



FUTURE OF EUROPE

Greens/EFA Group position

Adopted on 28th February 2018

Sixty years ago, European nations wounded by two world wars made the audacious gamble to move from confrontation to the rule of law starting with the Treaties of Rome. Without a united Europe, there will be no peace, prosperity and security in our globalised world. National democracies can hold elections, but lack the strength to enforce democratic decisions on multinational companies. Only the EU can become globally strong force for peace and human rights, protect citizens' consumer rights, guarantee tax justice and call Google, Facebook, Bayer and Monsanto to order. Yet for Europe to deliver on its promises of democracy, prosperity and the rule of law, we need to restore EU citizens' confidence in our European democracy. In the short term, we propose measures possible under the current EU Treaties. In the longer term, we propose a constitutional process to build an even more solid basis for European democracy. This set of 10 concrete proposals fall under the AFCO area of competences and illustrate our common vision and narrative on the future of the EU.

Short-term: Restoring confidence and strengthening democratic legitimacy

1) Protecting the public interest by controlling the influence of private interests

A functioning democracy needs rules to ensure government decisions are made in the public interest, uncompromised by abusive lobbying activities and conflicts of interests, and fully transparent.

In order to separate political power from powerful economic interests, the Greens/EFA propose the creation of a High Authority in charge of verifying the financial interests of MEPs, Commissioners, members of cabinets and relevant civil servants. Those who hold public office have to have a cool-off period before taking new jobs in the field of lobbying.

The EU lobby register has to become mandatory and apply not only to the Commission and Parliament but also to the Council of Member States.

We propose making the legislative footprint mandatory for all EU laws, so that citizens can know how decisions are made and who influences them; and the introduction of ambitious transparency and access to documents rules, including documents related to international negotiations.

2) Making the Council accountable, transparent and more democratic

The EU must not anymore serve as scapegoat for Member States that do not want to assume their political choices in front of their public opinions. This reduces the democratic legitimacy of public decisions and increases mistrust towards the EU institutions.

The Council's activities should be as transparent as those of the European Parliament. The positions defended by the representatives of the Member States, already at the level of the Working Groups of the Council, should be made public so that citizens, media and civil society can know what position their government took on their behalf at the EU level and so that scrutiny of EU decision making by national parliaments is enhanced. This should apply to all decisions, from legislative files to implementing and delegated acts. The use of secrecy exceptions for Council documents should be applied in a coherent system with external oversight.

For more personal accountability, the currently active specialised legislative Council configurations should become preparatory bodies for a single legislative Council, meeting in public, similarly to the functioning of the committees in the European Parliament. The Council should invite Parliamentarians to attend its meetings as observers.

Besides becoming transparent, the Council should also overcome the impotency resulting from the unanimity rule. On tax convergence, the fight against tax dumping, tax fraud and tax evasion, decisions on our common resources via the Multiannual Financial Framework; all these areas often lead to the lowest common denominator policy because of the unanimity rule, to the detriment of social justice and wealth redistribution. There is a real danger that important reforms and the deepening of European cooperation and solidarity will continue to be blocked by a minority in the Council. We must overcome this deadlock by fully applying, wherever possible, the ordinary legislative procedure with qualified majority voting in the Council and the full involvement of the European Parliament in EU law-making.

We must therefore use article 48.7 of the TUE to switch from unanimity to qualified majority voting in all possible domains.

Apart from this general passerelle clause we must also exploit more systematically the specific passerelle clauses provided for in the treaty, for instance on social policy (article 152.2 TFEU), energy supply (article 192 TFEU) and Common Foreign and Security Policy (article 31.3 TFEU). We must also without delay use the provisions of Article 312(2) TFEU when adopting the forthcoming MFF Regulation to switch from unanimity to qualified majority voting.

Article 116 TFEU shall be used to eliminate tax competition between the Member States.

Moreover, in areas where qualified majority voting already exists, Member States must make full use of this possibility. Enhanced cooperation (as allowed under the Treaties and provided others can join at any time) can also be a useful way forward if progress on other fronts is not possible.

These simple measures would already make a big difference to our collective capacity to act in such important areas.

3) Truly European elections for a truly European Parliament

Despite being directly elected by EU citizens for 35 years, the European Parliament still suffers from a lack of recognition of its legitimacy. The legal fragmentation of European elections by 28 different sets of national laws splits up the formation of lists and programmes and encourages nationally framed European elections. Today, European parties can campaign with contradictory national manifestos and avoid truly European debates on these differences even though they belong to the same European party.

The practice of choosing leading candidates has improved the transparency and accountability of parties, but a further harmonisation of electoral rules is necessary, including criteria for gender-balanced lists. A common European Electoral law should include the basic features of any electoral system and shall be based on the principle of digressive proportionality while respecting European diversity. Moreover, in order to foster a European public sphere, Greens/EFA propose the creation of transnational lists. We now have a unique opportunity to do so with the seats vacated by MEPs of the United Kingdom.

This would be a first step before a broader transnational list in 2024.



4) Taking citizens' participation and the rule of law seriously

The promise to give citizens a genuine right to initiate EU legislation through the ECI instrument has not yet been fulfilled. Because of bureaucratic hurdles, administrative burdens and a disappointing political reaction from the Commission, the ECI is being gradually abandoned by citizens.

The forthcoming review of the ECI regulation is a unique chance to strengthen the opportunities for the EU's citizens to have a direct say on EU legislation. It should ensure procedures are simplified and a real political follow-up is given to any ECI that collects one million signatures.

Our European democracy has to defend its citizens and the free media against government power grabs and the blurring of the separation of powers in the West and the East of our Union. We need stronger instruments for securing our core principles and the rule of law in the EU, in particular a binding and comprehensive mechanism to have an independent expert commission regularly monitor the state of democracy, the rule of law and fundamental rights in all EU Member States. In addition, judicial reviews of fundamental rights by the European Court of Justice (ECJ) should be expanded by making the European Charter of Fundamental Rights directly applicable in all areas and all member states. This would give national courts the opportunity to ask the ECJ for a preliminary ruling in areas which are beyond EU legislation, such as judicial independence and media freedom. Currently, judicial reviews of fundamental rights by the ECJ is limited to the implementation of EU law.

Moreover, we believe that the EU needs a truly binding mechanism on democracy, the rule of law and fundamental rights and should initiate (whenever those rights are violated at national level) infringement procedures on the basis of Article 2 (TEU) and, when necessary, make use of the mechanisms foreseen in Article 7 (TEU).

5) Using the potential of subsidiarity through a constructive alliance of parliaments

No Member State can effectively tackle the big challenges of our times alone, be it climate change, security, globalisation or digitalisation. Decisions should however be taken at the level best placed to respond to the challenges at hand, as close as possible to citizens and guaranteeing the greatest degree of legitimacy.

The European Union we envisage is a union in which national sovereignty is pooled for responding to challenges that Member States can tackle more effectively together, and which respects the principle of subsidiarity according to which decisions are taken as close as possible to citizens

In order to make it successful, the European Parliament must cooperate more closely and on a more regular basis with national and regional parliaments. National and regional parliaments need to strengthen their European capacity. A federal Union cannot be built against national and regional parliaments. We need to find a fair and efficient way to create parliamentary collaboration.

The current system of subsidiarity, whereby the national parliaments can show a 'yellow card' to proposals for new EU legislation in case they feel the principle of subsidiarity is not respected, and is simply not working properly. The yellow card system has been in existence since 2009 but the threshold for forcing the Commission to reconsider the proposal has only been reached three times. There are many ways to strengthen this system - starting with giving more time to respond to national Parliaments.

As Greens/EFA, we propose the introduction of a green card for national and regional parliaments. This will include legislative powers and basic democratic features in the different countries to ensure the parliaments control the position taken by their Member States in the Council and in the Eurogroup. It will avoid national governments misusing the EU for imposing policies, for which they do not find a majority at home, via the EU level.



6) Paving the way for a solidarity-based Union

We managed to build a European monetary union; but without a fiscal capacity or a democratic governance, our system cannot work, neither from an economic and social perspective nor from a political one. Some institutional changes are necessary in order to make wealth redistribution possible and the monetary union work for all. This will help us to fight better social and economic injustices; to invest in ecological transition, education, and public services; to fund civil society organisations; to ensure new digital monopolies effectively pay taxes; to guarantee minimum converging social standards, and to ensure this is done democratically.

We want the European Parliament, the only directly elected EU institution, to become the centre of political decisions in the Union. The Parliament should remain the only parliamentary representation of all EU citizens. We oppose side-parliaments for the Euro, but argue for a committee for the Euro inside of the European Parliament.

We therefore propose to increase the role of the European Parliament in the EU's economic governance system and to ensure national parliaments are more involved. Economic and fiscal policy set at the European level must be co-decided by the European Parliament and take seriously into account the view of social partners. In order to do so, the intergovernmental structures of the Eurozone such as the ESM must be deeply reformed and fully integrated into the EU, and become fully accountable to the Parliament. In addition, the Eurogroup should become fully transparent and be submitted to the Council's rules of procedure. This includes making available to the public the voting procedures, publication of minutes, results, and explanations of votes and its deliberations.

The Presidency of the Eurogroup, and the Council formation on Economic and Financial affairs (ECOFIN) could become the double-hat for the Vice-President of the Commission responsible for the Euro. This person should be individually elected, fully accountable to and replaceable by the European Parliament. S/he could be given new competences to coordinate economic and fiscal policies of Member States, and a budget to become a European Finance Minister.

In this democratic framework, a fiscal capacity for the Eurozone members, plus other EU members willing to join, shall be created within the EU budget via enhanced cooperation to serve common investments. Those investments should be financed with a system of own resources, but also by replacing tax competition with tax cooperation. Even without a change of treaties, a framework of minimum rules for social security are possible e.g. through a Minimum Income Directive. Therefore, work must start on the establishment of automatic stabilizers at the Eurozone level, opened to any Member State willing to join. This could include an unemployment (re)insurance scheme or a rainy days fund, and also a minimum income system set at 60% of national median income. We also need to adopt an enhanced common approach to corporate taxation: a Financial Transaction Tax should be created. We also urgently need to restructure Greek debt and start immediate work on a roadmap for the gradual mutualisation of public debt between the Eurozone countries. All this is already doable by using the potential of our current treaties.

Long-term perspective: Building a truly European democracy

7) A Constituent process

In the long run, the current institutional framework needs to be changed. Too many essential policies are difficult or impossible to put in place because of a lack of competences, of resources, or because of national vetoes.



In order to become a stronger democracy, the EU needs a concise and comprehensible Constitution that protects citizens' fundamental rights; defines European institutions and their respective powers; describes the legal procedures, and lays down the distribution of competences between the different levels.

Heads of States and Governments cannot prepare this Constitution in the framework of an intergovernmental conference. It is beyond time to give EU citizens the opportunity to elaborate together. Through a democratic constituent process, allowing a wide, open and collaborative phase, the result will be the text that will organize their society.

A gender-balanced constituent Assembly should be elected. The text it will prepare shall be validated through a European-wide referendum according to a double majority system: a qualified majority of states and a majority of European citizens.

8) Our option: A bicameral parliamentary system for the future European federation

In Europe, both common interest of the whole EU and specific interest of member-states and regions have to be represented. This is the fundamental principle of federalism: a balance between unity and diversity, and this is the reason why we want a federal Europe.

This federal Europe will have the European Commission as its government. The candidates for the Presidency of the Commission will compete as leading candidates on transnational lists. Like in any parliamentary system, the President of the Commission will be elected by the European Parliament on the basis of a political majority and a political agenda. The composition of a smaller, more political and gender-balanced Commission, including notably a Minister for Foreign Affairs, a Finance Minister, a Minister for Social affairs, will then be freely determined by the President of the Commission. This will be without any interference from the Member States and appointed by the European Parliament, following a reinforced process of hearings. The Parliament should have the right to replace the President of the Commission with a new one.

Equipped with a fully-fledge right of initiative, the European Parliament will decide on an equal footing with the second Chamber (today the Council) the budget and European legislation. The ordinary legislative procedure (co-decision between the EP and the Chamber representing the federated entities) applies on every legislative file. The EP should also have the right to request a launch of infringement procedures.

The second Chamber representing the Member States and, where relevant, regions, forms the legislature together with the European Parliament. It shall exclusively exercise legislative functions. It shall be composed of representatives of the governments or Parliaments, including where it is relevant at regional level, of the Member States.

This democratic Union will have a consequent and own-resources based budget to be decided in normal legislative procedure.

9) European Pillars of Civic, Economic, Social and Environmental rights

Today, the EU has the power to adopt legislations and enforce rules in many sectors. However, it lacks competences to ensure that Member States provide satisfactory public services, finance public investment through fair taxation, fight against social and environmental injustices and inequalities, and guarantee fundamental rights and freedom.

However,

If specific policies will not be mentioned in the Constitution, the Constitution should guarantee some fundamental and opposable rights and objectives for the Union related to civic, economic, social and



environmental rights. The EU Charter of Fundamental Rights and such additional rights should apply also to the actions of Member States, and citizens should be able to defend them in the European Court of Justice.

This will give competences to the EU to act in those areas and to react whenever those rights are violated in the Union. The Union would then have the power to ensure gender equality and women rights are fully respected and advocated for on all its territory. It will also ensure that all sorts of discrimination are combated; that free movement of persons is always protected; that press freedom is ensured; that media pluralism is respected; that access to common goods is guaranteed; that public services are rightly provided etc.

10) An active European citizenship

All citizens of the EU enjoy the right to work or study in another Member State. Many EU citizens have been living in another Member State for years. They must enjoy the same right to vote in national, regional and European elections as citizens of that Member State. The EU should have the competence to define the framework conditions for EU citizenship. It should set the conditions for becoming a European citizen (such as minimum years of residence) and it should intervene in case Member States grant citizenship rights based on inappropriate criteria (such as the golden visa).

In the long run, a European citizenship shall be granted by the EU, and no longer be a derivative of the national citizenship. Called "citizenship of the EU", it can be granted to any individual living within the territory of the EU, irrespective of her/his nationality. A European citizen shall be granted the same rights and duties as a national citizen in their country of residence.

