

Folketingets Europaudvalg
Christiansborg, den 3. januar 2002
Europaudvalgets sekretariat

Til
udvalgets medlemmer og stedfortrædere

Resolution om Europas Fremtid fra Bundestag og Nationalforsamlingen

Vedlagt fremsendes et brev fra formanden for Europaudvalget i den tyske Forbundsdag sammen med den engelske udgave af den resolution, Europaudvalgene i Bundestag og i den franske Nationalforsamling vedtog på et fælles møde i Paris den 10. december 2001.

De to udvalg går ind for, at man når frem til en grundtraktat ("Basic Treaty"), som skal ratificeres i de nationale parlamenter og derefter proklameres af stats- og regeringscheferne som Den Europæiske Unions forfatning ("constitution").

I relation til det konvent, som skal forberede denne grundtraktat, gik de to udvalg ind for¹, at konventet skulle præsentere regeringskonferencen med ét udkast, idet de tilføjer: "Hvis det ikke kan undgås, at konventet skal forelægge alternative optioner, skal man gøre det klart, hvilken option der står et flertal bag."

Med venlig hilsen

Bjørn Einersen

¹ Resolutionen er fra før Laeken-topmødet, hvor stats- og regeringscheferne som bekendt vedtog noget andet.



Dr. Friedbert Pflüger

Mitglied des Deutschen Bundestages
Vorsitzender

des Ausschusses für die Angelegenheiten der Europäischen Union

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Mr. Claus Larsen-Jensen
Formand for Europaudvalget
Folketinget, Christiansborg

DK-1240 København K
Dänemark

11th December, 2001

Dear Mr. Larsen-Jensen,

Please find enclosed the resolution entitled "The Future of the Enlarged European Union" which the EU Affairs Committee of the German Bundestag and the Délégation pour l'Union Européenne of the French National Assembly as well as the Foreign Affairs Committees of both Parliaments adopted unanimously at a joint meeting in Paris on 10 December 2001.

As you know, the EU Affairs Committee of the German Bundestag has always strongly supported the idea of a Convention to prepare the next Intergovernmental Conference on the future of the European Union. At the COSAC meeting in Stockholm together we paved the way for a new role for national parliaments in the European process by adopting a declaration on a Convention for the forthcoming reforms.

Shortly before the beginning of the European Council in Laeken, it seemed to us essential to stress that, in accordance with the general principles of transparency and democratic legitimacy, the composition and mandate of the Convention must reflect the important role of the parliaments.

Yours sincerely,

(Dr. Friedbert Pflüger, MdB)

**FRANCO-GERMAN MEETING
ON THE FUTURE OF THE EUROPEAN UNION**

**JOINT RESOLUTION
FOR THE LAEKEN EUROPEAN COUNCIL**

Paris, Monday 10 December 2001

This resolution was prepared by the Délégation pour l'Union Européenne of the French National Assembly and its Chairman, Alain Barrau, and the Committee on the Affairs of the European Union of the German Bundestag and its Chairman, Dr. Friedbert Pflüger. It was adopted unanimously on Monday, 10 December 2001 in Paris in the course of a meeting of French and German parliamentarians chaired by Raymond Forni, President of the Assemblée nationale, and Wolfgang Thierse, President of the German Bundestag.

We welcome the decision made by the Heads of State and Government on 7 and 8 December 2000 in Nice to encourage a broad and open debate on the future of the European Union.

Successful enlargement will require far-reaching reform of the Treaties, aimed at providing an enlarged Union with an architecture that has more legitimacy and greater transparency for its citizens and equipping it with new instruments for pursuing its major political, economic and social objectives. In a multipolar world, Europe must provide itself with the means of consolidating its economic and social model based on humanistic values and progress. It must also continue to follow the path of greater political integration while genuinely respecting national identities, and pursue a security and defence policy in the service of peace.

We are of the opinion that far-reaching reforms are required if this common European project is to continue. The Member States must succeed in concluding a Basic Treaty that creates a genuine democratic space and encourages greater efficiency in shaping areas of joint sovereignty. Following ratification by the national parliaments, the Basic Treaty could be proclaimed by the Heads of State and Government as the Constitution of the European Union.

The reform of the European Treaties must offer ambitious solutions for the four areas named in the Annex to the Treaty of Nice:

- simplification of the Treaties in order to make the functioning of the Union more comprehensible for its citizens - in particular through the drawing up of a clear Basic Treaty;
- integration of the Charter of Fundamental Rights into the Treaties; this would make the Charter, which expresses our values regarding democracy, freedom, equality, solidarity and justice - to which we feel deeply committed - legally binding.
- a clear distribution of powers between the Union and the Member States, so that everybody understands better "who does what" in Europe. This will ensure that the principle of subsidiarity is taken more into account in work processes within the Union. However, this delimitation of powers must not put the task of building Europe into question, neither must it be allowed to constitute an obstacle to necessary further development of the European dynamic;
- strengthening of the role of the national parliaments within the European architecture in different ways:
 - The national parliaments have hitherto only been involved in the process of drawing up European Treaties via the ratification process. In order to strengthen the position of the national parliaments within the European integration process, it should be laid down in the European Treaties that further development of the Treaties - and thus also of European constitutional law - should in future be prepared by a Convention consisting mainly of parliamentarians.
 - The regulations laid down in the Protocol to the Amsterdam Treaty regarding information and consultation of the parliaments of the Member States must be formulated more precisely and further supplemented, above all on the basis of the COSAC recommendations of Versailles (16 and 17 October 2000).
 - As national rights to participate in and shape European affairs are primarily a matter for the legal regimes of individual states, greater efforts must be made to achieve appropriate rights of participation and control on this level.

Reform of the European Treaties must not be restricted to the four areas listed in the Declaration of Nice:

It must also include further measures for improving the democratic transparency and legitimacy of the Union and for strengthening the European institutions, in particular by defining the future role of the EU organs and their relationship to each other as well as the further transition to a decision with a qualified majority in the Council.

We are convinced that these ambitious goals cannot be achieved if the present method of revising the Treaties is retained. For that reason we are of the opinion that the preparatory work for the Intergovernmental Conference planned for 2004 should be carried out by a new Convention (Assembly) modelled on the Convention established to draw up the Charter of Fundamental Rights.

The future Convention should consist of representatives of the Heads of State and Government, of the parliaments of the individual Member States, of the European Parliament and of the Commission. It should consist of two parliamentarians per state and should include a possibility of having delegates with advisory capacities. This would ensure that in all EU Member States there would be an opportunity for a more representative composition of the parliaments.

The Convention would be governed by a presidium formed from within its ranks and headed by a president. The composition of the presidium must be well-balanced and must take into account all of the groups represented in the Convention. The presidium consists of the president and one representative each for the national parliaments, the national governments, the Commission and the European Parliament. The president appointed by the European Council would be confirmed by the Convention.

Representatives of the Member States with which accession negotiations are being conducted should be fully involved from the outset in the work of the Convention through delegates. At the latest upon the signing of the accession agreements, their unconditional involvement has to be guaranteed.

Furthermore, representatives of civil society and the social partners should accompany the work of the Convention through regular public consultations.

The mandate of the new Convention would be to present the intergovernmental Conference with a single draft with proposals regarding the new Basic Treaty for the Union. Where this cannot be

avoided, it should propose alternative options, making it clear which of these has majority approval. The voting process must be established in such a manner that there is no opportunity for unilateral blockades.

In terms of content, the mandate of the Convention must also encompass the examination of other integration steps in the areas of the second and third pillars. Against the backdrop of the terrorist attacks in the United States on September 11, an intensification of the integration in the area of GASP/ESVP and in the creation of an area of freedom, security, and justice is urgently needed. This can at the same time become a new driving force in the European unification process.

The Convention should begin its consultations under Spanish Presidency as soon as possible. It should prepare an interim report and present its draft for a Basic Treaty near the beginning of the Intergovernmental Conference in order to ensure the interaction between the Convention and the Intergovernmental Conference.

Finally, we are of the opinion that the parliaments of the individual Member States must be in a position to assess the progress of the work of the Intergovernmental Conference. In this context we call for them to be regularly informed and then to be involved in the work of the Intergovernmental Conference, which should be brief and of a highly political nature.

The Délégation pour l'Union Européenne of the Assemblée nationale and the Committee on the Affairs of the European Union of the German Bundestag will continue to coordinate their positions within the framework of a working party in order to develop a common approach, in particular with regard to strengthening the role of the national parliaments in the future institutional architecture of the European Union.

