

AMENDMENT FORM

Part III - Title II

Suggestion for amendment of Article : III-5

By Members: Mr Giuliano Amato, Mr Elmar Brok and Mr Andrew Duff

Article III-5 (ex Article 13)

1. Without prejudice to the other provisions of the Constitution and within the limits of the powers conferred by it upon the Union, a European law or framework law of the Council of Ministers may establish the measures needed to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Council of Ministers shall act unanimously after consulting the European Parliament.
2. By way of derogation from paragraph 1, *European laws or framework laws shall establish minimum standards in this area. Also by way of derogation from paragraph I*, the European law or framework law shall establish the Union's incentive measures, to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1, excluding any harmonisation of the laws and regulations of the Member States.

Explanation:

A large majority of Members of the Convention has expressed itself in favour of the use of QMV in developing EU policy in the area of non-discrimination. However, because certain Members have opposed this, we propose to restrict the use of QMV to the establishment of minimum standards.