

THE EUROPEAN CONVENTION

THE SECRETARIAT

Brussels, 9 July 2003

(OR. fr)

CONV 827/03

CONTRIB 384

COVER NOTE

from : Secretariat

to : Convention

Subject : Contribution from the six observers to the Convention

"Resolution on the Recommendations of the European Convention "

The Secretary-General of the Convention has received the contribution annexed hereto from the six Observers of the Committee of the Regions to the Convention.

Brussels, 7 July 2003

RESOLUTION

on the

Recommendations of the European Convention*The Committee of the Regions,*

- A. **HAVING REGARD TO** the draft treaty establishing a Constitution for Europe (CONV 820/03) presented by the chairman of the European Convention to the Thessaloniki European Council on 20 June 2003;
- B. **HAVING REGARD TO** the Presidency Conclusions of the Laeken European Council of 14 and 15 December 2001, and in particular the Laeken Declaration on the Future of the European Union;
- C. **HAVING REGARD TO** the Presidency Conclusions of the Thessaloniki European Council of 19 and 20 June 2003;
- D. **HAVING REGARD TO** the decision of its Bureau of 5 June 2003, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to draw up a resolution on this subject;

adopted the following resolution at its 50th plenary session of 2 and 3 July 2003 (meeting of 3 July 2003)

1. The method of the Convention

The Committee of the Regions,

- 1.1 **UNDERLINES** the success of the open method of the Convention, which has led to the adoption of a single text without options, which has proved to be a new way of preparing for an intergovernmental conference, and which, in the eyes of elected local and regional representatives, constitutes a significant contribution to the democratic life of the Union; **INSISTS**, nevertheless, that member status for the CoR would have considerably enhanced its legitimacy;
 - 1.2 **WELCOMES** the proposal to put this method on a more permanent footing as part of the procedure of reviewing the Treaty establishing the European Constitution, and calls upon the Intergovernmental Convention to provide for the full participation of representatives of the Committee of the Regions;
 - 1.3 **CONSIDERS** that the draft Constitution submitted by the European Convention to the Heads of State and Government provides the foundations for a future treaty establishing a Constitution for Europe, which should be finalised by the Intergovernmental Conference;
2. **The gains of the Convention**

The Committee of the Regions,

- 2.1 **WELCOMES** the consensus which has emerged in favour of a Constitution for the citizens of Europe, which represents a historic step forward in the process of European integration;
- 2.2 **IS PLEASED AT** the significant progress made by the members of the Convention towards guaranteeing a clearer definition and distribution of powers within the Union, to ensuring simplification of its instruments and to strengthening the democratic legitimacy, transparency and efficiency of its institutions;
- 2.3 **VIEWES** these new constitutional provisions, therefore, as gains which should be confirmed by the Intergovernmental Conference;
- 2.4 **ECHOES** the favourable feeling of the majority of the European citizens towards a

European Constitution, but points out the need to start public awareness campaigns about the contents and scope of the Constitution; **REQUIRES**, in this connection, that it be involved in such campaigns through its local and regional representatives;

3. **The local and regional dimension in the Union**

The Committee of the Regions,

3.1 **WELCOMES** the constitutional recognition of the role of local and regional authorities in the Union as established in the draft Constitution, in particular by means of:

the importance attached to fundamental rights and values,

the respect shown to local and regional self-government,

the recognition given to cultural and linguistic diversity,

the inclusion of territorial cohesion among the objectives of the Union,

the acknowledgement of the importance of grassroots democracy in the Union,

the new definition of the principle of subsidiarity,

the involvement of the Committee of the Regions in the process of ex-post monitoring of the application of the principles of subsidiarity and proportionality,

the granting to the Committee of the Regions of the right to institute proceedings before the Court of Justice to defend its prerogatives,

the lengthening of its members' term of office from 4 to 5 years;

3.2 **WELCOMES** most favourably the proposals aiming at strengthening the European Parliament and the European Commission both politically and institutionally; **DEMANDS** that, in the same spirit of consolidating representative democracy in the Union, the CoR be recognised as an institution in Chapter II of Title IV, which would in no way harm the institutional framework of the Union;

3.3 **REQUESTS** that it be recognised explicitly as an expression of representative democracy, because of its democratic legitimacy within the Union;

3.4 **REQUESTS** that its current consultative role be strengthened by means of a horizontal clause stipulating that the CoR shall be consulted in areas of shared competence, for

measures to coordinate economic and employment policies, and in areas of supporting, coordinating or complementary action;

3.5 **DEMANDS** that account be taken of the following proposals put forward by the Committee's representatives on the Convention:

to grant the Committee of the Regions institutional status and to extend its terms of reference beyond its present consultative function,

to involve the Committee of the Regions in the ex-ante monitoring arrangements concerning the application of the principles of subsidiarity and proportionality,

to create a legal basis for cross-border and inter-regional co-operation,

to extend its involvement to all sectors which are the responsibility of regional and local authorities;

3.6 **CALLS UPON** the members of the Intergovernmental Conference to re-examine these proposals in a more favourable light, and calls upon the members of the Convention to give consideration to their proposals for amendments for Parts III and IV of the draft treaty establishing a Constitution for Europe; **EMPHASISES** in particular that the work of the Convention has revealed a very broad consensus on the need to establish a legal basis for cross-border and interregional cooperation which has, from the outset of European integration, played a key role in progressively creating a Europe without borders;

3.7 **REQUESTS** the Heads of State and Government to involve the CoR as well in the work of the Intergovernmental Conference;

3.8 **URGES** the Member States to include representatives of their regional and local authorities in their delegations to the Intergovernmental Conference;

3.9 **PAYS TRIBUTE** to the commitment of its representatives and their active contribution to the work of the European Convention in their capacity as spokespersons for European local and regional authorities;

3.10 **CALLS UPON** its President to forward the present resolution to the President of the European Council, the President of the European Parliament, the President of the European

Commission and the Chairman of the European Convention.

Brussels, 3 July 2003.

The President
of the Committee of the Regions

The Secretary-General
of the Committee of the Regions

Albert Bore

Vincenzo Falcone
