

## [Comment] New EU treaty must be put to referendums

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EUOBSERVER / COMMENT - Is there any real difference between the rejected European Constitution and the new Reform Treaty to be signed off by EU leaders in Lisbon this week?

Legal experts have compared the rejected constitution with the new treaty and found 105 new EU competences in the old version and 105 in the new.

There are 68 new areas for majority voting in the old text, and 68 in the new. There are two less and two more. The net result is the same. If there were good arguments for having referendums on the original EU constitution, they remain the same now.

The two texts are identical in their legal obligations. The same laws that could be decided on the basis of the rejected constitution can now also be decided under the new Reform Treaty.

The name is different, but the content is the same. If I had to choose between the two I would prefer the original. It was at least honest and clocked in at 560 pages. Now it has been turned into 288 pages with amendments to be added to 17 different basic treaties with 2,800 pages.

The new basic treaties will therefore contain around 3000 pages in total. This is French president Nicolas Sarkozy's small and handy "mini treaty".

It can only be read and understood when the amendments are put in context in a consolidated version.

### Professional press spin

I have asked the Commission to deliver a consolidated version. I was told that the intergovernmental conference had decided that a consolidated version shall only be published when it has been ratified by all 27 member states.

Do our high leaders not want the text to be seen or read before it is adopted? Is this the reason why the draft from the legal experts were published last Friday at 17.00pm when all journalists had left for the weekend?

The text was finished the day before. But professional press spin safeguarded against any news in the press that weekend.

Well done - but I would not buy a used car from people acting this way. Their behaviour is argument enough to demand referendums in all member states. Why not have them on the same day across the EU?

The referendum is the only tool to force our own politicians to read what they would otherwise blindly approve as most of them do not know what is at stake.

### Growing democratic deficit

There are 19 areas of small progress where the European Parliament gains influence on existing EU legislation. But there are also 49 new areas where the voters and the national parliaments lose much more influence than is gained in the European Parliament.

The net result is a much bigger democratic deficit.

The European Parliament is still not a real parliament but much more of a council. The legislative function is conquered by civil servants and lobbyists in some 300 secret working groups in the Council. The laws are prepared in 3000 other secret working groups in the Commission.

The non-elected Commission has the sole right to propose new laws. These are voted on in the Council. Amendments from the European Parliament only have a chance to be adopted when they are supported by the Commission.

We, the elected, have a growing influence. But we are still councillors for the non-elected commissioners. In democracy it is the other way around. Non-elected and civil servants advise the elected.

This is why one of my proposals for reform include this basic democratic principle: No law may be passed without the support of a national parliament or/and the European Parliament.

Stop legislation by civil servants and lobbyists behind closed doors.

### Deliberative poll

Last Sunday that simple proposal gained the biggest applause during a panel debate in the European

Parliament with the Prime minister of Bulgaria, Serguei Stanishev, the former first minister of Northern Ireland, Lord David Trimble, and the finance and economy minister of Italy, Tommaso Padoa-Schioppa, before 400 representatively selected European "normal" citizens.

The Jacques Delors think tank "Notre Europe" had arranged a very successful so-called deliberative poll (a poll, where citizens are asked the same questions before and after having inputs such as more facts and debate) with two American academics, professors James Fishkin and Robert Luskin.

There is no doubt about the joint wishes of Europeans outside the government offices.

We want our say on the new treaty in referendums. Some 75% of all Europeans say that in polls. And we also insist on new playing rules where voters can have their real say.

We may disagree on the distribution of powers between member states and Brussels. But all laws have to be passed by elected members we can vote for or against at the next polling day.

The core in democracy is to go for elections, have a new majority and then new laws.

This core is still missing in the new treaty. It is a treaty for the executive. Not for the voters.

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