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SECOND INTERIM REPORT

drawn up on behalf of the Committee on Institutional Affairs

on the Intergovernmental Conference in the context of Parliament's strategy for European Union

Rapporteur: Mr David MARTIN

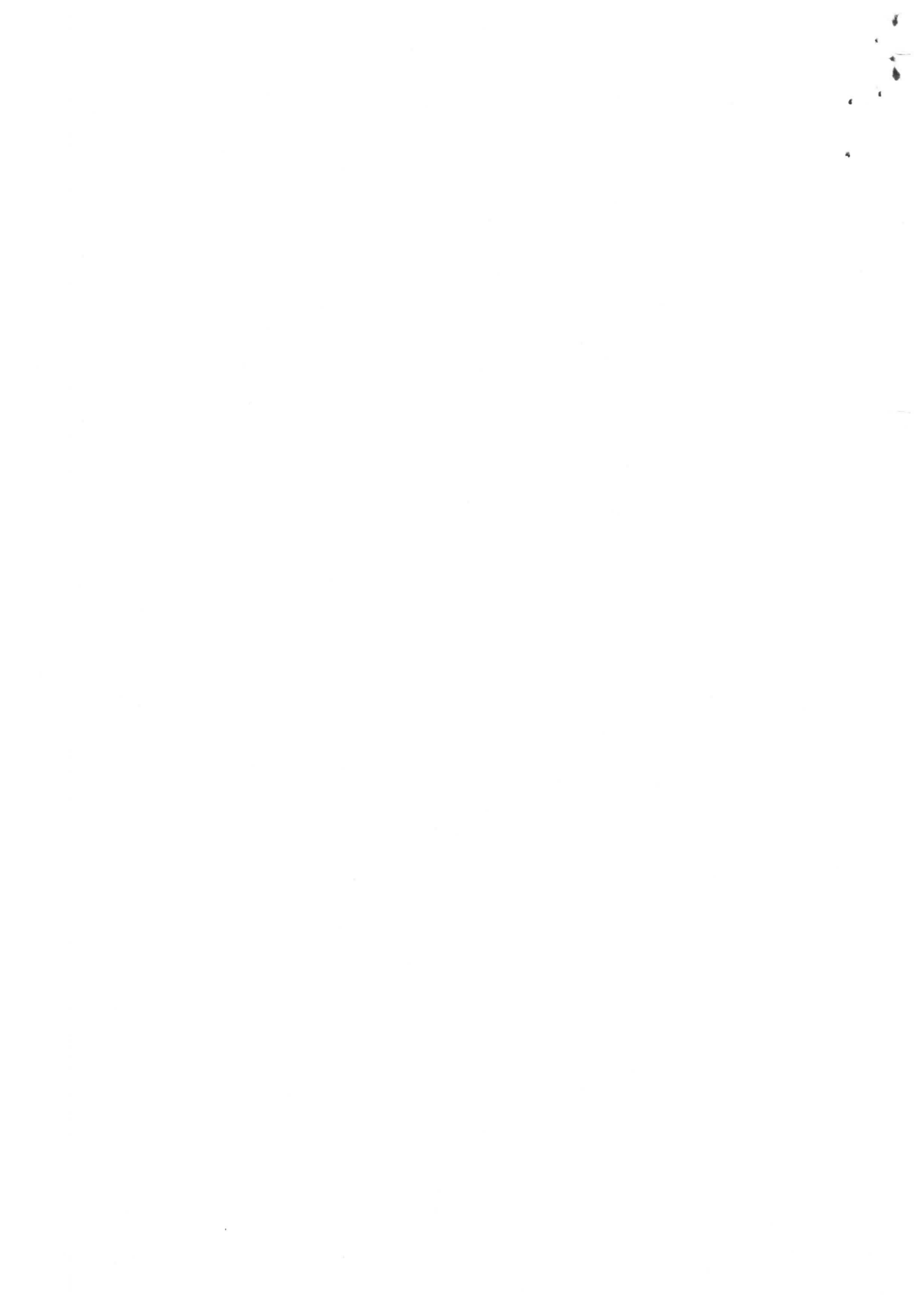
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A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

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| * | = Consultation procedure requiring a single reading | **II | = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment |
| **I | = Cooperation procedure (first reading) | *** | = Parliamentary assent which requires the votes of a majority of the current Members of Parliament |



By letter of 29 September 1989 the Committee on Institutional Affairs requested authorization to draw up a report on the Intergovernmental Conference in the context of Parliament's strategy for European Union.

On 24 October 1989 it was authorized to draw up a report.

At its meeting of 31 October 1989 the Committee on Institutional Affairs appointed Mr Martin rapporteur.

On 14 March 1990 the European Parliament adopted the resolution contained in the rapporteur's first interim report (Doc. A 3-47/90).

At its meetings of 22 and 23 May and 1 June 1990 the committee considered the second draft interim report. At its meeting of 20 and 21 June 1990 it adopted the motion for a resolution as a whole by 27 votes to 2, with 2 abstentions.

The following took part in the vote: Oreja Aguirre, Chairman; Prag, Vice-Chairman; Martin, rapporteur; Aglietta, Arbeloa Muru (for Balfe), Belo (for Avgerinos), Blot, Capucho, Cassanmagnago Cerretti, Colombo, Cooney, De Giovanni, De Gucht, Duverger, Elliott (for Donnelly), Ferrer I Casals, Galland (for Pimenta), Giscard d'Estaing, La Pergola, Metten, Musso, Newton Dunn, Pannella, Pollack (for Dury), Ramirez Heredia (for Haensch), Roth-Behrendt (for Marinho), Rothley, Roumeliotis, Trivelli, Valverde Lopez and von Wogau (for Luster).

Also present: Gangoiti Llaguno.

On 14 May 1990 the Committee on Youth, Culture, Education, the Media and Sport was authorized to draw up an opinion, which is attached.

The second interim report was tabled with Sessional Services on 22 June 1990.

The deadline for tabling amendments to this interim report will appear on the draft agenda for the part-session at which it is to be considered.

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The Committee on Institutional Affairs hereby submits to the European Parliament the following:

A

MOTION FOR A RESOLUTION

on the Intergovernmental Conference in the context of Parliament's strategy for European Union.

The European Parliament,

- having regard to its resolution of 14 March 1990¹ (MARTIN interim report) on the Intergovernmental Conference;
 - having regard to the second interim report of its Committee on Institutional Affairs and the opinion of the Committee on Youth, Culture, Education, the Media and Sport (A 3-166/90),
- A. WHEREAS there have been a number of significant developments since, and partly in response to, the adoption of Parliament's resolution, notably:
- * the aide-memoire of the Belgian Government of 20 March 1990, which supports most of the key points in the Parliament's resolution;
 - * the three resolutions adopted by the Italian Parliament on 21 March 1990 explicitly supporting the European Parliament's resolution and agreeing to host with the European Parliament the 'assizes' of national parliaments and the European Parliament in October 1990;
 - * the letter sent by President MITTERRAND and Chancellor KOHL to the President-in-Office of the European Council calling for a second intergovernmental conference on political union in order to 'strengthen the democratic legitimacy of the union, render its institutions more efficient, ensure unity and coherence of the union's economic, monetary and political action and to define and implement a common foreign and security policy' this letter following on from the desire expressed on 25 March 1990 by President Mitterrand to see European political union completed by 31 December 1992;
 - * the initiative of Felipe Gonzalez, the Spanish Prime Minister, for a citizen's Europe;
 - * the ETUC declaration on the political union of Europe
 - * the special meeting of the European Council in Dublin on 28 April 1990 at which the European Council 'confirmed its commitment to political union' and charged the foreign ministers with preparing 'proposals to be discussed at the European Council in June with a view to a decision on the holding of a second intergovernmental conference to work in parallel with that on EMU with a view to ratification in the same timeframe';

¹ OJ C 96 of 17.4.1990

- * the aide-memoire of the Greek Government of 15 May 1990, which also supports most of the key points in Parliament's resolution;
 - * the discussions that took place at the first meeting of the interinstitutional preparatory conference held in Strasbourg on 17 May 1990;
 - * the informal meeting of the Foreign Ministers of the Community's Member States at Parknasilla on 18 and 19 May 1990 and the meeting of the General Affairs Council in Luxembourg on 18 and 19 June 1990;
1. Welcomes the positive response to Parliament's argument that the agenda of the forthcoming reform of the Treaties should be widened beyond economic and monetary union; however expresses its grave concern at some of the thinking in the Council;
 2. Recalls its preference for a single intergovernmental conference possibly with two working groups, but accepts the proposal for two intergovernmental conferences provided that they are closely coordinated and that they aim for a single coherent package for ratification;
 3. Considers that the term 'political union' refers to the same aspirations as those which lay behind Parliament's draft Treaty on European Union of February 1984; reaffirms that the essential elements of such a political union to be:
 - economic and monetary union with a single currency and an autonomous central bank;
 - a common foreign policy, including joint consideration of the issues of peace, security and arms control;
 - a completed single market with common policies in all the areas in which the economic integration and mutual interdependence of the Member States require common action notably to ensure economic and social cohesion and a balanced environment;
 - elements of common citizenship and a common framework for protecting basic rights;
 - an institutional system which is sufficiently efficient to manage these responsibilities effectively and which is democratically structured, notably by giving the European Parliament the right of initiative, of co-decision with the Council on Community legislation, the right to ratify all constitutional decisions requiring the ratification of the Member States also and the right to elect the President of the Commission;

with these responsibilities being exercised in accordance with the principle of subsidiarity, which is to be enshrined in the Treaties in such a way as to permit challenges in the Court of Justice of the European Communities, either as a precautionary step, at the time of the Commission's first proposal or that of other Instituting using the power of initiative, or retrospectively, by the Member States, the Community Institutions or the supreme courts of the Member States.

4. Believes that a reform of the Treaties that would achieve these objectives would bring the European Community closer to the 'European Union of federal type' advocated by the European Parliament in its resolution of 14 March 1990 and considers, therefore, that such changes should be consolidated in a 'constitution' which the European Parliament should be mandated to prepare, as advocated in the proposal adopted by national referendum in Italy on the occasion of the last European election; recalls that it has already begun work to prepare such a draft (Colombo report) to be based on its draft treaty of European Union of 1984, which should become the basis for the transformation of the Community into a genuine union of federal type;
5. Regards it as essential, at the intergovernmental conference, to amend in a coherent manner all the Treaties establishing the European Communities, in particular the ECSC, EEC, EURATOM and Merger Treaties;
6. Reaffirms the areas in which it would like to see treaty reform, namely those listed in paragraph 4 of its resolution of 14 March, and spells out as follows the precise changes that it would seek to achieve for each of the areas listed in that resolution;

ECONOMIC AND MONETARY UNION

7. Economic and monetary union should be established in accordance with a specific, automatic and mandatory timetable, between the 12 Member States of the European Community or, if appropriate, between those willing, in accordance with the criteria spelt out in Parliament's resolutions on economic and monetary union (HERMAN reports of the Committee on Economic and Monetary Affairs).

COMMUNITY FOREIGN POLICY

8. Considers that Article 30 of the European Single Act should be revised in order to provide for matters currently dealt with under EPC to be dealt with in the Community framework with appropriate procedures; believes that the current division between external economic relations handled by the Community institutions with the Commission acting as the Community's external representative, and political cooperation handled by EPC with the EPC President acting as external representative, is increasingly difficult to maintain in practice; considers that any genuine attempt 'to assure unity and coherence in the Community's international action' must abolish this increasingly artificial distinction;
9. Calls therefore for the Council (rather than a separate framework of foreign ministers) to be given the prime responsibility for defining policy; for the Commission to have a right of initiative in proposing policies to Council and to have a role in representing the Community externally, including appropriate use of its external missions in third countries; and for the functions of the EPC secretariat to be absorbed by the Commission and Council; and for the Community's foreign policy to be subject to scrutiny by the Community's elected Parliament.

10. Calls for the scope of the Community's foreign policy to include issues of security, peace and disarmament, with a close coordination of national security policies;
11. Considers that in all these areas, the Community should aim to have common policies on all matters in which the Member States share essential interests;
12. Considers that membership of international organizations should be adjusted accordingly, with the Community as such seeking membership and representing the Member States in those areas where Community competence has been established, and it should therefore belong notably to the Council of Europe.

BETTER TREATY PROVISIONS IN THE SOCIAL AND ENVIRONMENTAL SECTORS

13. Considers that, in order to ensure a balanced development of the internal market, the social and environmental provisions of the treaties should be among those in which majority voting in Council applies; believes this could be best achieved in the context of the improved legislative procedure outlined below;
14. Considers that the objectives of social policy, as defined in the treaties, should be extended, improved and completed, notably by:
 - adding to Article 3 EEC the objective of common action in the field of social affairs and employment, which implies the affirmation of the right of workers to be informed and consulted before any decision affecting them;
 - deleting paragraph 2 of Article 100a EEC and including social protection in matters concerned by paragraph 3;
 - adding to Article 8a EEC that the completion and further evolution of the internal market necessarily imply provisions to secure the convergence, at a higher level, of living and working conditions;
 - adding to Article 101 EEC the possibility of Commission intervention in cases where Community action in Member States causes serious economic or social distortion or where the intervention of the structural funds is insufficient;
 - adding to the objectives of Article 117 EEC, improved training and working conditions, equal opportunities, and access to education and culture, granted to all persons resident in the Community;
 - adding to the objectives of Article 118a EEC the harmonization, achieving progress, of living standards and social provisions, training, minimum levels of social security and welfare, minimum provisions for union law and collective bargaining;
 - establishing, through Article 128 EEC, a common policy providing for all persons in the Community to have access to appropriate vocational training throughout working life;

- modifying the last words of Article 130a EEC to refer to least-favoured regions and population groups.

15. Regards the competences transferred to the Community in the environmental sphere as adequate on condition that their exercise is subject to the following joint decision-making procedure.

FUNDAMENTAL RIGHTS AND FREEDOMS AND A CITIZEN'S EUROPE

16. Calls for the incorporation into the Treaties of the declaration of fundamental rights and freedoms approved by the European Parliament on 12 April 1989; calls for the Court of Justice to have jurisdiction for the protection of these fundamental rights vis-à-vis the Community with the possibility of direct access to the Court of Justice for Community citizens after national appeal procedures have been exhausted; considers furthermore that the Community should accede to the European Convention on Human Rights of the Council of Europe in order for the Community's procedures protecting fundamental rights to be subject to appeal to an external body at least in the areas covered by the Convention (in the same way as individual States, even those with charters of rights of their own, are subject to the European Convention);
17. Calls for provisions to be incorporated into the treaties providing for the development of common forms of European citizenship through such measures as voting rights for Community citizens in municipal and European elections in their Member States of residence.

IMPROVING THE DECISION-TAKING CAPACITY OF COUNCIL

18. Believes that unanimity should no longer be required for decision-taking in Council, except for constitutional matters (revision of the treaties), accession of new Member States and extension of the field of Community responsibilities (Article 235); considers that the requirement for unanimity for ordinary Community legislation and policies is tantamount to the dictatorship of the minority; considers that the experience of the recent extension of the field of majority voting shows that a significant improvement in the decision-taking capacity of the Council can be achieved by this means;
19. Considers that Council should hold its meetings in public when adopting Community legislation, in order to allow more openness and better scrutiny;
20. Calls for the setting up of an advisory regional committee comprising elected representatives of regional and local authorities in the Member States which would have the right to deliver opinions on regional policy and the regional and local impact of Community policies;
21. Is aware that many national parliaments are seeking to improve their scrutiny over their country's member of Council; expresses its readiness to assist the parliaments of the Member States with access to information; will continue to cooperate with the parliaments of the Member States in the

now regular meetings that take place at various levels between these parliaments and the European Parliament.

STRENGTHENING THE COMMISSION'S IMPLEMENTING POWERS

22. Considers that the amendment of Article 145 EEC by Article 10 of the Single European Act has not been properly implemented and Declaration No. 1 annexed to the Single Act has not been respected;
23. Calls for a further amendment to Article 155 of the EEC Treaty and a corresponding deletion in Article 145 of the EEC Treaty in order to clarify that implementing powers should in all cases be conferred on the Commission which, for this purpose, may be assisted by an advisory committee (purely consultative) or a management committee (able, by a qualified majority, to suspend Commission decisions and refer them to the legislative authority (Parliament and Council));
24. Considers that democratic scrutiny of Commission implementing provisions should be ensured by means of an obligation on the Commission to inform Parliament and Council immediately of any such measures and to discuss them with the appropriate organ of Parliament or Council when requested;
25. Believes that the Commission's responsibility to execute the budget as adopted should not be fettered by any committees other than advisory committees.

REFORMING THE BUDGET PROCEDURE AND THE SYSTEM OF OWN RESOURCES

26. Calls for the abolition of the current distinction between compulsory and non-compulsory expenditure, the application of the decision-making procedure for non-compulsory expenditure to the entire budget and joint decision-making powers for the Council, Parliament and the Commission in respect of multiannual financial planning; and calls for the budgetization of all other parts of Community spending (such as the European Coal and Steel Community) which are not presently subject to democratic control.
27. Considers that the Community should, by appropriate procedures which include adequate safeguards for Member States, be able to determine the nature and volume of its financial resources.

RECOGNIZING THE DUALITY OF COMMUNITY LEGITIMACY: COUNCIL AND PARLIAMENT

28. Considers it to be absolutely essential that Community legislation should be adopted by a procedure of co-decision between Parliament and Council.
29. Considers that the proposal contained in the memorandum of the Belgian Government represents a significant step towards a co-decision procedure, but considers that such a method gives too much weight to the final possibility for the Parliament to reject legislation in what amounts to a third reading and a simple veto power might cast Parliament in a negative light, as holding up the progress of the Community and causing interinstitutional conflict;

30. Calls for Parliament and the Council to be given equal rights and equal weight in the legislative process, provision being made for a mechanism to settle disputes between the two bodies which compels them to cooperate on an equal footing, and will make practical proposals on this matter.
31. Calls for Parliament also to be given the right to initiate legislative proposals in cases where the Commission fails to respond within a specified deadline to a specific request adopted by a majority of Members of Parliament to introduce proposals; in such cases a Parliament proposal adopted by a majority of Members would be the basis for initiating the legislative procedure described above;
32. Calls for Parliament to be given the right to elect the President of the Commission on a proposal from the European Council and will make concrete proposals as regards the procedure to be followed.
33. Considers that the procedure whereby Parliament gives its opinion on each nomination to the Court of Auditors should be modified to provide for Parliament to give its approval by a simple majority to nominations to the Court of Auditors and that the same procedure should apply to nominations to the Court of Justice, and to the appointment of the Community's delegates (ambassadors) to third countries;
34. Calls for the essential right to go to the Court of Justice for annulment should be explicitly granted to the European Parliament in the Treaties;
35. Demands that one of the three other institutions be entitled to consult the Court of Justice in respect of any matter regarding the interpretation of the Treaties (or the constitution) setting up or transforming the Union.
36. Considers that Parliament should have a right, enshrined in the Treaties, to establish committees of inquiry to investigate alleged contraventions of Community law or instances of maladministration with respect to Community responsibilities; the Treaty should provide for an obligation on Community institutions and other authorities to cooperate with such an inquiry;
37. The assent procedure should be extended to include Treaty amendments (Article 236 EEC and its equivalents in the other Treaties), modification of the regime of own resources, the uniform electoral system and all significant international agreements entered into by the Community;
38. Undertakes to submit appropriate drafts of Treaty articles and amendments conforming to the above requests in due time before the beginning of the intergovernmental conferences; expects the intergovernmental conferences to examine Parliament's requests and either to incorporate them as such in the Treaty revision or to agree with Parliament on alternative possibilities, in accordance with the procedure put forward in paragraph 5 of its resolution of 14 March 1990;

39. Calls for a move from the present Community based on Treaties to the Union of federal type on a constitutional basis and demands therefore the amendment of Article 236 of the EEC Treaty, the new version of which should provide for approval of constitutional amendments by the two legislative arms (Council and Parliament) and their subsequent ratification by national parliaments;
40. Considers in any event that such a major revision of the Treaties should be elaborated and agreed jointly by the representatives of the Member States and the representatives elected by the citizens of Europe to the European Parliament;
41. Instructs its President to forward this resolution to the Commission, the Council, the Court of Justice, the Court of Auditors, the Economic and Social Committee, the governments and the parliaments of the Member States and the consultative committee of local and regional authorities.

B.

EXPLANATORY STATEMENT

This report is the follow-up to the first interim report of the Committee on Institutional Affairs adopted by Parliament on 14 March 1990. The reader is referred to the explanatory statement of that report (Doc. A 3-47/90) for an overview of Parliament's approach and intentions.

In that resolution, Parliament called for the extension of the forthcoming revision of the treaties to cover matters other than economic and monetary union which was, at that time, the only subject on which Member States had agreed to call the necessary intergovernmental conference.

In expressing this view, Parliament was maintaining its position and its strategy concerning European Union. In a series of reports of the Committee on Institutional Affairs adopted in 1988 and 1989, Parliament had identified a number of shortcomings in the existing treaties, even after their revision by the Single European Act, and called for a new initiative towards European Union. It set out its strategy to this effect in its resolution of 16 February 1989 (HERMAN report). Parliament could therefore not be satisfied with the European Council's proposal to advance in one sector alone, however important that sector.

Since the adoption of Parliament's resolution of 14 March, there have been a number of significant developments, largely in response to that resolution. These were notably:

- * the aide-mémoire of the Belgian Government of 20 March 1990, which supports most of the key points in the Parliament's resolution;
- * the three resolutions adopted by the Italian Parliament on 21 March 1990 explicitly supporting the European Parliament's resolution and agreeing to host with the European Parliament the 'assizes' of national parliaments and the European Parliament in October 1990;
- * the letter sent by President MITTERRAND and Chancellor KOHL to the President-in-Office of the European Council calling for a second intergovernmental conference on political union in order to 'strengthen the democratic legitimacy of the union, render its institutions more efficient, ensure unity and coherence of the union's economic, monetary and political action and to define and implement a common foreign and security policy';
- * the special meeting in Dublin on 28 April 1990 at which the European Council 'confirmed its commitment to political union' and charged the foreign ministers with preparing 'proposals to be discussed at the European Council in June with a view to a decision on the holding of a second intergovernmental conference to work in parallel with that on EMU with a view to ratification in the same timeframe';
- * the initiative of the Spanish Prime Minister Felipe Gonzalez in favour of a citizen's Europe;

* the aide-mémoire of the Greek Government of 15 May 1990 which also supports most of the key points in Parliament's resolution.

Furthermore, in its resolution of 14 March, Parliament also called for a preconference to take place between the Community institutions to discuss the mandate for the intergovernmental conference. A first meeting of this preconference took place on 17 May in Strasbourg, with the participation of ministers from all the Member States:

<u>Council</u>		<u>Parliament</u>
Chair:	Mr COLLINS Foreign Minister of Ireland	Mr BARON President of the European Parliament
Belgium:	Mr EYSKENS Secretary of State for Foreign Affairs	Mr MARTIN Rapporteur on the IGC
Denmark:	Mr MOLLER Minister for State for European Affairs	Mr HERMAN Rapporteur on EMU
FRG:	Mrs ADAM-SCHWATZER Deputy Minister for Foreign Affairs	Mr COT, Chairman Socialist Group
Greece:	Mr CHRISTODOULOU Deputy Minister of European Affairs	Mr GISCARD d'ESTAING Chairman, Liberal Group
Spain:	Mr FERNANDEZ ORDONEZ Minister of Foreign Affairs	Mr PROUT, Chairman, ED Group Mr COLAJANNI, Chairman GUE Group
France:	Mr DUMAS Minister of Foreign Affairs	Mr OREJA, Chairman, Committee on Institutional Affairs
Ireland:	Mrs GEOGHEGAN-QUIN Minister of European Affairs	Mr HÄNSCH Mr COLOMBO
Italy:	Mr DE MICHELIS Minister of Foreign Affairs	Mrs BURON
Luxembourg:	Mr POOS Minister of Foreign Affairs	Mr VON WOGAU
Netherlands:	Mr VAN DEN BROEK Minister of Foreign Affairs	Mrs AGLIETTA
Portugal:	Mr MARTINA State Secretary for European Integration	<u>COMMISSION</u> President DELORS Vice-President ANDRIESEN Vice-President BANGEMANN Mr DONDELINGER

UK: Mrs CHALKER
Minister for Overseas
Development

At this meeting, there was a constructive exchange of views in an open and friendly atmosphere. All participating ministers appeared to accept the case for a second intergovernmental conference, as envisaged by the Dublin I Summit, with a wide agenda for institutional and political reform.

It therefore seemed that Parliament's argument in its resolution of 14 March had met with some considerable success and that the Community was about to embark on a major reform. However, at the subsequent meeting of foreign ministers in Parknasilla on 18 and 19 May 1990, a much more cautious attitude seems to have emerged, especially on the part of certain Member States. The scope of the forthcoming reform of the treaties is again a wide-open question. By the time this report is debated in plenary, it may well be the case that the Dublin II Summit has shed further light on the intentions of the Member States.

In the meantime, through this report and the resolution it will adopt, the European Parliament is spelling out in more detail the precise changes to the treaty that it would like to see in all the fields listed in its resolution of 14 March. It will follow this up with a further report in the form of precisely drafted treaty-amendments corresponding to these points.

As pointed out in the explanatory statement to that resolution, a reform in all the areas listed by Parliament would amount to the creation of 'a form of European Union'. In any event, Parliament's Committee on Institutional Affairs is also preparing other reports, notably the COLOMBO report on a draft constitution for European Union. If the current round of treaty reform is successful, then it would be useful to consolidate the amended treaties in a 'constitution', and in its resolution of 14 March the Parliament requested the intergovernmental conference to 'consider the institutional future of Europe with a view to instructing the European Parliament to finalize the draft constitution of the European Union'. If, on the other hand, the forthcoming intergovernmental conferences are not successful in achieving a global reform of the treaties, then Parliament will no doubt wish to continue its pressure for treaty reform and the constitutional document that it will prepare will then serve for this purpose.

In the meantime, Parliament is continuing to press its case, as outlined in this motion for resolution. The explanatory statement to the first interim report went into some detail in these fields, and need not be repeated here. The sum total of the treaty changes advocated here provide an answer to those heads of government who asked 'what is European Union?'. European Union, as advocated here, consists of the following essential elements:

- economic and monetary union with a single currency and autonomous central bank;
- a common foreign policy including joint consideration of the issues of peace, security and arms control;

- a completed single market with common policies in all the areas in which the economic integration and mutual interdependence of the Member States require common action, notably to ensure economic and social cohesion and a balanced environment;
- elements of common citizenship and a common framework for protecting basic rights;
- an institutional system sufficiently efficient to manage these responsibilities effectively and which is democratically structured.

The objective of European Union has been proclaimed for so long by all our Member States and by the Community institutions that any stepping back from the commitments expressed at the Dublin I European Council would inevitably be greeted with considerable dismay by the peoples of Europe. Parliament is clearly spelling out the way ahead, on behalf of the electorate that chose it for this purpose. It is up to the Member States to respond.

COMMITTEE ON YOUTH, CULTURE, EDUCATION,
THE MEDIA AND SPORT

OPINION IN THE FORM OF A LETTER

Letter from the chairman of the Committee on Youth, Culture, Education, the Media and Sport to Mr OREJA, Chairman of the Committee on Institutional Affairs

Subject: Intergovernmental Conference, a constitution for the European Union and the principle of subsidiarity: account to be taken of the cultural dimension

Dear Mr Oreja,

At its meeting of 28, 29 and 30 May 1990 the Committee on Youth, Education, the Media and Sport tackled the question of the Community's cultural dimension as a contribution to the reports drawn up by Mr MARTIN, Mr COLOMBO and Mr GISCARD D'ESTAING on the three subjects referred to above. It adopted the following unanimously².

Culture as such is not mentioned in the Treaty establishing the European Economic Community. The only reference to the subject deals with the protection of the national artistic, historical or archaeological heritage for which the Member States are empowered to draw up a specific system of safeguards by way of derogation from the principle of the freedom of movement of goods within the Community (Article 36 of the EEC Treaty).

Nevertheless, how would it be conceivable for the European Community, had its various cultural traditions not shared common values, to have developed to the point where its Member States are envisaging the qualitative leap forward which political union represents, partly under the influence of outside events connected with the structuring of Europe following the events of 1989 in Central and Eastern Europe and the Soviet Union?

This institutional vacuum has not prevented the Member States from laying the foundations for a cultural policy, to be understood in its broadest sense. The following should be borne in mind in particular:

- (a) the various resolutions adopted by the Council and the Ministers for Education on the implementation of the programme on education, the promotion of modern languages, the European dimension in schools, equality of opportunities for girls and boys at school, new education technologies, the disabled and vocational training for women,

² The following were present: Barzanti (Chairman); Canavaro (deputizing for Dührkop Dührkop), Coimbra Martins, Dillen (deputizing for Le Pen), Gröner, Kellett-Bowman (deputizing for Sir Jack Stewart-Clark), Larive, Maibaum (deputizing for Krieps), Münch, Oostlander, Rawlings, Taradash.

6 June 1990

- (b) Community programmes such as COMETT, ERASMUS, PETRA, TEMPUS, EUROBORET, Youth for Europe, LINGUA and those relating to minority languages and cultures and the exchange of young workers and secondary school teachers, etc.,
- (c) the various directives concerning the mutual recognition of diplomas and professional qualifications,
- (d) the adoption by the Council of the Directive on television without frontiers and the MEDIA programme,
- (e) measures for the protection of the European architectural heritage and the naming each year of a European city as the cultural capital, chosen because of its symbolic value,
- (f) the large number of resolutions adopted by the ministers responsible for cultural affairs, for example on the promotion of books and reading.

It is true that most of the legislative texts adopted by the Council have an essentially economic purpose, since it is a question of ensuring the free movement of persons, goods and services within the common market and guaranteeing equal conditions for competition. Nor should we forget the role of the Court of Justice and its judgments in the establishment of a cultural policy (e.g. the standardization of book prices).

Nevertheless, all these measures taken under the pressure of economic needs do not make up a European cultural policy which can endow the single market with a soul and make the citizens of the European Community feel that they belong to a new entity which transcends national, regional, local or minority cultures but without replacing them.

The Committee on Youth therefore calls on the Committee on Institutional Affairs to ensure that the cultural dimension of Europe is taken into account, both during the run-up to the Intergovernmental Conference on European Union and in the future constitution for the European Union, but on the understanding that political union must explicitly guarantee respect for national, regional, local and minority cultures, whether or not they are linked to a specific territory.

Once this has been stated, the European Union must have powers in the educational and cultural sphere and fully respect the principle of subsidiarity, since this will also increase efficiency. The future constitution of the European Union must contain an article extending the Union's powers to education and culture, thus allowing the implementation of dynamic measures designed to stimulate, strengthen and support Europe's cultural identity, over and above purely economic considerations and through its specific components such as national, regional, local or minority cultures. Moreover, the elimination of disparities in education and training is the essential condition for an undistorted market.

It is important to link the powers which the Community is to acquire in the cultural sector with the extension and/or reinforcement of existing measures in this sector. This would apply to vocational training, which must ensure greater mobility for people and make it easier for them to compare their experiences, and it will also apply to education, since educational systems must become more comparable with one another. It is obvious, even if we

consider only this example, that the principle of subsidiarity must not lead to a reinforcement of the separateness of educational systems - if education is to be provided first and foremost by the Member States or by their subdivisions, it is equally true that this exclusive responsibility must not impede dialogue between the authorities responsible for education, in the interest of creating 'a People's Europe'. The principle of subsidiarity must therefore be given a dynamic and positive interpretation. A common policy must also be developed in the communication and information sectors, since political union is supposed to make provision for the powers needed to guarantee pluralism of information, in particular in view of the phenomena of concentration in the media sector, by devising a specific competition policy which is not based exclusively on economic considerations. The right to communication and information upheld in the European Convention on Human Rights must be safeguarded whilst European production and creative freedom are being protected against competition from third countries.

The Committee on Youth therefore calls on the Committee on Institutional Affairs to include in its reports the considerations outlined above, on the understanding that the dynamism deriving from the principle of subsidiarity, with the system of powers and counter-powers inherent in it, should forestall any temptation towards centralization and safeguard freedoms. These freedoms would be even better protected if a structure existed for dialogue between the Union's authorities and the bodies responsible for education and culture in the Member States whether these were at government level or below or incorporated employers' and workers' representatives. European culture is rich in variety. Its components form part of mankind's shared heritage. It is this variety which it is important to preserve and enhance. Consequently, the constitution of the future European Union must give this consideration priority.

In conclusion, the Committee on Youth, Culture, Education, the Media and Sport will be particularly attentive in monitoring the work on institutional affairs carried out by the European Parliament and the Community's other institutions with responsibilities in this sphere. It reserves the right, at the appropriate time, to take any practical measures to ensure that its views, as set out in this letter, are heard and make a positive contribution to this wide-ranging institutional debate which has a fundamental bearing on the future development of the European Community.

Yours sincerely,

(sgd) Roberto BARZANTI

