

Opinion on the Citizens' Europe

(92/C 313/14)

On 25 April 1991, acting under Article 24 of the Rules of Procedure, the Economic and Social Committee decided to draw up an Information Report on The Citizens' Europe and a Sub-Committee was set up in accordance with Article 17 of the Rules of Procedure.

The Sub-Committee adopted the Information Report unanimously on 18 March 1992.

On 27 May 1992 the Economic and Social Committee, acting under the fourth paragraph of Article 20 of its Rules of Procedure, decided to draw up an Opinion on the Citizens' Europe.

The Sub-Committee, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 16 July 1992. The Rapporteur was Mrs Rangoni Machiavelli. The Co-Rapporteur was Mr Jenkins.

At its 299th Plenary Session (meeting of 23 September 1992) the Economic and Social Committee adopted the following Opinion by a majority vote with five abstentions.

1. General comments

of such common established rights and accompanying duties and obligations will require more time and attention.

1.1. European citizenship must represent more than just the sum of twelve national citizenships.

1.1.3. At the same time, a 'Citizens' Europe' comprises everyday 'freedoms', rights and duties, but also goes beyond them; it is about constructing a firm and durable, transnational model of citizenship. It is about filling the 'democratic deficit' at European level, developing a civic and social 'Union', enabling Europe's citizens better to control their own destinies, and about reinforcing the European Parliament and other democratic institutions whose role is to represent European citizens and defend their rights, duties and interests.

1.1.1. As the European Community moves towards closer Union, its policies and actions must be rooted in a Union-wide form of democratic legitimacy and popular consent. This is why the European Parliament has repeatedly stressed that European Union and Community Citizenship are inter-linked: they must go hand in hand. The Economic and Social Committee has frequently likewise argued, notably in the context of the '1992' process, that the aim of the European Community is not exclusively to achieve an internal market. It is to achieve a better quality of life and closer relations. A 'Citizens' Europe' is the real goal, in which the quality of everyday life is improved and better guaranteed by constitutional arrangements with a 'European dimension'.

1.2. Under the Maastricht Treaty, European citizenship is officially established in terms of both the rights and duties imposed thereby. But notions of what European citizenship really means remain hazy or at best only partially expressed.

1.1.2. In this connection of a European Union taking shape as 'an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured' (Article 8a), the 'Citizens' Europe' which most easily springs to mind is one in which individual citizens may move to, reside in and work or become established in any Member State, on the basis of equal opportunities, mutual recognition of qualifications and diplomas and equal treatment as regards social protection, welfare and education. Much of this is now regarded as 'acquis communautaire', even if in practice the exercise

1.2.1. A Citizens' Europe is not an 'identikit', all-inclusive, all-embracing 'melting pot'.

1.2.2. The key to a Citizens' Europe is its unity and diversity of culture, its pluralism of thought and tradition, its Christian heritage and appreciation of other faiths as well as of humanistic and secular values and principles, and its fundamental attachment to liberty, peace, social justice, tolerance, human rights and the Rule of Law. The 'soul' of Europe is in fact imbued

with humanistic principles (notably the right to human dignity), such principles constituting the bedrock and driving force of democracy. The Citizens' Europe 'idea' is firmly rooted in these common democratic values and respect for human dignity. These common values inspired the contemporary European idea and the concept of trans-national democracy which, unlike the confines of narrow nationalism, can give full expression to diversity, choice and quality, and can better assure a true and peaceful understanding between peoples.

1.2.3. These common democratic values, and their local, regional, national and supranational expression, are the 'just' foundations of a Citizens' Europe. Economic and social rights are indissolubly linked to civil and political rights: together these citizens' rights and accompanying duties constitute the cornerstone of a free, democratic society founded on respect for human rights.

1.2.4. A dynamic, efficient and democratically-accountable European Union logically invokes the notion of Community Citizenship, based on these values expressed and upheld through a basic Community legal framework which should fully recognize and protect human rights and basic social rights together with fundamental freedoms.

1.2.5. The Citizens' Europe 'ethos' is also central to the widening and deepening of the EC. Deepening is a logical pre-condition for widening. At the same time, as a 'European Union' of democracies, the Citizens' Europe is seen as a source of protection by the emerging democracies to the east, and as a dynamic 'area' in the development of closer ties with EFTA countries. This 'attractiveness,' and the inevitable perspective of a 'wider Europe', should be the source of enrichment and motivation for a 'deeper' form of Union, as sought by most prospective Members, in order to ensure the efficiency, durability and democratic control of the whole process which they want to join. The 'deeper' Citizens' Europe must therefore take shape, in parallel to the widening of the Community horizon. This further stage of development, building on the common democratic and civic values outlined earlier, needs to be considered according to the principles of consensus and social justice by which the Citizens' Europe should set its standards and for which it should strive.

1.2.6. This is why 'social policy goals and priorities ... form an integral part of a People's Europe' ⁽¹⁾ and

why 'EC social policy has a crucial role to play (and) must be allowed to do so on a firmer and clearer footing than hitherto' ⁽²⁾. The Committee in this context called upon the 1991 intergovernmental conference to take account of the need for 'balance and parity' between the social and economic aspects of the Treaty and revisions to it, and to allow a more complete use of Articles 100a and 118a in order to tackle cross-border labour market problems and promote basic social rights throughout the EC ⁽³⁾. The slow progress at Council in applying the EC Social Charter and Social Action Programme has shown that there is still insufficient agreement or political will to achieve this vital and integral goal of a Citizens' Europe. The Maastricht Protocol on Social Policy may help 'unblock' the deadlock, in so much as the heads of government of the signatories to it and to the Social Charter may have recourse to the EC 'institutions, procedures and mechanisms' in order to apply many of the key policies of the Charter on the basis of qualified majority voting. It is indeed a matter for regret that more progress has not been made to date in applying the Social Charter and Social Action Programme, and that not all 'Euro-citizens' from the twelve Member States will be able to benefit from new provisions stemming from the Maastricht 'Agreement on Social Policy concluded between the Member States of the European Community with the exception of the United Kingdom'. This 'Agreement' could also bring about increased flexibility — which would be welcomed — in allowing for appropriate European social policy measures to be drawn up and implemented through agreement between representative organizations, and not exclusively through legislative action initiated by the Commission.

1.2.6.1. It should also be noted that the Committee and European Parliament alike have consistently argued in favour of a substantial widening of the Social Charter, in order to cover both 'workers' and other social groups and individual citizens through generally applicable, basic societal rights.

1.2.7. A Citizens' Europe, built on strong democratic and civic foundations and 'in pursuit of social justice (in) an area of liberty allowing for private initiative and the development of collective undertakings' ⁽⁴⁾, should also help achieve higher standards in education and

⁽¹⁾ OJ No C 208, 8. 8. 1988, point 3.4.

⁽²⁾ OJ No C 225, 10. 9. 1990, point 5.3.

⁽³⁾ Ibid.

⁽⁴⁾ OJ No C 6, 7. 1. 1989, point 1.3.

training, in commerce and design, in economic activity and social wellbeing.

1.2.8. For a Europe 'without frontiers' should be a continual springboard of ideas, of cross-referencing, of 'networking', of cross-fertilisation, of contact and access to what is best being done or conceived. This qualitative approach for a dynamic Citizens' Europe should also apply to the achieving of better services, improved health protection and welfare, more consumer protection and a cleaner environment. The Community's commitment to high standards in these fields is clearly laid down in Article 100a (3) of the Treaty, which states that 'The Commission, in its proposals ... concerning health, safety, environmental protection and consumer protection, will take as a base a high level of protection.' This is reaffirmed in Articles 129a and 130r of the Maastricht Treaty. Measures in these fields will no doubt increase as a result of qualified majority voting in Council, and should be accompanied by the closer involvement of European citizens and their environmental and consumer protection agencies in monitoring the rights, obligations and standards laid down. There should also be easier EC-wide access to the courts for European citizens as consumers.

1.2.9. Good use both of the Structural Funds and of a new Cohesion Fund would also require greater participation by 'European citizens' through their various action services, special interest groups, socio-professional organisations and appropriate structures to be provided.

1.2.10. Likewise, a Europe of free thought, free movement, freedom of information and the right to privacy, must be asserted. A Citizens' Europe must stand for transparency and for freedom of information in a context of respect for the individual, as well as for freedom of access to the ideas, media and cultures of third countries. It must not degenerate into a 'fortress' of controls and checks on its citizens (or on other persons legally resident in Member States).

1.2.11. In all this, it is vital for a Citizens' Europe to educate its young citizens and prepare their future, to broaden their horizons, to enable better participation in and access to the European dimension, to help them become more 'Europe conscious'. This is one area where practical progress has been achieved in recent years, notably through new EC exchange programmes for young people. However many young people remain outside and untouched by such EC schemes, and are often excluded from the mainstream of European society in general (the unemployed, those in precarious jobs, in poverty, on the margins of society). More

thought must be given on how to assure all young people a stake in a Citizens' Europe, in the Europe of today and tomorrow. EC activity in this context should be stepped up, notably as regards jobs and school:

- The time has surely come for specific EC resources to be set up to address youth unemployment, together with the promotion of cohesive EC-wide policies on the right to training and of clearer support measures for entry into the labour market.
- The EC might also be more imaginative in promoting the 'European dimension' at school. For example, in addition to exploiting the EC competences established at Maastricht as regards pedagogical material, language teaching and the encouragement of mobility throughout Europe, perhaps the EC and the competent national authorities might consider involving all young Europeans at secondary and training school in the organisation of a biennial 'Young Europe Convention'. The starting point would be to support secondary and training schools throughout the Community in holding elections from amongst their pupils to regional Young European Councils. These Councils could in turn select delegates for the 'Young Europe Convention' itself. The advantage of such an EC initiative would be to 'get through to' and directly involve young people at all levels, from local to trans-national, in debating and registering their views on Europe. Perhaps the Commission and European Youth Forum could give some consideration to this suggestion.

1.2.12. We must continue to promote a Europe of 'solidarity' between generations and citizens as well as with the world as a whole. The Committee reiterates its support for designating 1993 as the 'European Year for Older People' and for the building out of Articles 24 and 25 of the Social Charter in order to promote a Community Charter of the Fundamental Rights of Older People, together with an Action Programme of measures to promote inter-generational solidarity. The Committee also reiterates its views about the need for action aimed at integrating people with disabilities.

2. Recommendations

2.1. To back up the political and historic importance of the conclusions reached by governments at the Maastricht Summit, citizens must be kept more fully informed and involved in the building of the European Union. Decisions should be made at the level (European,

national, regional or local) where the maximum democratic control and effectiveness is ensured⁽¹⁾. To this end, the Committee considers that Union-wide action should focus on the following:

- 1) The need for 'European Union' accession to the European Convention for the Protection of Human Rights and Freedoms, together with the incorporation into the Treaty of the 'Declaration of Fundamental Rights and Freedoms' of the European Parliament.
- 2) The need for a Treaty provision banning discrimination on grounds of sex, colour, race, opinions and beliefs.
- 3) The need, on the basis of the elimination of obstacles and practical application of the 'four freedoms' (free movement of persons, goods, services and capital), to assert equality of rights and duties for all citizens of the Union.
- 4) The need for proper democratic accountability at European level guaranteed through appropriate legislative powers for the European Parliament, transparent Council decision-making procedures, full appreciation of Community law through an independent Court of Justice, and the defence and development of 'open' European administration.
- 5) The need for the European Parliament to be elected according to a uniform electoral system providing proper representation of various political currents.
- 6) The need for the Economic and Social Committee — a European projection of similar national organs of social dialogue — and the new Committee of the Regions — a European projection of regional competences — to carry out and develop their functions independently, but to similar purpose, putting participatory democracy and their representative status to work in the interests of the European Union.
- 7) The need for the Treaty unequivocally to enable the proper application of the Social Charter and Social Protocol Agreement to all citizens concerned throughout the 'European Union' as a whole.
- 8) The need for a similar EC commitment to wider social and societal rights⁽²⁾ in fields including the environment, consumer protection, protection of the citizens against abusive practices on the part of the public authorities, cultural heritage and data protection, and concerning vulnerable disadvantaged groups and the disabled, the role of socio-professional groups and safeguarding the family⁽³⁾. The 'right of conscience' should also be upheld.
- 9) The need for an adequate EC Budget in keeping with 'European Union' and directed towards making an efficient contribution to economic and social cohesion, to training and to reducing unemployment.
- 10) The need to devise European policies for employment and vocational training, involving social dialogue and the increasingly active participation of other interest groups.
- 11) The case for using the European Year of the Elderly (1993) as an EC initiative which, without overlooking the need to improve the wellbeing of today's senior citizens, also launches the policies needed to improve conditions for the elderly of tomorrow.
- 12) The proposal to organize a biennial 'Young Europe Convention'.

2.2. Citizenship is a token of belonging to a community in which each member takes part in implementing the wishes of the whole, submitting oneself to them without loss of personal freedom, since one is obeying rules which one has had a say in drawing up. A democratic society can only be freely constructed around positive values shared by citizens who are equal in freedom. European citizenship is therefore not simply the sum of 12 national citizenships, but constitutes an 'added value', enriching and adding to them all.

⁽¹⁾ In keeping with the general view registered concerning 'subsidiarity'.

⁽²⁾ Individual rights enjoyed by specific groups of categories of citizens, such as the elderly, the disabled, the sick, etc.

⁽³⁾ OJ No C 277, 31. 10. 1989, p. 2.

Done at Brussels, 23 September 1992.

*The Chairman
of the Economic and Social Committee*

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