Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Constitution of a United States of Europe

Motion for a resolution
tabled by Mr R.W.G. MACKAY and other members of the Assembly

The Assembly,

Having declared that the aim of the Council of Europe is the creation of a European political authority with limited functions but real powers ;

Realising that for some of the Governments of the Member States a European political authority means an authority such as the Committee of Ministers or the Council of Organisation of European Economic Co-operation or the Council of the Brussels Powers, and that these Member States prefer that European Unity be created only by the co-operation of Governments at government level and not otherwise;

Realising further that to the Parliaments and Governments of many other Member States a European political authority means a Parliament of Europe with a legislature, an executive and a judiciary, and that the creation of a political authority for Europe depends upon the creation of such a legislative and executive authority ;

Conscious that within the Statute of the Council of Europe such an authority cannot be created as the Statute does not provide either for a legislature or an executive;

Considering that the time has arrived when those Member States who wish to unite in a real union should take steps to create forthwith a European Federation formed by such of the Member States of the Council of Europe as are prepared to join it, leaving those Member States, who are not prepared to do so, Lo remain outside the union but closely associated with it;

Considering that the Assembly oi' the Council of Europe is an appropriate body for the purpose of giving an opportunity to those Member States to create the United States of Europe which they desire to create;

Hereby resolves :

1. That the Secretary-General convene a Constituent Assembly to meet in Strasbourg on November 6th for the purpose of drafting a Constitution for the United States of Europe.
2. That the Governments of all the Member States be invited to send to such a Constituent Assembly the same number of representatives as arc present at this meeting of the Assembly as duly authorised representatives of the Member States for the purpose of drafting such a Constitution and that the Constituent Assembly proceeds to its task with the representatives of such Member States as decide to participate.
3. That the draft statement of proposals attached to this Declaration containing certain basic principles for a Constitution of a United States of Europe be accepted by those Member States who agree to participate in the Constituent Assembly, as a basis for discussion at the Assembly but not otherwise.
4. That the Constitution, as drafted and approved by the Constituent Assembly be submitted for ratification to the Governments of the Member States which participated in the Assembly and be binding on such Governments as ratify it.

APPENDIX

Proposals for a Union of Europe

PREAMBLE

We, the elected representatives of some of the free nations of Europe, bearing the responsibility for a common cultural heritage,

Determined

to preserve, develop and extend the liberties which we have inherited and the fundamental rights of all the citizens of the Union,

to dedicate our economic resources and our powers of reconstruction to the common good and to the development of a common civilisation based on the best attainable standard of living for all citizens,

to plan to integrate the industrial and agricultural production of the Union as a whole so as to provide sufficient food, raw materials and manufactures for the internal and externaltrade of the Union,

to use the raw materials, basic industries and essential services, of the Union for the purposes herein set out,

to prevent by such economic and social reorganisation as may be necessary in any of the Member States the exploitation for private gain of the labour of any citizen by any other citizen,

to formulate a common policy for the defence of the Union against aggression from without or from within, and

to secure the maximum economic co-operation between the States within the Union,

Propose to unite our States into a European Union, based upon the foregoing and the follow: ing principles.

1. Principles, Purposes and Fundamental Laws

A. The Union Parliament shall make such enactments and do whatever else may be necessary to give effect through the Union to the principles set forth in the foregoing Preamble and in the Constitution of the Union.

B. Each Member State shall make such enactments and do whatever else, may be necessary to give effect within its territory to the principles set forth in the foregoing Preamble and in the Constitution of the Union, and to the decisions of the Union Parliament.

C. Every citizen of à constituent State of the Union is ipso facto a citizen of the Union. Stateless persons and citizens of States outside the Union may be accepted into citizenship of the Union.

2. Original Member*

A. À Federatio n of Europe shall be formed by such of the Member States of the Council of Europe :

1. who accept the principles contained in the Universal Declaration of Human Rights approved by the General Assembly of the United Nations Organisation in 1948, which will form part of the Constitution of the Union;
2. whose Constitution provides for a Parliament, one Chamber of which at least is freely elected by universal suffrage; and
3. who accept this Constitution.

B. It should be open to any other State of Europe whose Constitution complies with the second condition in the preceding sub-paragraph to accede to the Union at any time on their agreeing to accept the Constitution of the Union.

3. Competition of Parliament

A. The legislative power of the Union should be vested in a Parliament which should consist of two Houses, a Senate and a Chamber of Deputies.

B. The Senate shall be composed of six Senators for each State, directly chosen by the people of the State voting as one electorate.

C. The Chamber of Deputies shall be composed of Members directly chosen by the people of the Union, and the number chosen shall be in proportion to the respective numbers of the population, on the basis of one Member for every 1,000,000 persons, with a minimum of at least three Members for each State.

D. Any person of 21 years of age, whether male or female, shall be entitled to vote in the election of Members of both Houses of Parliament, and Members of each House shall be chosen for a term of four years.

4. The Powers of Parliament

A. As the aim of any European Union is not to destroy the existing States of Europe but to provide political machinery which will enable them to attain ends impossible under present conditions, the States of Europe should retain sufficient autonomy to control their own affairs in such matters as are not common to all the States or within the general interest of Europe as a whole.

B. In accordance with that principle, the Parliament of the Union should, subject to the Constitution, have such powers to make laws for the peace, order, good government and economic and social progress of the Union as are absolutely necessary to enable it to legislate in respect of matters relating to the Union as a whole. Some of these powers will be exclusive, others concurrent.

C. Final power to legislate is to rest with the Chamber of Deputies. The Senate should have power to revise and reject once only. Where the Senate rejects, they can be over-ruled by a two-thirds majority in the Chamber or by a majority of them in a joint Sitting.

S. The Executive

A, The executive power of the Union should be vested in a Federal Council which shoidd elect its Prime Minister.

B. The Members of the Council shall be chosen by the Chamber of Deputies and shall hold office during the pleasure of the Chamber of Deputies ; the principle of collective Cabinet responsibility shall apply, and the Cabinet shall at all times be responsible and answerable to the Chamber of Deputies.

6. The Judicature

The judicial power of the Union shall be vested in a Supreme Court, and in such other courts as Parliament creates, and the Supreme Court shall haveioth an original as well as an appellate' jurisdiction.

7. Finance

A. No money should be drawn from the Treasury of the Union except under appropriation made by law, and the Council should, in respect of every financial year, cause to be laid before the Parliament a statement of the estimated receipts and expenditure of the Union for the year, which should distinguish expenditure on revenue account from other expenditure.

B. On the establishment of the Union the collection and control of duties of customs and excise should pass to the executive government of the Union.

C. Uniform duties of customs should be imposed as soon as practicable after the establishment of the Union.

D. Upon the imposition of uniform duties of customs, trade, commerce and intercourse among the States, whether by means of internal carriage or ocean navigation, should be absolutely free.

E. The Union will take over, as from the commencement of the Union, the gross public debt of each State existing at that date.

F. The Union shall make monthly payments to the States calculated on a per capita basis, being of such a sum as shall be fair, to enable the States to meet the expenditure left to them to be met in each year, after the establishment of the Union.

G. Parliament may grant additional financial assistance to any State on such terms and conditions as the Parliament of the Union thinks fit.

8. The Rights of the States

A. The Constitution of each State of the Union should, subject to the Constitution of the Union, continue as at the establishment of the Union or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State.

B. When a law of a State is inconsistent with the law of the Union, the latter should prevail, and the former should, to the extent of the inconsistency, be invalid.

C. A State should not, without the consent of the Parliament of the Union :

1. raise or maintain any air, naval or military force;

2. impose any tax on property of any kind belonging to the Union;

3. coin any money or make anything legal tender in payment of debts not approved by the Union.

D. The citizens of each Member State of the Union should enjoy the same rights and privileges in the territories of the other Member States as the citizens of those Member States.

E. All Member States of the Union have equal rights and common obligations subject, however, to the Constitution of the Union and the lawful decisions of the Union Parliament.

9. Overseas Territories

The Union Parliament should nominate a Commission to study the particular problems which will arise from the association of any of the overseas territories with the European Union and the terms of reference of the Commission shall take into account the aspirations and needs of the populations of such territories and the obligations that they are capable of undertaking in practice.

10. New Members

The Parliament of the Union may admit to the Union or establish new States, and may upon such admission or establishment make or impose such terms and conditions, including the extent of representation in the Parliament as it thinks fit.

11. Alteration of the Constitution

The proposed law for the alteration of the Constitution should be passed by an absolute majority of each House of the Parliament, and hot less than two years after its passage through both Houses, on being submitted to the electors qualified to vote for the election of Members of Parliament, be approved by a majority of all the electors voting for the same.

Signed (see overleaf)

Signed[1]*:*

MACKAY R.W.G., United Kingdom, SOC

1. SOC: Socialist Group