

AMENDMENT FORM

Suggestion for amendment of Article 1:

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on behalf of the EPP Convention Group

Status: Members and Alternates

Text of the Praesidium

Proposed Amendments

Article 1: Establishment of the Union

1. Reflecting the will of the peoples and the States of Europe to build a common future, this Constitution establishes a Union [entitled ...], within which the policies of the Member States shall be coordinated, and which shall administer certain common competences on a federal basis.
2. The Union shall respect the national identities of its Member States.
3. The Union shall be open to all European States whose peoples share the same values, respect them and are committed to promoting them together.

Article 1: Establishment Foundations of the Union

1. Reflecting the will of the peoples *citizens* and States of Europe to build a common future, this Constitution establishes a Union [~~entitled ...~~], *which shall administer certain common competences on a federal basis and coordinate the policies of the Member States.*
- 2.*new* *This Constitution marks a new stage in the process of creating an ever closer Union among the peoples of Europe, in which decisions are taken as openly as possible and as closely as possible to the citizen.*
- 2-3. The Union shall respect the national identities of its Member States, *their constitutional and political structures, including regional and local self-government, their choices regarding language, and the legal status of churches, religious societies and non-confessional organisations.*

~~3.4~~ **Any European State** The Union shall be open to all ~~European States~~ whose peoples share the same values **and objectives of the Union**, respect them and are committed to promoting them together, **may apply to become a member of the Union**.

Explanation:

Para 1:

- The Union is founded on the Member States and the citizens. It is the individual citizen which must be placed at the heart of the Union activities, according to the Preamble of the Charter of Fundamental Rights. It is the citizen which – in contrast to traditional international law – has been recognised as bearer of rights and duties under Community law since 1962 by the Court of Justice, next to the Member States (Case 26/62, Van Gend and Loos). This should be made explicit in the Constitution by mentioning the citizens next to the Member States both in the Preamble and in the Articles on the Foundations of the Union; and by calling the European Parliament “House of Citizens”, as opposed to the Council (in its legislative role), which should be called “House of States”. As an illustration, see the Preamble, Articles 56 and 76(1) of the EPP Discussion Paper (Frascati text, as amended, 27 January 2003).
- The name of the Union should not be changed. It should be “the European Union”, or, in brief: “the Union”. A new name would not help to bring the Union closer to its citizens, but rather lead to confusion.
- The description of the activities of the Union should be reversed and should mention in the first place the supranational dimension (“certain common competences on a federal basis”); thereafter, the coordination of national policies by the Union should follow. This stresses that the “Community method” is **at the heart of the Union’s activities**.

Para 2 new:

- Takes over the wording of Article 1 para 2 of the EU Treaty. In particular in view of the forthcoming enlargement, it appears important to keep the objective of creating an ever closer Union among now 27 Member States.

Para 2 (now para 3):

- The recognition of the essential elements of the internal structures of the Member States, in particular regional and local self-government, deserve a more prominent place than is currently given to them in the Praesidium draft, which only refers to them in Article 9(6).
- In addition, the role of churches and religious societies should be recognised to underline the religious heritage as an essential part of the national identities of the Member States.

Para 3 (now 4):

- In line with the Copenhagen criteria, Membership of the Union should be open to States which not only share the values of the Union, but also its objectives (in particular internal market, economic and monetary union, common foreign and security policy). To make clear already here that there is no automatic right to join the Union, the wording of Article 49 of the EU Treaty is preferred to that suggested by the Praesidium.