

Project for a Charter of Principles for Another Europe

Introduction

Another Europe is possible: this is the horizon created by the anti-neoliberal social movements, creating a new stage in constructing a Europe of peoples.

The “No” vote on the constitutional treaty in the French and Dutch referendums in Spring 2005 was not the people’s failure or a European failure, but revealed a dual crisis: that of the neoliberal political orientation of European construction and that of a non-democratic process based on dealings between States without intervention by the people. Through the “Treaty Adopting a European Constitution”, the elites claimed to be exercising a power invested in them, but which had not been conferred on them. This was criticized by the anti-neoliberal social movements, both for the methods used and the contents of the Treaty. The democratic deficit that has characterized the current construction of Europe has to be filled.

European mobilizations during the first years of the 21st century against the war, neoliberalism and racism, against the destruction of social rights and the privatization of public services and demanding the guarantee of universal rights, have opened the way to elaborating a project of a “*Charter of Principles for Another Europe*”, which we wish to submit for public discussion.

The Principles of Another Europe are all equally important and have as their basis:

- equal dignity between persons and the inviolability of each person to be respected by all institutions;
- peace, freedom, justice and security as individual and collective assets;
- equality between all, first and foremost, between men and women, by guaranteeing diversities;
- democracy and participation;
- European citizenship based on place of residence;
- Social rights, the right for and to work and rights at work, the only solution in order to eliminate poverty, different forms of exclusion, and deprivation;
- A socially equitable economy, ecologically sustainable, democratically governed.

European space is not the same as the space of the European Union: the process of enlargement by means of neoliberal policies is provoking in the east, but also in the west, unemployment, poverty, exclusion and is nourishing different forms of chauvinism.

The construction of the European Communities and of the European Union has over time accentuated the supremacy of governments, the central role of the market-place and of private companies, around which economic and social relations, as well as the institutions themselves, have been structured. From now on we are faced with an “economic constitution” – the laws of the market-place, at the core of Treaties, prevail over democratic public decisions – in clear opposition to the founding principles of the constitutional Charters of the 20th century.

On the contrary, one must affirm the priority of fundamental social rights which require another economy to realise natural commonly-shared assets – land, water, air, energy – and public services. There has to be a recommitment to a vast process of social re-appropriation – new forms of social property - in order to satisfy all the social needs and permit development that can be ecologically sustained.

The Europe that we want is founded on the primacy of the rights of all and on the fundamental principle of direct participation by the citizens in public and collective decision-making. Europe must be a union of peoples freely associated together, grounded in constitutional democracy and a public space stretching beyond national borders, characterized by democracy at every level.

1. Europe and the World

The other Europe is founded on peace and the recognition of universal diversity. It rejects all strategies of economic or military domination and all forms of racism and chauvinism.

The other Europe contributes towards constructing world peace: it recognizes and promotes cultural and historical differences, in a framework of the equality of individual and collective rights. So the new roots of Europe are consequently of “mixed blood” – a mixture of diverse national and ethnic origins, thanks largely to the contribution of migrants: violence against migrants in the name of institutional borders is unacceptable.

Europe’s historical colonial experience, both internal and external, characterized by political and social domination, the plunder of resources, by wars leaving millions of victims, imposes on Europe responsibilities with respect to the economic and social conditions of most of the world, particularly the South.

The principle of solidarity and respect must guide relations between countries within the European space and all other countries. Europe has to act, conscious of a common interest, in advancing global social and economic rights. Europe supports the right of peoples to decide their own futures and to make their own choices in economic, social, cultural and environmental matters. Europe commits itself to guaranteeing the sovereignty of each people over its natural resources and its immediate environment.

The human right to development is unalienable, to the same extent as other fundamental rights. The Europe we want participates in the creation of a new international economic order which answers to this requirement and, in this context, cooperates in a way that recognizes the disparity of conditions and promotes the necessary equality of rights.

The cancellation of the external debt of poor countries is a necessary immediate measure.

Economic agreements must include recognition and reciprocal application of human rights according to the regulations and international conventions.

Europe supports the project of taxing international capital transfers and is opposed to their free circulation. It supports the creation of regional economic relations that are opposed to the logics of neoliberalism.

Another Europe rejects the law of the “free market” and the existence of a dominating “commercial right” which results from this. The body of the international law is unique, valid for all States, international financial, economic, social and political institutions. The other Europe acts to integrate all existing international institutions within the framework of a democratized and radically-reformed United Nations.

2. Peace and security

Europe is founded on peace and on a security that is the result of social justice between the communities and the peoples.

Our Europe repudiates war as a means for solving international conflicts and recognizes peace as a fundamental right of human beings and peoples.

Our Europe takes an active role in the defence and promotion of the universal values as the conditions for lasting peace: dignity, freedom, equality between all human beings, social, economic and democratic human rights.

Our Europe is committed to building peace through struggling against all forms of discrimination, injustice, exploitation, exclusion and threat, using international law, political negotiations and diplomacy as its fundamental instruments. It rejects all attempts coming from within or without aimed at transforming Europe into a military power on a global scale.

The Europe we want recognizes the right of all peoples to self-determination, respecting and guaranteeing the rights of minorities to their diversities. As a result of this right, peoples must be free to decide about their political autonomy and their sovereignty in the economic, social and cultural spheres.

Our Europe recognizes the rights of individuals and peoples to resist oppression and injustices by all means that do not themselves result in the violation of universal human rights.

For this reason, our Europe supports the different initiatives for creating an international system of justice capable of sanctioning States and all actors responsible for war-crimes. The other Europe work to integrate all the existing international institutions in the framework of a democratized and radically reformed UNO.

Europe works for the active commitment of international institutions against any form of military, social or economic oppression and rejects as a matter of principle the use of military force. This is why it is in favour of the dissolution of NATO and of all other military alliances as well as in favour of the elimination of all foreign military bases throughout the world.

Europe rejects "humanitarian" and "preventative" war, since war can never solve problems; on the contrary, it only produces new violations of human rights and of international law. For the same reasons, it also rejects all forms of colonial and imperial domination.

Europe repudiates all use and production of nuclear arms, all weapons of mass destruction as well as torture, the death penalty, and all forms of degrading treatment. It is committed to disarmament and demilitarization, in order to construct an open and welcoming world and a society that ensures the free circulation and settlement of human beings.

In order to create the conditions necessary for a peaceful and democratic international order, our Europe will promote a global policy of cooperation for development, guaranteed by bilateral and multilateral treaties, reinforcing the political, economic and social rights of citizens.

Our Europe recognizes the rights of individuals and communities to a life free from all aggression, danger and threat; its security is a consequence of the security of others. For this reason it will install a common and interdependent system of security.

In the name of these principles, our Europe abstains from any threat or offensive action by acting to prevent conflicts, by promoting peaceful solutions and through the humanization of international relations.

3. For a Europe based on rights against all forms of discrimination

Our Europe respects and guarantees through all its actions the principle of the equality of citizens respecting their differences and diversities.

Europe recognizes and guarantees the right to equal status between men and women in all spheres of political and social life as well as the freedom of sexual orientation.

Europe is against the commercialization of sexual relations and guarantees the rights of prostituted persons.

All citizens participate on an equal footing in political life. Political institutions adopt special measures to accelerate the equal participation of women and men within institutions and political and social agencies and organizations.

Every person who resides on a long-standing basis in the territory of Europe obtains its citizenship with all the associated.

All public institutions must guarantee the human rights and freedoms of women, their liberty to control their bodies, notably the right to abortion, contraception, parenthood and control over artificial fertilization. Institutions must take action against all forms of patriarchy. They must commit themselves to ending all trade in human beings and slavery in all its forms.

Europe commits itself to act with determination against racism and anti-semitism as well as against islamophobia.

Public institutions take and promote all the initiatives required aimed at ending sexist violence against women and children, within and outside the family.

Europe affirms the secularity of public institutions. It guarantees the dignity and freedom of conscience of all citizens regardless of their origins, opinion or beliefs, the freedom of individual and collective religious practices, insofar as these respect the rights of all citizens.

Europe recognizes the principle of the freedom of settlement and the free circulation of persons by guaranteeing this as a universal right. It guarantees the right to asylum.

All peoples have the right to self-determination, while guaranteeing the fundamental rights of individuals.

Every person belonging to a national minority will have the right to select freely to be treated as such without any hindrance resulting from this choice or the exercise related to this choice.

The mother-tongue of school-children and students in public schools is respected and taken into account; its teaching is facilitated.

Public institutions contribute through their action to overcoming material, cultural, symbolic and linguistic barriers existing between peoples.

4. For a democratic Europe

The European Union is not governed democratically: executive powers, through the Councils of Ministers and the European Councils, manage “public matters”, with neither control nor political responsibilities. The European Commission, guardian of the market rules established in the Treaties, has the monopoly of the legislative initiative, of which the European Parliament is deprived.

We wish to affirm the primacy of the peoples, as the irreplaceable sources of democratic legitimacy and of citizens’ participation, as the fundamental democratic principle in making decisions that concern them.

It is necessary to develop a constituent process in which the peoples and citizens must play the principle role to construct a democratic and social Europe, in order for the political and citizens’ choices to take precedence over the laws of the market-place and of the profit motive.

The Europe that we are projecting will be a Union of Peoples and not of States: it constructs itself in the name of its peoples, by and with its peoples, democratically organized and fully exercising their sovereignty at all levels.

The end of the democratic deficit of European institutions will begin when, within a political constitution of Europe, we are able to really proclaim “We, the Peoples of Europe” rather than “We, the States of Europe”.

The progressive passage from a Europe of States to a Europe of united peoples, organized in a truly creative way, must therefore be marked by political institutions that acquire their legitimacy through the will of the peoples, expressed directly through consultations or popular initiatives, or indirectly through the election of representative European assemblies, either with the participation of European citizens at the different levels (local, regional, national, etc.) or in the diverse political and social jurisdictions, where collective decisions concerning them are made.

Our European constitutional democracy therefore constitutes a novel political entity. Political representation in the European space is a multi-level democracy and includes the representation of the citizens, of the peoples, of countries, of regions, of local communities. A trans-national democracy is founded moreover on the non-hierarchized cooperation between these different levels. It follows that the structuring of the institutions must be founded on dialogue and cooperation between equals, rather than on the hierarchy between different political or jurisdictional, national and European authorities.

At each point, citizens intervene in the important political, economic and social decisions. For this, they elect and control their representatives. At each level of competence, the government organs are responsible to the representative institutions.

They must exercise the legislative initiative and political control – in association with the citizens and national, regional and local institutions.

For a true democratic Europe, the right to information and the freedom of communication must be treated as fundamental political rights of all individuals. They guarantee their autonomy to communicate, to inform themselves, to develop freely as well as to participate on an equal footing in the information and communication networks in the European public sphere.

5. Socio-economic rights for all persons resident in Europe

Equal rights and solidarity are a pillar of our Europe. They guarantee the social cohesion of our societies. Socio-economic rights have been acquired through social mobilization and enshrined in the 1948 UN Declaration, by UN covenants on economic and social rights adopted in 1966, by the ILO Conventions, by the Turin 1961 European Social Charter, by the 1989 Community Charter on workers' fundamental social rights.

The defence and development of socio-economic rights constitute one of the objectives of our Europe. Europe is, at all levels, jointly responsible as the real and effective guarantee of these rights, according to the principles of indivisibility and of universality. They form an integral part of the fundamental rights.

The rights declared must be subject to the jurisdiction of European and national courts. Any act by European institutions that violates the essential content of these rights must be subject to annulment by the European Court, as well as the non-application of these rights by national judicial bodies. Access to the judicial system is guaranteed, notably for persons with limited resources.

Respect of the socio-economic rights is based on the following principles:

- The principle of social non-regression: no European decision may contravene what has been acquired and social, economic rights as recognized by a national legislation and by the collective national contract of work,.
- The principle of levelling upwards of norms allowing for the strengthening of legal protections accorded to workers rather than alignment with the lowest common denominator of national legislations.

The basis of our Europe is the respect for the right and dignity of workers regardless of their working situation.

Equality, cooperation, solidarity, the democratic definition of the needs and social rights, are the dominant values of Europe. These replace competition and free-trade.

Every European citizen has the right to benefit from a quality of life that provides protection from poverty and exclusion and allows for the full participation on the social cultural life: this means the eradication of unemployment, of economic insecurity, of poverty and all forms of exclusion.

The common salary and revenue norms below which one cannot pass will be fixed in taking account of the degree of development and the gains that have been obtained in each country. Guaranteed individual minimum revenue and minimum salaries will be defined in function of this.

The right to a job and an income must be applied while prohibiting all forms of discrimination based on religion, sex, sexual orientation, political opinions or country of origin. The principle of "equal pay for equal work" must become a reality.

Everyone has the right to freely choose their job.

The reduction in working time will be an objective throughout Europe, starting with the generalization of the 35-hour work-week.

Europe acts at all levels to ensure that stable labour contracts without fixed duration become the norm throughout Europe.

All workers will be protected against lay-offs. Any arbitrary firing of workers is prohibited. The right of share-holders to close enterprises just for their own profit will be prohibited. Any project of laying off workers must be accompanied by guarantees for the workers in terms of training, income maintenance and the return to work.

Night work is prohibited to minors under the age of 18.

Europe recognizes social dialogue, trade-union freedom and the right to form associations as among its fundamental values. All workers have:

- the right to freely choose and elect their representatives;
- the right to collective negotiation at the level of the company, of their occupational category, at the national or European levels;
- the right to approve the collective agreements that concern them;
- the right to strike, including for motives of solidarity and political motives, at the local, national and European levels. Lock-outs are prohibited.

Fair representation and democracy in the work-place and in the trade-unions constitute fundamental rights at all levels. Workers' and trade-union representation, democratically elected at the European level, is one element of European democracy.

Workers within a company or an industrial group with branches in various States have the obligation to create a *European Enterprise Council (EEC)*. The EEC has the right to information, to preliminary consultation as well as the right to intervene in management decisions concerning the size of the labour force, working conditions and the economic choices of the company. To guarantee the same rights to all, companies subcontracting work will be responsible for the workers employed by their subcontractors.

Social security, unemployment benefits and pensions will reflect, both in how they function and how they are financed, a public logic based on solidarity, as opposed to recourse to individualized systems tied to the market-place (pension funds, private insurance, etc.) The public system (social security) will have to guarantee a decent standard of living for all, whatever the contingencies may be.

In order to guarantee the actual respect for the rights presented in this Charter, Europe must establish appropriate political, economic and social policies, at all levels. Particularly, fiscal and social dumping will end with the harmonization of fiscal policies and a public services policy that is no longer subject to competition.

6. Public services for access to rights

Defending public services must be at the heart of proposals for another Europe.

- Public services, despite the different ways in which they may be organized in different countries, must not be answerable to competition from the private sector and the profit motive. They must assure the satisfaction of fundamental rights and the access of all to the humanity's common assets.
- Public services must entail the public, democratic management of these resources. They must cede to a process of social re-appropriation, by satisfying the needs of persons by setting up a process to define these needs in the spheres in which public services operate. This concerns

equally health, education, housing and transportation, as well as all the modern means of communications.

The commercialization and impoverishment of knowledge, of education and of research must stop.

- Education must be considered as a guaranteed fundamental right for all, contributing to real cultural development for everyone. Europe must support a public educational system that:

- permits the social and cultural emancipation of all and breaks free of our society's inegalitarian schema; the educational system must support social inclusion and avoid social selection. It must not create discrimination based on origins, on social classes, or physical abilities or gender. School-children from immigrant families, those suffering from physical handicaps or persons who suffer social exclusion must all be integrated in the regular educational system and not be uprooted through the existence of different educational trajectories.
- promote the active participation of school-children during their studies as well as respect the different learning time needed by each child to succeed.
- It must be completely secular and not accept propaganda or religious instruction in public educational institutions
- It must guarantee students', teachers' and researchers' complete independence in what is taught and the research they conduct, whether this be independence from private firms or from political authorities. Research must receive sufficient public funding to carry out its tasks (the production and dissemination of knowledge, training and, via research, expertise)

Health is a right

- The health-care system must be public, free and available to all. It must respect the physical and psychological integrity of citizens and the health-care personnel.
- All medical personnel and citizens must be involved in the institutions that manage the health system. The institutions must in particular give priority to the active participation of citizens in managing the health-care system.

For a real right to housing for all

Everyone must be able to have access to real housing, thanks to public housing authorities that are given the financial and legal resources enabling them to promote massive policies of construction of social housing and to combat speculation in real estate and land prices.

7. The right to a sustainable environment

The logic of neoliberalism is by nature wasteful and predatory. In its place, a new radically different conception of development is to be applied: economical in its use of natural resources, ecological, respectful of the environment, centred on the development of human capabilities and respecting cultural diversity, protection of the natural environment and maritime safety.

Natural resources are subject to ever-increasing attacks by market forces. Damage is today considerable and threatens the possibility of human life on our planet. It is urgent that economic and social activities respect the reproduction of natural cycles, the conservation and protection of the environment for future generations and the economical use of non-renewable resources, in order to guarantee the right of access to all.

A first stage for Europe is the respect by all countries of the Kyoto Treaty.

Natural resources, shared assets of humanity.

They must not become subject to intellectual property rights or patents. Remaining outside the private and commercial domains, they must be managed by public policies and involve citizens' participation. They must remain beyond the scope of commercial treaties.

- Water is a common asset and access to safe drinking water is a fundamental right to which all must have access. Water distribution must be provided by public institutions and its management must include the participation by citizens.
- Energy consumption must undergo radical changes. New choices are required around the following principles: increased economies in the use of energy, diversification of sources and priority to renewable and sustainable resources. To economize energy, non-polluting transportation must be encouraged and public transportation developed.
- Similarly, the habitat must respect strict ecological norms.

Environmental risks must be factored into public health policies.

Regulations must clearly control polluting industries, in particular concerning the production and commercialization of chemical substances.

Public institutions must guarantee, as a fundamental individual right, food that is healthy to eat and in sufficient quantity

- In the face of multinational corporations exploiting peasants, it is necessary to develop and apply public regulations in order to discourage their practices. On the contrary, support must be provided for non-polluting agricultural systems, labour-intensive rather than capital-intensive, as well as closed distribution circuits. Polluting agricultural practices must be discouraged.

Production of GM products must be prohibited (except in a context that is strictly confined to basic research).

- the principle of food sovereignty, that is the right to decide one's own agricultural and food policies, must be respected for all regions of the world and for all countries. The countries of Europe therefore have a particular responsibility in developing their agricultural policies and in their commercial treaties with countries in the South. These agricultural and commercial policies must take a fundamental new direction to respect the principle of food sovereignty.

**Peace, equality, justice, freedom, democracy, social and fundamental rights!
For another Europe, for another world founded on solidarity in a sustainable environment!**