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## **Bishop Martin Schindehütte**

### **Statement**

#### **On the introduction of the EKD's (Evangelical Church in Germany) motion to carry out a fundamental revision of the legal basis of the Conference of European Churches**

Dear Sisters and Brothers

Thank you very much indeed for allowing me the time tonight to introduce the motion from the Evangelical Church in Germany, to set up a working group whose task it will be to undertake a fundamental revision and re-formulation of the legal basis of the Conference of European Churches.

We in the EKD are very grateful that, since its foundation, CEC has promoted peace and reconciliation in a divided Europe during the era of the Iron Curtain. Building bridges between East and West, North and South is still an important function for which CEC must be strengthened.

We rejoice at the way in which the community of churches in Europe has been preserved and developed since Basel and Graz. The Charta Oecumenica has come to provide a foundation for common commitment to dialogue and cooperation. It should promote an ecumenical culture of dialogue and cooperation and of commitment on all levels of church life. It is not a magisterial/dogmatic or canonical/legal document but lives because the European Churches and ecumenical organisations follow it and commit themselves to its tenets. On the basis of the original text they can formulate additions and common perspectives relevant to their particular circumstances, which deal concretely with the particular challenges they are facing, and the commitments arising from them. Therefore we understand our motion to be an attempt to confirm and revive the Charta Oecumenica as the precious and indispensable basis for building ecumenical relations in Europe, and the basic framework of reference for the future of CEC. Thus we hope to be able to help to clarify and safeguard the tasks of CEC for the future.

Since the end of Europe's divisions, however, centrifugal forces and diverging theological and confessional interests and emphases are clearly increasing. CEC has not yet sufficiently adjusted its structures and tasks to the profoundly changed situation within Europe. Our concern is that the witness of the churches in the cultural, social and political developments



must be effectively heard in the European Union and also in the whole of Europe. At the same time we must strengthen the theological and ethical discourse and make more room for spiritual experiences.

The EKD's motion has an important previous history. In preparation for this Assembly a paper was sent out, on January 19<sup>th</sup>, 2009, with proposals for revising CEC's basic legal texts. These proposals have just been introduced by the General Secretary and have been passed by the Assembly. We think however that they are not sufficiently far-reaching, but also too long-term in their aims. Our analysis of the texts showed that the three existing legal texts, the Constitution, Byelaws and Standing Orders are incongruent and unclear and leave open many questions of structure and cooperation. These texts should be made to fit together sensibly. Therefore for reasons of legal clarity alone a fundamental revision is necessary.

Naturally we also noted that in recent years some attempts have already been made to develop CEC's organisational and decision-making structures. But it is evident today that staff and leadership, as well as the responsible members of CEC's governing bodies, are suffering badly from a lack of clarity in their mandates and structures. As a result much energy is absorbed by friction. For all their sakes, and for the sake of the future of CEC, we say: something has to change.

What is particularly important, however, are the challenges presented by the contents of the work of CEC. There is an urgent need for the clarification of the tasks, priorities and mandates, as well as of the ways in which it cooperates with its member churches. In its covering letter of the motion and its statement the EKD has already made a few proposals in this area. It is true that our proposals are very far-reaching. However they should only be seen as part of the material which, together with other ideas and considerations, will be discussed by the working group.

We noted with great gratitude and joy that our ideas have found a strong resonance; this was evident at the preparatory conference of the Protestant Churches in Vienna in April of this year. But even before this conference, numerous statements and comments from member churches on the Assembly web-site pointed towards a basic revision and re-orientation of CEC. A number of CEC member churches have already told how much they support our motion. They have provided important ideas that have been incorporated into the motion that we are presenting.

On the basis of intensive work over the past few weeks, and in discussion with member churches, with the General Secretary and the legal advisers we are now presenting the following modified motion to the Assembly. Because so many suggestions have been incorporated it now differs from the motion which we presented on May 28<sup>th</sup>.

[Since the texts have been worked out in English, I will change into English for presenting the wording of the motion:]



## Motion

*The Assembly establishes, on the proposal of the Nominations Committee, a Working Group to carry out a fundamental revision of the legal basis of CEC and issues a mandate regulating the size, composition and procedural framework. The new legal basis is to be adopted at a special CEC meeting during the year 2012. The present legal basis, as amended by this Assembly, will therefore only be in force until a fundamentally new structure has been adopted.*

During the past weeks lawyers and church representatives together have worked out a text for the implementation of this motion which describes the mandate for the revision of the basic legal texts in greater detail. The EKD fully endorses and owns this text. We would like to propose the following mandate for a special working group:

### Mandate for the Working Group

1. The Working Group set up by this Assembly to review the statutory framework of CEC shall examine the basic legal texts (currently Constitution, Bye-Laws and the Standing Orders of the Assembly) of CEC and draft proposals for a new legal basis, taking into account as starting points for its deliberations:
  - the motion of the Evangelische Kirche in Deutschland (EKD),
  - the policy reference report of the Central Committee and the Secretary General,
  - the policy decisions of this Assembly,
  - the explanation of the EKD motion and statements of member churches in the consultation preceding this Assembly,
  - additional proposals submitted to it by any member church before the end of this year,
  - comments by the Central Committee,
  - comments of the Commissions of CEC and of relevant partners (e.g. associated organisations) which shall be consulted as part of the process.It shall make sure that the revision takes account of the need for a concise and coherent body of legal provisions that is easily manageable.
2. The working group is set up as a special task force. As its work will be conducted between Assemblies, it shall not be a committee according to Nr. 8.12 SO, but be constituted as a body of experts representative of the denominational families and of majority and minority churches within CEC. It shall keep the Central Committee informed about the progress and contents of its work.
3. The Working Group shall have thirteen members. Eight members shall be elected by the Assembly on the proposal of the Nominations Committee, which shall ensure that the voting list consists of experts with an appropriate professional background. The other members shall be co-opted by the Group. All member churches are invited to name



potential members from their ranks for election at the Assembly or within three months of its closure for co-option. Election and co-optation shall each respect the balance of denominations and majority and minority churches within CEC. Its members shall be in close contact to their respective church so as to create a basis for a wider consensus.

4. The Working Group shall be convened within five months of the closure of this Assembly. It shall have a Chairman and a Vice-Chairman who are to be elected at the first meeting. The Group shall constitute itself and adopt statutes regulating more detailed procedures. The General Secretariat shall provide the logistic support asked for by the presidium of the Group.
5. With a view to achieving the widest possible measure of agreement between the member churches, the Working Group shall be empowered to seek the feedback of member churches and the other bodies listed in 2. on any issue it wishes to consult them on.
6. The Working Group shall submit its draft revision of the legal texts to the Central Committee for examination no later than nine months before a Constitutional Assembly to be held in summer 2012. The Central Committee shall then transmit the draft revision with its comments to all member churches no later than six months before the Constitutional Assembly.
7. The Working Group shall be empowered to revise its draft proposal in the last two months prior to the Constitutional Assembly, but amendments shall be limited to points raised by the Central Committee or member churches in response to the draft originally transmitted.
8. The Working Group shall be empowered to draft written explanations accompanying the proposal. It shall also present its proposals and explanations to the Constitutional Assembly and advise it on the feasibility and/or impact on the entire body of revised texts of any amendment to its proposal submitted at that Assembly.

The wording of this mandate shows clearly that we are aiming at a participatory process which will lead to a broad basis of agreement.

Allow me at this point to comment on a question relating to the integration of the Churches' Commission for Migrants in Europe. We rightly rejoice that, by means of a contract, the work of this Commission will in future be much more clearly and closely linked to CEC. The contract has been worked out on the basis of the present legal basis of CEC. If our application to set up a working-group for the fundamental revision of the legal texts is accepted then the basis for negotiating this contract will change completely. From the point of view of the EKD we would fully understand if, under these completely changed circumstances, the Commission were to re-consider ways in which the non-controversial process of integration can be continued. We are glad to see clear signs that CCME is prepared to share intensively in the process of working out the tasks and mandate of CEC on



a new legal basis. Thus CCME participates in a process which expects contributions from all concerned, for a re-definition of the work of CEC.

We are looking forward to the discussion during this Assembly and are curious to hear what you will have to contribute on the basis of your own commitment to CEC and from your own perspective. We naturally hope that you will support our motion.

For the EKD's commitment to CEC and to the areas of work at present performed by its commissions much will depend on whether a positive decision by the Assembly can open up a sufficiently clear perspective for the future of CEC.

The theme of our Assembly, "Called to One Hope in Christ", directs us to go forward and strengthens us in our community in Jesus Christ. We hope and pray that, for the sake of our Christian witness in Europe, we may discover new ways and follow them.