

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

### Article 3: The Union's objectives (includes a new draft Article 3bis)

1. The Union's aim is to promote peace, its values and the well-being of its peoples.
2. The Union shall work for a Europe of sustainable development based on balanced economic growth, social justice **and improvement of the quality of the environment**, with a free single market, and economic and monetary union, aiming at full employment and generating high levels of competitiveness and living standards. It shall promote economic and social cohesion, equality between women and men, and **high level of** environmental and social protection, and shall develop scientific and technological advance [...]. **The Union shall respect the richness of its cultural diversity as well as** encourage solidarity between generations and between States, and equal opportunities for all.
3. The Union shall constitute an area of freedom, security and justice, **in which the free movement of persons is assured in conditions of high level of safety and justice accessible to all.**
4. In defending Europe's independence and interests, the Union shall seek to advance its values in the wider world. It shall contribute to the sustainable development of the earth, solidarity and mutual respect among peoples, eradication of poverty and protection of children's rights, strict observance of internationally accepted legal commitments, and peace between States.
5. These objectives shall be pursued by appropriate means, depending on the extent to which the relevant competences are attributed to the Union by this Constitution.

#### Commentary:

*Environmental protection is one of the three elements of sustainable development and should thus be added to the text.*

*Respecting the richness of the Union's cultural diversity is not an objective linked specifically to the constitutional area of freedom, security and justice and should therefore be placed in paragraph 2.*

***A new Article 3bis should be added as follows:***

**Article 3bis: The Union's activities**

**1. For the purpose of attaining the objectives set out in Article 3, the activities of the Union shall consist of the following:**

- a) (the activities corresponding to the substantive policy areas and legal bases set out in Part Two of the Constitution, reproducing and, if necessary, updating the elements currently found in Article 3 TEC and Article 2 TEU)**
- b) ... etc.**

**Commentary:**

*The constitutional order of the Union is, and shall continue to be, founded on the principle that the Union has those powers which are necessary for the attainment of its objectives. For purposes of drawing up of the new Constitution, this means that there should be a clear trail running from each of the Union's objectives through the general categories of competence to each of the legal bases in Part Two of the Constitution. On the one hand, each of the legal bases should be traceable back to one of the Union's objectives as laid down in Part One. On the other hand, for every objective set out in Part One there should a correlative legal basis in Part Two of the Constitution.*

*To take account of this guiding principle, there should be a new article laying down the activities of the Union, reproducing and, if necessary, updating the elements currently found in Article 3 TEC and Article 2 TEU on Justice and Home Affairs and Common Foreign and Security Policy. This solution would make an important contribution to preserving the specific nature of the Union's constitutional order, through the following three principles on which there is deemed to be a consensus within the Convention:*

- *the Union's powers are, and would continue to be, construed in the light of the Union's objectives;*
- *the core of the acquis would be safeguarded;*
- *there would be no need for provisions resembling a rigid catalogue of competence (i.e. Articles 11-15 of the draft).*