

Speech by Mr Józef Oleksy, Representative of the Sejm of the Republic of  
Poland at the plenary session of the Convention

Brussels, 24<sup>th</sup> of April, 2003

*„Democratic life of the Union”*

Mr President,

Ladies and Gentlemen,

Nowadays, citizens are becoming more and more distant from the Union business. The feeling of non- participation causes in turn the lack of interest. It is just a step to negation therefrom.

That is why we are right to devote part of our debate to the Union democratic legitimacy and transparency of its proceedings. Doubts may arise however as to the place of these provisions in the draft structure. The fact that they mostly govern the status of citizens would indicate that they should rather be linked with civil rights.

Article 33 establishes the principle of democratic equality. Such a term might suggest that a non-democratic equality also exists. Therefore, in my view that provision should read: “principle of equality of citizens”. This provision not only guarantees the above-mentioned equality of citizens, but also provides that they should receive equal attention from the Union’s institutions. It is difficult to infer any sensible legal effects from such a wording. How could that obligation be executed?

Article 34 introduces the principle of participatory democracy. The right of each citizen to participate in the democratic life of the Union is of crucial importance. In that context this provision deserves full support. What lacks here however, is a reference to the principal form of citizens' participation in the public life, namely their electoral rights. I think it would be clear and understandable to formulate those rights in a separate paragraph of article 34.

As far as the European Ombudsman is concerned, it seems appropriate to have his competences and appointment procedure formulated jointly in article 35 following the example of the current article 195. A declarative provision defining the main tasks of the European Ombudsman should not be separated from the regulation of his functioning and appointment procedure.

I fully support the provisions of article 36 and 36 *a* concerning transparency of proceedings of the Union institutions and the protection of personal data. Decisions at the European level can no longer be taken behind closed doors and citizens must have unrestricted access to EU documentation.

The wording of article 37, which defines the status of churches and non-confessional organizations, corresponds in principle to the declaration annexed to the Amsterdam Treaty. Ensuring autonomy and the right to regular dialogue with the Union has to be perceived as a more general trend to include organizations of civil society into the democratic life of the Union. That is why I strongly support such a solution.

Thank you for your attention

