

## SUMMARY OF CONCLUSIONS

**Subject: Meeting of the Praesidium  
Brussels, 8 May 2002**

### I. POINTS SETTLED

#### 1. Convention session of 23-24 May

The Praesidium agreed that two papers would be forwarded to the Convention with a view to preparing the debate : one on "Competences" (new expanded version of the CONV 17/02, taking into account elements emerging from the April session), and a second one on "Instruments" (the Secretariat draft, amended on the basis of the Praesidium discussion).

The paper on National Parliaments would need further elaboration and would then be circulated later.

#### 2. Convention session devoted to civil society

In order to allow for more time for preparation, the session devoted to civil society would be the entire second session of June (24-25.06.02). The Praesidium agreed that the session would be organised according to the modalities set out in the Secretary General's paper dated 7 May. It decided however to add a seventh contact group on culture. The contact groups would be chaired as follows :

Social	Mr Hänsch
Environmental	Ms Katiforis
Human Rights	Mr Vitorino
Development	Mr Christophersen
Academia	Vice-President Amato
Regional/Sub-Regional groups	Ms Palacio
Culture	Mr Peterle

One or two other members of the Convention would be invited to play a part; all the other members would of course be welcome to attend these hearings.

### 3. Working groups

The Praesidium agreed the mandate of the six working groups (attached). As to the presidency and to the deadlines, it agreed the following :

- Subsidiarity : Mendez de Vigo (September)
- Charter : Vitorino (November)
- Legal personality : Amato (November)
- National parliaments : Stuart (November)
- Complementary competences : Christophersen (October)
- Economic governance : Hänsch (October).

This information would be given to the Convention on 23 May. The working groups would be established on 6-7 June. The Secretariat would issue a document containing the mandates, specifying the deadlines and indicating how members of the Convention could volunteer. They could indicate in order of priority their (two or three) preferences for working groups in order to allow the Praesidium to decide of the composition of each working group, with a view to achieving a balance between the different components and nationalities.

The Praesidium was informed of the names of the members of the Secretariat who will assist the working groups :

- Subsidiarity : *Arpio (02-285.6183), De Poncins (02-285.5112)*
- Charter: *Ladenburger (02-285.5057), Bartol (02-285.6694)*
- Legal personality : *Passos (02-285.5049), Bribosia (02-285.5047)*
- National Parliaments : *van den Heuvel (02-285.8503), de Peyron (02-285.9816)*
- Complementary competences : *Martinez (02-285.5061), Schiavo (02-285.5972)*
- Economic governance : *Pilette (02-285.8989), Milton (02-285.8519).*

The Chairpersons of the working groups will prepare, with their assistance, the papers aimed at introducing the debate in the working groups.

The Praesidium agreed that other working groups (notably on foreign and defence policy and JAI) would be set up in July.

4. The note of the Secretariat on "Contributions" was endorsed, and the Budget report noted.

## **II. OUTSTANDING ISSUES**

5. Note on the missions of the Union by Mr Katiforis

The Praesidium had a first exchange of views on this note, for which the President thanked Mr Katiforis.

6. Consultation of students on the future of Europe

This proposal will be discussed at a future meeting of the Praesidium.

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The next Praesidium meeting will take place on 22 May, at 16h00.

**SN 2252/02**

**Draft mandates for working groups**

- (i) How can compliance with the principle of subsidiarity be monitored in the most effective manner possible? Should a monitoring mechanism or procedure be established? Should this procedure be of a political and/or legal nature?
- (ii) If it is decided to incorporate the Charter of Fundamental Rights in the Treaty: how should this be done and what would be the consequences? What would be the implications of accession by the Community/Union to the European Convention on Human Rights?
- (iii) What would be the consequences of explicit recognition of the EU's legal personality? And of a merger of the Union's legal personality with that of the European Community? Could these contribute to the simplification of the Treaties?
- (iv) How is the role of national Parliaments exercised in the current architecture of the European Union? What national arrangements function best? Is there a need to consider new mechanisms/procedures at national level or at European level?
- (v) How should "complementary" competences be dealt with in future: should Member States be given back full competence in respect of those matters for which the Union currently has complementary competence, or should the limits of the Union's complementary competence be clearly set out?
- (vi) The introduction of the single currency implies more thorough-going economic and financial cooperation. What forms might such cooperation take?

**LA CONVENTION EUROPEENNE**

Bruxelles, le 30 avril 2002

L'ADJOINTE AU SECRÉTAIRE GÉNÉRAL

**SN 2252/02****Projet de mandats des groupes de travail**

- i) Comment assurer de la manière la plus efficace le contrôle du respect du principe de subsidiarité ? Faut-il créer un mécanisme ou une procédure de contrôle ? Cette procédure doit-elle être de nature politique et/ou judiciaire?
- ii) Si l'on décide d'insérer la Charte des droits fondamentaux dans le Traité : par quelles modalités convient-il de le faire et quelles en seraient les conséquences? Quelles seraient les conséquences d'une adhésion de la Communauté/Union à la Convention européenne des Droits de l'Homme ?
- iii) Quelles seraient les conséquences d'une reconnaissance explicite de la personnalité juridique de l'UE? Et celles d'une fusion de la personnalité juridique de l'Union et celle de la Communauté européenne ? Peuvent-elles contribuer à la simplification des traités ?
- iv) De quelle façon est exercé le rôle des Parlements nationaux dans l'actuelle architecture de l'Union européenne ? Quels sont les arrangements nationaux qui fonctionnent le mieux ? Est-il nécessaire d'envisager de nouveaux mécanismes/procédures au niveau national ou au niveau européen ?
- v) Comment traiter à l'avenir les compétences dites « complémentaires »: convient-il de rendre aux Etats membres toute compétence pour les matières dans lesquelles actuellement l'Union a une compétence complémentaire, ou faut-il expliciter les limites de la compétence complémentaire de l'Union ?
- vi) La mise en place de la monnaie unique implique une coopération économique et financière plus poussée. Quelles formes une telle coopération pourrait-elle prendre ?