

**Presentation to the European Parliament Constitutional Affairs Committee
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On behalf of Concord**

Introduction:

Thank you for giving Concord this opportunity to contribute to your debate on how to take forward the changes to the current Treaties that are needed for the European Union to work more effectively in the future, and to establish a Constitutional treaty for Europe. Concord as the Confederation of European Development and Humanitarian NGOs, is comprised of 39 national platforms and European NGO networks and brings together a collective membership of over 1,600 NGOs from across the EU. *Eurostep*, of which I am the Director, is one of the network members of Concord. We have been actively engaged in these debates since the Laeken Summit in 2001, working as part of Concord to promote debate and understanding within Concord's membership about the debates from the Convention to the Constitutional treaty and in particular the implications for the EU's external role and its co-operation with developing countries. Concord works actively with other NGO sectors as part of the Civil Society Contact Group, and also participates in the Economic and Social Committee's civil society liaison committee.

Europe's role in the world

The European Union is a global player that for many people across the world represents a hope that their aspirations for increased stability, democracy and prosperity can be realized. The European Union – both its individual members and the Union as a whole – have signed on to a series of international commitments - on social development in Copenhagen, on gender equality in Beijing, on development for the Least Developed Countries in Brussels, on development for land-locked countries and small island states in Barbados, on the environment and development in Johannesburg, as well as to the Millennium Development Goals at the Summit in 2000 and most recently the 2005 World Summit. These set out a comprehensive set of commitments in which the EU has an opportunity to lead by example and put into practice what it states are its principles and intentions.

At the outset of the process initiated in Laeken our focus has been to look at Europe's role in the world and to seek to ensure that the much vaunted principals enshrined in the EU's development policy are truly reflected in the overarching legal framework of the Union, which the Constitutional treaty, or any other revised treaty document defines; principles such as partnership and ownership in the EU's co-operation with developing countries that imply levels of equality and respect in the relationship. A core concern has been to ensure that the Union's development and humanitarian assistance policies have a strong and clearly defined legal base. A legal base that enables the EU's co-operation with developing countries to be pursued on the basis of its development objectives and pursued with openness and transparency is fundamental if Europe's development policy is to be understood and supported by its own citizens.

Visions of a Responsible Europe in the World

In 2005 we sought to promote discussion across the Union on Europe's responsibility in the world. We asked a number of prominent people to give us their vision of a Responsible Europe in the World. These people came from inside and outside the Union, from the old and new member states. There were many differences, not least because these people came from very different realities, have very different experiences, and worked at very different levels. But there was a clear message coming from all of the Visions - recognition of Europe's ability to promote justice, inclusion, democracy in the world, as long as Europe's co-operation is based on respect and partnership.¹

¹ These visions can be found on www.eurostep.org and on <http://constitution.eurostep.org>.

We also developed website that provides information and analysis on the Constitutional Treaty and the implications for the EU's development policy.²

From reflection to what?

As the one year reflection period nears its end, what can we say about the results so far. It would seem to be very little! There has been little real reflection, more a pause to see if anything happens. Some initiatives have been taken, but these have been disjointed and failed to effectively target Europe's citizens. We can, and do, welcome those that have been taken, including the European Parliament's drive to revive the momentum on debating the Constitutional treaty, the Commission's Plan D, the Communication White paper, and others that seek to give life to the debate that is really needed. However these tend to address those already involved in the debate and go little beyond those in the know. Most of these initiatives are devised and driven from Brussels, by the institutions of the EU which are felt by the majority of people to be remote from their interests and their reality. What is missing is committed leadership from within the member states themselves – from governments, national parliaments, and national institutions - to promote the debate that is urgently needed. Without the broad involvement of citizens across the Union the ownership for the Union, its objectives and its institutions will never be achieved, and hence the support needed to go forward will remain elusive.

As NGOs involved with Europe's co-operation with developing countries we do believe that the Constitutional treaty represents a step forward from Nice, and would want to ensure that future initiatives to amend current treaty provisions build further on those improvements. It is by no means perfect and there are certainly many further changes that we would have liked to see.

In our view competence for development policy is rightly shared between the Community and Member States. This is important so that it encourages a coherent and consistent approach to the Unions development and humanitarian actions on the one hand, while maintaining a national ownership which is so vital to ensure broad public support for those policies.

We welcome the clarification contained in the Constitutional Treaty in the articles relating to development. Equally we welcome the establishment of a legal basis for the Community's humanitarian assistance.

It is also clear that the Union's ability to act responsibly in the world depends on the integrity of its policies in other areas. Europe's social model, for instance, provides an important and credible basis for co-operation with countries struggling to develop where investing in people is a priority. Without effective ecological policies and practices within the Union, the EU will lack credibility in its external relations. This applies equally to the Union's policies in many other areas of policy, - gender equality, human rights, migration, trade, and so on.

Moving forward: Parts one, two and maybe three

There a number of proposals being put on the table on how to proceed with the process of establishing the Constitutional Treaty, including taking the first two parts of the proposed Constitutional Treaty and leaving aside or treating differently part III. However one should be careful when moving to implement only part of the Constitutional Treaty. Establishing the European Foreign Minister and European External Action Service without the new development provisions that are set out in part III would be detrimental to Europe's role as a responsible player in the world.

There have been many criticism of part III, and we share a large part of these. We believe it is desirable for changes to be made in a number of areas of policy, particularly where the text is taken directly from the old treaties. However for the EU's external policies the Laeken European Council specifically asked the Convention to address the question as to whether Europe has *"a leading role to play in a new world order, that of a power able both to play a stabilising role worldwide and to point the way ahead for many countries and peoples? "*. Consequently the external provisions were extensively debated by the Convention and its External Action Working Group resulted in a set of external articles that reaffirmed the integrity of development co-operation, particularly in its relations with trade and foreign policy.

² This can be found at <http://constitution.eurostep.org>

The nomination of an European Foreign Minister outside this context, with the existing treaty articles on development could push the EU to follow a foreign policy agenda which would not necessarily provide a specific role for Europe in the new world order.

Putting commitments in practice

The text of the Constitutional treaty sets out the basic principles on which the enlarging EU should function. The Constitutional treaty may not be in place, but the principles that were defined by the Convention should surely be the guiding framework for establishing current practice. Yet this does not seem to be the case. When we looked at the current process to establish a new set of legal instruments for the EU's external relations under the next financial perspectives we saw little reflection of these principles in the initial proposals of the Commission. Likewise the means and processes for involving civil society in its policy making do not seem to build on the articles of the Constitutional Treaty. This undermines confidence in what has resulted from the process, and makes it more difficult to generate support for the Constitutional Treaty.

Not leaving the Constitutional treaty to Europeans

In conclusion, given the importance of the EU - what it stands for, what it does, and its global role - the future of Europe is not only of interest to Europeans, but to people all over the world. What we want Europe to be and do for us as Europeans is something that we all need to define. What we want Europe to do in the world is a question that goes beyond ourselves. As we move towards defining more clearly Europe's role in the world let us give space and opportunities to people in different parts of the world to engage in that debate. As I used to say at the time of the Convention *"The future of Europe is too important to leave just to Europeans. Others too should have their say"*

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More information:

<http://www.eurostep.org>

<http://constitution.eurostep.org>

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