

## AMENDMENT FORM

### Title VI: The democratic life of the Union

#### Suggestion for amendment of Article : 37

**By Members:** Mr Andrew Duff, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Karel De Gucht, Mr Peeter Kreitzberg, Mr Algirdas Gricius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; **and Alternate Members:** Ms Lone Dybkjaer, Mrs Elena Paciotti, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Patrick Dewael, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

**Status :**        **Members and alternate members.**

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#### Article 37: Status of churches and non-confessional organisations

*Delete*

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#### **Explanation:**

*It is not self-evident why something that was relegated to a non-binding Declaration in the Treaty of Amsterdam needs now to be entrenched in the Constitution.*

*Article 10 of the Charter enjoins us to respect the freedom of thought, conscience and religion.*

*Member States have various traditions and practices as concerns the relationship between church and state. Article 1 of the Constitution (or Article 2 as proposed in our amendment) ensures that the Union respects national identities. Article 9 ensures the Union's respect of the very different national legal traditions and constitutions.*

*Article 34.3 (but see our amendment) says that the Union shall maintain a dialogue with representative associations and civil society. We do not need to say it again here.*

*The Union does not have, and the Convention is not seeking, a competence in the fields of theology or philosophy.*

*What precisely does the Praesidium mean by the "specific contribution" of the churches?*

*This title is about democracy not theocracy.*