

## European Parliament resolution on the period of reflection (19 January 2006)

**Caption:** In its resolution of 24 November 2006, the European Parliament emphasises the importance of using the period of reflection to revive the constitutional project on the basis of a broad public debate about the future of European integration. It also proposes that ‘parliamentary forums’ be held to stimulate the debate and shape the political conclusions required to resolve the crisis facing the EU.

**Source:** European Parliament resolution on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union: P6\_TA(2006)0027, in Official Journal of the European Union (OJEU).

24.11.2006, n° C 287E, p. 306. [http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2006:287E:0306:0311:EN:PDF)

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**URL:** [http://www.cvce.eu/obj/european\\_parliament\\_resolution\\_on\\_the\\_period\\_of\\_reflection\\_19\\_january\\_2006-en-720482cf-3470-48b3-8728-426f7e92b91e.html](http://www.cvce.eu/obj/european_parliament_resolution_on_the_period_of_reflection_19_january_2006-en-720482cf-3470-48b3-8728-426f7e92b91e.html)

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19. Calls for the dropping of all charges against Stanislav Dmitriyevsky and calls on the Russian authorities to respect the freedom of the media and journalists;

20. Regrets that the bill strengthening government control over NGOs in Russia was passed easily in both houses of parliament and failed to take fully into account the recommendations made by the Council of Europe in its provisional opinion on the matter; hopes that President Putin, before signing the bill into law, can still ensure that it is fully in line with the Council of Europe's recommendations and clearly designed to prevent harassment of NGO activists in Russia;

21. Calls, in this regard, on the Council and Commission to make every effort to support the development and consolidation of a strong, lively, independent and genuine civil society in Russia as a fundamental and indispensable element of a functioning democracy;

22. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Government and Parliament of the Russian Federation and the Council of Europe.

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### **Structure, subjects and context for an assessment of the debate on the European Union**

#### **European Parliament resolution on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union (2005/2146(INI))**

*The European Parliament,*

- having regard to the Treaty of Nice,
- having regard to the Treaty establishing a Constitution for Europe,
- having regard to its resolution of 12 January 2005 on the Treaty establishing a Constitution for Europe <sup>(1)</sup>,
- having regard to the Declaration of 18 June 2005 by the Heads of State or Government on the ratification of the Treaty establishing a Constitution for Europe, at the conclusion of the European Council of 16 and 17 June 2005,
- having regard to the Treaty concerning the Accession of the Republic of Bulgaria and Romania to the European Union,
- having regard to the opinions on the period of reflection delivered by the Committee of the Regions on 13 October 2005 <sup>(2)</sup> and the European Economic and Social Committee on 26 October 2005 <sup>(3)</sup> at the request of the Parliament <sup>(4)</sup>,
- having regard to the conclusions of the European Council of 15 and 16 December 2005,

<sup>(1)</sup> OJ C 247E, 6.10.2005, p. 88.

<sup>(2)</sup> CdR 250/2005 fin, not yet published in the Official Journal.

<sup>(3)</sup> CESE 1249/2005, not yet published in the Official Journal.

<sup>(4)</sup> Items 9.1 and 9.2, P6\_PV(2005)09-06.

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- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Foreign Affairs, the Committee on Industry, Research and Energy, the Committee on Regional Development, the Committee on Agriculture and Rural Development, the Committee on Culture and Education, the Committee on Legal Affairs, the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality (A6-0414/2005), whereas:
- A. the Treaty establishing a Constitution for Europe was signed by the Heads of State and Government of the twenty-five Member States of the European Union on 29 October 2004, and confirmed again by the European Council in its Declaration of 18 June 2005,
- B. the Constitution was drafted by the European Convention which, compared to previous procedures to prepare new treaties, achieved new levels of openness, pluralism and democratic legitimacy,
- C. the European Parliament endorsed the Constitution by a majority of over two-thirds as 'a good compromise and a vast improvement on the existing treaties ... [which] will provide a stable and lasting framework for the future development of the European Union that will allow for further enlargement while providing mechanisms for its revision when needed' in its Resolution of 12 January 2005,
- D. the reforms for which the Treaty establishing a Constitution for Europe provides are intended, inter alia, to cope with the consequences of the enlargement of the Union on 1 May 2004, and the success of this and future enlargements will be in jeopardy unless a constitutional package is ratified,
- E. thirteen Member States<sup>(1)</sup>, representing a majority of the Member States of the Union, have since ratified the Constitution in accordance with their own constitutional requirements, including by means of a referendum in both Spain and Luxembourg,
- F. France and the Netherlands, following referendums held on 29 May and 1 June 2005 respectively, have declined to ratify the Constitution — with the result that the ratification process has subsequently stalled in most of the remaining ten Member States,
- G. under Article 48 of the Treaty on European Union, the Constitution will not enter into force unless and until it is ratified by all Member States,
- H. declaration 30 annexed to the Treaty Establishing a Constitution for Europe, states that 'if 2 years after the signature of the Treaty Establishing a Constitution for Europe, four fifth of the Member States have ratified and one or more Member States have encountered difficulties with proceeding with ratification, the matter will be referred to the European Council',
- I. it is necessary to respect those Member States and their peoples which have ratified the Constitution as well as those which have not, and to analyse carefully the reasons for the negative results in France and the Netherlands,
- J. the No votes appear to have been rather more an expression of dissent at the present state of the Union than a specific objection to the constitutional reforms, but, paradoxically, the result of the Noes is to maintain the status quo and block reform,

<sup>(1)</sup> Austria, Cyprus, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Slovakia, Slovenia, Spain.

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- K. the European Council confirmed this analysis by taking the view, in its Declaration of 18 June 2005, that 'these results do not call into question citizens' attachment to the construction of Europe' but that 'citizens have nevertheless expressed concerns and worries which need to be taken into account'; the European Council therefore decided on a 'period of reflection ... to enable a broad debate to take place in each of our countries, involving citizens, civil society, social partners, national parliaments and political parties'; the heads of government agreed that in the first half of 2006 they would 'make an overall assessment of the national debates and agree on how to proceed',
- L. in that Declaration, the heads of government declared that the ratification process could continue, and also agreed that the original timetable for the entry into force of the Constitution (1 November 2006) would be extended,
- M. the European Council, however, failed to give a clear focus to the period of reflection or to define the methods and the framework for drawing conclusions from this debate, and has since been seen to lack both the political will and the capacity to stimulate and manage the European dialogue,
- N. the European Council in December 2005 charged the Commission with delivering a 'full, wide-ranging review covering all aspects of EU spending, including the CAP, and of resources, including the UK rebate' in 2008/2009,
- O. the period of reflection has started with debates on the context rather than the text, with issues such as the future of the European social model, European economic prospects, the speed of enlargement, the medium term budget and the single market in services, all featuring prominently,
- P. the Commission has published its contribution on the period of reflection with the aim of restoring public confidence in the European Union by supporting national debates and promoting initiatives at community level, but this should not prevent all of Europe's political institutions from making a combined effort or from exercising leadership which takes seriously the strategic importance of the Constitution and the political reality of the preconditions upon which its success depends,
- Q. it is the responsibility of the national parliaments and the European Parliament to play their full part in the period of reflection, in particular through a series of joint parliamentary forums that will 'stimulate, steer and synthesize' the European dialogue <sup>(1)</sup>,
1. Reaffirms its conviction that the Treaty of Nice is not a viable basis for the continuation of the European integration process;
  2. Confirms its commitment to achieving without undue delay a constitutional settlement which strengthens parliamentary democracy, transparency and the rule of law, anchors fundamental rights, develops citizenship, and enhances the capacity of the enlarged Union to act effectively at home and abroad; fears that without such a constitutional settlement it will not be possible for the Union to expect the support of its citizens, to maintain the momentum of integration and to become a credible partner in world affairs; recalls its endorsement of the Treaty establishing a Constitution for Europe as achieving these objectives; calls also on the European Council of June 2006 solemnly to declare the same commitment to a constitutional settlement on the future of Europe;
  3. Acknowledges that the ratification of the Constitution has now encountered difficulties which may prove to be insurmountable unless measures can be taken to meet the concerns expressed in France, the Netherlands and elsewhere;

<sup>(1)</sup> XXXIV COSAC meeting, 10-11 October 2005.

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4. Stresses that it is not possible to further enlarge the Union after the accession of Bulgaria and Romania on the basis of the Treaty of Nice;
5. Recalls that the political problems and institutional weakness that the Convention was set up to address will persist — and, indeed, grow — unless and until the reforms enshrined in the Treaty establishing a Constitution for Europe are brought into force;
6. Notes that many of the concerns expressed relate more to general and specific problems of context than to the text itself; considers that if progress can be made in such issues, it will be easier to find a solution regarding the text;
7. Resists proposals to establish core groups of certain Member States while the constitutional process is still in train; deplores any suggestion that coalitions of certain Member States could be formed outside the EU system; points out that forms of enhanced cooperation should promote the achievement of the Union's aims, preserve its interests and reinforce the process of integration, and be open to all the Member States at any time; also stresses that these possible forms of cooperation should not be implemented to the detriment of the efforts being made to arrive at a Constitution for Europe without undue delay;
8. Warns that a strategy based on the selective implementation of the Constitution risks destroying the consensus that achieved a balance between the institutions and among Member States, thereby aggravating the crisis of confidence;
9. Notes that there are only a limited number of democratic reforms that can be introduced at this stage without treaty change but by revision of rules of procedure or inter-institutional agreement — such as transparency of law-making in the Council, introduction of a form of citizens' initiative, improvements to the comitology procedure, full use of the 'passerelle' clauses in the field of justice and home affairs, and the more rigorous scrutiny by each national parliament of its government's conduct of EU affairs;
10. Proposes to use the current period of reflection to re-launch the constitutional project on the basis of a broad public debate about the future of European integration; resolves that this European dialogue — whose results should not be prejudged — should aim to clarify, deepen and democratise the consensus around the Constitution and address criticisms and find solutions where expectations have not been met;
11. Welcomes the beginnings of a broad debate about the Union's policy direction but stresses that this must take place within the context of overcoming the constitutional crisis, and that policy prescriptions at EU level must relate directly to the rules, powers and procedures of the EU institutions as well as to the competences conferred on the EU by the Member States and should identify the issues that are common throughout Europe;
12. Suggests that this new dialogue, which should be seen as a chance to promote European democracy, should be conducted and coordinated across the Union, structured by common themes and in realistic stages according to an agreed framework for evaluation, and designed to lead to decisive political choices;
13. Insists that the public debate be engaged within both the European and the national framework; warns that narrowly focused national debates will do little to change national stereotypes, and also that an imposed dialogue without political goals would become nebulous, even vacuous, thereby giving rise to increased disaffection on the part of European citizens;
14. Proposes that the European Parliament and national parliaments should jointly organise conferences — 'Parliamentary Forums' — in order to stimulate the debate and to shape, step by step, the necessary political conclusions; will invite the other EU institutions to contribute to the Forums;

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15. Recognises the critical importance for the European Union and in particular for Parliament of avoiding another setback in the constitutional process; commits itself therefore to playing a leading role in the European dialogue in association with the national parliaments, in particular by publishing 'European Papers' on each of the big issues facing the Union, which may be used as a common European template for the national debates and which, together with contributions from national parliaments, should be used as the basis for the deliberations of the Parliamentary Forums;

16. Recognises that it is strategically important for political institutions to encourage a pro-active attitude on the part of the media (in particular television, the press and local radio) and to enlist them for the purpose of publicising and intensifying the debate;

17. Proposes that a first interparliamentary Forum be convened in the spring of 2006, in advance of the June meeting of the European Council, in order to hear parliamentarians, both national and European, the aim being to make comprehensive recommendations to the European Council about how the Union should proceed to find the way out of the crisis;

18. Proposes that the first Parliamentary Forum should identify a limited number of priority questions about the future of Europe and the governance of the Union which should be addressed in subsequent Forums and in the broader public debate, such as:

- i) what is the goal of European integration?
- ii) what role should Europe have in the world?
- iii) in the light of globalisation, what is the future of the European social and economic model?
- iv) how do we define the boundaries of the European Union?
- v) how do we enhance freedom, security and justice?
- vi) how do we finance the Union?

19. Believes that a rich debate on these fundamental issues will open up new perspectives for European integration and prepare the ground for reform of the common policies in those areas where dissension exists;

20. Believes, moreover, that the European dialogue will only overcome the constitutional crisis if it engages not only each EU institution but also national and regional parliaments, local government, political parties, social partners, civil society, the academic community and the media; puts particular value in this regard upon practical contributions from the European Economic and Social Committee and the Committee of the Regions;

21. Requests Member States to organise a large number of public meetings and media debates on the future of Europe — 'Citizens' Forums' — at national, regional and local level, structured along the commonly agreed themes, with the assistance of the Commission; urges the social partners and civil society organisations to get engaged in these debates;

22. Expects political parties to give much more prominence to the European dimension in both their internal debates and electoral campaigning;

23. Would welcome citizens' petitions that contribute to shaping the debate;

24. Urges the Union to give much greater priority to cultural and educational policy in order to give life to the Constitution's formula of 'unity in diversity';

25. Points out that a European dialogue will be impossible without adequate funding;

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26. Suggests that the conclusions of the period of reflection should be drawn at the latest in the second half of 2007, and that a clear decision be reached at that stage about how to proceed with the Constitution;
27. Welcomes the declaration of the German government that it intends to take initiatives with regard to the constitutional ratification process during its Presidency of the Council in the first half of 2007;
28. Notes that there is in theory a number of options available to the Union ranging from abandoning the constitutional project altogether, continuing to try to ratify the present text unamended, seeking to clarify or add to the present text, restructuring and/or modifying the present text with the aim of improving it, or embarking upon a complete re-write;
29. Considers that a positive outcome of the period of reflection would be that the current text can be maintained, although this would only be possible if accompanied by significant measures to reassure and convince public opinion;
30. Welcomes the plans of the Austrian Presidency of the Council to present a roadmap for the reflection period as well as for the future of the ratification process in general;
31. Calls on the members of the European Council to accept both individual and collective responsibility for bringing into force a Constitution for Europe; and insists that they coordinate more closely both the content and timing of the national campaigns and give evidence to the citizen of their political will and mutual solidarity;
32. Takes note of Commission's 'Plan D for Democracy, Dialogue and Debate' (COM(2005)0494), but calls on the Commission not only to deliver its communications strategy but also to show decisive political commitment to help the Union emerge from its current constitutional difficulties;
33. Underlines that Romania and Bulgaria must be involved in all the actions referred to above;
34. Calls upon all civil-society associations and organisations to include the entry into force of the Constitution as one of their priorities for discussion and debate;
35. Demands in any case that every effort be made to ensure that the Constitution enters into force during 2009;
36. Instructs its Committee on Constitutional Affairs to monitor the period of reflection, especially as regards the preparation of the Parliamentary Forums, the elaboration of the working documents ('European Papers'), the summarising of the institutional and citizens' debates, conclusions and the proposals for action that may emerge from them;
37. In this spirit, asks the Constitutional Affairs Committee to work closely with all other committees directly interested in the preparation of the Parliamentary Forums and the drafting of the working documents for them;
38. Instructs its President to forward this Resolution to the members of the European Council, the Council, the Commission, the national and regional parliaments of the Member States, the Committee of the Regions, the European Economic and Social Committee, the former Members of the European Convention, and the parliaments and governments of the accession and candidate countries.