

GRAB THE CHANCE NOW AND DEMOCRATIZE THE EU!

Open Letter

An encouragement from the European civil society to our Irish fellow citizens to fundamentally democratize the European Union by a new Referendum on the Lisbon Treaty and to thus clear the way for the necessary constitutional reforms of the Treaty of Nice

Dear EU fellow citizens in Ireland!

1 By its majority vote of “No” at the Referendum of 12 June 2008, Ireland has caused the constitutional reform process of the EU to slow down. From the Continent’s point of view it is hard to see what exactly may have tipped the balance in this case. Irrespective of the specific reasons which may have lead Ireland to such a decision, we too reject the hardly comprehensible Lisbon Treaty because it still does not bring its citizens the long overdue democratization of the Union. This means that even with this so-called “reform treaty” the EU will remain a community whose right does not emanate from the sovereignty of its citizens, but exclusively from their elected representatives of the *parliamentary legislature* and with an even bigger dominance from its executive power – the Commission and the Conference of the Council. In other words: **The EU has so far not been a democratic political system, but a system that patronizes its citizenship.**

2 Of course the elected Parliaments both in the member states and in the Union are indispensable and also contemporary, but their foundation also has to be **sovereign citizenship. Only when the latter is in a position to form its political will on its own initiative, its political self-determination and political freedom will be guaranteed.**

The democratic legitimation of the parliaments results from the process of election in the first place only *overall* for its institutional function as such in the respective composition of persons of a legislature, not however at the same time for the concrete decisions during this period. The legitimation for this arises only from the fact that citizens themselves have the right any time to take initiatives for alternative objectives and to lead these initiatives, if necessary, in a certain direct democratic process [see below under paragraph 4] to a **Referendum**.

3 *The Chance to realize now this fundamental civil right in the European Union is given – if understood correctly – by the result of the Irish Referendum of 12 June.* We could grab this chance, if **Ireland was now to carry out a second Referendum on the Lisbon Treaty** and linked this to the following package deal:

3.1 The current text of the Treaty contains an Article 11. This article suggests that in future it would grant more immediate democracy. In fact and truth, however – as can be realized by reading Article 11 very closely – this is not at all the case. According to this article, it will only be possible in future, with not less than one million signatures from EU-citizens, to invite the Commission “within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.” This procedure does not contain a trace of a free citizen *initiative* right, not to mention the democratic *decision* right. It is nothing else but pure *As-If-Democracy*.

3.2 This is now what is being opposed by the *European Citizen Movement* [“*Europäische Bürgerschaftsbewegung*” (EBB)], which as a consequence to the Irish Referendum takes up a petition of the “*Vienna Appeal*” of the Austrian “*Initiative – Civil Society*” [“*Initiative Zivilgesellschaft*”] dated 15 June 2008. **It aims at replacing Article 11 of the Lisbon Treaty as currently foreseen by a substantially different wording of a new article and to vote on it – simultaneously with the next elections to the EU Parliament – by an EU-wide referendum.**

3.3 So our proposal to the citizens of Ireland now invites them to **carry out another Referendum on the Lisbon Treaty, linking it however to the package deal providing that the currently foreseen Article 11 be replaced by an amended one as set out below, which is to guarantee to citizens their right to political self-determination that may be activated at any time.**

4. ***The wording of the new Article 11 – according to our proposal:***

4.1 The right of the European Union derives from its sovereign citizens. It realizes political self-determination *immediately* by exercising *the extra-parliamentary initiative right, the citizens' petition, the referendum and by the elections* to parliamentary organs of the legislature and the executive power representing them.

4.2 For *the initiative right, the petition and the referendum* the following rules apply:

(a) At least one million citizens may join together to address a *legislative initiative or a general political concern* to the European Parliament [*extra-parliamentary initiative right*]. The latter has to discuss and decide on it according to its rules of procedure within six months. In case of approval by the majority, it becomes valid.

(b) A ***Petition for a referendum*** may be initiated in case the request is rejected by Parliament. The petition's objective is to win over in a *free collection of signatures* at least ten million politically mature citizens in support of the petition. Once this goal is achieved, the petition can be put again on the agenda of the parliamentary legislative authority within a maximum period of six months.

(c) In case the petition is again dismissed, a ***Referendum*** shall follow within no earlier than six months and no later than 12 months. The same goes for the period after the petition, if the Parliament does not act any more in that respect. Whatever is decided by the majority of those participating in the vote shall become legally binding. Another referendum dealing with the same subject can take place at the earliest two years after this decision.

(d) It is of vital importance for the *exercise of these fundamental rights* within the *democratic three-stage life process*, what role is assigned to the *media in forming the citizens' opinion* on the individual issue [***Media Condition***].

This requires appropriate conditions in order to ensure, at least in the second half of the petition and the period up to the referendum, *free and equal information and discussion* on the *pros and cons* relating to the subject placed on the agenda by an initiative. The *institution of an Ombudsrat* shall make the necessary arrangements with representatives of both sides – the supporters of the initiative on the one hand and the media on the other.

(e) The details are determined by law.

5. If the Irish community of rights linked its approval of the Lisbon Treaty to this package deal, then those responsible at the Brussels institutions – the Parliament, the Commission and the Council - would find themselves at a crossroads: either democratization of the EU on the basis of the sovereignty of its citizens or going on as up to now with their political paternalism?

5.1 With a ***self-organized declaration of intention*** for this proposal, Ireland's population with voting rights could mandate their government to submit this alternative to the Conference of the EU Council in December 2008, so as to realize around March 2009 once again a referendum in this respect, in order to allow the EU elections in June 2009 to take place in accordance with the provisions in the Lisbon Treaty and at the same time the referendum on the new wording of article 11.

5.2 **We are convinced that this could be the crucial step for *democratic sustainability* of the EU, which would pave the way for Ireland as well as all the other member states, so as to grant in future to all Europeans united in the Union the right to introduce their ideas, interests and political initiatives as free people into the discourse of democratic agreement in the whole of the EU.**

We very much hope that you recognize in our suggestions the next step which is now due and possible for a fundamental democratization of the EU to the benefit of all members of the community and that you will contribute your particular share so as to enable us to grab the chance together.

For the initiative "Impulse21"

LV Julija Dobrovolksa, D Peter Frank, D Werner Grauberberger, L Alfred Groff, D Wilfried Heidt, A Ines Kanka, A Martin Koch, N Timm Lemcke, H Miklós Lendvay, D Gerhard Meister, NL Sabine Münzebrock, D Elfriede Nehls, H Zsóka Pathy, A Gerhard Schuster, A Tassilo Seidl-Zellbrugg, NL Loes Swart, D Uwe Scheibelhut, H Maria Scherak, D Herbert Schliffka, D Rolf Schiek, F Franck Torrin, D Stefan Vey, A Josef Zeisel, D Carmen Ziegler

Declaration of Intention (Expression of Will)

1. The Problem

The majority of the participants to the Referendum on 12 June 2008 concerning the question of replacing the Treaty of Nice on the European Union by the so-called Lisbon “Reform Treaty“ has voted with “No”. Now this decision has caused the further integrational process of the EU to come to a standstill, for the EU provision establishes that approval of all the member states is necessary for the new Treaty to come into force.

In the last few weeks the Irish have been criticized by many because of their “No”. For instance the German MEP *Jo Leinen* [SPD] said that at the next summit meeting of the Council in Brussels mid October it would be necessary to “get down to brass tacks” with them. It was out of the question that just for *one single* member the whole reform process should come to a stop.

For months a solution has been sought to break this deadlock, because up to now the Irish government seems to have believed – which would be quite understandable – that it was not possible to repeat the referendum simply hoping that it might lead to another result. Probably they are now busy considering what “special provisions” might be granted to Ireland for obtaining its approval. But could this be the only concern to solve the deeper problem?

2. The Task

In this situation the initiative “*Impulse 21 - European Citizen Movement*” [“*Impuls21 – Europäische Bürgerschaftsbewegung (EBB)*“], which has been advocating for years the democratization of the European Union, submits to the government of Ireland the proposal to carry out another referendum by March 2009 which should be bound, however, to the package deal requiring the EU to bindingly accept – as suggested by “Impuls21” – **that a voting by the EU citizens on the alternative wording of the currently foreseen Article 11 of the Lisbon Treaty should be carried out simultaneously with the EU parliamentary elections in June 2009.**

What would be decided by this voting, according to EBB’s proposal, has been set out above. In order to let the Irish government know who of the eligible voters of the country supports this proposal, we will attach to the above information a **Declaration of Intention**. Whoever wishes to join in should send the *Voucher* to the Irish government, to the attention of Prime Minister *Brian Cowen* (copy to “Impuls21-EBB” ireland@impuls21.net). It is also possible to join in the Declaration of Intention via internet: www.impuls21.net/ireland

Declaration of Intention (Expression of Will): To the Government of the Republic of Ireland!

1. As a citizen of the Republic of Ireland I call upon the Government to submit to the Parliament, the Council and the Commission of the European Union, as an expression of political will of the Irish community of rights, the proposal to allow for a **Referendum** to take place simultaneously with the elections to the European Parliament.
2. The subject to be decided upon by the democratic sovereign of the EU, its community of rights, is an **amended version of Article 11 of the Lisbon Treaty**, which is to follow the Treaty of Nice so as to ensure the European Union’s capacity to act. This requires also the approval of Ireland.
3. *For this approval, the future EU has to be constituted on the sovereignty, i.e. the political self-determination of its citizens, which may be activated at any time.* To make this possible is the aim of the new wording of Article 11 of the Lisbon Treaty as set out above, the provisions of which would allow in future also ideas and initiatives for the development of the community originating outside parliament to come to fruition.

Name: Address:

Date: Signature: