NEW VERSION

CONTRIB 312

COVER NOTE

from Secretariat
to The Convention
Subject: Contribution by Mr. Alberto Costa, member of the Convention and Mr. Guilherme d'Oliveira Martins, alternate member of the Convention:
- "Draft Proposal of addition of a new article on "The open method of coordination"

The Secretary-General of the Convention has received the contribution annexed hereto from Mr. Alberto Costa, member of the Convention and Mr. Guilherme d'Oliveira Martins, alternate member of the Convention.

This contribution is also supported by Mr Ernâni Lopes, member of the Convention and Mr. Manuel Lobo Antunes, alternate member of the Convention, Ms Maria Eduarda Azevedo, member of the Convention and Mr. António Nazaré Pereira, alternate member of the Convention.
The Convention on the Future of Europe
Draft Proposal of addition of a new article on "The open method of coordination"

Presented by Alberto Costa and Guilherme d'Oliveira Martins

New Article: Open Method of Coordination

1. Member States may develop an open coordination of national policies in order to enhance their effectiveness towards some European common goals, respecting the national specificities.

The open method of coordination is based on the definition of common guidelines or common objectives by a decision\(^1\) [or a recommendation\(^2\)] from the Council, under a proposal from the Commission and can include timetables, indicators and exchange of best practices.

Member States establish and report on appropriate mechanisms to translate these common guidelines into the national levels. On a periodical basis, the Council, on a proposal from the Commission, shall carry out a follow up of this process and deliver an assessment, in the form of an opinion\(^3\) [or a recommendation]. In this light, the Council may also adapt the common guidelines or common objectives.

2. The open method of coordination may be applied where the Union has no legislative powers, or where coordination is not specifically regulated by the Treaty.

Justification

The open method of coordination is being applied in a wide range of policies with relevant outcomes for the European convergence and integration.

The present draft article aims at translating and clarifying the ongoing experience by specifying the instruments which might be used in this method as well as the role played by the European institutions.

\(^{1}\) Decision, according to article 24 of the Draft Constitutional Treaty, is a non-legislative act, binding in its entirety.

\(^{2}\) Recommendation, according in article 24 of the Draft Constitutional Treaty, is adopted by the institutions and shall have no binding force.

\(^{3}\) Opinion, according in article 24 of the Draft Constitutional Treaty, is adopted by the institutions and shall have no binding force.
The present formulation also tries to keep some flexibility in this method to cope with the diversity of policy areas and the specificities of the national situations.

Finally, this article shall be without prejudice to more specific provisions in Part II referring to the coordination of certain Member States' policies.
Open Method of Coordination  
The existing tools and their possible translation into the instruments of the new Treaty (in *italic*)

<table>
<thead>
<tr>
<th>Stages of OMC Policies</th>
<th>Common guidelines or common objectives</th>
<th>National implementation</th>
<th>Follow up/assessment</th>
</tr>
</thead>
</table>
| **Information Society** | Action Plan: Common objectives, indicators, targets and deadlines  
*Decision or Recommendation* | National programmes or initiatives for the Information Society | Progress reports |
| **European Research Area** | *Common objectives of the European Research Area*  
*Decision or Recommendation*  
Benchmarking of national research policies (objectives, methodology and benchmarks)  
Council Resolution  
EP and Council Decision (FP6) | National research policies | Report on benchmarking of national research policies |
| **Innovation** | *Common framework for innovation policy*  
*Decision or Recommendation* | National Innovation Strategies/Programmes | Trendchart on innovation  
Innovation scoreboard  
Report on progress in strengthening innovation policies at European and national levels  
Independent evaluations (voluntary basis)  
*Opinion or recommendation* |
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<td>Education and Training</td>
<td>Common objectives and benchmarks E-learning Action Plan <em>Decision or recommendation</em></td>
<td>National reports Reference criteria communicated on voluntary basis</td>
<td>Joint Report on the objectives of education systems (interim 2004; final 2010) <em>Opinion or Recommendation</em></td>
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<tr>
<td>The OMC on social inclusion</td>
<td>Common Objectives Programme of Community Action <em>Decision or recommendation</em></td>
<td>National Action Plans for Inclusion</td>
<td>Joint inclusion Report/No recommendations <em>Opinion</em></td>
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<td>The OMC in the area of Pensions</td>
<td>Broad Common Objectives <em>Decision or recommendation</em></td>
<td>National Strategy Reports on Pensions</td>
<td>Joint Pension Report/No recommendations <em>Opinion</em></td>
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Art 128 of the TEU
List of the main articles of current Treaty (Treaty on European Union and Treaty establishing the European Community) where the ongoing experience of the open method of coordination should be taken into account

Art. 128 and 129 – Employment Policy
Art. 140 – Social Policy
Art 149 – Education and Training Policy
Art. 155 – Transeuropean networks
Art. 157 – Industrial, enterprise and innovation Policies
Art. 165 – Research and development Policy
Art. 175 – Environmental Policy
Art. 180 – Cooperation for development