# CITIZENS CONVENTION FOR A FEDERAL EUROPA Why and How?



© Leo Klinkers, PhD Co-author European Federalist Papers (EFP) Co-founder Federal Alliance of European Federalists (FAEF) Co-founder of the Foundation Citizens Convention June 2018

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# 1. Federalism? Many misunderstandings due to ignorance

# 1.1 What do Citizens think about Europe?

The opinions of the Citizens of Europe are divided. Some consider unity and solidarity within Europe to be indispensable. They understand that cross-border cooperation between states is necessary because a number of political and social issues cross national borders. Returning to war-driven anarchy - in the sense of the absence of cross-border governance and therefore recurrent wars - between European states, as in the 18th and 19th centuries, is not an option for them.

Others see no added value in a unifying Europe and certainly not in today's European Union. They consider this to be a toothless tiger without democratic representation; too much erosion of the national sovereignty of the Member States; too much artificial, bureaucratic and anxious short-term policy and closing gaps with new holes; too little influence from Citizens, but much influence from lobbyists on the decision-making process; impunity for ignoring agreements, rules and regulations; the wheeling and dealing between Member States in order to obtain as many benefits as possible for their own state; the costly travelling back and forth of the European Parliament between Brussels and Strasbourg; the maintenance of a fraudulent subsidy circuit; the absence of a sound system of accounts; no solid basis for the Euro and no ability to respond vigorously to external threats such as immigration, terrorism and a significant shift of power in the geopolitical arena: puppet in the hands of superpowers playing the game of divide and rule.

In short, in their view European leadership is merely a succession of stories and talks without the prospect of a political intervention of the caliber 'I had a dream ...'.

Some opinions are factually correct. Others more emotional or difficult to prove. This mix of partly correct and partly incorrect observations makes it difficult to have a sensible discussion about the future of Europe.

#### 1.2 Which different groups can we distinguish?

We can divide the pro-Europe groups into two parts:

<u>Federalists</u>: they see an effective and efficient Europe that takes care of common interests, provided that they succeed in organizing the need for the cohesion of states within Europe on a federal basis. Just like the 28 other federations in the world that now house 40% of the world's population.

<u>Non-federalists</u>: those who choose to stick with the current European Union, but better organized, less bureaucratic and less costly. They reject a federal Europe on the basis that a federally organized Europe would be a superstate that destroys the sovereignty, autonomy and cultural identity of the Member States.

In addition, there are clear anti-Europe groups, which can also be divided into two parts:

<u>Reduce the size of the European Union</u>: admit fewer Member States, reduce the powers of the European Council, restore borders between Member States and leave them only slightly open.

<u>Abolish the European Union</u>: stop the EU immediately and close the borders hermetically. Back to the nation-state of the 19th century.

## 1.3 Why is this difference of opinion so strange?

If the above is more or less correct, we must accept that only a very small proportion of European Citizens would like to vote for a federal Europe. We would even have to recognize that at least 90% reject a federally organized Europe.

But what do we see if we were to ask each individual European Citizen the following four questions?

- 1. Do you want your country to be and remain sovereign? The answer will undoubtedly be 99% yes, 1% do not know and 0% no.
- 2. Do you think there are social and political problems that can only be solved through cross-border cooperation between countries? So, common interests that an individual country cannot, or can no longer, resolve on its own and only in cooperation with other countries? The answer would probably be: 85% yes, 10% don't know and 5% don't.
- Do you think that a connection between Member States in whatever form should have the power to actually implement measures? I believe that the answer will be: 95% yes, 4% do not know and 1% do not.
- 4. Do you think that a connection between Member States in whatever form should have democratic legitimacy? Would we be surprised if the answer were to be: 95% yes, 4% do not know and 1% do not?

This result confronts us with a strange contradiction. If we ask Europeans whether they would like a federal Europe, then at least 90% will protest strongly. When we ask them the previous four questions, their answers go directly in the direction of a choice for a federal Europe, because those answers indicate exactly what a federation has to offer.

#### 1.4 How can this be explained??

There is only one explanation for this strange contradiction: the vast majority of the Citizens of Europe do not know what federalism is. If 10% of European Citizens have any sense of the basic elements of federalism, it is probably a serious overestimation of reality. Indeed, in the many years I have spent on this subject, it is my sad experience that even a majority of people who call themselves federalists cannot explain which building blocks form federalism and why it is superior to the intergovernmental EU operating system which is slowly but surely succumbing to its own system failures.

In general, the people of Europe are unaware of the true nature of federalism. It does not know that it is precisely a federal state that preserves and guards the sovereignty, autonomy and cultural identity of Member States. And guarantees democratic decisionmaking. It does not know that a federal body will be set up solely to provide a small and exhaustive list of common interests that cannot - or can no longer - be taken care of by an individual state on its own. This lack of basic knowledge leads Citizens to believe that a federation is a superstate that destroys the sovereignty of the Member States. The opposite is true. Not only does everything that is dear to the Member States remain intact, but they are even given extras, such as better protection of common interests.

The lack of knowledge about federalism is also curious for another reason. Up to now, I have only talked about federalism in the public order. That is to say, that of the public authorities. If we look at the private sector, it is quite astonishing that the whole of the Netherlands is covered by many hundreds of private federations. To name but a few: the federally organized sport (NOC\*NSF, including the KNVB), the Entrepreneurs' Organizations (VNO-NCW) including the very large number of Employers' Organizations. This network of private federations affects all the millions of Citizens of the Netherlands.

## 1.5 So, isn't it time to make a breakthrough?

We therefore have two contradictions that are hard to reconcile. Firstly, there is a large majority of Citizens against federalism, but that same majority formulates wishes that are inextricably linked to federalism. Secondly, we have a European political system that has refused to federalize for 200 years, but which accepts a huge number of federal organizations in the private sphere. If one favors a strong and democratic Europe and really faces the present governance weakness of the EU, then a breakthrough is necessary. The following chapters deal with this.

## 2. Know your classics

#### 2.1 America between 1776 and 1787

While the war of freedom against England was still raging, 13 colonies in North America declared their independence on 4 July 1776. The central element of their Declaration of Independence was: 'All sovereignty rests with the people'. They linked this to some inalienable rights, including the right to change or dismiss a government that did not take good care of and oppress its citizens.

But after 1776 those 13 former colonies were not doing well. They formed a confederal state on the basis of a treaty entitled the *Articles of Confederation*. A Confederation is a loose commitment between independent countries, without many obligations and with the right to leave when it suits one. The Confederal Congress, as an occasional parliament, was powerless. There was no money, no standing army, no foreign relations. But there were enemies - England, France and Russia - who could possibly destroy the freedom that had just been fought for. Each state experimented on its own with setting up a democratic form of government, but without success. They quarrelled with each other. There were even three groups that were prepared to fight each other: the northern, the southern and the few states between north and south.

The comparison with the European Union is obvious. In 2018, the EU's treaty base - the Treaty of Lisbon - led to a situation in which a group of northern European countries is arguing and quarrelling with some southern European countries about the status of the Euro and with some eastern European Member States about migration policy. Not to mention Brexit.

#### 2.2 The Convention of Philadelphia 1787

The increasing tensions between the 13 states led James Madison, member of the Confederate Congress, to appeal to George Washington, who, as the strong man of the time, still fought against England. He asked for and was given permission to convene a group of wise people to reflect on the politically cluttered, safety-hazardous and income-untenable situation at the time. This became the famous Philadelphia Convention of 55 people, which between May and September 1787 enriched the political encyclopedia with an entirely new phenomenon: a federal form of government. Within two weeks, they threw the confederal treaty - as the cause of their failure as individual states - into the dustbin and wrote a Federal Constitution, which then served as a model for other states, housing 40% of the world's population in 28 federal states today. Except for Europe as a whole, while Germany, Austria and Belgium are already federal states.

The Convention solved a problem that philosophers from Aristotle were already struggling with: if all sovereignty rests with the people, but the people are not able to make decisions for themselves every day, then there is the need for creating a form of representation of the people, a parliament. However, how can we prevent this parliament - or another autocratic ruler as successor of the English King - from oppressing the people again? The solution consisted of the following components:

- Make a (small) list of competences for common interests, which can no longer be provided by individual Member States. Then transfer those competences to a body that will then use them to represent those common interests. That is called <u>'vertical</u> <u>division of powers'</u>.
- This is how the concept of <u>'shared sovereignty'</u> came into being. This was already known within the thinking of the German philosopher Johannes Althusius (protégé of the Orange family) around 1600, but the Americans managed to make these ideas concrete in a Constitution. The essence of this is that the Member States of a federation lose zero-point zero sovereignty, but even get something extra, namely that another democratically elected body takes care of their common interests.
- Furthermore, the Philadelphia Convention continued to build on the already wellknown trias politica - the separation of the three powers, the legislative, administrative and judicial powers. In order to achieve real separation, they designed an ingenious system of <u>checks and balances</u>, constitutional rules that ensured that never one of the three powers could outweigh the other.
- The Convention achieved this result by stepping <u>out of the box</u> a few times. Their task issued by law by the Confederate Congress was to update the Articles of Confederation, i.e. the treaty itself. By throwing that treaty away within two weeks, they committed an act of not insignificant disobedience. It did not stop there. When they completed a Federal Constitution in September 1787, they submitted it for ratification to the people of the 13 states and not first to the Confederacy Congress. Even 'worse': they themselves had decided that if the population of 9 out of 13 states agreed to this draft Federal Constitution, the Constitution, and thus the Federation, would automatically enter into force. After half a year they had those 9 states in place, and the rest ratified afterwards. By mid 1789, all 13 of them had signed up to grow to the present 50 sovereign United States of America, each <u>with its own</u> parliament, government, judiciary and system of autonomous policies.
- The ratification process was accompanied by three writers James Madison, Alexander Hamilton and John Jay. Together they wrote to the famous 85 <u>Federalist</u> <u>Papers</u>, an authoritative underlayer to this day explaining the constitutional intentions of these founding fathers, the members of the Philadelphia Convention.
- From 1789 to the present day, the Federal Constitution of <u>only 7 articles</u> have been supplemented and improved by 27 amendments. But it is still the smallest constitution. And it holds together no less than 50 <u>autonomous</u> states.

## 2.3 "Nothing is stronger than an idea whose time has come" (Victor Hugo)

More than two centuries after the creation of federal America, Europe is still not a federation. Many dozens of attempts have been made. Indeed, since 1803, England has once again tried to federalize its Empire, including the countries of the European continent. It has even sought a federal alliance with the United States of America, but every attempt - including that of Germany and France at the Interbellum and the many initiatives from the Netherlands after the Second World War - has always failed. This is all the more remarkable when one considers that the successful American federation is based on the ideas of European philosophers. Apparently, the time was not ripe, following America's example, to establish a federal form of government in Europe by taking the thinking of European philosophers seriously.

It seems that the time has now come. Under pressure from external causes (terrorism, migration, climate/energy, trade wars, US-isolationism, threat of Russia, Brexit, Euro without a federal base, shift of geopolitical relations towards a multipolar system, growing commercial supremacy of China), the EU is shaken. The Treaty of Lisbon – which is the worst constitutional document ever written in the history of Europe - is far from being able to represent unity, solidarity and concern for common interests as an administrating system.

Especially not, now that nationalist populism and the emergence of authoritarian regimes is on the rise within the European Union (Poland, Hungary), but also on the periphery of the EU (Russia, Turkey) and the United States and China. They are putting the liberal democracies of the European Union under severe pressure.

The present intergovernmental operating system is not up to that pressure. The intergovernmental operating system is broken up as a result of its systemic errors. It is obvious that there will be a serious administrative crisis. And such a crisis - no matter how bitter it sounds - is the only reason for politicians to change. As long as things are going well, that need is absent.

Each organizational system fills itself with people by the principle of 'Birds of a feather flock together'. The intergovernmental government that started in 1951 with the establishment of the European Coal and Steel Community has always rejected federalists as 'fremdkörper' and attracted intergovernmentalists (govern on the basis of mutual policy agreements). It cannot be denied that the intergovernmental governance system has brought a certain degree of peace, security and prosperity. But too little is realized that every organism, including this intergovernmental operating system, will ever come to the end of its political life cycle. And now it has come. The signs were already clear when the outcome of the constitutional adventure of Valery Giscard d'Estaing in 2003 (more about which in Paragraph 3.3.5) culminated in the pernicious Lisbon Treaty in 2009. That was the beginning of the slow death of today's European

Union, marked by Member States not wishing to comply with the Treaty or with further agreements, in a context of leaving the EU and the United Kingdom's choice of Brexit.

Now we need to take decisions. The most obvious - at least for the established political order - is to perpetuate intergovernmental governance by amending the underlying Treaty again. Perhaps by continuing with a small Nordic Group of Member States and letting the Eastern and Southern countries follow their own course.

President Macon's Sorbonne speech of September 2017 clearly points in that direction. He argues convincingly – like the Dutch Prime Minister Rutte - in favor of the importance of concentrating a handful of common interests that can only be taking care of from a single European perspective. This is perfect reasoning. But then Macron states that this must be achieved by (yet) amending the Treaty of Lisbon: in other words, perpetuating intergovernmental governance. This is utterly wrong reasoning due to conceptual ignorance about the systemic errors of the Treaty. By definition, intergovernmental cooperation erodes the sovereignty of the Member States. The only form of government to represent a small number of common interests – while saving the sovereignty of the member States - is the federal form of government.

This is where a Federal Constitution must be the foundation. Implementing Macron's ideas is like pulling the plug from the already dying EU. It will kill the EU altogether, unless political leaders sit down for a couple of days to learn about the systemic strength of a federation versus the systemic errors of intergovernmentalism.

Fat chance: the elementary knowledge of federalism by European leaders about federalism is inversely proportional to their opinions. And their willingness to get taught about this seems to be zero.

In theory, it is conceivable that, after 200 years of European political mismanagement, they will finally do what was already being done in America at the end of the 18th century: to establish the United States of Europe. Why? Not only because it can be done, but also and above all because it has to be done. The EU administration driven by national interests will never exceed the current level of prosperity, security and justice. Indeed, by external developments such as geopolitical power shifts, migration, global warming and terrorism - to name but a few - combined with the enlargement of the EU to include more Member States that also have reasons not to comply with the Treaty of Lisbon, the EU is going to collapse under an unbearable burden.

As you can see, I am critical of the ability of European politicians to govern the need for common European interests jointly but are unable or unwilling to learn that only a federal form of government is suitable for this purpose. In my opinion, the political office is the most important office in the world. Where the political office is absent, societies break up. But after 40 years of working within governments in various countries, I dare to argue that 'politics' - the way in which the political office is fulfilled on a daily basis - is the cause of the biggest societal problems: 'politics' as the cause, not as a problem-solver of problems.

The European Union is on fire. And this fire was caused from the inside by a serious 'short circuit': the intergovernmental operating system. Without a fundamentally new 'wiring' - a federal operating system based on a Federal Constitution - the EU, as a symbol of the centuries-old need for European cohesion, burns to the ground. Which statesman or stateswoman will rise from this ash, or better: will prevent this disaster?

For those who would like to know more, please refer to the website <u>https://samenwereld.nl/federal-europe.</u> There you find all the information that stands for elementary knowledge of federalization. Including a video course on the system errors of the intergovernmental EU-administrating system and the system-strengths of a federal state.



# 3. How should we create the United States of Europe?

## 3.1 Forget about it! It has been tried so many times before

Many attempts at federalization have been made since 1800. Even - I have already mentioned this - by England, from 1803 to June 1940. All failed. Anyone who is a little bit interested in this theme will know that in the 19th and 20th centuries many conferences took place on a pro-federal basis. The dominant feature of this was the dominance of the political presence. It was certainly the case - especially after the First and Second World Wars - that non-politically bound federalists regularly picked up the fire of European federalism, but it was always deafening as soon as it ended up in the hands of political parties and national parliaments.

This does not mean that, since the Versailles Treaty of 1919, the end of the First World War and the arrival of the famous but soon forgotten League of Nations, little or no attention has been paid to federalism within political parties. Under the auspices of the United Nations, which was founded in 1945, the federalist fire was also kept burning for some time within Dutch political parties. For example, the list of members of the Dutch Council of the European Movement, set up in 1947, an umbrella association of a number of European-focused organizations, had 29 members of the House of Representatives and 11 from the Senate.

But people were always scared taking the step of fulfilling the concern for common European interests by sharing national competences with those of a federal body. When the European Coal and Steel Community (ECSC) was established in 1951 - on the basis of the 1950 Schuman Plan - as an association of six countries on the basis of policy and not on the basis of a vertical division of competences - many a politico-related federalist breathed a sigh of relief: federalization was no longer needed to be advocated because it was assumed that the ECSC intergovernmental operating system would eventually evolve into a federal system for the whole of Europe. A way of thinking that still exists to this day within parts of the European Parliament: 'If you change the underlying treaty frequently, a federation will automatically emerge'. On the contrary. It makes the Treaty even weaker.

# 3.2 But there is one approach that has not yet been tried: the Convention of Philadelphia as best practice

One attempt at the federalization of Europe has never been tried: to take the Philadelphia Convention - the best practice - as a benchmark, to put together a small group of professionals to draft a Federal Constitution, to submit it to the people of Europe for ratification, to say that this constitution will enter into force if the citizens of nine Member States accept it by a majority and then join the EU as a federation of at least nine countries. Or ensure that all the Member States are involved, so that the EU can make way for the United States of Europe.

So, the answer to the question 'How should we create the United States of Europe' is a brief one: by following as much as possible the same path from the Philadelphia Convention.

## 3.3 How would such a Convention be structured?

## 3.3.1 What is the number of members of the Convention?

Philadelphia's Convention had only 55 participants. Approximately 20 invited representatives of the various states had not turned up. But that small group laid the foundation for what became the most powerful country in the world. And their product - a Federal Constitution - subsequently served as a model for several dozen other federations in the world that together now house 40% of the world's population.

I am in favor of a Convention of 56 members: two per EU country. For me, the figure of 56 is a matter of principle. If 55 Americans with the political, philosophical and political knowledge of that time managed to design the constitutional foundation for the most powerful federation, then with 56 people and with much more knowledge - especially of the failures - we must certainly succeed. If not, we are not worth trying to create the United States of Europe.

However, the distribution of two members per EU country is, in my view, a relative matter. When England leaves (Brexit), two places become available so that two other countries can get one. Or one country can have even the two of England. If, in some EU countries, no one meets the profile for membership of the Convention, then the rhythm of two members per country will be left aside, as long as the overall figure of 56 is maintained.

## 3.3.2 Which error is prohibited per se?

I have regularly put forward this idea of Convention like the Philadelphia one - and therefore of the claim of a limited number of Members. The reaction was always the same: "Don't you have to involve a lot of people in such an important subject? You have to involve hundreds, if not thousands, of European Citizens in the design of a federal constitution, otherwise you will not have any commitment". And more of such well-intentioned but ill-considered remarks. They are also fed by the fact that in more places in Europe – not so long ago in September 2017, at the Sorbonne speech of President Macron - the usefulness of, and need for, Citizens' Conventions is being promoted.

Available in various versions. For example, several Conventions throughout Europe, or a very large one with a very large number of participants, spread over months of work.

Usually I answer such observations with some questions, like: "Do you ever sit in an airplane? The answer is always in the affirmative, after which I ask: "Did you help build that plane?" Of course, the answer is always in the negative. After that, the goal is easily made: "You didn't help building that plane and you know that planes can fall from the sky. Still, you step into it? Where do you get your commitment from?" That is usually enough to make it clear that making an important product - in this case, a Federal Constitution for Europe to protect the behavioral alternatives of more than 500 Europeans - is a matter for professionals. So, with a ban on involving amateurs or even bunglers.

Does this mean that no efforts should be made to secure the support and sincere commitment of the people of Europe for a federal constitution? On the contrary. As the writer of the book *Beleid begint bij de Samenleving. Een zoektocht naar de menselijke maat* (Policy starts with Society. A search for the human dimension), it has been known to me since 1970 that gaining commitment is just as important as making a professional Federal Constitution. But you have to organize it differently. I will return to this in Paragraph 3.3.10 and Chapter 4.

## 3.3.3 What is the profile of the members of the Convention?

Let me now turn to the profile of the 56 members of the Convention. It is not a question of the profile of each member, but of the profile of the knowledge required to be present in the Convention as a whole. These 56 members must together guarantee the presence of three knowledge complexes: a) knowledge of basic federalism and its history, b) knowledge of constitutional law and legislative technique, and c) knowledge of a handful of common interests such as the care of a European defense policy, foreign policy, financial-economic policy, climate and energy policy, immigration policy, harmonization of taxes and some other interests which cannot be taken care of by individual Member States and which are therefore the reason for establishing a Federation.

The latter knowledge complex, the presence of knowledge of a number of specific policy areas, is necessary because the Federal Constitution must have a Memorandum of Explanation. In the article-by-article explanation, it should be clearly stated for which common interests the federation is to be established.

However, it is important to note that the Convention's interpretation of common interests is only global. This exhaustive list serves as a context and will at a later stage - <u>in a democratic context</u> - be further determined in terms of policy content on the basis of political negotiations between the parties that will be populating the federal

European Parliament. The Convention concentrates primarily on the governance of Europe, the construction of the federal system. That is a task, a matter, of the people according to "All sovereignty rests with the people". It is not and must not be the case that the Convention is dominated by discussions on the substance of policy. That is a task and matter of political consideration. The content of the federal policy areas is a matter for the federal European Parliament.

There is another profile that requires attention: the male-female relationship in the Convention. The distribution must be 50-50%. This will not be easy, because Europe has no tradition of taking the presence of women in leading positions on an equal basis.

## 3.3.4 Who selects the members of the Convention?

The 56 members of the Convention are selected by European federalists. They are located all over Europe and know each other. Together with a sample of them, the organizers of the Convention are organizing a so-called Environmental Analysis. This is an analysis to find, from the three knowledge complexes mentioned, those men and women who could be potential members of the Convention. From this 56 people will be selected.

There will probably be many potential members left. They are invited to be available to support those who will act as members of the Convention. For more information, see Chapter 4.

## 3.3.5 Are politicians welcome as members of the Convention?

The answer is "No, unless....." Politicians have had 200 years to turn Europe into a federation. The political-philosophical and constitutional knowledge was there, as was the example of America. By failing to do so, they have been guilty - since the French Revolution of 1789, two years after the creation of the American federal constitution - of killing hundreds of millions of soldiers and civilians. And billions in damage to nature, the environment, goods and properties. So, they can only be accepted as members if they meet excessively one of the three knowledge requirements I have just mentioned. Not in their capacity as politicians.

The argument that today's politicians cannot be blamed for what their peers have left to do since 1789 and for what they have done wrong does not hold water. For the sake of brevity, I refer to the lack of knowledge and political courage of the current EU leaders, especially the members of the European Council.

The position of refusing politicians as politicians in their own right - in other words, in their capacity as politicians - has two other causes in addition to the 200 years of failure mentioned above.

The first stems from the mis-design of the European Convention (February 2002-July 2003) under the leadership of the French statesman Valery Giscard d'Estaing. This Convention was called for by the Laken Declaration of 2001, based on the questions of how to proceed with the European Union, what improvements were useful and necessary and, above all, what geopolitical position the Union should aspire to. The Convention was to lead to a new text to replace all the existing European treaties, good for a new European Union with flexible governance and suitable for enlargement to as many as 25 - or more - Member States. The Convention's product would then be assessed at an Intergovernmental Conference and after any amendments adopted by the European Council of Heads of State or Government.

And then things went wrong.

- No fewer than 217 people took part in the Convention: representatives of the Member States, the national parliaments, the European Parliament and the European Commission; representatives of 13 countries waiting to join the EU; representatives of various European institutions and civil society organizations such as employers' and workers' organizations, non-governmental institutions, representatives of universities. Such a number of members, combined with their national backgrounds and institutional interests, guarantees a hotchpotch of political folklore and safeguarding their own interests instead of thinking in terms of a European interest.
- The aim was to produce a document for a draft Treaty establishing a Constitution for Europe. A wrong combination of words: an oxymoron, words that do not belong together in the same sentence. You make a treaty, or you make a constitution. Few people realize that this, too, is a systemic error that lies at the root of the predictable collapse of the European Union.
- After 16 months of consultation driven by national and private interests the final product was accepted by 209 of the 217 members and submitted to an Intergovernmental Conference of representatives of the governments of the Member States and of the States due to accede.
- This Intergovernmental Conference worked on it from October 2003 to June 2004, after which the European Council took a final decision on 18 June 2004. The Treaty, referred to as a Constitution (sic), was signed in Rome on 29 October 2004 by the Heads of State or Government of 25 Member States.
- At that time, ratification had to take place on a country-by-country basis. For ten countries, including France and the Netherlands, this had to be done by referendum. History is well known. In France and the Netherlands (2005), the Constitution was rejected by referendum.
- The rejected text was then politically altered for a number of years. This resulted in the Treaty of Lisbon in 2007, which entered into force in 2009. This is without doubt the worst legal document ever produced in Europe. A legal student who would put

something like this in his thesis would immediately receive the 'consilium abeundi': the advice to leave.

Here we come across an incomprehensible aspect of human behavior. Most people think it is normal that everything that is made - whether it be a loaf of bread, or a house, or a car, or a rocket, or a computer - should be made by professionals. They buy it because the basis for that decision is based on the knowledge, or the assumption, that there were no amateurs at work.

A system failure is so serious that sooner or later, slowly or quickly, the system explodes or implodes. This is now the case with the European Union. It is considered entirely normal that the intergovernmental operating system provided for in the Treaty of Lisbon has been made by amateurs. And now they are surprised that this system is imploding.

That is why the rule of thumb - in the sense of allowing politicians to participate in the composition of a political document of the highest order, just because they are politicians - is a mistake of the highest order. Knowledge, knowledge and more knowledge must be the basis for the political foundations of a prosperous, safe and just life in Europe.

My second reason for refusing politicians in their capacity as politicians is as follows. After I and Herbert Tombeur (and guest author Fernand Jadoul) wrote the European Federalist Papers between August 2012 and May 2013, we organized a Citizens Convention in Bucharest in November 2013. Together with the Jean Monnet Association in Bucharest, we had everything in order: agenda, protocol, participants, transport, accommodation, catering and a beautiful room in the Palace of the Parliament of Romania. In the end, it did not go ahead because of insufficient financial support from bodies linked to the EU's politics.

## 3.3.6 What is the task of the Convention?

The Convention of 56 members has the task of improving the Federal Constitution that Herbert Tombeur and I designed in the aforementioned European Federalist Papers. It is a draft of only 10 articles. Three more than the Federal Constitution made by the Philadelphia Convention.

We took the American Constitution as the best practice - our benchmark. Not to copy it, but to transform it into a Constitution for a Federal Europe. We improved some parts of the US because the current European political and social relations allowed for improvements. We took on board several aspects of the 27 amendments that were added to the US Constitution in later years. And we also introduced elements of direct democracy from the Swiss Federal Constitution. And yet our draft Constitution does not contain more than 10 articles. There is no need for more articles to keep 28-plus countries together in a European Federation, under the guarantee of preserving their sovereignty, autonomy and cultural identity.

A Constitution of only 10 articles is not only a practical argument from the point of view of careful legislative technique. It is also a point of principle. When making legislation, one all-important criterion applies: make only generally binding rules. The more parties are affected by legislation, the more notes they have to say, the more they all want to see things regulated on the basis of their own interests, the more exceptions they demand to the generally binding rules, the fewer the number of common interests and thus the smaller the number of rules to be made. So, make only the rules that all stakeholders think should be binding on all of them.

The Treaty of Lisbon is precisely the opposite. It contains with two sub-treaties more than 400 articles, often contradictory, and a staggering number of exceptions to the general rules in order to please certain Member States. That is why the Treaty only serves an accumulation of national interests, not a single European interest. The way in which, in recent years, some EU countries did not comply with the rules of the Treaty because they have not served their national interests - says it all.

In recent years, Tombeur and I have been regularly criticized. The criticism usually concerned two different subjects.

Firstly, "Where do you get the guts and the knowledge to make a draft of something as great as a European Federal Constitution?" The answer is: "Can a baker bake bread? Constitutional law is our background. Authoritative examples of cast-iron Federal Constitutions are on our desks. And we have years of experience in the practice of various governments. If, on that basis, we were unable to make an even better constitution than the American one, we would have to return our legal diploma."

Our design is fine. But we know full well that there is always room for improvement. That is why it is the task and duty of the 56-member Convention to improve our draft. In other words, the Convention does not start from scratch, but has our draft as a basis for making it an even better Constitution.

Secondly, "Why do you copy the American Constitution?" Our answer is: "If you dare to ask this, it turns out that you have not studied that thing. Now keep your mouth shut, sit down and start studying. Come back in a few week's time to continue this conversation."

## 3.3.7 What should have been the task of the European leaders?

The rather boldly parrying of these two ill-considered criticisms has a background that we explained at the beginning of our European Federalist Papers. The New York Times

of 9 January 1999 contained an article by Robert A. Levine, a senior member of the US Federal Government, entitled 'What the EU needs is a copy of the Federalist Papers'. He put forward this position at the start of economic and monetary union, with the Euro as the single currency. Levine explained that Europe could learn some useful lessons from America in this process of full European integration. Including the advice to base the Euro system on a federal basis. Without such a foundation, he considered the Euro to be too vulnerable. Well, we experienced that when, in 2008, the banking crisis started and the subsequent economic crisis that followed.

There is also something else to be added. Take a look at Section 1.5 of De Nederlandse Bank's 2012 Annual Report. In a few pages it is clearly explained why the federal system of America was - indeed - able to bring the crisis in America under control. If the responsible EU politicians had taken into account the valuable nature of Levine's advice in 1999, we would have been able to limit the serious damage to the EU economies and the dramatic cutbacks for some countries. Because of their guilty negligence, they have no right to criticize us who, in the end, did what they wrongfully failed to do as responsible leaders: still write the European Federalist Papers as the founders of a draft Federal Constitution.

Those who constantly argue that the Euro has failed should also be better informed. They, too, have apparently not seen or valued Levine's advice. It is not the currency of the Euro that is weak, but the lack of a federal foundation under the Euro. An attempt to do this under the Maastricht Treaty in 1992 failed because of personal tensions between the Dutch Prime Minister Lubbers and Chancellor Kohl, who needed Mitterrand (opponent of federalization) to unite East and West Germany.

#### 3.3.8 How much time will it take to perform the task?

The Convention only has to last a week, from Monday to Friday. The daily schedule is as follows:

<u>Monday</u>: arrival of the members, transportation to the hotel, a joint dinner and discussion of the work for the next few days.

<u>Tuesday</u>: Members decide by a majority on the content of each of the ten Articles: five in the morning and five in the afternoon. This has been thoroughly prepared in advance. This is dealt with in Chapter 4. I repeat: these are general binding articles which serve a single interest: the European interest by providing an exhaustive list of the common interests of the Member States. There is no room for the inclusion of national interests, let alone for exceptions. The number of 10 items will not be exceeded. Anyone can think of several hundred articles. But it is about discipline that can best be expressed by the German saying: *'In der Beschränkung zeigt sich erst der Meister'*, the unforgettable sentence with which J.W. von Goethe made clear in 1802 what a pupil has to do if he wants to become a teacher himself.

<u>Wednesday</u>: by majority vote the Members will decide on the content of the Explanatory Memorandum to the draft Constitution. This concerns a General Explanatory Note, as well as an article-by-article Explanatory Note. This was missing from the draft American Constitution in 1787. This lack was then largely remedied by the aforementioned Federalist Papers of Madison, Hamilton and Jay. In those 85 Papers, they explained - and defended - what the Founding Fathers meant by the 7 Articles of the Constitution. And the Federalist Papers still count as a workable source of wisdom when it comes to the Supreme Court's question as to how some issues should be assessed correctly. Without a good Explanatory Memorandum, it is difficult for judges to apply a so-called 'teleological' approach. That is: examine what the original legislator might have meant by certain rules. Of course, the European Federalist Papers already contain an Explanatory Memorandum on the draft Constitution, but there is always room for improvement.

<u>Thursday</u>: on this day, the Members will decide how to present the draft Federal Constitution for Europe to the Citizens of Europe to let them ratify the draft Constitution. This will be discussed in more detail in Chapter 4.

<u>Friday</u>: on the last day, we welcome representatives of political bodies - either from the EU or from Member States. Pro-Europe institutions, representatives of civil society, academic institutes and media are also welcome. With a few keynote speakers and a panel discussion, they will be informed of the outcome of the Convention. The Conventie ends on Friday.

This 'march order' makes it clear that it is not a conference with speakers who enjoy themselves and an audience that is bored, but a Convention in which each participant is working hard to achieve a successful outcome. No speeches, no declarations, no representation of national interests. We have seen and heard enough of this over the past 70 years. It is about finalizing the text of the concept of a Federal Constitution, its Explanatory Memorandum and the way in which the citizens of Europe are served.

#### 3.3.9 Where should the Convention take place?

My preference is for The Hague. So, in the Netherlands. With its renowned Peace Palace and various International Courts and Tribunals; the residence of the Netherlands is the world's legal capital. Moreover, until the 1990s, the Netherlands often participated in thinking about and cooperating in the federalization of Europe. Even though federalism is not a rewarding topic for discussion in the Netherlands at the moment, the seed is still in the ground and will germinate, just as the seed in the ground of deserts will blossom as soon as a rainfall passes over it. Discussions are ongoing about a suitable location in The Hague.

# 3.3.10 How do you gain support and commitment for the Federal Constitution among the citizens of Europe?

Two concepts are important here: 'federate the federalists' and 'educate the people'.

The first - 'federate the federalists' - concerns the following. One of the reasons why attempts to federalize Europe continue to fail is because of the extremely low level of organizational structure of federalist movements in Europe. There are many hundreds, especially if we also take into account the pro-European movements, which do not all explicitly have federalism in their objectives. The strange thing about this situation is that all the federalist movements fall under the concept of 'single, decentralized, unitarian movements'. They stand on their own (single), have (almost all) local, regional and national departments (decentralized) and form a unitarian status within themselves. However, there is no federation of federal movements.

For ease of reference, compare it to UEFA, probably the largest federation in Europe. At the local level, you have football clubs, amateurs and professionals. They have united federally in a national league/bond: they themselves remain independent, autonomous, bosses in their own homes, sovereign, but their League provides a handful of common interests, such as a competition agenda from August to June. The Leagues, in turn, are the 54 federations in Europe that make up the UEFA. Those federations themselves are sovereign, but they need UEFA to organize the Champions League. Thousands of federations exist in the private sphere. For a long time now. I have already made this clear in Section 1.4. But there is still no federal Europe. However, the tide is turning.



On 12 May 2018, together with a number of Italian federal friends, we achieved a breakthrough. Admittedly, on a very small scale, but still. In Milan, we managed to create a federation of 13 different federal movements, the Federal Alliance of European Federalists (FAEF). It is an umbrella under which heterogeneous federal movements find a common federal home. These are movements that are very fond of federalism, but which are present in very different ways. This should be the

beginning of a new phase of European federalism: the creation of federations of federal movements at local/regional, national and European level. Just like the UEFA.

The need to work hard on 'federate the federalists' has three reasons. Firstly, if you, as a federal movement, are not able and willing to create a federation with other movements, how can you ever create a federal Europe? Secondly, it is only by

systematically working on improving the degree of organization that you can build up authority and exercise power. Thirdly, in this way, we can - and must - make it clear to the people of Europe what federalism is and why it is far better for their prosperity and security than the intergovernmental EU operating system, which has in any case reached the end of its political life cycle. Under the adage '*All sovereignty rests with the People*', the Citizens of Europe are the alpha and omega of a federal Europe.

The federalists will therefore have to 'take to the streets'. Both literally, with demonstrations, but also figuratively, by informing and teaching the Citizens of Europe in all kinds of ways about the usefulness and necessity of European federalism. We know that the political leaders of the European Union are neither able nor willing to do this since the arrival of the intergovernmental governments in 1951.

Federating the federalists' is necessary for what I called 'educate the people' at the beginning of Section 3.3.9. Public support is needed to persuade – in the sense of acquiring commitment - the people of Europe to ratify the draft Federal Constitution. This requires the transfer of knowledge, insight and, above all, feeling. The people cannot buy it anywhere in a supermarket. It is up to the federalists to hand it over. Not simple, but necessary. The 'course material' no longer needs to be made. Everything that federalists should hand over as 'educators' of the people is already in the website <u>https://samenwereld.nl/federal-europe</u>. It is just a question of organizing. And of course, of funds. I will come back to this in Chapter 5.

This is, moreover, only one of the ways of securing the support and commitment of Europe's citizens. I will discuss this in more detail in Chapter 4.

## 3.3.11 How do the citizens of Europe vote on the draft Federal Constitution?

Answer: with a voting system based on blockchain technology. Blockchain technology is being experimented with in all kinds of applications all over the world. The most common application is crypto-currencies such as BitCoin. But also, in the field of voting via a blockchain system, there are already experimental applications. This includes the municipal elections in Groningen in March 2018. People elsewhere in the world are also working on this.

We are currently designing our own system, which can be applied throughout Europe. Please note that the ratification of the draft Federal Constitution is neither a Referendum nor a European Citizens' Initiative. These are procedures with too many pitfalls and detriment problems. We do not need to ask any authority for permission to give the Citizens of Europe the opportunity to express an opinion on the draft Federal Constitution. It is just a question of organizing. Again: not simple, but possible. Here, too, there is a need for funding.

#### 3.3.12 Who organizes the Convention?

The Convention is organized by a Foundation following Dutch law, called 'Burger Conventie voor een Federaal Europa'. It will in principle exist temporarily and will cease to exist after the completion of the ratification process unless new circumstances make the continuation of the Foundation useful or necessary. In the event of termination of the Foundation, its assets will be transferred to the aforementioned Federal Alliance of European Federalists (FAEF).

The Foundation has a board of four and a staff of six. Together, they form the Convention's Organizing Team. The Board of Directors is accountable to a Supervisory Board of three persons.

The structure is further explained in Annex 3.

# 4. What is the procedure before, during and after the Convention?

#### 4.1 Duration of the Convention's activities

As soon as sufficient funds are available (see Chapter 5), the organization of the Convention can begin. The whole process will take about one year.

In general parts:

- selection of participants: two months;
- study and production by participants: 5 months, including working on commitment;
- Convention duration: 1 week;
- strengthening public support and commitment Citizens by informing, teaching and explaining the draft Constitution, including ratification: 5 months.

The design and testing of a voting system - based on blockchain technology - for ratification will take place within that year. This is an estimate of the required turnaround time. If it has to take longer, then we do: quality is the only thing that counts.

#### 4.2 Selection of members of the Convention

It starts with the selection of the members of the Convention. This includes the following activities.

# 4.2.1 Conducting an Environmental Analysis and drawing up the list of members

A group of approximately ten federalists meets for two days to analyze the men and women who meet the three knowledge complexes referred to in Paragraph 3.3.3.

#### 4.2.2 Gross list of potential candidates

This environmental analysis leads to a gross list of potential candidates. From this list, 56 people are selected, who are then all approached personally. A personal approach is a necessary condition for creating the necessary support among the potential members themselves. The result of this approach is a list of people who are willing and able to act as members of the Convention. If some do not want to or cannot be available, others from the gross list will be approached.

#### 4.2.3 Keeping reserves available

All potential members not finally included in the list of 56 participants are invited to be available to support the teams of members participating in the Convention.

#### 4.2.4 Finally setting the date of the Convention

Only when it is clear which 56 people will be attending the Convention will we set a date for the Convention to take place. Personal interviews with potential members include a discussion of their views on the preparation of the 5-month period prior to the Convention. If they think it can be done with fewer months, or that more time is needed, then that indicates the time of the Convention. This also takes into account the actual possibilities of the location to be chosen in The Hague.

# 4.3 Work of the members prior to the Convention

#### 4.3.1 Studies should be carried out

Members, but also those who participate as non-members by supporting the actual members, are requested to take a thorough look at all documents and videos on <a href="https://samenwereld.nl/federal-europe">https://samenwereld.nl/federal-europe</a>. In addition, they receive separately online:

- two books by Professor Andrea Bosco, the authority on the history of European federalism;
- other reading material that is not available on the website, but should be studied, such as, for example, the aforementioned Section 5.1 of the 2012 Annual Report of the Dutch Central Bank;
- reading material which members of the Convention believe their colleagues should take note of in any case.

The working methods of the members of the Convention are also supported by a Protocol which they are expected to sign. See Annex 1 for that Protocol.

## 4.3.2 Consultation with Supporters and with Citizens

During the five months preceding the Convention, the members will be able to consult with those who are prepared to support them. The Supporters are therefore persons who are on the gross list but who have not been selected as members in the end. The actual members shall be free to engage them in any way and to use their expertise.

For the record, any member of the Convention is free to cooperate with members of other countries.

The same applies to the involvement of the Citizens of Europe in this reflection, which takes place at that stage. If the members find it useful and necessary to have discussions with the Citizens themselves in advance about the work they have to do in accordance with Paragraph 4.3.3, they are free to do so. They can organize mini-conventions and living room conversations. Or give lectures and write publications. They can also work in their own environment on the aforementioned aspect of 'federate the federalists' by setting up federations of federal movements and involving their members in

approaching the Citizens. All this fall within the scope of gaining support and commitment.

In the same period, prior to the Convention itself, one of our federalist friends is undertaking a 'Bicycle Tour to the Heart of Europe'. He visits the members of the Convention, talks to individual and organized citizens about Europe, their wishes, thoughts and ideas, also visits political philosophers, mayors and leaders of civil society organizations to discuss the essence of 'educate the people' with them. His findings are published online on a weekly basis and a book about these findings is published afterwards.

# 4.3.3 Improvements to the draft Constitution, the Explanatory Memorandum and the approach to the people of Europe

The study of the members prior to the Convention, plus their consultation with Supporters and Citizens, should result in proposals for improvements to the draft Federal Constitution, the Explanatory Memorandum and the approach to the European people. These proposals must reach the organizing committee two months before the Convention. Herbert Tombeur and I process all this into new documents within a month, which then immediately become available to the members again. On this basis, they will be able to prepare for decision-making in the Convention.

It may be a consideration to make it available to the media as well.

## 4.4 Members' work in the Convention

When the Convention finally takes place, most of the work will have been done. The most important knots have already been cut through. It is only a matter of concluding the preparatory work with clear decisions. Of course, there is always the possibility of amending the final versions produced by Tombeur and myself at the Convention.

Unlike in the European Council, which works with the reprehensible system of unanimity, decisions are taken by majority: half plus one.

The course of the Convention will be recorded on paper and on video. In addition to the use of social media - the discussions can be followed via a live connection.

## 4.5 Member's work after the Convention

Soon after the Convention, the overall result will be incorporated into a comprehensive document, supported, if possible, by video material. The general findings will be communicated on Friday when guests from the political and societal world are present.

This is followed by a relatively uncertain period of about five months: the draft Federal Constitution and its Explanatory Memorandum must be brought to the attention of the people of Europe. This is partly a question of providing information and partly a continuation of the educational trajectory in order to strengthen support and commitment. I expect the same process to emerge that the authors of the Federalist Papers had to deal with in 1787 and 1788: comments on the production of the Convention are coming from all over the world. Members of the Convention are expected to explain clearly and unambiguously the quality of their own thinking.

Production must be available in all the languages of the current European Union.

## 4.6 What will happen after ratification?

The result of the ratification process is simply 'yes' or 'no'. In the event of a 'no' vote, we will sweep our tears and continue to work on a federal Europe. In the event of a 'yes', a period of transformation will begin, but it is not certain in advance how the current intergovernmental EU operating system will be replaced by a federal form of government called the United States of Europe. Indeed, there are several options.

If a majority of all the peoples of the 28 Member States say 'yes' to the articles of the proposed Constitution, then that transformation will take place in accordance with the relevant articles of that Constitution.

If fewer than 28 Member States say 'yes', we should fall back on Article 20 of the subtreaty of the European Union, added to Articles 326-334 of the sub-treaty on the Functioning of the European Union. These articles allow 9 Member States to engage in so-called enhanced cooperation without dictating what form of enhanced cooperation is or is not allowed. So, this form of enhanced cooperation can be a federal structure of 9 Member States. It can then be integrated into the current EU system as a single Member State, just as Germany, Belgium and Austria are already doing.

# 5. What does the Convention cost and who pays for it?

#### 5.1 'No money, no Swiss': fundraising

The well-known expression: 'No money, no Swiss' comes from the 'Point d'argent, point de Suisse' from the Middle Ages: Swiss mercenaries were good and reliable fighters, as long as you paid.

The same applies to the organization of a Citizens' Convention: it costs a lot of money. One of the weaknesses of the large number of federal movements in Europe is the fact that they rely mainly on volunteers. This is great fun and romantic, but by definition a limitation of the scope, depth and quality of an extensive process of change. If a Convention of this level of ambition is to succeed, a substantial fund is needed to pay for the professionals you need.

This document serves as a justification for wealthy individuals interested in a united Europe based on a federal state system: the United States of Europe. Annex 2 contains a table with an overview of the costs involved.

#### **5.2 Friends of the Convention**

People who would like to support the goal of the Convention – taking the Convention of Philadelphia (being the best practice) as its benchmark – can become Friends of the Convention. Upon donating € 25 they will be registered after which they receive a 3D-statue of Lady Europe. Friends will be informed regularly about the proceedings of the Convention.

#### 5.3 Accountability

The Board of the Foundation 'Burger Conventie voor een Federaal Europe' is accountable to a Supervisory Board of three persons. Annex 3 deals with the financial responsibility.

# **ANNEX 1 Protocol**

I, (name of the undersigned),

Convinced that the time is ripe to establish a truly democratic European Federation under the name of the United States of Europe (USE), based on a Constitution that will guarantee:

(a) Shared sovereignty between the Member States and the Federal body,

(b) Provide an exhaustive list of common interests while maintaining the political organization, autonomy and cultural identity of the Member States,

(c) A united Europe in which the House of Representatives of the European Parliament, as well as the President, are elected by the people of Europe - Europe being one constituency - while the Senate is appointed by the national Parliaments of the Member States,

(d) Freedom, security, order, justice, defense against enemies, nature, environmental and energy sustainability, as well as acceptance and internalization of the diversity of ethnicities, cultures, beliefs and lifestyles of all European citizens,

e) Respect for human rights, the justification of governance, the rule of law in the sense of 'no one is above the law', the responsibility of ministers, a multi-party system that fosters opposition and equal opportunities for all political parties,

f) A united Europe open - in principle and in practice - to immigrants to establish a Europe that, as the world's leader, once again demonstrates why governments are created for the happiness of their citizens.

Participating as a Member in the Civic Convention for a Federal Europe on [date], in [place] with a view to contributing to the fulfilment of the need for the founding of the United States of Europe, a need which has existed for centuries,

Having read and studied the European Federalist Papers and all documents and videos on the website <u>https://samenwereld.nl/federal-europe</u>,

Agreeing that the purpose of the Citizens Convention is not to debate and discuss any federalist issue, but to decide through dialogue on an improved draft Federal Constitution and its Explanatory Memorandum - originally written by Leo Klinkers and

Herbert Tombeur, with guest author Fernand Jadoul - and on the way in which the people of Europe will be approached to ratify the draft Constitutional Treaty, implying that my presence in the Convention is focused on decision-making,

Will contribute to this decision making in accordance with the following provisions:

- After receiving the documentation to be studied, I will concentrate on possible improvements to the present draft Federal Constitution, its Explanatory Memorandum and the way in which the people of Europe will be approached in order to ratify it.
- 2. I agree that the total number of Articles in the draft Federal Constitution does not exceed the figure of 10.
- 3. I can decide to do this work in cooperation with one or more other members of the Convention, with people who can support me, as well as with Citizens of Europe who want to think along.
- 4. I shall send the result of my study and consultation to improve the documents before us to the organization team at least two months before the date of the Convention.
- 5. I agree that within one-month Leo Klinkers and Herbert Tombeur should incorporate all the suggestions for improvement into three new documents: an improved draft Federal Constitution for the USE, an improved version of the Explanatory Memorandum and an improved version of the approach taken by the people of Europe to ratifying the draft Constitution.
- 6. I agree that the three improved versions should be returned to me a month before the Convention begins, so that I can prepare for the decision-making process in the Convention.
- 7. I agree that the schedule is as follows: Monday: arrival, hotel, dinner; Tuesday: majority voting for each article of the draft Constitution; Wednesday: majority decision on the explanatory memorandum; Thursday: majority voting on the approach to ratification by the people of Europe. Friday: reception of political guests, drinks and gala dinner and end of the Convention.
- 8. I agree that the President of the Convention should determine the order of the day, open and close sittings and allow Members to speak for as long as the President wishes.
- 9. I agree that in the article-by-article debate on Tuesday and Wednesday, as well as in the discussion of the ratification process on Thursday, each Member should have the right to make reasoned proposals for amendment. The President shall decide, in consultation with Klinkers and Tombeur, whether it makes sense to put such amendments to the vote.

10.I agree that the organizing team should communicate the final result to all those who took part in the Convention, as well as to the relevant political bodies, civil society and the media, as soon as possible after the Convention is over.

Name, (if applicable: function), country



# ANNEX 2 Global overview costs

Code	Cost type	Price €	Number	Costs	Total
1	Travel costs v.v.				161.700
1.1	Flights members Convention (56 pp)	500	56x500	28.000	101.700
1.1	Flights organisation team (10 pp, 20 vl)	500	10x20x500	100.000	
1.2	Taxi Schiphol-Den Haag v.v.	200	56x200	11.200	
1.3	Taxi Den Haag (per dag)	50	71x5x50	17.500	
		500	10x500	5.000	
1.5	Environmental analysis (10 pp)	500	10x500	5.000	
2	Hotel costs				91.000
2.1	Members Convention (56 pp, 5 nights)	200	56x5x200	56.000	
2.2	Organisation team (10 pp, 5 nights)	200	10x5x200	10.000	
2.3	Supervisory board (3 pp, 5 nights)	200	3x5x200	3.000	
2.4	Guests (20 pp, 5 nights)	200	20x5x200	20.000	
2.5	Environmental analysis (10 pp, 1 night)	200	10x200	2.000	
3	Catering				
3.1	Lunch (70 pp, 4 days)	50	70x4x50	14.000	68.500
3.2	Dinner (70 pp, 5 days)	100	70x5x100	35.000	
3.3	Coffee, thea, drinks (70 pp, 5 days)	50	70x50	3.500	
3.4	Closing drinks Friday (200 pp)	200	200x50	1.000	
3.5	Closing gala dinner Friday (100 pp)	150	100x150	15.000	
4	Fees				1.716.600
4.1	Organisation team (10 pp,12 months)	5.000	10x12x5.000	600.000	
4.2	Supervisory board (3 pp, 12 months)	1.000	3x12x1000	36.000	
4.3	Members Convention preparation phase	5.000	56x5.000	280.000	
4.4	Input FAEF on commitment people			500.000	
4.5	Biking tour 'To the Heart of Europe'			200.000	
4.6	Strengthening commitment by campaigns			100.000	
5	Event organisation				110.000
5.1	Hiring location (room 100 pp, 5 days)		estimated	10.000	
5.2	Hiring Event organisation		estimated	50.000	
5.3	Publicity, social media		estimated	50.000	
4	Production costs				200.000
6			octimated	50.000	300.000
6.1	Documentation, Banners, Flyers, etc.		estimated	50.000	
6.2	Reporting		estimated	50.000	

This is a global overview of the costs per July 2018. Costs include VAT.

6.3	3D-statue Lady Europe (1.000)		estimated	25.000	
6.4	Voting system by blockchain		estimated	50.000	
6.5	Translations		estimated	100.000	
6.6	Offering final result to EU and Member States		estimated	25.000	
SUM					2.447.200
7	Unforeseen	10%			244.720
	TOTAL GENERAL				2.691.920

Citizens Convention for a Federal Europe: support living room conversations

# **ANNEX 3 Financial responsibility**

The Foundation 'Citizens Convention for a Federal Europe' is in charge of the organization of the Convention and is also responsible for the fundraising.

In view of the scope of the activities and the professional organization required, and in view of the financial task involved, we have - following the example of the Wijffels Committee (Code for charities; 2005) - opted for a Supervisory Board model as the governance structure.

In the case of a Supervisory Board model, the administrative process (policy, implementation and accountability), is - with the exception of supervision - in the hands of the management Board of Directors. In this model the management within the Board of Directors is professional and consists of one or more directors under the articles of foundation. The supervisory function lies with a separate body: the Supervisory Board.

Supervision takes place on two occasions.

<u>In advance</u>: the plans (mission, strategy, policy plan and budget) are submitted to the Supervisory Board for approval.

<u>In retrospect</u>: the Supervisory Board critically assesses the management and the organization and approves the annual report. In addition, the Supervisory Board also has a stimulating and advisory function towards the Board of Directors. The Supervisory Board appoints and dismisses the management Board of Directors and the external Accountant.

As a fundraising organization, we are obliged to comply with Guideline 650 for fundraising organizations of the Council for Annual Reporting. In particular, we apply the recommended Guideline C2 for Costs, Management & Administration January 2008 (Revised version September 2017).

Together with our accountant, we have developed and implemented various procedures to ensure that the cost allocation model recommended by 'Goede Doelen Nederland' in 2007 is followed. In line with the income and expenditure model used for this purpose, we will add a separate item and explanation for 'management and administration' (M&A) costs in our next annual report.

The above also applies to what is known as standard-setting. According to the Recognition Scheme, each fundraising organization must determine the desired ratio between spending on objectives, recruitment costs and M&A costs and explain the amount. This will also be carried out in the next Annual Report.

Note: recently, ANBI status has been applied for.