



Bulgaria's Presidency of the Council of the European Union

A CATHOLIC CHURCH REFLECTION ON THE PRESIDENCY PRIORITIES

March 2018

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“Bulgaria serves as a bridge between Western Europe and Southern Europe, like a kind of spiritual crossroads, a land of contacts and mutual understanding. Here the human and cultural wealth of the different regions of the Continent have come together: they have been welcomed and respected.” (Saint John Paul II, 2002)

1. BULGARIAN PRESIDENCY IN TIMES OF CHALLENGES AND OPPORTUNITIES

The Bulgarian Presidency of the Council of the European Union takes place at a time when Europe is facing a number of **challenges**. They might, however, open up new **opportunities** as well.

On the one hand, the current times are marked by **significant changes generating fears and uncertainties** among European citizens. The challenging process of separation and redefining the relationship with the United Kingdom is under way. Also in other places in Europe and worldwide tendencies to disintegration and isolationism can be observed. Although countries across the Union are recovering from the consequences of the financial and economic crisis, many citizens, especially young people, have the feeling of being socio-economically excluded and left behind. Globalisation has failed to take into account the social, political and ecological consequences that **affect the everyday lives of people in Europe and worldwide**. Changes in the area of work accompanied by **digitalisation** and **robotisation**, changes in our way of life attributable to **environmental degradation**, changes in our **cultural self-understanding**, not least through an **increasing pluralisation of our societies**, even changes touching upon the very **understanding of our humanity** have left people with fears and worries as well as expectations and hopes. The failure to adequately respond to these challenges has led to a **decrease of trust in traditional political actors** and institutions, while populist and Eurosceptic attitudes have been gaining on strength.

In his [address to the European Parliament](#), Pope Francis described the European Union as giving “*the impression of being somewhat elderly and haggard*”. The EU Presidency of Bulgaria - as one of the EU’s youngest members – may provide the Union with a new perspective and impetus to **tackle these challenges and transform them into opportunities**. The present situation indeed offers an invitation to *re-think* Europe. The current times require a profound transformation of the European economic systems as well as of consumption behaviours for the benefit of the people, especially the poor and marginalised. Initiatives focusing on low carbon, circular and digital economy can provide opportunities in this respect. Promoting internal consolidation of the Union and fostering social cohesion within and among Member States may allow the European Union to grow again in size and play its global role as a “*source of development*” and “*promise of peace*” as [recently stated by Pope Francis](#).

In the framework of Art 17 of the Treaty on the Functioning of the EU¹, the Commission of the Bishops’ Conferences of the EU ([COMECE](#)), together with its local member Bishops’ Conference and in ecumenical cooperation, traditionally meets with the respective Presidency of the Council of the EU in order to exchange perspectives on the Presidency priorities in the hope to provide the responsible policy-makers with some reflections for orientation and recommendations for action.

¹ See also further below under i) *Dialogue ex Art 17(3)TFEU*.

2. A REFLECTION ON SELECTED PRIORITIES

Bulgaria defined [four major priorities for its Presidency](#): “*Future of Europe and Young People*”, “*Western Balkans*”, “*Security and Stability*” and “*Digital Economy*”.

COMECE and the Bulgarian Bishops’ Conference present the following reflections on selected priorities of the Bulgarian EU Presidency and other issues, which are also of great concern to the Catholic Church.

A) Future of the European Union

The Catholic Church supports the process of European integration since its very beginnings as a project of peace and prosperity for all its members. When receiving the Charlemagne Prize, [Pope Francis highlighted three main features](#) that should help the European Union to find its future direction: “*the ability to integrate, the ability to dialogue and the ability to generate*”.

Integrate| Europe’s identity has always been dynamic and multicultural, rooted in the continent’s very own ability to integrate those crossing its borders and joining the community. At a recent Dialogue organised by COMECE together with the Holy See², [Pope Francis underlined](#) that this process enables not only to discover the common European, but also a person’s specific identity: “*By interacting with others, each one discovers his or her own qualities and defects, strengths and weaknesses*“. While striving for an **inclusive community**, Pope Francis stressed “*inclusion does not mean downplaying differences. On the contrary, a community is truly inclusive when differences are valued and viewed as a shared source of enrichment.*” We share with our ecumenical friends from the [Conference of European Churches the belief](#) that “*we should **not be afraid of differences** and that ‘unity in diversity’ can be a successful formula if we focus on common concerns, respect and even treasure different identities by providing space for diversity and focusing on that which unites us*”.

Dialogue| On the basis of one’s own identity, a process of dialogue is necessary in order to “*rebuild the fabric of society* “. In this regard, [Pope Francis encouraged Europe](#) “*to be first and foremost a place of candid and constructive dialogue, in which all participants share equal dignity. We are called to build a Europe in which we can meet and engage at every level*”.

Generate| As [Pope Francis recalled](#), “*Europe is not a mass of statistics or institutions, but it is made up of people*”. Therefore, to give Europe a new impetus, the European Union should rediscover its focus on **person and community** through a process of dialogue, inclusion, solidarity, development and peace. “*The **family**, as the primordial community, remains the most fundamental place for this process of discovery*”. Once Europe rediscovers itself as a community, “*it will surely be a source of development for herself and for the whole world*” by promoting **integral human development** – the empowering development of all the people and of the whole person.

² COMECE recently organised in cooperation with the Holy See a Dialogue with 350 Church and EU political representatives to contribute to a constructive reflection on the fundamental challenges faced by the European project and on the way forward. More information on this Dialogue and the contributions of the participants can be found under: <http://bit.ly/2xQgHHI> .

B) Young people - European Solidarity Corps

Context| In December 2016, the European Commission launched the [European Solidarity Corps \(ESC\)](#), which aims to **enable young people to engage in an organisation for 2-12 months and work for projects that promote solidarity in the EU**. While more than 45,000 young people have registered for the programme and 1,500 participants have obtained a placement, the European Commission has proposed the **legal and financial framework only in May 2017**. The [proposed regulation](#) foresees to allocate 342.5 million euros to the new scheme over the period of January 2018 to December 2020 and seeks to provide opportunities for young people to engage in solidarity projects by offering them either (1) a voluntary placement, (2) a traineeship or (3) an entry-level job. Apart from the individual programme, it also allows entire groups to apply for voluntary services (volunteering teams) or implement together a solidarity project at local level on their own initiative.

Assessment| On behalf of the Catholic Church in the European Union, COMECE [supports the European Solidarity Corps](#) as it enables young people to strengthen their critical role in society. *“With their dreams and their lives, young people are forging the spirit of Europe”*, underlined **Pope Francis** [when accepting the Charlemagne Prize in 2016](#), and he called to offer young people possibilities to become the protagonists for change and transformation in society. **As a complement to already existing programmes, the ESC can help the young to take up this role in lending their “own personal efforts for the good of the community in general and, in particular, for the good of the weakest and neediest”**. While COMECE welcomes the recent agreement on [the general approach of the Council](#), especially the **budget increase to 443.5 million euros** and **the expansion of the geographical scope to EU neighbouring countries**, it would like to propose the following recommendations.

POLICY RECOMMENDATIONS:

- **Build the Solidarity Corps on a clear objective.** While the new youth scheme should be open to all young people in the EU between 18-30 years, especially to those with fewer opportunities, it should focus on the **clear objective of promoting European solidarity among the young**. COMECE therefore recommends **incorporating a solidarity definition** into the proposed regulation, which emphasises the meaning of solidarity as a determination to commit oneself to the common good without consideration of return service.
- **Focus on volunteering activities.** As a consequence of the first recommendation, COMECE supports [the proposal of removing the employment part from the programme](#). **Voluntary services and traineeships/job placements pursue two different goals** (engaging for the common good vs. gaining work experience) and intermingling both could lead to a situation, in which voluntary services are misused to replace labour with unpaid work. Moreover, [as the French Bishops’ Conference stressed](#), *“[if] civic volunteer service helps foster their sense of community, it is not rewarded with [...] guaranteed work, therefore it should not exempt societal actors from their responsibility to the young generation.”* The EU, on the other hand, has already programmes in place, such as the **Youth Employment Initiative and the Youth Guarantee**, which aim to (re-)integrate young people into the labour market. A European Solidarity Corps

that focuses also on the promotion of employment among the young would thus duplicate existing structures at EU level.

- **Allow sending and receiving organisations to play a pro-active role.** The Catholic Church and its affiliated organisations have a long tradition of working with young volunteers. Sending and receiving organisations are playing a vital role in the voluntary services of the Church and its organisations. It raises therefore concerns that [according to the proposed regulation](#), the ESC shall become a “single entry point to high quality volunteering and occupational solidarity”. Yet, most young people select a specific organisation because they feel attached to it. Based on the example of the [Charter of the European Voluntary Service](#), the new regulation should therefore specify the division of tasks and duties between the sending and receiving organisations.

C) Western Balkans - a credible European perspective

Context| The countries of the Western Balkans have a particular historical and geographical link with Bulgaria. They also have a **specific relationship** with the European Union in the framework of the Enlargement policy. Whereas accession negotiations have been opened with Montenegro and Serbia, also Albania and “The Former Yugoslav Republic of Macedonia” have official candidate status. Bosnia and Herzegovina which submitted its membership application only recently and Kosovo³ are “potential candidate countries”. Since the last EU enlargement involving a country from the Western Balkans’ region – Croatia - in 2013, there seems to have been a certain **enlargement fatigue** which has been reinforced by the variety of crisis challenging the EU internally and externally. With reference to lasting political problems, burdens from a violent past as well as [socio-economic challenges and shortcomings](#) in terms of rule of law or public administration, the current European Commission [deferred the prospects](#) of EU membership for the countries of the Western Balkans further into the future. The recent developments - especially the publication of the [strategy for a successful EU accession of Western Balkans countries](#) as well as a particular focus on the region laid by the Bulgarian Presidency with the [May 2018 Summit meeting in Sofia](#) - are **positive signs for a reaffirmation of a European perspective and commitment** towards these countries of South-East Europe.

Assessment| As it is proven by the history of the European integration project, a credible accession process can foster the [resilience](#) of countries, societies, communities and human persons and thus contribute to **sustainable development** and **peace** on the European continent. In order to be **credible**, the enlargement policy of the EU must **deliver on its promises** and engage in a **fair partnership** with the countries aspiring for EU membership. EU accession is a **two-way process** that also requires **strong political commitment** to reforms by local leadership with a **broad and inclusive participation of all stakeholders** at and across different levels and sectors (involving local, national and regional stakeholders as well as state and non-state actors, including civil society and Churches). The Apostolic Exhortation [“Ecclesia in Europa”](#) underlines that Europe is

³ This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

more than just a “geographical area“, and that the European Union cannot be reduced merely to its **economic dimension**. Therefore, a credible European integration process should also encompass the engagement to fully respect the rule of law, protect citizens’ fundamental rights and show **full commitment to the founding principles** of the European unification project.

POLICY RECOMMENDATIONS:

- Promote **people-to-people contacts** within the region and strengthen **exchange programmes** between the region and the countries of the European Union at and across different levels (students, professionals, entrepreneurs, academics, scientists,...)
- Focus on **people- and community-centered measures** and promote the creation of **opportunities to empower** especially young people, families and local communities to take active part at all levels of economic, social and political life
- Elaborate a **Roadmap for all countries of the region** with time frames and concrete commitments on both sides with a view to a successful and mutually beneficial European integration process

D) Whose Security, whose Defence?

Context| With unceasing violent conflicts, not least in Europe’s neighbourhood and the repeated terror attacks, security has become a **major concern for people** in Europe and worldwide. A **feeling of insecurity** is moreover fueled by growing economic inequality, a lack of future prospects, as well as environmental degradation. Digitalisation and globalisation have not only brought innovative solutions but they are also opening up **new cross-border vulnerabilities**. On the international scene, **changes in geopolitical balance** can be observed, marked by eroded trust and lack of predictability. Following the [EU Global Strategy on Foreign and Security Policy](#), the European Union has recently launched a number of initiatives⁴ to foster the **security and defence cooperation** between Member States as well as to strengthen the links between **external and internal security**⁵. Several of these initiatives, notably the operationalisation of the Permanent Structured Cooperation (PESCO), implementation of the European Defence Fund as well as actions addressing terrorism and cybercrime will need to take further shape during the Bulgarian Council Presidency.

Assessment| From the perspective of COMECE⁶, these actions should primarily focus on enhancing the **security needs and concerns of people** and promoting **sustainable peace**. They thus have to be founded on **clear long-term objectives** oriented towards **human security**. Given the complexity of internal and external security challenges, defence should be understood as a **global concept** and embedded in an **authentic European Peace policy**. **Defence technology research**

⁴ In particular, can be mentioned the [Military Planning and Conduct Capability](#), the [Coordinated Annual Review on Defence](#), the [Permanent Structured Cooperation](#) or the [European Defence Fund](#).

⁵ In particular can be mentioned measures aiming at *improving information exchange, criminalisation of new forms of terrorism, reinforced controls at external borders* or *tackling terrorism financing*.

⁶ Cf. COMECE, “Whose Security? Whose Defence?” (2017), <http://bit.ly/2rYgPCg>, and COMECE, “Europe’s Vocation to Promote Peace in the World” (2016), <http://bit.ly/2ccV4o9>

and development initiatives should be fully in line with the **international legal obligations** of the EU and its Member States, and comply with the requirements of **proportionality and adequacy**. Cybersecurity and counter-terrorist measures should fully respect **the rule of law** and citizens' **fundamental rights**. In view of **Brexit** and its implications for the **post-2020 Multiannual Financial Framework**, there is a need to find an **adequate balance** for allocation of resources for security and defence without undermining other fields of EU's External Action, notably **development cooperation**.

POLICY RECOMMENDATIONS:

- Launch **inclusive, multilevel and cross-cutting dialogue processes** involving all stakeholders (civil/military, state/non-state actors, including civil society and Churches, etc.), with a view to achieve a **shared analysis** of security **challenges** and **opportunities** for a common engagement
- Effectively **link and integrate** initiatives, such as PESCO and the European Defence Fund, **with other external and internal policy instruments**, including in areas of humanitarian relief, diplomacy, development, trade, economic, social, energy and climate policies in order to foster **human security** and **sustainable peace**
- Ensure that the **European Defence Fund** focuses on addressing **new security vulnerabilities**, in particular in the cyber realm, and **prohibits research in ethically problematic technology**, such as lethal autonomous weapons; in this regard, **EU Guidelines for defence-related research and technology** could be developed.

E) Migration

Context| The EU has moved from a “crisis mode” in dealing with migratory pressures to a **reinforcement of the external dimension** of its migration and asylum policies. In this context, the joint declaration setting out the [EU's legislative priorities for 2018-19](#) signed by the Estonian Prime Minister Jüri Ratas, the President of the Parliament, Antonio Tajani, and the President of the Commission, Jean-Claude Juncker on 14 December in the margins of the meeting of the European Council, will frame the work of the EU institutions in this policy areas. It foresees the reform and developing the migration policy in a spirit of **responsibility and solidarity**, with the reform of the [Common European Asylum System](#), including the [Dublin mechanism](#), and the [legal migration package](#). The **security dimension** of migration includes ensuring Member States' authorities know who is crossing common external borders, interoperable EU information systems for border and migration management.

Assessment| The Catholic Church promotes a **people-centred approach to migration** with full **respect for fundamental rights** of persons, in a **holistic and comprehensive** understanding that includes the **need to address the root causes of migration** to allow **human persons** to make effective their **primary right to remain in their homeland**, and to have sufficient means for a dignified life for oneself and his or her family. When this is not possible, people have the right to migrate to those countries where the resources are available to have that dignified life. At the same time, States are entitled to control their borders in a humane way, respecting the fundamental

rights of every human person. Hosting societies' rules have to be respected and their traditions appreciated by migrants and refugees. On the other hand, there is a legitimate public interest in making the **legal distinction between an asylum seeker looking for international protection and other migrants**. In this respect, international and EU legal frameworks are different for both categories of persons moving to other country. Irregular migrants are human beings full entitled to have their fundamental rights respected in all stages, including when they are return to their home countries. **International cooperation must be intensified** to address the needs of the persons who either look for a dignified life or for international protection. **Solidarity should be always in harmony with the responsibility** towards people concerned, either in countries of destination, transit or origin.

POLICY RECOMMENDATIONS:

- Intensify the partnerships with third countries, in particular from Africa, in order to **make real the right of individuals and their families to live in their home countries** with a dignified and sustainable way.
- Address the possibility to open legal channels **also for low skill workers**, matching the needs of destination countries, through **promoting circular migration**.
- Fully respect the **right to family reunification** without procedural overburdening or unduly extending the time for the reunification of family members. Attention to be paid to those **relatives who are dependant of the sponsor**.
- Give due consideration to mixed **influx of refugees and migrants** to Eastern European EU Member States from neighbouring countries.
- **Avoid criminalising irregular migrants**, full respect of their **fundamental rights and humane treatment in return procedures**.
- Set up guidelines to **address persons seeking asylum on religious grounds** to avoid misleading questionnaires and procedures not related to the religious experience, in particular of new converts.
- Promote **partnerships with Churches and religious organisations** as well as other grass rooted entities to set up diverse forms of **resettlement schemes**.
- Make clear the distinction between **genuine humanitarian aid by non-state actors and smuggling irregular migrants**, avoiding that the [Facilitation Directive](#) could bring the criminalization of genuine humanitarian aid to irregular migrants.

F) Future of Work

Context | The world of work faces transformative changes. Already in 1981, Saint Pope John Paul II referred in his encyclical [Laborem Exercens](#) to the new developments shaping the labour market, such as **automatisation, robotisation** and the **accelerating globalisation**, which “*will influence the world of work and production no less than the industrial revolution of the last century*”. As the speed and complexity of these underlying trends have increased, **digitalisation, artificial intelligence** and **the need for an ecological transition** have emerged and gained in importance as transformative drivers of a changing world of work. Together these forces shape the world of work affecting the society as whole, but in particular the **young people, families and citizens engaged in society**. It amplifies the [trend of job polarisation](#) as it puts routine-task occupations of the middle class at risk. In addition, the **emergence of new forms of employment** is transforming our understanding of work and leads to a further flexibilisation of the labour market. This undermines the job security of young people and therefore often prevent them to start their life. Finally, the spread and use of new technologies has gradually **blurred the lines between private and professional life**, which comes with opportunities, but also risks for life in family and society.

Assessment | While the political discourse is often focused on the question on how people can adapt to the changes in the labour market, we encourage the European Union to assess how policies **can shape the aforementioned trends so that they come for the benefit of all people and the society as a whole**. COMECE therefore welcomed the wider initiative of the [European Pillar of Social Rights](#). Both the transformative changes in the world of work as well as the persistent economic and social divergence [require concerted actions at European level](#). While COMECE together with its ecumenical partner, the Conference of European Churches (CEC), welcomed the inter-institutional agreement [in a joint statement](#), both institutions encourage the European Union as well as its Member States to take the following recommendations into considerations.

POLICY RECOMMENDATIONS:

- **Translate the high-level consensus of the European Pillar of Social Rights into concrete actions and steps** so that it will be for the benefit of all people residing in the EU. In a time of the emergence of new forms of employment, the EU labour law needs to be adapted to the changing realities. COMECE therefore encourages widening the scope of the [Written Statement Directive](#) to cover all categories of workers, including platform workers, temporary agency workers as well as on-demand and voucher-based workers as suggested by the Commission proposal.
- **Build the discussion and negotiations on the future [Multiannual Financial Framework \(MFF\)](#)** on the high-level commitment of the European Pillar of Social Rights. Without financial support and social investment policies, the principle of the Pillar will remain a declaration rather than a policy instrument.
- **Rebalance the objectives of the European Semester.** [The annual cycle of policy coordination](#) should support the implementation of the European Pillar of Social Rights and unite fiscal, economic and social EU policy. The EU should strengthen the role of Churches and

church- as well as faith-based organisation and civil society at large, as their experience of everyday social work will contribute to the implementation of the recommendations.

- **Recognise families as key actors in the society.** In rearing and caring for their children, parents provide a vital task for the society and the **proposed [Work-life Balance Package](#)** should support them by encouraging the take-up of leave arrangements and flexible working arrangements. COMECE supports this initiative, in particular the introduction of the carers' leave.
- **Protect Sunday as a weekly day of rest.** In times of digitalisation, the boundaries between private and work-life become increasingly blurred. COMECE therefore encourages reincorporating the protection of the Sunday in the [Working-Time Directive](#) in order to preserve the health and safety of workers and as an important precondition for a participatory society. This day should be in principle the Sunday, which is – [as highlighted by the European Social Charter](#) of the Council of Europe - recognised by tradition and custom in most of the Member States and regions.

G) Audio-visual Media Directive

Context | The finalisation of the [reform of the Audiovisual Media Services Directive](#) is of key relevance in the context of prioritisation of Digital Economy by the Bulgarian Presidency of the EU, which will arguably shepherd the text to its finalisation.

ASSESSMENT & POLICY RECOMMENDATIONS

The Catholic Church welcomes the **preservation of** the reference to **the protection of "moral development" of minors** in both the [Council](#) and [Parliament](#) positions. We look forward to the **integration of this concept in the revised Directive**, in view of **safeguarding children's fundamental right** to be protected from the most harmful content.

The formulation of the **key provision on protection of minors** (Article 12 of the European Commission proposal) is also of high priority. Its final wording should provide the highest possible standards of protection for children, in particular from pornography and gratuitous violence.

Furthermore, it is also important to **protect religious programmes and services and their specificity** in the context of audiovisual media services. This includes the preservation of the possibility for Member States to prohibit the showing of sponsorship logos during religious programmes (Article 10(4) of the current Directive). This provision would be inexplicably deleted from the text in accordance with the European Parliaments' mandate.

H) Transparency policies

I. Reform of the Transparency Register

Context| The idea of bringing greater transparency and accountability to the legislative and policy-making process at the EU level is highly valued by the Church. The **on-going reform of the Transparency Register** can and should certainly contribute in that regard.

Assessment| Concerning the [reform of the Transparency Register](#), Churches support the approach included in the [mandate of the EU Council](#), in particular with regard to Article 4(2) of the Inter-Institutional Agreement (IIA): according to it, **Churches as such are exempt from registration**, while Church representations to the EU institutions are expected to enter the Register. This is in line with the proposal of the original proposal of the European Commission and entails a compromise solution that reflects reality and practice faithfully and reasonably. The preservation of this status quo is **necessary in order to ensure respect for fundamental rights**, including the one to freedom of thought, conscience and religion; and consistency with Article 17(1) TFEU ("*The Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States*"). The fact that Churches are not civil society actors should also be reflected in the IIA, which at the moment only refers to Article 11 TEU (Recital 1).

Secondly, legally speaking, **Churches have a specific status** and neither they, nor their representations, are 'lobbyists', 'interest representatives' or work for private interests. Since centuries, **Churches carry out a mission of public service** in many parts of Europe and represent the religious aspirations of a significant number of citizens. Therefore, they cannot be in any way discriminated. Churches contribute, in accordance with their own status, to public life and to the common good, not to promoting particular interests. Furthermore, Churches have been and still are active in building Europe and in forming the conscience of people with regard to the European project. This specificity should be reinforced in view of the common good.

Regrettably, the lobbying, and especially "interest representation" terminology, is used in a generalised way in the IIA, as if valid for all the organisations concerned. This is not consistent with Article 17 TFEU. This approach should be discarded and corrected, both in the reference rules and in practices. A **proper distinction** should be introduced **between lobbyists/interest representatives**; and **organisations which cannot be defined as such**. The legal reality (cf. the EU Treaties, national law) that Churches and their representations are not "lobbyists" or "interest representatives" should be reflected and applied both in the IIA and in the practices concerning the Register's practical daily implications.

Additionally, the **risk of exclusion** of actors that enjoy no "formal status" (e.g. the elderly, the poor, migrants, Roma people, informal youth groups, social movements), due to the lack of specific provisions to allow for access to decision-makers, is also a source of concern. The IIA should be devised in a way that does not create obstacles for such actors from being involved in discussions of EU policies and initiatives.

POLICY RECOMMENDATIONS:

- The EU Bulgarian Presidency is encouraged to take on board during **the inter-institutional negotiations the remarks formulated above** about the position of Churches and their representations; the use of the language related to "lobbying"/"interest representation"; and on the inclusion of actors that have no formal status

II. Transparency at the EU level

Context| In general, the **modalities** with which transparency is currently implemented at the EU level raise **reservations**, including with regard to **cost-effectiveness**. The main goals should be to **keep public officials under citizens' legitimate scrutiny** and to tackle corruption, as well as to **monitor the correct use of taxpayers' money** through public funds. In accordance with democratic principles, public officials and institutions have to be accountable to voters and taxpayers. However, at the moment, transparency policies seem to place the **burden mainly on taxpayers and their organisations** and to keep them under scrutiny; and to create undue obstacles to their access to their own representatives and to the institutions they are financing.

Assessment| Transparency should **not lead to limiting democratic life**. Furthermore, in a rights-based approach, emphasis should be placed on "integrity", rather than on "transparency".

In the view of Churches, transparency policies should **not isolate EU officials in a "closed box"**, risking to keep them disconnected from reality, but rather **better facilitate their connections with all actors**, not only with some powerful and well-established lobbies. We should certainly avoid that provision aimed at ensuring transparency have the opposite effect: if transparency rules become too complex, they may end up benefitting only those big lobbies and financial actors which they actually intend to keep under scrutiny.

Furthermore, it would be essential to **prevent any misuse of security and financial regulations** to make the space for Churches as well as for civil society shrink.

POLICY RECOMMENDATION:

- Churches would appreciate if the **at the EU Council** and ensure **a more balanced approach to transparency** by the EU institutions.

I) Dialogue ex Article 17(3) TFEU

Context | [Article 17\(3\) of the Treaty on the Functioning of the EU](#) (TFEU) enshrines in Union primary law a (legally binding) basis for the **duty of all EU institutions** to entertain "...an open, transparent and regular dialogue" with Churches, in a manner that recognises "...their identity and their specific contribution".

Assessment | The specificity of this Dialogue channel should be preserved and it must not be mixed with the separate Dialogue foreseen by Article 11(2) TEU for civil society actors. By nature, status and contribution, Churches are not NGOs, in accordance with Article 17(1) TFEU.

It is with reference to Article 17(3) TFEU, and to its concrete implementation, that Churches have constantly had a joint meeting with EU Presidencies in the last few years. In this way, Churches provide inputs on EU policies and legislative files that are under discussion either at the EU Council or at the inter-institutional level. Article 17(3) TFEU Dialogue is not a Dialogue "on" or "about" religion, but *with* Churches on their contribution to the full range of EU policies and legislation (on which they can obviously express *a religious point of view*).

POLICY RECOMMENDATIONS:

- Article 17 TFEU also contains at its first paragraph the clause that "*The Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States*". In the light of this provision, the EU should **respect the diversity of Church-State relations** within the Union and rigorously **avoid interfering** in any manner with those national models and with the legal provisions that give effect to them. The EU has no competence in such matters. This principle should also guide the Bulgarian Presidency in the EU in dealing with those dossiers that have a direct impact on Churches.
- It would be crucial to have EU Presidencies joining again the [annual EU-religious leaders gathering](#). During the last few editions, only the European Commission and the European Parliament were represented. Churches would appreciate if the Bulgarian Presidency of the EU could contribute in this sense.
- During its term, the [Estonian Presidency of the EU organised a high-level conference with Churches](#) on the topic "*Securitization of Religious Freedom – Religion and Scope of State Control*". This innovative good practice could become a **regular feature of EU Presidencies'** terms (including under the Bulgarian semester), as an element of implementation of Art 17(3) TFEU. An improvement of this instrument would have to concern the topic under discussion, which should go beyond freedom of religion (only one of the possible subjects of Dialogue, though a priority one).

3. CONCLUSION

The European Union is faced with a variety of **challenges** and the Bulgarian Presidency will have to steer actions to address them. The present challenges can be turned into **opportunities** by putting the **focus** back **on the person** and **community** in an **inclusive process of dialogue**, marked by **solidarity, subsidiarity**, and contributing to **peace** and **sustainable development**.

COMECE and the Bulgarian Bishops' Conference submit the reflections presented in this document in a **spirit of dialogue**. We stand ready to constructively contribute with our analysis in the major EU policy-fields⁷ to this responsible task of European and national policy-makers.

We pray that the Lord may bless the efforts of the Bulgarian Government and of the responsible policy-makers so that the decisions they make and actions they take will be of benefit to all citizens and serve the common good of the European continent and of the world.

Brussels/Sofia, March 2018

⁷ The [Secretariat of COMECE](http://bit.ly/2wDEZj6) monitors the political processes of the European Union and the legal developments in all areas of concern to the Church. In particular, the following areas can be mentioned: Migration & Asylum, Ethics, Research & Health, Ecology & Sustainability, Justice & Fundamental Rights, Intercultural Dialogue & Education, Social & Economic Policies, External Action, Religious Freedom,...; <http://bit.ly/2wDEZj6>

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