

BULLETIN 38

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1. EDITORIAL

As the status quo regarding the Future of the Constitutional Treaty has stretched over the summer, and the British presidency will apparently not move forward on the financial perspectives, we are coming back from the summer break with more rather than fewer questions on the ways out of the current stalemate.

The months to come will also be a crucial period for NGOs to reflect over their contribution to the European project and their role as a transmission belt between the EU and its citizens.

The current political agenda clearly demonstrates that we have reached a turning point for participatory democracy: while EU institutions are increasingly opened to the participation of civil society organizations to the political process (see the launch of civil dialogue with candidate countries and communication strategy that were announced this summer), this is increasingly balanced by requests for more regulation, transparency and accountability (illustrated by the Code of Conduct for NGO transparency the Commission would like to see implemented by the Member States). While these requests for more accountability are perfectly justified as a counterpart to increased participation, they should be discussed and implemented in the most transparent and open way, which has not been necessarily the case in the last weeks.

Yet, the controversy should not overshadow another necessary debate, e.g. how NGOs concretely make the link between the EU and its citizens, between Brussels and the grassroots, to help their constituencies get actively involved in the EU project.

These issues were at the heart of the brainstorming seminar we organised on October 6th: "The Future of Europe, an NGO brainstorming on the EU crisis", which provided us with new impetus for cross-sectoral cooperation. A conference report will be available soon and we are looking forward to further exchanging views with you on how to follow-up on this crucial matter.

Elodie Fazi
Coordinator
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Act4europe campaign

2. WHICH FUTURE for the CONSTITUTIONAL TREATY?

Constitution agenda

Out of the countries that were supposed to ratify the text either through parliamentary vote or through referenda, almost all chose to freeze the process, including Denmark that had intended to hold a referendum on September 27. You can find more about the Constitution agenda on http://www.europa.eu.int/constitution/ratification_en.htm (Europa website, official website of European institutions).

Barroso wants to “put Europe back to work”

Following a one-day seminar of the Commission on the future of the Constitutional Treaty on 20 September, Mr Barroso confirmed that the Commission has given up on the idea of having a new Constitution in place within the next 2-3 years. "We don't need a philosophical debate on the future of Europe," said Mr Barroso, "we need to get Europe back to work". He thus urged the UK Presidency to do its utmost to reach a deal on the 2007-2013 financial perspective, and insisted again on the need to legislate less, stating that "bureaucracies have a tendency to legislate for the pleasure of it".

European Parliament organises a symposium on the constitutional process

The Constitutional Affairs Committee of the European Parliament intends to play a leading role in the “period of reflection” following the French and Dutch “no” and organised a symposium on the future of the constitutional process on October 13/14. Speakers’ notes can be found on: www.europarl.eu.int/meetdocs/2004_2009/organes/afco/afco_20051013_1500_symposium.htm. They will provide you with a good overview of the controversies around the process’ future and the role that could be played by different types of actors.

Is the EU listening to its citizens?

According to a Eurobarometer survey published in July, 53% of European citizens consider that their voice does not count in the European Union. The belief that their voice is not heard in the European Union is strongest among citizens in the Czech Republic, Estonia, Slovakia and the United Kingdom. Communication Strategy Commissioner Margot Wallström responded to this failure: "What we need is a new consensus, a shared perception of the purpose of Europe and where it is heading. The support that the public give to the Union provides enormous political capital, but it should not be taken for granted. Europeans today expect to be more involved in the political process, and the challenges that are of concern to them are globalisation, unemployment and social problems. The people of Europe and the organisations that represent them must have more say and we, the decision-makers, must learn to listen to people's hopes and expectations." You can find more on: http://europa.eu.int/comm/public_opinion/archives/eb/eb63/eb63_en.htm

Democracy and new technologies: the “NON” made better use of the internet

As the wave of analyses of the French and Dutch referenda goes on, a study carried out by researchers from the University of Technology of Compiègne (UTC) has shown how instrumental the internet was for the “no” campaigners in France. It also showed that on the 295 sites dedicated to the referendum campaign, 67 percent of those asked to give their opinion on the EU charter voted no. According to the authors, Franck Ghitalla and Guilhem Fouetillou, "The web served as a political tribunal for those who considered themselves distanced from television formats or big-time media, transforming the web into a sort of negative medium". The study also showed how no sites had a better record of linking to other anti-constitution sites (79%) when compared to pro-constitution sites, where only 64 percent linked to other yes sites. You can find more on the UTC's website: <http://www.utc.fr/rtgi/index.php?rubrique=1&sousrubrique=0&study=constitution>

Should the pendulum swing back to the EU and the Constitution? Report from European Citizens' Action Service seminar

In late June, the ECAS organised a seminar on the consequences of the French and Dutch "no" to the Constitution, amongst others from the perspective of Civil Society organisations. The seminar's report can give you a good insight of the first debates and solutions that were discussed, in particular in view of enabling a real participation of citizens in the EU debate. You can download it on: http://www.ecas.org/file_uploads/757.doc

3. NEWS/AGENDA from EU INSTITUTIONS

Will London hand over financial deal to Austrian presidency?

After the June European Council failed to come to an agreement on the 2007-2013 financial perspectives, the British government announced their willingness to leave the conclusion of the financial deal to the Austrian presidency, to start in January 2006, with major talks in its presidency to concentrate on the future of the European social model. Yet a few days later, German and Czech Finance Ministers Hans Eichel and Bohuslav Sobotka told journalists that they expect the UK EU presidency to come forward with a possible solution to the problem, Mr Sobotka suggesting this is a "moral duty" on the part of London. This was followed by a protest from the Visegrad Four (Poland, Slovakia, Hungary and the Czech Republic) that met on August 30 who declared that a status quo "could harm the continent's competitiveness and threaten poorer regions' access to European funds", are were backed by Commission President Jose Manuel Barroso later on in September.

Commission presents Plan D for Democracy, Dialogue and Debate

Following a discussion with the College of Commissioners on the future of the Constitutional Treaty on 20 September 2005, Commission Vice-President Margot Wallström presented her Plan D for "Democracy, Dialogue and Debate", on 13 October 2005, urging Member States to engage with citizens in a debate on the future of Europe. "Plan D" puts in place a framework, through national governments, for a 25 country debate. The clear objective is to build a new political consensus about the right policies to equip Europe to meet the challenges of the 21st Century. Key elements of plan D involve:

- **Stimulating national debates** by providing potential models and structures for national governments (eg, National Forum Ireland), and suggesting certain common processes and key themes.
- **Feedback process** to start in April 2006
- **13 key initiatives** to strengthen dialogue

Of particular interest for NGOs will be the organisation of round tables for Democracy, the promotion of more effective consultation and of citizens' projects. Plan D sets high ambitions for the Commission and the Member States, but also for a wide range of civil society actors involved in strengthening citizens' access to the European debate. A key to its success will be the capacity of Member States to deliver. You can find the proposal on: http://www.europa.eu.int/comm/commission_barroso/wallstrom/pdf/communication_planD_en.pdf

MEPs urge UK presidency to open up Council debates

Despite numerous efforts from EU institutions in the past years to increase transparency and access to documents, critics have long complained that the Council continues to act behind closed doors. To put an end to this practice, MEPs from the five UK parties issued a declaration and wrote to The Times on 6 September, describing secret legislation as "unacceptable" and calling for debates on new laws to be televised. Commenting on the initiative, the leading UK member of the Greens in the European Parliament, Jean Lambert, declared that "If the Council is serious about trying to connect with the European public, citizens need to be able to understand why certain decisions are made - as well as who is making those decisions - rather than being presented with a 'fait accompli'."

Statute for a European Association threatened by new Commission initiative

Since 1991 the EU has been studying a proposal to create a Statute for a European association. This statute would enable non-profit organisations and associations to operate and be recognised throughout the European Union, allowing them to develop a real European civil society and to overcome the obstacles to freedom of association that persist in certain member states. However, on 27th September 2005 the European Commission included this proposition in a black list (MEMO/05/340) of 68 propositions to be withdrawn because they have become "largely obsolete". The online magazine Café Babel launched a campaign to protest against this step back, including an online petition, which you can find on: <http://new.petitiononline.com/asso/petition.html>. To know more about this initiative, please see: <http://www.cafebabel.com/en/article.asp?T=T&Id=4892>

4. CIVIL SOCIETY CONTACT GROUP and Act4Europe campaign

Civil Society Contact Group responds to Commission's Code of Conduct on NPOs and terrorism

Expressing concerns that the 'non-profit sector' has been exploited for the 'financing of terrorism and criminal abuse', the European Commission suggested that the sector adheres to a code of conduct (to be implemented by the Member States) and launched an open consultation on a *Draft Code of Conduct for non-profit organisations to Promote Transparency and Accountability*, published on the Justice and Home Affairs website from the end of July until 19 September: http://europa.eu.int/comm/justice_home/news/consulting_public/code_conduct_npo/draft_recommendations_en.pdf. The Code of Conduct might have important consequences on the daily work of NGOs and thus has caused widespread concern among NGOs at national and EU levels, first and foremost with regard to its content, but also because of evident procedural shortcomings.

The Civil Society Contact Group sent a common position to the Commission (<http://act4europe.horus.be/module/FileLib/CSCG%20Contribution%20Code%20of%20Conduct.doc>) and will be following closely the next steps of this initiative. For more information, please contact Elodie Fazi, Civil Society Contact Group Coordinator, coordinator@act4europe.org

Report from NGO brainstorming on the EU crisis- 6th October

The seminar "The Future of Europe, an NGO brainstorming on the EU crisis" dedicated at the causes, consequences and ways out of the political crisis the EU is currently facing was organised on 6 October. Bringing together more than 90 NGO

activists from different sectors, coming both from national and European NGOs, it acted as a platform for exchange and reflection on how NGOs can react to the current crisis, mobilise and motivate citizens. The afternoon was dedicated to Commissioner Margot Wallström's presentation of the main strands of the Plan D for Democracy, Debate and Dialogue, which will be published soon. A clear conclusion was that the confidence crisis was not limited to France and the Netherlands, and that "bringing the EU closer to the citizens" will imply much more than better communication, namely delivering policies that really meet citizens' concerns. Hopefully the seminar will provide a new impetus for further sectoral and cross-sectoral cooperation on these crucial matters.

A **briefing** was distributed to participants ahead of the seminar, which provides background information on the issues discussed. You can find it on our website: <http://act4europe.horus.be/module/FileLib/6.%20October,%20briefing%20for%20participants.doc>. A **press release** was published on 07.10: <http://act4europe.horus.be/module/FileLib/pr-10-07-05.doc>. The conference report will be available soon.

European Public Health Alliance joins the Civil Society Contact Group

In its last meeting on October 5th, the Contact Group responded positively to a membership request by the European Public Health Alliance. EPHA represents over 100 non-governmental and other not-for-profit organisations working in support of health in Europe, 35 of which are pan-European or international networks. For more information about EPHA, please have a look at their website: www.eph.org.