



To: All Members of the Convention on the Future of Europe

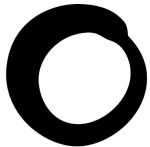


Brussels, 17 March 2003



Subject: Part Two of the future Constitutional Treaty: the need to review the content of policy chapters

Dear Convention Member



**Friends of the Earth Europe**

Our understanding is that for Part Two of the Constitutional Treaty ("Union Policies and their Implementation"), the Praesidium intends to propose articles borrowed from the existing Treaties, without discussing their content in detail. This will mean that the wording of the objectives of many of the specific policies will remain outdated and incompatible with the Union's overall objective of sustainable development and the fundamental principles of environmental policy integration and coherence which apply to all Union policies.



The Convention would miss a unique opportunity to provide the EU with legal frameworks for truly innovative policies that would make the EU the world leader in putting sustainable development into practice. While the general principles you are discussing at the moment are extremely important, the day-to-day practice of the EU will be determined by Part Two.

**GREENPEACE**

**We therefore urge the members of the Convention to insist that the wording of relevant policies be updated** so that it does not contradict but rather reinforce the fundamental principle of the Union of integration of the environmental protection requirements into the definition and implementation of Community policies in support of the Union's objective of sustainable development. This is necessary in order for the Convention to achieve its goal of drafting a Constitutional Treaty that is coherent and accessible to European citizens.



In particular, we are concerned about the wording in the following policy chapters of the current European Community Treaty: agriculture (art. 32-38), transport (art. 70-80), economic and social cohesion (art. 158-162), common commercial policy (art. 131-134), and development cooperation (art. 177-181).

Sustainable development, protection and improvement of the environment should be incorporated in the objectives of each of these policy areas. The **agriculture articles**, that regulate fisheries as well, reflect the priorities of the Community in 1950s when plentiful and cheap food production was the most important objective. There is currently no reference to sustainability or even to the environment in the relevant articles. Furthermore, article 33 on the objectives of the Common Agricultural Policy, is clearly inadequate as a basis for the Common Fisheries Policy and the conservation of the presently highly depleted fishery resources.

The **transport articles** and the economic cohesion articles currently do not make any reference to the environment, although the potential impact of these two policy areas on the environment is clearly documented. We have similar reasons to ask for a review of the common commercial policy chapter. The revision of article 158, which outlines the objectives of the social and economic policy of the EU is long overdue. It is imperative that environmental objectives are included in order to be brought into line with the Council Regulation (adopted in 1999) that governs the use of structural funds, which calls for 'harmonious, balanced and sustainable development of economic activities' and more specifically the need for the protection and the improvement of the quality of the environment. The Constitutional Treaty should appropriately reflect the objectives of these policies.

The **development cooperation** policy should be a separately defined competence based on the Union's objectives of poverty eradication and the promotion of economic, social and environmental sustainable development in all developing countries. The development cooperation policy should continue being based on the principle of coherence which requires development objectives to be integrated in all Union policies, especially as they affect developing countries (art. 178 of the EC Treaty).

The link between the development cooperation policy and the objective of the Union's external relations to promote sustainable development should be recognized and strengthened as it constitutes the basis for the external sustainable development strategy of the Union.

As regards the current provisions on the **environment** (art. 174-176) we believe, with one exception, that they are very good and urge Convention members to ensure that these provisions are kept as they are. The only change we promote is to extend qualified majority voting to all areas of environmental decision-making, that is to remove the unanimity requirements in article 175(2).

Finally, if a Title on **energy** is added to the Treaty, action by the Union relating to energy production, transmission, use, storage and related matters should have the following objectives:

- Securing an environmentally sound energy system which contributes to the conservation of natural resources and the minimization of short term and long term risks to human health and the environment.
- Fulfilling Article 2 (the objective) of the United Nations Framework Convention on Climate Change.
- The use of renewable energy sources and the implementation of energy efficiency and energy conservation measures shall have priority in the realization of these objectives.

The abolishment of EURATOM in its current form is a precondition for any further integration of the EU on energy.

In summary, we believe that sustainable development, protection and improvement of the environment should be incorporated in the actual policy areas as well. We call upon you to propose the start of a discussion on the objectives and instruments for the specific policies in Part II, in the coming meeting of the Convention. The undersigned organisations will be happy to provide you with precise proposals at any time.

Yours sincerely

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