

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 7

Déposée par Monsieur : Hannes FARNLEITNER

Qualité : - Membre

1. ***Redundant or***

[Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to national citizenship; it shall not replace it. **In the field of application of this Constitution**, all citizens of the Union, women and men, shall be equal before the law.]

2.

Redundant – see explanation

Explication:

As the **Charter itself contains provisions on equality and non-discrimination as well as on citizens' rights** we should **avoid any duplication** which might cause legal uncertainties.

This is also reflected in the Final Report of Working Group II (*“The Group signals that if, as advocated by a large majority of the Group, incorporation is achieved by the insertion of the Charter text in the first part of the Constitutional Treaty it would then become necessary to combine, in an appropriate manner, in that Treaty the Charter articles on citizens' rights and the provisions on citizenship of the EC Treaty having constitutional importance; this should be considered as a technical operation raising no political problems.”*).

If Art. 7 para 1 should nonetheless be inserted in the proposed form, we propose the abovementioned amendment to **avoid uncertainties and misinterpretations**.