



Commission des Episcopats de la Communauté Européenne
Commission of the Bishops' Conferences of the European Community
Kommission der Bischofskonferenzen der Europäischen Gemeinschaft

Statement of the COMECE Executive Committee on the Draft Treaty establishing a Constitution for the European Union

19 June 2003

The consensus reached by the European Convention, after intense work and discussion, on the draft Treaty establishing a Constitution for the European Union marks an important step in preparing the Union to address the challenge of its enlargement and to promote the common good in Europe and the world. We should therefore like to welcome this remarkable achievement, whilst also expressing some serious reservations regarding certain points.

We believe that the fact that Europe's religious inheritance is explicitly invoked as one of the sources of inspiration for this Constitution is a significant advance for the European Union. Accordingly, we welcome the recognition in the Preamble that “the cultural, religious and humanist inheritance of Europe ... has embedded within the life of society its perception of the central role of the human person and his inviolable and inalienable rights”.

The Constitution will form the basis for future decisions on EU legislation and policy. It is therefore appropriate that Member States' respect for the values outlined in Article 2 should be objectively verifiable. We welcome the fact that those values - “respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights” - as well as the principal objective of the Union set out in Article 3 - “to promote peace, its values and the well-being of its peoples” – also reflect Christian anthropology and social teaching.

The proposal to accord the Union legal personality strengthens its identity as a community of values and actor on the international stage. In our view, it should now sign the European Convention on Human Rights and Fundamental Liberties, which has served as the benchmark for human rights protection in Europe for more than fifty years.

The incorporation of the Charter of Fundamental Rights as the second part of the Constitution is another important step towards strengthening the protection of citizens' rights at the level of the Union. Nevertheless, we should like to point out again some important lacunae in the text of the Charter, especially with regard to cloning, marriage and family, and religious liberty¹. We therefore welcome the confirmation that the Charter will be applied only to the policies and actions of the EU and thus will respect Member States' prerogative to legislate in these sensitive areas.

¹ See Observations of the COMECE Secretariat on the draft Charter of Fundamental Rights of the European Union, 18 October 2000, available at www.comece.org or on request from the COMECE Secretariat.

Draft Title VI of the Constitution on the Democratic Life of the Union should help citizens to participate more actively in the European democratic process by recognising the horizontal dimension of subsidiarity as well as its vertical dimension; that is, that different actors in civil society have different characteristics and competences, and that these must be taken into account in the democratic process. The increasing complexity of modern society makes the need for novel approaches to democratic participation all the more urgent.

We particularly welcome draft Article 51, which guarantees the European Union's respect for the status of Churches and religious communities in the Member States based on their different constitutional traditions. The provision for open, transparent and regular dialogue reflects the specific contribution of churches and religious communities, distinct from secular authority, at the service of European society as a whole.

The final draft of the Preamble is an improvement on the original proposal made by the Presidium of the Convention. By removing the references to Greece, Rome and the Enlightenment, the historical inaccuracy of omitting Christianity has been corrected. In our view, however, an inclusive reference to the contribution of Christianity, without which Europe would not be what it is today, remains essential. Moreover, we believe that the reference to "responsibilities towards the Earth" raises questions as it seems to personalise the Earth. Likewise, the identification of Europe as a "special area of human hope" would seem to require qualification as it suggests an overly euro-centric worldview. Along with many of our fellow citizens, we also continue to believe that a reference to God should be included in this constitutional text as a guarantee of the freedom and dignity of the human person. We think that this completion is necessary and could be achieved without discriminating against anyone.

The Convention has developed further the debate on the future of Europe. It is to be hoped that this will be continued. We call upon the Heads of State and Government and the forthcoming Inter-Governmental Conference to ensure that the progress made by the Convention is not undermined.

+ *Josef Homeyer*
Bishop of Hildesheim
President

+ *Adrianus van Luyn*
Bishop of Rotterdam
Vice-President

+ *Hippolyte Simon*
Archbishop of Clermont
Vice-President