

## AMENDMENT FORM

### Suggestion for amendment of Article : 2

By Ms. Dybkjær

Status :    - Member            **X Alternate**

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The Union is founded on the values of respect for human dignity, liberty, democracy, **equality, in particular between men and women**, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity

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### Explanation (if any) :

It is of utmost importance, that equality between men and women remain among both the values and the objectives of the Union in the future Constitutional Treaty.

The European Union is NOT a discrimination free society. The European Union today is NOT gender equal. Women all over Europe are, on a daily basis, experiencing discrimination in its various forms - be it as concrete as violence or as subtle as the paygap or the glass ceiling which hinders the advancement of women. Gender equality must be a FUNDAMENTAL PRINCIPLE of the European Union, which cannot be ignored or negotiated away if Europe is to be a gender equal society.

We cannot speak of any sort of free choice until we have changed the unequal foundation, which is at the moment our starting point.

## AMENDMENT FORM

### Suggestion for amendment of Article :I-2

By Mr Péter Balázs, Mr József Szájer, Mr Pál Vastagh, Mr. Hannes Farnleitner, Mr Alain Lamassoure, Mr Jens-Peter Bonde, Mr Kimo Kiljunen Mr Evripidis S. Styliandis, Mr Péter Gottfried, Mr István Szent-Iványi, Mr António Nazaré Pereira, Mr Jürgen Meyer

Status :    - Members            - Alternate

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#### Article I-2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law, ~~and~~ respect for and protection of human rights and those of minorities. These values are common to the Member States in a society of pluralism, tolerance, justice, equality, solidarity and non-discrimination.

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#### Explanation (if any) :

The proposal adds and refers to the missing element of the Copenhagen criteria, which makes an important part of the acquis.

## **AMENDMENT FORM**

### **Suggestion for amendment of Article I -2**

**By Mr Proinsias De Rossa**

**Status : - Member**

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Redraft as follows:

The Union is founded on the values of respect for human dignity, liberty, democracy, **equality**, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, solidarity and non-discrimination.

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### **Explanation (if any) :**

As a value, 'equality' should be placed on an equal footing with 'liberty', 'democracy' etc.

**AMENDMENT FORM**

**Title I**

**Suggestion for amendment of Article: I-2**

**By: Mr. Vytenis Povilas Andriukaitis**

**Status: Member.**

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Article I-2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, **in particular social justice**, equality, solidarity and non-discrimination.

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Amendment Form

**Suggestion for amendment of Article : I-2**

**By Ms: Linda McAvan**

**Status : - Member**

Modify as follows:

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law, *equality between men and women* and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, equality, solidarity and non-discrimination.

**Explanation (if any) :**

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article : I- 2**

**Déposée par Madame ou Monsieur : M. Louis Michel, M. Elio di Rupo, Mme Anne Van Lancker, membres de la Convention et M. Pierre Chevalier et Mme Marie Nagy, membres suppléants de la Convention**

**Qualité :   - Membre                      - Suppléant**

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### **Article I-2: Les valeurs de l'Union**

L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, **d'égalité**, de démocratie, de l'état de droit, ainsi que de respect des droits de l'Homme. Ces valeurs sont communes aux États membres dans une société caractérisée par le pluralisme, la tolérance, la justice, ~~l'égalité~~, la solidarité et la non-discrimination.

## AMENDMENT FORM

Suggestion for amendment of Article : I-2

By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann

Status :    - Member            - ~~Alternate~~

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### Artikel I-2: Die Werte der Union

Die Werte, auf denen die Union sich gründet, sind die ~~Achtung~~ *Unantastbarkeit* der Menschenwürde, Freiheit *und Gleichheit*, Demokratie, Rechtsstaatlichkeit und die Wahrung der Menschenrechte; diese Werte sind allen Mitgliedstaaten in einer *friedlichen* Gesellschaft gemeinsam, die sich durch Pluralismus, Toleranz, Gerechtigkeit, ~~Gleichheit~~, Solidarität und Nichtdiskriminierung auszeichnet.

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Explanation (if any) :

## AMENDMENT FORM

Suggestion for amendment of Article : Article I-2: The Union's values

By Ms / Mr : Mr Jens-Peter Bonde

Status : X - Member      - Alternate

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The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law, ~~and~~ respect for human rights **AND NATIONAL AND ETHNICAL MINORITIES**. These values are common to the Member States in a society of **STABLE DEMOCRATIC INSTITUTIONS**, pluralism, tolerance, justice, equality, solidarity and non-discrimination.

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Explanation (if any) :



## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : I-2 (partie I)

Déposée par Mme Pervenche Berès, Olivier Duhamel

Qualité : - Membre et Suppléante

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#### Article I-2: Les valeurs de l'Union

L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, de démocratie, de l'état de droit, ainsi que de respect des droits **fondamentaux**. Ces valeurs sont communes aux États membres dans une société caractérisée par le pluralisme, la tolérance, la justice, l'égalité, la solidarité et la non-discrimination.

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#### **Explication**

*Amendement visant la neutralisation du genre, conformément à la Charte des droits fondamentaux qui a remplacé l'expression "droits de l'Homme" par "droits fondamentaux" et dans le prolongement du Préambule de la présente Constitution qui fait référence non pas à "l'Homme" mais à la "personne humaine".*

AMENDMENT FORM

**Title I: Definition and objectives of the Union**

**Suggestion for amendment of Article : Article I-2: The Union's values**

**By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Rein Lang, Lord MacLennan**

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**Article I-2: The Union's values**

The Union is founded on the values of respect for human dignity, liberty, *equality*, democracy, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, solidarity and non-discrimination.

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**Explanation:**

*Equality is more a basic value than a description of European society.*

## AMENDMENT FORM

**Suggestion for amendment of Article : Part I, Article I-2**

**By Mr : Henning Christophersen**

**Status : Member of the Convention**

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### **Article I-2: The Union's values**

The Union is founded on the values of respect for human dignity, liberty, democracy, **equality between women and men**, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, equality, solidarity and non-discrimination.

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**Explanation (if any) :** Equality between women and men is a cornerstone of modern European society and a fundamental Union value and should be included in Article I-2.

## **FICHE AMENDEMENT 1 (FINAL)**

**Proposition d'amendement à l'Article : I-2 Valores de la Unión**

**Déposée par Madame ou Monsieur : Borrell, Carnero y López Garrido**

**Qualité : - Membre      - Suppléant**

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... Estos valores son comunes a los Estados miembros en una sociedad caracterizada por el pluralismo, la tolerancia, la justicia, la igualdad, **la igualdad entre el hombre y la mujer**, la solidaridad y la no discriminación.

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**Explication éventuelle :**

## AMENDMENT FORM

### Suggestion for amendment of Article I - 2

By Mr : Dimitrij Rupel

Janez Lenarčič

Status :        Member

Alternate

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#### Article 2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights and **fundamental freedoms**. These values are common to the Member States in a society of pluralism, tolerance, justice, equality, solidarity and non-discrimination. .

## AMENDMENT FORM

**Suggestion for amendment of Article : I-2**

**By Mr : Joschka Fischer**

**Status : - Member**

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### **Artikel I-2: Die Werte der Union**

Die Werte, auf denen die Union sich gründet, sind die Achtung der Menschenwürde, Freiheit, Gleichheit, insbesondere Gleichheit zwischen Männern und Frauen, Demokratie, Rechtsstaatlichkeit und die Wahrung der Menschenrechte; diese Werte sind allen Mitgliedstaaten gemeinsam in einer Gesellschaft des Pluralismus, der Toleranz, der Gerechtigkeit, ~~der Gleichheit~~, der Solidarität und der Nichtdiskriminierung.

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### **Explanation (if any) :**

**Die Gleichheit vor dem Gesetz, ist ein Wert, der allen Mitgliedstaaten der Union gemeinsam ist. Dieser Wert ist justiziabel und sollte daher in Satz eins aufgenommen werden.**

**Die Gleichheit von Männern und Frauen vor dem Gesetz nimmt im Rahmen der europäischen Gesetzgebung und auch der europäischen Rechtssprechung einen großen Raum ein. Dies rechtfertigt ihre Hervorhebung in Satz 1.**

## AMENDMENT FORM

### Suggestion for amendment of Article 1-2

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.

Status : - Members: Hjelm-Wallén and Lekberg  
- Alternates: Petersson

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### Article I-2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, **equality**,<sup>1</sup> democracy, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, ~~equality~~, solidarity and non-discrimination.

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<sup>1</sup> Equality is a value of the same dignity as liberty.

## AMENDMENT FORM

**Suggestion for amendment of Article :I-2**

**By Mr :Ernâni Lopes and Manuel Lobo Antunes**

**Status : Member and Alternate**

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### **Article I-2: The Union's ~~values~~ principles**

The Union is founded on the ~~values~~ of respect for human dignity, liberty, democracy, the rule of law and respect for human rights. These ~~values~~ **principles** are common to the Member States in a society of pluralism, tolerance, justice, equality, solidarity and non-discrimination.

**Explanation : Human dignity, liberty...are principles and not mere values. Only principles may be legally binding and its violation invoked before a Court.**



## **FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : Artigo 2 - Epígrafe**

**Déposée par Monsieur : Luís QUEIRÓ**

**Qualité : Suppléant**

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### **Artigo 2.º - Epígrafe**

"Valores **fundamentais** da União"

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**Explication éventuelle :**

## **FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : Article 2 - Titre**

**Déposée par Monsieur : Luís QUEIRÓ**

**Qualité : Suppléant**

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### **Article 2 - Titre**

Article 2: Les valeurs **fondamentales** de l'Union

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**Explication:**

## **FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : Artigo 2 bis, novo, n.º2**

**Déposée par Monsieur : Luís QUEIRÓ**

**Qualité : Suppléant**

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**2. Un Etat membre peut, dans le respect des procédures prévues à cet effet, engager une procédure de retrait du traité établissant l'Union européenne;**

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### **Explication éventuelle :**

Jusqu'à présent, le droit de retrait n'est pas inscrit dans les traités existants. Cette omission entretient la confusion sur la nature des engagements souscrits lors de l'adhésion à l'Union européenne, confusion dont se nourrit par ailleurs le discours fédéraliste sur le caractère irréversible de l'appartenance à l'Union européenne. Organisation internationale reposant sur la souveraineté et le libre consentement des Etats, l'Union européenne doit prévoir une procédure autorisant, dans certaines circonstances exceptionnelles mettant en cause les intérêts fondamentaux d'un Etat, la possibilité pour ce dernier d'exercer son droit de retrait.

## **FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : Article 2 bis, nouveau, paragraphe 2**

**Déposée par Monsieur : Luís QUEIRÓ**

**Qualité : Suppléant**

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**2. Un Etat membre peut, dans le respect des procédures prévues à cet effet, engager une procédure de retrait du traité établissant l'Union européenne;**

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### **Explication éventuelle :**

Jusqu'à présent, le droit de retrait n'est pas inscrit dans les traités existants. Cette omission entretient la confusion sur la nature des engagements souscrits lors de l'adhésion à l'Union européenne, confusion dont se nourrit par ailleurs le discours fédéraliste sur le caractère irréversible de l'appartenance à l'Union européenne. Organisation internationale reposant sur la souveraineté et le libre consentement des Etats, l'Union européenne doit prévoir une procédure autorisant, dans certaines circonstances exceptionnelles mettant en cause les intérêts fondamentaux d'un Etat, la possibilité pour ce dernier d'exercer son droit de retrait.

## FICHE AMENDEMENT

Proposition d'amendement à l'Article : Artigo 2 bis, novo - Epígrafe e n.º1

Déposée par Monsieur : Luís QUEIRÓ

Qualité : Suppléant

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### **"Alargamento da União"**

1. A União está aberta a todos os Estados europeus cujos povos **partilhem os seus** valores, e se comprometam a **respeitá-los e a** promovê-los em comum.

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### **Explication éventuelle :**

Este Artigo não respeita à "Instituição da União" e a sua inserção como n.º 3 do Artigo 1.º seria, por isso, incorrecta. Trata-se antes do princípio fundamental do Alargamento da União, a que deve corresponder um artigo autónomo.

## **FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : Article 2 bis, nouveau – Titre et n.º1**

**Déposée par Monsieur : Luís QUEIRÓ**

**Qualité : Suppléant**

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### **Article 2 bis, nouveau**

#### **"Elargissement de l'Union"**

L'Union est ouverte à tous les Etats européens dont les peuples partagent ses valeurs et qui s'engagent à les respecter et à les promouvoir en commun.

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#### **Explication :**

Cet article ne concerne pas « l'institution de l'Union », mais il s'agit d'un principe fondamental de l'élargissement. C'est pourquoi nous proposons qu'il puisse correspondre à un article autonome.

## FICHE AMENDEMENT

Proposition d'amendement à l'Article : Artigo 2

Déposée par Monsieur : Luís QUEIRÓ

Qualité : Suppléant

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A União funda-se no respeito pela dignidade humana, incluindo o primado da vida, pela liberdade, pela democracia, pelo Estado de direito, e pelo respeito dos direitos do Homem, valores que são comuns aos Estados-Membros. Visa a manutenção da paz e uma sociedade que pratica a igualdade entre os Estados e os povos da União e promove a tolerância, a justiça e a solidariedade.

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Explication éventuelle :

## FICHE AMENDEMENT

Proposition d'amendement à l'Article : Article 2

Déposée par Monsieur : Luís QUEIRÓ

Qualité : Suppléant

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L'Union se fonde **sur le** respect de la dignité humaine, **y compris la primauté de la vie**, de **la** liberté, de **la** démocratie, de l'état de droit, et du respect des droits de l'homme, valeurs qui sont communes aux Etats membres. Elle vise **au maintien de la paix et** à être une société pratiquant **l'égalité entre les Etats et les peuples de l'Union et promouvant** la tolérance, la justice et la solidarité.

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Explication :



## FICHE AMENDEMENT

**Proposition d'amendement à l'Article:** 2

**Déposée par Monsieur:** Erwin Teufel

**Qualité:** Membre

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### *Texte du Praesidium*

Die Union beruht auf den folgenden Werten:  
Achtung der Menschenwürde, Freiheit,  
Demokratie, Rechtsstaatlichkeit und Achtung der  
Menschenrechte; diese Werte sind allen  
Mitgliedstaaten gemeinsam. Die Union strebt  
eine friedliche Gesellschaft an, in der Toleranz,  
Gerechtigkeit und Solidarität herrschen.

### *Amendement proposé*

- (1) Die Union beruht auf den folgenden  
Werten: Achtung der Menschenwürde,  
Freiheit, Demokratie, Rechtsstaatlichkeit  
und Achtung der Menschenrechte; diese  
Werte sind allen Mitgliedstaaten  
gemeinsam. Die Union strebt eine  
friedliche Gesellschaft an, in der  
Toleranz, Gerechtigkeit und Solidarität  
herrschen.
- (2) **Die Werte der Europäischen Union  
umfassen die Wertvorstellungen  
derjenigen, die an Gott als die Quelle  
der Wahrheit, Gerechtigkeit, des  
Guten und des Schönen glauben, als  
auch derjenigen, die diesen Glauben  
nicht teilen, sondern diese universellen  
Werte aus anderen Quellen ableiten.**

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### **Begründung:**

Diese Formulierung erkennt die Werte an, die wesentlich für die europäische Zivilisation sind, unabhängig davon, ob sie auf einem Glauben an Gott beruhen oder auf einer anderen Quelle.

## FICHE AMENDEMENT

**Proposition d'amendement à l'Article:** 2

**Déposée par Monsieur:** Erwin Teufel

**Qualité:** Membre

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### *Texte du Praesidium*

L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, de démocratie, de l'état de droit, et de respect des droits de l'Homme, valeurs qui sont communes aux Etats membres. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.

### *Amendement proposé*

- (1) L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, de démocratie, de l'état de droit, et de respect des droits de l'Homme, valeurs qui sont communes aux Etats membres. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.
- (2) **Les valeurs de l'Union Européenne comprennent les valeurs spirituelles de ceux qui croient à Dieu comme source de la vérité et de la justice, de la bonté et de la beauté et de ceux qui ne partagent pas cette croyance mais qui trouvent ces valeurs universelles dans d'autres sources.**

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### **Explication:**

Ce passage reconnaît les valeurs essentielles de la civilisation européenne, sans distinction s'ils dépendent de la croyance à Dieu ou d'une autre source.

## AMENDMENT FORM

### Suggestion for amendment of Article : 2

**By Ms / Mr :** Representatives of the Assembly of the Republic - Portugal

**Members** Maria Eduarda Azevedo, Alberto Costa

**Alternates** António Nazaré Pereira, Guilherme d'Oliveira Martins

**Status :**

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### Article 2

#### **Principles**

The Union is founded on the principles of liberty, democracy, respect for **human rights, equality between women and men**, the rule of law, tolerance, justice and **solidarity**.

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article : 2**

**Déposée par Madame ou Monsieur :** Représentants de l'Assemblée de la République - Portugal

- **Membre:** Maria Eduarda Azevedo, Alberto Costa

- **Suppléant:** António Nazaré Pereira, Guilherme d'Oliveira Martins

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### Article 2

#### **Les principes**

L'Union se fonde sur les principes de liberté, de démocratie, de respect des droits **humains**, **d'égalité entre femmes et hommes**, de l'état de droit, de tolérance, de justice et de **solidarité**.

## Proposition d'amendement à l'Article 2

Déposée par Madame Elena Paciotti et Monsieur Valdo Spini, Suppléants

### EN Version

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#### **Article 2: The Union's values**

The Union is founded ( *5 words deleted*) on human dignity, liberty, *equality*, democracy, the rule of

Law, respect for human rights, *solidarity and justice*, values which are common to the Member States.

*1 sentence deleted.*

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#### **Explication éventuelle:**

*Equality is a key value in modern constitutions and must be included in the article on the founding values of the Union.*

*The language used in the Constitution should not be sexist, but neutral in gender: not the 'rights of man' but 'human rights'.*

## Proposition d'amendement à l'Article 2

Déposée par Madame Elena Paciotti et Monsieur Valdo Spini, Suppléants

### EN Version

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#### Articolo 2: Valori dell'Unione

L'Unione si fonda *sulla* dignità umana, la libertà, *l'uguaglianza*, la democrazia, lo stato di diritto, il rispetto dei diritti *umani, la solidarietà e la giustizia*, valori che sono comuni agli Stati membri  
(*una frase soppressa*)

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#### Explication éventuelle:

*L'uguaglianza è valore cardine delle moderne costituzioni e deve figurare nell'articolo dedicato ai valori fondanti dell'Unione.*

*Il linguaggio della Costituzione non deve essere sessista, ma neutrale rispetto al genere: non diritti "dell'uomo" ma diritti "umani".*

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article 2**

**Déposée par M. Jacques FLOCH, Membre suppléant**

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#### **Article 2. : Les valeurs de l'Union**

Ajouter :

« Au travers de l'affirmation de ces valeurs, l'Union européenne reconnaît les luttes et combats de tout temps contre tous les régimes nazis, fascistes, autoritaires, totalitaires, racistes et xénophobes.

Pour l'affirmation et le respect de ses valeurs, l'Union poursuit le combat de ces hommes et de ces femmes. »

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**Explication éventuelle :**



## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Ms / Mr : Marie Nagy**

**Status :    - Member            - Alternate**

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### **Article 2: The Union's values**

The Union is founded on the values ~~of respect for human dignity~~ of the inviolability of human dignity, liberty, democracy, the rule of law and respect for **fundamental and** human rights, **social justice, solidarity, pluralism and equality**, values which are common to the Member States. ~~Its aim is a society at peace, through the practice of tolerance, justice and solidarity.~~

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**Explanation (if any) :**

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 2

*Déposée par Monsieur Dominique de Villepin*

**Qualité : Membre**

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#### **Article 2: Les valeurs de l'Union**

L'Union se fonde sur les **principes** de respect de la dignité humaine, de liberté, de démocratie, de l'Etat de droit, et de respect des droits de l'Homme **et des libertés fondamentales**, valeurs qui sont communes aux Etats membres.

Elle vise à être une société pratiquant la tolérance, la justice et la solidarité.

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**Explication éventuelle :**

## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Mr : Edmund Wittbrodt**

**Status : - Member**

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1. The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law, ~~and~~ respect for human rights **and the equality of women and men**, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.
  2. **The Union's values include the values of those who believe in God as the source of truth, justice, good and beauty as well as of those who do not share such a belief but respect these universal values arising from the other sources.**
  3. **The European Union bases on the principle of solidarity among its Member States while carrying out its missions.**
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### **Explanation (if any) :**

1. *This follows the EPP suggestion, but changes the order of words.*
2. *Inspired by the Preamble of the Constitution of Poland, follows the EPP suggestion.*
3. *Solidarity in the first paragraph has a different meaning than traditional "solidarity" in the Union's policies. This point is essential for the newcomer States.*

## **AMENDMENT FORM**

**Suggestion for amendment of Article : 2**

**By Lord Tomlinson**

**Status : Alternate**

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I would prefer to see a re-ordering of values in order to give primacy to democracy, the rule of law, respect for human rights and then refer to human dignity and liberty which in any event arise from the other values.

The second sentence seems to me to say that our aims are self-evidently "good" but producing concepts incapable of clear definition. What specifically is the measure of a "society at peace", "tolerance" and "solidarity". What are the intended meanings by which we measure?

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**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article 2

**By:** Mr Andrew Duff, Mr Dimitrij Rupel, Mr Paul Helminger, Mr István Szent-Iványi and Mr Lamberto Dini

**Status :** Members and alternate member

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#### Article 2: The Union's values

**2.1** The Union is founded on *shared* values of *liberty*, human dignity, democracy, the rule of law and respect for *fundamental* rights. Its aim is a society at peace, *enriched by its cultural diversity, practising and promoting* tolerance, justice and solidarity.

**2.2** *The Union shall respect its national and regional identities.*

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#### **Explanation :**

*2.1 The formulation of 'shared' rather than 'common' values is to indicate a positive commitment to the unity of Europe. 'Common' is a more passive concept.*

*Liberty takes priority in a list of values.*

*If we have 'human dignity' already we need the wider notion of 'fundamental' rights, which is also consistent with the Charter.*

*A reference to the value of European culture is surely desirable at this point, as is the idea of promoting by example what it is we as Europeans practise.*

*2.2 This clause is taken over from Article 1. 2. The qualification of national identities being 'of its Member States' is dropped in the interests of pluralism and historical accuracy. There are many national identities within the states of Europe.*

*Likewise we include regional identities. The Constitution must cater for the emergence of a post-national democratic identity with flourishing regions and localities.*

## AMENDMENT FORM

### Suggestion for amendment of Article 2:

**By Pervenche Berès, Teresa Almeida Garrett, Irena Belohorska, Maria Berger, Alfonso Dastis, Olivier Duhamel, Lone Dybkjaer, Jacques Floch, Povilas Andriukaitis, Neil McCormick, Luis Marinho, Elena Paciotti, Hildegard Puwak, Anne Van Lancker, Proinsias de Rossa, Valdo Spini and Renée Wagener**

**Status : Members**

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### **Article 2: Les valeurs de l'Union**

L'Union se fonde sur les valeurs de respect de la dignité *de la personne*, de liberté, de démocratie, de l'état de droit, et de respect des droits *fondamentaux*, valeurs qui sont communes aux Etats membres. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.

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### **Explanation (if any) :**

*La Constitution doit reprendre la terminologie consacrée par la Charte des droits fondamentaux, elle-même intégrée à la Constitution, s'agissant de la neutralisant du genre dans les terminologies "Droits de l'Homme" et "dignité humaine".*

## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Ms / Mr : Johannes Voggenhuber, Eva Lichtenberger**

**Status :    - Member            - Alternate**

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### **Article 2: The Union's values**

The Union is founded on the values ~~of respect for human dignity~~ of the inviolability of human dignity, liberty, democracy, the rule of law and respect for **fundamental and** human rights, **social justice, solidarity, plurality and equality**, values which are common to the Member States. ~~Its aim is a society at peace, through the practice of tolerance, justice and solidarity.~~

---

**Explanation (if any) :**

## FICHE AMENDEMENT

Proposition d'amendement à l'Article : Art. 2

Déposée par Madame Cristiana MUSCARDINI

Qualité : Membre

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Ultima riga (*versione italiana*), aggiungere dopo “*mira*”: **"al mantenimento della pace e ad una società che pratici la tolleranza, la giustizia e la solidarietà."**

---

Explication éventuelle :



**FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : Art. 2**

**Déposée par Madame Cristiana MUSCARDINI**

**Qualité : Membre**

---

Dopo le parole *diritti dell'Uomo*, aggiungere:

**“e sulla tradizione greco-romana, giudaico-cristiana, laica e liberale”**

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**Explication éventuelle :**

## AMENDMENT FORM

**Suggestion for amendment of Article : 2 (Values of the Union)**

**By Mr :  
Jan FIGEL**

**Status :        - Member                      - Alternate**

---

Add to the paragraph

Para 2 (new):

***The Union respects cultural and ethical sovereignty of the Member States.***

---

### **Explanation (if any) :**

The amendment is based on the principle of subsidiarity. Moreover National Council of the Slovak Republic has passed the Declaration regarding the sovereignty of the member states of the European Union in the cultural and ethical issues, on January, 30, 2002.

## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Mr : Joachim Wuermeling and Peter Altmaier**

**Status : - Alternates**

---

Die Union beruht auf den folgenden Werten: Achtung der Menschenwürde, Freiheit, Demokratie, Rechtsstaatlichkeit, ***und*** Achtung der Menschenrechte ***und Respekt der Vielfalt***; diese Werte sind allen Mitgliedstaaten gemeinsam. Die Union strebt eine friedliche Gesellschaft an, in der Toleranz, Gerechtigkeit und Solidarität herrschen.

---

**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article 2

By Mr : Dimitrij Rupel

Status :        Member

---

#### Article 2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights and fundamental freedoms, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article 2 :**

**Déposée par M. Pierre LEQUILLER, Président de la Délégation pour l'Union européenne**

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### **Article 2 :**

Après le mot « démocratie, », insérer les mots : « de pluralisme, ».

---

### **Explication éventuelle :**

L'amendement vise à souligner l'importance du pluralisme- politique, médiatique, culturel- comme valeur de l'Union.

## AMENDMENT FORM

### 2. Suggestion for amendment of Article 2: Les valeurs de l'Union

By Ms Meglena Kuneva

Status : Member

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L'Union se fonde sur les **principes** de respect de la dignité humaine, de liberté, de démocratie, de l'Etat de droit, et de respect des droits de l'Homme **et des libertés fondamentales**, valeurs qui sont communes aux Etats membres.

Elle vise à être une société pratiquant la tolérance, la justice et la solidarité.

---

#### Explanation (if any) :

*Il serait préférable de garder la notion de 'principes', bien connue du droit communautaire et qui est employée par l'article 6 du TUE. La référence aux libertés fondamentales figure actuellement à l'art. 6 (1) TUE.*

## AMENDMENT FORM

### Suggestion for amendment of Article 2:

**By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, Mr Göran Lennmarker and Mr Kenneth Kvist, national parliament representatives.**

**Status :**    - **Members: Hjelm-Wallén, Lekberg and Lennmarker**  
                  - **Alternates: Petersson and Kvist**

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The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights **and equality between men and women**<sup>1</sup> values which are common to the Member States. Its aim is a society at peace, through the practice of, tolerance, justice, and solidarity.

---

### Explanation

<sup>1</sup> Equality between of men and women is one of the core values of the Union (expressed for example in Article 3.2 EC: *"In all the activities ... the Community shall aim to eliminate inequalities, and to promote equality, between men and women"*). Manifest risk of serious breach of this value should be sufficient to initiate the procedure for alerting and sanctioning a Member State. Promotion of equality between men and women must also remain a general objective for the Union (Article 3).

## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Ms : Giannakou Marietta**

**Status :        - Member**

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### **Article 2: The Union's values**

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights ***and fundamental freedoms***, values which are common to the Member States. Its aim is as society at peace, through the practice of tolerance, justice, ***equality*** and solidarity.

---

**Explanation (if any) :**



## AMENDMENT FORM

**Suggestion for amendment of Article 2 :**

**By Mr Joschka Fischer**

**Status : - Member**

---

### **Artikel 2: Werte der Union**

(1) Die Union beruht auf den ~~Grundsätzen der folgenden Werten:~~ Achtung der Menschenwürde, der Freiheit, der Demokratie, der Rechtsstaatlichkeit, der Gleichheit zwischen Männern und Frauen und der Achtung der Menschenrechte; diese ~~Grundsätze~~ Werte sind allen Mitgliedstaaten gemeinsam. Die Union strebt eine friedliche Gesellschaft an, in der Toleranz, Gerechtigkeit und Solidarität herrschen.

---

**Explanation (if any) :**

*Absatz 1 wird stärker an die Formulierung von Art. 6 EUV angelehnt*

## **AMENDMENT FORM**

### **Suggestion for amendment of Article: 2**

**By Ms / Mr : Mr.** Ms. Irena Belohorska – member, Jan Zahradil – member, Mr. Jens-Peter Bonde - member, Mr. David Heathcoat-Amory - member, Mr. William Abitbol - alternate, Mr. Peter Skaarup - member, Mr. Per Dalgaard - alternate, Mr. Esko Seppänen – alternate, and Mr. John Gormley - alternate.

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### **Article 2: Values of the Europe of Democracies**

The Europe of Democracies is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice, solidarity and in particular democracy.

## AMENDMENT FORM

### Suggestion for amendment of Article 2:

By Elmar BROK, József SZAJER, Erwin TEUFEL, René VAN DER LINDEN, Frantisek KROUPA, Jacques SANTER, Antonio TAJANI, Teresa ALMEIDA GARRETT, Peter ALT-MAIER, Jan Jacob VAN DIJK, Jan FIGEL, Piia Noora KAUPPI, Göran LENNMARKER, Hanja MAIJ-WEGGEN, Reinhard RACK, Joachim WÜRMELING

on behalf of the EPP Convention Group

Status: Members and Alternates

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*Text of the Praesidium*

*Proposed Amendments*

---

#### Article 2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.

#### Article 2: The Union's values

**1.** The Union is founded on the values of ~~respect for~~ human dignity, liberty, democracy, the rule of law and respect for human rights **and fundamental freedoms**, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice, **equality** and solidarity.

**2. The Union's values include the values of those who believe in God as the source of truth, justice, good and beauty as well as of those who do not share such a belief but respect these universal values arising from other sources.**

---

#### Explanation:

- It should be kept in mind that infringement of the values in Para 1, first sentence will lead to the application of **the sanction procedure under the present Article 7 of the EU Treaty**, which eventually could lead to the suspension of voting rights of a Member State in the Council. This is why we agree with the Praesidium to keep the values in the first sentence short and concise. However, this should not preclude listing further aims and fundamental principles in the second sentence and in a second paragraph of Article 2.
- Para 1, first sentence emphasises the aim of **equality** – which includes **equality before the law and in particular equality between women and men** – in order to underline the fundamental rights included in Chapter III of the Charter of Fundamental Rights (which is an integral part of the Constitution, see our amendment to Article 5). Chapter III of the Charter is entitled “Equality” and includes equality before the law; the directly effective **prohibition of all discriminations** based on sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a

*national minority, property, birth, disability, age or sexual orientation; and the directly-effective prohibition of discrimination based on grounds of nationality within the scope of application of Part Two of the Constitution.*

- *Para 2, which has been inspired by the Preamble of the Constitution of Poland, recognises **values which are essential for the European civilisation**, regardless of whether they are linked to believing in God or to another source of values. Without these values, Europe would not be what it is today. See also Article 57(2) of the EPP Discussion Paper (Frascati text, as amended, 27 January 2003)*

## **AMENDMENT FORM**

### **Suggestion for amendment of Article 2**

**By Mr : Jan KOHOUT**

**Status : - Member**

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#### **Art. 2**

Avoid the repetition in the second sentence of the wording from Art. 3.1.

---

#### **Explanation (if any) :**

**Art. 2:** The basic idea of the second sentence ("Its aim is a society at peace...") reappears in Art. 3.1.

AMENDMENT FORM

Suggestion for amendment of Article : 2

By MM : Kiljunen and Vanhanen

Status :        - Members

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The Union is founded on the values of respect for human dignity, liberty, equality, democracy, the rule of law [del], respect for human and minority rights as well as the rights of the disabled people, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice, [del]solidarity and openness.

---

*Explanation (if any) :*

It is self-evident that equality is one of the key values of the Union.

## **AMENDMENT FORM**

**Suggestion for amendment of Article: 2**

**By Marco FOLLINI**

**Status:**

**Member**

### **Articolo 2: Valori dell'Unione**

*L'Unione si fonda sui valori del rispetto della dignità umana, di libertà, di democrazia, di solidarietà e di legalità. Questi valori riflettono l'importanza dei principi delle grandi tradizioni religiose e della cultura laica dei popoli europei e richiamano la necessità di far convergere primato della persona, libertà religiosa, solidarietà sociale, convivenza tra etnie, religioni e culture differenti verso l'obiettivo della coesione sociale dell'Unione europea.*

## **Amendments submitted by Teija Tiilikainen and Antti Peltomäki 17 February 2003**

### **Article 2: The Union's values**

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights **and fundamental freedoms**, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice, solidarity **and equality**.

#### **Commentary:**

*It is self-evident that equality is one of the key values of the Union.*



## AMENDMENT FORM

**Suggestion for amendment of Article 2**

**By Mr Ivan Korčok (SK)**

**Status : - Member**

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### **Article 2: The Union's values**

**1.**The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.

**2. The Union's values include the values of those who believe in God as the source of truth, justice, good and beauty as well as of those who do not share such a belief but respect those universal values arising from other sources.**

---

**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article : 2

By Mr Korcok, Mr Jan Figel, Mr Juraj Migas, Ms Zuzana Martinakova

Status : Mr Korcok and Mr Figel are members. Mr Migas and Ms Martinakova are alternates.

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1. The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.
2. The Union's values include the values of those who believe in God as the source of truth, justice, good and beauty as well as of those who do not share such a belief but respect those universal values arising from other sources.

---

Explanation (if any) :

## AMENDMENT FORM

**Suggestion for amendment of Article 2 :**

**By Mr : Ingvar SVENSSON**

**Status : - Alternate**

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~~The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.~~

**The Union is founded on respect for fundamental values such as human dignity, life, freedom, knowledge, truth, justice, solidarity, equality, openness and tolerance. These values shall be promoted through democracy and the rule of law. Thereby conditions for a society at peace are created.**

---

**Explanation:**

The Preasidum's proposal is characterized by a mixture of general values and instrumental values. The proposal above gives a more logical structure.

**AMENDMENT FORM**

**Suggestion for amendment of Article 2**

**By Prof Peter Serracino-Inglott - Member**

**Mr John Inguanez - Alternate**

---

To be reworded as follows:

The Union is founded on the values embodied in fundamental rights: human dignity, liberty, equality, solidarity, rights arising from citizenship and justice; and the values which are common to the Member States, such as democracy and the rule of law.

---

**Explanation (if any) :**

To ensure conformity with the Charter of Fundamental Rights.



## FICHE AMENDEMENT

Proposition d'amendement à l'Article : 2

Déposée par Madame ou Monsieur : Mme PALACIO

Qualité : - Membre - Suppléant

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### Article 2: Les valeurs de l'Union

L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, d'égalité, de démocratie, de l'état de droit, et de respect des droits ~~[de l'Homme]~~ fondamentaux, valeurs qui sont communes aux Etats membres. Elle ~~[vise à être une société paisible pratiquant]~~ est basée sur la tolérance, la justice et la solidarité.

---

### **Explication :**

L'égalité est une valeur fondamentale de l'Union.

L'expression « droits fondamentaux » est celle utilisée dans la Charte des Droits Fondamentaux.

Il faut modifier la rédaction de la dernière phrase. Autrement, elle devrait se trouver dans l'article 3.

## AMENDMENT FORM

### Suggestion for amendment of Article : 2

By: Ms Linda McAvan

Status : - Member - Alternate

The Union is founded on the values of respect for human dignity, liberty, **equality between men and women**, democracy, the rule of law and respect for human rights, **solidarity and justice**, values which are common to the Member States. (*Delete rest*).

*Explanation:* the additions are also basic values

## AMENDMENT FORM

Suggestion for amendment of Article : 2

By Mr : Gianfranco FINI

Status : - Member

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### **Articolo 2: Valori dell'Unione**

L'Unione si fonda sui valori del rispetto della dignità umana, di libertà, di democrazia, dello stato di diritto e del rispetto dei diritti dell'uomo, valori che sono comuni agli Stati membri. ***L'Unione riconosce le comuni radici giudaico-cristiane come valori fondanti del suo patrimonio***

~~Essa mira ad essere una società pacifica che pratica la tolleranza, la giustizia e la solidarietà.~~

---

Explanation (if any) :



## FICHE AMENDEMENT

Proposition d'amendement à l'Article 2:

Déposée par : M. Caspar EINEM

Qualité : - Membre

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### Artikel 2: Werte der Union

Die Union beruht auf den folgenden Werten: Achtung der Menschenwürde, Freiheit, Demokratie, Rechtsstaatlichkeit und Achtung der Menschenrechte **und des internationalen Rechts, soziale Gerechtigkeit, Solidarität und Gleichheit, insbesondere Gleichheit zwischen Männern und Frauen und Nachhaltigkeit**; diese Werte sind allen Mitgliedstaaten gemeinsam. Die Union strebt eine friedliche Gesellschaft an, in der Toleranz, Gerechtigkeit und Solidarität herrschen.

---

Explication éventuelle :

## AMENDMENT FORM

### Suggestion for amendment of Article 2

By Ms Hildegard Puwak

Status : - Member

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L'Union se fonde sur les valeurs de respect de la dignité *de la personne*, de liberté, de démocratie, de l'état de droit, et de respect des droits *fondamentaux, la solidarité, l'égalité entre hommes et femmes*, valeurs qui sont communes aux Etats membres. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.

---

Explanation (if any) :

## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Mr Kirkhope MEP**

**Status : Member**

---

### Article 2: The **Community**'s values

The **Community** is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.

---

**Explanation (if any) :**

**FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : 2**

**Déposée par Mme Pervenche Berès, membre suppléante de la Convention et M. Elio Di Rupo, membre de la Convention**

**Qualité : - Membre                      - Suppléante**

---

**Article 2**

L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, de démocratie, de l'état de droit, de respect des droits de la personne, d'égalité, de justice, de tolérance et de solidarité qui sont communes aux Etats membres. Elle garantit la séparation des Eglises et des Etats.

---

**Explication éventuelle :**

## **AMENDMENT FORM**

**Suggestion for amendment of Article 2:**

**By Mr. Peter SKAARUP**

**Status: Member**

Ad to article 2:

"The Union recognizes the fundamental importance of Christianity embedded in European History and the lives of its people. Christianity draws a sharp line between secularism and spiritualism - the Union believes this division to be of vital importance for the development of the individual European member states."

## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Mr : Georgios Katiforis**

**Status : - Member**

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### **Article 2: The Union's values**

The Union is founded on the values of respect for human dignity **and human rights**, liberty, **equality, solidarity**, democracy, the rule of law **and peace** ~~and respect for human rights~~, values which are common to the Member States. ~~Its aim is a society at peace, through the practice of tolerance, justice and solidarity.~~

## AMENDMENT FORM

### Suggestion for amendment of Article 2

**By:** Danuta Hübner

**Status:** Member

| <i>Text of the Praesidium</i>   | <i>Proposed Amendments</i>  |
|---|---|
| <b><u>Article 2: The Union's values</u></b><br><br>The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity. | <b><u>Article 2: The Union's values</u></b><br><br>The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law, <del>and</del> respect for human rights, <u>tolerance, justice and solidarity</u> , values which are common to the Member States. <del>Its aim is a society at peace, through the practice of tolerance, justice and solidarity.</del> |
| <b>Explanation:</b><br>1. The wording “its aim is...” seems inappropriate as it suggests objectives and not values.<br>2. Although not proposed in this Article, a reference to the religious heritage should be mentioned in the Preamble.   |   |

**AMENDMENT FORM**

**Suggestion for amendment of Article : 2, paragraph 2**

**By Ms / Mr :**

**Ján FIGEL (Slovakia, National Council of the Slovak Republic)**

**Status :**        - **Member**                      - **Alternate**

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Add to the sentence :

*« their constitutional and political structures, including regional and local self-government, their choices regarding language, and the legal status of churches and religious societies.»*

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**Explanation (if any) :**



**AMENDMENT FORM**

**Suggestion for amendment of: Article 2**

**By: Lamberto Dini**

**Status : - Member**

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**Aim:**

In article 2, cancel any reference to a "society at peace"

---

**Explanation :**

**The expression "society at peace" is ambiguous: it is not clear whether it applies internally or externally and it adds nothing to the values already listed in the same article.**

## AMENDMENT FORM

**Suggestion for amendment of Article : Article 2**

**By Mr : CUSHNAHAN**

**Status : - Alternate (European Parliament Delegation)**

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### **Article 2: The Union's values**

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law, sustainable development, equality, non-discrimination on the basis of sex, nationality, racial or ethnic origins, religion or sexual orientation and respect for human rights, values which are common to the Member States as defined by the International and European Human Rights law. Its aim is a society at peace, through the practice of tolerance, justice and solidarity and respect for cultural and linguistic diversity.

---

**Explanation (if any) :**

*The original draft is not sufficiently comprehensive*

**AMENDMENT FORM**

**Suggestion for amendment of Article 2**

**By        Dolores Cristina**

**- Alternate**

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To be reworded as follows:

The Union is founded on the values embodied in fundamental rights: human dignity, liberty, equality of men and women, solidarity, rights arising from citizenship and justice; and the values which are common to the Member States, such as democracy and the rule of law.

---

**Explanation (if any) :**

To ensure conformity with the Charter of Fundamental Rights.

## AMENDMENT FORM

### Suggestion for amendment of Article : 2

By Mr Péter Balázs

Status : Member - Alternate

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#### Article 2: The Union's values

„The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights *including those of national minorities*, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.”

---

#### Explanation (if any) :

The proposal adds and refers to the missing element of the Copenhagen criteria, which makes an important part of the acquis.

## AMENDMENT FORM

Suggestion for amendment of Article : 2

By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann

Status : - Member      ~~Alternate~~

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### Artikel 2: Werte der Union

Die Union beruht auf ~~den folgenden Werten: Achtung der Menschenwürde~~ **der Unantastbarkeit der Würde des Menschen, auf Freiheit und Gleichheit, auf Demokratie, Rechtsstaatlichkeit und Sozialstaatlichkeit sowie** ~~und auf der Achtung der Menschenrechte; diese Werte sind allen Mitgliedstaaten gemeinsam.~~ Die Union strebt eine friedliche Gesellschaft an, **die auf in der Toleranz, Gerechtigkeit und Solidarität gründet herrschen. Diese Werte sind allen Mitgliedstaaten gemeinsam.**

---

### **Explanation (if any) :**

Die Würde des Menschen ist das höchste Gut in unserer Gesellschaft. Aus ihr leiten sich die Menschenrechte ab. Die bloße Achtung der Würde des Menschen wird ihrer Bedeutung nicht gerecht. Die Würde des Menschen muss in der Europäischen Union unantastbar sein (vgl. Art. 1 der Grundrechtecharta).

Der Wert der Gleichheit spiegelt das Ergebnis der Arbeitsgruppe "Soziales Europa" wider.

Auch die Sozialstaatlichkeit ist nach dem Selbstverständnis aller Mitgliedstaaten ein grundlegender Wert ihrer jeweiligen Verfassungsordnung. Sie ist damit ein gemeinsamer Wert aller Mitgliedstaaten. In der deutschen Verfassung gehört die Sozialstaatlichkeit sogar, wie die Demokratie, die Rechtsstaatlichkeit und die Menschenwürde, zu den obersten, durch die Ewigkeitsgarantie geschützten Verfassungsgütern.

Satz 2 und 3 sind zu tauschen, da sonst der Eindruck entstehen könnte, die Mitgliedstaaten seien nicht den Werten der Toleranz, der Gerechtigkeit und der Solidarität verpflichtet.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 2:

**Déposée par** M. Olivier DUHAMEL  
Mme Linda McAVAN  
M. Luis MARINHO  
Mme Anne VAN LANCKER  
M. Klaus HÄNSCH

**Qualité:** - Membres

Mme Pervenche BERÈS  
Mme Maria BERGER  
M. Carlos CARNERO  
Mme Elena PACIOTTI  
Mme Helle THORNING-SCHMIDT

**Qualité:** - Suppléants

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### **Article 2: Les valeurs de l'Union**

L'Union se fonde sur la dignité humaine, la liberté, **l'égalité**, la démocratie, l'Etat de droit, le respect des droits de l'Homme, **la solidarité et la justice**, valeurs qui sont communes aux Etats membres.

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**Explication éventuelle:**

## **AMENDMENT FORM**

### **Suggestion for amendment of Article 2**

**By: Mr Józef Oleksy**

**Status: Member**

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### **Explanation:**

Taking into account the current wording of article 2 and the fact that the possible text of the Preamble of the Constitution has not yet been drafted, I see the possibility of a reference in art. 2 to the spiritual dimension and the values deeply rooted in the European tradition.

## AMENDMENT FORM

### Suggestion for amendment of Article 2

By: **Robert MacLennan**

Status : **Alternate**

---

#### Article 2: The Union's values

**2.1** The Union is founded on *shared* values of *liberty*, human dignity, democracy, the rule of law and respect for *fundamental* rights. Its aim is a society at peace, *enriched by its cultural diversity, practising and promoting* tolerance, justice and solidarity.

**2.2** *The Union shall respect the identities of the Member States and the national and regional identities within them.*

---

#### **Explanation :**

*2.1 The formulation of 'shared' rather than 'common' values is to indicate a positive commitment to the unity of Europe. 'Common' is a more passive concept.*

*Liberty takes priority in a list of values.*

*If we have 'human dignity' already we need the wider notion of 'fundamental' rights, which is also consistent with the Charter.*

*A reference to the value of European culture is surely desirable at this point, as is the idea of promoting by example what it is we as Europeans practice.*

*2.2 This clause is taken over from Article 1. 2. The addition of ‘ and the national and regional identities within them’ is proposed in the interests of pluralism and historical accuracy. There are many national identities within Europe.*

*Likewise we should include regional identities. The Constitution must cater for the emergence of a post-national democratic identity with flourishing regions and localities.*



## **FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : 2**

**Déposée par Madame ou Monsieur : Rt Hon David Heathcoat-Amory, MP**

**Qualité : - Membre *X* - Suppléant**

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2     Insert after Member States «which have signed the European Convention on Human Rights as a prerequisite of treaty membership »

**Explication éventuelle**

**The Union does not need to sign the Convention if member states have. This is a more logical approach, and one which does not confer upon the Union an attribute of statehood.**

2     Delete « human dignity »

**Explication éventuelle**

**Although a worthy concept, dignity is a subjective term once placed in a lawyer's brief.**

2     Insert after « human rights » « as set out in national laws »

**Explication éventuelle**

**Many of these terms are subjective. Treaty creep will place priority in the rights expressed in this article, as interpreted by the courts, over the rights as determined by national parliaments, and those set out elsewhere in Community agreements.**

2     After « human rights », insert « freedom of speech »

**Explication éventuelle**

**This supports the bravery of whistleblowers. The institutions are currently masked by silence.**

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 2

Déposée par Monsieur Ben Fayot (Chambre des Députés, Luxembourg)

Qualité : - Membre

---

#### **Article 2 : Les valeurs de l'Union**

L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, de démocratie, de l'état de droit, et de respect des droits de l'Homme, valeurs qui sont communes aux Etats membres. Elle vise à être une société paisible pratiquant la tolérance, la justice **sociale**, ~~et~~ la solidarité, **la non-discrimination, l'égalité des femmes et des hommes et le développement durable.**

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Explication éventuelle :

## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Mr : Josef Zieleniec**

**Status : Member**

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### **Article 2: The Union's values**

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States **and which are the basis of a** society **living** at peace and practicing tolerance, justice and solidarity.

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### **Explanation:**

*The word “aim” should not be used here – if the following article speaks about Union’s aims. The proposed wording fits better with the headline “Values”.*

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : 2

Déposée par Madame ou Monsieur : **M. Louis Michel, M. Karel de Gucht, M. Elio di Rupo, Mme Anne Van Lancker, membres de la Convention et M. Pierre Chevalier et Mme Marie Nagy, membres suppléants de la Convention**

Qualité : - Membre            - Suppléant

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L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, de démocratie, de l'état de droit, de respect des droits de **la personne, d'égalité, de justice, de tolérance et de solidarité** qui sont communes aux Etats membres. ~~Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.~~

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### Explication éventuelle :

L'article 2 énonce les valeurs sur lesquelles repose l'Union. La valeur d'« égalité » devrait toutefois y être ajoutée de même que la tolérance , la justice et la solidarité (ce qui permet de faire l'économie de la seconde phrase qui est d'ailleurs dans le texte du Praesidium rédigée sous forme d'objectif (« vise à ») plutôt que de valeur.

## AMENDMENT FORM

**Suggestion for amendment of art. 2**

**By Mr. FREDO**

**Member**

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Article 2 The Union's values

*Suggested Amended version of Article 2:*

*“The Union is founded on respect for human dignity, liberty, human rights, tolerance, democracy, solidarity, justice and the rule of law, values which are common to the Member States.”*

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Explanatory note

Solidarity is a fundamental value of the EU not just an objective. Solidarity should be included as a fundamental value of the European Union on the same level as freedom, justice, pluralistic democracy and human rights. This is rightly recommended by Working Group XI (Social Europe) and, in my view, the Convention should be four-squarely fully behind this recommendation.

The adoption by the Convention of such an amended clauses would represent an important development away from the rather peripheral reference to solidarity in Article 2 TEC which, in the heading “Principles”, inter alia, refers to “economic and social cohesion *and solidarity* among Member States”.

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AMENDMENT FORM

Suggestion for amendment of Article :2

By Ms / Mr :Ernâni Lopes

Status : - Member

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**Article 2: The Union's values-principles**

**The Union is founded on ~~the values of~~ the respect for human dignity, liberty, democracy, the rule of law and respect for human rights and fundamental freedoms, principles ~~values~~ which are common to the Member States. Its ruling principles are ~~aim is a society at peace, through the practice of~~ those of tolerance, justice, solidarity and equality among States**

AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Mr Hain**

**Status : Member**

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The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States.

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**Explanation (if any) :**

*The Treaty should not conflate values with aims and objectives. The aims of the second sentence in the Praesidium draft would be better suited to the Preamble.*

*It would be useful to have clarification on the intended meaning of 'solidarity' if it is to remain in the values.*

## AMENDMENT FORM

### Suggestion for amendment of Article 2, Title I

**By : By : Mr.V.P.Andriukaitis (LT Parl., Status-Member), Mr.A.Gricius (LT Parl., Status-Member), Mr. O.Jusys (LT Gov., Status-Alternate), Mr. R.Martikonis (LT Gov., Status-Member)**

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Insert “equality” :

“The Union is founded on the values of respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.”

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**Explanation (if any) :**

Follow the recommendation of WG XI “Social Europe”.



## AMENDMENT FORM

**Suggestion for amendment of Article : 2**

**By Mr. Lennmarker**

**Status :    X Member**

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### **Article 2: The Union's values**

**The Union is founded on the universal values of respect for human dignity, liberty, democracy...**

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**Explanation:** The presentation of the Union's values has implications not only for the purpose of its own activities and founding principles, but also for its relations to the wider world. In Article 3.4, it is stated that the Union "shall seek to advance its values", which relates to Article 2. We do not wish to come across as patronising towards other countries, and to avoid that we should underline the *universal* character of the values in Article 2, as well as in Article 3.4.

## AMENDMENT FORM

Suggestion for amendment of Article : 2

By Ms / Mr : Ms Androula Vassiliou

Status : - Member

- Alternate ✓

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Article 2 should be amended so as to read:

“The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law, **equality between men and women** and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.”

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Explanation (if any) :

## **AMENDEMENT FORM**

**Suggestion for amendment of Article: 2**

**By Mr Joao CRAVINHO**

**Status:    Member    (observer)**

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### **Article 2 : The Union's values**

The Union is founded on the values of respect for human dignity, liberty, democracy, **pluralism**, the rule of law and respect for human rights, values which are common to the Member States...

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**Explanation (if any):**

**Article 2: Pluralism in the media is a "conditio sine qua non" for a good functioning of democracy in a Europe of cultural diversity.**

## AMENDMENT FORM

### Suggestion for amendment of Article 2:

**By Pervenche Berès, Teresa Almeida Garrett, Irena Belohorska, Maria Berger, Alfonso Dastis, Olivier Duhamel, Lone Dybkjaer, Jacques Floch, Povilas Andriukaitis, Sylvia-Yvonne Kaufmann, Luis Marinho, Elena Paciotti, Hildegard Puwak, Anne Van Lancker, Proinsias de Rossa, Valdo Spini, Renée Wagener.**

**Status : Members**

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### **Article 2: Les valeurs de l'Union**

L'Union se fonde sur les valeurs de respect de la dignité *de la personne*, de liberté, de démocratie, de l'état de droit, et de respect des droits *fondamentaux*, valeurs qui sont communes aux Etats membres. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.

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### **Explanation (if any) :**

*La Constitution doit reprendre la terminologie consacrée par la Charte des droits fondamentaux, elle-même intégrée à la Constitution, s'agissant de la neutralisant du genre dans les terminologies "Droits de l'Homme" et "dignité humaine".*

## AMENDMENT FORM

Suggestion for amendment of Article 2: The Union's values

By Mr Dick Roche, Representative of the Government of Ireland

Status : Member

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### Article 2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights **and fundamental freedoms**, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity.

---

**Explanation (if any) :**

To reflect existing language in Article 6.1 TEU

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : 2

Déposée par M. Hubert HAENEL, membre, et M. Robert BADINTER, suppléant.

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#### Article 2: Les valeurs de l'Union

*L'Union européenne est fondée sur les principes de liberté, d'égalité, de solidarité, de démocratie, de l'État de droit et de respect des droits de l'homme, communs à tous les États membres. Elle promeut ces valeurs dans le monde. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.*

---

#### Explication éventuelle :

Il est inutile de mentionner ici le principe de la dignité humaine qui est intégré dans les droits de l'homme. En revanche, le principe de **solidarité** doit être explicitement inscrit.

Il convient en outre d'ajouter que **l'Union doit promouvoir ces valeurs dans le monde.**

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article 2**

**Déposée par Monsieur Eckstein-Kovács Péter**

**Qualité : - Membre suppléant**

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#### **Article 2 – modifier comme suit**

L'Union se fonde sur les valeurs de respect de la dignité humaine, de liberté, de démocratie, de l'état de droit et de respect des droits de l'Homme **y compris les droits des minorités nationales** valeurs qui sont communes aux Etats membre. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.

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## AMENDMENT FORM

Suggestion for amendment of Article : Article 2

By Mr : MacCormick, Neil

Status : - Alternate

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Article 2, concluding sentence, add seven words

'Its aim is a society at peace through the practice of tolerance, justice and solidarity, *and of respect for cultural and linguistic diversity*'.

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**Explanation (if any) :**

*Debate at the Convention revealed that this aspect of respect for diversity is properly recognised as a value rather than objective of the Union. In a later Title of the Constitution this point will have to be taken up in a way that ensures the Union's institutions have competence to give support to linguistic diversity, in particular in relation to regional and minority languages, and lesser-used languages. In addition, I draw attention to the text in the European parliament's Napolitano Report suggesting a new Article 151a in the Community Treaty about 'respecting and promoting linguistic diversity, including regional and minority languages'.*



## AMENDMENT FORM

**Suggestion for amendment of Article : Artículo 2**

**By Ms / Mr : Borrell (miembro), Carnero y López Garrido (miembros suplentes)**

**Status :    - Member            - Alternate**

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Quedaría como sigue: “La Unión se fundamenta en el respeto *y la promoción* de la dignidad *de la persona*, la libertad, *la igualdad*, la democracia, el Estado de Derecho y los derechos humanos, valores que *considera universales e indivisibles* y que son comunes a sus Estados miembros. Su fin es ser una sociedad pacífica *e integradora* que practique la tolerancia, la justicia y la solidaridad”.

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**Explanation (if any) :**

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article 2**

*Déposée par Monsieur William ABITBOL*

**Qualité : Suppléant**

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#### **Article 2 :**

La paix, la liberté et la solidarité sont les principes politiques fondateurs de l'Union.

L'Union respecte le droit international. Elle applique les décisions de l'Organisation des Nations Unies.

L'Union reconnaît le droit des peuples à disposer d'eux-mêmes. Elle s'interdit toute ingérence dans l'expression du suffrage universel des Etats qui la composent.

L'Union agit dans le monde afin d'assurer un développement équilibré, responsable et respectueux des diversités.

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#### **Explication éventuelle :**

Ce texte remplace l'ensemble du texte original de l'article visé

**AMENDMENT FORM**

**Suggestion for amendment of Article : 2**

**By Mr : František Kroupa**

**Status : Alternate**

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Indicate the text of article as para. 2 and to add a new para. 1 as follows :

1. The Union values include the values of those who believe in God as the source of truth, justice, good and beauty as well as those who do not share such a belief but respect these universal values arising from other sources.

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**Explanation (if any) :**

## AMENDMENT FORM

Suggestion for amendment of Article : **2**

By Mr : **Emilio GABAGLIO**

Status: **Observer**

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The Union is founded on human dignity, liberty, democracy, the rule of law, respect for human rights, tolerance, social justice, solidarity and equality between women and men, values which are common to the member states.

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Explanation (if any)

= Better reflecting the consensus achieved in the “Social Europe” working group.

## **FICHE AMENDEMENT**

**Proposition d'amendement à l'Article : 2**

**Déposée par Monsieur Olivier Duhamel**

**Qualité : - Membre**

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Article 2 - modifier comme suit :

**L'Union se fonde sur (trois mots supprimés) le respect de la dignité humaine, de liberté de démocratie, de l'état de droit, et de respect des droits de l'Homme, valeurs qui sont communes aux Etats membres. Elle vise à être une société paisible pratiquant la tolérance, la justice et la solidarité.**

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**Explication éventuelle :**

## AMENDMENT FORM

**Suggestion for amendment of Article : I-2: The Union's values**

**By Ms / Mr : Lone Dybkjaer and Anne Van Lancker**

**Status :    - Member            X Alternate**

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### Article I-2: The Union's values

The Union is founded on the values of respect for human dignity, liberty, ***equality***, democracy, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, *[delete: equality]* solidarity and non-discrimination.

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### **Explanation (if any) :**

Placing "equality" in the second sentence of the article is NOT innocent. In the present draft from the Presidium "equality" is NOT a value. Almost the contrary. As it stands the values are common for societies, which in addition are characterised by pluralism, tolerance, equality and more. But that means something which one is exactly characterised by, not something absolute. One can measure whether a society is based on (at least formally) equality. In addition concrete legislation and legislative practice exist. This is not the case in relation to pluralism and tolerance.