



The European Constitution: A new beginning, but not yet the end

The process of European unification has been given a big push forward – which now has to be followed by further steps

The final agreement on the Constitution for the European Union represents a great success.

This agreement would not have been possible without the ambitious draft presented by the EU Convent, which exhibits a notably more European stance, and the strong commitment of the European Parliament and its representatives in the Intergovernmental Conference.

With its fundamental values and objectives (a social market economy, full employment, social protection) and above all with the Charter of Fundamental Rights (including 20 fundamental social rights) the constitution represents true progress, not least in terms of a social Europe. From now on we can speak with full justification of a political union, of a union of values.

The EUCDW is therefore unequivocally in favour of this constitution being ratified.

The text, however, should not be seen as the final word on the Europe, but rather as a basis for a new European uprise.

This uprise serves one objective: To expand the European political union, which will

- 1. further strengthen the European Union's capacity to act** (particularly in areas that directly relate to the security of citizens: social issues, environment, consumer protection) **by extending the principle of qualified majority voting**
- 2. strengthen the democratic Europe by strengthening the European Parliament.** The EU has to be brought closer to citizens to prevent a total collapse during the next elections. If the European Parliament is not given more powers (i.e. ultimately, the last and decisive word regarding all issues), increasing numbers of citizens will continue to turn their backs to this institution and the European idea as a whole. **The EUCDW demands that, in a first move, the EU Parliament is given the right to force the Commission to legislative initiatives. However, in due course, it must demand full right of initiative.** Europe must dare to be more democratic.

Reforms must and will be made in future. In view of the European vision, there are too many contradictions between Part I and Part III. The concrete specifications of Part III are unable to support the objective, as evidenced in Part I, of creating a European Union capable to act.

This means that a revision of the Constitution after one legislative period is inevitable.

To elucidate:

- The EU is henceforth based on a Charter of Basic Rights, whose essential character must not be changed. The EUCDW presumes that all relevant institutions and, first and foremost, the European Court of Justice, will be electing to apply the widest possible interpretations with regard to these. Basic rights must not be compromised by articles of the constitution, as this would represent a failure in the pursuit of a “Europe of citizens”, and would reduce the Constitution to being no more than another reform of the European treaties and agreements.
- The EUCDW regrets that no general agreement has been reached to arrive at Council decisions on the basis of (qualified) majority voting and a decisive input of the European Parliament.
- This becomes specifically apparent in the European social policies: The objective of “social cohesion“ expressed in Part I is not reflected in Part III by a widening of the corresponding European competences with a view to cross-border social policy issues. On the contrary: The enlarged Union of the future will make it more difficult to arrive at the majorities needed, even for those questions which do not require unanimity.

This applies for instance to the issue of protection from unwarranted termination in Article III-104.1d as well as the anti-discrimination regulations of Article III-8. An increased cross-border cooperation may also prove useful for all EU member states in areas which have so far been excluded from the scope of the discussions such as the freedom of association and coalition and issues of wages, strikes and lock-outs.

- The EUCDW welcomes all efforts aimed at linking the Articles of Part III, regarding the internal market and competition, to the economic system of the social market economy. This value proposition must not remain restricted to Part I, but must also be applied consistently in Part III.
- Fifthly, the document does not advance the social dialogue nor is it instrumental in the creation of clear structures which would enable the so-called “civil dialogue” to contribute to the development of the political will. In this context, we would also like to point to the Economic and Social Committee which should be provided with a more active role in the European decision-making process.

The EUCDW welcomes all possibilities for further improving the way in which representative democracy functions. This should occur in the first instance, by giving representative social partners and non-governmental organisations the opportunity to be involved in the consultation on European regulations in their particular field.

Such use of popular initiatives calls for continual improvement in the transparency of decision-making processes, for clear allocation of responsibility and for comprehensive information on the relevant issues.

These instruments, however, must not be pitched against one another, but must be used to complement each other and hence contribute to the process by which EU politicians are brought closer to citizens.

- The agreement does not provide any authorisation for regions with legislative power – which consist mainly of stateless people or nations – apart from, and in fact exclusively, the right to address the European Court directly. The new European constitution should grant the regions the right to create cross border connections of social, economical and administrative co-operation.
- The EUCDW welcomes the possibility, specifically mentioned in the document, of member states taking more far-reaching initiatives to enhanced cooperation than is prescribed by European law. However, the EUCDW stresses that this relates to an initiative of the member states, and that with its own initiatives the Commission should not be given the opportunity to choose between this more open method and the regular means of passing legislation.

The restrictions that henceforth apply to the procedure of ‘enhanced cooperation’ (requirement of unanimous approval) only serve to illustrate the fear of too much European collaboration in terms of citizens.

- Finally, the EUCDW welcomes the specific “opening clauses“ intended to serve as instruments for the closer coordination of EU member state policies. The EUCDW expects that the corresponding processes will still be developed (for example, with a view to the fight against poverty agreed as part of the Lisbon process).

The European Union of Christian Democratic Workers (EUCDW) consists of 23 workers' organisations from 15 countries and is an association of the European People's Party (EPP).

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