

## **BULLETIN 40**

*Brussels, February 2005*

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## 1. EDITORIAL

Dear Act4Europe friends,

**As foreseen, 2006 has started with its lot of controversies** and groundbreaking announcements on four of the major initiatives that will affect the relation between the EU and its citizens, but also more particularly NGOs' contribution to the European debate. Again, the Communication White Paper (published on 1 February), Period of Reflection on the Constitutional Treaty (accelerating ahead of the June Council), Transparency Initiative and Code of Conduct on NGOs and terrorism (with major negotiation taking place in relative secrecy between the Commission and Member States on 8 February) have been high on the agenda.

**After a year of intense reflection, time for concrete debate and proposals has come:** a consultation on the Communication White Paper has been launched, a few weeks before the Green Paper on the Transparency Initiative. Yet such major developments will not be successful unless debated by the largest possible number of actors, in particular from the national, regional and local level, as well as from the New Member States.

**Following several years of framework discussion on "how to bring the EU closer to the citizens"**, the risk of "demobilization" of NGOs cannot be denied. The Communication White Paper might provide a solution to this fatigue, in that it puts forward an issue-focused approach which should allow debating controversies over the EU's current direction and its perception by citizens. Let's now see how this will take place in practice and really challenge the Commission's priorities.

**It is also the duty as well as a particular challenge to EU NGOs to facilitate access to these debates.** I thus invite you to have a look at the Civil Society Contact Group's first contribution on the transparency initiative, as well as at the two briefings on the Communication White Paper and the Period of reflection, presented in this issue, which will provide you with more information on the processes at stake and the key actors. So watch out for new developments, get involved and do not hesitate to contact us for any information!

Elodie Fazi  
Coordinator  
Civil Society Contact Group

## 2. CIVIL SOCIETY CONTACT GROUP and ACT4EUROPE

### **Transparency initiative: Civil Society Contact Group calls for balanced access to decision-makers**

Who gets Community funding? What influence do lobbies have? What rules of conduct do those in charge of the European institutions have to follow? These are some of the questions often asked by Europe's citizens about "Brussels".

In response, Siim Kallas, the Vice-President of the European Commission in charge of administrative affairs, audit and anti-fraud, announced the Transparency Initiative in order to bring the European Union closer to its citizens. The aim of the initiative is to improve transparency on Community funds, consultation with civil society, and the role played by lobbies and NGOs in EU institutions' decision-making process. Transparency about the ethics of the representatives of the European institutions is

also being addressed. Now that the initiative has been approved, the Commission is **preparing a Green Paper, to be published in March**, which will set out a range of ideas for public discussion and debate at different round tables in 2006.

In order to provide early input into this debate, the Civil Society Contact Group (CSCG) and its members published a first contribution on January 10<sup>th</sup>. It will be followed by more detailed recommendations in the months to come. Some of the CSCG's key requests to the EU institutions are:

**Consultation:** enter into formal and informal consultations with all relevant stakeholders – not just business interests – and publicly announce and report on the consultation, giving a description of the type of organisations the EU has been in contact with.

**Use of EU funds:** increase financial transparency concerning the recipients of EU funds by better coordinating existing sources and not introducing extra procedures, and facilitate responses to calls for proposal by setting up an "eligibility database".

**Lobbyists:** an EU-wide set of ethical rules for lobbyists could be developed by the Commission, in consultation with the lobbyists themselves, rather than letting them propose self-regulation. The current CONECCS database should be improved so that NGOs can state exactly what kind of non-profit organisations they are, and all organisations should be required to register if they intend to have repeated contacts with EU institutions.

Watch out! The consultation will be launched soon. It will be important to contribute to the debate, and improve practice.

<http://act4europe.horus.be/module/FileLib/Transparency%20initiative%20CSCG%20contribution.pdf>

### **Getting informed! CSCG briefings on Plan D, the Communication White Paper and the period of reflection**

Plan D, the Communication White Paper and the period of reflection on the Constitutional Treaty will play a key role for the Future of Europe. In a highly complex and changing political framework, it is crucial for NGOs to fully understand the challenges at stake to take full advantages of the opportunities opened by this growing reflection on how to engage citizens in the Future of Europe debate, as well as on the risk of potential new tools. In this view, the CSCG is preparing two briefings on:

- Plan D, Communicating Europe and Communication White Paper
- Period of reflection on the Constitutional Treaty: state of play eight month ahead of the June Council

From early March, you will find them on:

<http://www.act4europe.org/code/en/act4.asp?Page=29&menuPage=29>

We hope you will find them useful. Do not hesitate to contact us for more information: [coordinator@act4europe.org](mailto:coordinator@act4europe.org)

### 3. NEWS on participatory democracy

#### European Commission adopts White Paper on Communication: from monologue to real dialogue?

On 1<sup>st</sup> February, the European Commission published its long awaited White Paper on Communication. The White Paper forms the third part of the Commission's global strategy to restore citizens' trust in the EU, including also Plan D and a Communication Action Plan published in July 2005. The document is not a traditional White Paper since many questions remain open. It states **five areas for action**.

- **Development of a European Charter or Code of Conduct on Communication** in order to anchor the right of information in the EU and national institutions.
- **"Empowering citizens"** through tools and instruments to improve civic education, connect people to each other (e.g. physical and virtual discussion fora) and strengthen the relationship between citizens and institutions (in particular through an improvement of the Minimum standards for consultation).
- **Improving work with the media, in particular through new technologies.** The idea of a special EU news agency has been dropped from the final version.
- **Understanding European public opinion better:** amongst others, a network of national experts in public opinion research and an independent Observatory for European Public Opinion might be set up.
- The White Paper underlines the need to **"do the job together"** in partnership between EU institutions, member states, regional and local levels, political parties and civil society organisations.

The White Paper is based on an interactive approach, which includes to better listen to citizens' concerns. Yet its main goal remains unclear: is it about informing, delivering a "message" (although accusations of "propaganda" are strongly rejected) or ensuring effective citizens' participation?

A **consultation has been launched**, which will last until July 2006. Comments can be posted on: [http://europa.eu.int/comm/communication\\_white\\_paper](http://europa.eu.int/comm/communication_white_paper). Besides, five specific conferences will be held in Brussels between February and June 2006, involving a wide range of stakeholders and if possible other institutions.

#### Transparency initiative: Kallas reasserts support to self-regulation, Public affairs sectors towards mandatory registration

In a speech given to the Annual Assembly of the European Public Affairs Consultancies' Associations (EPACA), Siim Kallas (Commissioner for Administration, Audit and Anti-Fraud) reasserted his support to a system of self-regulation of lobbying "by the profession". According to him, the process needs to be as inclusive as possible and only an **entire new body** will be able to "make all parties comfortable", since NGOs are not likely to join already existing Codes of Conduct. Kallas **welcomed EPACA's suggestion for a European Public Affairs Council** in charge of following and enforcing a common code of Conduct. This seems to go counter the positions of the Civil Society Contact Group and ALTER-EU, which have called on the Commission to play a leadership role in this process.

During their general Assembly, EPACA (which brings together 31 members, including Shandwick and Burson Marsteller) expressed its support for an enforceable Code of Conduct, while its current Code is based on a voluntary approach.

The Green Paper on transparency will be published in March 2006 and will be followed by a consultation which should last until the Autumn.

**To know more about the different visions at stake, please consult:**

Siim Kallas' speech to EPACA's General Assembly:

[http://europa.eu.int/comm/commission\\_barroso/kallas/doc/speech\\_250106\\_en.pdf](http://europa.eu.int/comm/commission_barroso/kallas/doc/speech_250106_en.pdf)

Civil Society Contact Group position:

<http://act4europe.horus.be/module/FileLib/Transparency%20initiative%20CSCG%20contribution.pdf>

ALTER EU position:

[http://europa.eu.int/comm/commission\\_barroso/kallas/doc/transp\\_letter\\_alter\\_eu\\_en.pdf](http://europa.eu.int/comm/commission_barroso/kallas/doc/transp_letter_alter_eu_en.pdf)

EPACA's website: <http://www.epaca.org>

**NGOs and fight against terrorist financing: Member States and Commission discuss controversial international standards**

The EU's agenda in dealing with terrorist financing is **also linked with that of the Financial Action Taskforce (FATF)**, "*independent, intergovernmental policy-making body*" set up by the G-8 in 1989 to "*develop and promote policies to combat money laundering and terrorist financing*". It is comprised of 31 member countries and territories and two international organizations, including the 15 so-called "old" Member States and the European Commission.

Since July 2005, Member States, in partnership with the Commission, have participated in discussions about the development of an 'Interpretative Note' to the Special Recommendations VIII of the FATF, dealing with the specific issue of terrorist financing and Non Profit Organisations. In this view, they met on 8 February to discuss their common contribution, ahead of the Financial Action Taskforce meeting that to take place in Cape Town (South Africa) from 13 to 17 February 2006. Beside some controversial proposals and concerns about subsidiarity, concerns were raised by the lack of impact assessment, as well as of consultation of the European Commission.

The European Commission will organize a conference in the first semester of 2006 to discuss the implementation of the Code of Conduct. Following its meeting with Commissioner Frattini on 22 November 2006, the CSCG has been invited for preliminary discussion to take place on 16 March.

For more information, please have a look at the CSCG briefing on the Code of Conduct: <http://act4europe.horus.be/module/FileLib/briefing%20on%20NPO%20Code%20of%20Conduct.doc>.

**Council transparency: a step in the right direction for the Ombudsman, but there is still a long way to go**

On 21 December EU Member States announced that discussions and votes on EU legislation falling under the so-called co-decision procedure would be held in public. This was welcome as a step in the right direction by the European Ombudsman, EU citizens' watchdog against maladministration. Yet Nikoforos Diamandouros noted that the EU Council still has a long way to go to open all of its meetings to the public,

with Ministers still holding their "delicate" discussions behind closed doors and the new decision "only partially" responding to his demand for full transparency of lawmaking work. The December decision is indeed limited to the Council's first deliberations after the European Commission has presented its proposal and the final vote, with debates being still closed to the public. Mr Diamandouros also pointed to the fact that December's decision does not cover policy areas which fall outside the co-decision procedure (where the European Parliament and the Council are on an equal footing, on its way to become the normal legislative procedure). This means that substantive issues, including certain issues relating to justice and home affairs are not affected.

The European Parliament Petition Committee is also preparing a report on the issue, which should point out the need to open up COREPER as well as conciliation committee meetings, as advocated in the CSCG's October campaign. For information, please see the draft report to be adopted by the petition committee: [http://www.europarl.eu.int/meetdocs/2004\\_2009/documents/pr/598/598370/598370en.pdf](http://www.europarl.eu.int/meetdocs/2004_2009/documents/pr/598/598370/598370en.pdf)

### Which role for NGOs in the future research policy?

Following the publication of the European Commission's proposal for the [Seventh Research Framework Programme \(FP7\)](#) (2007-2013) and the recent two [FP6 calls for proposal targeting civil society](#), the role of civil society organisations must be significantly strengthened in research. Although there are a lot of concerns about the funding distribution in FP7, the other face of the debate focuses on the "war of evidence". In particular, what could be the contribution of civil society towards a better determination and dissemination of scientific data? You can find more information on these developments on the European Public Health Alliance's Website: <http://www.epha.org/a/2064>.

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

### European Parliament sets out strategy on how to overcome the constitutional crisis

On 19 January the European Parliament adopted the Duff-Voggenhuber report on the "period of reflection" on the Constitutional Treaty, by 385 in favour, 125 against and 51 abstentions. The report argues that no further enlargement, after Romania and Bulgaria, is possible on the basis of the Treaty of Nice (not a "viable basis for the continuation of the integration process") and calls for a Constitution for 2009, to ensure a democratic and effective EU. It also stresses the **need for broad public debate** on the future of European integration guided by common topics and with clear political goals, including a series of Parliamentary Forums, starting in June 2006. As to ways out of the current stalemate, different outcomes of the public debate are envisaged, from abandoning the constitutional project to continuing with ratification, from seeking to clarify the present text to complete re-drafting. It is noticeable that the report list a **number of democratic reforms that can be implemented without the constitutional Treaty**, enhanced Council transparency, citizens' initiative, improvement of comitology procedure (supervising the Commission's work, when it is conferred executive powers by the European Council), use of "*passerelle clause*" in the field of justice and home affairs, scrutiny by national parliaments. You can find the report on:

<http://www.europarl.eu.int/omk/sipade3?PUBREF=-//EP//TEXT+TA+P6-TA-2006-0027+0+DOC+XML+V0//EN&L=EN&LEVEL=1&NAV=S&LSTDOC=Y&LSTDOC=N>.

## **Period of reflection on the Constitutional Treaty: what is happening in the Member States?**

In December 2005, the Council published an interim report on the period of reflection in the Member States. It is particularly welcome, as no overview is available on the Constitutional Treaty's website, but is narrative and based on country-by-country reports with no overall assessment. You can find it on: <http://register.consilium.eu.int/pdf/en/05/st15/st15576.en05.pdf>

### ***"Sound of Europe": Austrian Presidency's "elitist" brainstorming on the Future of Europe***

The high profile conference "The Sound of Europe" organised by the Austrian presidency on 27 and 28 January bringing together more than 300 political, academic and artistic figures in Salzburg *"achieved its objective to be a starting point for a broad European debate, an honest and in-depth analysis of the uneasiness"* of European citizens about the EU and its institutions, declared Chancellor Schüssel. Participants pointed out the need for a European news channel and European newspapers, as well as to invest more in a common cultural and scientific future. Other issues that came up at the conference included the lack of common symbols and images, as well as a proposal to **revive the coffeehouse culture** that played an important part in European history. *"An interesting idea would be to start up a 'Cafe d'Europe': politicians, artists and intellectuals debating with the public in coffeehouses all over Europe"*. At the same time the conference was criticized for its elitist approach which failed to actively involve citizens as well as for its self-congratulatory approach.

Austrian presidency website:

[http://www.eu2006.at/en/The\\_Council\\_Presidency/Conference\\_The\\_Sound\\_of\\_Europe/index.html](http://www.eu2006.at/en/The_Council_Presidency/Conference_The_Sound_of_Europe/index.html)

For more information, you can also read Commissioner Wallström's blog:

[http://weblog.jrc.cec.eu.int/comments/wallstrom/Weblog/the\\_sound\\_of\\_europe](http://weblog.jrc.cec.eu.int/comments/wallstrom/Weblog/the_sound_of_europe)

### **Ratification goes on in Belgium and Estonia, but Finnish Premier calls on "flexibility" over the text**

Despite legal and political uncertainties over the Constitutional Treaty's future, some Member States chose to go on ratifying the Treaty in the last month. This is the case of Belgium, close to becoming the 14th EU country to ratify the text, after deputies of the northern Flemish region approved it on 8 February. French media also reported that Estonian parliamentarians started a second reading. In any case, the text might not come into force in its current form: a few days before, Finnish Prime Minister Matti Vanhanen had called upon states that have ratified the Constitutional Treaty to accept possible changes to the text, announcing the Finnish presidency will promote "flexibility" over the Constitutional Treaty during its EU presidency starting in July.

## 5. NEWS FROM MEMBERS

### Newsletters

**CONCORD** January Flash, with an article from John Hontelez, former CSCG chair, on CSCG activity throughout 2005 (p. 2):

<http://www.concordeurope.org/view.cfm?idref=PUB37&tab1=publications>

**European Forum for the Arts and Heritage**, February newsletter

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

### **European Social Platform – Social Voices**

In particular, you will find contributions from the Social Platform members on Plan D (p.5), as well as an article from the Civil Society Contact Group on the transparency initiative (p. 8).

<http://www.socialplatform.org/module/FileLib/January2006-15EN.pdf>

### **NGOs join forces for cross-sectoral action about thematic programmes in external relations**

NGOs find strength in numbers. In order to help the European Commission improve its external aid instruments, CONCORD has brought together NGOs from different sectors, members of the CSCG (in particular environment, human rights and peace) to draw up a "Joint EU-NGO statement on the rationalisation of the European Commission's thematic funding instruments in the field of external relations". All these sectors are actively engaged in advising the EU institutions on the future thematic programmes and have already circulated more specific position papers. The joint statement seeks to draw together some overarching and common concerns of NGOs about the process and governance of the thematic programmes. The main political demands of CONCORD and the other NGO sectors are:

- specific regulations for each thematic programme to ensure governance, programming and management;
- more mobilisation of public support as a vital and cross-cutting concern for all thematic programmes;
- an improved process to consult with CSOs in the EU and partner countries;
- a clear definition of players within the thematic programmes.

The joint statement should also be helpful to the European Parliament and Council for their reflections on the proposed new thematic programmes, which are being published by the European Commission. To find out more about the NGOs' suggestions, go to the CONCORD website to see the full version and the two-page summary. For more information, please see: [www.concordeurope.org](http://www.concordeurope.org)

### **EPHA publishes handbook: "Creating national health alliances in new EU member states"**

The European Public Health Alliance recently published the handbook *"Creating national health alliances in new EU member states"*. The manual can be used as a tool for establishing new NGOs, thereby strengthening civil society activities on promoting public health and on mutual cooperation for achieving the common goals. More information can be found on: <http://www.epha.org/a/2082>

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This initiative is part of a project supported by the Charles Stewart MOTT Foundation. Sole responsibility lies with the author and the Charles Stewart MOTT Foundation cannot be held responsible for any use that may be made of the information contained therein.