



Main points of the report by the Working Group on Legal Personality submitted to the plenary session of the European Convention on 3 and 4 October 2002.

Chairman of the Working Group: Mr Giuliano Amato

A SINGLE LEGAL PERSONALITY FOR THE EUROPEAN UNION

At present, the European Union does not have an explicit legal personality, although the European Community, included within the European Union, is a subject of international law. All too often this leads to confusion regarding the European system, both in relations with States which are not members of the Union and among Europeans themselves.

Noting this fact, the Working Group on Legal Personality makes the following recommendations:

- the European Union must explicitly have a legal personality;
- this new personality must replace the existing legal personalities;
- **the Working Group therefore advocates a single legal personality for the European Union.**

By becoming a subject of international law, the European Union would technically be able to represent Europe, sign treaties, go to and be summoned to court,

and become a member of international organisations. The result could be greater clarity in relations with the rest of the world, increased effectiveness and legal certainty and more effective action. However, these possibilities do not prejudice the conclusions of the Working Group on External Action.

On the other hand, the Working Group considered that the creation of a single legal personality for the European Union made possible **the merging of the different treaties governing Europe**. The merging of the treaties may lead to the strengthening of European identity and greater clarity of the European system to citizens.

Finally, if the principle of the merging of the treaties is accepted, it will be possible to reorganise them.

Therefore **a constitutional treaty is a possible option.**

