



PROPOSED RESOLUTION REGARDING THE ELECTION OF A CONSTITUENT EUROPEAN PARLIAMENT IN 2024

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Having regard to

– the Ventotene Manifesto of 1941

– Article 21(3) of the ECSC Treaty of 1950, and subsequently Article 138(3) of the EEC Treaty of 1957, providing that their Parliamentary Assembly "shall draw up plans for elections by direct universal suffrage in accordance with a uniform procedure in all member States"; that this not having been done, the governments adopted in 1976 the act allowing the first election of the European Parliament by universal suffrage in 1979, regulating the representation of citizens in a progressively proportional way, with a minimum threshold of six members per member State and a ceiling of 96 seats, which provision became Article 14(2) TEU; that this article, in contradiction with the values, in particular that of equality, which appear since 1999 in article 2 TEU, perpetuates the fact that the electoral weight of a Maltese or a Luxembourger is twelve times higher than that of a German, if at least they are old enough to vote, because eligibility is acquired at 18 years in 14 member States; at 21 in 10 others; at 23 in Romania and at 25 in Italy and Greece; that European citizenship (Art. 20 para. 2b TFEU) allows to vote in the country of residence, if it is part of the EU, in accordance with the rules in force in that country (Council Directive 93/109/EC); that citizens residing abroad can vote either in their own country of citizenship, or by post, or at their Embassy, or even electronically, while however Bulgarians, Greeks and Italians can only do so from a EU member State, which is forbidden for Czech, Slovak, Irish and Maltese citizens; that, contrary to what prevails elsewhere, voting is compulsory in Belgium, Bulgaria, Luxembourg, Greece and Cyprus; that the right to vote is acquired everywhere at 18, except in Austria where it is 16;

– article 14(2) TEU, that does not provide for an electoral threshold, and to the fact that Cyprus has a threshold of 1.8%, Greece 3%, Italy, Austria and Sweden 4%; 10 countries have a threshold of 5%;

– the fact that in most member States, though not in France, Germany, Spain, Hungary, Romania and Portugal, electoral lists drawn up by the different parties are in competition and voters have to vote for a single candidate; that in Luxembourg, on the other hand, voting for several candidates from competing lists is allowed, that in Belgium, Ireland, Italy and Poland, the electoral college is divided into constituencies and that Ireland and Malta practice a single transferable vote in a multimember constituency election;

– Article 9 of the Treaty on European Union (TEU) that provides: "In all its activities, the Union shall observe the principle of the equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and agencies; that every citizen of a Member State shall be a citizen of the Union";

– the judgement of 30 June 2009 of the German Federal Court in Karlsruhe, which ruled that: " The representation of citizens in the European Parliament is not linked to the equality of citizens of the EU (Article 9 TEU), but to nationality; a criterion which is, in itself, an absolute prohibition of distinction for the EU. [...]. The EU thus finds itself in a contradiction of values with the basis of its self-image as a citizens' union, which can only be explained by the character of the EU as an association of sovereign States" and

42 that "even after the entry into force of the Treaty of Lisbon, the EU [lacks] a political decision-making body
43 established by equal election of all citizens of the EU with the ability to represent the will of the people in
44 a uniform manner "; that, as a matter of fact, the elections to the European Parliament have never respected
45 democratic principles or the provisions of the fundamental treaties;

46 – the Laeken Declaration on the future of Europe of 15 December 2001;

47 – the Manifesto Our federal Europe: sovereign and democratic launched on 9 May 2021 by the Spinelli
48 Group, the UEF and the European Movement International (EMI); – Article 48 of the Treaty on the
49 European Union (TEU);

50 – the resolution adopted by the UEF Congress: Our Federal Europe, Sovereign and Democratic on 4 July
51 2021;

52 – the resolution of the European Parliament of 4 May 2022 on the follow-up to the conclusions of the
53 Conference on the Future of Europe;

54 – the report of 9 May 2022 on the final outcome of the Conference on the Future of Europe; – the
55 resolution of the European Parliament of 9 June 2022 on the call for a convention on the revision of the
56 Treaties;

57 – the resolution "A Federal European State, the prerequisite for an efficient European defence and a
58 continental geopolitical responsibility" adopted by the Federal Committee of the UEF on 10 July 2022;

59 – the Proposal of a Manifesto for a Federal Europe: Sovereign, Social and Ecological, adopted in Ventotene
60 on 29th of August 2022 by the Spinelli Group;

61

62 **whereas**

63 A. in 2023 we will celebrate the 75th Anniversary of the European Congress that took place in The
64 Hague in May 1948,

65 B. the current Treaties entered into force on 1 December 2009 and during these years the Union has
66 poorly faced unprecedented transnational challenges as financial, economic, and monetary crisis,
67 uncontrolled migrations, climate change, Brexit, Covid-19 pandemic or the blatant aggressive invasion war
68 of Russia against Ukraine,

69 C. the Convention on the Future of the European Union, established by the European Council in
70 December 2001 following the request of a Constitution by the Laeken Declaration eventually only
71 delivered a so-called "Constitutional treaty", which constitutes an oxymoron,

72 D. on 9 May 2022 the Conference on the future of Europe finished its work and presented its
73 conclusions, including legislative proposals and the call for a convention,

74 E. in addition to legislative proposals, the opening of a process of institutional reforms is needed to
75 provide Europe with a federal, effective and democratic governance,

76 F. after the adoption of the European Parliament's resolutions of 4 May and 9 June 2022, the Council has
77 delayed the transmission of the activation of article 48 of the Treaty on the European Union (TEU) to the
78 European Council until at least spring 2023;

79 **considering that**

80 – even if a majority were to emerge in the Council of the European Union for the activation of the
81 article 48 TEU in favour of reforming the Treaties, it would be very difficult to hold it in a pre-election
82 year,

83 – while 17 Member States have already expressed their opposition to the amendment of the current
84 Treaties,

85
86 **the Federal Committee of the Union of European Federalists (UEF), meeting in Brussels,**
87 **Belgium on 10 December 2022:**

88 1. calls on the European Parliament to adopt a constituent role and propose a European federal
89 Constitution;

90 2. proposes therefore that, in order to improve its legitimacy, the European Parliament adopts, preferably
91 before the 2024 elections, a European law setting the age for acquiring the right to vote, the electoral
92 threshold, the voting system, and a criterion for equal representation of citizens, for example, for each
93 region — state — canton, from 1 to 1,000,000 citizens or inhabitants, one Member of the European
94 Parliament; from 1,000,001 to 2,000,000 citizens or inhabitants, two Members of the European Parliament;
95 etc

96
97 ... / ...

... / ... **Explanatory statement**

Since 1952, the European Parliament has been the citadel of European democracy, a public space for the defense of fundamental rights and for the construction of a united Europe based on solidarity. As a meeting place for the great European political cultures, the European Parliament has acquired over the past seventy years a growing influence and legitimacy in the continent and in the world.

As early as 1952, the ad hoc Assembly, which emerged from the ECSC European Parliament, was explicitly charged by the governments of the Six with writing the Basic Law of the European Political Community. This was supposed to create the democratic framework necessary for the establishment of the European Defense Community.

Since its election by direct universal suffrage in 1979, the European Parliament has taken on the task of paving the way for ever closer integration among the peoples of Europe by adopting the draft Treaty establishing the European Union. On the eve of a process that will be destined to unite all the democratic countries of the continent, the European Parliament elected for the tenth time in 2024 must at last assume the mission of completing the federal finality of community integration with the writing of a draft constitution to be submitted to the sovereign peoples within the framework of a pan-European referendum. The architecture of a united Europe that puts an end to the division of the continent will thus be completed by a truly democratic path to promote peace, security, and international cooperation.

Meanwhile, for the activists in the Union of European Federalists, the duty is to state their objectives, fundamentally democratic in principle, sincerely, in all clarity and – without suspecting or willing to hurt anyone – in all intellectual honesty, without taking side roads: those objectives have to be expressed plainly.

An international treaty is but an inter-governmental treaty. A constitution is a pact between enlightened citizens who, one by one, are asked for their opinion and who commit themselves to respect the opinion of the resulting majority.

At European level, just as at any other level — local, regional, “national” — the European citizens have to fully democratically elect dedicated representatives and openly assign them an explicit remit. The remit of the governments of the “national” States, which they are citizens of, is only valid at that level, to run those States. Therefore, they cannot speak on their behalf at another level. That remit does not include the preparation in the stead of the citizens – even a draft – of a pact between them such as a European constitution that, following, they would be asked to ratify (or not) as they have to be. On another ground, the interactions and interferences between the different levels, such as between the European level and one of the member States, have to be tackled by specific senate-like institutions.

Moreover, whether or not a convention comes into being, a few changes to existing treaties – three are often quoted, but at least one (waiving their right of veto) has no chance of ever being accepted by the member States governments within an inter-governmental framework. This is not a question of betting on the future of a convention but of recalling fundamental principles. Honestly, a “constitutional treaty” is an enormous oxymoron, deprived of any concept. That is why an inter-governmental agreement will not pave the way to a constitution, never ever. The citizens themselves, with or through their legitimate representatives, cannot give up keeping in charge of the task.

We cannot and we must not deceive the citizens. If we do, we will finally, perhaps definitely, convince them that the European project is a sham. And this without mentioning the fact that the very future of European unity is already at stake, and seriously so.



AMENDMENT FORM

Deadline for amendments to the proposed resolutions: 12:00 (CET) 28 November 2022

Completed forms should be sent to: secretariat@federalists.eu.

Please fill out **one table per amendment and one amendment form per resolution**. Do not add rows or columns to the tables.

Your Name:	
Number of the proposed resolution that you would like to amend (e.g. I.I.):	

Line number(s):		
	Original text	Amended text
Explanatory statement (optional):		

Line number(s):		
	Original text	Amended text



Explanatory statement (optional):	

Line number(s):	
Original text	Amended text
Explanatory statement (optional):	

Line number(s):	
Original text	Amended text
Explanatory statement (optional):	

For further amendments to the same resolution, please add further tables as required.