

THE LJUBLJANA INITIATIVE

ON THE NEW CONSTITUTIONAL PROCESS AND NEW DRAFT TREATY ESTABLISHING A CONSTITUTION FOR EUROPEAN UNION

We, the undersigned participants at the International Conference on the New Constitutional Process for the European Union, held at the European Faculty of Law of the New University in Ljubljana, Slovenia, on 18 and 19 April 2016,

Acknowledge, with respect and satisfaction, the historic successes of the European Union, from its inception in 1951 by the Treaty of Paris and the subsequent Treaties of Rome in 1957, in terms of

- ~ securing peace and stability on the European continent;
- ~ enabling the free flow of ideas, people, products, and services across the continent without border controls;
- ~ providing for friendly cooperation among the European peoples, nations, civil societies, and markets;
- ~ ensuring respect for fundamental rights, the rule of law, and democracy in the European Union inner area of freedom, security, and justice; and
- ~ contributing to peaceful cooperation among the nations of the world order,

express serious concerns with respect to

- ~ the ongoing monetary and fiscal crisis undermining the stability of the common currency of the European Union;
- ~ the lack of success in curtailing excessive regulation and bureaucracy in numerous fields of human creativity in the European Union areas of civil society, economy, and polity;
- ~ the imminent challenge to the security of urban life posed by terrorist attacks and threats;
- ~ the tides of illegal immigration flowing over the outer and inner borders of the European Union;
- ~ the lack of competencies and power instruments in the areas of security, intelligence, defence, and foreign affairs;
- ~ ensuring the good governance and accountability of the central administration;
- ~ the democratic legitimacy of key decision-makers;
- ~ the unresolved status of the European Union in view of sovereign powers, either exclusive or shared between the European Union and its Member States;
- ~ the serious decline in the European Union's size and strength following the exit of the United Kingdom, one of its key, and soon-to-be former, Member States; and
- ~ the lack of power instruments and geo-political strategy in view of the regionalisation of the world order,

and consider there to be a need to articulate the political will on the levels of the European Union people, their nations and leaders in order to

- ~ recognise the present historic moment and its accumulation of crises and conflicts as an opportunity to take a decisive step forward;
- ~ initiate a new constitution-building process to complete in a constructive manner the more than half-century-long history of the European Union's crises and reforms;
- ~ agree on a new Treaty Establishing a Constitution for European Union with a view to creating and securing its inner area of freedom and justice; and
- ~ ensure the position of the European Union as an equal partner among the competing and collaborating world actors.

To this end, we submit for critical inspection and further elaboration the text of the new draft Treaty Establishing a Constitution for European Union, prepared to encourage discussion at the aforementioned Ljubljana conference, and subsequent public debate.

We invite all European Union peoples and institutions of good will to combine their energies and ideas in order to build a better and lasting Union for ourselves and our children.

In Ljubljana, Slovenia, in the Year Two Thousand and Seventeen on the 6th Day of January.

Borut Pahor,
President of the Republic of Slovenia

Peter Jambrek,
former President of the Constitutional Court of the Republic of Slovenia

Ernest Petrič,
former President of the Constitutional Court of the Republic of Slovenia

Dimitrij Rupel,
former Minister of Foreign Affairs of the Republic of Slovenia

Tine Hribar,
Member of Slovenian Academy of Sciences and Arts, Philosopher

Niko Grafenauer,
Member of Slovenian Academy of Sciences and Arts, Poet

Matej Avbelj,
Professor of European Law