

BULLETIN 43

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1. EDITORIAL

Dear Act4europe friends,

The last month's agenda was dominated by the June Summit, during which EU leaders decided to extend the "reflection period", waiting for elections' result in France and for the German presidency. Just before the June Summit, the European Parliament presented a concrete list of proposals concerning the future of Europe.

In July, Finland took over the rotating six-month Presidency of the EU from Austria. While the Austrian presidency explained how it fulfilled its objectives and was strongly appreciated on Council transparency achievements, the Finnish presidency announced its programme for the next months and enlargement would be among its priorities. The work on Council transparency should be further developed.

Participatory democracy came again on the front page after the European Parliament proposal to create "citizens' agoras" meant to bring citizens closer to the European Union policy-making process. Even if a controversial project, it is one of the most important steps that a European institution is taking in order to increase the citizens' participation in the EU debates. One key contribution of the CSCG to the debate on participatory democracy will be the study "**Civil dialogue: Making it work better**". In order to clarify and facilitate civil dialogue, the CSCG organised the conference "NGOs and the EU: Make civil dialogue work better" and presented the study "Civil dialogue – Making it work better", which will be published in October 2006.

Hot issue of the summer will yet remain transparency, as the consultation on the Green Paper will last until 31 August. Anticipating the Green Paper, France is the first country to start its own debate over transparency. The CSCG is preparing its contribution to this crucial debate that will be published in July. In this issue we will try to keep you updated with the latest development of this initiative. We strongly encourage you to join the debate and contact us for any information!

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2. CIVIL SOCIETY CONTACT GROUP and ACT4EUROPE

Civil Society Contact Group responds to the EESC Opinion on the representativeness of European civil society organisations in civil dialogue

The EESC launched a public consultation on the representativity of civil society organisations, based on its position adopted in February 2006. The CSCG sent a common answer to the consultation, which closed on 30 June. It **admits the necessity of a debate on representativity** in order to legitimise the increasingly important role of civil society in the EU policy process. At the same time, the CSCG considers that **any simplistic equations should be avoided**, as this debate has for long tended to ignore that representative and participatory democracy complement rather than morph into each other. The CSCG also welcomes the EESC decision to call on the European Commission to pursue the procedure **to create the statute of a "European association"**, as a necessary step towards political recognition of the work of European civil society networks, stronger European citizenship, administrative simplification and enhanced accountability and transparency of civil society actors.

You can find the CSCG response on our website at:

http://act4europe.horus.be/code/EN/actions.asp?id_events=113.

You can find the CSCG briefing on representativity at:

<http://act4europe.horus.be/code/en/act4.asp?Page=205&menuPage=205>

"NGOs and the EU: Making civil dialogue work better" Conference's outcomes

On 12 July, the Civil Society Contact Group organised the conference "**NGOs and the EU: Making civil dialogue work better**". Over 130 participants attended the conference, during which the study "**Civil Dialogue: making it work better**" was presented in a draft version. The study assesses dialogue and consultations between NGOs and EU institutions in seven different policy areas, at EU and national level. Transparency, accountability and participation were debated by participants and representatives of **ALTER-EU, SEAP, Siim Kallas Commissioner Cabinet, National Council for Voluntary Organisations, European Economic and Social Committee liaison group with civil society**. During the transparency debate, speakers outlined differences between the European Commission and organisations like SEAP and ALTER-EU concerning in particular the necessity of imposing mandatory registration rules for lobbyists and the consultations outcomes. While Kristian Schmidt expressed the European Commission's support for a lobbying registration system based on values and rules, leaders of different NGOs supported the idea of a **clear mandatory registration rules** that can allow actors involved in this process to see if preferential treatment is given to certain groups, who is influencing the Commission's policy-making process and to have the proper tools to identify and diminish corruption cases. Concerning the civil dialogue and available options to make it work better, speakers proposed different views, going from a **civil dialogue institutionalized framework, to the creation of a European Union Concordat**. An interactive workshop on how to make participation work better was organised around the "Open Space" method, allowing a high level of discussion and interaction among participants. Among other proposed topics we can mention the **relation between European/ international and national NGOs, women's involvement in European NGOs and ways through which NGOs legitimize those they engage in dialogue with**. The final version of the study will be published in October.

3. NEWS

Consultation period on White Paper on Communication prolonged!

After the June Summit it was decided that the consultation period on the White Paper on Communication would be **prolonged until 30 September**.

More information on the consultation can be found at:

http://ec.europa.eu/communication_white_paper/index_en.htm

The CSCG briefing on communication can be found at:

<http://act4europe.horus.be/module/FileLib/briefing%20Plan%20D,%20Communication%20White%20Paper.doc>

June Summit decides to move on Council transparency

On 16 June, the European Council agreed on an overall policy on transparency, which further opens up the work of the Council by making all co-decision debates in the Council public. Therefore, all the following deliberations will be public:

- Council deliberations on legislative acts to be adopted by co-decision
- Votes and the explanation of votes by Council Members
- Council's first deliberations on legislative acts other than those adopted by co-decision, which given their importance are presented orally by the Commission in a Council session
- General Affairs and External Relations Council's deliberations on the 18 months programme

The Council will also regularly hold **public debates on important issues affecting the interests of the Union and its citizens**. All **public deliberations will be broadcasted in all languages through video streaming** and a recorded version will be available for at

least a month on the Council's website. The incoming Presidency was also invited to develop new means of giving more publicity to public deliberations. You can find the Information sheet of the General Secretariat of the Council of the EU, "An overall policy on transparency" at <http://www.libertysecurity.org/IMG/pdf/AnOverallPolicyOfTransparency.pdf>

EESC hearing on the European Transparency Initiative

On 11 July 2006, the European Economic and Social Committee organised a hearing on the European Transparency Initiative. The Commission Vice-President Siim Kallas reiterated the Commission's **commitment to introduce greater transparency in lobbying activities**, as it would contribute to enhancing the credibility and legitimacy of these activities. The EESC Vice-President Dimitrios Dimitriadis stressed the **need for the EU to "re-legitimise" the European venture** by redefining not only the concept of democratic action but also the rules that govern it. Both Dimitrios Dimitriadis, and Commission Vice-President Margot Wallström praised the **excellent cooperation between the Commission and the EESC** and stressed the **significance of the hearing in the light of the new cooperation protocol signed in November 2005**. Margot Wallström also linked the European Transparency Initiative to other Commission policies, namely communication and better law making. She hoped that these policies would not only lead to a better connection between the EU institutions and the Brussels-based organisations, but also between Brussels and the national and regional civil society organisations. The proceedings of the hearing will be made available on the EESC website by the end of August. The EESC's opinion on the European transparency initiative is due for adoption in October 2006. More information will be posted at: http://eesc.europa.eu/sco/events/11_07_06_transparency/index_en.asp

Documents related to the European Transparency Initiative

European Transparency Initiative Green Paper

http://europa.eu.int/comm/commission_barroso/kallas/doc/com2006_0194_4_en.pdf

Civil Society Contact Group briefing

<http://www.act4europe.org/code/en/act4.asp?Page=205&menuPage=205>

ALTER EU submission to the consultation on the European Transparency Green Paper

<http://www.alter-eu.org/submissionjuly2006>

Friends of Earth report - "Transparency in EU decision-making: reality or myth?"

http://www.foeeurope.org/publications/2006/Transparency_in_EU_decision_making_May2006.pdf

France launches its own transparency debate

Following the Commission's publication of the Green Paper on transparency, Touteurope.fr, **the centre of information of the French Ministry for Foreign Affairs, launched its own consultation on the European Transparency Initiative** to get contributions from businesses, civil society organizations and individuals at the French national level. The transparency initiative consultation driven by the French Ministry for Foreign Affairs is being carried out via three chat rooms dealing with the role of lobbyists in EU institutions, the involvement of civil society stakeholders and the transparency of organisations or projects funded by the EU. The consultation is open until the end of August 2006. For further information, you can visit the consultation website at

<http://www.touteurope.fr/fr/parlons-deurope/ssexprimersurtouteurope/forums.html>

ECAS Conference on the Future of Europe claims for more involvement of civil society

On 7 June, European Citizen's Action Service organised the conference **"Plan D and the citizens' right to know"**. The debate aimed at benchmarking the national and European contributions to the Commission's Plan D and to review the state of play after the one year

"period of reflection" on the failed ratification of the Constitutional Treaty. During the debate, everyone agreed on the need to provide a more ambitious Plan D. In order to improve the coherence of actions under Plan D and to get closer to the objectives, participants agreed on several measures to be taken:

- To continue the listening exercise and educate citizens on the EU rather than just concentrate on quick action and delivery
- To strengthen the delivery mechanism
- To increase the budget: the European Parliament could authorise more expenditure under the "Prince budget line for the future of Europe debate" (budget allocated by the Commission to assist Member States and civil society through support of individual initiatives – COM (2005) 494 final) and attempt to increase funding in 2007 budget negotiations.
- To acknowledge and satisfy the need for a long-term information policy.

The discussions were characterized by a real disagreement over options and strategies, leaving participants with the impression that much remains to be done at EU level, but clearly illustrating that the debate is very much "alive".

You can find more details about the conference at:

<http://www.euractiv.com/en/constitution/future-eu-conference-involvement-civil-society-needed/article-156073>

National Council for Voluntary Organisations launches debate for "European Union Concordat"

On 12 June, the NCVO (largest general membership body for charities and voluntary organizations) launched its proposal on an agreement between EU institutions and civil society organizations, the European Union Concordat. **This proposal takes its inspiration from the British Compact and the similar models** that exist in various forms in France, Estonia, Latvia and Poland. It lays down certain agreed behaviour, undertakings and principles for both sides so that they can develop a relationship built on a spirit of mutual understanding and trust and it covers areas like consultation, communication, funding, transparency and diversity. NCVO believes that the European Union Concordat would be beneficial to the relationship between the European Commission and civil society organisations across Europe and help reconnect the European Union to its citizens.

You can find more details on the European Union Concordat here: <http://www.ncvo-vol.org.uk/policy/international/index.asp?id=2810>

European Parliament plans "citizens' agoras" to boost EU debate

On 23 May, the European Parliament's political groups leaders considered creating regular forums for citizens to debate the same draft laws as MEPs in Brussels or Strasbourg. The parliament's vice-president, French Green MEP Gerard Onesta proposed that the European Parliament would organise **five to six forums/ "agoras"** per year with around 300 participants to discuss issues chosen by the parliament's political group leaders. Gerard Onesta mentioned he had received informal support from the parliament group leaders for his project, and for the moment **his project would be tested for a pilot period of one year**. However, some **skeptical voices** denounced that that process would be managed and orchestrated by the MEPs as the list of citizens to attend the agoras would be prepared by the parliament's committees dealing with the EU laws or issues under debate in the agora session concerned. Thus the debate over who should be invited to such forums and what should be the outcome is still open.

You can find further details of Gerard Onesta's project at:

http://www.onesta.net/newsletter/envoyer/HTML_newsletter.php?news_main_id=119

4. "PERIOD OF REFLECTION" ON THE FUTURE OF EUROPE

EU leaders agreed to extend the "reflection period"

On 15 and 16 June 2006 EU leaders agreed in Brussels to **extend the "reflection period" on the EU constitution, to make Council meetings public and to pay more attention to the "absorption capacity" of the EU when taking decisions on further enlargements**. During the June Summit, EU leaders decided that the final deadline for leaving the constitutional impasse would be the end of 2008. The former Commission President and newly elected Italian Prime Minister Romano Prodi laid out the essential stakes in a few words after the first session of the EU summit, 15-16 June, appreciating that the real discussions on the constitution can only start under the German presidency and after French elections. The German presidency runs in the first half of 2007, French elections are held in the spring of 2007. Apart from agreeing that more time is needed, there was no real clarification in sight: Austrian Chancellor Wolfgang Schüssel admitted that the substance of the Constitutional Treaty is good and it should be kept alive, but there is no consensus on how to proceed to safeguard this substance.

You can find the Presidency Conclusions at:

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/90111.pdf

Here you can find the CSCG position for the June Summit at:

http://act4europe.horus.be/code/EN/actions.asp?id_events=111

European Parliament asks for clear proposals on constitutional process

The European Parliament adopted on 14 June a **"Resolution on the next steps for the period of reflection and analysis on the Future of Europe"**. The resolution confirms the European Parliament's commitment to achieving, without undue delay, a constitutional settlement for the EU, as well as its endorsement of the Constitutional Treaty. Therefore the European Parliament confirms its opposition to the piecemeal implementation of parts of the Constitutional Treaty and asks the European Commission to adjust its plan D for the second phase of the period of reflection providing funding for the activities engaged. The European Council is asked to encourage the continuation of the ratification process, to enable a specific dialogue with the representatives of France and Netherlands and to seek real commitments as to the ways and means by which it proposes to proceed during the remainder of the reflection period. You can find further information on the European Parliament resolution here:

http://www.europarl.europa.eu/news/public/story_page/002-9038-163-06-24-901-20060614STO09037-2006-12-06-2006/default_en.htm

MEPs appreciate Austrian Presidency move on transparency, but look for more progress on EU Constitutional Treaty

On 20 June, the Austrian Chancellor Wolfgang Schüssel came to a special plenary session of the European Parliament in Brussels to report back on the work of the Austrian Presidency and on the European Council meeting of 15-16 June 2006. Political groups **congratulated the Austrian Presidency on opening Council meetings to the public and improving transparency in the EU and most speakers were pleased to hear that no Member State was taking issue with the substance of the proposed EU Constitutional Treaty**. However, some MEPs said they would have liked clearer conclusions on how to proceed after 12 months of reflection and better involvement of citizens.

Member States news

- **Prime Minister Vanhanen announces enlargement as the main theme of the Finnish presidency**

On 21 June, addressing the Finnish Parliament, Prime Minister Matti Vanhanen said enlargement, the efficiency of EU institutions and progress on the Constitutional Treaty were the key questions for the Finnish term at the helm of the EU. He also mentioned that Finland would actively strive to turn the "Pause for Reflection" on the EU Constitutional Treaty into a phase of **actively thinking how to bring the project forward**. He conceded, however, that one of the main problems the EU is facing is a growing number of people questioning the EU's necessity. You can find the Preliminary agenda for Finland's Presidency of the EU at http://www.eu2006.fi/the_presidency/en_GB/presidency_agenda

- **Dutch open to EU treaty changes from 2008, but reluctant on enlargement**

On 19 May, the Dutch government sent a letter to the Dutch parliament on its position on the future of the EU, based on public opinion research and expert advice. The government stated that **the Constitutional Treaty would not be put for ratification a second time, despite the opposition's view**. According to the letter, Netherlands could consider EU treaty changes from 2008-2009, but **wants to put a brake on enlargement**. A public opinion survey found that people want more EU involvement in some areas especially co-operation on asylum, anti-terrorism, environment and energy, despite general uneasiness with European integration. The Hague is set to take a reluctant position towards further EU enlargement as 55% of the Dutch oppose EU membership for Romania and Bulgaria, while opposition to the accession of Bosnia (59%), Serbia and Montenegro (62%), Albania (64%) and Turkey (69%) is even higher.

- **Verhofstadt in favour of a stronger EU and for the continuation of the ratification process**

On 31 May, during the first of a series of discussions with heads of EU governments on the future of Europe in the European Parliament, Belgian Prime Minister Guy Verhofstadt argued the case for a stronger EU as the way to overcome the constitutional crisis. He explained that the EU lacks the necessary power to provide clear and decisive answers, while voters are influenced by the perception that the EU failed to tackle issues of economic reform, unemployment and internal security. He also presented the picture of the **EU crisis, mentioning the disagreement over the Irakian problem, the Stability Pact respect, the discussions around the financial perspectives and the Open Method of Coordination**. He presented the OMC as a "weak and inefficient policy", pleading for a more communitarian and constraining approach. Guy Verhofstadt also controversially argued against any kind of picking and choosing among the Constitutional Treaty's provisions as a way of out of the constitutional crisis. He suggested that the EU Member States should proceed with ratifications with the aim of getting a maximum number of ratifications and that the **EU should move on along the lines of Declaration 30, annexed to the Constitutional Treaty**. The political Declaration No.30, which is annexed to the "Treaty Establishing a Constitution for Europe", but is not legally part of it was adopted by the Intergovernmental Conference that drafted the final document. This Declaration reads as follows: "The Conference notes that if, two years after the signature of the Treaty establishing a Constitution for Europe, four fifths of the Member States have ratified it and one or more Member States have encountered difficulties in proceeding with ratification, the matter will be referred to the European Council."

You can find the Declaration on the ratification of the Treaty establishing a Constitution for Europe at:

http://europa.eu/constitution/en/ptoc164_en.htm#a638

- **Merkel and Chirac set timetable for EU Constitutional Treaty**

On 6 June, at an informal bilateral meeting in Rheinsberg, France and Germany leaders agreed a new timetable for trying to revive the EU Constitutional Treaty setting 2008 as the year when decisions on the document should be taken. Both leaders agreed the **Constitutional Treaty should be tackled in the first half of next year, during the EU German presidency**. Angela Merkel expressed hopes that the discussion process will be brought to a conclusion and concrete decisions to be taken when France holds the rotating presidency of the bloc, in the second half of 2008. For his part, president Jacques Chirac said that until then the French government would work on improving the functioning of the EU institutions. In the meantime, to overcome the current low in the EU, a "Europe of projects" proposed by the European Commission will continue. According to Angela Merkel, these projects will focus on areas such as education, research and energy policy.

5. NEWS FROM CIVIL SOCIETY CONTACT GROUP MEMBERS

Newsletters

CONCORD

<http://www.concordeurope.org/download.cfm?media=docUK&id=1494>

EFAH

<http://www.efah.org/index.php?id=14&pagelang=en>

EPHA

<http://www.ephah.org/a/2303>

EWL

http://www.womenlobby.org/site/1abstract.asp?DocID=1701&v1ID=&RevID=&namePage=&pageParent=&DocID_sousmenu=

Social Platform evaluation of the Austrian Presidency

The Social Platform sent on 30 June an assessment of the Austrian presidency stating that it **failed to engage citizens in an open and structured debate on the Constitution**. The Social Platform gives credit to the Austrian Presidency for having put back at the core of the Lisbon strategy the fight against poverty and social exclusion, but is disappointed at the Presidency's lack of ambition in devising a real strategy to make the debate on the future of Europe more visible, which would have pushed citizens to take full ownership of the issues at stake. On the Constitution, the Social Platform considers that the Austrian Presidency tried hard, but without much success to launch a wide debate on the future of Europe and the Constitutional Treaty. "Carving the Sound of Europe initiative, the Austrian Presidency fell into the trap of creating a dialogue between elites, failing to engage the average citizens into the future of Europe and Constitutional debate," mentioned Anne-Sophie Parent, the president of the Social Platform.

You can find the Social Platform evaluation of the Austrian Presidency at:

http://www.socialplatform.org/code/en/pres_rele.asp?id_presse=122

European Environmental Bureau considers Aarhus Regulation a triumph for environmental transparency, but not for justice

On 4 July, the European Environmental Bureau welcomed the European Parliament's approval of the text on the "EU's Aarhus Regulation" – COM (2006) 81 final, which was the outcome of the conciliation process with the Council of Ministers. The European Community (plus all 15 of the then Member States) signed the Aarhus Convention, whose full title is the "**Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters**", in 1998. It was ratified by the European Community in February 2005, although negotiations on the Regulation to apply the Convention to EU Institutions were still underway. In the meantime, Environment Ministers, at their Council meeting in December 2004, removed an essential part of the draft Regulation, introduced by the European Commission, which dealt with Access to Justice. While the Convention requires access to justice in environmental matters, the **Council chose not to accept the Commission's proposal to open the door to the European Court of Justice**, which has remained firmly closed to environmental NGOs. The EEB expressed its disappointment towards the Council position.

You can find the full EEB press release on this topic at:

http://www.eeb.org/press/pr_aarhus_regulation_final_040706.htm

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