

**CONTRIBUTION OF THE FOREIGN MINISTER, DR RUPEL, AT THE CONVENTION SESSION IN
BRUSSELS ON 24 AND 25 APRIL 2003**

Mr Chairman,

I would like to briefly explain the amendments to the draft articles about the democratic life of the Union that I have submitted, and comment on the article about the Union and its immediate environment.

Article 33: The principle of democratic equality

The proposed text of the article repeats the principle contained in the Charter of Fundamental Rights, which provides for the equality of citizens before European institutions. If this principle is to be emphasised, the equality of Member States should also be stressed. As is evident from the introductory articles of the Constitutional Treaty, the Union is based on both, the Member States and citizens. With a view to making the future Constitutional Treaty concise and transparent I have therefore proposed an amendment regarding the dual principle of the equality of Union's citizens and Member States.

Article 36: Transparency of the proceedings of the Union's institutions

I believe that in ensuring the democratic and particularly the transparent proceedings of the Union's institutions it is very important that the Council performs its legislative function publicly. I consider this formulation to indicate that the Council's sessions in this case are open to the public, and that the documents adopted by the Council in its legislative function are accessible. This formulation furthermore fulfils the requirement of the Laeken Declaration for greater transparency in the proceedings of the Union's institutions.

My amendment thus reads, "The European Parliament shall meet in public, as shall the Council when it is '**ACTING**' as a legislator."

Article 42 – The Union and its immediate environment

I find this article to be very well formulated. The relations of the Union with its immediate vicinity must go beyond ordinary international relations. I consider it particularly important that the objective of the Union's relations with its neighbouring countries is defined in greater detail: the establishment of an area of prosperity and friendly neighbourliness characterised by close and peaceful relations based on cooperation. These are fundamental values of the Union, the role of which includes promoting these values in its vicinity. It is also important that agreements concluded with these countries may contain provisions on reciprocal rights and obligations as well as the possibility of undertaking activities jointly.

Article 46: Voluntary withdrawal from the Union

This is a very important article, reflecting the nature of the European integration process, a process based on the free decision of countries and their citizens to join, voluntarily, the building of a common European home. The Union is based on the voluntary participation of sovereign states in the integration process. This sovereign will cannot be disregarded or "annulled". If a country wishes to withdraw from the integration process, from the European Union, a procedure must be available that provides for the regulation of the relations between this country and the Union. I therefore welcome and support the content of Article 46.

Article F – Procedure for revising the Constitutional Treaty

In my amendment I called for the insertion of an additional paragraph that would incorporate the Convention method. "Our" Convention has proven that this is a very effective method, which could be used every time the Constitutional Treaty is amended. The Convention's

effectiveness has also confirmed its legitimacy. I would consider it a step backwards if we returned to the tradition of only amending the Treaty at intergovernmental conferences. The convention has shown itself to be a successful, democratic and transparent method of seeking solutions to unresolved issues within the Union. It has significantly contributed to reducing the feeling of democratic deficit, and has brought the Union closer to the interested public. The composition of the present Convention has also proved to be the right one. It would therefore be sensible to maintain this also in the future.