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REPORT

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))

Committee on Constitutional Affairs

Co-rapporteurs: Andrew Duff and Johannes Voggenhuber

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))**

The European Parliament,

- having regard to the Treaty of Nice,
- having regard to the Treaty establishing a Constitution for Europe,
- having regard to its resolution of 12 January 2005 on the Treaty establishing a Constitution for Europe¹,
- having regard to the Declaration of 18 June 2005 by the Heads of State or Government on the ratification of the Treaty establishing a Constitution for Europe, at the conclusion of the European Council of 16 and 17 June 2005,
- having regard to the Treaty concerning the Accession of the Republic of Bulgaria and Romania to the European Union,
- having regard to the opinions on the period of reflection delivered by the Committee of the Regions on 13 October 2005² and the European Economic and Social Committee on 26 October 2005³ at the request of the European Parliament⁴,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Foreign Affairs, the Committee on Industry, Research and Energy, the Committee on Regional Development, the Committee on Agriculture and Rural Development, the Committee on Culture and Education, the Committee on Legal Affairs, the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality (A6-0414/2005),

Whereas

- A. The Treaty establishing a Constitution for Europe was signed by the Heads of State and Government of the twenty-five Member States of the European Union on 29 October 2004, and confirmed again by the European Council in its Declaration of 18 June 2005,
- B. The Constitution was drafted by the European Convention which, compared to previous procedures to prepare new treaties, achieved new levels of openness, pluralism and democratic legitimacy,

¹ OJ C 247 E, 6.10.2005, p. 88 .

² CdR 250/2005 fin, not yet published in the Official Journal.

³ SC/025 – CESE 1249/2005, not yet published in the Official Journal.

⁴ P6_PV(2005)09-06, not yet published in the Official Journal.

- C. The European Parliament endorsed the Constitution by a majority of over two-thirds as "a good compromise and a vast improvement on the existing treaties ... [which] will provide a stable and lasting framework for the future development of the European Union that will allow for further enlargement while providing mechanisms for its revision when needed" in its Resolution of 12 January 2005,
- D. The reforms for which the Treaty establishing a Constitution for Europe provides are intended, inter alia, to cope with the consequences of the enlargement of the Union on 1 May 2004, and the success of this and future enlargements will be in jeopardy unless a constitutional package is ratified,
- E. Thirteen Member States¹, representing a majority of the Member States of the Union, have since ratified the Constitution in accordance with their own constitutional requirements, including by means of a referendum in both Spain and Luxembourg,
- F. France and the Netherlands, following referendums held on 29 May and 1 June 2005 respectively, have failed to ratify the Constitution – with the result that the ratification process has subsequently stalled in most of the remaining ten Member States,
- G. Under Article 48 of the Treaty on European Union, the Constitution will not enter into force unless and until it is ratified by all Member States,
- H. Declaration 30 annexed to the Treaty Establishing a Constitution for Europe, states that 'if 2 years after the signature of the Treaty Establishing a Constitution for Europe, four fifth of the Member States have ratified and one or more Member States have encountered difficulties with proceeding with ratification, the matter will be referred to the European Council',
- I. It is necessary to respect those Member States and their peoples which have ratified the Constitution as well as those which have not, and to analyse carefully the reasons for the negative results in France and the Netherlands,
- J. The No votes appear to have been rather more an expression of dissent at the present state of the Union than a specific objection to the constitutional reforms, but, paradoxically, the result of the Noes is to maintain the status quo and block reform,
- K. The European Council confirmed this analysis by taking the view, in its Declaration of 18 June 2005, that 'these results do not call into question citizens' attachment to the construction of Europe' but that 'citizens have nevertheless expressed concerns and worries which need to be taken into account'; the European Council therefore decided on a 'period of reflection ... to enable a broad debate to take place in each of our countries, involving citizens, civil society, social partners, national parliaments and political parties'; the heads of government agreed that in the first half of 2006 they would 'make an overall assessment of the national debates and agree on how to proceed',

¹ Austria, Cyprus, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Slovakia, Slovenia, Spain.

- L. In that Declaration, the heads of government declared that the ratification process could continue, and also agreed that the original timetable for the entry into force of the Constitution (1 November 2006) would be extended,
- M. The European Council, however, failed to give a clear focus to the period of reflection or to define the methods and the framework for drawing conclusions from this debate, and has since been seen to lack both the political will and the capacity to stimulate and manage the European dialogue,
- N. The absence of an agreement on the policy challenges and budgetary means of the enlarged Union for the period 2007-2013 further undermines the present and future Union,
- O. The period of reflection has started with debates on the context rather than the text, with issues such as the future of the European social model, European economic prospects, the speed of enlargement, the medium term budget and the single market in services, all featuring prominently,
- P. The Commission has published its contribution on the period of reflection with the aim of restoring public confidence in the European Union by supporting national debates and promoting initiatives at community level, but this should not prevent all of Europe's political institutions from making a combined effort or from exercising leadership which takes seriously the strategic importance of the Constitution and the political reality of the preconditions upon which its success depends,
- Q. The national parliaments have declared their support for a series of joint parliamentary meetings that will 'stimulate, steer and synthesize' the European dialogue¹,
1. Reaffirms its conviction that the Treaty of Nice is not a viable basis for the continuation of the European integration process;
 2. Confirms its commitment to achieving without undue delay a constitutional settlement which strengthens parliamentary democracy, transparency and the rule of law, anchors fundamental rights, develops citizenship, and enhances the capacity of the enlarged Union to act effectively at home and abroad; fears that without such a constitutional settlement it will not be possible for the Union to expect the support of its citizens, to maintain the momentum of integration and to become a credible partner in world affairs; recalls its endorsement of the Treaty establishing a Constitution for Europe as achieving these objectives; calls also on the European Council of June 2006 solemnly to declare the same commitment to a constitutional settlement on the future of Europe;
 3. Stresses that it is not possible to further enlarge the Union after the accession of Bulgaria and Romania on the basis of the Treaty of Nice;
 4. Recalls that the political problems and institutional weakness that the Convention was set up to address will persist – and, indeed, grow - unless and until the reforms enshrined in the Treaty establishing a Constitution for Europe are brought into force;

¹ XXXIV COSAC meeting, 10-11 October 2005.

5. Notes that many of the concerns expressed relate more to general and specific problems of context than to the text itself; considers that if progress can be made in such issues, it will be easier to find a solution regarding the text;
6. Resists proposals to establish core groups of certain Member States while the constitutional process is still in train; deplors any suggestion that coalitions of certain Member States could be formed outside the EU system; points out that forms of enhanced cooperation should promote the achievement of the Union's aims, preserve its interests and reinforce the process of integration, and be open to all the Member States at any time; also stresses that these possible forms of cooperation should not be implemented to the detriment of the efforts being made to arrive at a Constitution for Europe without undue delay;
7. Warns that a strategy based on the selective implementation of the Constitution risks destroying the consensus that achieved a balance between the institutions and among Member States, thereby aggravating the crisis of confidence;
8. Notes that there are only a limited number of democratic reforms that can be introduced at this stage without treaty change but by revision of rules of procedure or inter-institutional agreement – such as transparency of law-making in the Council, introduction of a form of citizens' initiative, improvements to the comitology procedure, full use of the 'passerelle' clauses in the field of justice and home affairs, and the more rigorous scrutiny by each national parliament of its government's conduct of EU affairs;
9. Proposes to use the current period of reflection to re-launch the constitutional project on the basis of a broad public debate about the future of European integration; resolves that this European dialogue – whose results should not be prejudged – should aim to clarify, deepen and democratise the consensus around the Constitution and address criticisms and find solutions where expectations have not been met;
10. Welcomes the beginnings of a broad debate about the Union's policy direction but stresses that this must take place within the context of overcoming the constitutional crisis, and that policy prescriptions at EU level must relate directly to the rules, powers and procedures of the EU institutions as well as to the competences conferred on the EU by the Member States and should identify the issues that are common throughout Europe;
11. Suggests that this new dialogue, which should be seen as a chance to promote European democracy, should be conducted and coordinated across the Union, structured by common themes and in realistic stages according to an agreed framework for evaluation, and designed to lead to decisive political choices;
12. Insists that the public debate be engaged within both the European and the national framework; warns that narrowly focussed national debates will do little to change national stereotypes, and also that an imposed dialogue without political goals would become nebulous, even vacuous, thereby giving rise to increased disaffection on the part of European citizens;
13. Proposes that the European Parliament invite national parliaments to a series of conferences – 'Parliamentary Forums' – in order to stimulate the debate and to shape, step

by step, the necessary political conclusions; will invite the other EU institutions to contribute to the Forums;

14. Recognises the critical importance for the European Union and in particular for Parliament of avoiding another setback in the constitutional process; commits itself therefore to playing a leading role in the European dialogue, in particular by publishing 'European Papers' on each of the big issues facing the Union, which may be used as a common European template for the national debates and which, together with contributions from national parliaments, should be used as the basis for the deliberations of the Parliamentary Forums;
15. Recognises that it is strategically important for political institutions to encourage a proactive attitude on the part of the media (in particular television, the press and local radio) and to enlist them for the purpose of publicising and intensifying the debate;
16. Proposes that the first Parliamentary Forum be convened in the spring of 2006, in advance of the June meeting of the European Council, in order to hear reports from the French and Dutch Parliaments about their suggestions for a way forward and to discuss, on the basis of this Resolution, the structure of the European dialogue, the aim of this Forum being to make comprehensive recommendations to the European Council about how the Union should proceed to find the way out of the crisis;
17. Proposes that the first Parliamentary Forum should identify a limited number of priority questions about the future of Europe and the governance of the Union which should be addressed in subsequent Forums and in the broader public debate, such as:
 - (i) what is the goal of European integration?
 - (ii) what role should Europe have in the world?
 - (iii) in the light of globalisation, what is the future of the European social and economic model?
 - (iv) how do we define the boundaries of the European Union?
 - (v) how do we enhance freedom, security and justice?
18. Believes that a rich debate on these fundamental issues will open up new perspectives for European integration and prepare the ground for reform of the common policies in those areas where dissension exists;
19. Believes, moreover, that the European dialogue will only overcome the constitutional crisis if it engages not only each EU institution but also national and regional parliaments, local government, political parties, social partners, civil society, the academic community and the media; puts particular value in this regard upon practical contributions from the European Economic and Social Committee and the Committee of the Regions;
20. Requests Member States to organise a large number of public meetings and media debates on the future of Europe - 'Citizens' Forums' - at national, regional and local level,

structured along the commonly agreed themes, with the assistance of the Commission; urges the social partners and civil society organisations to get engaged in these debates;

21. Expects political parties to give much more prominence to the European dimension in both their internal debates and electoral campaigning;
22. Would welcome citizens' petitions that contribute to shaping the debate;
23. Urges the Union to give much greater priority to cultural and educational policy in order to give life to the Constitution's formula of 'unity in diversity';
24. Points out that a European dialogue will be impossible without adequate funding, and reiterates its budgetary proposal for increased funding of the PRINCE programme; in this regard, urges a rapid settlement of the Financial Perspective of the Union for the period 2007-2013;
25. Suggests that the conclusions of the period of reflection should be drawn at the latest in the second half of 2007, and that a clear decision be reached at that stage about how to proceed with the Constitution;
26. Notes that there is in theory a number of options available to the Union ranging from abandoning the constitutional project altogether, continuing to try to ratify the present text unamended, seeking to clarify or add to the present text, restructuring and/or modifying the present text with the aim of improving it, or embarking upon a complete re-write;
27. Considers that a positive outcome of the period of reflection would be that the current text can be maintained, although this would only be possible if accompanied by significant measures to reassure and convince public opinion;
28. Calls on the members of the European Council to accept both individual and collective responsibility for bringing into force a Constitution for Europe; and insists that they coordinate more closely both the content and timing of the national campaigns and give evidence to the citizen of their political will and mutual solidarity;
29. Takes note of Commission's 'Plan D for Democracy, Dialogue and Debate'(COM(2005)0494), but calls on the Commission not only to deliver its communications strategy but also to show decisive political commitment to help the Union emerge from its current constitutional difficulties;
30. Underlines that Romania and Bulgaria must be involved in all the actions referred to above;
31. Calls upon all civil-society associations and organisations to include the entry into force of the Constitution as one of their priorities for discussion and debate;
32. Demands in any case that every effort be made to ensure that the Constitution enters into force during 2009;
33. Instructs its Committee on Constitutional Affairs to monitor the period of reflection, especially as regards the preparation of the Parliamentary Forums, the elaboration of the

working documents ("European Papers") the summarising of the institutional and citizens' debates, conclusions and the proposals for action that may emerge from them;

34. In this spirit, asks the Constitutional Affairs Committee to work closely with all other committees directly interested in the preparation of the Parliamentary Forums and the drafting of the working documents for them;
35. Instructs its President to forward this Resolution to the members of the European Council, the Council, the Commission, the national and regional parliaments of the Member States, the Committee of the Regions, the European Economic and Social Committee, the former Members of the European Convention, and the parliaments and governments of the accession and candidate countries.

LETTER FROM THE COMMITTEE ON ECONOMIC AND MONETARY AFFAIRS

Letter of 12 October 2005 from Mrs Pervenche Berès, chairwoman of the Committee on Economic and Monetary Affairs, to Mr Jo Leinen, chairman of the Committee on Constitutional Affairs

D(2005)48745

Mr Jo Leinen
Chairman of the Committee on Constitutional
Affairs

Subject: The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union (INI/2005/2146)

Dear Chairman,

Your committee is currently working on an own-initiative report on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union (INI/2005/2146), for which Andrew Duff and Johannes Voggenhuber are co-rapporteurs. In this connection you asked several committees, including ours, whether they wanted to contribute to the report by submitting an opinion without delay.

After discussing the matter with our committee coordinators, I wish to tell you that we have decided not to draw up an opinion of this kind at this stage, in view of the extremely tight timetable for the adoption of your report, and the fact that it is supposed to be an initial reflection on the method rather than on the actual content of the proposals which could and should be made on the subject. Our committee may therefore intervene in the context of any report that you may draw up on that subject and contribute an opinion dealing with the fields under our competence, in particular those linked to the Lamfalussy procedure and comitology.

However, we may review our position if it turns out that the debate in your committee leads it to deal in detail with the proposals to be made for the future.

(closing formula and signature)

LETTER FROM THE COMMITTEE ON TRANSPORT AND TOURISM

Letter of 17 October 2005 from Paolo Costa, chairman of the Committee on Transport and Tourism, to Mr Jo Leinen, chairman of the Committee on Constitutional Affairs

Translation

Dear Colleague,

I was pleased to learn that your committee intended to draw up a report on the period of reflection that was introduced after the rejection of the European Constitution by the electorates of France and the Netherlands. On behalf of the Committee on Transport, I would like to convey to you our opinion regarding the report by Mr Duff and Mr Voggenhuber.

We are pleased that Parliament is taking the initiative in this debate. Since the Member States are divided on the subject and the Commission seems to be reluctant to take the initiative, Parliament, which represents the peoples of Europe, should relaunch the debate. In this connection, we welcome your rapporteur's preliminary ideas which, although ambitious, stress the need for a clear structure and timetable for the debate.

In our committee's opinion, it is important that the preparation of tangible policies be continued and strengthened where possible. The citizens of the two Member States expressed their disapproval of the draft European Constitution, but not of European cooperation and integration, which are considered to be ways of solving the shared problems.

For the present, the European institutions must take action to restore the public's confidence in the European project. Better communication is needed, in particular in order to combat the false argument put forward by second-rate national leaders who blame Brussels for their own failures.

But what we need most is effective measures in the fields that European citizens see as important. The European institutions should now work towards achieving their strategic objectives, even though they are for the moment obliged to use outdated instruments such as the Nice Treaty.

We should, furthermore, recognise the need for greater transparency and simplification of the decision-making process in all the institutions concerned, by being answerable, as far as possible, directly to the citizens without the national governments acting as intermediaries. As a committee which works essentially on the basis of the codecision procedure, we feel that it is an element of the draft Constitution that must be preserved in any future proposals for reform.

(closing formula and signature)

25.11.2005

OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union (2005/2146(INI))

Draftsman: Elmar Brok

SUGGESTIONS

The Committee on Foreign Affairs calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

The ratification process of the Treaty establishing a Constitution for Europe

1. Pending the ratification of the Constitutional Treaty, warns against any total or partial endorsement of the new Treaty provisions given its constitutional ambition and the fact that this could be perceived as an attempt to circumvent citizens' wishes in the countries which have not yet ratified the Constitutional Treaty;
2. Considers equally impracticable any attempt to renegotiate the Constitutional Treaty since this already expresses the most balanced solution that could be achieved during the negotiations both within the European Convention and at the subsequent IGC, and has in fact already been ratified by more than half of the Member States;
3. Regrets that the ratification process has foundered in two Member States; supports, however, the view that the ratification process should continue at the pace decided on by each Member State and that the Constitutional Treaty can be applied as a whole only if and when the ratification is completed in accordance with the new Treaty; recommends to take advantage of the reflection period to respond without delay to the matters which appear to be at the root of the failure of the ratification process in two Member States and to fill the current gap between citizens wishes and the European integration process in order that the progress towards a constitutional Europe may resume;
4. Proposes that, in parallel to the reflection process, and without delay, the European Parliament launch and coordinate a 'European Citizens First' initiative, aimed at

proactively addressing current concerns and wishes of European citizens on EU matters; is of the view that such an initiative would allow the institutions to foster a positive attitude at the European level in order to prevent the nationalist approach from prevailing once more in the European debate; underlines that such a wide-ranging initiative can and must be undertaken on the basis of the existing Treaties, only requiring political consensus;

5. Recommends that such an Initiative covers non-exhaustive arrangements such as:
 - (a) a general debate to take place at the beginning of every year in the European Parliament with the participation of all the Heads of Government or their representatives and European Commissioners on the guidelines of the different European policies,
 - (b) extensive public debates in national parliaments on the European initiatives which especially concern European citizens such as human security including the fight against terrorism, enlargement, immigration, the social model, etc., preferably grouped in a specific "European debate day" to be established, possibly simultaneously, in each national parliament,
 - (c) the greater participation of European actors, such as Members of the European Parliament and Commissioners and high-ranking officials of the different European institutions, in national/regional debates so as to better explain what the European Union actually deals with as well as getting feedback on what could be achieved,
 - (d) the setting up of "National and European Citizens' Fora" to openly discuss any aspect affecting everyday life within the Union,
 - (e) prior to adoption of any important legislation, an assessment should be established setting out its expected impact on the day-to-day life of the citizens as well as the way in which such legislation takes into account their concerns and wishes,
 - (f) the creation of a "European Civic and Democratic Space" on the basis of the Charter of Fundamental Rights of the Union and the legislative package needed for its development,
 - (g) the enhancement of democracy and openness in the European decision-making process without further delay by promoting the Constitution's initiative to convene European referendums, officially establishing the right of petition, opening to the public all the deliberations and voting in the Council of Ministers as well as the warning procedure provided in favour of the national parliaments regarding the principle of subsidiarity;
6. Points out that the European integration process needs to be brought closer to young people and accordingly proposes that European history and the workings of the EU institutions be made a compulsory subject of study in all EU schools;

Making the most of the existing Treaties in the meantime

7. Is of the view that the period of reflection on the Constitutional Treaty ratification process decided by the Brussels European Council of 16-17 June 2005 offers a good opportunity for further re-examination of the role of each institution both in the external action field of the Union as a whole and in the CFSP field; considers that major improvements could be made without delay on the basis of the existing Treaties in terms of coherence, visibility, openness, and efficiency in some areas which could offer real European added value;
8. Recalls in this connection that, according to the latest Eurobarometer, public support exists in all Member States (almost 69%) in favour of a bigger role for the Union in external relations and that the new Constitution's provisions in this area have not been questioned during the ratification process; underlines therefore that the CFSP could also play an important role in reinforcing the European project in public opinion and in demonstrating the advantages of the relevant parts of the Constitutional Treaty;
9. Regrets, in this respect, the attitude of some Member States which, in spite of the adoption of the Constitution by the European Council, have used the right of veto in important foreign affairs matters for domestic reasons; calls, therefore, on all Member States to act in a constructive manner in line with the spirit of the Constitution;
10. Points out that the appointment of the High Representative/Secretary General of the Council has improved the visibility of the EU on the world stage, but takes the view that such visibility has not been matched by an equal improvement of the effectiveness of the EU external action;
11. Proposes therefore that, during the reflection period, priority be given to a limited number of areas which better connect with the wishes and concerns of European citizens and their expectations of the role to be played by the Union in international affairs, such as the European Neighbourhood Policy, human security and the fight against terrorism, migration management, including measures to combat illegal immigration, and the Union's contribution to poverty reduction and better economic and sustainable development in a globalised world;
12. In this regard, recommends to the Commission that it should present urgent proposals in those priority areas and better exploit the immense possibilities offered by the political, commercial, economic and financial instruments and policies under the first pillar of the existing treaties as a whole, thereby constituting a significant 'soft power' falling within the competence of the Community and serving the Union's objectives in international affairs;
13. Recommends in this connection that the Commission should develop a far more integrated and proactive approach in the Community's external action field and also exploit better its important role under the second pillar of the existing treaties, for example by making more decisive use of its right of initiative in the area of CFSP, targeting particular issues where European opinion clearly expects action;

14. Underlines that political dialogue with third countries and regions, more proactive action in relations with international organisations and more flexible and dynamic use of the Commission's delegation network, undoubtedly one of the most effective and well informed foreign services in the world, could create additional opportunities regarding both first and second pillar activities;
15. Recalls in this connection that although parliamentary diplomacy does not constitute an alternative to established, inter-governmental diplomacy, it could play a much more meaningful role as a complementary tool for the relations of the Union with third countries and regions; stresses therefore its readiness to use its network of more than 30 standing parliamentary delegations, its numerous ad hoc delegations and inter-parliamentary conferences to strengthen the Union's external action as well as its CFSP;
16. Is of the view that, without altering the existing decision-making process, many additional practical arrangements could be made to enhance coherence in the concerted action of the Union's institutions and services on external affairs, such as:
 - (a) unreservedly sharing the information, reports and analyses compiled by the services, delegations, Special Representatives, embassies, etc. of the Union and its institutions and of the Member States,
 - (b) holding regular joint meetings between the Group of External Relations Commissioners, the High Representative/Secretary-General of the Council and delegations of the Committees of the European Parliament dealing with external affairs issues in order to better appreciate and coordinate strategic priorities,
 - (c) holding regular joint meetings between the Council's Working Groups and COREPER, the Commission and the rapporteurs of the EP in order to be better acquainted with each other's current positions,
 - (d) improving cooperation between the Directorates for External Actions of the three European institutions by facilitating regular working meetings and exchanges at high level (Directors-General and Directors) and medium level (Heads of Unit and Desk Officers), including the rotation and exchange of European civil servants dealing with external affairs issues,
 - (e) enhancing the interaction between the 127 delegations and representations with other EU institutions and delegations, Member State foreign ministries and embassies, European business and European citizens by organising regular contacts and meetings, providing practical assistance and exchanging Member States' diplomatic personnel and officials of the relevant institutions on a reciprocal basis;
17. Recommends to continue pragmatically to develop and build up the ESDP on the basis of the decisions adopted by the European Council and the Council of Ministers, as has been the case since the St Malo Declaration in 1998; shares the view that these decisions are already covered by the existing treaties (in particular Articles 18(2) and 26 of the Treaty on European Union, under which the Presidency and the High Representative are responsible for implementing decisions taken by the Council pursuant to Article 13(3)) and that they could therefore be put in place prior to, and if necessary also without, the

Constitutional Treaty, provided that the necessary transparency and accountability are assured;

18. Proposes to greatly reinforce the European Union Satellite Centre (EUSC) both on a personnel and budgetary level so as to better achieve its main objective of general security surveillance and support for Petersberg type missions, treaty verification, arms proliferation control, maritime surveillance and environmental monitoring (including both natural and man-induced disasters);
19. Is convinced in particular that ensuring the democratic accountability and transparency of all activities undertaken by the European Defence Agency is a matter of urgency which does not depend on the coming into force of the new Treaty; is further convinced that setting up the European Civil Peace Corps in accordance with the resolutions adopted by the European Parliament on several previous occasions is also now feasible;
20. Encourages both the Council and the Member States to further increase de facto parliamentary scrutiny of ESDP, at national level, by enhancing the role played by national parliaments in the authorisation of ESDP operations, and, at European level, by giving the European Parliament a major role in the scrutiny of the entire CFSP budget through a revision of the 1999 Interinstitutional Agreement;
21. Asks once more that the Council should not only inform but also regularly consult and involve Parliament on the main aspects and basic choices made on CFSP/ESDP;

Preparatory work on the setting up of the External Action Service

22. Stresses that the creation of the new post of EU Minister for Foreign Affairs and building up the future External Action Service (via for example an ad hoc interinstitutional agreement) needs to be in line with the progress of the ratification process and to be under parliamentary scrutiny;
23. Recommends that the provisions of the Constitutional Treaty be followed by steadily progressing the preparatory work for the new Service, whilst providing for its effective creation only following ratification of the Constitutional Treaty.

PROCEDURE

| | |
|---|---|
| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union |
| Procedure number | 2005/2146(INI) |
| Committee responsible | AFCO |
| Opinion by Date announced in plenary | AFET 7.7.2005 |
| Enhanced cooperation – date announced in plenary | |
| Draftsperson Date appointed | Elmar Brok 29.8.2005 |
| Previous draftsperson | |
| Discussed in committee | 4.10.2005 22.11.2005 |
| Date adopted | 23.11.2005 |
| Result of final vote | for: 54 against: 6 abstentions 1 |
| Members present for the final vote | Vittorio Agnoletto, Angelika Beer, André Brie, Elmar Brok, Simon Coveney, Véronique De Keyser, Giorgos Dimitrakopoulos, Camiel Eurlings, Alfred Gomolka, Klaus Hänsch, Richard Howitt, Anna Ibrisagic, Toomas Hendrik Ilves, Jelko Kacin, Georgios Karatzaferis, Ioannis Kasoulides, Helmut Kuhne, Joost Lagendijk, Vytautas Landsbergis, Cecilia Malmström, Pierre Moscovici, Pasqualina Napoletano, Baroness Nicholson of Winterbourne, Vural Öger, Cem Özdemir, Alojz Peterle, Tobias Pflüger, João de Deus Pinheiro, Paweł Bartłomiej Piskorski, Poul Nyrup Rasmussen, Michel Rocard, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Jacek Emil Saryusz-Wolski, György Schöpflin, Gitte Seeberg, Hannes Swoboda, István Szent-Iványi, Konrad Szymański, Antonio Tajani, Paavo Väyrynen, Inese Vaidere, Geoffrey Van Orden, Ari Vatanen, Josef Zieleniec |
| Substitutes present for the final vote | Alexandra Dobolyi, Árpád Duka-Zólyomi, Kinga Gál, Marie Anne Isler Béguin, Tunne Kelam, Jaromír Kohlíček, Alexander Lambsdorff, Janusz Onyszkiewicz, Doris Pack, Aloyzas Sakalas, Pierre Schapira, Inger Segelström, Csaba Sándor Tabajdi, María Elena Valenciano Martínez-Orozco, Marcello Vernola |
| Substitute(s) under Rule 178(2) present for the final vote | Thomas Wise |
| Comments (available in one language only) | |

23.11.2005

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))

Draftsman: Hannes Swoboda

SUGGESTIONS

The Committee on Industry, Research and Energy calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Suggests that the most appropriated criteria for a rational assessment of the issues currently at the fore in the reflection period on the Treaty establishing a Constitution for Europe are those of *greater effectiveness* in promoting the competitiveness of the EU economy and of the endowment of the EU society with *tools and instruments* capable to cope with the challenges brought about by globalisation;
2. Is of the view that, beyond the consideration of the institutional questions, Europe-oriented national dialogues on the substance of the policies as set out in the Constitution should seek to demonstrate the added value of the Community and, especially, of the Constitution for Europe's citizens; suggests that, in addition, the up-coming EU presidencies could nominate high-ranking personalities with European experience to promote in-depth debate on the purpose of a European Constitution;
3. Considers it desirable that the reflection period be used to discuss with the public:
 - the necessary contribution of EU-wide strategies and industrial policies favouring the sustainable basis for creating of new jobs;
 - the reasons why a well structured EU policy on research and innovation can give a fresh boost to European industry, especially concerning to the small and medium-sized industry;

- that, under the Constitutional Treaty, energy policy will be endowed with a legal base of its own and will fall within the shared competence of the Union and the Member States;
- 4. Considers that public awareness of Europe would be heightened by the presence of the European flag in all central and local government public buildings throughout Europe;
- 5. Recommends European Community funding for intensive European press briefing seminars on EU issues as a means of stimulating public debate regarding European policies;
- 6. Is of the view that the Constitution improves the decision-making process as regards space, energy and research policy, bringing a more prominent role of the Union in the constructing of a secure and sustainable environment;
- 7. Considers that intensified contacts between the European Parliament and national parliaments should contribute to that debate; considers that in order to step up national debate on the economic and social development of Europe, means should be found of placing the Lisbon Strategy on national parliamentary agendas;
- 8. Considers that, in order to encourage maximum public participation in the democratic process, joint meetings should be organised as frequently as possible between the relevant European and national parliamentary committees and the representatives of the European political groups and national political parties; recommends also that national parliamentary experts be made familiar with the European instruments and their use;
- 9. Considers that the reflection period should be used not only to explain to citizens the chances that the Constitution could bring, but also to explain that the effectiveness of the Union is dependent on close and efficient cooperation between the Union and the Member States in decision making and implementation;
- 10. Supports the view that the introduction of European Excellence Awards for Young People and the support for those already in existence will give a major boost to research, innovation and energy and industrial policy where Europe is, or aspires to be, in the vanguard.

PROCEDURE

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| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union | | |
| Procedure number | 2005/2146(INI) | | |
| Committee responsible | AFCO | | |
| Committee asked for its opinion Date announced in plenary | ITRE 7.7.2005 | | |
| Enhanced cooperation | | | |
| Draftsman Date appointed | Hannes Swoboda 13.09.2005 | | |
| Discussed in committee | 5.10.2005 | 11.10.2005 | 23.11.2005 |
| Date suggestions adopted | 23.11.2005 | | |
| Result of final vote | for: | 44 | |
| | against: | 1 | |
| | abstentions | 0 | |
| Members present for the final vote | Ivo Belet, Jan Březina, Philippe Busquin, Jerzy Buzek, Joan Calabuig Rull, Pilar del Castillo Vera, Jorgo Chatzimarkakis, Giles Chichester, Den Dover, Lena Ek, Nicole Fontaine, Adam Gierek, Norbert Glante, Umberto Guidoni, András Gyürk, Fiona Hall, David Hammerstein Mintz, Ján Hudacký, Romana Jordan Cizelj, Werner Langen, Anne Laperrouze, Vincenzo Lavarra, Pia Elda Locatelli, Nils Lundgren, Eluned Morgan, Angelika Niebler, Reino Paasilinna, Umberto Pirilli, Miloslav Ransdorf, Vladimír Remek, Herbert Reul, Mechtild Rothe, Paul Rübig, Britta Thomsen, Patrizia Toia, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis, Alejo Vidal-Quadras Roca, Dominique Vlasto | | |
| Substitutes present for the final vote | Jan Christian Ehler, Satu Hassi, Erna Hennicot-Schoepges, Vittorio Prodi, Hannes Swoboda | | |
| Substitutes under Rule 178(2) present for the final vote | | | |

24.11.2005

OPINION OF THE COMMITTEE ON REGIONAL DEVELOPMENT

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))

Draftsman: Vladimír Železný

SUGGESTIONS

The Committee on Regional Development calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Considers the reflection period as an opportunity to engage in a genuine debate on the application of the principle of subsidiarity and upgraded partnership in the area of regional development and to assess the degree to which this principle is observed in the implementation, monitoring and evaluation of the objectives of cohesion policy for the period 2007-2013 which are vital to full, balanced, and enduring development in all Member States, particularly in the poorest regions ;
2. Recommends that the Commission consult widely with Member States, national and other parliaments within Member States, regional and local authorities and other relevant bodies, the Committee of the Regions, business associations and trade unions prior to drafting any new proposals for regulations affecting the economic, social and territorial cohesion of the Member States in order to avoid unnecessary overregulation and preserve much-needed flexibility in dealing with current and future challenges to cohesion policy;
3. Recommends that, unless and until the Treaty establishing a Constitution for Europe is ratified by all Member States, the European Parliament continue to promote the changes it would effect in respect of cohesion policy as strongly as possible, on their own merits, and that the principle of legal precaution be thoroughly applied when referring to the framework of general and special provisions concerning cohesion policy and its individual beneficiaries;

4. Proposes to develop regular consultations with national and other parliaments within the Member States and their relevant committees, including joint hearings with experts, to hold joint meetings between MEPs from every Member State and the corresponding national and regional members of parliament on matters of European interest concerning each region, to improve by means of cost assessments and regulatory impact analyses the quality of the legislative process in the area of cohesion policy at national and EU level, thus ensuring that the needs of all regions, including the outermost regions, islands and sparsely populated, mountainous, and less-developed areas, will be adequately met;
5. Draws attention to the specific nature of cohesion policy, which is the hallmark of the EU model and which distinguishes the EU from a mere free-trade area; submits that, for this reason, this solidarity-based policy must be given a higher profile at grass-roots level in all regions (particularly in the least-favoured ones) with a view to reconciling Europe and its people;
6. Welcomes the initiative 'plan D' for democracy, dialogue and debate taken by Commissioner Wallström to start an ongoing dialogue on European policies at both regional and local level; further, stresses the need to involve European youth in the wider debate and stimulate its commitment to 'European thought';
7. Stresses, in this regard, the absolute necessity of providing adequate funding for cohesion policy, reiterating once again that the amount of 0.41% of Community GNI is the minimum level of funding below which that policy might prove ineffective in achieving its objectives ;
8. Calls upon the Commission to present an accurate, reasoned assessment of the effects which certain or possible enlargements of the EU to include new Member States are likely to have on regional policy;
9. Recommends the use of specific tools such as the internet, television programmes, advertisements and information seminars in schools and directed at the young to generate a dialogue on European policies at national, regional and local level;
10. Encourages the Commission in cooperation with the Committee of the Regions to undertake a continuous evaluation of the dialogue on the future of Europe with particular regard to the principle of subsidiarity and proportionality;
11. Draws attention to the importance of supporting with adequate funding less-developed regions that represent a reserve of growth potential, such regions existing in all Member States but in particular in the 10 new Member States, and also the regions subject to the statistical effect, and the accession countries Bulgaria and Romania, so as to eradicate poverty for good and promote innovative and alternative approaches to achieving and maintaining multi-sectoral regional development and balanced growth throughout the EU.
12. Notes the obstacles that have been faced in ratifying the Treaty establishing a Constitution for Europe and emphasises the crucial role that structural policies can play in advocating the positive benefits of membership of the European Union.

PROCEDURE

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| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union |
| Procedure number | 2005/2146(INI) |
| Committee responsible | AFCO |
| Committee asked for its opinion Date announced in plenary | REGI 7.7.2005 |
| Enhanced cooperation | |
| Drafts(wo)man Date appointed | Vladimír Železný 5.10.2005 |
| Discussed in committee | 6.10.2005 |
| Date suggestions adopted | 22.11.2005 |
| Result of final vote | for: 38 against: 0 abstentions: 4 |
| Members present for the final vote | Alfonso Andria, Stavros Arnautakis, Elspeth Attwooll, Adam Jerzy Bielan, Jana Bobošíková, Graham Booth, Bernadette Bourzai, Gerardo Galeote Quecedo, Iratxe García Pérez, Eugenijus Gentvilas, Lidia Joanna Geringer de Oedenberg, Ambroise Guellec, Pedro Guerreiro, Gábor Harangozó, Marian Harkin, Konstantinos Hatzidakis, Alain Hutchinson, Carlos José Iturgaiz Angulo, Mieczysław Edmund Janowski, Gisela Kallenbach, Tunne Kelam, Miloš Koterec, Constanze Angela Krehl, Francesco Musotto, James Nicholson, Lambert van Nistelrooij, Jan Olbrycht, Markus Pieper, Elisabeth Schroedter, Alyn Smith, Grażyna Staniszewska, Catherine Stihler, Oldřich Vlasák, Vladimír Železný |
| Substitutes present for the final vote | Jan Březina, Ole Christensen, Den Dover, Věra Flasarová, Louis Grech, Mirosław Mariusz Piotrowski, Toomas Savi, László Surján, Nikolaos Vakalis |
| Substitutes under Rule 178(2) present for the final vote | Cristina Gutiérrez-Cortines |

23.11.2005

OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))

Draftsman: Willem Schuth

EXPLANATORY STATEMENT

The increasingly open and international nature of agricultural markets will have a major structural impact on the farming industry and rural development in the European Union. Against this background, measures to protect, maintain the competitiveness of and strengthen on a sustainable basis the economic potential of rural areas must be a key Community objective in the context of the Lisbon Strategy. Through the reform of the CAP, the EU has taken an important step in the right direction. The reform will substantially improve the market integration of the farming industry. This will open up new opportunities for development, but these opportunities will bring with them risks for holdings and markets which fail to adjust quickly enough. At the same time, society is making ever greater demands on agriculture and food production.

Parliament had to fight for a long time to secure codecision rights in the agricultural sphere. It is welcome that the draft Constitution should have taken over the provisions, in force since the Amsterdam Treaty was ratified, stipulating that codecision applies in the areas of environmental protection, food safety and consumer protection. Even today, the Council of Agriculture Ministers can disregard Parliament's opinion on agricultural policy matters. Against this background, although the draft Constitution offered the prospect of increased democratic legitimacy, in that all fundamental farm-policy decisions were to be subject to codecision, on many market-related, and therefore vital, issues it would have represented a backward step by comparison with the current situation - the Council was to take decisions on those issues with no Parliament involvement.

The Common Agricultural Policy is a cornerstone of the European integration process. In view of the CAP's great significance, and given the huge share of EU budgetary spending for which it accounts, European citizens must be offered guarantees of the highest possible

degree of transparency and consensual decision-making in this sensitive area. Full codecision on all issues relating to agricultural policy, consumer protection and food safety must be therefore be seen as fundamental to any future European institutional structure.

This will also necessitate a fundamental redrawing of the objectives of the Common Agricultural Policy, however: Part III, Article III-123 is outdated and no longer serves a readily explainable purpose. Today, the EU farming industry provides employment for 10 million people. It represents the only guarantee for sustainable rural development and is part of the fabric of rural life. Today, the CAP stands for the market-oriented, environmentally-friendly, low-resource-impact and socially-sustainable production of high-quality foodstuffs in accordance with internationally fair conditions. The CAP takes account of animal protection requirements and takes measures to prevent animal disease epidemics.

Your draftsman takes the view that the draft Constitution in its current form will not produce a CAP which is acceptable to society. Instead, as the Committee on Agriculture and Rural Development has already urged in its opinion on the Treaty establishing a Constitution for Europe, Parliament should do everything in its power to make the public understand the significance of the Common Agricultural Policy, the advances it has brought about and the benefits it offers consumers.

SUGGESTIONS

The Committee on Agriculture and Rural Development asks the Committee on Constitutional Affairs, the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Takes the view that the common agricultural policy (CAP) must contribute to achieving the Lisbon Strategy objectives in particular boosting employment, research and technology, so as to help make the European economy more competitive and productive,
2. Regrets, that under the present Treaty the codecision procedure does not apply to the common agricultural policy (CAP) and calls, as part of a future (deletion) treaty, for the codecision procedure to be extended as a matter of priority to the CAP, particularly in order to fill the gaps in the proposed Constitutional Treaty (Articles III-230(2) and III-231(3));
3. Regrets the fact that decisions can now be taken without Parliament's involvement on matters previously covered by the consultation procedure; regards this as counterproductive in the light of the doubts voiced by broad sections of the European public concerning the draft Constitution and the calls for a reduction in the democratic deficit;
4. Points out that the objectives of the Common Agricultural Policy laid down in Article III-227 run counter to the objectives of the European Union set out in Article I-3; for this reason, regards it as essential that the objectives of the Common Agricultural Policy should be updated with a view to taking account of recent developments in that policy and, in particular, its multifunctional role vis-à-vis farmers themselves, rural development, the environment and consumers and measures to prevent contagious animal diseases;
5. In the light of the objectives of the Common Agricultural Policy continues to regard the following text as appropriate:

'The objectives of the Common Agricultural Policy are:

- (a) to support the development in the European Union of a multifunctional agricultural sector which is respectful of the environment, animal protection requirements and the landscape, which fosters biological diversity and which rewards farmers for their contribution to these aims,
- (b) to increase agricultural productivity by means of the promotion and responsible exploitation of technological progress, the rationalisation of farm production methods and effective use of production factors,
- (c) offer the rural population long-term prospects, in particular by means of rural development policy measures, a level playing field for their products on the EU markets and measures to safeguard and create jobs in rural areas,

- (d) stabilise markets, guarantee that the public is supplied with high-quality and safe foodstuffs, which are produced under reasonable standards as regards animal welfare, the environment and labour,
 - (e) develop innovative techniques and concepts with the aim of improving the quality of food production, reducing input and production costs and using agricultural products as raw materials for example as renewable energy sources,
6. Considers that these objectives should, in any case, be contained in a possibly abridged Constitutional Treaty limited to defining the objectives, division of tasks and major EU decision-making procedures, while more detailed provisions may be contained in a separate treaty;
 7. Calls for measures to be taken as part of the European Union's communication strategy to keep the European public informed about the common agricultural policy, particularly regarding recent changes to update it and bring it into line with the new Community objectives;

PROCEDURE

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| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union |
| Procedure number | 2005/2146(INI) |
| Committee responsible | AFCO |
| Committee asked for its opinion Date announced in plenary | AGRI 7.7.2005 |
| Enhanced cooperation | no |
| Draftsman Date appointed | Willem Schuth 13.9.2005 |
| Discussed in committee | 11.10.2005 23.11.2005 |
| Date suggestions adopted | 23.11.2005 |
| Result of final vote | for: 20 against: 3 abstentions: -- |
| Members present for the final vote | Peter Baco, Niels Busk, Giuseppe Castiglione, Joseph Daul, Albert Deß, Carmen Fraga Estévez, Duarte Freitas, Jean-Claude Fruteau, Ioannis Gklavakis, Lutz Goepel, Friedrich-Wilhelm Graefe zu Baringdorf, Elisabeth Jeggle, Heinz Kindermann, Albert Jan Maat, Diamanto Manolakou, Neil Parish, Willem Schuth, Czesław Adam Siekierski, Jeffrey Titford, Bernard Piotr Wojciechowski, Andrzej Tomasz Zapałowski |
| Substitutes present for final vote | Christa Klaß, Markus Pieper |
| Substitutes under Rule 178(2) present for final vote | |

28.11.2005

OPINION OF THE COMMITTEE ON CULTURE AND EDUCATION

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))

Draftswoman: Helga Trüpel

SUGGESTIONS

The Committee on Culture and Education calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Considers that the Commission and the European Parliament are upholders of the European ideal, and therefore expects the Commission to make a strong and unified commitment to the adoption of a Constitution for Europe;
2. Calls for a debate on the future of the European Union from the international geostrategic point of view, in so far as such a debate can provide a better approach for deciding what kind of Europe its citizens want for the future;
3. Underlines the great importance of a more effective European communication strategy, which would better explain the European Union and the added value of common European action and more assiduously seek dialogue with the people and between them, making use of local activities to overcome the present distance between the European Union and its citizens; emphasises that the public's perception of the European project is determined largely by those acting at the national level; has great hopes for the Commission White Paper and for the Citizens for Europe Programme;
4. Considers that the Member States, regions and local authorities must contribute to the debate on the Union's future, because of their greater closeness to the public, and do their part to ensure that the European Union is more efficient and effective in solving its citizens' problems;

5. Shares the Commission's view that the success of a new communication strategy depends on cooperation as partners between the Institutions and the Member States' Governments; offers the Commission its support in the spirit of its resolution of 12 May 2005 on the implementation of the European Union's information and communication strategy¹;
6. Wishes nonetheless to point out that, to be effective, a communication strategy must be backed up by the implementation of socially, environmentally and culturally balanced policies at Union level, and suggests that the Commission, Council and each Member State should show that in every action they take they are moving in the direction desired by the people, namely preservation of the European model;
7. Calls for adequate financial resources, simpler procedures and shorter funding delays for the EU's information programme, including Prince and the other promotional programmes for social groups that support the European idea, in the coming budget year, so that the communication strategy can be implemented effectively; the latest Eurostat surveys, showing that people are losing confidence in the EU, its institutions and their policies, are proof that solidly-funded information campaigns are urgently needed;
8. Notes that the debate on the Constitutional Treaty is also a debate on European identity and its many and diverse values; takes the view that the EU's programmes on culture and education policy make a substantial contribution to building up an awareness of being European and preserving and further developing European cultures; draws attention therefore to the importance of a suitable budget for culture and education, in the financial perspective as well as elsewhere;
9. Recommends that the Commission sets up a timetable for adopting a European project on the same day in all the Union countries at the time of the 2009 European elections;
10. Recommends that the European Union's information and communication strategy gives pride of place to the measures needed, first, to make the Council's debates transparent, so that citizens can understand how and by whom decisions are taken, and second, to make the right of petition effective.

¹ *Texts adopted*, P6_TA(2005)0183.

PROCEDURE

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|---|---|
| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union |
| Procedure number | 2005/2146(INI) |
| Committee responsible | AFCO |
| Opinion by Date announced in plenary | CULT 7.7.2005 |
| Enhanced cooperation – date announced in plenary | |
| Draftswoman Date appointed | Helga Trüpel 23.8.2005 |
| Discussed in committee | 3.10.2005 |
| Date adopted | 24.11.2005 |
| Result of final vote | for: 13 against: 2 abstentions: 0 |
| Members present for the final vote | María Badía i Cutchet, Marie-Hélène Descamps, Jolanta Dičkutė, Milan Gaľa, Erna Hennicot-Schoepges, Luis Herrero-Tejedor, Manolis Mavrommatis, Rolandas Pavilionis, Miguel Portas, Nikolaos Sifunakis, Henri Weber, Thomas Wise |
| Substitute(s) present for the final vote | Giulietto Chiesa, Michael Cramer |
| Substitute(s) under Rule 178(2) present for the final vote | Catherine Trautmann |

22.11.2005

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))

Draftsperson: Maria Berger

SUGGESTIONS

The Committee on Legal Affairs calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

The Committee on Legal Affairs

1. Takes the view that the subject of the report of the Committee on Constitutional Affairs should not be the content of the Constitution, on which Parliament already had the opportunity to express its views in its resolution of 12 January 2005¹, but rather the method of public debate in the Union during the period of reflection;
2. Reiterates its view, which it has already expressed in respect of the above resolution, on those aspects of the Constitution which fall within its remit;
3. Emphasises in this connection that, in the areas falling within its remit, in particular legal acts and procedures and the structure, function and access to the European Court of Justice, it is difficult to imagine that the outstanding result achieved by the Constitution could be matched in another context and by other means;
4. Takes the view that from a legal point of view it is impossible to allow Part I of the Constitution to enter into force by itself, since it would be incompatible with the existing Treaties unless these were thoroughly overhauled;
5. Recalls that the Constitution is the outcome of a broad consensus involving the parliaments and governments of all Member States and all European institutions;

¹ OJ C 247 E, 6.10.2005, p. 88.

6. Recalls also that no European treaty has ever been drawn up with such a degree of transparency and through such a dialogue with civil society, young people and all territorial levels of governments as the Constitution;
7. Recalls that Declaration No 30 on the ratification of the Treaty establishing a Constitution for Europe caters for the predicament in which we now find ourselves:

'The Conference notes that if, two years after the signature of the Treaty establishing a Constitution for Europe, four fifths of the Member States have ratified it and one or more Member States have encountered difficulties in proceeding with ratification, the matter will be referred to the European Council';

8. Believes that the Council has anticipated the implementation of the Declaration and addressed the problem by deciding to set a period of reflection to overcome the difficulties, while allowing those Member States which so wish to pursue the ratification process;
9. Proposes that the purpose of this period of reflection should be to relaunch the constitutional project through a broad public debate which should make it possible to clarify, deepen and democratise the consensus on the Constitution, by proposing solutions aimed at addressing the problems preventing the acceptance of the text;
10. Is convinced that one objective of the period of reflection must be to consider how the European Union can regain the confidence of citizens; believes that in order for this to succeed an ongoing debate is needed on how the EU can boost its performance and how it can contribute to solving people's real problems;
11. Points out that the European Parliament noted in its resolution on Turkey's accession procedure that the adoption of a European Constitution was a precondition for any further enlargement and that the ability of the European Union to absorb new members has now also been given greater significance at Council level;
12. Takes the view that the phase of reflection and discussion should serve to consolidate the achievements of the Constitution and should under no circumstances water down the text of the Constitution;
13. Considers it necessary that the phase of reflection should be used to ensure that citizens of all ages and all social and professional circles are more fully informed, not only about the Constitution itself, but also about existing Treaties which currently play an essential role in the European Union and will remain in force if the Constitution is not adopted;
14. Considers it necessary, furthermore, to pursue a structured, interactive and goal-oriented debate with, among others, European citizens, civil society, the social partners, the national parliaments, the political parties and the institutions of the Union; proposes to this end:
 - (a) as a basis for the debate and surveys, a list of questions and answers should be drawn up, listing key questions and answers about the Constitution. Political parties in the Member States, representatives of civil society and other persons in positions of

responsibility should use this questionnaire to conduct as many debates as possible. It should also be used on websites;

- (b) a representative profile of the opinions of citizens on the contribution of the Constitution and the future of the Union should be obtained by means of public opinion polls (EUROBAROMETER);
 - (c) a team should be set up in each Member State to conduct these discussions and to draw up a report on the attitudes of citizens in their Member State; members of the European and national parliaments could play this role;
 - (d) these rapporteurs should then meet in a joint European conference and endeavour to draw common conclusions from the national debates;
15. Considers that where there were suggestions within the Treaty establishing a Constitution for Europe that would without question make the EU more citizen-friendly, work on these should continue, and in particular, given the finding by the European Ombudsman in a Special Report that the Council is guilty of maladministration when legislating in secret, calls upon the Council to comply immediately within the Ombudsman's recommendations;
 16. Proposes that a study be drawn up of the costs of not having a Constitution, with reference to governance, democracy and transparency, modelled on the study on the 'cost of non-Europe' drawn up to prepare for the launch of a standard European single market;
 17. Considers that the debate should also consider how to solve the problems in France and the Netherlands and how to deal with these referendums, without deceiving the populations of those EU Member States which have already adopted the draft Constitution;
 18. Calls on the UK and Austrian Presidency to begin preparations for a phase of reflection as proposed above.

PROCEDURE

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| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union |
| Procedure number | 2005/2146(INI) |
| Committee responsible | AFCO |
| Opinion by Date announced in plenary | JURI 7.7.2005 |
| Enhanced cooperation – date announced in plenary | |
| Draftswoman Date appointed | Maria Berger 15.9.2005 |
| Previous drafts(wo)man | |
| Discussed in committee | 5.10.2005 |
| Date adopted | 22.11.2005 |
| Result of final vote | for: 12 against: 0 abstentions: 0 |
| Members present for the final vote | Maria Berger, Bert Doorn, Giuseppe Gargani, Kurt Lechner, Klaus-Heiner Lehne, Aloyzas Sakalas, Rainer Wieland, Nicola Zingaretti, Tadeusz Zwiefka |
| Substitute(s) present for the final vote | Nicole Fontaine, Othmar Karas, Marie Panayotopoulos-Cassiotou |
| Substitute(s) under Rule 178(2) present for the final vote | |
| Comments (available in one language only) | |

24.11.2005

OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union
(2005/2146(INI))

Draftsman: Jean-Marie Cavada

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Points to the many improvements that the Constitution makes to the existing Treaties as regards security, freedom, and justice, including for example: doing away with organisation according to 'pillars', thus enabling most of the procedures encompassed within the present third pillar to be brought within the Community system; the wider use to be made of decision-taking by qualified majority vote and the simplification of legislative acts; the wider-ranging jurisdiction to be conferred on the Court of Justice; the stronger role for Parliament in the joint exercise of legislative authority; placing Europol within a Community framework, as opposed to its present status within the intergovernmental sphere, which makes for no better than very poor democratic control; incorporation of the Charter of fundamental rights in the actual text of the Constitution, thereby enabling it to rank as law; the proposed accession of the Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms; increased powers for Eurojust; the prospect of setting up a European public prosecutor's office; and a stronger role for the national parliaments and the European Parliament as far as assessment is concerned;
2. Emphasises the strategic importance of Parliament in the public debate on the Constitution and the need for forms of communication to be developed which will engage the general public;

3. Stresses that the debate must be a large-scale one cutting across institutions, social partners, political parties and the media, and that it must be supported by means of maximum publicity (including publicity provided by the institutions); stresses that the European freedom, security and justice project must be central to such a debate;
4. Welcomes the fact that, on 17 and 18 October 2005, the European Parliament and the national parliaments held a meeting given over to judicial and police cooperation in Europe; notes that the meeting showed that there is a consensus on the many new features which the Constitution adds in this field, as well as on the need for all the parliaments of the Union to work together more actively, in particular to enhance democratic control over, and the effectiveness of, Europol and Eurojust; considers in this connection that regular cycles of interparliamentary debate should be established;
5. Recognises that ratification of the Constitution is now beset by serious difficulties that will require the national governments and parliaments, as well as the Union institutions, to redouble their efforts to provide the Union with means of action commensurate with what is at stake and what citizens expect, especially in order to fight crime and terrorism without in any way encroaching on fundamental freedoms; considers that such objectives can best be attained through a Constitution;
6. Believes that it is essential to remedy the democratic deficit that still characterises the area of freedom, security, and justice, and therefore considers it vital to make the 'bridging' clauses fully operative as provided for in
 - Article 67 of the EC Treaty, especially as regards the need to confer full jurisdiction on the Court of Justice, and
 - Article 42 of the EU Treaty, in the form first laid down in the Maastricht Treaty;
7. Draws attention in this connection to the recent advances that the Court of Justice has made regarding Community competences for the purpose of laying down criminal penalties and to the judgments concerning mutual recognition of judicial rulings (Gözütök case) and the '*ne bis in idem*' principle (Pupino case);
8. Points out that the European freedom, security and justice policy requires consistent and integrated assessments as provided for in the Constitution; points out that such matters involve action outside the Union, which, by its very nature, requires the European Union to establish unity amongst its institutions and within its legislation;
9. Considers that, as a matter of priority, the impact of Union policies on fundamental rights should be taken systematically into account and points to the urgent need to set up a fundamental rights agency to help the institutions accomplish their task, observing the principles set out in the resolution adopted by Parliament on 26 May 2005 by an absolute majority of its Members in accordance with Article 192 of the EC Treaty; considers in particular that the agency should be set up by Parliament and the Council under the codecision procedure and enjoy complete independence; considers that such independence should be ensured by various means, including the nomination to the post of director of an individual who is acknowledged as having experience in fundamental rights and who will have to be selected in accordance with a procedure which provides for Parliament and the

Council to be involved on an equal footing and for qualified, independent individuals to be nominated to the management board.

PROCEDURE

| | |
|---|---|
| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union |
| Procedure number | 2005/2146(INI) |
| Committee responsible | AFCO |
| Committee asked for its opinion Date announced in plenary | LIBE 7.7.2005 |
| Enhanced cooperation – date announced in plenary | |
| Draftsman Date appointed | Jean-Marie Cavada 4.10.2005 |
| Draftsman replaced | |
| Discussed in committee | 14.11.2005 23.11.2005 24.11.2005 |
| Date adopted | 24.11.2005 |
| Result of final vote | for: 27 against: 2 abstentions 0 |
| Members present for the final vote | Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Carlos Coelho, Rosa Díez González, Kinga Gál, Patrick Gaubert, Adeline Hazan, Livia Járóka, Wolfgang Kreissl-Dörfler, Barbara Kudrycka, Stavros Lambrinidis, Edith Mastenbroek, Martine Roure, Inger Segelström, Manfred Weber, Stefano Zappalà, Tatjana Ždanoka |
| Substitutes present for the final vote | Gérard Deprez, Genowefa Grabowska, Jeanine Hennis-Plasschaert, Sylvia-Yvonne Kaufmann, Bill Newton Dunn, Marie-Line Reynaud |
| Substitutes under Rule 178(2) present for the final vote | Sharon Margaret Bowles, Othmar Karas |
| Comments (available in one language only) | |

24.11.2005

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Constitutional Affairs

on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union (2005/2146(INI))

Draftswoman: Edit Bauer

SUGGESTIONS

The Committee on Women's Rights and Gender Equality calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. noting the declaration of the European Council, according to which it will "make an overall assessment of the national debates and agree how to proceed" in the first half of 2006,
- B. whereas more than half of voters in the EU are women, although they participate little in political life, and whereas their votes can be decisive,
- C. whereas the Commission's plan "D" , which stands for Dialogue, Debate and Democracy, is aimed at launching a new European debate involving not only European and national institutions but also civil society as a whole, of which women form a major part,
- D. whereas the ratification process and debates in the Member States have demonstrated that young people in particular appear more undecided about and negative towards the Constitutional Treaty,
 1. Agrees with the rejection of the establishment of core groups of certain Member States, as a consequence of, or solution to, the constitutional crisis;
 2. Commits itself, as the directly elected representative institution of the Union's citizens, to bear great responsibility for the European dialogue - all the more so as the European Council has neglected to define either methods or goal;

3. Recommends involving national and regional parliaments and other national bodies, political parties, representatives of academic life and civil society, social partners and all citizens particularly women and young people, in the phase of reflection, and considers that there should be a focus on encouraging all to take part in the debate on the future of Europe;
4. Supports a more equal gender balance in institutional decision-making regarding the future of Europe and the Constitutional Treaty, not only for the promotion of gender equality, but also in the name of representative and participatory democracy;
5. Proposes that a series of conferences between European and national parliamentarians - entitled "Parliamentary Fora" - be organised in order to stimulate debate; points out that women should be equally represented in all such Parliamentary Fora;
6. Calls on Member States to take a decisive role in leading at national level a Europe-wide interactive, structured and coordinated debate on the future of Europe and the Constitutional Treaty, and encourage discussion at regional and local level as well;
7. Takes the view that the phase of reflection should be used, on the one hand, to ensure that citizens are fully informed, not only about the Constitution itself, but also about the existing Treaties, and on the other hand to clarify, broaden and democratise the consensus around the Constitution by finding solutions to existing problems such as immigration, demography and employment and to provide a representative profile of the opinions of citizens by means of public opinion polls (Eurobarometer);
8. Recommends broadening the debate to include questions, with the participation of all European citizens, about the future of Europe and issues that were at the heart of the referenda campaigns, such as the aim of European integration, Europe's role in the world and the future of the European social and economic model;
9. Recommends that women's NGOs and women's fora be supported, in order to enhance the dialogue on the Constitutional treaty, with the aim of ensuring that women receive clear information on the impact that the Constitutional treaty would have on, and the contribution it would make to, the daily lives of European citizens;
10. Reminds the Member States that any dialogue on the European venture must necessarily include a recognition, as a fundamental value, of the equality of women and men, in the knowledge that this equality is a vector of peace, freedom, justice and social progress;
11. Recalls that the dream of a great, united Europe must be realised not only on the basis of converging economic aspirations and interests, but also on that of values shared by all European citizens, because it is these true values that will give Europe its own identity and enable it to assume its responsibilities on the global stage;
12. Insists that any reflection on the future of Europe must be based on respect for "unity in diversity" and gender equality, and that the fight against all forms of discrimination must be upheld.

PROCEDURE

| | |
|---|---|
| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union |
| Procedure number | 2005/2146(INI) |
| Committee responsible | AFCO |
| Committee asked for its opinion Date announced in plenary | FEMM 7.7.2005 |
| Enhanced cooperation | No |
| Draftsperson Date appointed | Edit Bauer 15.9.2005 |
| Discussed in committee | 24.11.2005 |
| Date suggestions adopted | 24.11.2005 |
| Result of final vote | for: 19 against: 1 abstentions: 2 |
| Members present for the final vote | Edit Bauer, Edite Estrela, Ilda Figueiredo, Věra Flasarová, Nicole Fontaine, Claire Gibault, Lissy Gröner, Zita Gurmai, Livia Járóka, Rodi Kratsa-Tsagaropoulou, Christa Prets, Marie-Line Reynaud, Eva-Britt Svensson, Anna Záborská |
| Substitutes present for the final vote | Katerina Batzeli, Lidia Joanna Geringer de Oedenberg, Anna Hedh, Mary Honeyball, Christa Klaß, Zita Pleštinská |
| Substitutes under Rule 178(2) present for the final vote | Mieczyslaw Edmund Janowski, Kathy Sinnott |

OPINION OF THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

SC/025 – CESE 1249/2005

SC/025 Reflection: debate on the European Union

Brussels, 26 October 2005

OPINION of the European Economic and Social Committee on **The reflection period: structure, themes and framework for an evaluation of the debate on the European Union**

Executive Summary

As the institutional forum, at European level, for consulting, representing, informing and expressing the views of organised civil society, the Committee argues that:

- the underlying logic and analyses that led to the Constitutional Treaty remain the same;
- the continued absence of the Constitutional Treaty, which sought to meet the concerns which have led to the current situation, is paradoxical;
- participatory democracy, as provided for in the Constitutional Treaty, remains an essential tool to enhance the EU's democratic legitimacy;
- a shared vision through participatory democracy can help get the integration process back on the tracks;
- the Union's institutions and its member states should therefore start making participatory democracy a reality now, in particular by anticipating the relevant provisions of the Constitutional Treaty on the democratic life of the Union;

- the Union needs to capture the public imagination and it needs to deliver on the Lisbon Strategy;
- communication and dialogue should be enhanced, though much progress has already been made;
- however, the broad debate envisaged by the Heads of State or Government is currently largely absent in the Member States and it will be difficult to make progress in the absence of such debate;
- the primary responsibility for the debates during the reflection period lies with the Member States although the European Institutions have an important responsibility to stimulate a wider debate at European level;
- the European Institutions should also engage actively in the debates at national, regional and local level in providing assistance and support in their organisation;
- civil society organisations can play an important supportive role and should therefore be involved in genuine local, regional and national dialogue.

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**Opinion
of the
European Economic and Social Committee
on the
Reflection period: structure, items and framework for appraisal of the debate on the
European Union**

On 6 September 2005, the European Parliament decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the

*Reflection period: structure, items and framework for appraisal of the
debate on the European Union.*

and under Rule 19, paragraph 1 of its Rules of Procedure, the Committee decided to establish a subcommittee to prepare its work on the matter.

The Subcommittee on Reflection: debate on the European Union, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 13 October 2005. The rapporteur was Ms Jillian van Turnhout.

At its 421st plenary session held on 26 and 27 October 2005 (meeting of 26 October), the European Economic and Social Committee adopted the following opinion by 130 votes to 3 with 3 abstentions.

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1. The underlying logic and analyses remain the same

1.1 The logic and analyses that led the EESC to adopt, with a very large majority its opinion in favour of the Constitutional Treaty (28 October 2004)¹ have not changed, and nor therefore have the arguments and recommendations developed. Indeed, in the Committee's opinion the vagaries of the ratification process of the Constitutional Treaty confirm the validity of the positions it has taken.

1.2 For example, the referendum results in France and the Netherlands not only demonstrate the failure of the Member States and the European institutions to communicate to the public what Europe is actually about and how it reaches agreements but, they also reveal the gulf separating the public from the European project. It must be said that this gulf is not unique to those countries and is not simply the result of poor communication or the current economic situation, but it does call into question the nature of the agreement itself and thus the way in which it was reached.

1.3 It is worthwhile recalling the "clear messages" which, in the Committee's October 2004 opinion, it believed should be got across to civil society:

- the use of the instrument of the "Convention", a "step forward in the process of democratising the European venture";
- the establishment of a Constitution as a "revolutionary" step in the history of the European venture;
- the establishment of a more democratic Union which would recognise that the interests of the people are paramount in the building of Europe;
- the establishment of a Union which would afford better protection of the fundamental rights of European citizens;
- the establishment of a Union which would be capable of meeting the aspirations of its citizens by virtue of the Community method and Community policies.

1.4 Despite a series of shortcomings in the Constitutional Treaty which the Committee also highlighted, it argued strongly for European civil society to be rallied behind the achievements of the Constitutional Treaty in order to overcome these shortcomings.

¹ CESE 1416/2004.

- 1.5 Those identified by the Committee included the following:
- the lack of adequate operational provisions for implementing the principle of participatory democracy;
 - the absence of provisions acknowledging the role played by organised civil society in implementing the subsidiarity principle;
 - the weakness of EU governance as regards economic and employment policy and the absence of rules providing for consultation of the European Parliament and the EESC in these areas, which concern civil society players most of all.
- 1.6 In the Committee's opinion, all of these observations remain pertinent and valid. In its October 2004 opinion, the Committee argued strongly not only in favour of the ratification of the Constitutional Treaty, but also that EU citizens needed to be made aware of the democratic progress achieved by the draft Constitution and of its advantages.
- 1.7 The debates which took place around the ratification process demonstrated yet again that one of the major challenges facing the European Union is the question of how to preserve and guarantee growth, jobs and prosperity for the current and future generations. As the latest Eurobarometer survey (Eurobarometer 63, September 2005) shows, this question is at the heart of European citizens' concerns.
- 1.8 A vital element in the response to that challenge is to be found in the objectives set out in the Lisbon Strategy, as identified by the Heads of State or Government in 2000, a Strategy which offers a concrete vision of the future of European society.
- 1.9 It is necessary to recognise however that, despite five years of intense debates and activities at European level, the results so far have been disappointing and the implementation of the Strategy has been found wanting.
- 1.10 *"Alongside undeniable progress, there are shortcomings and obvious delays"* reported the European Council in March 2005. There may be many reasons for these shortcomings and the delay, but most would agree on the following two observations:
- the Strategy is too abstract. There are no visible consequences for people and businesses. Public opinion does not make a distinction between the effects of globalisation, EU policy and national policy on their living and working conditions;
 - the Strategy remains a top-down process. There has been too little involvement on the part of organised civil society. In some Member States the Strategy is more or less unknown to many of the concerned stakeholders. No genuine consultation seems to have taken place, not least within the open method of coordination for research and education.

- 1.11 Thus the March 2005 European Council notably underlined the need for civil society to appropriate and participate actively in achieving the aims of the Lisbon Strategy.
- 1.12 It is particularly clear in this context that the future of the European model of society, including its social model, which is a fundamental part of the collective identity of European citizens and with which they strongly identify, will depend on the realisation of the Lisbon Strategy's objectives. Thus, the challenge is not so much about the future of the Constitutional Treaty, important though it is, but about creating the conditions which will enable European citizens to reappropriate the European project on the basis of a global shared vision about the sort of society they desire.
- 1.13 That is why, in its October 2004 Opinion, the Committee also established a link between the Constitutional Treaty and the Lisbon Strategy, arguing that:

"The Lisbon Strategy should be introduced into the debate since it maps out a vision of the future for all citizens of the EU marked by: competitiveness, full employment, shared knowledge; investment in human resources; and growth, whilst preserving the living environment and the quality of life through sustainable development ..."

2. Getting back on the tracks – a shared vision through participatory democracy

- 2.1 To master the challenges facing the European Union, the European integration process must be "re-legitimised", based on a new conception of democratic action which bestows a determining role on civil society and its representative institutions.
- 2.2 To that end, the participation of civil society in the public decision-making process is an essential instrument in reinforcing the democratic legitimacy of the European institutions and European action. It is an even more essential element in encouraging the emergence of a shared view about the purpose and the direction of "Europe" and thus a new consensus, on the basis of which it should be possible to pursue the European integration process and to define and implement a project for the Europe of tomorrow which will respond more fully to the expectations of its citizens.
- 2.3 The European Union's institutions and the Member State governments must encourage a genuine subsidiarity culture that embraces not only the different levels of authority but also the different component elements of society, in such a way as to demonstrate to the European citizen that the EU will act only where there is clear added value and in respect of the principle of better lawmaking.
- 2.4 According to the latest Eurobarometer findings, 53 per cent of those questioned believed their voice didn't count in the European Union. Only 38 per cent believed the opposite.
- 2.5 Such findings demonstrate the need to build and to use tools which will enable European citizens to be genuinely involved in the exercise of defining a project for the enlarged Europe, a project which should be equipped with true content and which will encourage them to support and identify with the European integration process.

- 2.6 In this context it should be emphasised that the democratic legitimacy of the European Union reposes not only on a clear definition of the powers and responsibilities of its institutions. It also implies that:
- those institutions enjoy public confidence and can rely on a strong commitment by citizens in favour of the European project,
 - the active participation of citizens in the democratic life of the European Union is fully guaranteed and
 - specific features of European citizenship, which are more than the mere sum of national citizenships, are sought¹
- 2.7 In the Committee's opinion, the currently suspended, or delayed, ratification process on the Constitutional Treaty contains an essential irony: the absence of the Constitution, and in particular the absence of the provisions in Title VI on the democratic life of the European Union, further underlines the need for the Constitution. A fundamental challenge facing the Union is therefore how to get that basic message across.
- 2.8 In the Committee's opinion, the logic behind the Constitution's provisions for participatory democracy and civil dialogue remains entirely valid. The European institutions must therefore invest fully in the logic of the Constitution Treaty and establish an authentic participatory democracy.
- 2.9 The need to enhance participation is all the more urgent given that, notwithstanding everything that has occurred in the recent past, the European Union's citizens expect much of it. The same Eurobarometer survey, cited previously, indicated that some 60 per cent of European Union citizens favour increased integration within the Union (various other opinion polls produce similar findings). The results also indicate that, in the face of urgent challenges such as the fights against unemployment, poverty and social exclusion, Europe's citizens would like to see the Union's role reinforced.
- 2.10 Already, in October 2004, the Committee argued that, in order to overcome the Treaty's shortcomings and also in order to ensure its ratification through the rallying of civil society, a number of measures could be taken to build on the proposed institutional framework and improve it through operational measures. In particular, the Committee argued that:
- the provisions on participatory democracy should be made the subject of a series of communications defining the consultation procedures and the role of the EESC;

¹ EESC Opinion SOC/203 "Active citizenship action programme".

- civil society should be consulted on the content of the European law defining the procedures for implementing the right of citizens' initiative. The EESC could be asked to deliver an exploratory opinion on this subject;
 - the principle of participatory democracy should be applied to the EU's key strategies for promoting growth, employment and sustainable development.
- 2.11 In this way the Committee has sought to convince EU governments and institutions of the vital need to rally civil society and civil society organisations behind the spirit, as much as the letter, of the Constitution.
- 2.12 The Committee notes that the "broad debate" envisaged by the Heads of State or Government in their June declaration is not currently occurring. The Committee feels that such a broad debate should be relaunched as soon as possible. However, the Committee also feels that such a debate would be counter-productive unless public opinion is somehow reassured about the nature of the European integration process and, in particular, about the democratic aspects of that process.
- 2.13 The reflection period decided upon by the Heads of State or Government of the Member States in June should naturally be used to consider ways of overcoming the political and institutional situation which has resulted from the referendum results in France and the Netherlands.
- 2.14 But in the Committee's opinion the reflection period should above all be exploited to help establish the foundations of a popular shared vision about the future of Europe and of a new social contract between Europe and its citizens, of a new consensus which would also establish the framework within which the policies necessary to guarantee growth, employment and prosperity can be placed. In this context, Member State governments should "take home the EU".
- 2.15 It is vital to demonstrate that "participatory democracy" and "civil dialogue" are not empty slogans but, rather, essential principles on which the success of the European Union's policies and therefore of its future depend.
- 2.16 It is therefore indispensable to involve civil society as broadly as possible, at national, regional and local level, in all future debates and discussions, to encourage the Union's citizens to express their concrete expectations and, in order to do this, to put in place a genuine strategy of listening and of dialogue about the Union's policies and about the vision they have of their shared future.
- 2.17 In this context the Committee will closely examine the European Commission's "Plan D", all the more so because it is convinced that, to date, no real debate has taken place and that the method, timetable and resources planned for stimulating the debate – not only in all the accession countries but also at intra-Community level – will be crucial. The EESC welcomes the views repeatedly expressed by European Commission Vice-President Margot Wallström that communication is a two-way process and that "Europe" must listen more. In the Committee's understanding, "listening" does not

necessarily mean "following", but it does mean "involving" and it should mean "understanding".

3. **"Communicating Europe"**

- 3.1 More generally, the Committee has welcomed the emerging understanding that the European Union should equip itself with a genuine communication strategy and that it should overhaul and enhance its communication tools. The Committee welcomed the European Parliament's 26 April 2005 report on the implementation of the European Union's information and communication strategy, and welcomed the European Commission's 20 July 2005 adoption of an action plan to improve communicating Europe by the European Commission.
- 3.2 The Committee has itself adopted and regularly revised a strategic communication plan. In addition, in December 2004 the Committee's Bureau approved an overall strategic approach to the challenge of "Communicating Europe". In both contexts the Committee has sought to enhance the bridging function of its members and of the organisations they represent. The Committee was a committed participant in the 2004 so-called "Wicklów initiative", notably tabling a strategic document, "Bridging the Gap", at the Amsterdam informal ministerial meeting on how organised civil society in general and the Committee in particular should be more fully involved in the communication process.
- 3.3 The Committee welcomed the November 2004 European Council's request to the European Commission to elaborate a coherent communication strategy for the Union. The Committee, in close cooperation with the European Commission, is organising a stakeholders' forum on the communications challenge designed to enable civil society organisations to feed their views into the reflection process currently under way and which the European Commission may also consider when drafting its expected consultative White Paper on the communications challenge.
- 3.4 The Committee, which organised a similar stakeholders' forum to address the policy issue of sustainable development in April 2005, is ready and willing to organise similar such consultative and listening exercises on major policy issues, thus enhancing organised civil society's voice and helping "Brussels" better to listen.
- 3.5 In this context, the Committee emphasises the central role it hopes the European Parliament will continue to play as the first, and most vital, element in the democratic bridging exercise. The Committee is ready to act as a partner of the European Parliament, as it did during the Convention process, organising hearings and forums of its own initiative or on those issues where the Parliament wishes particularly to consult with organised civil society.
- 3.6 Such considerations lead the Committee to emphasise two fundamental considerations. First, whilst the Committee welcomes the increasing emphasis on communications strategies and communications tools, it should be recalled that any communications approach can only be as good as the content of the message it contains. Thus, communication is a complementary mechanism and not an end in itself. Second,

whilst the Committee is fully committed to the twin processes of establishing a European-level communication strategy and enhancing communication tools, Union-level activity must be seen as complementary to the communications processes taking place within the Member States. Thus, such a European-level strategy is vitally necessary but it is far from sufficient.

- 3.7 In this context, the role of representative and consultative institutions at Member State level – national parliaments and national economic and social councils notably among them – as well as at regional and local level should be stressed.

4. **Recommendations**

Start making participatory democracy a reality now!

- 4.1 The reasons and the logic which led the Committee to vote in favour of the Constitutional Treaty by such a large majority – particularly its provisions on the democratic life of the Union – remain the same. The Committee continues to believe firmly that the best way to guarantee the Union's democratic life is to anchor such provisions in a fixed constitutional settlement. However, the current period of uncertainty should not prevent all of the European Union's actors from taking measures as of now to start making participatory democracy a reality. All of the Union's institutions should therefore reflect actively on how they can:

- give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action;
- maintain an open, transparent and regular dialogue with representative associations and civil society;
- carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.

In addition, the European Commission should consider anticipating the provisions of Article I-47 (4) of the Constitutional Treaty by consulting civil society on the content of the European law defining the procedures for implementing the right of citizens' initiative (the EESC could be asked to deliver an exploratory opinion on this subject).

- 4.2 For its part, the European Economic and Social Committee reasserts its determination to play an important, if complementary, role in enhancing civil dialogue not only through traditional consultative mechanisms but also through its bridging function between Europe and organised civil society. The Committee draws attention in this context to the need for fresh thinking about ways of interacting with organised civil society. The Committee is ready, willing and able to act as a full partner in all activities designed to enhance civil dialogue.

Capture public imagination and deliver on the Lisbon Strategy!

- 4.3 European economic conditions are a key factor in determining public attitudes towards the European integration process. The European Economic and Social Committee reaffirms its support for the Lisbon Strategy but insists that the Union and its member

states must be seen to be delivering on their commitments. The Committee is convinced that the Lisbon Strategy is the best possible guarantee of the Union's future economic prosperity and social, environmental and cultural well-being, yet it has singularly failed to capture the public imagination in the way that, for example, the "1992" campaign to create the Single Market managed to do. The Member States must accept and honour their responsibilities in this context. The Strategy must be rendered less abstract and its aims (if not its title) introduced into domestic political parlance. Civil society and civil society organisations must be involved.

- 4.4 For its part, the European Economic and Social Committee will continue to work under the mandate granted it by the 22-23 March European Council, "to set up with Member States' economic and social committees and other partner organisations an interactive network of civil society initiatives aimed at promoting the implementation of the strategy". (Doc. 7619/1/05/ rev. 1 Council, paragraph 9).

Bridge the gap – enhance communication

- 4.5 The Committee has consistently argued the need for enhanced communication between the European Union and the citizens on whose behalf it purports to work. The Committee recognises that a lot of work has recently taken place at the level of the EU's institutions, both individually and collectively; to cite but two recent examples, the complete restructuring of the European Parliament's website and the European Commission's Europe Direct service. The Committee favours close inter-institutional cooperation in the field of communication. It notes the Commission's "Plan D" and also its intention of launching a White Paper in the near future. It is fully committed to playing a supporting role wherever it can in bridging the gap, as evidenced by its 7-8 November stakeholders' forum on that theme.
- 4.6 However, the Committee believes that communication can only be as good as the message it contains. Referring back to its views on the Lisbon Strategy, it believes that the European institutions but, above all, the member states, need to reflect further on how they communicate Europe. Much has already been said about halting the "blame game", but it is clear that "Europe" is too often perceived as negative or defensive, and that insufficient effort is made to "sell" the positive aspects of the integration process.
- 4.7 In the context of enhancing coordination, the Committee calls for the so-called "Wicklow initiative" (informal meetings of European affairs ministers) to be re-activated, but to be given a specific and permanent mandate to examine ways in which Europe can be better communicated and to provide member states with an informal context in which to take stock of public opinion and to exchange best practices. At the inter-institutional level, the Committee calls for the Inter-Institutional Group to be similarly mandated to meet at more regular and more frequent intervals to discuss communication issues. Such mechanisms are particularly important given the rapid rate of technological development (for example, mobile phones, broad band) and the rapid development of new communication techniques to exploit these.
- 4.8 The Committee underlines its belief that communication must be a permanent concern and not the subject of an occasional campaign on a specific issue.

Recognise where the primary responsibility lies

- 4.9 The European Union's institutions must guard against a false, if clearly well-intentioned, belief that the current "disconnect" can be solved from the central level of "Brussels". In reality, what the European institutions do in the field of communications can only be complementary. The main responsibility lies elsewhere. The outcome of the elections to the European Parliament and the results of the French and Dutch referendums on the Constitutional Treaty show clearly that many European citizens view Europe sceptically. This regards above all the effects of European legislation on their living and working conditions. It is down to the Member States to explain to their citizens the meaning of the EU and the necessity of specific European legislation and to communicate the resulting effects to each respective national sphere.
- 4.10 Public opinion, including civil society, will be convinced of the legitimacy and the common future of the European Union only if there is perceived credibility, trust, a transparent legislative process and a well-functioning rule of law. In the first instance, these have to be safeguarded by the governments of the member states. Governments have to act as real co-owners of the Union and abstain from the "we-they" model and the constant double talk that this model involves.
- 4.11 As the role of the Irish National Forum on Europe demonstrated, civil society organisations can sometimes make decisive contributions. It is essential to enhance communication at a relevant level (local, professional, etc.) and to explain the success stories of the European policy or legislative process in relevant and accessible terms at that level. Civil society organisations are well placed to do this. The EESC is thus determined to help and encourage civil society organisations within the Member States, particularly through the bridging function of its members. Moreover, if a wide debate about the European project and about European policies is indeed to be launched, then it must begin at the lower levels of civil society within the member states. A Europe-wide forum will only make sense if it allows for the expression of these views reported back up and also down. Indeed, what is needed is not so much a top-down or a bottom-up approach, but a bottom-down approach.
- 4.12 This opinion has deliberately eschewed much discussion about the future of the Constitutional Treaty and the options open to the European Union. Clearly, a permanent return to the status quo ante of the Nice Treaty cannot be an option. But perhaps the broad debate envisaged by the Heads of State or Government could help illumine the best way forward. However, the Committee notes with some alarm that such broad debate is largely absent in most of the Member States. In the absence of such debate, it is difficult to see how genuine progress can be made.

Brussels, 26 October 2005

The President
of the
European Economic and Social Committee

The Secretary-General
of the
European Economic and Social Committee

Anne-Marie Sigmund

Patrick Venturini

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N.B.: Appendix overleaf.

Appendix: some specific suggestions for facilitating the debate

1. **For the EESC**
 - 1.1 The EESC is determined to play a full and pro-active part in the debate through its members and their organisations, particularly in the Member States.
 - 1.2 The EESC will make a rapid assessment of the European Commission's recently adopted Communication on "Plan D". The Committee welcomes the Commission's commitment to partnership and will seek to work closely not only with the European Commission, but with the other EU institutions, the Member States and all other actors involved in encouraging debate.
 - 1.3 In this context, the Committee would encourage the European Commission better to exploit the communication resource which the EESC's members effectively represent (see below).
 - 1.4 The EESC will pro-actively encourage cooperation in debate and discussion with the National Economic and Social Councils and Similar Institutions.
 - 1.5 The EESC's members should seek to cooperate more pro-actively also with the Committee of the Regions on issues of common interest.
 - 1.6 The EESC will explore possibilities of working more closely with the regional press and media, including the audiovisual media, and with the specialised press.
 - 1.7 The EESC will pro-actively seek more systematic involvement in the work of think tanks, particularly those based in Brussels.

2. **For the European Parliament**

- 2.1 The EESC suggests that the European Parliament set up working parties with institutional communication professionals in each Member State with a view to making practical proposals to governments regarding the measures and resources necessary to embark upon an effective communication campaign in the Member States. The EESC suggests that the European Parliament define and clarify, in the form of green papers, the various existing hypotheses in relation to the three or four most debated and debatable questions on the future of the EU, questions that will culminate in deliberations after the process of communication and debate thus launched. The EESC is prepared to be involved in such deliberations and to make available its expertise in this field and to offer the support of its contacts in the Member States, national Economic and Social Councils and similar institutions.
- 2.2 The EESC encourages the EP fully to exploit the Committee's willingness to act as a partner in the debates in the Member States and at EU level.
- 2.3 In order to ensure a degree of consistency between the initiatives, the EESC requests the European Parliament and the European Commission to ensure that initiatives by representatives of organised civil society enjoy the same support as those by elected and other representatives of European, national, regional and local bodies. Civil society cannot be kept on the sidelines.
- 2.4 The EESC suggests that the European Parliament should consider allocating a significant proportion of the overall EU communication budget to local and thematic debates on the European integration process to complement the resources of national and local public authorities and the resources at the disposal of civil society organisations.

3. **For the European Commission**

- 3.1 The EESC applauds the European Commission's determination, to propose a "Plan D", for debate, democracy and dialogue. It will soon look at whether a plan of this nature is equal to the current challenge. The EESC notes the decision, within its 20 July 2005 Action Plan to improve communicating Europe, to devolve significant fresh resources to the Commission's representations in the Member States.
- 3.2 In this context, calls for the European Commission's representations to recognise that the EESC's members represent a significant and currently under-exploited communications resource that could and should be involved in local, regional and national debates.
- 3.3 Also in this context, calls for the Commission to ensure that the Committee and its members are fully involved in the initiatives which the "Plan D" will define once the European Parliament has examined it and once the Committee has delivered its opinion. This applies in particular to everything related to democracy (a round table on this subject could not fail to place the Committee at the heart of the debate;) the

organisation of regional events by the Europe Direct centres and all the proposals for the promotion of citizens' participation in the democratic process.

- 3.4 Calls for the Commission to anticipate certain aspects of the Constitutional Treaty's provisions on the democratic life of the European Union, believing that these measures will not only reassure the European citizen but also further democratise and invigorate the debate.
 - 3.5 Argues therefore that civil society could already now be consulted on the content of the European law defining the procedures for implementing the right of citizens' initiative. In this context, the EESC could be asked to deliver an exploratory opinion on this subject. It could also lend its support to civil society initiatives.
 - 3.6 The provisions on participatory democracy should be made the subject of a series of communications from the European Commission, defining the envisaged consultation procedures and the role of the EESC.
 - 3.7 Calls upon the European Commission to consider putting forward a legislative proposal for a true Communications Policy, and thereby to confront the "hidden" issue of the absent legal base which has resulted in so many informal mechanisms and an unbalanced approach. The tabling of such a proposal would, in the Committee's opinion, itself encourage debate.
 - 3.8 The provision of adequate financial resources is necessary for the implementation of a communication strategy that meets citizens' expectations.
 - 3.9 Once the requisite resources have been placed at their disposal, the media, local and regional authorities, political groups and civil society organisations will have the means to act as a conduit for information. They will be able to convey clear messages on the implications of the integration process that are attuned to the concerns of their local audience.
4. **To all of the EU institutions**
 - 4.1 The European institutions should help to coordinate the communication activities of political groups, local and regional authorities and civil society organisations by encouraging the exchange of good practice in this field and the pooling of efforts. For example, the EESC could promote the exchange of good practice (and know-how) at European level between civil society organisations involved in communication activities. It could also establish feedback arrangements for evaluating, at European level, proposals, criticisms and recommendations put forward by members of the public during debates organised by civil society. Finally, the EESC stands ready to support cross-border or multi-national initiatives.
 - 4.2 The Committee calls for the Interinstitutional Information Group to be given a specific and permanent mandate to take stock of public opinion and examine best practices and to meet at regular and more frequent intervals to discuss communication issues.

5. **For the Member States**

- 5.1 The Committee calls upon the Austrian and Finnish Presidencies to recommence the so-called "Wicklow initiative" of informal meetings of the ministers of European Affairs to discuss communications issues and challenges.
- 5.2 The Committee calls upon the European Council to give this so-called "Wicklow Group" a permanent mandate and reporting function.
- 5.3 The EESC calls upon the Member States to institute a system of best practices and bench marking, perhaps via the "Wicklow Group".
- 5.4 The Committee calls upon the Member States to recognise that the principle of participatory democracy should be applied to the EU's key strategies for promoting growth, employment and sustainable development.

6. **For national Economic and Social Councils and Similar Institutions**

- 6.1 National and European institutions must provide logistical support for these initiatives. National Economic and Social Councils and Similar Institutions could coordinate the debates at national level by establishing a calendar of events and liaising with the EESC, which could provide them with documentation and put them in touch with speakers.
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OPINION OF THE COMMITTEE OF THE REGIONS

CdR 250/2005 fin

CONST-032

Brussels, 21 October 2005

OPINION

of the
Committee of the Regions
of 13 October 2005

on

**The period of reflection: the structure, subjects and context for an assessment of the
debate on the European Union**

THE COMMITTEE OF THE REGIONS,

HAVING REGARD TO the decision of the European Parliament of 6 September 2005 to consult it on this matter, under the fourth paragraph of Article 265 of the Treaty establishing the European Community;

HAVING REGARD TO the decision of its President of 27 July 2005 to appoint, in accordance with Rule 40(2) of the Rules of Procedure, **Mr Franz Schausberger**, Representative of Land Salzburg in the Committee of the Regions (AT-EPP) and **Cllr Lord Tope**, Greater London Authority (UK/ALDE) as rapporteurs-general for the opinion on this matter;

HAVING REGARD TO the Treaty establishing a Constitution for Europe signed by the heads of state or government on 29 October 2004 (CIG 87/04 rev. 1, CIG 87/04 Add 1 rev. 1, CIG 87/04 Add 2 rev. 1);

HAVING REGARD TO its opinion of 17 November 2004 on *the Treaty establishing a Constitution for Europe* (CoR 354/2003 fin¹);

HAVING REGARD TO its report of 6 November 2001 on *Proximity* (CdR 436/2000 fin);

adopted the following opinion at its 61st plenary session, held on 12 and 13 October 2005 (meeting of 13 October 2005):

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VIEWS AND RECOMMENDATIONS OF THE COMMITTEE OF THE REGIONS

The Committee of the Regions:

(a) Context

1. **believes** that, in order to safeguard peace, freedom and prosperity, a politically strong and democratic European Union, strong European leadership and strong interinstitutional cooperation to relaunch the European project are needed;
2. **expresses** concern that too long a period of reflection would damage the EU's public image, and urges all institutions to work to reclaim and relaunch the core European ideal and project;
3. **considers** it advisable to use this period for reflection to examine what the public in the Member States thinks about the European Union and to consolidate the fundamental aims, values and principles of the EU, such as solidarity, effectiveness, transparency and cooperation, based on the support of its citizens;
4. **reiterates** the importance of the fundamental rights of the Union as enshrined in the charter included in the Constitutional Treaty;
5. **believes** that the European Union must take the results of the French and Dutch referenda seriously and must be seen to do so; **considers that** to proceed with the ratification process of the Constitutional Treaty without altering the original schedule and without serious reflection at European level would send a negative message to Europe's citizens and might engender further rejections in Member States;
6. **recognises** however that the reasons for those rejections are many and varied and in some cases may not be in response to the Treaty itself; thus **considers** it fundamental to concentrate efforts above all on the context of the debate, focusing it on a successful agreement of the financial perspectives; **reiterates** however that more than a half of all

¹ OJ C 71 2005 of 22.3.2005, p. 1

Member States have already ratified the Treaty by their chosen method and the decisions of these Member States must count as much as those who voted against;

7. **reaffirms** its commitment to the Constitutional Treaty and its advances which guarantee better European governance through its considerable improvement in the functioning, simplicity and transparency of the EU compared to the existing treaties;
8. **considers** that in broadening out the debate on the future of the European Union its institutions should focus on the actual and potential practical benefits that membership and citizenship bring to its citizens;
9. in order to rebuild the trust of European citizens in the European project, **calls on** the EU institutions to:
 - take decisions which are pending in those areas where the Union brings real added value to Europe's citizens;
 - begin functioning in a much more decentralised manner, respecting and promoting the subsidiarity principle, which should be applied also on subnational levels;
 - pro-actively demonstrate that a political union will not undermine Europe's cultural and linguistic diversity;
 - show that Europe will provide its citizens with opportunities to develop their personal and professional experience at a European level;
 - establish a permanent two-way dialogue with Europe's citizens;
 - develop a culture of enhanced transparency, especially by making the workings of the Council more accessible, to enable citizens to better understand the EU decision-making process;
10. **calls for** the continuation of activities promoting the principle of subsidiarity in all areas and drawing on the advantages that the greater proximity of regional and local institutions can offer to citizens;
11. **calls upon** the Member States to deepen political integration of the EU, which constitutes a fundamental basis to develop an enlarged Union, defining the aims, potential geographical limits and long term objectives of the integration process within the European Union; whereas EU membership shall entail respect for local and regional democratic self-government within the established constitutional framework of each country;
12. **calls on** politicians at Member State, regional and local levels to take the responsibility for their own actions in the areas falling in their responsibility and to refrain from the common habit of using "Brussels" as scapegoat; **underlines** that the European Union can only succeed if politicians at European, national, regional and local level divide duties responsibly and acknowledge that institutional respect is essential for success, as a prerequisite for good governance;

(b) Structure of the debate

13. **believes** that it is necessary for the EU institutions to engage in debate with the people and communities that they represent, reflecting the open approach taken to the drafting of the Treaty through a Convention that involved representatives of national parliaments, political parties, local and regional government, civil society as well as social partners. In this debate, it is essential to make clear to the public the added political, economic and social value of a European Union;
14. **considers** that in its capacity as institutional representative of local and regional government in the European Union, it has to play an active role in political and institutional initiatives during the period of reflection announced by the heads of state and government; to this end, **proposes** a roadmap¹ with a view to establishing a truly decentralised debate;
15. **calls on** local and regional government to engage and inform their communities on the issues that affect them in the debate on the future of the European Union and to better explain the processes and practical achievements of European integration through a decentralised regional and local based information policy, believing that a debate conducted solely at the European level will fail to reach out to the general public, therefore necessitating structured debates with transnational elements led nationally, regionally and locally, involving its members and supported by the EU institutions;
16. moreover, **reaffirms** the bottom-up approach, that is its hallmark, and **commits itself**, with the help of its members, to seek out and take on board the requests of regional and local authorities on Community policies and institutions, and to forward their input, not least in terms of political analysis and innovative proposals, to the European institutions;
17. **recommends** that dialogue with citizens should not be limited to one-off campaigns and should not focus on details of institutional workings; **urges** therefore the Union to focus on communicating information which is of direct practical benefit to citizens and which allows them to take advantage of EU opportunities available to them;
18. **calls on** the European institutions, Member States and the regional and local authorities to establish new and creative ways of interacting with citizens at grassroots, using for the debate modern electronic media (e.g. "Europe listens" in Austria and "National forum on Europe" in Ireland), and to ensure that the message is accessible in the native language of the citizen, and not only in selected EU languages; furthermore there is some responsibility on the institutions and Member States to counter factually incorrect statements about the European Union that citizens may be presented with, especially in the media;
19. **recognises** the vital role of the local and regional media, and in particular the local press, in this context, not least because they can communicate to citizens in lay terms and in their local language;

(c) **Subjects for reflection**

¹ Appendix

General scope

20. **considers** that the provisions of the Constitutional Treaty relating to the Union's territorial dimension and the involvement of local and regional authorities, both institutionally through the CoR and more generally, constitute an important and positive development;
21. **calls upon** the EU institutions to help to develop a real "subsidiarity culture" within the Union, its Member States, and its regional and local authorities, and to apply without delay the principles of subsidiarity and proportionality provided for in the Constitutional Treaty as a simple and effective way to demonstrate to citizens that the Union will act only where the added value is clear and in respect for its principle of better lawmaking;
22. **calls** for application of the concept of "proximity" in the application of EU policies and law, as this would be a visible sign of the will to implement procedures for more transparency as an immediate reaction to citizens' concerns; in this context the introduction of a new legal instrument facilitating interregional and cross-border cooperation, including economic and social cooperation, could be seen, for instance, as a clear sign towards a closer Europe of the citizens;
23. **underlines** that whereas it would be desirable for these elements to have a place in the Treaty, many of the actions and obligations arising from these provisions can be integrated immediately into the Community's activities, such as extending impact assessments to include the financial and administrative impact of new EU law on local and regional authorities;
24. **has** in particular **welcomed** the following points in the Treaty as articles of good governance and wishes to ensure that their safeguard and implementation are fully considered during the period of reflection:
 - recognition of the role of local and regional authorities in EU governance;
 - better consultation prior to publication of legislative proposals;
 - account to be taken of the financial and administrative burden falling on local or regional authorities;
 - a broader definition of subsidiarity to incorporate local and regional government;
 - recognition of the cultural and linguistic diversity as a source of wealth to be preserved, alongside the fundamental principle of cooperation and integration;
 - enhancement of the role of the Committee of the Regions, in particular introduction of the right of recourse to the European Court of Justice in respect of its own prerogatives or breaches of subsidiarity;
 - reference to representative associations (e.g. of local or regional government);

Topical issues for the debate

25. **considers** that it is vitally important that the EU has the appropriate level of resources to undertake the tasks assigned to it; **recalls** its support for the European Commission proposals for the financial perspective during 2007-13;
26. **considers** that now is the appropriate time to start reflecting on the basis for funding the EU budget in the long term, and to reinforce democratic control of the budget through the European Parliament;
27. **reminds** Member States that cohesion policy is an area where the EU has long demonstrated its real added value, whose visibility enables citizens to appreciate daily the EU's practical and positive work, and which represents the basis of European solidarity and thus distinguishes the European social model from other examples of transnational integration;
28. **reiterates** its support for the Partnership for Growth and Jobs (Lisbon Strategy) as a balanced approach between the economic goals, sustainable development and the modernisation and advancement of Europe's social model;
29. **believes** that strengthening the EU's competitiveness also requires helping Europe's citizens to develop their talents and creativity beyond national borders; furthermore, believes that the value of a culturally diverse Union will become much more tangible to Europeans when they begin to experience life in a European context; therefore, in order to strengthen competitiveness and to connect citizens with the European project, **stresses** the need for the EU to continue facilitating free movement of people and to promoting greater mobility within the Union;
30. **endorses** its support for the EU strategy on sustainable development and **stresses** in particular that Community actions and funding for improving the environment should have powerful effects at the national, regional and local levels;
31. **recalls** the unique character of European citizenship, as an element of identity, which does not replace national citizenship;
32. **calls for** much greater investment and collaboration in education (including life-long learning opportunities for all citizens), research and innovation at European and national level as the best means to create more and better jobs for Europe's citizens and to strengthen Europe's competitiveness in the global economy;
33. **is convinced** that to better explain Europe and its policies, national, regional and local authorities should implement educational efforts, for example via the introduction of special courses in schools, European dimension in the school curricula, post-school education and training for teachers;
34. **is, moreover, convinced** that a positive European culture must be disseminated among regional and local public officials, who in their daily work must deal with regulations;

(d) Assessment

35. **invites** the EU institutions and the Member States to listen to the citizens in order to evaluate the results of the debate during the period of reflection;
36. **is conscious** that during the period of reflection various different scenarios are likely to be discussed, but **is against** abandoning this Constitutional Treaty in favour of the Nice Treaty, and **calls for** a consensual approach towards ratification by 2009;
37. **wishes** to actively participate in the relaunching of the constitutional process and **offers** to the European Parliament support for its efforts to secure a successful outcome.

Brussels, 13 October 2005

The President
of the
Committee of the Regions

The Secretary-General
of the
Committee of the Regions

Peter Straub

Gerhard Stahl

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N.B.: Appendix overleaf.

APPENDIX

Proposed CoR roadmap for a decentralised debate during the period of reflection

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|-----------------|
| Starting points |
|-----------------|

- The period of reflection should be an active and dynamic phase of the dialogue process, with European institutions reaching out to the public in order to launch a structured, decentralised and high-quality debate on Europe, focusing on the issues which are most relevant to ordinary Europeans.
- The debate should focus on governance rather than on the ratification mechanism; in view of the need to act at a level as close as possible to ordinary citizens, it should be conducted in European local authorities and regions rather than in Brussels, and the

subject of the debate should be the purpose and added value of the EU, its fundamental values and policies, rather than the Constitutional Treaty.

- Local and regional assemblies and executive bodies should become actively involved at an institutional level, and should participate fully in the debate on the future of the EU, while shouldering their responsibilities vis-à-vis the public.
- Possible subjects for the debate: the role and importance of fundamental rights as enshrined in the Charter included in the Constitutional Treaty, the European social model, solidarity, subsidiarity and proportionality, the single market, competitiveness, growth and employment, the environment, sustainable development, energy policy, public services and how to fund them, economic aspects of economic and monetary union, the challenges of globalisation for SMEs, rights and freedoms and the sense of belonging linked to European citizenship, the area of security, freedom and justice, enlargement versus closer integration, policies on education, research and innovation. Moreover, the topics covered should be adapted to particular circumstances identified at local and regional levels.
- The CoR is keen to play a proactive role, in partnership with the European Parliament; MEPs and local and regional elected representatives will have to join forces to contribute to the political and democratic debate during the period of reflection.
- To enable effective and appropriate implementation of the proposed measures, the CoR would like to obtain additional funding; a new budget heading could even be introduced for this purpose from 2006 onwards.

Measures envisaged for 2006-2009

- European Forums could be set up simultaneously in all the Member States to facilitate open exchange and discussion on Europe, its values, objectives and frontiers:
 - 1st phase (October 2005 – March 2006): establishment of regional committees comprising "ambassadors" from local and regional authorities and representing the network of CoR members, political parties, members of regional and national parliaments, the local and regional media, civil society as well as social and educational players; these would serve to raise public awareness, particularly among young people, and to raise the profile of European policies.
 - 2nd phase (from January 2006 – June 2009): holding public meetings in European cities and regions, with the participation of CoR members and MEPs, to discuss problems which have been identified:
 - to identify target groups: local and regional administration, journalists, teachers, young people, etc.;
 - in cooperation with the European Parliament and with the assistance of the media, to identify problems which ordinary Europeans feel to be particularly relevant, by listening to the problems and fears expressed by them at public meetings;
 - to prepare a range of communication tools for CoR members to use;
 - to communicate with local and national media;

- to use online forums for debate and create virtual regional forums;
 - to publish information documents.
- 3rd phase (from January 2007): to evaluate and consolidate the results of the debate conducted in the cities and regions of Europe.
- To hold annual conferences in Brussels for the local and regional media; these would be organised by the CoR in cooperation with other European institutions, with financial support from the European Commission. The first of these would be held in 2006.
 - The CoR's Press & Communications Unit could collaborate with local and regional representation offices in Brussels in drawing up a study on information activity; and links with the local and regional media. This subject could be chosen as the central theme of the CoR's Open Days in 2006.
 - To draft a targeted brochure on the added value of Community action and its relevance to ordinary Europeans; this brochure could be presented by CoR members and widely distributed. The brochure would be based on new ideas presented in an easy-to-understand, informative way so as to arouse public interest.
 - To launch a public awareness-raising strategy targeted at young people in particular as the European citizens of the future who will be voting for the first time in 2009.
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PROCEDURE

| | | | | | |
|---|---|-------------------------|-------------------------|-------------------------|--------------------------|
| Title | The period of reflection: the structure, subjects and context for an assessment of the debate on the European Union | | | | |
| Procedure number | 2005/2146(INI) | | | | |
| Basis in Rules of Procedure | Rule 45 | | | | |
| Committee responsible Date authorisation announced in plenary | AFCO 7.7.2005 | | | | |
| Committee(s) asked for opinion(s) Date announced in plenary | All 7.7.2005 | | | | |
| Not delivering opinion(s) Date of decision | DEVE 30.8.2005 | INTA 12.9.2005 | BUDG 15.11.2005 | CONT 3.10.2005 | ECON 28.9.2005 |
| | EMPL 7.9.2005 | ENVI 15.9.2005 | IMCO 4.10.2005 | TRAN 12.9.2005 | PECH 29.8.2005 |
| | PETI 11.10.2005 | | | | |
| Enhanced cooperation Date announced in plenary | | | | | |
| Motion(s) for resolution(s) included in report | | | | | |
| Rapporteur(s) Date appointed | Andrew Duff 13.7.2005 | | Johannes Voggenhuber | | |
| Previous rapporteur(s) | | | | | |
| Discussed in committee | 13.7.2005 24.10.2005 | 15.9.2005 17.11.2005 | 3.10.2005 23.11.2005 | 4.10.2005 24.11.2005 | 13.10.2005 29.11.2005 |
| Date adopted | 15.12.2005 | | | | |
| Result of final vote | for: 22 against: 2 abstentions: 1 | | | | |
| Members present for the final vote | James Hugh Allister, Jens-Peter Bonde, Carlos Carnero González, Richard Corbett, Panayiotis Demetriou, Andrew Duff, Maria da Assunção Esteves, Genowefa Grabowska, Sylvia-Yvonne Kaufmann, Jo Leinen, Íñigo Méndez de Vigo, Borut Pahor, Rihards Pīks, Marie-Line Reynaud, Sérgio Sousa Pinto, Alexander Stubb, Riccardo Ventre, Johannes Voggenhuber | | | | |
| Substitutes present for the final vote | Pervenche Berès, Jean-Louis Bourlanges, Elmar Brok, Klaus Hänsch, Alain Lamassoure, Raimon Obiols i Germà, Gérard Onesta, Reinhard Rack, György Schöpflin, Jacques Toubon | | | | |
| Substitutes under Rule 178(2) present for the final vote | Sophia in 't Veld, Thomas Wise | | | | |
| Date tabled – A6 | 16.12.2005 | | A6-0414/2005 | | |