



The European Union Symbols and their Adoption by the European Parliament

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This Note considers the symbols traditionally used by the European Union institutions and the recent formal adoption of them by the European Parliament.

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1 The Symbols of the EU

The process for the adoption of the EU single currency in three stages was enshrined in the 1991 *Treaty on European Union* (Maastricht Treaty), although the aim of economic and monetary union (EMU) had been acknowledged at the 1969 European Council summit at The Hague.¹ The EU flag, anthem and Europe Day were adopted by the European Council in Milan in 1985, while the “United in Diversity” motto was adopted in 2000. The Council of Europe, which adopted the flag and anthem before the EU, refers to the symbols as “the emblems par excellence of a shared European identity”.² However, their use was never made legally binding.

The European Parliament has now formally adopted these symbols for its own use.

1.1 Flag

The EU flag was originally the Council of Europe’s flag. On 25 October 1955 the Council of Europe (CoE) Parliamentary Assembly took the unanimous decision to adopt a flag as its emblem. The flag (twelve yellow/gold stars on a blue background) was designed by Arsène Heitz, an employee in the CoE’s Mail Service. The CoE Committee of Ministers adopted it as the European flag on 8 December 1955. The CoE Assembly decided in Recommendation 994 (1984)1 of 3 October 1984 that:

iv. The creation of new symbols of European identity such as a flag and an anthem, alongside those decided in 1955 and 1972 respectively by the member states of the Council of Europe, whether members of the Community or not, would seriously risk adding to the existing confusion of Europe’s citizens; the Committee of Ministers should therefore confirm that the Council of Europe flag and anthem are available for use by the Communities;

v. The Committee of Ministers should approach the relevant Community authorities to ensure that suitable arrangements are made for liaison between the committees mentioned in paragraph 4 above and the Council of Europe, its Committee of Ministers and its Parliamentary Assembly;³

In June 1985 the European flag was adopted as the official emblem of the then European Communities by the European Council (Heads of State and Government). It has been the flag of the European Community since 1986 and of the European Union since 1993. The number of stars, contrary to some beliefs, remains fixed at twelve.⁴

The symbolic description of the flag is as follows:

Against the background of blue sky, twelve golden stars form a circle, representing the union of the peoples of Europe. The number of stars is fixed, twelve being the symbol of perfection and unity.⁵

At the ceremony to mark the 50th anniversary of the flag, the then President of the EP, Josep Borrell Fontelles, said:

¹ For a history of EMU see <http://europa.eu/scadplus/leg/en/lvb/l25007.htm>

² http://www.coe.int/T/E/Com/About_Coe/emblems/emblemes.asp

³ *European Navigator* at <http://www.ena.lu/>

⁴ Unlike the flag of the European Coal and Steel Community (ECSC) from 1986 to 2002. From 1958, when the first ECSC flag was adopted, the number of stars represented the number of Member States, and was increased with the successive enlargement of the ECSC. It was fixed at 12 after the 1986 enlargement.

⁵ http://europa.eu/abc/symbols/emblem/graphics1_en.htm#symbol.

The flag has kept its unchangeable character – 12 stars whatever the number of member countries. It is a strong symbol that brings together the citizens of Europe.

Even more, it is especially attractive for the citizens of countries that are members of the Council of Europe and aspire to enter the European Union.

And the European flag has recently found its way into our pockets and purses! It is the symbol of the Euro, and so finds a place in the whole world.⁶

The CoE Secretary General, Terry Davis, said

In the protection of democracy and human rights "perfection and completeness" are objectives which can never be reached, but must never be surrendered. For the Council of Europe, the European flag is not only a symbol but a mandate as well.⁷

1.2 Anthem

In 1971 the CoE Parliamentary Assembly decided to propose the prelude to the "Ode to Joy", the fourth movement of Beethoven's Ninth Symphony composed in 1823, as the European anthem. The "Ode to Joy" is a poem written in 1785 by Friedrich von Schiller, although Schiller's words do not form part of the anthem. The music is arranged by the Austrian conductor, Herbert von Karajan.

The Assembly resolved in Resolution 492 (1971)¹ on 8 July 1971 "to recommend its use on all European occasions, if desired in conjunction with the national anthem". The Committee of Ministers gave its unanimous approval in January 1972.⁸ At this time it was noted by the UK Representative that:

... it was not customary in his country to play national or other anthems in schools; for this reason, his authorities would probably have to limit themselves to drawing the attention of schools and municipalities to the existence of the anthem.⁹

At the Milan European Council of June 1985, the Heads of State or Government chose the same anthem for the European Community.

A CoE CD called "Variations", which includes the first hip hop version of the European anthem, was launched in April 2004. It includes adaptations of "Ode to Joy" by symphony orchestra, organ, piano (classical and jazz), rock guitar, jazz violin, techno and trance versions.¹⁰

1.3 Europe Day

The designation of 9 May as Europe Day commemorates the day in 1950 when Robert Schuman presented his proposal on the creation of an organised Europe to ensure the

⁶ Address by Josep Borrell, Strasbourg, 16 November 2005

⁷ Address by Terry Davis, 16 November 2005

⁸ Decision (71) 187 of the Committee of Ministers, 12 January 1972

⁹ Ibid, *European Navigator* at <http://www.ena.lu/>

¹⁰ Council of Europe website at http://www.coe.int/T/E/Com/About_Coe/emblems/emblemes.asp

maintenance of peaceful relations. This proposal, known as the "Schuman declaration", is considered to mark the beginning of the creation of what is now the European Union.¹¹

In 1962 the Interim Staff Regulations Committee, which was consulted under Article 61 of the Staff Regulations of Officials, called on the Community institutions to observe 9 May as a public holiday.

1.4 Motto

"United in Diversity", or "Unity in Diversity", was adopted as the EU motto in 2000. It was selected from entries proposed by school pupils submitted to a dedicated website.¹² Around 80,000 young people from the then 15 Member States took part in the competition. On 4 May 2000 a Grand Jury consisting of 15 eminent Europeans¹³ and chaired by Commission President, Jacques Delors, selected the winning entry from a shortlist of seven selected from 2,000 entries in April 2000 by a European media panel comprising at least one journalist per Member State.¹⁴ The unofficial slogan was presented to Nicole Fontaine, then EP President, for approval in the presence of 500 schoolchildren in the Chamber.

1.5 Euro

The name of the European currency – the euro - was adopted by the Madrid European Council on 15-16 December 1995. The euro was formally established on 1 January 1999 and entered into circulation in 12 of the then 15 Member States on 1 January 2002.¹⁵

The official euro sign (€) is based on the Greek letter epsilon (ε), to symbolise the cradle of European civilisation and is similar to the first letter of the word 'Europe'. The two parallel lines represent the stability of the euro.¹⁶ Its design is credited to the Commission official, Jean-Pierre Malivoir, although Arthur Eisenmenger claimed to have created the euro symbol in the mid-1970s. The *Observer* reported in 2001: "It was one of his last assignments before retiring as chief graphic designer for the European Economic Community, as it was then".¹⁷

Eisenmenger designed the € as a generic symbol of Europe years before the new currency was mooted. 'I drew it without much consideration,' he said in an interview some years ago. 'I wasn't thinking of the euro at the time, but just something that symbolised Europe.'

From his office in Luxembourg, he sent his designs to the European Commission in Brussels, where they lay in a drawer for over two decades. Then, in the summer of 1997, Eisenmenger was watching live television as the then European Commission president, Jacques Santer, presented the world with the euro symbol - a five-metre-high version in plexiglass - on which the EU governments had unanimously agreed.¹⁸

¹¹ Full text of declaration is at http://europa.eu/abc/symbols/9-may/decl_en.htm

¹² www.deviser-europe.org.

¹³ The UK Grand Jury member was Roy Jenkins, former Labour Chancellor, Home Secretary and EU Commission President.

¹⁴ The UK journalist was Annabel MacLaren of *The Guardian*.

¹⁵ Austria, Belgium, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal and Spain.

¹⁶ Jacques Santer, European Commission President, published on *European Navigator* at http://www.ena.lu/the_euro_sign-020705212.html. For a history of the euro see http://www.ecb.int/pub/pdf/other/euro_became_our_moneyen.pdf

¹⁷ *Observer* 23 December 2001 at <http://observer.guardian.co.uk/print/0,,4325292-102275,00.html>

¹⁸ Ibid

Jean-Pierre Malivoir insisted that it was not possible to say who the designer was and that it was a team effort.

2 Attempts to formalise the symbols through Treaty change

With the exception of the euro, which is a somewhat different case, the EU symbols have no legal status under the EU Treaties. However, the two most recent Treaty amending Intergovernmental Conferences (IGCs) considered their formalisation.

2.1 The Treaty Establishing a Constitution for Europe

Article (I-8) of the 2004 *Treaty Establishing a Constitution for Europe* (the EU Constitution) formally set out the “symbols of the Union” for the first time. Article I-8 read:

The symbols of the Union

The flag of the Union shall be a circle of twelve golden stars on a blue background.

The anthem of the Union shall be based on the ‘Ode to Joy’ from the Ninth Symphony by Ludwig van Beethoven.

The motto of the Union shall be: ‘United in diversity’.

The currency of the Union shall be the euro.

Europe day shall be celebrated on 9 May throughout the Union.¹⁹

However, the Constitution was abandoned after negative referendums in France and the Netherlands and a period of reflection.

2.2 The Treaty of Lisbon

The Lisbon Treaty does not contain an Article on the EU symbols. In preparing the Reform Treaty, later known as the *Treaty of Lisbon*, the Member States decided to remove references to the EU symbols in an attempt to move away from the constitutional concept and because some Member States thought the flag would be too “federalist”. However, 16 EU Member States decided to annex to the Lisbon Treaty a declaration reaffirming that

... the flag with a circle of 12 golden stars on a blue background, the anthem based on the “Ode to Joy” from the Ninth Symphony by Ludwig van Beethoven, the motto “United in diversity”, the euro as the currency of the European Union and Europe Day on 9 May will for them continue as symbols to express the sense of community of the people in the European Union and their allegiance to it.²⁰

¹⁹ OJC 310, 16 December 2004 at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2004:310:0011:0040:EN:PDF>

²⁰ Declaration No. 52, OJC 115 9 May 2008 p.355. The 16 States were Belgium, Bulgaria, Germany, Greece, Spain, Italy, Cyprus, Lithuania, Luxembourg, Hungary, Malta, Austria, Portugal, Romania, Slovenia and Slovakia.

3 European Parliament amendment to Rules of Procedure

The European Parliament disapproved of abandoning the constitutional concept. In Article 23 of its Resolution on the convening of the Intergovernmental Conference of 11 July 2007, the EP regretted the “loss of some important elements that had been agreed during the 2004 IGC, such as [...] the symbols of the Union” and invited “its competent committee to consider the possible amendment of its Rules of Procedure so as to lend official character to the European Union flag and anthem chosen in the Constitutional Treaty in its activities and premises”.²¹

3.1 Constitutional Affairs Committee report

In January 2008 the EP Committee on Constitutional Affairs published a draft report proposing a change to the EP’s Rules of Procedure to make better use of the symbols.²² On 11 September the Committee formally adopted by 19 votes in favour to four against the proposal to amend Title XIII, ‘Miscellaneous Provisions’, to include a new Rule 202a on “The symbols of the Union”. The amendment reads as follows:

Rule 202a

The symbols of the Union

1. Parliament shall recognise and espouse the following symbols of the Union:

- the flag showing a circle of twelve golden stars on a blue background;
- the anthem based on the ‘Ode to Joy’ from the Ninth Symphony by Ludwig van Beethoven;
- the motto ‘United in diversity’.

2. Parliament shall celebrate Europe Day on 9 May.

3. The flag shall be flown at all Parliament premises and on the occasion of official events. The flag shall be used in each meeting room of the Parliament.

4. The anthem shall be performed at the opening of each constitutive session and at other solemn sittings, notably to welcome heads of State or government or to greet new Members following enlargements.

5. The motto shall be reproduced on Parliament’s official documents.

6. The Bureau shall examine further use of the symbols within the Parliament. The Bureau shall lay down detailed provisions for the implementation of this Rule.²³

3.2 The Plenary adopts the symbols

The Brussels EP plenary voted on the amendment on 9 October 2008, adopting by 503 votes to 96 with 15 abstentions²⁴ the proposal to use the EU symbols in its publications and

²¹ P6_TA(2007)0328 at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2007-0328>

²² 2007/2240(REG), 30 January 2008 at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-398.505+03+DOC+PDF+V0//EN&language=EN>. The rapporteur was Carlos Carnero González.

²³ <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2008-0347&language=EN&mode=XML>

events. According to an EP press release, the Spanish Socialist MEP, Carlos Carnero González, who was in charge of assessing the EP's reaction to the dropping of the symbols, said "it is very clear: the symbols of the Union are very much alive in the Institution that represents, more directly than any other, the 500 million inhabitants of our 27 Member States".²⁵

An EP press release summarised the contributions of UK MEPs to the plenary debate:

Jim ALLISTER (NI, UK) said that he was not going to trade his anthem and flag for the "tawdry baubles of Eurofederalism.". "Ode to Joy which we are going to purloin may be a very nice tune, but so is Jingle Bells and like Jingle Bells it heralds a fantasy, the fantasy that the EU is good for you. But unlike Jingle Bells, it will damage your national sovereignty and the right to control your own destiny. More, like code to destroy, than Ode to Joy."

Mr Allister said that his constituents do not want an EU flag and an EU anthem. What they do want, he said, is the right to say yes or no to the Lisbon Treaty.

Richard CORBETT (PSE, UK) expressed surprise "at the storm in a teacup" that this change to Parliament's Rules of Procedure has provoked in some quarters. We know, he said, that the Member States decided some time ago not to elevate the European flag and anthem to treaty status. They decided not to give it such an elevated status but to leave it with its current status. While it has been given recognition by the institutions, we, the European Parliament, have never actually recognised it in our rules. Mr Corbett thought it quite logical that this anomaly be tidied up and a reference to the flag put in the Rules of Procedure.

Geoffrey VAN ORDEN (EPP-ED, UK) said that while there is constant reassurance that the European Union has no ambition to become a state, yet every resolution and piece of legislation through this Parliament takes us further in that direction. In order to try and sell the Treaty of Lisbon, he said, national negotiators decided that parts of the constitution that could be interpreted as impinging on statehood such as the flag and the hymn should be removed.

Concluding, Mr Van Orden said that his constituents in the east of England "do not want a constitution, they do not want the Treaty of Lisbon and they certainly do not want a state called Europe and I think it is an affront to them to try and introduce or give official character to these symbols."

Andrew DUFF (ALDE, UK) found it strange – tragic even – that the symbols are attacked by people who were formerly from the communist states of Central and Eastern Europe. He recalled the flags being waved in the crowds in Tallinn, East Berlin and Budapest, as well as the anthem being played at the Brandenburg Gate. These things, he said, were not imposed or prescribed by parliamentary rules of procedure but were inspired by the hearts and emotions of the citizens. The symbols represent our dignified values of peace and solidarity, he concluded.²⁶

²⁴ An amendment to the Rules of Procedure must be approved by an absolute majority of MEPs (at least 393 votes in favour).

²⁵ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+IM-PRESS+20081006STO38725+0+DOC+XML+V0//EN&language=EN>

²⁶ 9 October 2008 at http://www.europarl.europa.eu/news/expert/infopress_page/001-39025-282-10-41-901-20081008IPR39024-08-10-2008-2008-false/default_en.htm

4 Implications and reaction

While opponents of the adoption of the EU symbols are concerned about the implications for national sovereignty, the EP amendment is not intended to affect the status of the national emblems or symbols in the Member States. These EU symbols have been used by the EU and Council of Europe institutions for many years, and, as Lord Malloch-Brown pointed out in reply to a Parliamentary Question in April 2008, "The EU flag and anthem have no legal status in UK or EU law".²⁷

Baroness Ashton of Upholland, who was recently nominated to replace Peter Mandelson at the Commission, told the House of Lords in December 2007:

The question of whether individual nations choose to continue with symbols is for those nations: it is called sovereignty. If a country, as a member of the European Union, wishes to run up the flag of the European Union, so be it. If it wishes to change its anthem, so be it. That is entirely up to individual nations and is nothing to do with this treaty; it is to do with national sovereignty.²⁸

There are already national rules on where and when the EU flag can or should be flown in the Member States, which are not affected by the EP decision. In the UK, for example, on Europe Day the Union flag should fly alongside the European flag, but on Government buildings that have only one flagpole the Union flag should take precedence.²⁹

Following the EP vote, Jo Leinen, the chairman of the EP Constitutional Affairs Committee, is reported as saying: "These symbols would give Europe "a soul" and would help citizens to better identify with the Union."³⁰

The *European Voice* commented:

The 96 MEPs that voted against the proposals and the 15 who abstained mainly came from the Independence/Democracy group in the Parliament and non-attached members who fear a creeping extension of the use of EU symbols in public life. UK Conservatives, who belong to the European People's Party (EPP-ED), were also against the idea of formalising the use of the EU symbols.³¹

Sam Leith, writing in the *Telegraph.co.uk*, thought:

What we're seeing isn't a threat, but a self-regarding waste of time and public money. You can manage taxes and borders and subsidies and rebates and bureaucratic structures, fine. But you can't manage the collective unconscious.³²

²⁷ HL Deb 25 April 2008 WA325 at

<http://www.publications.parliament.uk/pa/ld200708/ldhansrd/text/80425w0001.htm>

²⁸ HL Deb 5 December 2007 c 1801 at <http://www.publications.parliament.uk/pa/ld200708/ldhansrd/text/71205-0015.htm>

²⁹ HL Deb 9 June 2008 WA81 at

<http://www.publications.parliament.uk/pa/ld200708/ldhansrd/text/80609w0001.htm#08060918000162>

³⁰ *EurActiv* 12 September 2008 at <http://www.euractiv.com/en/future-eu/meps-legalise-eu-symbols-backdoor/article-175323>

³¹ 9 October 2008 at <http://www.europeanvoice.com/article/2008/10/eu-assembly-embraces-eu-symbols/62641.aspx>

³² 13 September 2008 at <http://www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2008/09/13/do1306.xml>

An earlier *Telegraph* report reminded readers that “Ode to Joy” “has unfortunate associations, having been used previously to celebrate Adolf Hitler's birthday and as the anthem of a socially divided Rhodesia under Ian Smith”.³³

The UKIP MEP, Nigel Farage, told the *Times*: “We were told that the symbols would disappear ... now they are trying to ram them down our throats”.³⁴

³³ *Telegraph.co.uk* 12 September 2008 at <http://www.telegraph.co.uk/news/worldnews/europe/2823052/EU-flag-and-anthem-revived-by-MEPs.html>

³⁴ *Timesonline* 12 September 2008 at <http://www.timesonline.co.uk/tol/news/world/europe/article4735184.ece>