

# Europe Deserves Better

## **MORE DEMOCRACY**

Within all EU member states, laws are passed by elected representatives and consequently all laws can be democratically changed. These representatives are held responsible by the voters and they can be replaced in an election. This is the essence of representative democracy.

All EU Member States are democracies. At the heart of democracy lies the voters' right to choose their rulers.

The proposed EU constitution threatens the very idea of democracy. Certainly, we would still be able to vote, but in many areas, a majority vote in the EU would take precedence over our own national laws.

The EU Commission, where members are appointed rather than elected, has the sole and exclusive right to initiate legislation over which bureaucrats and the Council of Ministers, not the elected Parliament, have the final say.

Why should we therefore vote "Yes" to an erosion of democracy?

Europe deserves better than the current draft proposal for a European constitution. Therefore we reject the constitution as it stands.

We instead propose greater democracy in Europe:

- Every country should appoint a commissioner over whom it has powers of scrutiny.
- Every country should have one vote in the Council of Ministers which is controlled by the national parliament.
- A 75% majority should be required to pass a bill within the EU representing at least 50% of the population.
- All EU laws must also be approved by national parliaments.
- Every national parliament should have the right of veto in vital areas.
- The European Parliament must have the right of veto in all questions. If a bill is blocked, full decision-making powers should revert to national parliaments.
- All legislation should be public and possible to follow on the Internet. All preparation meetings and documents should be open - unless 75% have voted in favour of a derogation closing a meeting or a document which can be controlled by the Ombudsman and the court.

## **LESS CENTRALISATION**

The European Constitution introduces many new areas in which the EU can legislate in place of national parliaments. No vital area would be immune from EU interference.

Majority voting is introduced in many new areas where the national parliaments would therefore be overruled.

Furthermore, heads of government would be able to advance still further and change areas that today require unanimity, so that in the future such decisions would require only majority votes, where other countries could be overruled.

Heads of government could also extend the power of the EU into new matters without referring it back to voters.

The EU must be much closer to its citizens. The European Constitution does the opposite - it centralises even more power in Brussels.

This is why we recommend the rejection of the constitution.

We propose more liberty in the member states, not more centralisation:

- All laws should carry an integrated expiry date after which they would no longer apply unless specifically readopted.
- The 100,000 pages of existing EU legislation should be re-examined so that EU jurisdiction is confined to cross-border issues.
- A real principle of subsidiarity should be introduced. The national parliaments should adopt the annual catalogue of laws and thereafter give the Commission the right to propose a bill.
- All EU Decisions should be rationalised into two different types: laws and recommendations. Laws should apply only in cross-border areas where the member states cannot legislate effectively by themselves; recommendations could apply to matters of national interest.
- The European Court of Justice should be confined to arbitrating cross-border disputes; it should be prevented from legislating beyond the text of the treaties.

## **NO NEW SUPER POWER**

The European Constitution gives the EU a "legal personality" to represent member states in relations with the rest of the world, and in doing so takes over the function of statehood under international law.

Any decision taken by the EU has priority over the democratically decided laws of member states. Even our national constitutions are ignored if they are in conflict with a decision coming from Brussels.

This principle of federal state centralisation is now articulated in Article 6 of the new constitution and furthermore it is the duty of member states to present any matter of dispute to the European Court of Justice.

The EU will get its own Ministry for Foreign Affairs and a joint military force. A President and a joint minister for Foreign Affairs will, together with a joint prime minister - the president of the Commission, represent EU in relations with other countries in the world.

The twenty-five member states will become constituent states akin to the US model, but with less freedom to legislate independently than American states enjoy. Therefore we recommend a rejection of the constitution.

Instead, we propose co-operation between free and independent nations. The world does not need a new superpower.

- EU cooperation should not be based on a constitution but on an agreement between independent countries; a treaty that could be rescinded with two years notification.
- The European Court of Justice and the EU authorities must respect the constitutions of the member states according to the way those constitutions are interpreted by their respective national Supreme Courts or Constitutional Courts.
- A common European foreign policy must not prevent member states from acting independently at international level.
- The military must be kept apart from civilian co-operation in the EU.
- The President of the EU must be abolished in favour of a practical presidency where the duty is undertaken in rotation.

#### **THE EU MUST BE CLEANED UP**

We still have a budget where as much as 10 % of the money paid to Brussels is lost or stolen.

We still have an EU where, the Court of Auditors and the EU Parliamentary Committee on Budgetary Control are unable to effectively control the use of EU funds. The Ombudsman does not have access to all documents.

We have an EU fisheries policy which harms the interests of fishermen and an agricultural policy that is expensive for consumers and taxpayers alike that penalises farmers, harms the environment and impoverishes the Third World.

Money is frittered away in the structural and cohesion funds and in badly-run overseas aid projects.

For these reasons, too we recommend a rejection of the constitution.

We would concentrate on improving the EU's performance in exercising the powers it currently exercises, before bestowing any new ones on it.

#### **FAIR REFERENDUM**

- Referenda concerning the draft proposal for the European Constitution must be held, where possible in all countries on the same day, so that European citizens get the final say in deciding the rules that govern our co-operation.

- The referenda must be fair and free with equal resources allocated to both sides in all countries.
- If a country rejects the constitution, a new and more representative convention must be appointed. This convention would prepare proposals for more democratic rules which can unite us instead of dividing Europeans as the current proposal does.

## **RESPECTING THE RESULT**

If all 25 member states ratify the constitution according to their own democratic procedures, we will respect the people's verdict. But we are concerned that the other side displays no similar intention:

- Several incoming Commissioners have indicated that they will implement parts of this Constitution with or without formal ratification.
- MEPs have expressly demanded that they do so as a condition of their appointment.
- Already, work has begun on establishing an EU foreign ministry and diplomatic service.
- Even before the Constitution had been agreed, let alone ratified, the EU court had indicated that it would rule on the basis of the Charter of Fundamental Rights.

The Referendum Group calls on national governments to accept the verdict of their peoples. If one or more member states vote 'no', the Constitution should be scrapped, and work should begin on a new intergovernmental treaty that would regulate a European Commonwealth of national democracies.

*This alternative vision for co-operation between the European democracies is made by the following members of the European Parliament:*

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