



European Economic and Social Committee

Plenary Session
Of the European Economic and Social Committee

Brussels, 18 and 19 June 2003

Statement by

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on the

Draft Constitution prepared by the European Convention

The Convention has cleared a crucial stage in its work preparing a constitution for the European Union of tomorrow.

The Convention's method has, despite its shortcomings, shown its worth, and has obtained an outcome which no intergovernmental conference could have achieved.

The outcome is admittedly not perfect, but it is unexpected.

The Convention has peacefully and democratically succeeded in building the foundations of a constitution for all Europeans.

This outcome has been achieved - it should be pointed out - against a background of considerable international tension.

The method has therefore demonstrated its effectiveness, but at the same time, with a view to the future, it raises compelling questions about legal responsibility and the involvement of civil society in preparing documents which will affect the general public.

This is an effective method which opens up new possibilities and offers civil society new prospects for involvement.

We are ready for this.

We welcome the fact that the Convention has reached a consensus on the Union's new tasks and its institutional make-up.

This consensus should mean that the intergovernmental conference will not have to re-open a debate which might call into question the results of the last 16 months' of effort and work.

- **A major step towards a people's Europe**

This draft Constitution must of course be seen in the light of the mandates agreed upon on at Nice and Laeken.

Everyone will most likely be able to find some reasons to be satisfied with the draft, but also some to be dissatisfied - including some arising from one's own beliefs and aims - as well as being able to list its shortcomings.

Besides, there is still important work to be done, particularly on Part III which deals with the Union's policies and operation.

Nevertheless I feel that, overall, this draft represents a key step towards the establishment of a Europe for the people - and no longer a Europe merely made up of states - a Europe with common values and its own identity, all the while guaranteeing linguistic and cultural diversity, as the European Economic and Social Committee (EESC) called for in the resolution it addressed to the European Convention on 19 September 2002.

Some of the key benefits of the Convention include the incorporation of the Charter of Fundamental Rights in the constitution, the extension of qualified majority voting, albeit, in my view, still too limited in its extent, a stronger role for the European Parliament, the bringing of all treaties into one document, clarification of the respective responsibilities of the institutions and simplification of the legislative process and responsibilities, to mention but a few.

These benefits represent significant progress towards a more democratic, solidarity-based, transparent, effective and open Union which respects the values underpinning the European model of society and is in a better position to promote these values and to assert itself on the international stage.

The Committee, which has argued for all of the above, welcomes this.

The Committee is also pleased to note the progress made in coordinating economic and social policy, as well as the fact that the vital role of social dialogue has been recognised.

- **Insufficient progress in economic and social governance**

However, I regret the fact that the Convention has not been equal to the economic and social stakes involved in European integration, not giving the Union the appropriate instruments and procedures for the task.

Personally speaking, I am referring here to the inadequacy of the provisions on economic governance, the fact that a unanimous vote is still required in fiscal

matters and some social policy issues - not discounting the considerable progress made – and also the lack of new provisions on services of general interest and the absence of any reference to the eradication of extreme poverty amongst the Union's objectives.

It is also to be regretted that the Convention decided not to give a constitutional basis to the open method of coordination, which nevertheless represents a key instrument for securing progress in economic and social cohesion.

- **Towards genuine participatory democracy**

The EESC welcomes the fact that the draft constitution recognises the realities of participatory democracy as an integral part of the European model of society.

The support of active, committed citizens, together with that of organisations which pass on their views and act on their behalf, is indeed vital to achieving Europe's stated goal of becoming a genuine area of freedom, democracy, justice and security.

However, the lack of provisions allowing civil society organisations to play a full, effective role in shaping Community policies and decisions and to give substance to civil dialogue, constitutes a major shortcoming in the draft constitution and does nothing to further long-lasting reform of the processes by which the people are governed.

It is regrettable that the clear, concerted requests addressed to the Convention in this connection were not heard, and consequently that the Convention did not do

more to highlight that specific aspect of democratic life in the Union which the Committee represents, informs and for which it acts as a mouthpiece: organised civil society.

Therefore we are insisting that an article be inserted in Part III of the constitution, which clearly specifies the functions of the EESC in the Union's legislative process and in dialogue with civil society organisations within and outside the Union.
