

DRAFT / PROPOSAL
Statement on the European Constituent Process

2nd International Conference on Direct Democracy
16-18th of September of 2005. Prague

In the 18th of September of 2005, Prague, [the undersigned, attending] the 2nd International Conference on Direct Democracy considering,

- The political process used to generate the “*Treaty establishing a Constitution for Europe*” is not a suitable Constituent Process, significantly apart from the popular sovereignty. The constituent pact between the European citizenship and the emerging European institutions has to be set up by representatives directly elected for such a mandate, and ratified by binding referendum. If the European elites want to agree a constituent pact with the European citizenship, they had better not use treaties among states.
- The article 47.4 of the mentioned Treaty states the so-called European Citizens' Initiative, which is the unique Political Freedom of Direct Democracy allowed by the supposed European Constitution. It is disappointing that the political region, showing off the biggest density of tradition and experience on Direct Democracy, will enjoy only a non-binding collective petition before the European Commission to ask for a legislative initiative. We encourage the effective introduction of real forms of binding popular initiatives for the legislative, abrogative and recall decisions.
- Absence of any form of referendum is a significant fault for a real constituent pact. Also it is worthy to mention the absence of the popular initiative in the constitutional amendment, and particularly the absence of the mandatory referendum to ratify constitutional amendments. Such lacks downgrade the constitutional nature of the mentioned treaty.
- If European elites insist on assigning a constitutional rank for this international treaty, it is a significant fault the unique elected institution, the European Parliament, has a minor role comparing with the European Commission and Council, which are several levels apart from the popular sovereignty. Particularly, lack of legislative initiative, dependence in the legislative processing and a scarce role in the constitutional amendment.

raise following statements on the European Constituent Process:

- We encourage the European elites to restart a real European Constituent Process, setting up an elected Constitutional Assembly and scheduling a binding referendum to ratify it.
- We claim for real and effective Political Freedoms of Direct Democracy to be included in a future European Constitution.
- We call European citizens' attention to watch for a real European Constituent Process, suggesting to concentrate their activism in the website **EuropeanConstituentProcess.Net**