

CONV 701/03

CONTRIB 312

NOTA DE ENVIO

de: Secretariado

para: Convenção

Assunto: Contributo de Alberto Costa, membro da Convenção, e Guilherme d'Oliveira Martins, membro suplente da Convenção:

- "Projecto de proposta de aditamento de um novo artigo sobre o 'método aberto de coordenação'"
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O Secretário-Geral da Convenção recebeu de Alberto Costa, membro da Convenção, e Guilherme d'Oliveira Martins, membro suplente da Convenção, o contributo que figura em anexo.

The Convention on the Future of Europe Draft Proposal of addition of a new article on “The open method of coordination”

Presented by Alberto Costa and Guilherme d’Oliveira Martins

New Article: Open Method of Coordination

1. Member States may develop an open coordination of national policies in order to enhance their effectiveness towards some European common goals, respecting the national specificities.

The open method of coordination is based on the definition of common guidelines or common objectives by a decision¹ [or a recommendation²] from the Council, under a proposal from the Commission and can include timetables, indicators and exchange of best practices.

Member States establish and report on appropriate mechanisms to translate these common guidelines into the national levels. On a periodical basis, the Council, on a proposal from the Commission, shall carry out a follow up of this process and deliver an assessment, in the form of an opinion³ [or a recommendation]. In this light, the Council may also adapt the common guidelines or common objectives.

2. The open method of coordination may be applied where the Union has no legislative powers, or where coordination is not specifically regulated by the Treaty.

Justification

The open method of coordination is being applied in a wide range of policies with relevant outcomes for the European convergence and integration.

The present draft article aims at translating and clarifying the ongoing experience by specifying the instruments which might be used in this method as well as the role played by the European institutions.

The present formulation also tries to keep some flexibility in this method to cope with the

¹ Decision, according to article 24 of the Draft Constitutional Treaty, is a non-legislative act, binding in its entirety.

² Recommendation, according in article 24 of the Draft Constitutional Treaty, is adopted by the institutions and shall have no binding force.

³ Opinion, according in article 24 of the Draft Constitutional Treaty, is adopted by the institutions and shall have no binding force.

diversity of policy areas and the specificities of the national situations.

Finally, this article shall be without prejudice to more specific provisions in Part II referring to the coordination of certain Member States' policies.

Open Method of Coordination
The existing tools and their possible translation into the instruments of the new Treaty (in *italic*)

Stages of OMC Policies	Common guidelines or common objectives	National implementation	Follow up/assessment
<u>Information Society</u>	Action Plan: Common objectives, indicators, targets and deadlines <i>Decision or Recommendation</i>	National programmes or initiatives for the Information Society	Progress reports <i>Opinion or recommendation</i>
<u>European Research Area</u>	<i>Common objectives of the European Research Area</i> <i>Decision or Recommendation</i> Benchmarking of national research policies (objectives, methodology and benchmarks) Council Resolution EP and Council Decision (FP6)	National research policies	Report on benchmarking of national research policies <i>Opinion or recommendation</i>
Innovation	Common framework for innovation policy <i>Decision or Recommendation</i>	National Innovation Strategies/Programmes	Trendchart on innovation Innovation scoreboard Report on progress in strengthening innovation policies at European and national levels Independent evaluations (voluntary basis) <i>Opinion or recommendation</i>

Stages of OMC	Common guidelines or common objectives	National implementation	Follow up/assessment
Policies			
Enterprise Policy	Benchmarks for benchmarking enterprise policy European Charter for Small Enterprises <i>Recommendation</i>	No instrument foreseen	Scoreboard on benchmarking enterprise policy. National Reports on the European Charter for small enterprises <i>Opinion</i>
Education and Training	Common objectives and benchmarks E-learning Action Plan <i>Decision or recommendation</i>	National reports Reference criteria communicated on voluntary basis	Joint Report on the objectives of education systems (interim 2004; final 2010) <i>Opinion or Recommendation</i>
European Employment Strategy¹	Employment Guidelines Decision of the Council under a proposal from the Commission	National Action Plans	Joint Employment Report /Employment recommendations Recommendation of the Council, under a Recommendation from the Commission
The OMC on social inclusion	Common Objectives Programme of Community Action <i>Decision or recommendation</i>	National Action Plans for Inclusion	Joint inclusion Report/No recommendations <i>Opinion</i>
The OMC in the area of Pensions	Broad Common Objectives <i>Decision or recommendation</i>	National Strategy Reports on Pensions	Joint Pension Report/No recommendations <i>Opinion</i>

¹ Art 128 of the TEU

List of the main articles of current Treaty (Treaty on European Union and Treaty establishing the European Community) where the ongoing experience of the open method of coordination should be taken into account

Art. 128 and 129 – Employment Policy

Art. 140 – Social Policy

Art 149 – Education and Training Policy

Art. 155 – Transeuropean networks

Art. 157 – Industrial, enterprise and innovation Policies

Art. 165 – Research and development Policy

Art. 175 – Environmental Policy

Art. 180 – Cooperation for development