



The European Convention: Green 8 ASSESSMENT

The eight largest European environmental organisations, the *Green 8*, have been working together to advise the Convention on issues relevant to environment, sustainable development and participatory democracy.

It is regrettable that the Convention has not seized the opportunity to improve Europe's ambitions in relation to four crucial issues:

- there is still no formal access to justice for citizens and their organisations at the EU level;
- the Union's policies have not been reformed to allow them to fully comply with sustainable development;
- there has been only partial improvement in the position of the European Parliament in decision-making in areas relevant to the environment;
- there is still a real threat that the Euratom Treaty will persist in the new Constitution.

Below is a six-point assessment of the key issues the *Green 8* have raised over the past 15 months.



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GREENPEACE



Europe's voice for sustainable transport



1. Restoring the definition of Sustainable Development.

After 8 months of *Green 8* campaigning, at the closing stages of its work, the Convention finally restored the Union's objective of sustainable development as it was laid down in the Amsterdam Treaty.

We support the proposal of Commissioner Wallström to add a Protocol on Sustainable Development to the Constitution and have published amendments to strengthen the proposed text.

2. Principle of Environmental Policy Integration maintained.

The current principle of integrating the environment into all Union policies, a basic requirement in making sustainable development work, has not been given the prominent place it had in the Amsterdam Treaty (article 6). However, it has now been placed under the horizontal principles at the beginning of Part III on "policies and functioning of the Union". We will fight to ensure that this new place will lead to more and not less respect for this important principle in the EU's daily practice.

3. Principle of Policy Coherence strengthened

The Convention, in the end, strengthened the policy coherence principle. This principle works to ensure that all external actions and external aspects of Union policies be consistent with the objectives of sustainable development, poverty eradication and environmental protection in developing countries.

4. Participatory Democracy and Access to Justice

The inclusion of an article on "participatory democracy" signifies progress. However the provisions concerning Commission's consultations with civil society remain too vague.

A major weakness has been the Convention's failure to include the right of access to the European Court of Justice for citizens and their organisations. Access to justice would lead to the European Institutions being accountable to the Union's citizens, an essential element of participatory democracy. With regards to environment issues the European Community must grant this access if it is to comply with its obligations under the Aarhus Convention.

5. Outdated policies still in need of review

A major flaw in the Convention's current proposal is that it leaves ageing EU policies untouched. As environmental organisations, we are mostly concerned about the failure to review outdated policies such as agriculture, transport, economic and social cohesion, and the internal market. Furthermore, we are not satisfied with the formulation of the new chapter on energy policy, as well as the changes made in the common commercial policy.

We welcome the extension of qualified majority voting in combination with co-decision with the Parliament to new policy areas. However, we are of the opinion this combination should be applied consistently in areas such as agriculture and fisheries, internal market, transport, research. It is unacceptable that effective fiscal measures with an environmental purpose will remain virtually impossible because of the continuation of the unanimity requirement for Council decisions.

Part III of the draft Constitution, on the policies of the Union, needs a thorough discussion, and consultations with civil society. This cannot be done in a few weeks. The European Summit should, in an extended mandate, invite the Convention explicitly to review all the policy chapters, and allow several months for this. The short extension the Convention is currently asking for is not adequate for this purpose.

The *Green 8* has prepared simple and specific proposals for making the policy chapters consistent with the sustainable development and environmental protection requirements of the Union.

6. EURATOM Treaty

It is expected that during the extension period of the Convention, the future of the EURATOM Treaty will be discussed. The present proposal, to annex this Treaty, as a Protocol, to the Constitution, is unacceptable as it retains a preferential financial and institutional framework for nuclear power. Maintaining this proposal would undermine the work of the Convention. It may also place at risk the ratification of the European Constitution in many Member States, where undoubtedly EURATOM provisions would feature prominently in any proposed public referendum.