

## Press release by the European Parliament, A clear "yes" to the Constitution

**Caption:** On 12 January 2005, the European Parliament issues a press release following its approval of the Treaty establishing a Constitution for Europe.

**Source:** RAPID. The Press and Communication Service of the European Commission. [EN LIGNE]. [Bruxelles]: Commission européenne, [28.04.2005]. PE-DN/05/31. Disponible sur <http://europa.eu.int/rapid/pressReleasesAction.do?reference=DN/05/31&format=HTML&aged=1&language=EN&guiLanguage=en>.

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## A clear "yes" to the Constitution

Richard CORBETT (PES, UK) & Íñigo MÉNDEZ DE VIGO (EPP ED, ES)

Report on the Treaty establishing a Constitution for Europe

(2004/2129(INI))

Doc.: A6 0070/2005

Procedure : Own initiative

Debate : 11.01.2005

Vote :12.01.2005

### Vote

By a large majority, the European Parliament has endorsed the Treaty establishing a Constitution for Europe and says it "wholeheartedly supports its ratification." The report by Richard CORBETT (PES, UK) and Íñigo MÉNDEZ DE VIGO (EPP ED, ES) was adopted by 500 votes in favour to 137 votes against, with 40 abstentions.

The report contains two parts: the first part is the formal parliamentary resolution, written in language seeking to be as accessible as possible for the general public, which aims to explain to European citizens the advantages of the Constitution compared to the existing treaties. The second part is the explanatory statement, a much longer document which analyses in depth the changes introduced in the Constitution. The co rapporteurs decided to use the term 'Constitution' throughout rather than 'constitutional treaty.'

In its final version, the resolution concludes that "taken as a whole, the Constitution is a good compromise and a vast improvement on the existing treaties, which will, once implemented, bring about visible benefits for citizens (and the European Parliament and the national parliaments as their democratic representation), the Member States (including their regions and local authorities) and the effective functioning of the European Union institutions, and thus the Union as a whole."

### Clarity, effectiveness, democratic accountability, citizenship

The improvements brought in by the Constitution are laid out in the four main themes of the report:

\*greater clarity regarding the objectives of the Union: the treaties will be replaced by a single more readable document, the dual legitimacy of the EU as a Union of states and of citizens is reaffirmed, the canon of common values is made explicit and widened, the confusion between the European Community and the European Union will end, European legal acts are simplified, there are guarantees that the Union will never become a centralised all powerful "superstate", the symbols of the Union are included in the Constitution and there is a solidarity clause in case of terrorist attack or natural disaster.

\*greater effectiveness and a strengthened role in the world: qualified majority voting is to be extended, the European Council will have a two and a half year chair instead of a six month rotating one, there will be a reduction in the number of members of the Commission, the Union's visibility and capacity as a global actor will be enhanced through the creation of a Union Minister for Foreign Affairs and a single external action service, and by giving the EU legal personality.

\*more democratic accountability: the European Parliament will as a rule decide on an equal footing with the Council on the Union's legislation, the Council will meet in public when debating and adopting Union legislation, national parliaments will receive EU legislative proposals in good time to discuss them with ministers before the Council adopts a position, the President of the Commission will be elected by the European Parliament, all EU spending will be brought under full democratic control, requiring approval of both Council and Parliament.

\*more rights for citizens: the Charter of Fundamental Rights will be incorporated in the Constitution, the EU will accede to the European Convention on Human Rights, a citizens' right of initiative will be introduced,

individuals will have greater access to justice in connection with EU law.

### **Unfounded criticisms rejected**

The report also rejects a number of unfounded criticisms: "the Constitution has been the object of some criticism voiced in public debate that does not reflect the real content and legal consequences of its provisions, insofar as the Constitution will not lead to the creation of a centralised superstate, will strengthen rather than weaken the Union's social dimension and does not ignore the historical and spiritual roots of Europe since it refers to its cultural, religious and humanist inheritance."

### **The future**

The Constitution is not set in stone: while it will "provide a stable and lasting framework for the future development of the European Union," many improvements "remain possible in the future." Furthermore, the plenary adopted an amendment announcing "its intention of using the new right of initiative conferred upon it by the Constitution to propose amendments to the latter." In the immediate future, MEPs call for "all possible efforts to be deployed in order to inform European citizens clearly and objectively about the content of the Constitution," and invite in this regard the European institutions and the Member States, when distributing the text of the constitutional treaty to citizens (in unabridged or summary versions) to make a clear distinction between the elements already in force in the existing treaties and new provisions introduced by the Constitution.

MEPs also adopted an amendment inviting the European institutions and the Member States to "recognise the role of civil society organisations within the ratification debates and to make available sufficient support ... to promote the active engagement of citizens in the discussions on ratification."

The plenary also gave a clear mandate to Parliament's administration, and notably its information offices, to "provide ample information about the Constitution and Parliament's position on it." As a reminder, the European Parliament has 25 information offices, one in each Member State's capital, with a further 6 sub-offices in other major cities.

The resolution says Parliament "hopes that all Member States of the European Union will be in a position to achieve ratification by mid 2006" allowing the Constitution to enter force in November of that year. Lithuania and Hungary have already ratified the text through a parliamentary vote. Nine countries will decide by referendum, while thirteen (including the two mentioned above) have chosen the parliamentary route. The remaining three Member States have yet to decide on the procedure for ratification.