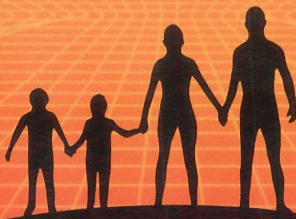




A CITIZEN'S EUROPE



Europe
on the move





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A CITIZEN'S EUROPE

by Pascal Fontaine

Pascal Fontaine, born in 1948 and holder of a doctorate in political science, was the last assistant to Jean Monnet, with whom he worked from 1973 to 1977. Having gone on to serve as chef de cabinet to the President of the European Parliament from 1984 to 1987, Fontaine now teaches at the Institut d'études politiques in Paris.

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The European ideal at work for Europe's citizens

Forty years on from the birth of the European Community, we now have the historical perspective needed to assess the wider changes that take place in society. One obvious conclusion emerges: the process of European unification is now irreversible. It has become an undeniable fact of political and economic life, influencing our industrial strategies and altering the way in which Europe is perceived by the world outside. But are ordinary Europeans fully aware of the changes being wrought in their day-to-day lives and their prospects of personal fulfilment? Anyone who thinks that European integration is a purely technocratic process has failed to appreciate its underlying philosophy and moral foundation.

There is nothing new, of course, about the European ideal: in the nineteenth century, it was an inspiration for poets and romantics, only to be distorted by conquerors seeking to justify their lust for power. It did not come to full expression in practical form, however, until just after the Second World War, when a handful of courageous, visionary statesmen determined to put a stop to the loss of life that seemed to be the inevitable outcome of conflicts between nation-States.

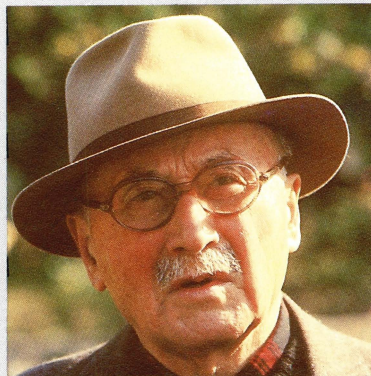
The Community's founding fathers set the peoples of Europe back on their feet by creating favourable conditions for a firm and lasting peace, encouraging trade and dialogue and giving enterprises under individual and collective ownership room to cooperate. 'To build Europe is to build peace,' said Jean Monnet, who was profoundly affected by the failure of attempts between the two world wars to establish

collective security on the basis of a precarious balance of powers. However, a Europe on the path to unity is not merely a diplomatic success. It is, first and foremost, an experiment whose results are of universal significance, an attempt to establish between States the same rules and codes of behaviour that enabled primitive societies to become peaceful and civilized. 'We are not forming coalitions between States but union among people', as Monnet, the man who was the inspiration behind the Schuman Declaration, was fond of saying — that declaration brought the first European Community, the European Coal and Steel Community, into existence in 1950.

'Have I said clearly enough that the Community we have created is not an end in itself? It is a process of change, continuing that same process which in an earlier period of history produced our national forms of life. Like our provinces in the past, our nations today must learn to live together under common rules and institutions freely arrived at. The sovereign nations of the past

'My goal is to unite peoples and to associate nations.'

Jacques Delors,
Conference of the
Parliaments of the Euro-
pean Community, Rome,
28 November 1990.



Jean Monnet

can no longer solve the problems of the present: they cannot ensure their own progress or control their own future’.

Jean Monnet, *Mémoires*, p. 524

The Community’s first achievements were in the economic sphere because the whole edifice had to be built on the enduring foundation of specific, shared interests. At the same time, the men who had made it possible for victors and vanquished soon after the war to extend a hand to each other and speak of ‘henceforth sharing a common destiny’ were marking their implicit faith in humanity and their trust in the progress they could achieve together.

A profoundly humanistic enterprise, though one long obscured by the need to avoid any direct challenge to national sensitivities, ‘a people’s Europe’ became an avowed political objective in the 1970s. In 1975, at the request of the European Council (consisting of the Heads of State or Government), the

Belgian Prime Minister, Leo Tindemans, produced a report on European union. The report emphasized that ‘the construction of Europe is not just a form of collaboration between States. It is a *rapprochement* of people who wish to go forward, together adapting their actions to the changing conditions in the world while preserving those values which are their common heritage ... Europe must be close to its citizens.’

Since then, the concept of a people’s Europe has been constantly refined and asserted. In June 1984, the European Council meeting in Fontainebleau set up an *ad hoc* committee chaired by Pietro Adonnino. The following year, the committee produced two reports proposing a series of specific measures.

Some of these were proposals for practical action designed to give the citizens of Member States greater freedom of movement and freedom to work within the Community. Others dealt with defining the special rights of



The Heads of State or Government, sitting as the European Council at Fontainebleau in June 1984, gave a boost to the concept of a people’s Europe.

citizens, creating symbols reflecting European identity or fostering cultural exchanges.

Everyone nowadays recognizes the sky-blue banner with 12 gold stars symbolizing European unification, which we see more and more often flying alongside national flags in front of public buildings. Is there anyone who can fail to be moved on hearing the *Ode to Joy* from Beethoven's Ninth Symphony, which in some quarters is already being put forward as the future anthem of a united Europe? What Community national does not enjoy following the 'European Community' sign in airport arrival halls, and passing through simply by showing the uniform passport adopted in 1985?

To the sceptic, of course these symbolic measures may seem purely decorative.

But because they strike most people's imaginations, and because they come close to the symbols that embody State sovereignty, they testify to the substantial progress made by an idea which has now been transformed from myth into reality.

The European Community has made steady progress since the institutions of the European Coal and Steel Community (ECSC) were set up in 1951 and those of the European Economic Community (EEC) and the European Atomic Energy Community (EAEC) were set up in 1958. The Single European Act of 1986 extended the Community's field of action to new policies, so that a European dimension has been given to wide areas of economic and social life involving Community citizens as consumers, workers, farmers, students, self-employed professionals or entrepreneurs. We are now seeing the emergence of a *Homo europeus* benefiting, though without always



realizing it, from the many advantages conferred on him by his country's commitment to Community policies. Citizens now have more options open to them, greater freedom and higher living standards and expectations, all because of belonging to a greater whole that is making national efforts converge towards higher standards in relation to the environment, consumer protection and social advancement. A people's Europe exists first and foremost because the European Community is a success, a focus for the aspirations of all other peoples of the continent who hope to join it before the end of the century, and because it represents a factor for stability in international relations and Third World development.

The blue banner with 12 gold stars is the emblem of European unification, a rallying point for all citizens of the European Community.

The Ode to Joy from Beethoven's Ninth Symphony is regarded as the anthem of European unification.



which have been under way since early 1991. The concept of European union encompasses an ambitious objective, one commensurate with the challenges which now face the whole of Europe and to which no Member State can respond on its own: protection of the ecosystem, employment, technological competition, monetary stability, security and solidarity with the least well-off. As the course we are embarked on nears completion, it is Europe's citizens who are both the prime movers and those who have most to gain.

But if Europe is to take further steps towards political union, it now needs the support of its citizens. This means that emphasis must be laid on public information and consciousness-raising programmes to make everyone more aware of the positive aspects of European integration, and of the need to push ahead. Though summoned to the polls every five years to elect their representatives to the European Parliament, voters in the 12 Member States have too few ways of making their voices heard. The path to a personal contribution by them to the building of Europe will be through the recognition and exercise of specific rights which give real substance to the notion of European citizenship.

Will European citizens one day be able to vote in another Member State? In non-member countries, will they be protected by the embassy of another Member State of the Community? Will national courts guarantee them the enjoyment of the specific rights of freedom of residence, access to employment and eligibility for social security benefits which the Community is moving towards securing for every one of its citizens through the creation of the single market in 1993?

This question lies at the very heart of the negotiations on political union

Citizens need to be more demanding and show greater responsibility towards the personal contribution they must make, either as individuals or as members of organized lobby groups,¹ to the success of the Community venture, whose only justification has ever been that it will give Europeans, individually and in the mass, control over their own future.

¹ The European Movement, founded in 1948 and organized both federally and nationally in each Member State, could find itself playing a more important part in the emergence of this type of active involvement.

A Community of law and democracy

The peace that Western Europe has enjoyed since the end of the Second World War is first and foremost a reflection of the new world order that followed the victory of the allied democracies. It is guaranteed both by the United Nations Charter and by the mutual defence pacts that the countries of Western Europe¹ have signed with each other and with North America. The Member States of the European Community have forearmed themselves against any new outbreak of hostilities between former enemies, and at the same time also put up a united front against the threat of a new kind of totalitarianism which, from the Prague coup and the Berlin blockade in 1948 to the invasion of South Korea in 1950, had hung over Europe's freedom in the postwar years.

As a region of peace and security, the European Community has been solidly bound together by respect for the law and by the practice of its institutions.

Laws applying directly to Community citizens

As a body founded by international treaties, the Community is a creation of law, and is itself the source of a body of autonomous law that applies directly to the Member States and to individual citizens.

As the Community itself has no police force or other means of coercion, it relies on the democratic character of the Member States, each of which is ruled according to constitutional precepts that make respect for legality the very principle of government. These general principles, which were recognized and enunciated by the European Court of Justice at a very early stage, are of paramount importance for European citizens. In its judgment of 15 July 1964, in the *Costa v Enel* case, the Court said that 'by contrast with ordinary international treaties, the EEC Treaty has created its own legal system which, on the entry into force of the Treaty, became an integral part of the legal systems of the Member States and which their courts are bound to apply. By creating a Community of unlimited duration, having its own institutions, its own per-



¹ Ireland is the only Member State of the European Community with neutral status.

The uniform European passport adopted in 1985.

sonality, its own legal capacity and capacity of representation on the international plane and, more particularly, real powers stemming from a limitation of sovereignty or a transfer of powers from the States to the Community, the Member States have, [albeit within limited areas,] limited their sovereign rights and have thus created a body of law which binds both their nationals and themselves’.

The Court’s interpretation of the special nature of Community law, based on a consideration of the Treaty’s ultimate intent, has been a powerful integrating factor. It has made every Community citizen both a beneficiary of and subject to a new, supranational legal system. As Robert Lecourt, former President of the European Court of Justice, put it: ‘In the eyes of ordinary citizens, the Community is either an appealing but remote abstraction of interest only to governments, which apply its regulations at their own discretion; or it is a factual reality, thereby creating its own laws and rights’.¹

¹ *L’Europe des juges*, Brussels, 1976.

This notion that European law is directly binding on individuals, together with the principle that Community law takes precedence over national law, is one of the pillars of the system. It has opened the way for individual citizens appearing before their own national courts to invoke the existence of the Community, which ‘constitutes a new legal order of international law for the benefit of which the States have limited their sovereign rights, albeit within limited fields, and the subjects of which comprise not only Member States, but also their nationals. Independently of the legislation of Member States, Community law therefore not only imposes obligations on individuals but is also intended to confer upon them rights that become part of their legal heritage’.²

When the law was enlisted in the service of individual citizens and the judges in Luxembourg started basing their rulings on an ‘ultimate purpose’ interpretation of the Treaties’ objectives, particularly those set out in the preamble, a people’s Europe began to find its firmest foundation. No national government department, no national judge, no constitutional court has been able to deny these specifically Community-based rights, which exist in addition to those enjoyed by a country’s own nationals.

These rights, which are essentially those linked to the opening of the common market, to non-discrimination in employment and to freedom of movement, are described in detail below. They have played their part in shaping the citizen of the Community, although that status is still a long way from that

² European Court of Justice, *Van Gend & Loos*, February 1963.



of a citizen of Europe, which has yet to be defined. The Communities, of course, stem from the Treaty of Paris and the Treaty of Rome and only exercise competence by attribution (conferred powers). Even though these powers are tending to expand, particularly since the Single European Act of 1986 and the establishment of the internal market, they remain far narrower than those which point to the existence of a federal State.

European democracy through the Community institutions

Community law and institutions have now become firmly entrenched enough to pave the way for political developments which will see the emergence of the true European citizen. The institutions have played a key role in the genesis and flowering of the European venture. Jean Monnet, who was the prime mover in formulating both the objectives and the implementing arrangements for the European Coal and Steel Community inaugurated by Robert Schuman on 9 May 1950, openly declared his belief in the formative and regulatory value of institutions. He himself had experience of international organizations such as the league of Nations, which was based merely on cooperation between States and had no real powers of its own. He recognized that 'Union cannot be based solely on good will; there have to be rules. Men pass on, and others will come in our place. We shall not be able to leave them our personal experience, which will die with us; what we can leave them are institu-

Europe, an old continent with a rich history, now moving towards union.



The European Parliament is the forum in which European citizens are directly represented in the process of European unification.



tions. An institution's lifespan is longer than a man's, and institutions, if they are well built, can thus accumulate and transmit the wisdom of succeeding generations'.¹

While institutions are the framework for human action, they are also the guarantee of democratic dialogue.

How are individual European citizens represented and what ways have they of making their voices heard in the Community? This happens first of all through the European Parliament, which has been elected by direct, universal suffrage since 1979 and whose composition reflects the political groupings found in each member country. The 518 Euro-MPs meeting in Strasbourg and Brussels exercise powers of control over the Commission and the Council, through written and oral questions (3 075 written and 1 766 oral questions were tabled in 1990) and through debates of the full

house leading to the adoption of resolutions (601 resolutions were adopted in 1990) on matters on which Parliament has been consulted and on topical political issues. Sharing budgetary power with the Council of Ministers, the European Parliament has the final say on a growing proportion of categories of expenditure and can reject the budget in its entirety (the budget for 1991 was ECU 55 billion). Through its Committee on Budgetary Control, Parliament acts as a watchdog on the proper use of budget appropriations, for which, in terms of democratic representation, it alone is accountable to taxpayers. The financial Treaties of 1970 and 1975, by providing the Community with its own directly collected resources, gave it budgetary autonomy and transferred political control over the funds concerned from the national parliaments to the European Parliament.

¹ Jean Monnet, speech, Strasbourg, 11 September 1952.

Is European democracy functioning as it should? The European Parliament does not have any legislative powers and cites the existence of a 'democratic deficit' to back up its demand for new powers to be conferred on it. There are grounds for such a demand. Under the present institutional system, based as it is on cooperation between the Commission, which proposes and executes, the Council, which decides, and Parliament, which is consulted, the bulk of legislative power is in the hands of the Council, which consists of representatives of the Member States.

Although these representatives come from democratically constituted governments, and although the practice of majority voting within the Council means that internal democracy can be reconciled with efficiency, it is nevertheless true that an act of Community legislation can at the moment be adopted without the explicit approval of either the national parliaments or the European Parliament. Since such an act, in the form of a Community regulation, has binding legal effect and is directly applicable in each Member State, surely the European citizens who are bound by it therefore have a legitimate right to be involved in the process of its adoption, through their directly elected MEPs? This is the reasoning behind the European Parliament's demand¹ for a genuine power of joint decision over legislation on an equal footing with the Council, now the subject of several proposals being discussed in the context of the Intergovernmental Conference on Political Union. Legislative codecision-making power, linked to a more effective use of the potential for

the Member States' national parliaments to exercise control over their governments' European policy, would give democracy a stronger voice through the medium of the Community institutions.

Although the present institutional system is perfectible, it remains on the whole well-balanced and efficient, and its original foundations are still sound. Besides the Parliament, each of the other institutions has a legitimacy of its own. The Commission represents the Community's interests; its independence and powers give it a key role in the definition of long-term common policies and their day-to-day implementation. As the guardian of the Treaties, it works above all for Europe's citizens, for whom it is winning new areas of freedom and new instruments of solidarity. The European Court of Justice guarantees the enjoyment of Community rights and gives them a uniform interpretation. The Council of Ministers embodies the legitimacy and interests of the Member States. These four institutions — the Parliament, the Commission, the Council of Ministers and the Court of Justice — exercise complementary functions. In the Community's transition from its present stage to becoming a European Union, each of these four bodies will have to be strengthened; otherwise, the initial balance will be upset and the gains already achieved will be endangered. The highly political debate on the future of the unification process and the role of the institutions is of direct concern to individual European citizens.

¹ Martin resolution of 21 November 1990 and Colombo resolution of 13 December 1990.

'Although economic success is vital, it will not be enough to create a large frontier-free market nor, as implied by the Single Act, an economic and social area. It is for us, in advance of 1993, to put some flesh on the Community's bones and, dare I suggest, give it a little more soul.'

Jacques Delors, opening address, European Parliament,
17 January 1989

How can they make their voices better heard, apart from voting in European elections or when they bring a case before the Court? The Euro-MP is the natural, day-to-day intermediary between the citizen and the European authorities. The European Parliament is a very open body, able at each monthly part-session to take stands on major current issues through its emergency resolutions procedure. The Petitions Committee may be addressed by any Community national who wishes to call upon Community arbitration to enforce his or her rights. (In the 1989/90 parliamentary year, 774 petitions were received.)

A proposal put forward by the Spanish Government for a European ombudsman is making headway. Five of the Community countries, Spain, Ireland, Denmark, Italy and the Netherlands, have the institution of 'the people's defender'. In France this role is assigned to a mediator, in the United Kingdom to a Member of Parliament and in Greece to the Chairman of the Committee on Justice, Public Administration and Public Order.

A European ombudsman could act either directly or through the various ombudsmen or their equivalents in the Member States to ensure that the special rights of European citizens were protected. As the process of European union advances, these rights can only increase.

The benefits of the single market

Article 2 of the Treaty establishing the EEC sets a target: 'The Community shall have as its task... to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it'. This objective was to be achieved through two complementary means: the opening of the frontiers, entailing the free movement of people, goods and services, and the organization of solidarity by establishing common policies and financial instruments.

Open frontiers in 1993: a wager already won

As 1 January 1993, the day when the single European market is to open, draws nearer, the contract has been practically fulfilled. Why should it have taken more than 40 years to achieve such a result, when as long ago as July 1968, 18 months ahead of schedule, internal customs duties and quotas were eliminated? It has taken that long because taxation is more difficult to harmonize than customs duties, because the regulations governing the professions differ from one country to another, and because the combination of brazen protectionism and the proliferation of technical norms tended, paradoxically, to reinforce the compartmentalization of markets in the early 1980s.

Some Member States, those hardest hit by the recession following the two oil crises of 1974 and 1980, resorted to protectionist measures to safeguard their own markets against increased world competition.

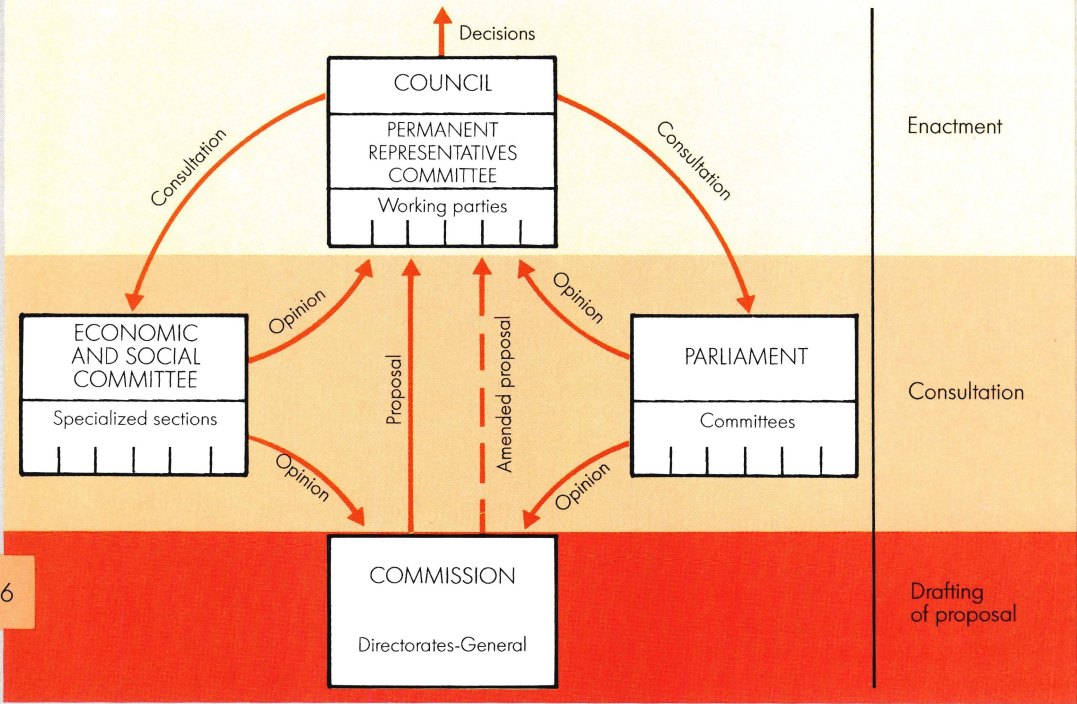
When it published its White Paper in 1985, the new Commission chaired by Jacques Delors struck a firm blow: there had been too many delays and there were still too many obstacles in the way of establishing the area of economic expansion which a market of 300 million consumers could embody.

The diagnosis is a familiar one: 'the cost of non-Europe', due to such causes as border delays, technical barriers and compartmentalization of public procurement contracts, was close to ECU 200 billion. It was estimated, conversely, that completion of the single European market would lead to an additional five percentage points of growth and create five million new jobs.

Throughout the Community, citizens must have the right to travel, live, study and work where they choose.



The Community's decision-making process



In February 1986, then, by signing the Single European Act which set the timetable for phasing in some 300 measures required for the completion of the internal market, the Community set up a new frontier whose positive effects are already being felt.

Entrepreneurs, professional organizations and trade unions have spontaneously started to forestall the 1993 deadline by adapting their strategies to the new rules of the game. All of us, in our daily lives, will have greater freedom of choice as consumers, travellers, workers and students. In the years to come, a French motorist will be able to take out insurance with a German company, an English teacher give lessons in Italy, a Dutch supplier bid freely on a Spanish town's call for tenders. As it is, a saver can already

transfer funds within the Community and an investor can buy a shareholding interest in a public limited liability company in another Member State.

The individual rights already in existence or on the way to being recognized are detailed below (see Chapter IV). The main point here is that the unification process, which at the outset was something of a gamble, as it meant creating a self-sustaining cycle running on freedom of move-

ment, competition and growth, is now irreversible. Physical, tax and technical frontiers are falling one after the other,¹ even though there are some particularly sensitive areas, such as the harmonization of value-added tax (VAT) rates or right of residence in which progress has not been as fast.

Non-member countries, such as those in the European Free Trade Association (EFTA), are sure enough that the Europe of 1993 is a real prospect to commit themselves to comprehensive negotiations with the Community with a view to setting up the European economic area (EEA) from 1 January 1993.

Solidarity as a *sine qua non*

The Community is opening its frontiers and achieving economic liberalization, but is it also showing social solidarity? As a powerful apparatus for limiting the impact of the worldwide recession caused by the oil crises of 1973 and 1980, the forward momentum of the internal market was not supposed to bring benefits only to the most highly developed production sectors and regions. From the outset, the EEC has had to face the question of its own internal disparities, which have become more marked as the Community has grown. At present, the gap between the richest and poorest regions is of the order of one to six, whilst the accession of Spain and Portugal in 1986, followed by German unification in 1990, has doubled the number of people living in regions where average personal income is less than 75% of average personal income in the Community as a whole.

Such differences will not fade away by magic, but Community institutions have a responsibility to make sure that everyone active in economic life and

¹ 'Completing the internal market', progress report, published by the Commission, November 1990, COM(90) 552.



The proportion of the Community population living in regions where average personal income is too low must be reduced.

social affairs in the Community has an equal chance to benefit from the forward drive of the single market.

Strengthening the Community's economic and social cohesion has become the natural consequence of the frontier-free internal market. This implies a far-reaching effort at solidarity between regions, one which was set in motion in February 1988 when the Community decided to double the budget appropriations for structural expenditure. From 1989 to 1993, ECU 14 billion is being earmarked annually for the development of regions which are lagging behind, the redevelopment of certain industrial areas, assistance for the long-term unemployed, support for the occupational integration of young people, the modernization of agricultural structures and the development of less-favoured rural areas. These funds, channelled through existing funding mechanisms which have been completely overhauled (the European Regional Development Fund or ERDF, the European Social Fund or ESF and the European Agricultural Guidance and

Guarantee Fund or EAGGF), complement or act as an incentive to State and regional efforts and private investments. They come out of the Community budget and reflect the rising power of purpose-designed policies which are working to bring about genuine transfers of wealth throughout the Community. Does the taxpayer in Paris or Hamburg know that he is contributing to the development of Calabria or Ireland, even if that involvement is only marginal when measured against the redistributive effects of each country's national budget?

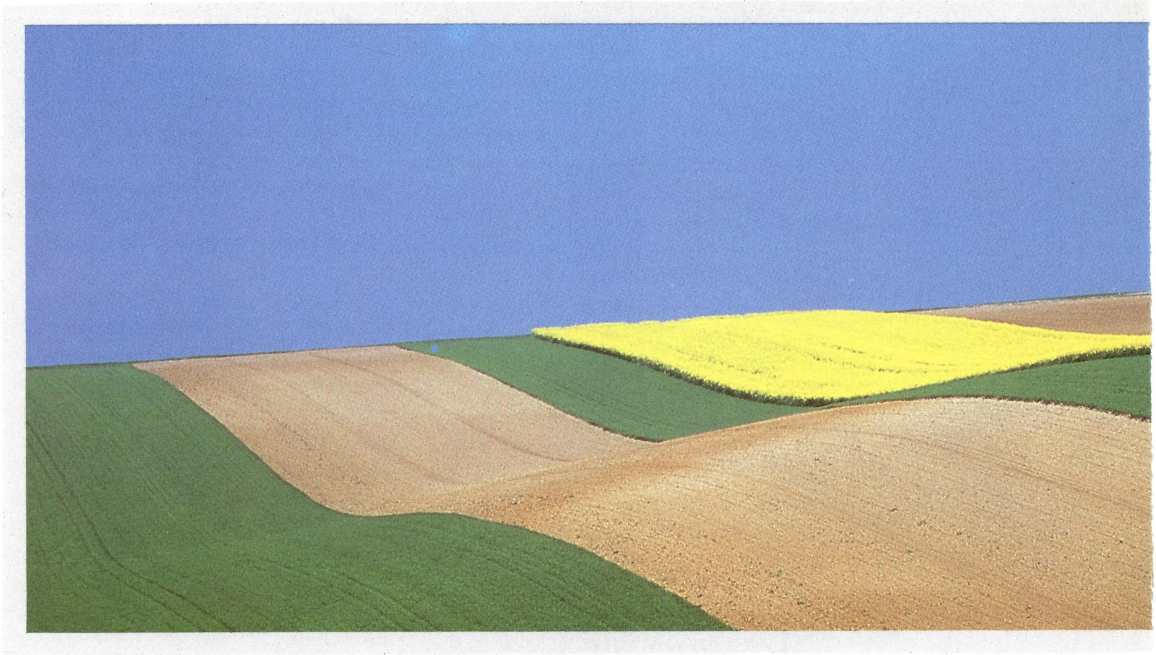
People must become more aware of the need for solidarity if current efforts are to be expanded.

Europe is a hive of potential: we need even better training for young people, improved communications, higher living standards and revitalized public services, so that European citizens throughout the Community have the greatest possible freedom to travel, live, study and work where they choose. Greater mobility and availability of people are among the advantages offered by the scale of a continent. So far, the most appropriate instrument for carrying out this redistribution is the Community budget, along with the European Investment Bank, which grants loans for infrastructure and industrial projects in underdeveloped countries and regions.

As the Community budget now represents barely 1% of the aggregate gross national product of the 12 Member States, it will have to be increased to meet the additional needs created by the transfer of new policies from the national to the Community level. In parallel with that transfer, the European Parliament, as budgetary co-authority, could be explicitly involved in defining revenue. European



In the interests of farmers and consumers, the future of the common agricultural policy must be secured.



citizens, as taxpayers, will be more willing to undertake their fair share of the duty of solidarity towards everyone else in the Community if they can appreciate how much it weights the stakes in favour of democratic debate.

High among the factors at stake is the future of the common agricultural policy (CAP), which, despite being the oldest and best integrated of the common policies, is now firmly in the firing line.

Critics point to its cost (ECU 31 billion in 1991, out of a total budget of ECU 55 billion), as well as its operational flaws, which include the creation of surpluses, protectionism, expensive market organizations and exploitative use of the environment.

Article 39 of the Treaty of Rome set certain targets for the CAP which have largely been met. These are: to ensure a fair standard of living for the agricultural community, stabilize markets, ensure that supplies reach

consumers at reasonable prices and bring agricultural structures up to date. The principles of market unity, Community preference and financial solidarity have functioned correctly in the context of an agricultural sector operating at a deficit. Consumers have been guaranteed secure supplies at stable prices, protected from the erratic fluctuations of the world market. Because of the flight from the land and the modernization of farming methods, the percentage of the EEC's working population engaged in farming has fallen from 20% to 8%, and agriculture has become a competitive production sector.

The common agricultural policy is a victim of its own success. Its methods now need to be redefined so as to reduce the growth rate of agricultural production (up 2% annually from 1973 to 1988), which greatly exceeds the rate of growth in consumption (up 0.5% annually).

The measures adopted since the Commission's 1985 Green Paper have not yielded all the expected results. Some farmers are producing more to offset the cut in guaranteed prices, engaging in intensive cultivation with harmful ecological effects. A split is developing in agriculture, widening the gap between efficient, semi-industrial farms, which consume energy and fertilizer, and more modest farms, which are being severely hit by rationalization schemes that are making it hard for small farmers to carry on.

The thrust of the common agricultural policy in the year 2000 is currently the subject of an in-depth debate sparked off by the Mac Sharry memorandum adopted by the Commission in February 1991. This is undoubtedly the most difficult internal challenge the Community will have to face in the years ahead.

At issue is the fate of millions of farmers, who are responsible both for the quality of the food products people in Europe consume and for maintaining a certain type of rural society based on family farming and on protection of the traditional countryside which forms the wealth of Europe's land heritage. The social, human and ecological aspects of the future of European agriculture are worth stressing here because they call for a response which goes beyond purely economic factors.

A single currency soon?

While the advantages European citizens can expect to gain from the completion of the internal market are powerful enough arguments in themselves, no description of them would be complete without some mention of the benefits which should accrue from the ambitious plans for economic and monetary union. The concepts of the internal market and monetary union derive from the same premisses. Twelve independent currencies existing side by side in a frontier-free internal market would not be compatible with internal freedom of movement unless the exchange rates between them were maintained at fixed parities. A return to fluctuating exchange rates, opening the door to competitive devaluations, would have the effect of re-compartmentalizing markets on the basis of separate currency zones.

Monetary union, which presupposes a single currency, a single market for capital, a common pool of exchange reserves and, ultimately, a common economic and monetary policy, is not just the proviso for the optimum functioning of the internal market. It will also bring economic and political gains, so much so that European Union without a single currency would be hamstrung and impotent.

Let the facts speak for themselves: the dealing charge savings achieved by eliminating foreign exchange commissions between the existing currencies, the end of speculative dealing, greater price transparency making for increased competition and, lastly, the advantages of having a single currency which could function as an international currency would generate an overall profit estimated at an increase of 1% in the aggregate gross national product of the 12 Member States, i.e. more than ECU 50 billion, which is

equivalent to the Community's entire current annual budget.

The political gain, too, would be a determining factor in opting to establish Union, since a system where a single currency was managed by a common central bank would have direct implications for the Member States' economic and budgetary policies, and would gradually make it legitimate and even essential to establish a common political authority.

Since the debate on economic and monetary union goes to the very heart of the question of sovereignty, it properly takes place at the highest level of political responsibility. The European Council meeting in Rome in October 1990 mandated the Intergovernmental Conference that opened on 14 December of that year to explore every avenue of the three-stage plan drawn up by the Delors Committee.

The Community should have a single currency, the ecu, by the turn of the century.



How much autonomy should the central bank be given?

To what extent should economic policies converge before the common monetary authority is entrusted with decision-making powers in respect of interest rates or budgetary discipline? Could monetary integration be achieved in stages which would allow for the differences between the Member States' economies without endangering the Community economy as a whole?

All the signs suggest that despite the resistance which the prospect of such a profound change in habits and in the distribution of power provokes, a single currency will come into being before the end of the century. After all, the first plan for economic and monetary union dates back to the summit held in The Hague in December 1969, and came up as an issue again under pressure from the unsettled international monetary situation caused by the fluctuating exchange value of the dollar and oil price increases. The European Monetary System (EMS) has

been functioning since March 1979 effectively enough to persuade virtually all the Member States to put their currencies into it. The private ecu now ranks fourth on the world market in loan capital and is used outside as well as inside the Community. Because of its stability, the result of its being made up of a 'basket' of currencies, it is a medium with attractions for companies, as it means that they can cut the costs of foreign exchange.

Soon, ordinary European citizens will be able to use the ecu as a means of payment in the form of bank notes and coins. Travellers' cheques and Eurocheques denominated in ecus are already being issued.

Much more than just a system for giving practical expression to the thorough mutual penetration of Europe's markets within a single market and to the drive for convergence and solidarity between the Member States' economies, the ecu of the future will be one of the world's two or three principal currencies, a visible sign of the unity and power of Europe.

Policies for progress

Although, as Jacques Delors says, 'nobody falls in love with a growth rate' or a single market, we are all capable of judging for ourselves what positive gains practical Community-level policies can bring us in our daily lives.

The Community institutions have considerably broadened the scope of their activities since the early 1980s. The European dimension now touches on the life of every citizen, addressing the real challenges facing society: environmental protection, health, consumers' rights, transport and competition, safety, education and access to culture. Is this kind of encroachment by Europe necessary? Are there, in fact, any legitimate grounds for it at all when every one of our Member States is governed by a democratic system designed to ensure that national and local authorities respond properly to citizens' needs and expectations?

The question answers itself. Some problems cannot be contained within national boundaries and call for concerted solutions for which, in most cases, the appropriate level of regulatory efficiency and adequate financial resources are to be found in the framework of the Community. Often, indeed, the Community's responses have stimulated progress and further action, and they clearly offer possibilities that should be exploited still further.

Environmental policy: a beacon

Environmental policy is undoubtedly the area where interaction between public opinion and the Community institutions has been at its most spectacular. The awakening of public awareness in Northern Europe, particularly in Germany when public interest revealed the extent of acid rain damage to conifer forests, has been a determining factor in persuading first the national and then the European authorities to take vigorous action to reduce air pollution. The disasters at Seveso, Chernobyl and Bhopal, of which television brought vivid images into every household, inspired a con-



Pollution knows no frontiers. So fighting to protect the environment is another of the Community's tasks.

viction that similar dangers threaten every one of us, and that the world would become uninhabitable unless collective responses were introduced to protect it. The rising strength of the ecologists in national parliaments and the European Parliament and the headway made by the Green movement's agenda in most of the major political parties have made environmental protection on the European scale a priority that is now taking root in all 12 Member States of the Community.

Europe displays a great variety of climates, soil conditions and landscapes. It harbours more than 6 000 plant species, about 100 000 species of invertebrates and nearly 600 varieties of birds. There are highly industrialized areas cheek by jowl with still-wild regions where threatened types of flora and fauna still survive. Europeans now regard their natural heritage as their most precious possession. Is there still time to save it? Are the imperatives of economic growth and development compatible with that of protecting nature?

As early as 1973, at the instigation of the 1972 Paris Summit, the Commission put forward an initial action programme. In the main, this first programme was an attempt to harmonize national legislation on the environment, chiefly in order to make sure that the common market was not affected by distortions of competition. In particular, it was felt necessary to prevent certain more ecologically-minded countries making unilateral moves that their partners might interpret as obstacles to trade. The Community's environmentalist commitment was clearly proclaimed, however, in the language of the Single European Act adopted in 1986. The determination to use the European dimension to achieve progress in one of the policy areas most directly affecting Community

citizens was spelled out in Article 100a(3), which reads: 'The Commission, in its proposals ... concerning health, safety, environmental protection and consumer protection, will take as a base a high level of protection'. This quality requirement is a guarantee that the basis for common action will not be the lowest common denominator in the Member States, but that it will, on the contrary, constrain governments with backward policies in this area to align themselves on the highest standards, whatever the cost.

Article 130r(2) of the Single European Act incorporates into the Treaty the bedrock of the Community philosophy that 'Action by the Community relating to the environment shall be based on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source, and that the polluter should pay. Environmental protection requirements shall be a component of the Community's other policies'.



In conjunction with the procedure that allows the Council of Ministers to vote by qualified majority, thus avoiding a situation where one or two Member States can block a decision agreed on by a majority of the others, this article endows the institutions with powerful means of action. The Community's power to legislate via directives is not effective unless, firstly, such directives are transposed into national law, under the procedures and by the deadlines specified in each directive, and, secondly, practical measures for which they provide are actually applied in the field. The present resources for verification of proper application of Community standards are far from adequate. The Commission will soon have the support of the European Environment Agency founded on 7 May 1990, which will begin work once the govern-

ments agree where its offices should be located. Environmental protection associations, non-governmental organizations and European citizens individually or collectively all have a role to play in exercising this control. They can serve as channels for communication between the Member States and the Commission, which is responsible for ensuring that Community legislation is complied with.

The Community Directive concerning evaluation of environmental impact, which took effect on 3 July 1988, introduced ecological awareness into a great many areas of the economy, such as agriculture, energy, transport, tourism and regional development. From now on, at both the national and the Community level, before major construction projects such as oil refineries, power stations, chemical plants or motorways can go forward, environmental impact reports covering the natural surroundings, plant life, soil water, climate, cultural heritage and so on must be filed.

Firmer environmental protection standards and legislation to the same effect are not merely a matter of negative constraints; the Community has also allocated funds to encourage environmentally beneficial projects or to help interests active in the economy to comply with Community regulations. About ECU 1.2 billion has been allocated to environmental improvement programmes in underdeveloped regions in the period from 1989 to 1993. In particular, the Commission has released an appropriation of ECU 500 million for the Envireg programme to combat pollution in Mediterranean coastal regions.

Is this policy already showing any results? The Community's top priority has been to preserve the elements vital to human life: air, water, the atmosphere, flora and fauna, silence. The agreements signed between the Member States in 1985 and 1989, which respectively introduced an obligation to put lead-free petrol on the market and to reduce vehicle exhaust fume emissions, clearly show that with the support of the European Parliament and under prodding from the Commission, common air pollution standards have been established at the Community level. Similarly, Community action requires Member States to withhold approval of any new industrial plants unless such plants comply with the objective of reducing sulphur dioxide emissions by 60% by the year 2003. As a signatory in its own right to the Montreal Protocol on reducing the level of chlorofluorocarbons (CFCs), which are helping to reduce the ozone layer, the Community unilaterally committed itself in March 1989 to making most CFCs illegal by the end of the century. More than 25 directives concerning the purity of both fresh and sea water have been issued since the early 1970s. The most recent, adopted by the Council of Ministers on 18 March 1991, makes the treatment of urban waste water mandatory. All towns and cities will have to install purification plants, a measure which will benefit an urban population of between 160 and 200 million.

A list, albeit not an exhaustive one, of the Community's broad sweep of environmental measures would include common policies relating to the monitoring of chemical products, vehicle noise reduction (aeroplanes, tractors, lawn-mowers, etc.), waste management (the Community produces two billion metric tonnes of waste a year) and the transport of

hazardous substances, as well as the 1979 Directive on the conservation of wild birds. The harmonization of regulations in line with the highest standards and vigilance on the part of ordinary citizens in seeing that the new norms are properly applied will become even more essential as the forthcoming abolition of the Community's internal frontiers will mean fewer controls by national authorities.

The proliferation of different national regulations and standards affecting every type of product is supposed to have compartmentalized the market, in flat disregard of the Treaty. The European Court of Justice has therefore established a judicial precedent, which has been unvarying since its 1979 ruling in the *Cassis de Dijon* case and is based on the principle that any product legally manufactured and sold in one Member State of the Community must be allowed on to the market in all the others. Consequently, since 1984, any country proposing to adopt a new national regulation or standard must give prior notice of it to the Commission, which will then inform the other Member States. Such standards must satisfy basic, specifically defined health and safety requirements which are generally set forth in directives.

Most consumer products subject to regulation are now covered by directives on harmonization, covering the packaging and labelling of food products (ingredients, sell-by date, quantity, colouring agents, preservatives, etc.), cosmetics, hazardous substances, pharmaceuticals and toys.

Every citizen a consumer

Three hundred and forty million European citizens means 340 million consumers who, from 1993 onwards, will be able to choose from the broadest range of goods and services available anywhere in the world. The prospect would be a dizzying one if it had not already been largely achieved. The free movement of goods and of most services has been in effect since the completion of the common market in 1968. Does this mean that consumers have been well protected, informed and organized? The Community has established regulations which set out to reconcile the principle of free trade with the principle of consumer health and safety.



There are 340 million consumers in the Community. Oversupply means that protective measures have to be taken.

Consumers' economic interests and legal rights must be uniformly protected throughout the Community against sharp or shoddy practice by suppliers. A 'European core' of consumer guarantees has already been adopted, covering misleading advertising, door-to-door sales, manufacturers' liability in the event of damage caused by a defective product, consumer credit and package holidays. It is essential that consumers should be able to obtain redress in the courts and have access to as much information as possible, particularly in terms of product and price comparisons, before making their decisions on what to buy.

In March 1990 the Commission adopted a three-year action plan (1990-93) aimed at further defining the status of the European consumer. The goal is to foster the emergence of a new type of consumer behaviour, more demanding and more responsible. Without such behaviour, any regulations, however painstakingly written, would have no practical effect. People in the less prosperous regions of the Community will have to learn habits that are already ingrained in English-speaking countries. Consumer organizations and product-comparison magazines represent real power, which will be vital to the harmonious, transparent operation of the single market of 1993.

Europeans in the battle for technological supremacy

Some European countries have built their prosperity and world influence on the foundations of technological expertise and a spirit of innovation. Are they now threatened with being edged out of the mainstream, the fate of great civilizations which have failed to adapt to the challenges of their time? Faced with competition from the United States and Japan, whose immense financial resources and unitary domestic markets make them daunting rivals in the area of technology and industry, Europe is in danger of slowly fading away and being relegated to the rank of a subcontractor. A joint research and development effort would be the only way of tapping the rich mine of brain power available in the thousands of laboratories, research centres and universities in Europe, as these all too often, unfortunately, carry on their work in a fragmented, uncoordinated way. The response Europe makes in the years ahead to the challenges of science and technology will affect the living standards and working conditions of all Europeans and Europe's position in the world.

Since the European Community was set up, it has been accurate in gauging the mobilizing effect of joint research projects and their value as investments for the future. Launched side by side with the EEC was Euratom, set up in 1958 and dedicated to the joint harnessing of atomic energy for non-military purposes. The Community has a research organization of its own, the Joint Research Centre (JRC), consisting of nine institutes spread over four sites, at Ispra in Italy, Karlsruhe in Germany, Petten in the Netherlands and Geel in Belgium. However, as the race for innovation has gathered speed, the Community has had to go further and

Programme budgets by major fields

Fields	(million ECU)	Budget share (%)
Information and communications technology (Esprit, RACE, Drive, Delta, AIM)	2 221	38.9
Industrial technology and materials (BRITE, Euram, BCR)	888	15.6
Environment	518	9.1
Life sciences and technology (Bridge, Eclair, Flair)	741	13.0
Energy (Joule, JET)	814	14.3
Potential manpower and mobility	518	9.1
Total	5 700	100

encourage as much mingling as possible between scientists, by breaking down barriers between disciplines, increasing the number of industrial applications and overcoming administrative red tape and financial obstacles.

The aim of the Community's action has been to complement national measures. It favours joint projects involving several Member States. It provides incentives for pure research, as, for example, in the field of controlled nuclear fusion, a potentially inexhaustible energy source for the twenty-first century (JET programme — Joint European Torus), as well as industrial research in the strategic industries most threatened by competition, such as electronics and computers.

The research framework programme adopted by the Commission for 1990-94, with overall funding of ECU 5.7 billion, enables the Commission to finance an extremely wide range of programmes, involving collaboration between tens of thousands of researchers throughout the Community.

Let us not underestimate what is at stake for the Community in the massive battle it is about to start waging in the electronics industry. Although Europe is solidly placed in terms of software, computer services, industrial automation and telecommunications, Japan's aggressive strategy of conquest in the areas of computer hardware and peripherals and mass market electronics has it on the defensive. European production in these industries covers 75% of internal demand, as against 140% in Japan. This imbalance has led to a deficit in the balance of payments which, in 1989, came to ECU 31 billion in the sector concerned.

Europeans are capable of working together to capitalize on the intellectual resources they have inherited from 2000 years of culture, of a spirit of research and of investment in industry. In a world in the throes of radical change, the Community's scale and state of organization are such that its citizens should be able to be protagonists, not merely bystanders, in the stupendous scientific revolution ahead of us.

'At a time when scepticism is permeating political and intellectual debate, when we are strongly tempted to go for the spectacular effect and the instant sensation, is it too late to mobilize the consciences and energies of our people to give this Community of ours the moral and cultural jolt it needs? Some of us think that it is not too late, which is why we are fighting on.'

Jacques Delors, Milan,
26 November 1990

Community rights

Among the fundamental rights that every Community citizen should enjoy are the right to travel, work and live anywhere in the Community with no restrictions. Can the political vision behind the Treaty of Rome be reconciled with a situation in which goods are better treated than people? Obviously not. But implementation of Article 48 of the EEC Treaty, which provides for the full enjoyment of these freedoms by individuals within the framework of the common market, raises so many legal problems that the transition from principle to reality has been a long and difficult process.

As the 1993 deadline approaches, where do we really stand?

Will checks at internal frontiers really be abolished on 1 January 1993?

The often-restated commitments of the Community's institutions and Member States are unequivocal: 'it is the physical barriers at the customs posts, the immigration controls, the passports, the occasional search of personal baggage, which to the ordinary citizen are the obvious manifestation of the continued division of the Community — not the "broader and deeper Community" envisaged by the original Treaties but a Community still divided' (the Commission's 1985 White Paper, point 24). Thus, no exceptions whatsoever can be allowed to the decision enshrined in the Single European Act to eliminate all such controls, which in practice will mean that border posts between Community countries will disappear.





To move within the Community as freely as in one's own country is a right which the Community is to grant to each of its citizens.

While this largely symbolic measure will bring European citizens obvious psychological and practical advantages, it must not be allowed to reduce public security or jeopardize public order. Understandably, therefore, police checks at internal frontiers can only be eliminated if countervailing measures are taken to prevent the free movement of criminals, drug traffickers and terrorists. It will also be necessary to transfer to the Community's external frontiers the controls linked to policies on immigration, the right of asylum and extradition. This presupposes the harmonization of Member States' regulations in these areas and the closest possible cooperation between their police, justice and immigration services.

A way has to be found of guaranteeing the right of European citizens to public security without falling prey to an obsession that could bring out differences in the Member States' legislation or traditions relating to the reception given to aliens or even the treatment of drug addiction.

Because progress has had to be made with due allowance for the many deep-rooted sensitivities about national sovereignty, the preferred method has been intergovernmental decision-making rather than Community harmonization, although the Commission, in its White Paper, introduced a series of proposals covering this whole sphere. Are all 12 Member States moving at the same speed towards establishing an 'internal security area' in preparation for the elimination of all interior border controls? On 19 June 1990, the Governments of France, Germany and the Benelux countries, joined soon afterwards by Italy, signed the Agreement giving effect to the Schengen Agreement of 1985. In so doing, the signatories established a *de facto* pilot

'It must be recognized that this Community of Twelve will never really go forward unless its citizens are consciously involved and unless its institutions are given greater democratic legitimacy.'

Jacques Delors, European Parliament, 9 March 1988



group that created the necessary and sufficient conditions for the elimination of border controls between the countries concerned on 1 January 1993. The Convention covers border crossings both at internal frontiers, which will be entirely free, and external frontiers, where identity checks on all travellers will be required and will serve to determine the status of those who are nationals of non-Community countries (holders of short-term or long-term visas, terms governing freedom of movement for aliens, responsibility for the processing of applications for asylum). The signatory States are setting up systems for police cooperation and the provision of mutual assistance in regard to criminal matters, extradition and the prevention of drug dealing.

In addition, the Convention on asylum, signed in Dublin on 14 June 1990 by all the Member States except Denmark, which is expected to accede to it when it has resolved certain political and legal problems, commits each signatory to considering any application for asylum submitted by a national of a non-member State either at the frontier or within the territory of Member States and to exchange detailed information on all such applications. The Convention, however, does not have the effect of creating a true political refugee status within the Community, as it does not claim, at least at present, to harmonize national laws on the right of asylum.

The Schengen Agreements do at least exist and generate obligations on six of the Member States which will enable them to eliminate checks on individuals on 1 January 1993. The other Member States have yet to be persuaded to take the requisite measures that would bring them into line with the signatories of the Schengen Agreements. At the request of the European Parliament, which is concerned about the proliferation of working parties on less than a Community-wide basis (Trevi, Schengen, the *Ad Hoc* Working Party on Immigration, the European Committee to Combat Drugs, etc.), the Commission has undertaken to extend the Schengen rules so that they apply to the entire Community should certain Members refuse to sign.

Exercising the right to work in the Community

Freedom of movement without having to submit to checks is the first condition to be met if there is to be a frontier-free area. Such a right would be no more than an empty formality, however, if it did not go hand in hand with the right of establishment, the right to work and the right of abode throughout the Community, without any limits or other discriminatory conditions restricting the freedom to engage in an occupation.

The intention of the Treaties' authors was to establish a true common market in employment as soon as possible. The Community institutions and Member States are gradually managing to make headway through the complex measures which have to be taken to place every citizen on an equal footing in terms of access to employment, social security benefits

and vocational training, which of necessity involves harmonizing the relevant national legislation.

Employed workers, in accordance with the Treaty and the case law of the European Court of Justice, are now fully entitled, with the proper qualifications, to take up employment in another Member State without any restrictions on grounds of nationality. Access to employment, even on a part-time basis, automatically gives a worker right of abode for a renewable period of five years. European citizens working within the Community have the right to be joined by their spouses, their minor or dependent children and their parents. They enjoy the same social security and tax benefits as workers who are nationals of the host country, under Article 51 of the EEC Treaty: these include aggregation, for the purpose of acquiring and retaining the right to benefit, of all periods taken into account under the laws of the several countries, the payment of social security benefits on the basis of equal treatment for nationals and other Community citizens (sickness, retirement, death and industrial accident benefits and family allowances), recognition of time spent in military service and the right of association and collective bargaining.

This equality extends to the right of abode in the host country after retirement, which becomes a permanent right under certain conditions.

The Commission is proposing that these rules, with all the enhancements created by the case law of the Court of Justice, should be formally incorporated into the Treaties when they are next revised, thus transforming them into a real body of law for the benefit of ordinary citizens. The aim would be to make it easier for families to be together by removing the dependency condition, cutting the time taken to obtain a residence permit and extending

the validity of residence permits to at least 10 years, regularly renewable.

Access to employment in the **public service** in the Community is restricted by the Treaty of Rome (Article 48), which specifies that freedom of movement does not apply to public service employment. This limitation, which the Court of Justice in its judgment of 17 December 1980 has admitted may be allowable 'in referring to posts involving the exercise of powers conferred by public law and the conferment of responsibilities for the safeguarding of the general interests of the State' such as the police, the judiciary, the army or the diplomatic service, becomes arbitrary when applied to a whole range of other jobs. Is it proper to deny a British teacher employment as a language or geography instructor in a French secondary school? Could an Italian woman in the long term be prevented from entering a public competition for employment in the Dutch post office? The restrictions on the hundreds of thousands of public service jobs which the Member States now reserve for their own nationals must be removed, to put an end to what

amounts to an operational and political absurdity when the object in view is to allocate resources throughout the Community to the best possible effect. Some States are admitting this and taking the initiative. On 20 March 1991, France tabled draft legislation authorizing other Community citizens to occupy certain categories of public service employment in State and local government departments and in hospitals on the same terms as French nationals. It is now up to the other States, particularly those with the most extensive public services (Italy, Belgium, Greece and Germany), to join in acting on the Commission's recommendation of 18 March 1988, which defines four sectors of public employment to be given priority: the health services, the teaching profession, research for non-military purposes and bodies responsible for managing a commercial service (public transport, energy distribution, air and sea navigation, post and telecommunications, radio and television).

Europeans in their professions should be able to set up and practise in a Member State of the Community other than their own.



The professions and regulated occupations raise additional problems.

In some cases the right of establishment and the right to practise are governed by special conditions in each Member State, and these may vary considerably from one country to another as law and custom dictate. The number of years of study required and the examinations which have to be taken to qualify as a doctor, an architect, a lawyer, a speech therapist or a practitioner of any of the regulated occupations vary so widely that practising one of these professions freely across national frontiers has proved to be wellnigh impossible. Is this a matter of protectionism, corporatism or excessive red tape? At all events there could be no question of allowing a 'two-speed Europe' to persist, leaving the Community open and free-moving for employed workers but closed and compartmentalized for self-employed professionals and suppliers of services. So as soon as the common market opened, the Commission submitted dozens of directives to the Council of Ministers to harmonize the training requirements and conditions of access for certain professions.

The painstaking job of working towards convergence by means of legislation, although often held up by the reluctance of one or other State to abandon what are sometimes centuries-old practices, has nevertheless successfully brought about mutual recognition for the diplomas, certificates and qualifications of some professions, including doctors, nurses, dentists, veterinarians, pharmacists, insurance brokers and agents, architects and passenger transport operators. For lack of a harmonizing directive, however, there were still so many occupations to which the right of establishment or the right to supply services did not apply that on 21 December 1988, to cut the Gordian knot in this over-regulated sector,

the Community adopted a Directive establishing a system of mutual recognition of higher-education diplomas. This key enactment transposed into national law in each State as of January 1991, allows any national of a Member State to carry on a regulated professional activity in a State other than the one in which his or her professional qualifications were gained. The Directive applies to any university course which takes at least three years to complete and is not already covered by a separate directive. It is based on the principle of mutual trust in the soundness of systems of education and training and, in cases where obvious differences between courses come to light, it provides for compensatory mechanisms involving either a period of adaptation training or an aptitude test, which the host State can require the migrant to take before he or she is authorized to carry on a regulated profession or activity.

Mutual recognition of higher-education diplomas is a significant advance in progress towards a people's Europe. It expresses an assumption that training, selection criteria, in a word, people's cultural levels throughout the Community are of equal standing. In this way Europe is once again becoming a community of knowledge and skill, which will find its full flowering when all academic education and vocational training is the outcome of exchanges between schools and universities and when study credits earned in all Community countries will be recognized as equivalent and will count towards degrees.

Extending the right of abode to all

Although regulating certain professions may be justifiable from the viewpoint of a concern for public safety, health and general welfare, the pattern for the future will be one of mutual trust between Europeans. This principle, without which the whole concept of a people's Europe would be devoid of substance, must also apply to those categories of people who are neither workers, nor members of workers' families, nor those pursuing regulated occupations. What about students, pensioners, the unemployed, in short, all those people not covered by separate provisions? Are they to be refused the free right of abode anywhere in the Community?

Despite serious reservations on the part of the Member States, on 28 June 1990 they finally adopted three Directives put forward by the Commission identifying the categories which had not previously possessed the right of abode. These are:

(i) **students**, to whom host countries will grant residence permits valid for the actual duration of their course of studies and renewable annually if necessary. This right of abode, which extends to a student's spouse and dependent children, is, however, subject to an assurance that during the period of residence the student will not be a charge on the host country's social security system;

(ii) **retired workers**, whether formerly employed or self-employed, who have a pension and health insurance or sufficient resources to prevent their becoming a charge on the host country during their stay;

(iii) **unemployed people**, on condition that they and their families are covered

by health insurance and have sufficient resources.

Residence permits granted under these conditions will be valid for five years and will be renewable.

Are these three new Directives, which in theory give all citizens the right to reside anywhere in the Community, still hampered by excessively tight restrictions on the basic right supposedly conferred by Community citizenship to live in the country of one's choice? The Member States have sought to limit the potential risk of massive population shifts as a result of the still-noticeable gaps in social legislation. Some countries are closer to the welfare State than are others where the burden of responsibility for the costs of medical care and subsistence still lies with the individual rather than the Community. The basic need, in the short term, is to put a stop to the sometimes insufferable harassment by the police in this or that Member State which, by strictly applying legislation that is incompatible with the actual situation in the Community and varies from one country to another, can turn a European citizen into a second-class citizen. The goal of a true people's Europe, however, will be achieved by making freedom of movement, the right to work and the right of abode universally and unconditionally available to every national of the Community.

'No kind of pragmatism is effective unless it is inspired by a vision. No force but a spiritual one can move the mountains that stand in the way of the union of Europe's peoples. Then, and only then, by a sort of superior willpower, will our forces be multiplied tenfold and all difficulties vanish from our path.'

Jacques Delors, address to the Institut de France, 4 February 1989

Europe in everyday life

What is Europe going to mean to ordinary people in their everyday lives? There is no ambiguity about the aspirations of the Treaty of Rome: one of the stated purposes of the common market is to bring about 'an accelerated raising of the standard of living', as Article 2 of the Treaty puts it. The results already achieved go far beyond the most optimistic predictions. The greatest period of economic expansion the industrial world has ever known, combined with technological progress, fairer distribution of wealth and the opening-up of the frontiers, have made Europe one of the most prosperous regions on the globe.

Even so, there are still some pockets of poverty and some categories of people left out in the cold, while the average rate of unemployment has been hovering around the 10% mark for several years.

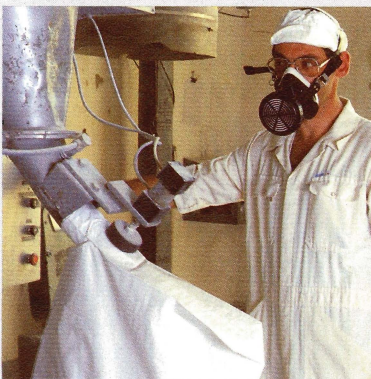
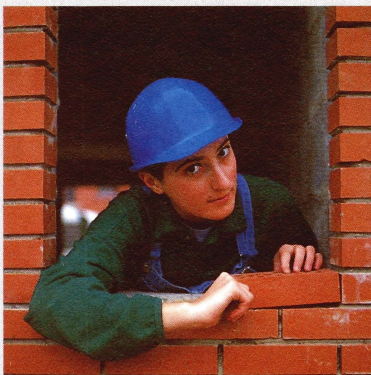
The social dimension

A target-oriented social policy to attempt to correct the most flagrant imbalances is in operation. The European Social Fund (ESF) was established in 1961 to boost employment and promote the professional and geographical mobility of workers. It widened the sphere of operations of the European Coal and Steel Community (ECSC), which during the 1960s made a major contribution in terms of job retraining for the thousands of miners made redundant by the closure of the coalfields (one million jobs, or 60% of the labour force, were lost). Between 1954 and 1988, thanks to Community aid worth a total of ECU 3 billion, tens of thousands of miners were able to retire

early and 180 000 new jobs were created. Community solidarity also went to work in the steel, textile and shipbuilding sectors, industries hard hit by a brutal spate of restructuring in industries affected by worldwide over-production and international competitors with low labour costs.

The European Social Fund was overhauled in 1990 and now concentrates on measures to help the long-term unemployed and on job training for unemployed youth.

Financial aid is not the only instrument the Community has for giving practical shape to its social policy. It would not



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Equal pay for equal work: the Community is working to abolish discrimination between men and women.

The European Social Charter defines the rights which workers are to enjoy.

Community Charter of the Fundamental Social Rights of Workers (Based on the Community Charter of 9 December 1989)

Freedom of movement

Every worker of the European Community shall have the right to freedom of movement throughout the territory of the Community, subject to restrictions justified on grounds of public order, public safety or public health.

The right to freedom of movement shall enable any worker to engage in any occupation or profession in the Community in accordance with the principles of equal treatment as regards access to employment, working conditions and social protection in the host country.

Employment and remuneration

Every individual shall be free to choose and engage in an occupation according to the regulations governing each occupation.

All employment shall be fairly remunerated.

Every individual must be able to have access to public placement services free of charge.

Improvement of living and working conditions

The completion of the internal market must lead to an improvement in the living and working conditions of workers in the European Community. The improvement must cover, where necessary, the development of certain aspects of employment regulations such as procedures for collective redundancies and those regarding bankruptcies.

Every worker of the European Community shall have a right to a weekly rest period and to annual paid leave.

The conditions of employment of every worker of the European Community shall be stipulated in laws, a collective agreement or a contract of employment, according to the arrangements applying in each country.

Social protection

Every worker of the European Community shall have a right to adequate social protection and shall, whatever his status and whatever the size of the undertaking in which he is employed, enjoy an adequate level of social security benefits, according to the arrangements applying in each country. Persons who have been unable either to enter or re-enter the labour market and have no means of subsistence must be able to receive sufficient resources and social assistance in keeping with their particular situation.

Freedom of association and collective bargaining

Employers and workers of the European Community shall have the right of association in order to constitute professional organizations or trade unions of their choice for the defence of their economic and social interests.

Employers or employers' organizations, on the one hand, and workers' organizations, on the other, shall have the right to negotiate and conclude collective agreements under the conditions laid down by national legislation and practice.

The right to resort to collective action in the event of a conflict of interests shall include the right to strike, subject to the obligations arising under national regulations and collective agreements.

Vocational training	Every worker of the European Community must be able to have access to vocational training and to benefit therefrom throughout his working life.
Equal treatment for men and women	Equal treatment for men and women must be assured. Equal opportunities for men and women must be developed.
Information, consultation and participation of workers	<p>Information, consultation and participation of workers must be developed along appropriate lines, taking account of the practices in force in the various Member States.</p> <p>This shall apply in companies or groups of companies having establishments or companies in two or more Member States of the European Community.</p>
Health protection and safety at the workplace	<p>Every worker must enjoy satisfactory health and safety conditions in his working environment.</p> <p>The provisions regarding implementation of the internal market shall help to ensure such protection.</p>
Protection of children and adolescents	<p>The minimum employment age, subject to derogations limited to certain light work, must not be lower than the minimum school-leaving age and, in any case, not lower than 15 years.</p> <p>Young people who are in gainful employment must receive equitable remuneration in accordance with national practice.</p> <p>The duration of work must, in particular, be limited — without it being possible to circumvent this limitation through recourse to overtime — and night work prohibited in the case of workers of under 18 years of age, save in the case of certain jobs laid down in national legislation or regulations.</p> <p>Following the end of compulsory education, young people must be entitled to receive initial vocational training of a sufficient duration to enable them to adapt to the requirements of their future working life; for young workers, such training should take place during working hours.</p>
Elderly persons	<p>Every worker of the European Community must, at the time of retirement, be able to enjoy resources affording him or her a decent standard of living.</p> <p>Any person who has reached retirement age but who is not entitled to a pension or who does not have other means of subsistence, must be entitled to sufficient resources and to medical and social assistance specifically suited to his needs.</p>
Disabled persons	All disabled persons, whatever the origin and nature of their disablement, must be entitled to additional concrete measures aimed at improving their social and professional integration.

A people's Europe must also exist in our hearts. We must listen to each other if we are to live together in harmony.



on its own be enough to remedy all the problem situations caused by recession or underdevelopment. The forward-moving effects of the expected burgeoning in both national and Community policies should, as a priority, work in favour of social progress. But such progress goes hand in hand with, or is even stimulated by, legislation guaranteeing a 'European core' of basic social rights throughout the Community. This European social area consists of principles incorporated into the Treaty, such as equal pay for men and women, or flows from recent Directives establishing social protection for workers (health and safety at the workplace) and recognition of basic safety standards (the Directives on machinery).

When the European Council (apart from the UK) adopted the Community Charter of the Fundamental Social Rights of Workers in Strasbourg in December 1989, it defined the rights that should be available to all workers throughout the Community: freedom of movement, fair pay, improved living and working conditions, social protection, freedom of association and col-

lective bargaining, vocational training, equal treatment for men and women, worker information, consultation and participation, health protection and safety at the workplace, and the protection of children, the elderly and the disabled.

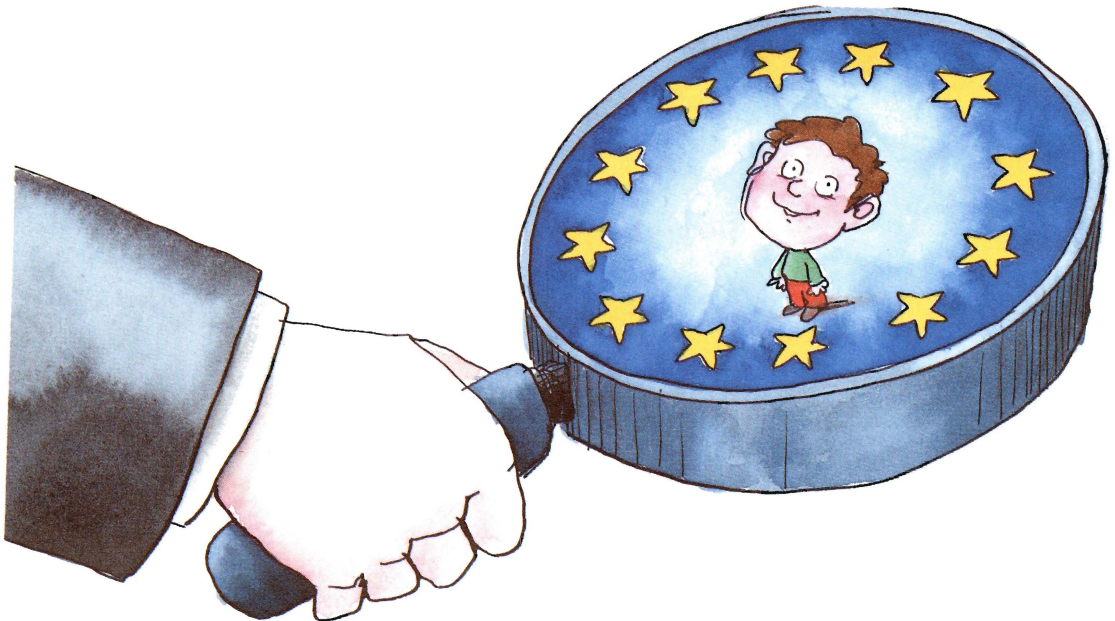
Young people in Europe

Young people are keen to enlist for major undertakings, open-minded, able to up sticks and eager to live in time with the pulse of their own century, and should be the first to benefit from Europe's forward momentum. In the years to come they will certainly be the most active driving force behind it, so long as enough effort goes into motivating them and making them aware of the new opportunities which a frontier-free Europe gives them. Initial and continuing vocational training, mobility for students and teachers all over Europe, academic recognition for courses of study pursued in another Member State, transnational cooperation between the universities and polytechnics on the one hand and business and industry on the other, and language teaching — all these are new schemes to which the Community is giving wide-ranging encouragement by organizing and funding special programmes. A notable example is the increasingly successful Erasmus programme, which between 1989 and



1991 has sponsored student exchanges between 80 000 young people from every type of background and from 1992 to 1994 is expected to involve 180 000 new students.

Learning about Europe at school to prepare for life as citizens of the Community.



Young people should be the first to benefit from the forward drive towards European Union. The Erasmus programme promotes mobility for students in higher education and is a remarkable success.



Is the effort being put into this enough to satisfy the enormous requirements for training and preparation to help young people adapt to life on the Community scale? The Community cannot, of course, pretend to stand in for the Member States, or for local and regional authorities in those with federal systems; these retain all their prerogatives in the field of education. But the young people who will one day be the citizens of a frontier-free Europe need a practical response to their requirements straightaway. Community action can only be a spur to each country to make the requisite investment in preparing its young people more effectively for the challenges of tomorrow. Europe lags seriously behind in the percentage of the population in higher education, with only 39 students per 1 000 head of population, in contrast to 66 in Japan and 79 in the United States. In the face of a demand that can only go on rising, it is absolutely vital that we allocate financial resources on a scale commensurate with the demand. Surely, though, a people's Europe begins from the very first years of schooling? When will primary and secondary school children in the Community be given a grounding in history, geography and literature that makes them able to perceive their common cultural roots and shared heritage more clearly and break free from the stubborn prejudices that still keep Europeans apart so artificially?

Community programmes for young people

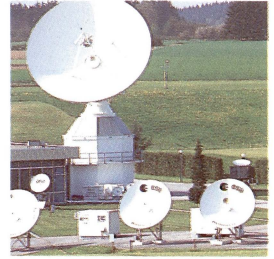
Petra	For young people in initial vocational training and vocational training instructors
Force	Continuing education
Comett	Cooperation between establishments of higher education and business
Erasmus	Mobility of students in higher education
Youth for Europe	Exchange programme for young people from 15 to 25
Lingua	Foreign language training
Tempus	University cooperation with Central Europe

Note: For 1991, the aggregate budget appropriation for programmes for young people came to ECU 213 million.

Decompartamentalizing the film and television industry

Everyone knows what an important part the transmission of culture through images plays in Europeans' everyday lives. Ubiquitous television, cinema and videos act as the magic instruments of a form of communication that permeates and influences what we know and shapes and sometimes distorts our view of the world. Tragically, Europe, the cradle of critical reasoning, cultural creativity and technological innovation in the media, is allowing itself to be overtaken by its main Western partners, the Americans and the Japanese, in the production and distribution of this type of image-based culture. If a European counterattack is not launched soon, 340 million Europeans will be doomed to a diet of American programmes on Japanese television sets. Only by exploiting the effects of economies of scale on the basis of the entire continent can we effectively counter the impersonal market forces which operate just as inexorably in the cultural sector as in relation to other products. The first thing that had to be done to achieve this was to deal with the regulatory framework, which, because of old laws granting State monopolies on radio and television broadcasting, had fragmented that market in the Community. The 'frontier-free television' Directive adopted by the Council of Ministers on 3 October 1989 coordinates national provisions and eliminates obstacles to unregulated programme distribution. The public now has access to a large number of channels either directly or on cable. What can be done to foster European film and television production? The Community has set up the Media programme to encourage coproductions, boost film circulation and distribution and promote the technology needed to create programmes for multilingual broadcasting via satellite. But frontier-free broad-

casting and encouragement for the production of European television material would be seriously jeopardized if the Community were to lose the industrial battle over technical standards. In particular, the battle is about the standards for high-definition television (HDTV), which is expected to be the norm in television receivers by the end of the century. The Commission is mobilizing the main European interests active in the industry (radio and television broadcasters, manufacturers, satellite operators and programme producers) to start working on the present draft HDTV standards and devising sets which will show films with image quality as good as at the cinema. In the face of the rival projects under way in Japan, the stakes are simply this: will Europe be driven out or will it share control of the global market?



Scanning the future and preparing for it together: 340 million citizens in quest of a brighter tomorrow.

43

Frontier-free television: a range of programmes to suit every taste.



Travelling in Europe

Venice, Paris, Seville, Amsterdam, Edinburgh: What European would not feel at home visiting Europe's high spots of culture and *savoir-vivre*? Tourism is already a leading contributor to most of the Member States' economies and for most Europeans travelling is a firmly entrenched habit. It is the most effective way we have of learning about each other and forming a European awareness and identity. It already seems a long time since the days when some Member States imposed foreign exchange limits that were a practical restriction on travel abroad. There are now practically no restrictions on Community citizens travelling within the Community. Their national driving licences are now valid in all the Member States, pending the day when they will be granted a standard European licence, once uniform conditions are agreed. At border crossings, Community citizens need only show a national identity card or

passport; between the countries that have signed the Schengen Agreements, crossing borders has been made even simpler, as citizens merely display a green sticker on the wind-screen as they drive across. The gradual harmonization of VAT rates and excise duties should be completed by 1993; meanwhile, there are still some restrictions on purchases of goods. The duty-free allowance for travellers went up to ECU 600 each on 1 July 1991. The right to medical attention in the event of illness or accident while travelling within the Community is exercised by the use of the standard E 111 form. The harmonization of postal rates, the forthcoming opening of a frontier-free transmission area for radio-based car telephones, the increase in customs relief on posted parcels and the interlinking and expansion of bank card networks are making the daily lives of Europeans on the move that much simpler.

Faced with this list of advantages, a demanding citizen might counter with an even longer list of complaints about the too-numerous hindrances that still remain. The European Community is not a cure-all for the annoyances of routine bureaucracy. But it is making a patient effort, which would be facilitated if stronger support were forthcoming from citizens' organizations, to push the boundaries of red tape beyond national frontiers.

Duty-free allowance raised in anticipation of 1993

As from 1 July 1991, you, as a Community citizen, have a higher duty-free allowance (i.e. the value of goods that you may bring into your own country without paying any customs duties) for purchases made in another Community country. You are now allowed to bring in goods valued at up to ECU 600 (ECU 150 for children under 15). On 1 January 1993 (or 1996 in the case of Spain and Portugal), import limits within the Community are scheduled to be abolished altogether.

There are, however, certain exceptions involving Denmark, Ireland and Greece. In Denmark, the maximum value of any single imported object may not exceed ECU 340. This limit is to remain in force until 1993. The same ECU 340 limit applies in Greece, while in Ireland the maximum value per imported object is ECU 95. Moreover, residents of Denmark and Ireland may be subject to different quantitative limits when returning from a short stay abroad (less than 36 hours for the Danes and less than 24 hours for the Irish).

(In April 1991, the approximate value of the ecu in relation to other currencies was as follows: BFR 42, DM 2, DKR 8, PTA 128, FF 7, UKL 0.7, DR 220, LIT 1 500, IRL 0.8, LFR 42, HFL 2.3 and ESC 180.)

From a people's Europe to European citizenship

As progress is made towards political union, and the European Union takes shape as an entity that encompasses and transcends the Member States, the concept of the European citizen is itself bound to develop. At the moment it exists at two levels, implying the complex of national rights and duties flowing from citizenship at the Member State level and the complex of Community rights and duties flowing from the Treaties. Now that the Community is turning into a Union, a third set of rights and duties is coming into being, creating a European citizenship separate and distinct from national citizenship, not taking its place but supplementing it.

Do people realize how far-reaching the effects of such a prospect are going to be? There are some who think that existing Community rights, albeit substantial, do not confer anything more than 'privileged foreigner' status on a national of one Member State living or working in another. Creating a European citizenship would enshrine a human community and a political unity in hard fact. The emergence of a legal status of European citizenship will give the idea of European Union greater legitimacy in the eyes of ordinary people.

How Community citizens view the process of European unification

More than half (57%) of Community citizens felt that the Community was progressing rapidly or very rapidly towards unification, whereas in 1987 only 39% thought so. Furthermore, a majority (61%) said they were in favour of accelerating the process of European integration. Community citizens also thought that the future development of the Community would have a positive influence on their lives (53%). Only 11% were pessimistic on this score. These figures are from a survey carried out in autumn 1990.

Eurobarometer No 34, December 1990

Broad public support for the European Community

Public support for the European Community has reached an all-time high. Fully 69% of Community citizens said their country's membership of the Community was a 'good thing', while only 7% thought it was a 'bad thing' (18% were undecided, and 6% gave no response). Public support for membership had not dropped in any Community Member State since the question was last asked in spring 1990.

Three out of five (59%) said their country had benefited from the Community, two and a half times more than those who said it had not (23%).

The Danes registered the highest continuous rise of any country in support for Community membership (from 42% the previous autumn to 49% in the spring and 58% in the current autumn survey). The 'benefits' measure improved substantially as well (53% the previous autumn to 58% in the spring and 64% in the autumn). The East Germans' enthusiasm for their new membership of the Community (87% said it was a 'good thing') contributed to the overall rise in German support from 62% to 73%. The Portuguese also registered a significant rise (from 62% to 69%).

In the latest survey, those demonstrating the greatest enthusiasm for Community membership were the Dutch (82%), the Italians (77%), the Luxemburgers (76%), the Irish (76%) and the Greeks (75%).

Eurobarometer, autumn 1990

istence of already established Community rights are not restrictive. Others may gradually be introduced and enshrined in the future Treaty on European Union, emerging as the Union develops. New policies may be transferred to the Union in such fields as industrial relations, health, education, culture and environmental protection.

All of these are special rights which will add to and extend the rights which Community citizens already enjoy, to turn the emerging political union of Europe into a reality.

Europeans' views on immigration rights

A third of the citizens of the European Community (33%) considered that immigrants' rights in the Community should be extended, while 19% thought they ought to be curtailed. Whatever their views, 39% of those surveyed thought that decisions on this matter should be made by the Community's institutions, while 29% said they ought to be left to the individual governments involved. Fewer than a quarter of European citizens (23%) said that each government should have the sole power to decide what rights to grant to resident immigrants within its country's territory. These results are from a survey carried out in autumn 1990.

Eurobarometer No 34, December 1990

Community citizens living in another Member State

	Living in											
	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
	1988	1988	1988	1988	1987	1982	1988	1988	1988	1988	1988	1985-1987
Nationals of												
B	—	283	17 854	1 233	9 730	50 200	..	3 674	..	22 942	910	..
DK	2 094	—	12 519	1 123	5 451	2 440	..	1 110	..	1 298	348	..
D	24 304	6 320	—	10 693	39 066	43 840	..	24 517	..	39 400	4 133	43 000
GR	19 075	461	274 793	—	606	7 860	..	11 774	..	3 953	51	13 000
E	50 187	875	126 402	906	—	321 440	..	6 841	..	17 578	7 105	30 000
F	92 322	1 853	71 773	6 268	23 599	—	..	17 118	13 200	7 496	2 803	28 000
IRL	1 318	930	8 360	529	1 684	1 880	—	1 037	..	3 103	199	532 000
IT	250 209	2 006	508 656	6 418	13 025	333 740	..	—	..	15 890	1 060	75 000
L	4 948	16	4 542	43	..	3 180	..	223	..	381	26	..
NL	60 825	1 763	96 881	2 685	13 821	13 980	..	4 405	20 450	—	1 546	20 000
PT	10 554	272	71 068	336	31 012	764 860	..	1 936	32 900	7 766	—	13 000
UK	21 000	10 096	63 010	16 093	55 318	34 180	..	17 209	..	37 094	7 115	—
Total Member States	536 836	24 875	1 255 858	46 327	1 933 312	1 577 600	66 400	89 844	..	156 901	25 296	766 000
Total in Member States and in third countries	858 650	136 177	4 489 105	155 187	334 935	3 680 100	83 500	407 023	..	591 847	94 453	1 785 000

Source: Eurostat.

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European Communities — Commission

A CITIZEN'S EUROPE

Luxembourg: Office for Official Publications of the European Communities

1991 — 50 pp. — 16.2 x 22.9 cm

ISBN 92-826-2764-0

Catalogue number: CC-60-91-773-EN-C

A citizen's Europe is a brochure explaining the changes which creation of the European Community has made to the everyday lives of its citizens:

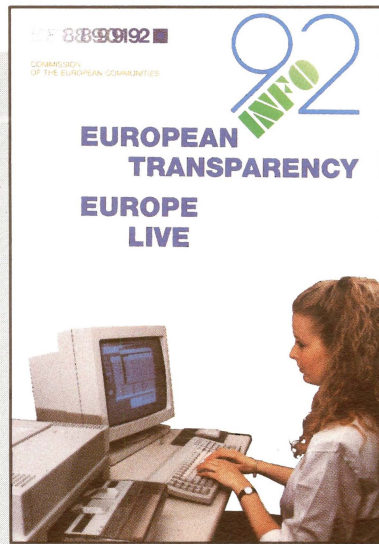
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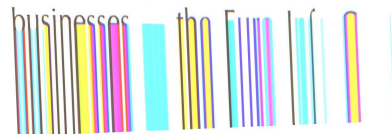
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