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**EP 01 – General Policy Resolution "The European Constitution, where next?"**

**Introduction**

- 5 At times of political difficulty equivalent to the present situation facing the European Union, it is vital that the federalist movement and JEF-Europe in particular, do not lose sight of the overall goal of a European Federation. All policy choices should be assessed according to the degree to which these could deliver progress towards this long-term aim.
- 10 Drawing points of principle or political direction solely from the everyday facts of the current political situation can be dangerous. We risk finding ourselves in a political cul-de-sac, or unable to develop interesting and appealing messages that will maintain the vibrancy of our organisation.

**Ratification on hold: how can Europe move forward?**

- 15 As a starting point we must acknowledge that the French and Dutch rejection of the European Constitution in its current form will make a re-start with the same old procedures and the same old text quite unlikely.
- The position of JEF-Europe that the European Constitution would be a major step forward to make the EU more efficient and accountable, and would be a step on the way towards a European Federation, remains unchanged by this acknowledgement. JEF thus commits
- 20 itself to support the ratification process as long as there are referendums and votes to win.
- The majority of the EU citizens and member states have already said YES to this Constitution, either via ratifications in national parliaments or through referendums.
- 25 But for any future ratification to be legitimate, a reexamination of the text has to take place and a new ratification procedure has to be found.
- This is why JEF believes that only with a bold political statement can European Governments unblock the ratification. It is necessary that the European Council agrees to the following three conditions:
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- If the majority of citizens and two-thirds majority of member states ratify the Constitution, it should unconditionally enter into force.
  - If such a majority is achieved, states rejecting the constitution should vote whether to join the "Constitutional" Europe or not.
  - New forums of debate have to be created to re-connect with the citizens and elaborate on the short-comings of the current text and if possible suggest
- 35 improvements to it.

However, with no further ratifications presently planned, and the Constitution subject to a 'period of reflection', JEF's strategy must be adapted accordingly. The challenge for JEF is how to find a way to keep the debate about the European Constitution alive, while at

the same time looking to advance the cause of federalism more widely. Putting forward concrete proposals during the 'period of reflection' are a short-term priority for the organisation. Our members, and other organisations, are asking JEF for its proposals for the period of reflection – we must not lose this chance to positively influence the debate about the constitutional future of Europe.

### **Short-term: The Constitution**

JEF's short-term message is that the ratification process cannot be stopped but wider debate is needed now to lay better foundations for the future ratification process of the possibly reviewed text.

JEF stresses that the absolute priority should be that the institutional modifications are kept and implemented; the basic principle of modern democracies is that policies are legislated by elected bodies rather than being stipulated in a constitution.

In light of this JEF demands from the European Council

- To present during the Austrian presidency a new schedule for a resumption of the Constitutional process along the lines of the current Duff-Voggenhuber proposal.
- The establishment of 'Parliamentary Forums' and 'Citizens Conventions' as soon as possible to bring back the debates to the citizens. The past months and in particular the run-up to the last referendums have shown that there is indeed wide-spread interest to discuss the future of Europe.
- For the Parliamentary Forums to come up with proposals for modifications of the Constitutional Treaty - if needed – in order to progress with the ratification of the Constitution
- To accept an end of a ratification procedure that gives a single country the right to stop further integration for the whole and mandate the "Parliamentary Forum" to elaborate a procedure for ratification of the modified text

JEF invites the EP to be an actor of the relaunch of the constitutional process and to adopt the Voggenhuber/Duff proposal of convoking soon a "European Congress" that will put together representatives of the European Parliament and national parliaments.

### **No cherry-picking or minimalist treaties**

A Constitution is needed to make a positive step change in how the European Union is run – from a primarily intergovernmental construction to a political community in its own right. JEF-Europe hence rejects calls to transplant certain elements of the text of the European Constitution into the current treaties, or efforts to agree a minimalist treaty to amend the Treaty of Nice. Such lowest common denominator efforts will have no positive effect convincing reticent citizens that the EU is listening to their needs and could result in the politically dangerous situation where a comprehensive institutional revision would be sidelined.

Some of the changes proposed by the Constitution that can be achieved with no need for a Treaty can already be implemented – for example the opening of the meetings of the Council of Ministers. JEF must also continue to vigorously demand a stronger link between the European Parliament election results and the composition of the Commission. These changes are dependent on political will, not Treaty revision.

### **Medium term: focus on information and consultation**

At the core of the problems the EU faces is a lack of information provided to citizens about its work and permanent channels for a dialogue with its citizens. Without more convincing efforts to explain the EU directly to its citizens, all hopes of advancing successfully and with public support towards the goal of a European Federation can

effectively be abandoned. At the same time, though, broad consultations and substantial debates need to be initiated with the participation of all levels of society and with the aim to identify credible strategies and a vision to deal with the challenges the European Union is facing in today's globalised world.

5 The Commission has understood this problem to some extent and proposed a "Plan D" for bringing Europe closer to its citizens. Although it comes too late, JEF welcomes this proposal and the efforts of Commissioner Wallström, but acknowledges much more needs to be done to overcome the EU's institutional democratic deficit.

10 JEF-Europe will promote the idea of "2007: Year of Europe" and will work with other EU-wide NGOs for this plan to become a reality. This should be the start of a long-term and serious effort of connecting with the citizens. The European Union should commit €1 billion for a large scale dialogue with its citizens in 2007 (roughly 1% of its budget, and a meagre 0.01% of EU GDP) which would represent a five-fold increase in expenditure on explaining the EU. Young people should become permanently part of these efforts, with 15 1/5 of the available funds allocated to explain Europe to young people.

The "2007: Year of Europe" should provide the EU – via NGOs conducting some of the campaigns – with sufficient feedback to better understand people's wishes. Numerous surveys, debate reports, video-diaries etc... will act as the starting point of a consultation phase that would follow. The Parliamentary Forums and Citizens Conventions on Europe 20 could be used to promote a broad debate about Europe in local, regional and national media, as well as civil society to stimulate genuine interest in European affairs and all these efforts to culminate with the election of delegates to a Constitutional Assembly, mandated to produce the future Constitutional revisions.

### **Long-Term: Permanent change in treaty-revision methods**

25 The referendums in France and Netherlands faced three main problems. Firstly, debates were national and not European. Secondly, citizens were presented with a take-it-or-leave-it situation that gave them little control. And, thirdly, it was not clear what a no vote meant (e.g. many French believed the Constitution could be renegotiated).

30 After the currently ongoing ratification process establishing a Constitution for Europe, the EU has the chance to consolidate and experience with the new opportunities. Still, even the current proposals are far away from a truly democratic and federal Constitution that JEF campaigns for. It will be an ongoing challenge for JEF to point out to any shortcomings and campaign for our ultimate goal, a European Federation. Establishing such an entity and thereby consolidating forever the unification of the Continent is not a life's 35 dream but in reach if we manage to enter a new quality of Europe with the ongoing debate. Therefore, we already have to point out now, that the only sustainable and democratic way to establish for a democratic European Federation is the elaboration through a Constituent Assembly, legitimised by the citizens.

40 It is also clear that this path is the only alternative if national governments are not willing to propose a serious schedule within the next months. Without establishing an ambitious plan to prepare Europe for a Constitution until 2009, political Union risks complete apathy and resistance. Instead of accepting further alienation in such a situation, JEF should then mobilise together with its partners in civil society and campaign for the immediate election of a Constituent Assembly.

45 JEF-Europe hence supports the idea of a Europe-wide referendum solely on the results of the elected Constitutional Assembly, in order to promote EU-wide debate and as a means of ratification preferable to national referendums.

If a majority of citizens and a substantial majority of its member states accept the new Constitution it will enter into force. Those states which have voted no, shall hold a second

vote. If they re-confirm their negative choice, they have to negotiate with the constitutionalised Union as to how a future co-operation in the framework of the Nice Treaty or the EEA can be organised.