

# act4europe

A CAMPAIGN OF THE CIVIL SOCIETY  
CONTACT GROUP

## **BULLETIN 23** *Brussels, 17 March 2004*

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### **EDITORIAL**

Dear Friends,

Diplomatic talks on the European Constitution continue – and so does frustration of European politicians and civil society about the complete disinformation on the proceedings. The European Parliament discusses resolutions and declarations towards the Council and is as clueless about the progress of the Irish Presidency's talks with Heads of State as civil society representatives are. We can still just guess what is being debated and how probable a soon re-launching of the IGC to complete the Constitution is. One thing seems clear: the surprising outcome of the Spanish elections are likely to make a compromise easier than before as the socialist leader Zapatero, winner of the elections, made clear that he wants to move forward quickly on the Constitution now and that his new government will take a less firm approach on the contentious issues such as the Double Majority.

It goes without saying that the terrible bomb attacks in Madrid on March 11 will have a major impact on current debates amongst European leaders and will significantly shape political discourse of the next weeks. Especially the

European Parliament has voiced strong views on the Europe Union needing now more than ever an effective legal framework in order to take up the challenges of the Future of Europe. The sad events of March 11 could, thus, be helpful in order to speed up the integration process – and to make sure, that European spirit prevails over stubborn national interests. The talks on the European Constitution could profit from that.

The next European Summit will take place on March 25 / 26 – the so-called Spring Summit focusing traditionally on social and economic affairs, i.e. especially the Lisbon agenda. It seems that fight against terrorism will have its place, too. And finally, the results of the talks that the Irish Presidency held with the European Heads of State during the last weeks will be presented. A crucial moment, that could as well lead to a decision on the re-launching of the IGC as well as on its postponing to the next Presidency. You might want to write to your national Heads of governments in order to remind them of the commitment they made in the declaration of Laeken and by signing the European Convention's Draft Constitution that is to provide the European Union with a Constitution that reflects its fundamental values, that makes it effective with 25 Member States and that boosts its democracy bringing the European project closer to its citizens. European Elections risk a significant abstention by citizens if the Constitution is not being adopted before and two new players in the game (new Parliament in June, new Commission in November) will not make it easier to finalize the process.

As announced in the last bulletin we have now published our new toolkit around the European Parliament Elections in June 2004. You will find more information and the direct links to this documents further down. It is aimed at supporting NGOs and any other citizens wanting to get active in these elections that will shape the political life of the European Union for the next five years. Please spread this document to all interested organizations / individuals.

All the best for your campaigns,

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## **New hope for constitution to be decided on before enlargement / European Elections?**

After the elections in Spain on March 14, it seems that new hope arises concerning the talks on the Constitution. The elected socialist leader Jose Luis Zapatero has already announced that the new government will take a less tough line on issues such as the voting rights in the Council and that he wants to speed up the finishing talks on the Constitution. Furthermore, the government is obviously eager to take into account other proposals on the thresholds of a double majority if the principle is being retained (i.e. 55% of Member States and 55% of the population necessary for majority rather than 50% and 60% proposed by the Convention. This would make it impossible for France, Germany and the UK to have their own blocking majority within the Council).

In the meantime, the Taoiseach Bertie Ahern, currently President of the Council, is continuing his talks with Heads of States. He has met lately the Danish Prime minister Anders Fogh Rasmussen, the British Prime minister Tony Blair and the Slovakian Prime Mikulas Dzurinda. Meetings with Bundeskanzler Schröder (March 16) and French President Jacques Chirac (March 22) will somehow conclude a long list of meetings and the Irish Presidency has repeatedly announced its willingness to re-convene the IGC if a compromise is "very likely". The next step will be the presentation of a report on the talks and an assessment of the possibilities of such a compromise before the Spring Summit bringing together the Heads of State on March 25 and 26 in Brussels.

Schröder and Miller, Heads of State of Germany and Poland, seem to look for compromise for their part. They have announced a meeting on 23 March in Warsaw trying to find possible solutions to still contested issues – first of all the principle of double majority.

## **The European Parliament and the Constitution**

The European Parliament has been a very strong supporter of the Convention's Draft Constitution and continues to work for its rapid adoption. After the meeting with Barnier and Amato in February at the EP (see bulletin 22), former **Convention's President Valérie Giscard d'Estaing** spoke to the plenary on March 9, supporting the Irish method of searching for common ground amongst the European leaders before the Spring Summit on March 25/26 but also making very clear that he was against a "compromise of a compromise" – the Convention having presented already a compromise that

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<sup>1</sup> Information mostly from Agence Europe, EU observer and official European Union information websites.

would mean a watering down of the achievements in the Convention's text. As Barnier and Amato, he encourages the European Parliament to solemnly adopt the Draft text proposed by the Convention and to call European Heads of State to reach consensus before the European Parliament Elections in June. He supports the views of several MEPs that the **European Elections could be used as a kind of referendum on the Constitution** and was at the same time not sure if the Irish needed really to re-convene the IGC: all points being on the table, it would be enough to present a text to be directly discussed at the June Summit.

**MEPs Segni (Italy, UEN), Cornillet (France, EPP-ED), Frassoni (Belgium, Greens/EFA), Leinen (Germany, PSE) and Wallis (UK, ELDR)** presented on the same day a declaration to be signed by at least 50% of MEPs in order to be sent to the Council affirming the EP's willingness to adopt the Convention's Draft if the Heads of State fail to do so. The declaration calls on the Council to report on the state of progress of discussions on the constitutional treaty at the EP's plenary session of May 3 to 6. If no agreement were in sight, the EP would move to the solemn adoption of the Constitution itself as a symbolic step. **Finally, 341 (to 78) MEPs voted on a resolution on March 12 calling on Heads of State to decide at the Spring Summit on March 25/26 the re-launching of the IGC.**

The meeting of the European Parliament's **committee on Constitutional Affairs** on March 15 at the presence of **representatives from National Parliaments** on the re-launching of the IGC was clearly marked by the bomb attacks in Madrid on March 11. Nearly all speakers underlined that it is important now more than ever to create a strong European Union that is able to take up the current challenges – terrorism being one of them. Therefore a rapid decision on the Constitution on the base of the Convention's Draft is crucial and any cut of areas of qualified majority vote (QMV) (as proposed by the Italian Presidency for cross border cooperation in criminal justice and other issues within Justice and Home affairs) cannot be accepted. The chairman of the Committee, Giorgio **Napolitano**, and John **Bruton**, former Member of the Convention's Presidium, insisted that the task would get much more difficult with a new Parliament being elected in June and a new Commission taking up its mandate in November. These new bodies will not have the same feeling of "ownership" towards to the Convention's Draft as they did not work in it themselves. Moreover, many Parliamentarians voiced their concern about a great abstention of citizens to be expected at the European Parliament Elections if the Constitution is not decided upon before. Regarding Double Majority, the scope of QMV, the number of Commissioners and the scope of the portfolios and the passerelle clauses (in order to move from unanimity to QMV at a later stage) a vast majority of speakers (except Jens-Peter Bonde for EDD who does not support the principle of Double Majority) underlined that the principles laid down by the Convention have to be retained and that solutions to compromise could be found by playing with details (55%/55% instead of 50/60 for example, see above). **They call the Irish Presidency to take the "intelligent risk" to reconvene the IGC**

**after the Spring Summit in order to conclude talks under its own Presidency. Furthermore, MEPs call on National members of Parliament to push their governments to move forward and to remind them of the compromise they have signed as well being represented at the Convention.**

It is still striking that after the open process of the Convention and the much less open process of the IGC, **European politicians as well as civil society remains completely uninformed about the proceedings of talks on the Constitution** as Napolitano confirmed. This does not enhance democratic principles and citizens' commitment to the EU he stresses.

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## **The act4europe campaign**

### **New toolkit published – 1<sup>st</sup> updated version available**

As you know through our mailing list, act4europe has published its latest toolkit around the European Parliament Elections to take place in June 2004. It contains general information on the European Parliament and its relevance to NGO work on the Future of Europe, ideas on strategies to adopt in order to lobby parties / candidates, the concerns of the 4 sectors members of the Civil Society Contact Group towards the new Parliament (social, environment, human rights, development) and finally in its part IV a list of contact details of parties throughout Europe. This last part will be constantly updated, as new candidates will be known over the next days and weeks. Please refer to our [website](#) to find the latest versions.

The direct links to the document's two parts (pdf) are:

Part I-III: <http://act4europe.horus.be/module/FileLib/EPelectionsPartI-III.pdf> (1,1MB)

Part IV: <http://act4europe.horus.be/module/FileLib/EPelectionsPartIV-Partycontacts.pdf> (1,7MB)

(There are word and zipped versions available, too.)

Please spread the links to the toolkit to your national networks and anybody who could be interested. We will be trying to find funding for translations, but appreciate any help that NGOs can give in this respect. We will make different language versions available as soon as we receive them.

If you have any suggestions or questions, please do not hesitate to contact us under [assistant@act4europe.org](mailto:assistant@act4europe.org) or [coordinator@act4europe.org](mailto:coordinator@act4europe.org).

## **Conference on Participatory Democracy of the European Economic and Social Committee**

The Economic and Social Committee has organised a major conference on Participatory Democracy on March 8 and 9 bringing together some 300 participants of European and national civil society organisations. The debates aimed at defining the role of civil society and the civil dialogue proposed by the Draft Constitution in its articles I-46 to I-51. The EESC is obviously seeking a major role in order to discuss possible proceedings and the shaping of this civil dialogue – an activity that not all NGOs look at without some fear of losing their direct channels with other European institution and of seeing themselves obliged to pass “through” the EESC when participating in civil dialogue. The EESC with its composition (Group I employers, Group II employees, Group III various interests) does not reflect the diversity of European civil society because national governments appoint its members on a national basis (there are no European networks represented) and Group III contains a vast variety of organisations (some of them being economic interest groups and others that should be represented in Group I or II) which leaves very little space for NGOs. The EESC proposed a “liaison group” composed of representatives of NGOs and of the EESC to start a structured dialogue with European civil society – a proposition that the Civil Society Contact Group “cautiously” welcomes as long as the scope of that group is confined to discussing enhanced effectiveness of civil society – and as long as the EESC asserts that it is only *one* European institution civil society deals with and that it is not its role to “filter” civil society contributions to European decision making. There are possibly synergies between European NGOs networks and the EESC that can increase the overall impact of civil society. The two days conference was in the first place a means to re-establish confidence between European civil society and the EESC as asserted in a press release of the EESC rather than debating concrete strategies to follow regarding the implementation of the civil dialogue. Anyway, the Constitution and its articles on participatory democracy are not yet agreed on. But civil society participation was a major claim and achievement of different campaigns around the Convention. We will definitely campaign as well on an effective and meaningful implementation of these important democratic principles.