

## **Comments on Part II and Part III by Mr. Adrian Severin, MP, Romania - 31 May 2003, Brussels**

1. The Preamble of the European Charter of Fundamental Rights should be included in the Constitution, with the appropriate adaptations.
2. The entire acquis must be preserved and we must avoid steps back. Therefore, the Secretariat should check if some parts of the existing aquis are not lost.
3. At the same time, the Constitution should include the codification of the existing practices. The Praesidium must proceed in this way, amending the text accordingly.
4. General rule of QMV should be used including in the CFSP, discrimination and taxation, among others. One has to mention that QMV is the rule and then to draft a list of exceptions.
5. The Constitution should not provide for the right of the Council to adopt laws that are not adopted by the European Parliament as well. Even if different procedures would be used, the laws should pass through both the European Parliament and the Legislative Council.
6. The Constitution should regulate the right of people belonging to the cultural communities in a Europe which will be a Union of minorities (in such a Europe, the XXth century concept of national minorities and of the cultural "mother state" becomes obsolete, since the former nation-states become civic-states, and since there is no more real ethnic majority who might rule the state or the Union). This should be done by finding new solutions establishing - among others - who fixes the standards (this should be the Council), who gives guarantees for the implementation of the standard (this should be the European Commission) and who is responsible for the enhancement of the standards (this should be the Member States of residence).

7. The automatic recognition of the judicial and the arbitration awards, in all the Member States of the EU, should also be provided in the Constitution.

8. Open method of co-ordination should be included in the Constitution.

9. A horizontal clause should be included in the Constitution in order to put on equal footing the social, economic and environmental goals in all the Union's activities.

10. We need more time in order to bring the Part III to a reasonable level of achievement.

11. We must reject the blackmail, exercised by some of us, that the IGC is going to change what we cannot agree within the Convention. A political declaration of the Convention in this respect must be adopted, warning against the disastrous consequence of this unacceptable blackmail.