society. The IGC should finish its work prior to the European Council in December 2003, and the IEM asks the Heads of State and Government to commit themselves to respecting the results of the work of the Convention.
5. The European Parliament should approve the final Constitution after the European elections of 2004, thus ensuring that these elections would be about the Draft Constitution, thus involving the European citizens in the approval process.
6. The IEM reaffirms its conviction that the Constitution should come into force among those Member States who have ratified it, even if a limited number of Member States have not ratified it.

Brussels, 11 June 2003



**European Movement
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RESOLUTION

Resolution of the IEM Steering Committee at its meeting of 31 March 2003

The International European Movement:

- 1 Would like to congratulate the Convention, its Praesidium and its President for their in-depth work, consultations and public debating in preparation for the draft Constitution to be submitted to the IGC and national ratification.
- 2 Believes that the draft version of the future Constitution should be presented before the summer and then approved by the IGC with the participation of candidate countries by the end of 2003. Any amendments to the draft prepared by the Convention should be requested by the IGC from the Convention.
- 3 Considers that the future Constitution should provide for efficiency and transparency in decision-making together with the consistent expression of the common will and points out that practical proposals to reach those goals were approved by the IEM Federal Council in Copenhagen in December 2002.
- 4 Is of the opinion that the Constitution should be short and be the subject of an intensive campaign of information, education and publication.
- 5 Considers that the CFSP should aim for peace and democracy in the world and be supported by an operational capacity, including in the military area, at the service of commonly defined objectives.
- 6 Recalls its wish that one tenth of Euro-MPs should be elected in a European constituency, enabling people to be chosen on European lists by voters of several nationalities.
- 7 Hopes that after 2006 the European Union budget will be mostly financed by actual own resources. Those resources should be efficient for funding, fairly distributed and understandable for the general public. They should be voted for by the European Parliament on an annual basis.

Brussels, 31 March 2003



**European Movement
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APPEAL TO THE IGC

The Federal Council of the International European Movement, meeting in Rome on December 6th, 2003 noted that the work of the ICG has confirmed that the IEM was justified in demanding the replacement – for the elaboration of the European Constitution and its future reforms - of the intergovernmental process of the organisation of the ICG with that of the Convention.

Bequeathed with considerable legitimacy through the participation of the national parliaments and the European Parliament, as well as from the governments of the member states of the Commission, **the significant developments of the Draft Constitution** – most notably the binding characteristic of the Charter of Fundamental Rights, progress in transparency and democracy in the elaboration of European laws and in the election of the President of the Commission, the success of a Constitutional text, in a coherent language and comprehensible to citizens, the clarification of that which the Union must do, and that which States must carry out, and the primacy of community law – **were drawn from the ICG.**

Other advances concerning a permanent, structured co-operation, open in regards to defence issues, the extension of the communitarian procedure in the domain of Justice and Home Affairs, the confirmation of a European Minister for Foreign Affairs and other institutional aspects (the composition of the Commission, minimum number of parliamentary seats held by the smaller member states and the organisation of criteria for the rotation of the Presidency of the Council) **can and must be introduced on the basis of the draft Constitution** of the Convention.

Certainly, **the removal of the Legislative Council**, which would have led to greater transparency and efficiency, **would represent, if carried out, a significant step backwards.** The International European Movement urges that the text of the Convention on this subject be maintained and **that the legislative meetings of the Council remain public.**

The IEM must also make an urgent appeal to the Heads of State and Government **for the preservation of the essential elements of the propositions of the Convention, the nature of which cannot be changed.** The IEM approves and supports the joint declaration as addressed by the parliamentarians members of the Convention to the IGC on December 5th, 2003 in Brussels.

This respect for major compromises, which is the result of the dynamism of the Convention, **calls for courageous decisions to be taken** by the Heads of State and Government during the Summit of Brussels on December 12th and 13th **in order to**

reach a consensus which would be up to the challenges which the Union finds itself confronted with at this crucial moment for its future.

A European spirit and a will to reach a consensus are now required in order to **create a text which satisfies the expectations of the peoples of Europe**, and which may be approved by a large majority of citizens and their parliaments.

In the unfortunate instance where this consensus would not be reached, the IEM asks that the governments who have the political will take the initiative so as to progress with integration on the basis of the constitutional draft of the Convention.

Rome, December 6th, 2003



**European Movement
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PRESS RELEASE

The European Movement calls for an agreement on the European Constitution before the first of May

Introduction:

The failure so far of the Intergovernmental Conference to adopt the European Constitution must not lead to a blockade of the entire constitutional process in the crucial year of 2004.

Enlargement on May 1st, the European elections in June and the investiture of a new European Commission in the autumn are developments which make an agreement on the Constitution all the more important.

The European Movement International emphasises once again that all European countries can meet the challenges of the modern world only by working together within effective, democratic and transparent institutions.

The Constitution drafted by the Convention, using a consultation process unprecedented in its extent and depth, provides the basis for the necessary structural reforms of the EU to respond to these requirements.

Steps to be taken immediately:

The European Movement International calls upon the Irish presidency and the members of the European Council to continue their quest for an agreement on the European Constitution before the 1st May.

It is essential that those issues on which an agreement has already been reached during the IGC are not re-opened and that any further negotiations are concentrated on the core problematic points.

The EMI calls upon the national Parliaments and the European Parliament to adopt resolutions supporting the Convention's draft Constitution.

The EMI urgently calls on the Heads of State and Government to recognize their responsibility at this historic moment of enlargement to find a consensus on the Constitution as the best means of increasing democracy, efficiency and transparency of the European Union.

Brussels, 27 January 2004



**European Movement
Mouvement Européen**

PRESS RELEASE

International European Movement demands that the results of the European Elections be respected in the choice of the next President of the European Commission

The international European Movement (IEM) at its Steering Committee 27 April 2004 in Brussels calls on the European Council and the European Parliament to act already this year in accordance with art. 26 of the Draft Constitution, namely, to respect the results of the Elections to the European Parliament when proposing the next President of the European Commission, therefore establishing a link between the vote of the European citizens and the selection of the President of the European Commission.

The European Council's candidate must be accepted by majority in the European Parliament.

Directly after the European elections 13 June there should therefore be a consultation between Council and Parliament to discuss the candidatures.

The European Council's proposal should be placed before the European Parliament prior to its constituent session in Strasbourg in July 2004.

The new President of the European Commission would then have full legitimacy to prepare the organisation and composition of the new Commission of 25 members - the largest in the EU's history to date.

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**European Movement
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PRESS RELEASE

International conference, Athens 20-21 February 2003 Contribution to the Convention on the Future of Europe

Giscard D'Estaing asks for the emergence of a European consciousness

“A European consciousness already exists and should become the basis on which we have to build the Constitution and the institutions of the European Union”. Speaking at the international conference in Athens of the European Movement, the President of the European Convention underlined the difficulties of overcoming vested interests within the European Convention in building the future European Constitution, and his disappointment at the division of Europe in the current Iraqi crisis. “If today the European citizens would be divided as their governments – he said – we could not hope to progress very far”.

On the other hand he congratulated the European Movement for its role in contributing towards emergence of a European public opinion and for its generosity to the idea of Europe. Listening to the results of the trans-national project “Our Europe, Our Future” coordinated by the international European Movement in 25 European countries and presented to the public during the plenary session by José Maria Gil Robles, President of the iEM, Giscard welcomed the positive signs of European awareness revealed by the project. The people consulted by the EM recognized the EURO, the youth exchange programmes and the 12-star flag as symbols of Europe. Furthermore the project demonstrated that there is an overwhelming majority of citizens in favour of a Constitution to be ratified by a qualified majority of member states, for a full legislative co-decision right of the European Parliament with the Council and for a Common Foreign and Security Policy to be brought within the community framework.

President Giscard D'Estaing, in front a more than 500 delegates of the European Movement and at many important figures from the European political arena*, complained of the lack of courage of European politicians in supporting innovative ideas for the Europe of the future. He repeated his support for the idea of a Congress of the Peoples of Europe under the Presidency of the President of the European Parliament, which could represent a “predominant public and political opinion”. He confirmed his disappointment at the lack of an original European hymn and his preference for the name “United Europe” for the Europe of the future. Finally he underlined the need for European politicians to put into practice what they write in the documents (with a reference to the last European Council). In this international crisis Europeans should elaborate a common action. “For the future the emergence of a common consciousness has to be made concrete trough common European institutions” – said Giscard.

***P. Balazs**, Representative of Hungarian Government in the European Convention, **F. Basile**, Italian member of the European Convention, **A. Berzins**, former Prime Minister of Latvia, **E. Brok**, Chairman of Committee on Foreign Affairs of the European Parliament and member of the European Convention, **T. Giannitis**, Deputy Minister of Foreign Affairs of Greece, **K. Karamanlis**, Leader of the “New Democracy” party in Greece, **C. Lalumière**, Vice President of the European Parliament, **J. Meyer**, Delegate of the German Parliament to the European Convention, **T. Tiilikainen**, Representative of the Finnish Government in the European Convention.

21 February 2003

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**European Movement
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PRESS RELEASE

José María Gil Robles is in favour of a President of the Union “in the Finnish way”

Berlin, 31 January 2003 - In his speech during the seminar “European citizens on the way to a Constitution” co-organised by the European Movement Germany and France – the President of the International European Movement said that he was in favour **“of a President elected for a reasonable period of time, who could provide Europe with a better visibility and the functioning of the Council with more continuity and stability.”** However, the European deputy thought that **“there would be a great confusion if this President had a parallel administration, which would not be responsible in front of the European Parliament, and if the European Movement was not able to control his budget”**. He added that this would jeopardize the fragile balance between the institutions in favour of the Council, or even of the European Council.

José María Gil-Robles thinks that the President of the Union could have representative functions and lead the sessions of the European Council and of the Council but should not have any executive functions. **“It is not possible today to have a Presidency of the Union like the one of the Federal Republic nor like the one of the Fifth Republic”**.

The former President of the European Parliament suggests a **“compromise which would be a solution “in the Finnish way” with a President of the Union having broad competences in foreign and security policy, but who would exercise these competences via a member of the Commission appointed by the Council and under parliamentary control.”**

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**European Movement
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The status of the work of the European Convention

***An International European Movement report in collaboration with
the Academic Agora for the Future of Europe under the Presidency
of Professor Jean-Victor Louis***

This document is regularly updated
on the European Movement website:
www.europeanmovement.org

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I. The debate within the Convention

The starting point for the discussions which took place during ten months (from 28/02 to 20/12/02) within the European Convention among the European political families, within national and European institutions and also in the academic world and the world of civil society was the declaration adopted by the Laeken European Council (December 2001).

The members of the Convention concentrated first of all on ideas regarding the concerns and demands of the citizens of the European Union. Discussions with regard to institutional choices (how to do), was started during the session of the Convention on the 20th and 21st January 2003. These discussions should be based on reflections up until this point on what to do. The members of the Convention had first of all to analyse the following:

- The objectives and competencies of the EU,
- Economic and monetary governance,
- The protection of fundamental rights,
- The reinforcement of the democratic legitimacy of the EU system,
- The representation of the EU in the world, security and defence,
- The development of the European social model,
- An area of freedom, security and justice,
- The transparency and clarity of the decision-making process.

Each of these was the subject of preliminary debates in the plenary session and in the eleven working groups. The conclusions of the groups were then discussed in plenary session.

The Praesidium of the Convention proposed a draft structure (CONV 369/02) to the members of the Convention which should form the basis of the final product of the Convention's work, to be presented at the European Council at the end of June 2003.

The Praesidium's draft incorporates the consensus which has formed surrounding the idea of a single text, including provisions of a constitutional nature on the one hand and the policies and implementation of EU activities on the other.

A third part of this text would be devoted to the general and final provisions such as the procedure for the revision of the Constitution ; its adoption ; its ratification and its entry into force, its duration and the languages of the EU.

On the whole we are looking at a step forward in the direction of a greater legibility and visibility, which would thereby permit a real move closer to its citizens on the part of the EU.

II. The schedule of the Convention during 2003

Following the end of the preparation stage which was devoted to the eleven working groups (the eleventh - on the theme of a Social Europe - will present its report to the Convention on the 6th and 7th February 2003) and after a preliminary discussion - during the session on the 20th and 21st January 2003 - on the functioning of the institutions and the efficiency of the enlarged EU, the Praesidium will adopt the proposed articles referring to the titles in the Draft of 28th October .

The first section (Titles I: the definition of the EU and its objectives; II: EU citizenship and fundamental rights; III: the competencies and activities of the EU) would be discussed by the Convention in February (the 27th and 28th).

The second section (Titles V : the implementation of EU activities; VII: the finances of the EU; and IX: the EU and its neighbouring environment) would be discussed in March (the 17th and 18th).

The third section (Titles IV: the EU institutions; VI: the democracy of the EU; VIII: EU action in the world; and X: EU membership) would be discussed in April (the 3rd and 4th) but President Giscard proposes to organize specific debates on each institution in the plenary sessions of the Convention.

Part III of the Draft (the final provisions) would be discussed during the second session in April (the 24th and 25th).

At the same time, the Convention would begin its work on the second part of the Constitutional Treaty (EU policies and the implementation of EU activities). The Praesidium plans to present an analysis of the current

Treaty articles to the Convention on the basis of a contribution made by some experts coming from the EU institutions. This analysis would distinguish between:

- Articles which would be removed, because they would be replaced by new articles in the Part I of the Treaty (the Constitution) ;
- Articles which would be replaced by new articles in Part II (particular new provisions relating to the old pillars of CFSP and police and judicial cooperation in criminal matters, as well as convergence of criminal law) ;
- Articles which would be amended to reflect the new provisions of the Constitution.

If this schedule is adhered to, the Convention should be ready to discuss – in late April (the 24th and 25th) or in May (the 15th and 16th or the 29th and 30th) - the whole text of the three parts of the Constitutional Treaty. According to President Giscard, the existence of points of controversy would lead to the creation of "circles of discussion" which would be expected to bring the ideas to maturity and to report to the next session of the Convention.

The programme of the Convention provides for two more plenary sessions in June, the first on the 5th and 6th and the second on the 12th and 13th, one week before the European Council.

The Convention should thus respect the deadline confirmed in Copenhagen, that is to say the conclusion of its work before the meeting of the Heads of State and Government of the EU of 25, which will take place in Thessaloniki on the 20th and 21st of June.

III. The agenda of the EU beyond the Convention

On the other hand, no decision has been taken with regard to the date of the beginning - and even less the conclusion - of the work of the Intergovernmental Conference (IGC) which should follow the end of the Convention.

The presence of a large number of the representatives of national Governments in the Convention however, underlines the fact that the statement of the German Minister for Foreign Affairs, Joschka Fischer, was justified : « What won't be solved by the Convention will hardly be done so elsewhere ».

Although the Convention will not have finished its work, the enlargement of the EU should continue according to the calendar which was laid down following decisions taken by the Members States and the Heads of State and Government of the ten candidate countries:

- At the end of January 2003, the European Parliament will give its opinion on the new provisions decided upon by the Copenhagen European Council (the establishment of the new Commission, the voting procedures in the Council);
- On the 19th of March 2003, the Foreign Affairs Committee of the European Parliament will vote on the ten recommendations regarding the procedure of approval of the accession candidates;
- During the April session in Strasbourg (7-10), the same vote will take place in plenary session;
- Between the April session of the European Parliament and the 16th of April 2003, the Council, following the votes of the European Parliament regarding the procedure of approval, will have to take a formal decision concerning the accessions;
- The Accession Treaties will be signed in Athens on the 16th of April 2003;
- On the 1st of May 2003 the observers from the candidate countries will enter the European Parliament ;
- In April 2004, on the basis of a procedure yet to be determined, the European Parliament will audition the ten commissioners appointed by the Governments of the candidate countries;
- On the 1st of May 2004, the accession of those of the ten candidate countries who have completed their ratification processes will take place and the observers will become full members of the European Parliament.

The ratification of the Accession Treaties in each of the candidate countries will be done by referendum, beginning with Slovenia on 23 March 2003 and ending with Latvia on the 20th of September 2003.

The sixth European elections will take place during the week of the 10th-13th June 2004. Following those elections, the process for the election and the establishment of the new Commission will take place – according to the rules laid out in the Nice Treaty (which will enter into force on the 1st of February 2003) – to permit the EU executive of 25 to begin its work from the 1st of November 2004. On the basis of the Treaty of Nice, the European Parliament should indeed meet in plenary session from 19 to 23 July 2004 and elect by a qualified majority the President of the Commission appointed by the European Council under Irish presidency. After appointment of the members of the Commission by the Council by a qualified majority and in agreement with the President of the Commission (and before the end of August 2004), the European Parliament should hear the candidates-commissioners during the first part of October and vote by a simple majority in plenary session from 25 to 28 October 2004. After the vote of the European Parliament, the Council will appoint the Commission by a qualified majority.

During the Greek Presidency, the European Council will meet on the 21st and 22nd of March in Brussels and, as indicated above, on the 20th and 21st of June in Thessaloniki. Both meetings of the European Council under the Italian presidency will take place in Brussels, the first on the 16th and 17th of October and the second on the 11th and 12th of December, but the Italian Government has proposed that the IGC should start in Rome in July, in the hope that it could succeed in the objective of finalizing a political agreement on the new Constitutional Treaty once again in Rome before the end of its Presidency.

This agenda is added and juxtaposed to a political calendar which provides for national elections during 2003 in the Netherlands (on the 22nd of January), in Finland (on the 16th of April) and in Belgium (on the 15th of June at the latest); and during 2004 in Spain (March), Greece (April), Luxemburg (June) and in the United Kingdom (on a date yet to be determined); and the referendum on the euro in Sweden (14th September 2003), which could be followed by a referendum in the United Kingdom and a second referendum on the euro in Denmark.

On February 18th, the Government of Croatia will present its application for accession to the EU, in the hope that Croatia could join Bulgaria and Romania in 2007. The success of enlargement has also strengthened the position of the pro-Europeans in Norway and the will of the Swiss Government to reopen the issue of its accession to the EU in 2006.

With regard to the consultation of citizens, the Accession Treaties will not have to be ratified by referendum in the fifteen Member States. Ratification of the new Constitution however will occur in the form of a direct appeal to the people, particularly in States where the citizens have been involved in the Community decision-making process: in France (1972 and 1992), in Ireland (1972, 1987, 1992, 1998, 2001, 2002), in Denmark (1972, 1986, 1992, 1993, 2000), in the United Kingdom (1975), in Austria (1994), in Finland (1994), in Sweden (1994) and in Italy (1989).

In certain cases ratification by referendum is compulsory (in Ireland, Denmark and Austria), in others its results are legally binding (in France) and in yet others the Government and the Parliament are politically involved (in the United Kingdom, Finland, Denmark, Sweden and Italy).

It is useful to remember that in certain countries – which have not yet consulted their citizens to appeal for their endorsement of the various stages of the process of European integration – a growing consensus has been observed among the political parties surrounding the idea of a referendum: this is the case in Germany, in the Netherlands (where the Parliament adopted a resolution for a European Referendum) and in a lesser way in Spain.

Agora will set up a table – country by country – regarding the status of constitutional law in each of the members of the EU and the political perspectives on consulting the citizens concerning a future European Constitution.

With regard to information concerning the EU agenda, the decision taken on the 18th of November 2002 should be borne in mind. The Ministers for Foreign Affairs of the Fifteen decided that the ten candidate countries should participate « fully » in the IGC which will follow the Convention. The suggestion of the Italian Government that the signature of the Constitutional Treaty should take place in Rome in May 2004, in order to permit each of the 25 countries to participate in this solemn event, should also be taken into consideration.

This suggestion implies that ratification of the Constitution could begin in the EU of 25 members following the European elections and the election of the new Executive.

The risks of a constitutional “imbroglio” – very difficult to explain to public opinions already badly informed on the future of Europe – between the deepening of the EU and the unification of Europe are obvious but no European or national institution has attempted to outline a strategy to deal with the dangers of this situation.

These risks have not yet been taken into consideration by the European Convention.

At the level of the Union, the European Commission will soon have to decide to submit a proposal on pluriannual financial prospects beyond 2006 to the Council and the Parliament before the end of its mandate or to leave this task to the Commission which will take up its duties on 1 November 2004. It is clear that in this second case, we may not have new pluriannual financial prospects at the end of the period decided by the European Council of Berlin in March 1999. Beyond these questions, the crisis in the Middle East and the possibility of a war against Iraq could change not only the relationship between the EU, the United States on the one hand and the Arab world on the other hand, but also the political, economic and monetary situation within the Union.

IV. The European constitutional debate

While waiting for the text of the Praesidium, a series of general contributions, both individual (The constitutional proposals drafted by Robert Badinter ; Elmar Brok ; Andrew Duff ; Peter Hain, based on a document by British lawyers ; Sylvia-Yvonne Kaufmann ; Elena Paciotti ; Johannes Voggenhuber, as well as the contributions of Convention members Haenel, Lamassoure, Berès-Hänsch, Seppänen, Bonde, Camero-Gonzales, Idrac, Ioakimidis, Nahtigal, Teufel, Severin, Trzcinski, Berger, Andriukaitis, Michel-de Gucht-di Rupo) and collective (EPP, based on the Brok document; PSE ; PSOE) have been submitted to the Convention as working papers – some are written in the form of constitutional articles while others take the form of political texts - and are published on the website of the Convention (<http://www.european-convention.eu.int>).

Other projects emerged even before the beginning of the work of the Convention (François Bayrou ; Alain Juppé et Jacques Toubon ; The Economist) or as contributions to its work (Lührmann-Seifert-Nouripour, members of the German Green Party ; the Swedish Liberal Party ; the Royal Belgian Institute of International Relations, in collaboration with the European Policy Centre ; the MEP, Jo Leinen).

These projects were followed, on the 4th of December 2002, by the working document (referred to as Penelope) which was put together by a group of civil servants in the Commission at the request of President Prodi and with the agreement of Commissioners Barnier and Vitorino. This document is available on the « Futurum » website (http://www.europa.eu.int/futurum/documents/offtext/const051202_fr.pdf).

On the same day, the Commission adopted a Communication (COM 728/2002) "for the EU : peace, freedom, solidarity", which was presented to the Convention as a new contribution following that of the 22nd of May 2002 (COM 247/2002).

Some contributions on specific key elements of the institutional reform and mainly on the question of the President(s) of the Union are now available on the web of the Convention. On this point, it would be useful to read the proposals made by "Notre Europe", the EPC, the International European Movement, the Permanent Forum of Civil Society, the Fondazione Basso, the European Network of Constitutional Laws etc.

In a letter addressed to the actors of the academic world and particularly to the academic Agora on the Future of Europe, Commissioners Barnier and Vitorino pointed to the conviction of the Commission with regard to the need to "preserve the balance of the institutional system and respect the double legitimacy of the EU, both a Union of States and a Union of European peoples".

While emphasising the necessity of simplifying the institutional architecture of an EU which will nearly double in the number of its Member States and of clarifying the functions of each institution, Commissioners Barnier and Vitorino remind us of the principles which should inspire the drafting of a future Treaty, "a genuine Constitution of the enlarged EU: simplicity, responsibility, legitimacy".

Thus, the Commission acts in accordance with the decisions taken by the Laeken European Council, which instructed the Convention to work on the basis of a constant dialogue with civil society, of which the academic world is an essential element.

The responsibility of the academic world is called upon by the Commission within the framework of the major debate on the Future of Europe. It is essential that the academic community asserts itself during this decisive period for the future development of the European construction.

V. The status of the Convention : the eleven working groups

Below are the main ideas which have emerged from the eleven working groups of the Convention. Ten of the working groups adopted their conclusions and submitted these to the plenary session, while working group on a Social Europe, which was created on the 5th and 6th of December, will present its conclusions at the plenary session in early February.

1. Subsidiarity (CONV 286/02), President : Mendez de Vigo

According to the group, the developments relating to the respect of the principle of subsidiarity and to the protocol annexed to the Treaty should not lead to a complication, extension, or deadlock of the decision-making process. For this reason, the idea of creating of an ad hoc body, responsible for the control of the application of subsidiarity (an inter-parliamentary Chamber, a Congress of the Peoples, a body within COSAC....) was rejected.

The group considered that the control of respect for the principle of subsidiarity should be of a political nature. Interventions should be made before the legislative acts enter into force and national parliaments should be consulted at the beginning of the process.

The group also considered that the ex post control of subsidiarity should be of a legal nature and that the conditions under which a case could be submitted to the Court of Justice should be extended.

Departing from these principles (neither complication, nor deadlock, nor an ad hoc body - ex ante political control and ex post legal control), the proposals of the group revolve around three axes. The consequences of these proposals on the decision-making of the EU must be assessed. These proposals gave rise to reservations among the members of the Convention (particularly those from the Benelux countries and the MEP Alain Lamassoure), but also within the Constitutional Affairs Committee of the European Parliament :

- Strengthening the application of the principle of subsidiarity during the elaboration and proposal phases (consultation of all actors concerned, certificate of subsidiarity by the Commission, debates in the European Parliament and in national parliaments..).
- The implementation of an early-warning system which would allow for the direct participation of national parliaments, giving them the opportunity to react within a period of six weeks with a reasoned opinion. Different consequences should follow the opinions depending on the number and the substance of the opinions received. If a small amount of opinions considered that the text violated the principle of subsidiarity, the Commission would have to make a greater effort to justify its project with regard the principle of subsidiarity. If a significant amount (at least a third of the national Parliaments) expressed doubts, the Commission would be asked to review its proposal. This mechanism should also apply to the conciliation process.
- Opening the right of submission to the Court of Justice to national parliaments and the Committee of the Regions when they have formulated a reasoned opinion.

2. Charter of fundamental rights (CONV 354/02). President: Vitorino

The group declared itself to be clearly in favour of the recognition of the binding nature of the Charter for EU institutions and for the Member States when implementing EU laws, as a basis and an essential element of all constitutional texts. There is no question of returning to the origins of the articles on the various rights as this would reopen the debate concluded during the previous Convention.

For this reason, the group supports, almost by unanimity, the insertion of the entire text of the Charter into the European Constitution.

The report expressed unanimous support for the insertion of a constitutional clause allowing the EU to adhere to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

Within this framework, the group recalled the problems raised by the fact that the EU does not participate in the Strasbourg legal system, in cases where the European Court of Human Rights is asked to take a decision indirectly on EU law without an opportunity for the EU to defend itself before the court or to have a judge who would ensure that the necessary expertise in EU law was observed. According to the opinion of the group – confirmed by the convergent declarations of experts - the Court of justice would remain, after the accession of the EU to the ECHR, the unique supreme arbiter in issues relating to EU law and the validity of EU laws; the European Court of Human Rights could under no circumstances be considered as a supreme jurisdiction but

rather as a specialised jurisdiction exercising external control on the EU's respect of the obligations of international law obligations emerging from its accession to the ECHR.

The majority of the members of the group agreed that amendments to the so-called "horizontal" clauses (concerning the field of application of the rights) would be necessary, as these amendments would facilitate the integration of the Charter into the European Constitution.

A minority of the members of the group considered that these amendments could involve the risk of weakening the impact of the rights provided for in the Charter and endanger the objective which aims to guarantee for it a binding legal character.

The Convention will have to decide the practical details of its insertion (at the beginning of the Constitution, in an ad hoc part or in a protocol annexed to the Treaty) and the procedures for amendments, whether they should comply with those of the future Constitution or be specific to the Charter.

3. Legal Personality of the EU (CONV 305/02). President: Amato

The group proposes - by unanimity minus one vote - the recognition of a single legal personality of the EU as a successor to the legal personalities of the Communities (including, if appropriate, EURATOM).

This personality would have the advantage of visibility and transparency. It would allow the Union to play a role in the international arena.

The report emphasises that the plurality of treaties should disappear and also suggests the elimination of the pillars, while maintaining the possibility of different procedures existing with the same legal framework.

In relation to the structure of the treaties, the report favours a two-part constitutional treaty, with one constitutional part accompanied by a part consolidating the existing treaties, which will be amended according to the constitutional part.

With regard to the procedure for the conclusion of international agreements, the report suggests that the choice of a procedure should be made based on the criteria of the principal objective of the international agreement, while allowing the Commission to retain the power to carry out the negotiations.

The report also acknowledges however that exceptions to the rule of a single representation should be possible.

At the same time, the external representation of the EU should be consolidated and the High Representative should be merged with the Commissioner responsible for external relations.

4. The role of National Parliaments (CONV 353/02). President: Mrs Stuart

The work of the group underlined the consensus according to which an increased role for national parliaments should figure among the conclusions of the Convention.

The group looked at ways in which this role could be strengthened while affirming its conviction that it was vital that neither the legislative process at the European level nor the parliamentary calendar at the national level should be further complicated.

The draft report concentrated on three themes :

- Parliamentary control of the formulation of a national position in the Council (the possibilities of amending the current procedures to allow for control over the positions of each Government in the Council)
- Subsidiarity - while supporting the conclusions of the « subsidiarity group », the members of the "national parliaments" group suggest the withdrawal of the link between sending a justifiable position and the right of submission to the Court of justice. The members call for an extension of the early-warning mechanism in order for it to apply during the entire legislative process and in the case where the Commission would have substantially modified its initial proposal. The members also propose linking the control of proportionality to the control of subsidiarity,

- The creation or strengthening of inter-parliamentary networks (the Convention, COSAC, the Congress of the Peoples, ad hoc parliamentary conferences..).

A few of the group's proposals and particularly the ones on the Congress of the Peoples, were widely criticised during the debate in the plenary session and in documents submitted to the Convention, such as the contribution from the Belgian members of the Convention and the memorandum from the Benelux countries which was adopted on the 4th of December 2002.

5. Complementary competencies (CONV 375/02). President: M. Christophersen

The draft report contains the following recommendations:

- The insertion into the first part of the Constitutional Treaty of a title establishing the essential delimitation of the competencies of the Union along with the general principles. The specific conditions for each area - including the legal basis - should appear in the second part of the Treaty ;
- The group envisages the amendment of the expression "an ever closer union" in article 1 of the EU Treaty to avoid - according to the group president, Mr Christophersen - giving the impression that an increasing transfer of competencies towards the EU is itself a goal and an objective of the EU. The group did not consider it useful to recall that this expression was put forward by the British Prime Minister, John Major, as an alternative to the affirmation of the federal purpose/objective of the EU, at the time of the adoption of the Maastricht Treaty.
- The rewriting of articles 3 and 4 of the Treaty of the European Community with a view to outlining the gradation of the different responsibilities of the Union and establishing a classification of the competencies according to three categories (exclusive, shared and complementary) ;
- Competencies in this last category should be referred to as assisting measures ;
- The insertion into this category of the areas in which the States have not transferred legislative powers to the EU (which would consequently exclude the adoption of legislative acts in this area);
- The establishment of the principle that the EU exercises competencies in relation to the respect of national identities ;
- The insertion into the Constitutional Treaty of the principle of the choice of legal basis according to the criteria regarding the centre of gravity of the action. This principle was outlined by the Court of Justice, with a view to coordinating the exercise of functional competencies and complementary sectoral competencies;
- Foreseeing the possibility for the Council to decide by unanimity to depart from the application of the principles of freedom of movement which have direct effect, if other important objectives of the EU would be damaged as a result of such an application ;
- More control over the recourse to article 308 of the Treaty of the European Community, maintaining in particular the unanimity of the Council and a greater involvement of the European Parliament (by conforming opinion or by another more substantial participation). This article should not constitute a basis to enlarge the area of competencies of the EU beyond the general framework resulting from the treaty, neither should it serve as a basis for the adoption of provisions which would lead to the amendment of the treaty or constitute a basis for harmonisation measures in areas where the EU does not have harmonisation. A process of ex ante control by the Court of Justice - similar to the current article 300, paragraph 6 of the Treaty of the European Community with reference to the conclusion of international agreements or article 95 of the ECSC Treaty - could be useful according to the majority of the members of the group.

During the debate before the Convention on the 8th of November 2002, the report was widely criticised. A significant number of the members of the Convention denounced the effort to reintroduce the principle of a competency catalogue, not according to the objectives followed but according to the instruments used.

6. Economic governance (CONV 357/02). President: M. Hänsch

The group was incapable of reaching a majority consensus. The following majority (M) or minority (m) positions were expressed in relation to the questions discussed. No majority opinion was expressed on the general orientations of economic policy (GOEP) :

- The tasks, mandate and statute of the European Central Bank should remain unchanged (M) or the mandate should be extended to include growth and employment (m) ;
- The Commission should have the right of proposal in relation to the general orientations of economic policy - GOEP (m) and the right to issue a warning to the States (m) or to propose this warning to the Council (m) with the consultation of the European Parliament (m) ;
- The right of the Commission to issue a warning (and not a recommendation as it does at the moment) in relation to the Stability Pact (M) with the power of decision remaining with the Council (m) ;
- The insertion (M) or non-insertion (m) of the open method of coordination in the Constitutional Treaty ;
- Majority (m) or unanimity (m) in fiscal matters ;
- The Eurogroup and the Ecofin Council should be capable of taking decisions for the members of the eurozone (m);
- The international representation of the eurozone should be granted to the Commission (m) or to the Presidency of the Eurogroup (m).

The debate which took place during the plenary session on the 7th of November 2002 allowed the following ideas (definitely more ambitious) to emerge from the group's conclusions. This situation – which is similar to the one observed for the working group on complementary competencies (or to the negative reaction of the large majority of the members of the Convention to the idea of a Congress of the Peoples, which was nevertheless suggested by the working group on "national parliaments" and President Giscard) - confirms the preparatory nature of the groups (whose composition was largely arbitrary) and the sovereign "power" of the Convention.

- In relation to the respect of the commitments undertaken in the framework of the coordination of economic policies, a consensus has emerged surrounding the fact that the Commission could issue a first warning to the Member State concerned without going via the Council and – at the time of the vote on subsequent recommendations - that the Member State concerned would be excluded ;
- The provisions of the Stability Pact should not figure in the Constitutional Treaty ;
- With regard to excessive deficits, a consensus has emerged surrounding the fact that the Commission could send a recommendation directly to the Member State concerned and there is nearly a consensus on the fact that the Council could decide by a qualified majority on the basis of a proposal from the Commission (excluding the Member State concerned from the debate) ;
- In fiscal matters, a majority of the members of the Convention wanted to include in the Constitution a list of measures which could be decided upon by a qualified majority in the Council ;
- A wide consensus has finally emerged on the question of a single representation for the eurozone on the international arena.

In a joint Franco-German paper on Economic Governance (CONV 470/02) Mr de Villepin and Mr Fischer propose :

- The acknowledgment of the existence of the Eurogroup (ensuring, at the same time, that it remains an informal arena for dialogue with the ECB);
- The election of its President for a mandate of two years (in order to reinforce the Presidency of the Eurogroup and improve its visibility);
- The creation of a Euro-Ecofin Council (in order to permit the Member States of the eurozone to decide between them all of the questions linked to the existence of their common currency);
- The reinforcement of the GOEP, and the encouragement at the same time of a greater involvement on the part of national parliaments
- The reinforcement of the procedures of budgetary surveillance with a clear distinction between the objective powers of surveillance (which should be given to the Commission) and the role of recommendation (which should remain with the Council);

- A more extensive recourse to voting by qualified majority for fiscal issues directly linked to the internal market;
- Envisaging the possibility of a single seat for the EU in international financial institutions such as the IMF.

7. External actions (CONV 459/02). President : M. Dehaene

The mandate of the group was based on the improvement of the efficiency and coherence of the external action of the EU, particularly based on the recommendations adopted by the working group on legal personality. The following ideas emerged during within the group:

- The acknowledgment of an explicit exclusive competence for the EU, where it possesses internal competence ; a process for the conclusion of these agreements ; voting by qualified majority; maintaining the procedure in article 24 for international agreements for the future ex 2nd and 3rd pillars and the possibility either of mixed inter-pillar agreements or separated agreements ;
- The elements from the first pillar (as in, the Treaty of the European Community) will still fall under the Community Method ;
- A strong tendency to favour qualified majority voting in the realm of the CFSP - except for defence - and the need to reinforce parliamentary control
- Significant tendency in favour of the exercise of the two functions of the High Representative for the CFSP and the Commissioner responsible for external relations by a « European representative for external affairs » (one single person wearing two hats). This individual would be vice-president of the European Commission, and would be nominated by the European Council by a qualified majority following the approval of the President of the Commission and of the European Parliament. He would have two mandates : one given by the European Council or by the Council of Ministers for Foreign Affairs for intergovernmental matters ; the other by the European Commission, where it enjoys the right of initiative, for the community matters. It is important to recall that three other minority options were expressed in the group and during the plenary session : the first aims at maintaining two separate functions (UK) ; the second aims at merging both functions, according to a community logic, within the Commission (many MEPs, such as Klaus Hänsch, Alain Lamassoure, Andrew Duff, Hanja Maij-Weggen, Neil McCormick, but also national parliamentarians such as René Van Der Linden or representatives of national Governments such as Teija Tiilikainen) ; the third aims to create a European Minister for Foreign Affairs, taking on board the competencies of the Commissioner and working within the exclusive domain of the Council (the French Government) ;
- Splitting the current General Affairs Council (which groups together the Ministers for Foreign Affairs) into two distinct formations : one General Affairs Council, properly speaking, which would return to its original function of coordinating and preparing the meetings of the European Council ; and one Foreign Affairs Council responsible for questions of international policy (possibly presided over by the European Representative for external affairs) ;
- The integration of the European Development Fund - EDF - into the EU budget and more flexible budgetary procedures which would allow rapid reactions.

8. Defence (CONV 461/02). President! M. Barnier

The mandate of the group was the following:

- Should the EU possess a proper operational capacity, including a military capacity?
- Should criteria for admission be established and a pact which would subsequently have to be adhered to?
- How to guarantee a process of decision-making which would be rapid during the control of an operation of crisis management?
- How to ensure coherence in terms of the planning of crisis management operations under the control of the EU?

- Which instruments could ensure a greater efficiency and an economy of scale of the policies of research, development and the acquisition of armaments?

The group proposed :

- Raising the capacity for the management of crises by reinforcing the role of the High Representative and ensuring a unity of command in the field (special Representatives) and by making the budgetary procedures more flexible;
- Maintaining and reinforcing the existing institutional structures in the area of the ESDP
- Providing the Council with a political personality, acting under the authority of the Council, which would control the action of the EU and coordinate the efforts of the Member States ;
- Providing for parliamentary control ;
- Inserting a new solidarity clause which would allow for the mobilisation of all of the instruments - military, police, lawyers and civil protection – which the EU has at its disposal in order to prevent the terrorist threat
- In this spirit, providing a collectivised defence clause such as the one in the article 5 of the WEU Treaty ;
- Creating a pool of civil protection ;
- Modernising the Petersberg tasks which could be completed by preventative missions and stabilisation of conflicts;
- Introducing the principle of consent when taking decisions, rather than consensus and constructive abstention and the creation of a sort of defence Eurozone ;
- The creation of an European Agency for Armaments and a Common Capabilities Agency ;

9. Simplification (CONV 424/02). President: M. Amato

The group discussed two main topics:

- How to reduce or simplify the number of legislative procedures?
- How to reduce the number of legal instruments aimed at in the treaties?

The report contains a series of recommendations which obtained a broad consensus not only in the group but also within the plenary session.

The members of the Convention were reluctant however with regard to giving a constitutional standing to the open method of coordination and to the delegated laws and were divided with regard to the budgetary procedure. The plenary also seems to admit the possibility of limited exceptions to the codecision procedure.

On these points, President Giscard came to the conclusion that the Praesidium will have to review the question of delegated laws.

Below are the main recommendations formulated by the group in their report :

- The simplification of the number of legislative instruments. There would be three obligatory types of laws : the "EU law" (replacing the current regulations as well as the current framework decisions and the conventions in judicial and criminal matters for which direct effect could not be recognised ; the "framework laws of the EU" (replacing the current directive as well as the decision and of the cooperation in judicial and criminal matters for which direct effect could not be recognised) ; the "decision" , which would be an obligatory non-legislative law, whose reach would be wider than that of the current article 249 of the Treaty of the European Community;
- Taking into account the need to maintain the specificity of the CFSP instruments, a new term, « CFSP decision » could incorporate the three instruments ("common strategies", "common actions" and

"common positions"). The elements which would fall under the new term would be detailed, while the current adoption procedures would be maintained ;

- The constitutional standing of the open method of coordination. It concerns the concerted action of the Member States outside the boundaries of the competencies attributed to the EU by the Constitutional Treaty ;
- The clear distinction between legislative and executive acts, as well as the recognition of a delegated legislation. In this framework, the legislator would decide, on a case by case basis, if it is necessary to have recourse to delegated acts and/or executive acts and what their impact would be. Pursuing this new distinction and thus the hierarchy of norms, there would be three types of laws : legislative (adopted on the basis of the Constitutional Treaty, which would provide for the delegation to the Commission of the power to adopt delegated acts) ; delegated (developing or amending a legislative act in the framework of an enabling clause defined by the legislator) ; and executive (acts devoted to the implementation of the legislative acts, delegated acts or provided for in the Constitutional Treaty itself) ;
- The generalisation of the use of voting by qualified majority within the Council occurring in parallel with the codecision procedure, and the use of codecision as a general rule for the adoption of legislative acts.
- The conformed opinion of the European Parliament for the ratification of all international agreements ;
- The modernization of the budgetary procedure, using the simplified codecision procedure, with repeal of the distinction between compulsory expenditures - CE and non-compulsory expenditures - NCE, and the European Parliament having the last word on the expenditures and the Council having the last word on the own-resources and the multiannual financial perspectives .

10. Freedom, security and justice (CONV 426/02). President: M. Bruton

The group had as its mandate the study of the improvements which could suitably be made to the treaties, particularly with regard to the institutional changes necessary in matters of immigration, asylum, visas and external frontiers as well as judicial cooperation in civil matters in order to encourage the veritable establishment of an area of freedom, security and justice.

The group also had as its objective the identification of the questions, which, in the criminal area, call for action at the level of the EU.

The working document examined proposals on the legislative procedures, the reinforcement of cooperation and related issues.

The group suggested :

- Gathering all the provisions relating to this area in a single title of the Constitutional Treaty ;
- Extending the field of application of qualified majority voting (linked to the codecision procedure) to a number of areas (asylum, immigration, visas, the crossing of external borders, judicial cooperation in civil matters including certain aspects of family law) initially included in the third pillar and now incorporated in the TEC, although still falling under the procedure of unanimity voting;
- Bringing legal instruments (in a general framework) into line particularly with the withdrawal of the conventions
- Extending the jurisdiction of the Court of Justice to all areas of JHA ;
- Clarifying the field of application of EU law and the intensity of its actions ;
- Establishing criteria for the convergence of the laws relative to the constitutive elements of offences and punishments;
- Formalising the principle of mutual recognition ;
- Framing EU action within a binding multiannual strategic programme ;

- Including the solidarity principle in the Constitutional Treaty.
- Examining the possibility of creating a European prosecution body.

11. Social Europe. President: M. Katiforis

What basic values should Article 2 of the preliminary draft Constitutional contain in the social field, taking into account those already present in the Charter of Fundamental Rights of the EU?

The Group welcomes the mention of human dignity among values of the Union in the Preliminary Draft Constitutional Treaty and recommends that the following values be added to Article 2 of the Constitutional Treaty: social justice, solidarity, equal treatment, in particular equality between men and women and equal opportunities.

The inclusion of social objectives in Article 3 of the preliminary draft Constitutional Treaty that sets out to define the Union's general objectives

There was consensus in the Group to recommend that the following be included in the definition of the Union's objectives in Article 3 of the future Constitutional Treaty: social justice, sustainable development, the promotion of full employment and quality of work, the promotion of access to basic and continuous education, social inclusion and a high degree of social protection, equality between men and women, promotion of children's rights, a high level of public health, and access to efficient and high-quality services of general interest .

Such objectives could partly be articulated in a horizontal clause on social values in the Constitutional Treaty, inspired of the one suggested by Prof. Vandenbroucke, which would read as follows:

"In all activities falling within its competence, The Union shall aim to eliminate inequalities, and to promote equality, in particular between men and women, and shall take into account the requirements related to achieving full employment and a high level of protection of human health, education and training, and to guaranteeing social protection and services of general interest which are accessible, financially viable, of high quality and eneraliz on the basis of solidarity, whose eneralized is the responsibility of individual Member States. Organisation of services of general interest on a European level should respect the specificities of national systems but should trend on ensuring the economic, social and territorial cohesion of the Union"

Need to define the competences currently conferred on the Union/Community in respect of social matters. Possible conferral of new competences on the Union/Community in respect of social matters and, that being so, the type of those competences.

Further to the Group's recommendation to add a high level of public health as one of the basic objectives of the Union the Group agreed to recommend to strengthen EU competences in the field of public health, as current Article 152 of the EC Treaty does not constitute a sufficient legal basis for EU action on, e.g. Communicable Diseases in a multi-state emergency for example or in anticipation of a grave cross-border threat. The same arguments apply to the issue of bioterrorism. Furthermore, to date the Treaty provides only for the limited obligation to ensure a high quality and safety for blood, tissues and organs. Science (biotechnology) could offer new challenges for which there are currently no health provisions available.

With regard to services of general interest, it was eneralize that these were linked to access to basic services (health, education, etc.) for all citizens, which many members considered should be included among the objectives. In their view, services of general interest were a means of achieving that objective.

The Group considered that, in general, the range of competences available at European level were adequate. However, better clarification of the scope of European action could be envisaged, which in turn might make easier the eneralized use of qualified-majority voting. In this regard, the group believes that European action, which should support and supplement the activities of the member States, should primarily concern areas of action closely linked to the functioning of the internal market, preventing distortions of competitions, and/or areas with a considerable cross-border impact. Consideration should also be given in the final structuring of the Constitution to ensuring the visibility of articles relating to social policy. Furthermore, current Article 152 should be adapted as to give the Union more competences in the field of public health.

The role of the open method of coordination and its place in the Constitutional Treaty

The Group welcomed the usefulness and efficiency of the method, which enables Member States to create synergies within the Union in order to deal with matters of common interest together.

Most members requested the insertion into the Treaty of a horizontal provision defining the open method of coordination and its procedure, and specifying that the method can be applied only where no Union normative competence is enshrined in the Treaty and in areas other than those where the coordination of national policies is governed by a special provision of the Treaty defining such coordination (in economic matters (Article 99) and in the area of employment (Article 128), in particular). However, some members remained sceptical about the usefulness of including this method in the Constitution. The coordination procedures enshrined in the Treaty are compulsory and enable the Union institutions to make recommendations to Member States and even to impose sanctions on Member States which do not adhere to the line which they have taken. However, the open method of coordination could be applied to areas where coordination of national policies is provided for in the Treaty, but where the detailed arrangements are not laid down, in particular as regards trans-European networks (Article 155 TEC), enterprise policy (Article 157 TEC) and research and technological development (Article 165 TEC).

The Treaty provision on the open method of coordination should be embodied in the Constitutional Treaty, in the Chapter on those Union instruments, which constitute non-legislative measures.

This provision should define the aims of the open method of coordination and the basic elements, which will be applied. These will include, the identification of common objectives, establishing a timetable for action as well as, where appropriate, outcome indicators making it possible to assess whether the national actions can achieve the objectives, and organise exchanges of experience between Member States. The precise nature of a given Open Method of Coordination procedure will be guided by the nature of the issue involved, rather than being specified in details in the Treaty.

At the same time, the scope and limits of the method would nevertheless need to be specified by indicating that the open method of coordination is an instrument for achieving the Union's objectives; that the instrument can be implemented only where the Union does not have normative competence, and where Union competence in the area of sectoral coordination is not enshrined in the Treaty (Articles 99, 104 and 128) or where the Union has competence only for defining minimum rules, in order to go beyond these rules. The open method of coordination constitutes an instrument which supplements legislative action by the Union, but which can under no circumstances replace it. It enables the Union to support and supplement Member States' actions.

While allowing the flexibility of the instrument to be retained, incorporation of the open method of coordination in the Treaty should nevertheless contribute towards improving its transparency and democratic character, and clarifying its procedure by designating the actors and their respective roles.

The method would in principle be implemented each time by decision of the Member States meeting within the Council on the basis of a European Commission proposal, with notification of the European Parliament. National parliaments and regional or local authorities could be consulted during implementation, as could the social partners when the open method of coordination is applied to the social field. Civil society could possibly be consulted when the matter under coordination lends itself to that. The Commission would be responsible for analysing and evaluating the action plans decided on under the open method of coordination. The outcome of the Commission's analysis could be discussed within the European Parliament and national parliaments. The Commission would have the power to make recommendations to Member States' governments and to inform national parliaments directly of their opinions in order to trigger a "peer review" procedure and to prompt a national debate, the aim being to allow Member States, in the context of the Union, to set themselves common objectives while retaining national flexibility in the implementation thereof.

Although some members of the Working Group wished not only to include the method into the Constitution, but also the list of subjects to which the open method of coordination could be applied, a consensus emerged against such a list.

Some areas to which the method could be applied were mentioned in the Group, such as education, tax harmonisation and the establishment of minimum social standards. Members of the Group thought social protection and inclusion was particularly well suited to this approach, and considered that a specific reference as to how the open method could be applied in this case could be inserted into the Constitution, building on the description of the role and functioning of the Social Protection Committee (as established under article 144 of the Nice Treaty). Some members pleaded for a specific provision in the Treaty in this respect, on the model of the clause presented by Prof. Vandenbroucke, which would read as follows:

"In the fields referred in Article [137, paragraph 1, (j) and (k)],
the Council,
on the basis of the conclusions of the European Council,
pursuant to a consensus between the member States, on a proposal from the commission, which takes into account the opinion of the Social Protection Committee, and after consulting the European Parliament, management and labour and the Social Protection Committee, shall adopt a set of commonly agreed objectives and commonly agreed indicators, if appropriate, draw up guidelines, which the members States shall take into

account in their policy, adopt reports on the implementation of this coordination process. The result of this process shall be incorporated into the Broad Economic Policy Guidelines."

The relationship between economic policy coordination and social policy coordination

The Group was of the view that the close relationship between economic and social policies needed to be reflected in the approach adopted by the Union. The Group therefore welcomed the decisions taken at the Barcelona European Council, but considered that more could be done to encourage coherence. The Group considered in particular that further efforts could be made in the organisation of the Council's work. It was broadly accepted that the different aspects of economic and social policy should continue to be prepared within the appropriate sectoral Council formation, but the Group also considered that responsibility for ensuring coherence of all the policy strands should lie formally with the Spring European Council, and that the General Affairs Council should prepare the outcome of the European Council, based on the different contributions from the sectoral Councils. These should include not only the Broad Economic Policy Guidelines and Employment guidelines, but also all other aspects of social policy to which the open method of coordination is applied. Most members of the Group recommends that this procedure should be formalised in the Constitutional Treaty.

Most members of the Group considered that there should be a presumption in the preparatory stages that no specific policy area should be subordinate to another. This was not clear in the current wording of Article 128(2), which refers to the Employment Guidelines being "consistent" with the BEPGs. A number of members of the Group therefore recommended that this phrase be amended appropriately.

Some members of the Group considered that coherence between the different processes could be better ensured by merging them. This would mean that the scope of the Broad Economic Policy Guidelines be extended to include social issues and be renamed the Broad Economic and Social Policy Guidelines. A small number of members argued that coherence could be better assured by the appointment of a Vice-President in the Commission with specific responsibility for economic and social issues (the possible future arrangements for CFSP being cited as a model). Others considered that this was not necessary since the institutional arrangements in this area were very different from those in CFSP.

It was recommended by a number of members of the Group that the European Parliament should be given a greater role in the economic and social policy coordination processes.

The procedures: possible extension of codecision and qualified majority voting to areas where unanimity is required at present.

Several members of the Group pointed out that the provisions of "Social Europe" were not confined to Articles 136 and 137 but also concerned Articles 13 (non-discrimination), 42 (social security arrangements) and 93, 95(2) and 175 (tax). The debate should also relate to their possible transition to qualified majority voting.

The group recognised that it was necessary to modernise and improve Community rules for the protection of the social rights of workers who exercise their right to mobility.

Reminding the conclusion of Working Group IX that codecision should become the general rule for the adoption of legislative acts and that exceptions to this rule would remain in areas where the special nature of the Union requires autonomous decision-making, or in areas of great political sensitivity for the Member States, the Group debated at length the prospect of amending these provisions by expanding the field of qualified majority voting. The members belonging to the Group were divided into two categories of unequal weight:

- according to an active minority, comprising a number of government representatives, the discussions which had been held at Nice concerning the extension of the scope of qualified majority voting should not be reopened. The balance achieved at that time was satisfactory. The existing provisions should therefore remain unchanged. In addition, as the Treaty of Nice was only about to enter into force, it would seem inappropriate to consider amending it now when its provisions, particularly those making an extension of qualified majority voting possible, had not yet been able to show their effectiveness;
- conversely, for the other members of the Group, it was possible as of now to envisage improvements to the existing arrangements. In particular they stressed that the enlargement makes improvements essential; the status quo would lead in practice to it being impossible for the Union to adopt any regulation in the areas requiring unanimity. Some wanted across-the-board use of qualified majority voting covering not only Article 137(1) but also Articles 13, 16, 42, 95(2) and 175 of the Treaty. Others envisaged limited extension. Where limited extension of qualified majority voting was raised, the provisions quoted most often as having to remain subject to unanimity were those relating to social security schemes and to conditions of employment for third-country nationals. Finally, some took up the line of argument developed under point III above, whereby a better definition of powers would facilitate acceptance of qualified majority voting.

On the basis of discussions within the Group, it appeared that general use of qualified majority voting would be difficult to contemplate. On the other hand, some progress could be envisaged, such as the transition to qualified majority voting of subparagraphs (d), (f) and (g) of existing Article 137(1). As such a prospect has already been made possible by the Treaty of Nice, for the purposes of clarification and simplification, it could be applied in the future Constitution. It is hard to imagine that it could not be determined, merely by reading the constitutional text, whether a particular subject fell under a specific adoption procedure (qualified majority or unanimity). However, that would indeed be the situation if Article 137(2) emerging from Nice were incorporated as it stood into the constitutional Treaty.

Most members of the Group consider that the starting point for a possible consensus could be that the transition to the procedure in Article 251 (qualified majority and codecision) for Articles 42, 137(1)(d) as provided for in the Treaty of Nice, should apply in the future Constitution. This would leave subparagraph 137(1)(c) still subject to unanimity while. The "bridging" provision introduced in 137(2) would be deleted.

A better clarification of the scope of European action could be envisaged in order to facilitate general use of qualified majority voting. In this context, the scope and language of Article 137 could be updated and modernised, in particular as regards matters currently falling under the unanimity rule, in order to address the specific concerns which some argue require the continuation of unanimity. This task should take place when the Convention comes to consider Part II of the Preliminary Draft Constitutional Treaty.

Nevertheless, some members already proposed a rewording of article 137(1)(c) which would read as follows: "the social security and social protection of workers excluding their financing organisation". They advocated that with such a new wording, qualified majority voting and codecision should be applicable to it. On this point, it was therefore requested by one member to pay attention to the problems that could be faced by Member States with mainly tax financed social security system and possibly to foresee derogations for such Member States

Most members of the Group agreed that the wording of Article 137(1)(f) was unclear and that the necessity of keeping it in the Constitution should be investigated.

Regarding Article 137(1)(g), some Members insisted on keeping unanimity. Mention must be made that this matter, i.e. the conditions of employment for third-country nationals legally residing in Community territory is closely linked with Article 63(4) TEC, which currently causes problems as both provisions deal with matters which should be treated together while the United Kingdom, Ireland and Denmark have an opt out for what regards Article 63(4). The Group therefore recommends that the relationship between these two legal bases should be clarified and that the conditions of employment of third-country nationals should be dealt with in Article 63(4). The Group recalls the recommendation made by WG XI to move to qualified majority voting and codecision for Union legislation in the areas dealt with in Article 63 TEC.

Members of the Group opposed to any move towards QMV, while recognising that QMV in European policy making should be the norm, insisted that for reasons of national diversity based on the particular traditions and cultures of Member States, it should not automatically be extended to social security and employment relations where Member States have different systems. They indicated that what works well in one country may not be appropriate in another. They therefore re-affirmed the Nice settlement in this matter. In the meantime, they pleaded for the Council to consider how to address issues of cross-border mobility in the social field

The role of the social partners, as it could appear in Title VI of the preliminary draft constitutional Treaty deals with the democratic life of the Union

The Group unanimously welcomed the role of management and labour and the importance of social dialogue in Europe. It generally took the view that this role of management and labour, already included in the treaties, should be recognised, facilitated and – as far as possible – enhanced. It was agreed that this role should be specified in Title VI of the Constitution, and it was pointed out that this role should be distinct from that played by organised civil society, which should also be recognised.

The question of defining the social partners more precisely was raised on various occasions, but the Group did not adopt this approach.

It has often been stressed that the social partners should be consulted in all areas concerning them and a significant number of members of the Group made proposals for strengthening the role of the social partners and of social dialogue, particularly in macro-economic consultations, creation of legislation and, in order to facilitate negotiation at European level, by giving force of law to all European collective agreements. In this respect, the deletion of the provisions of the Treaty limiting the extent of negotiations was proposed on a number of occasions, but no consensus could be reached. Some members pleaded for a role for the European Parliament in the procedure set out in Article 139 TEC.

Certain members nevertheless considered that the autonomy of the social partners should be respected and that the success of the social dialogue often made legislation superfluous.

The Group also expressed satisfaction with the growing importance of social dialogue and stressed the major role that could be played by the organisation of tripartite social affairs summits held just before the spring European Councils. A number of members declared themselves in favour of formalising and/or institutionalising this process, by embodying it in the Constitutional Treaty, including for what regards its composition and the matters it should deal with. Others thought this arrangement should retain flexibility.

Finally, comments were made on the recognition of the role of civil society and the recognition of a European statute for associations.

In conclusion, a consensus was reached within the Group on the following points:

- the role of the social partners should be recognised explicitly in Title VI of the draft treaty,
- provision should be made for consulting management and labour in all fields concerning them,
- the treaty should stipulate that the Union encourages and promotes social dialogue,
- the procedure concerning collective agreements as set out in Article 139 TEU should be maintained,
- distinguishing it from the role of social partners in industrial bargaining, the treaty could recognise a certain consultative role for the civil society, especially in view of the increasingly active involvement of NGOs in most areas of social policy.

The progress made up until this point shows the validity of the position taken by the European Movement on the new « conventional » method.



**European Movement
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**European Movement International
Federal Council
Chios, Greece, June 7, 2003**

RESOLUTION

South- Eastern Europe and the Enlargement of the EU

Following the European Movement pan-European orientation and its commitment to include all European countries in the process of the European unification; **recognising** that the entire South-Eastern Europe is part of Europe, that its problems are European ones, and that any viable solution has to be a European solution; **emphasizing** the growing EU responsibilities for the stability in the region due to present political and economic uncertainties and gradual US disengagement;

Noting that the next enlargement of the EU is a historical event which, on one hand, fundamentally changes the political and economic map of Europe, and, on the other, emphasizes even more that the process of the European unification remains unaccomplished;

Realising that sharp differences among individual countries of the SEE in their economic and political development and in their institutional and contractual relations with the EU spur fears that they will be left on the margin of the new and integrated Europe; **confirming** that European aid has significantly contributed in providing basic stability, but that the long term stability of the region cannot be achieved without development;

Taking into account the independent policy institutes assessments that initial EU stabilisation and reconstruction tools are no longer adequate for a post-conflict development and that the region requires urgent further assistance in the process of structural reforms and political democratisation in order to spur progressive integration with the EU (*International Crisis Group, Center for Applied Policy Research, Hellenic Foundation for European and Foreign Policy, Bertelsmann Foundation, Center for European Policy Studies, European Stability Initiative*)

Recalling the Final Declaration of the *Zagreb Summit* of the EU (24 November, 2000) which opened the way to all the countries of the region to move closer to the EU on the basis of individualized approach and as part of the Stabilisation and Association Process launched by the EU

Looking forward to the upcoming Thessaloniki Summit (*Zagreb II*) of the EU (June 2003) on the South-Eastern Europe as a not-to-be-missed opportunity to reaffirm EU political commitment to give the perspective of the full EU membership to all countries in the region according to their individual advancement and to assist their efforts to accomplish required criteria

Proposes

- That the EU reaffirms its commitment to open the perspective of full membership to the countries of the South-Eastern Europe (SEE) through the Stabilisation and Association Process on the basis of Copenhagen criteria: that the EU announces explicitly that its commitment to economic and social cohesion across Europe includes the SEE and that it is prepared to help these countries in the framework of a new partnership initiative proposed by the European Commission;
- That the greater institutional and functional inclusion of the SEE countries in the EU should be tightly conditioned on compliance with pre-accession requirements, including the enhanced regional co-operation, minority rights protection, return of refugees, civil society development and co-operation with the ICTY as a supplementary condition for all countries in the region;
- That the EU encourages and awards individual achievements of the SEE countries in the Stabilisation and Association Process with the EU, as well as their compliance with other criteria for accession; that the EU rewards those countries in the region which have successfully mastered the quantifiable and urgent challenges of political and economic reforms, as well as long-term objectives of regional co-operation in SEE (bilateral free trade agreements, enhanced political dialogue with neighbours, liberal border-crossings regimes etc.), without conditioning the accession of advanced countries by the development of others (regata vs. Convoy);
- That the EU confirms that bilateral conditionality and regional co-operation are separate strategic objectives promoting separate but equally important and complementary reforms and that they should not be allowed to emerge as competing and/or conditioned agendas;
- That the EU recognizes that the paradigm for SEE has changed from stabilisation to enlargement requiring a comprehensive rearrangement of existing institutions and policies of the EU in a single strategic framework;
- That the EU finds new strategies to increase the European aid to the region and to assist structural reforms, including the assistance to the civil society, that these strategies follow the experiences of European regional development policy, notably in terms of cohesion funding as a uniformed guiding principle of the EU policy towards the region as a whole (local co-financing, institutionalised partnership, multi-annual programming etc.); so defined strategies of the EU in the region aim to achieve higher economic growth in the SEE by increasing domestic and foreign investment;
- That the EU makes it clear that its commitment to total assistance to the SEE will not decline as political stability, structural reforms and reconstruction progress, that the support to the SEE should be maintained at the level of 2000/2001 (900 mil. Euro per year) by 2006, including the adoption of a new sustainable model of financial aid after that, notably through CARDS

- Programme and through pre-accession allocation to candidate countries after 2004 (when present candidates become full members);
- That the EU defines the Stability Pact as a employment and cohesion tool, as a mechanism for growing regional co-operation and as a stabilising remedy for the structural deficits; that the EU members countries, signatories of the Stability Pact, provide sufficient funds for the implementation of so defined SP objectives; that the Office of the Special Co-ordinator of the Stability Pact is strengthened in its co-ordinating and aid management capacities; that equal importance is given to other initiatives promoting regional development and co-operation (Ionian-Adriatic Initiative, Black Sea Co-operation Initiative etc.)
- That the EU opens its certain programmes and policies to individual countries of SEE through interim incentives in order to enhance functional co-operation with the EU institutions and provide additional benefits to the region (educational programs, staff training programs, information campaigns):
- That the Greek Presidency of the EU sets a scenario for Thessaloniki Summit (*Zagreb II*) to become a turning point in the EU policy towards the region through the introduction of mechanisms and policies aiming to enhance the perspective of the full membership (functional integration, EU cohesion policy based assistance programs, Stability Pact redefinition, establishment of the SEE Directorate for Enlargement);
- That the EU pays a special attention to individual countries of the region and encourages their institutional approach to the EU; that the EU supports **Croatia**'s application for full membership (21 February, 2003) and the implementation of the SAA with the view of granting the country a candidate status for full membership; that the EU supports the finalization of the process of ratification of the SAA with FYR of **Macedonia** as a clear signal for the European integration of the country; that the EU explicitly encourages internal democratisation and stabilisation of **Serbia and Montenegro**, following the political turmoil after the slain of the Prime Minister Zoran Djindjić; that the EU pays special attention to the developments in **Bosnia and Herzegovina**, especially with regard to its constitutional restructuring and conciliation efforts; that the EU strongly supports the democratisation process and economic development in **Albania**;
- That the EU upgrades the Informal Consultation Council (ICC) in order to take a role of the guiding co-ordinator of the international community and its institutions aiming at political, security and political stabilisation of the region; that the ICC includes in particular the EU Presidency, The European Commission, the UNMIK in Kosovo, HR for Bosnia and Herzegovina, OSCE, Council of Europe, EBRD, World Bank, IMF, NATO, SECI, Stability Pact and USA.



**European Movement
Mouvement Européen**

PRESS RELEASE

European Movement's 9th of May 2004 – Europe Day will reach over 15 million people in 26 countries

Building on the success of the past two years, the European Movement International, in co-operation with its National Councils and a member organisation located throughout Europe is currently coordinating the **9th of May 2004 - Europe Day** project. The numbers of participating countries has grown from 16 (in 2002) to 18 (in 2003) and has further increased this year **to 26**.

In the framework of the project the EMI will organise a **broad spectrum of events**, which will **celebrate the enlarged European Union of 25 states** and which will focus specifically on the **European Parliament elections of June 2004**.

More than 200 activities are planned. These will include info stands, essay and photo competitions, debates, conferences, lectures, seminars, TV and radio programmes, concerts, film evenings, marathons, simulation games, quizzes, parties and food tasting.

A common activity, the “**Contribution of the Year**” will be carried out by each project partner. The award reflects the work of an individual or organisation towards **the advancement of the integration process**.

Widespread **media coverage** throughout Europe will be given to the project activities at the national level in order to reach the **broadest possible audience**. At least **15 million people** will be reached during the activities.

An overview of the activities organised country-by-country and the organiser's contact details can be found at the following address: <http://www.europeanmovement.org/>

Brussels, 4 May 2004

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**European Movement
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PRESS RELEASE

“Enlarge your Knowledge” with the European Movement International (EMI)

The EMI has launched a website devoted to its Europe-wide public opinion and consultation campaign “**Enlarge your Knowledge – Knowing each other in a bigger Europe**”, which aims to raise public awareness and support for enlargement of the European Union among citizens and civil society. The campaign, supported by the European Commission, will monitor the final stages of the accession process and the official welcoming of the ten new member states to the EU in May 2004 until the completion of the project in October 2004.

More than 100 events will be organised in 11 European countries and will include radio and TV programmes, rallies, round-table discussions and conferences, as well as numerous cultural events.

The specially-created website provides background information on the enlargement process, details the calendar of events and presents both video and audio material on the future member states. Information on our project partners and sponsors is also available. Furthermore, opinion polls on the most debated themes, quizzes to test one’s knowledge and a discussion forum on the perspectives of an enlarged Europe are some of the interactive features one will find online.

A series of ten original video-clips allowing one to view the new member states from a different perspective is also available online. The video-clips can be downloaded from the website or copies may be requested directly from the EMI Secretariat.

Visit the website of the European Movement International and discover the upcoming events at the following address:

<http://www.europeanmovement.org/enlargement>.

Brussels, 14 November 2003

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**European Movement
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**Resolution of the Federal Council of the European Movement,
meeting in Rome on December 6th, 2003**

RESOLUTION

**“The Role of the European Union in promoting international
order
and democratic global governance”**

The European Movement International, in the meeting of its Federal Council,

1) stresses that the objectives of the EU in its international relations must be the promotion of peace, security, sustainable development, solidarity among nations, free and just trade, eradication of poverty, protection of human rights development of international law as well as respect for Charter of the United Nations,

2) believes that in order to promote a “More Secure Europe in the More Just World” the creation of an international system based on an effective multilateralism must be one of the key objectives in the security strategy of the EU,

3) believes that the EU must act as a 'front-runner' in developing and implementing multilateral instruments and commitments,

4) believes that the European Union must confidently convey to the world, through its example of cooperation and integration as a continent tomorrow of 25 countries and 450 million inhabitants, that it is possible to maintain one's sovereignty and identity while intensively partaking in multilateral cooperation,

5) stresses that Europe, in order to reinforce this exemplar model, must show its capacity to be able to speak with one voice in as many international domains as possible,

6) is pleased with the demonstration which has been made in the area of trade regulations between Europe and the United States and with the success of Europe negotiating with one voice through Commissioner Pascal Lamy, in the withdrawal of American unilateral methods contrary to the rules of global trade,

7) stresses that this achievement could not have been obtained by a single European country negotiating on its own,

8) stresses that each time that Europe progresses in its collaboration and integration, as in the domains of Security, Justice and Home Affairs or Immigration, she facilitates the negotiation of multilateral agreements on a global level,

9) insists on the fact that all regional integration must facilitate coherency between the various areas of international cooperation through the establishment of common objectives,

10) believes that the international order to be promoted as well as advances towards a global, democratic governance requests the improvement and the development of the United Nations system,

11) believes that the European Union has a unique role to play in this international system in coordination with its 25 member states, as well as other groupings of continental cooperation elsewhere,

12) believes that coherency between the United Nations and the various international agencies

13) demands, in the context of economic global governance, that coherency between the core UN system, the International Monetary Fund, the World Bank and the WTO should continue to be promoted.

14) urges, in the context of environmental global governance, that co-operation between the United Nations Environment Programme (UNEP) and the Secretariats of multilateral environmental agreements (MEAs) on one side and the World Trade Organization (WTO) on the other should be reinforced,

15) believes that a strengthening of the key institutions representing the ‘social pillar’ of global governance (notably the ILO) is necessary, and calls for a more coherent approach to social issues by and across all concerned UN bodies and as well as reinforced co-operation between the ILO and the WTO,

16) calls for the development, other than in the General Assembly of the United Nations, which unites governments, of an initiative to implicate parliaments – which are the elected representatives of the people – including the European Parliament in the discussion of UN bodies,

17) calls for the reform of the United Nations Economic and Social Council in order to strengthen the Council’s role in the coordination of the work of UN specialised agencies and Bretton Woods institutions for a more coherent and democratic global governance and as a means of dialogue for the diverse representations of global civil society,

18) calls for the reform of the UN Security Council. The EMI believes that other than the founding permanent members which reflect the pattern of power in 1945 and the nuclear capacities, permanent representatives of regional organs such as the European Union should be represented,

19) stresses that the development of international institutions and of the role of the EU, speaking with one voice, (without weakening the role of each one of the states), is a response to the concerns vis-à-vis a non-governed globalisation and is a more effective and democratic tool of global governance.



**European Movement
Mouvement Européen**

RESOLUTION

RESOLUTION OF THE IEM CONCERNING THE MEDITERRANEAN AREA

After 2004, with enlargement, the approval of a new constitutional text, and thus strengthened by a new community consensus, the European Union of 500 million inhabitants should give priority to unifying its foreign policies at the global level, both in order to consolidate and stabilise existing links and to develop a fresh dynamic.

Within the global framework and in line with the Union's general foreign policy principles, the need for a new dynamic in relation to the Mediterranean area is particularly urgent.

This policy should be an act of the European Union as a whole, including all its member states, and not only the riparian countries.

Europe's Mediterranean partners today have as many inhabitants as the present fifteen EU member states (380 millions), with a strong demographic progression which will stabilise in 2020 at around 550 millions. This makes development policy even more urgent.

The need for mutual understanding of the differences of culture and of social structure is enormous. It is also urgent for the application of trade policies, and the movement of persons and ideas.

This cooperation should be bilateral or by region, but it must also have a global dimension and awareness, together with regional cooperation in partnership with countries which are not EU members.

The Barcelona process initiated in 1995 has not met all the hopes invested in it. It has been handicapped by the Palestinian conflict. But so far the process is in its early stages. Circumstances are again becoming favourable and the urgency increases year by year.

The IEM hereby establishes a Mediterranean committee, which will begin its work, by establishing its priorities and direction.

Approved unanimously by the European Movement Federal Council meeting in **Chios, 7th June 2003**



**European Movement
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The IEM hopes for the reinforcement of Euro-Mediterranean dialogue

RESOLUTION

Resolution of the Federal Council in Rome on December 6th 2003

The EMI notes that

- 1) In 1995, the European Union launched a Euro-Mediterranean partnership project through the Barcelona Process in response to the concerns of the countries of the South, of being distanced due to new priorities in the East.
- 2) This partnership project has failed to deliver, after eight years, its anticipated results, not only due to the continuing Israeli-Palestinian conflict, but also due to the absence of political will and of the capacity of using available funds.
- 3) Since the events of September 11th 2001, the refusal to allow itself to be dragged into a battle of civilisations but the need for dialogue between different cultures north and south of the Mediterranean in the framework of a unique global civilisation was stressed.
- 4) In November, on the initiative of President Prodi, an expert group presented a report in November on how to achieve this extensive dialogue, particularly through universities and the media.
- 5) In March of 2003, the Commission issued a statement on the new neighbourhood of the enlarged Europe (WIDER EUROPE NEIGHBOURHOOD) of May 2004. Therein, the Commission offered Russia and the countries of the western Mediterranean the opportunity to share in the advantages of the increasing prosperity of the integration of the Union by benefiting progressively from participating, (with the exception of participating in the institutions), in return for progressive reforms to be valued country by country or region by region.
- 6) This statement was approved by the European Council in June.

- 7) The Commission also issued a statement in May on human rights, with a special emphasis on equality between men and women, and democracy in the Mediterranean region as well as a statement on the methods to be employed to encourage co-operation between the borders of the enlarged Europe.
- 8) All of the above are to be added to the negotiations or results of the Treaties of Association, country by country.
- 9) Elsewhere, the World Bank has devoted a report to the governance of countries in the Middle East and Northern Africa (the MENA countries), detailing how the lack of liberties and democratisation were major obstacles to economic development.
- 10) Furthermore, a group of forty Arab researchers, in collaboration with the regional direction of the United Nations programme for the development of Arabic countries (PNUD – UNDP), published their second report on the 20th October 2003 on human development in Arabic countries, insisting on the necessity and the delaying of reforms.
- 11) This indicates a desire and need for carrying out reforms, however, the number of initiatives do not show that they lead to membership or its effects in the countries south of the Mediterranean.

The IEM,

- 12) which has adopted amongst its priorities the dialogue between civilisations, mutual understanding and economic development, hopes to take the initiative in creating realistic prospects on the basis of a genuine dialogue, initiated by both sides which will allow for a balanced progression due to the efforts of all involved.
- 13) In the general framework of the new Neighbourhood Policy of the enlarged Europe, the IEM believes that the specificity of the Euro-Mediterranean partnership must be safeguarded without being bound to the expected progress of the neighbours of the North and East.
- 14) believes the multiple and strong relations the European Union and the states of which it is composed maintains with the countries south and east of the Mediterranean must be developed and expanded upon in several areas.
- 15) Dialogue must
 - be open and not perceived as a taboo subject by either side;
 - allow both sides to propose their ideas and arguments, without neither partner attempting to impose their ideas or arguments on the other during dialogue;
 - be possible on various levels, be it global, for the entire Mediterranean, regional or bilateral.

- 16) hopes however, that a regular evaluation of the evolution of realised progress and the difficulties encountered requests increased transparency in this case from the Council and the Commission
- 17) is pleased with the establishment of the Euro-Mediterranean Parliamentary Assembly during the European Summit of Naples
- 18) is pleased with the progress of the Mediterranean Forum of Civil Society.
- 19) hopes that this co-operation between the governments and parliaments of Europe and her neighbours will be strengthened by a dialogue between the large pluralist movements sharing a global aim representing European civil society and her counterparts of her Mediterranean neighbours.
The IEM will also seek contact and dialogue with the partners on a global level in order to organise a Congress on the Mediterranean, where the authors of these various reports and statements can submit their work before the different actors involved and which shall be reorganised in five years time in order to evaluate its success.