

**Dr Tommy Tomescu**

**London, 16 February 2016**

**(OR. en)**

**Citizen Initiative**

**NOTE**

To: Delegations

Subject: Draft Decision of the Heads of State or Government, meeting within the

European Council, concerning a New Settlement for the UK and Romania

within the European Union

Delegations will find attached the draft Decision of the Heads of State or Government, meeting

within the European Council, concerning a New Settlement for the UK and Romania within the European Union.

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**DRAFT**

**DECISION OF THE HEADS OF STATE OR GOVERNMENT,**

**MEETING WITHIN THE EUROPEAN COUNCIL,**

**CONCERNING A NEW SETTLEMENT FOR ROMANIA & UK**

**WITHIN THE EUROPEAN UNION**

The Heads of State or Government of the 28 Member States of the European Union, meeting within

the European Council, whose Governments are signatories of the Treaties on which the Union is

founded,

Desiring to settle, in conformity with the Treaties, certain issues raised by the UK in its letter of 10 November 2015,

Intending to clarify in this Decision certain questions of particular importance to the Member States

so that such clarification will have to be taken into consideration as being an instrument for the

interpretation of the Treaties; intending as well to agree arrangements for**matters including that**

**There is no proof that EU migrants in the UK are engaged in ‘’benefit tourism’’** and

**With 90% from petroleum industry, 90% production of cars, 30% from agriculture, 70% from metallurgical industry and electrical equipment production taken over by EU companies from other member state, Romania is more entitled then the UK (5% of the labour force) to limit the free movement of EU goods, services and capital** and

**Compensatory measures to the citizens of the newest Member States, by allowing them to access the labour market and benefits of older Member States** and

**Legitimate for the newest Member States to limit the free movement of goods, services and capital, given that their Market has been overtaken by old Member State companies** and

**Countries that request this, should be allowed to suspend any tax incentives and tax companies from other Member States more heavily for a total period of up to four years** and

**Member States which benefited from the free movement of goods, services and capital within the EU cannot restrict access to their social benefits** and

**Reimbursement measure to compensate for trained citizens leaving a Member State** and

**Citizens must have supremacy over the competiveness between states or companies** and

**Fair competiveness between the citizens of the different Member States**and

**Full reimbursement of money spent to enter into the Schengen area without being part of it** and

**All the other Member States have an obligation to suport the national security of the other Member States,**

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Have agreed on the following Decision:

**SECTION A**

**SOCIAL BENEFITS AND FREE MOVEMENT**

Free movement of goods, services and capital within the Union is an integral part of the internal market. However, the overall strength level of new Member State companies was not harmonized with the overall strength level of old Member State companies.

This has allowed old Member State companies to take over the markets of newer Member States.

This **massive takeover has produced unemployment and/or lowered the income of the newest Member States, as the companies transfer their profits to the older Member States**.

It is legitimate in this situation to provide individual **compensatory measures to the citizens of the newest Member States, by allowing them to access the labour market and benefits of older Member States**. They must access those markets without discrimination, **in the same conditions as the citizens of the older Member States, as the citizens of the older Member States also enjoyed the new jobs and money paid as taxes by the old Member State companies which took over their markets**.

Thanking in to account the UK demands of social social and working restrictions caused by an influx of EU migrant workers which represent only 5% of its workforce, it is also **legitimate for the newest Member States to limit the free movement of goods, services and capital, given that 50-60% (Romania and Bulgaria) of their market has been overtaken by old Member State companies**.

Although **there is no proof that EU migrants in the UK** (**5%** of the labour force in the UK) are **engaged in ‘’benefit tourism’’**, the UK has requested the limitation of freedoms for citizens of other EU Member States.

**With 90% from petroleum industry, 90% production of cars, 30% from agriculture, 70% from metallurgical industry and electrical equipment production taken over by EU companies from other member state, Romania is more entitle then the UK (5% of the labour force) to limit the free movement of EU goods, services and capital. EU workers represent only 5% of the labour force in the UK was with.**

Within this context**,** Romania and other **countries that request this, should be allowed to suspend any tax incentives and tax companies from other Member States more heavily for a total period of up to four years**. The limitation should be **extendable for two successive periods** of [Y] years and [Z]years.

To do this a Member State should notify the Commission which would examine the notification and send a recommendation to the Council, which could authorise the Member State to restrict the free movement of goods, services and capital.

**Member States which benefited from the free movement of goods, services and capital within the EU cannot restrict access to their social benefits for citizens of other Member States in a discriminatory way**. These citizens became economic migrants as a direct result of their economy being overtaken due to these policies.

**A reimbursement measure to compensate for trained citizens leaving a Member State must be offered by the new Member State of residency**, if that citizen leaves a child to be raised in the Member State of origin. A reimbursement of taxes collected from a citizen of a Member State will be made to the country from which that citizen came, **if the Member StateS which collected the taxes chose to Index child benefits to the standard of living in the Member State where the child resides**. For the above purpose, the reimbursement will be proportional with the Index of child benefits.

**SECTION B**

**COMPETITIVENESS**

Fair competitiveness exists between states, companies and citizens within the EU, but **fair competiveness between citizens must have supremacy over the competiveness between states or companies.**

Within the EU there must be **fair competiveness between the citizens of the different Member States**, and this cannot be achieved if they cannot enjoy the same social rights as other EU citizens all over the EU.

**The social rights of citizens from the Member States economically destabilized by the free movement of goods, services and capital within the EU must be respected in the other Member States**.

Member States which benefited from the free movement of goods, services and capital within the EU cannot restrict access to their social benefits for the citizens of other Member States. These citizens became economic migrants as a direct result of their economy being overtaken due to these policies.

**SECTION C**

**ECONOMIC GOVERNANCE**

In the same way in which the UK has demanded the reimbursement of money from which she does not benefit, **Bulgaria and Romania will receive full reimbursement of money spent to enter into the Schengen area**, taking into account that they have fulfilled their part of the agreement in order to accede to Schengen, but they have not been allowed to do so.

**SECTION D**

**SOVEREIGNTY**

**Ever closer union for the Member States refers to political integration** too, as there is an **active political union**, because:

- **EU Institutions are the result of a the political union of the Member States** ;

- **EU Treaties clearly state that citizens of the Member States can politically integrate and act in the local, regional and European parliamentary elections** of another Member State.

Ever more, the **European Union which is political is casted as being ever closer by the 1st Article of the EU**.

The **objective of ever closer political integration cannot be denied**, as long as **there is not a mandate to change the EU Treaties**, and this mandate must come from the citizens or at least the parliament of all the Member States.

The ever closer union at the political level can be severed by a Member State by withdrawal from the European Union, which is a right confered by Article 50 of the Treaty on European Union.

National security remains the responsibility of each Member State, but **all the other Member States have an obligation to suport the national security of the other Member States**. Member States have an obligation to share information with regards to terrorist threats which target other Member States. A group of Member States can create a common European Union Army to enhance their national security, on which the Member States which do not participate do not have any right of veto.

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