



A CAMPAIGN OF THE CIVIL SOCIETY
CONTACT GROUP

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EDITORIAL

IGC

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Dear Friends

The IGC is holding its promise: they are doing their usual! After the Council Meeting on non-institutional issues 27 October, there are still no results. The delegations just stated their interests and since the Presidency failed to hold on to the rule of only allowing balanced suggestions for the whole package, we now have nothing more than a huge list of Member State amendments. This list was issued in two parts, one on QMV, one on non-institutional issues. They are interesting to civil society in that we can see which country proposes what and how many support an amendment, yet we do not actually see their reasoning. You will find those documents on the Council web page or on www.act4europe.org under background information, intergovernmental conference, provisional outcomes.

The EU Civil Society Contact Group will issue a joint letter to the Presidency and all Heads of State and Foreign Ministers next week, highlighting our support for certain amendments and our strong concerns about others. We will assess the amendments list against our nutshell demands. The NGO sectors are also taking action on their specific concerns. We have created a list that gives you a brief overview of the areas of concern to help your assessment. We promise no completeness, so please check the documents briefly yourself. Each sector is now going through the document to see which actions can be undertaken. Below you will find already a list of our most important concerns. **We will issue another campaign call with the horizontal concerns of the Contact Group next week.**

Nicolas Beger
Coordinator
Civil Society Contact Group/act4europe campaign

General:

After the Council meeting mentioned above, we now once more only can wait until the next one and seek to find out more about what is happening behind the scenes. It seems certain now that this Constitution is not actually negotiated at the IGC meetings, but in bilateral discussions with the Presidency, which will issue a complete package suggestion before the conclave end of November. Heads of State seem to bank on "negotiating nights a la Nice" right at the end and, thus, see no need to start serious compromising at IGC meetings. The next Council meeting will take place 17 and 18 November. On 5 November Under-Secretary for Foreign Affairs Roberto Antonione is to report to the European Parliament Plenary Session on progress in the work of the Intergovernmental Conference concerning, above all, the matter of Council formations and chairs and the debate on the extension or reduction of cases of qualified majority vote envisaged by the draft treaty drawn up by the Convention. Tony Blair confirmed his hostility to the extension of qualified majority to areas such as taxation. Together with Estonian Prime Minister Juhan Parts he issued a commentary on it in the Financial Times. In the meanwhile Poland, Malta, Spain, Estonia and Austria still try to convince other states to hold on to the voting solutions of Nice. They might convince Portugal and the UK. The Commission of the Bishops renewed its call to include a reference to Christianity in the Treaty preamble.

Provisional assessment of the non-institutional and QMV amendments

The two IGC documents on amendments certainly contain some proposals that we happily welcome, but there are also quite a few very alarming developments as well as some disconcerting silence on matters of our concern. If you want to get active on this, here is an – incomplete – overview of issues that are potential concern to the NGO sectors and Unions. **As mentioned above we will, however, issue a more specific campaign call with horizontal issues early next week.**

Some potentially good developments are (countries which proposed them included at the end). Most are only supported by one country so they have very little chance, but since they are on the table, lobbying could potentially increase their support:

- Inclusion of equality between women and men in the values(SW)
- Inclusion of a firmer intention of accession to ECHR (Cz)
- Insertion of a horizontal clause on social objectives (B)
- Services of general interest: include reference to central role of local and regional authorities, no legal basis without a definition (AUT, SW)
- Extension of general rules to all institutions including European Central Bank and European Court of Justice (SW)

- Economic governance: re-enforcement of instruments that allow high growth and enhance social cohesion (*extension of QMV to social policy*) (F)
- Sympathetic Union action: right to act across national borders (SW)
- Redraft III-123 on agriculture to take account of the CAP (Common Agricultural Policy) reform (SW, CION) and inclusion of EP consultation (CION)
- Addition of bio-diversity a goal of Union environmental policy (NL)
- Access to health care in other Member States (F), enlargement of measures supporting health objectives (CION, F)
- Lighter revision procedures for Part III (GR, CION) (*Attention: this is potentially quite dangerous for the development sector*)
- Making the decisions of the European Council subject to review by the European Court of Justice and the possibility of the ECJ to safeguard the rights of individuals (AUT, SL)
- Declaration foreseeing convening of a new conference on Euratom (AUT)
- Inclusion of the protocol on sustainable development (CION)
- QMV in social affairs (3 delegations) and JHA (two delegations) and environment (two delegations)
- QMV for anti-discrimination (Commission)
- QMV for accession to ECHR (Commission)
- QMV for family law later (Commission)

Some very worrying developments are:

- The move to create a stronger legal status of the explanation for the Charter, which severely limit its scope (UK, NL)
- A deletion of QMV and co-decision of the EP in relation to budgetary powers (NL, CZ, SK, LV)
- Deletion of Union competence for coordinating economic and employment policies (UK)
- Exclusion of trade agreements from the scope of EP consent, reverting back to consultation only (ESP)
- The removal of co-decision in agriculture (UK)
- Removal of the need for consent of the EP to not convening a Convention (ESP) and the suggestion of a full revision procedure for every move to QMV (EE)
- Restriction of ECJ to not cover CFSP (Common Foreign and Security Policy) (SK)
- A return to unanimity away from QMV for asylum and immigration, social policy, and environment.

Issues of importance that are not addressed (this is only a very short list against the NGO nutshell demands and not complete in terms of the diversity of NGO demands):

- Ensuring more cohesion between the principle of sustainable development and the policies of agriculture, cohesion, transport and trade
- Strengthen access to justice
- Maintaining the exclusion of developing countries from trade agreements outside development objectives
- Ensuring the possibility for accession to the European Social Charter and to other international human rights instruments