

## **Contribution to the Project of the Convention of European Students Workshop - Complementary Competences**

**This document will propose amendments to the final text of working group V on complementary competencies (WG V 14 - CONV 375/1/02 REV 1).**

**We propose the following:**

- 1. We support the the use of " supporting measure" in preference to complementary competences (As a replacement for "competence" the term "power" could be considered)*
- 2. A separate title on competences should be included in a future Treaty*
- 3. "Shared competence" must at all times be defined in accordance with the contemporary institutional design. If this category is to be kept alive, it needs revision and clarification*
- 4. The method and principles for classifying areas of competences should be inserted in a future Treaty. The principles outlined in the final report of WG 5 should be inserted in a future Treaty and act as a standard for the division of competences*
- 5. Identification of the different policy areas should not be made in the Treaty.*
- 6. We support a future use for TEC Article 308, but presuppose a modernized and clearer definition cf. WG V final report.*

### **We also have a few proposals on the special area of environment:**

- 1) We agree with the WGV proposal to make the "open method of coordination" a real instrument, that would allow som countries to go further in their environment policy.*
- 2) We think it is important to insist on the subsidiarity principle in the article 174 TCE.*
- 3) A complementary competence of the Union could be to develop the citizens' awareness on environment subjects, through a large educative action: a sort of Erasmus program on Environment subjects, for schoolchildren, students, or professional traineeships for jobs in the environment area.*
- 4) Other complementary competence of the Union could be to set out a European environment police to control the Union law implementation in all countries.*

### **On complementary competences**

For further argumentation see the contribution from the University of Bergen, Norway.

### **On the example of environment**

The environment policy has been a shared competence so far, but we think two problems are due to this status:

- inefficiency: the legislation is not well adapted to each country's situation ;
- in the legislative process: it is too difficult to obtain the all countries agreement ; some countries should be allowed to go further in their environment policy without waiting for the other ones 'agreement.

The solution to these problems could be to change the environment policy in a complementary competence, that is to say to give the preference to national instruments ; indeed it is necessary that the decision-making bodies be closer to the concrete environment problems.

But we think that some legislative instruments should be taken by the Union, because some environment problems (river water pollutions for example) exist over the states boundaries.

That's why decisions at least should be accepted as supporting measures, and even some Union laws about global environment problems (air, river water...).