

Letter to Convention Members from Civil Society Contact Group

Monday 25th of February 2003

Dear Member of the Convention,

The publication of the first 16 articles of the Constitutional Treaty has aroused great interest across all major sectors of civil society. Many organizations have already approached you with proposals for change, and it appears that these coincide to quite an extent with amendments tabled by Convention members.

The Civil Society Contact Group was set up a year ago by the social, environmental, human rights and development NGOs at European level to seek effective civil society input into the Convention. We consider the debate on the first 16 articles including values and objectives, fundamental rights and citizenship, and competences, to be of utmost importance as these will have to provide the basis for most of what we expect of a Union that seeks to be the guarantor of stability and prosperity in Europe as well as a force for change in the world.

As a body that stands for an enormous range of civil society organisation across the Union and the new States, we wish to convey to you our overarching concerns on the first 16 Articles presented to the Convention. The following synthesis can thus be regarded as representative of the key demands and expectations that we all share.

1. We believe that **the *acquis* of the present treaties must be preserved.**

This is not the case with regards to the definition of the objectives of the Union, and article 6 of the EC Treaty on environmental policy integration which is missing in the proposals from the Praesidium

2. We wish to underline that the principles of “integration” and “coherence” must be considered as essential to achieve result with regard to social, environmental and development goals. We urge inclusion of these principles on a par with those proposed in article 8 as governing Union competences, as well as extension of the important concept they embody to broader social and rights objectives. Not to ensure an integrated approach for EU policy making would mean a step backwards from the current treaty.

3. Similarly, the principles of **transparency and accountability** must be included as determining the way the Union seeks to achieve its objectives and exercise its competences. As bringing the Union closer to its citizens is the aim of the constitution, it seems obvious to include those principles.

4. There is concern about inadequacies regarding both the “internal” and “external” objectives where key goals or specifications are missing. Therefore we strongly urge the fullest possible reflection of **social, environmental and human rights objectives** in article 3, and to seek a higher level of complementarity between its internal and external dimensions.

The role of development policy and humanitarian aid in the future treaty must be clarified; as Art. 12 is worded now the framework for development policy and humanitarian aid is not clear. This lack of clarity can lead to a subordination of EU

development policy which does not reflect the EU's values and objectives as well as leads to new incoherence between EU external policies and members state and EU policies.

5. The concept of **sustainable development** must be consistently based on the economic, environmental and social dimensions. The Union's wish to meet the needs of the present generation with respect for the rights of future generations should also be reflected in Art. 13, which talks about "economic coordination".
6. The first titles must reflect a stronger and more coherent manifestation of the Union's aspirations with regard to equality women and men, **and non-discrimination on the basis of racial or ethnic origin, religion or belief, and disability, age or sexual orientation**.
7. While welcoming the clear statement that the **Charter of Fundamental Rights** "shall be and integral part of the Constitution", serious concerns remain about the possible effects of adjustments to the horizontal clauses in restraining the scope of the Charter and engendering confusion about its interpretation.
8. Union **citizenship** should be based not only on nationality but also on residence in order to guarantee equal rights.

We hope that these observations, that reflect the strongly held views of large sectors of civil society, will be of use to you.

Yours,
On behalf of the Civil Society Contact Group,