

AMENDMENT FORM

Suggestion for amendment of Article 35a

By : TIMOTHY KIRKHOPE MEP

Status : MEMBER

PRAESIDIUM	TIMOTHY KIRKHOPE MEP
<p><u>Article 35a: Political parties at European level</u></p> <p>Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union.</p>	<p><u>Article 35a: Political parties at <i>the</i> European Community level</u></p> <p>National delegations in the European Parliament contribute to the European debate.</p> <p>Explanation: In order to promote the principle of subsidiarity, Article 35a should refer to national delegations rather than pan-European political groups.</p>

AMENDMENT FORM

Suggestion for amendment of Article : Art 35a

Suggestion for Part III

By Ms / Mr : Mr Bonde, Mr Dalgaard (Alternate), Mr Skaarup, Mr Zahradil

Status : X- Member - Alternate

Article 35a: Political parties at European level

Political parties **AND MOVEMENTS** [**Delete:** at European level] contribute to forming a **DEMOCRATIC** [**Delete:** European] awareness and to expressing the political will of the citizens of the Union.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of: Part One of the Constitution, Title VI: The democratic life of the Union

Article 35a: Political parties at European level

By: BROK; SANTER; SZAJER; TAJANI; TEUFEL; VAN DER LINDEN; PALACIO; ALMEIDA GARRETT; ALONSO; ALTMAIER; AZEVEDO; BASILE; BREJC; CISNEROS; CUSHNAHAN; DEMETRIOU; DOLORES; FIGEL; FOGLER; FOLLINI; FRENDON; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LAMASSOURE; LEQUILLER; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZACHARAKIS; ZILE

on behalf of the EPP Convention Group

Status: Members and Alternates

Text of the Praesidium

Proposed Amendments

Article 35a: Political parties at European level

~~Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union.~~

Article 35a: Political parties at European level

Political Parties at European level are important as a factor for integration within the Union. They contribute to forming a European awareness and to expressing the political will of the citizens of the Union.

The Parliament and the Council, in accordance with the legislative procedure, shall adopt the regulations governing political parties at European level and in particular the rules regarding their funding.

Political parties shall constitute their internal organisation on a democratic basis. They shall nominate their candidates for the European Parliament according to democratic procedures.

Explanation:

The agreement found in Nice regarding the regulations on European political parties was an important step to the recognition of the role of European political parties, their juridical status and their financing. It is not acceptable to fall back behind the acquis of Nice. Therefore the Nice formula (Art. 191 ECT) is taken over, including few changes in the wording.

In the third para, the democratic organisation of political parties especially regarding the nomination of candidates for the EP should be emphasized.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 35 bis

Déposée par Madame ou Monsieur : Gianfranco FINI

Qualité : - Membre

I partiti politici **attivi nell'Unione europea** ~~a livello europeo~~ **contribuiscono a determinare la politica dell'Unione** ~~formare una coscienza europea e ad esprimere la volontà politica dei suoi cittadini dell'Unione.~~

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of Article: 35a

Suggestion for Title VI

By Ms: Prof. Danuta Hübner

Status: Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
Article 35a: Political parties at European level Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union.	Article 35a: Political parties at European level Political parties at European level are important as a factor for integration within the Union. They contribute to forming a European awareness and to expressing the political will of the citizens of the Union.

Explanation:

Agreeing that the current Nice Treaty regulates the role of the European political parties appropriately the content of the article 191 ECT should be incorporated to the Article 35a.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : Artigo 35.º-A

Déposée par Monsieur Luís Queiró

Qualité : Suppléant

Os partidos políticos a nível europeu e as associações a nível europeu de partidos nacionais contribuem para a (7 palavras suprimidas) expressão da vontade política dos cidadãos da União **nos domínios da integração europeia.**

Explication éventuelle :

Não parece adequado pré-determinar a orientação política – que podem ser as mais variadas – dos partidos políticos a nível europeu, os quais devem poder igualmente assumir a natureza de Associação a nível europeu de partidos nacionais.

FICHE AMENDEMENT

Proposition d'amendement à l'Article 35 bis, Partie I de la Constitution

Déposée par M. Jacques FLOCH, Membre suppléant

Article 35 bis : Les partis politiques au niveau européen

Modifier le paragraphe 1 de l'article comme suit :

Les partis politiques au niveau européen sont importants en tant que facteur d'intégration au sein de l'Union. Ils contribuent à la formation de la conscience européenne et à l'expression de la volonté politique des citoyens de l'Union.

Les partis politiques au niveau européen doivent respecter les valeurs de l'Union.

Une loi cadre adoptée conformément à l'article 25 fixe le statut des partis politiques au niveau européen, et notamment les règles relatives à leur financement.

Explication éventuelle :

L'article doit reprendre l'intégralité de l'actuel article 191 du TCE, le statut n'étant toujours pas adopté, et il paraît important de préciser le respect par ces partis des valeurs fondamentales de l'Union compte tenu du rôle qui leur est à juste titre reconnu.

AMENDMENT FORM

Suggestion for amendment of Article **35a: Political parties at European level**

Suggestion for Part I of the Constitution, Title IV: The democratic life of the Union

By Mr : dr. Dimitrij Rupel

Status : - Member

Article 35a: Political parties at European level

Political Parties at European level are important as a factor for integration within the Union. They contribute to forming a European awareness and to expressing the political will of the citizens of the Union.

The Parliament and the Council, in accordance with the legislative procedure, shall adopt the regulations governing political parties at European level and in particular the rules regarding their funding.

Political parties shall constitute their internal organisation on a democratic basis. They shall nominate their candidates for the European Parliament according to democratic procedures.

AMENDMENT FORM

Suggestion for amendment of Article :35a (part 3)

Suggestion for protocol :

By Mr David Heathcoat-Amory, Mr Bonde

Status :X - Member - Alternate

N.B. ‘()’ denote text deleted ‘ _____ ’denotes text added

Article 35a: Political parties at European level

DELETE this article.

Explanation (if any) :

Firstly, this is an element of the Charter of Fundamental Rights, whose status will be decided elsewhere in the Treaty.

Secondly, this is only declaratory and inappropriate to a constitutional treaty, which defines powers.

Thirdly, it could be used as a legal basis for substantial expenditure on favoured political parties deemed to fulfil the subjective condition of “forming a European awareness”.

FICHE AMENDEMENT

Proposition d'amendement à l'Article 35bis, partie I de la Constitution:

Déposée par Mme Anne VAN LANCKER
 M. Olivier DUHAMEL
 M. Caspar EINEM
 M. Ben FAYOT
 Mme Linda McAVAN
 M. Luis MARINHO
 Mme Pervenche BERÈS
 Mme Maria BERGER
 M. Carlos CARNERO
 Mme Elena PACIOTTI
 Mme Helle THORNING-SCHMIDT

Qualité: - Membres et Suppléants

ARTICLE 35bis – Les partis politiques au niveau européen

Les partis politiques au niveau européen contribuent à la formation de la conscience européenne et à l'expression de la volonté politique des citoyens de l'Union. **Ils respectent les valeurs de l'Union visées à l'article 2.**

Explication éventuelle:

AMENDMENT FORM

Suggestion for amendment of Article : 35a

Suggestion for protocol :

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

Status : - Member - ~~Alternate~~

Artikel 35a: Europäische Politische Parteien ~~auf europäischer Ebene~~

~~Politische Parteien auf europäischer Ebene tragen zur Herausbildung eines europäischen Bewusstseins und zum Ausdruck des politischen Willens der Bürger der Union bei.~~

Die Union anerkennt die Bedeutung Europäischer Politischer Parteien für das demokratische Leben in der Union. Das Recht der Europäischen Politischen Parteien kann durch ein Gesetz geregelt werden, das vom Europäischen Parlament und dem Rat im Gesetzgebungsverfahren erlassen wird.

Explanation (if any) :

Der Präsidiumsvorschlag ist rein deskriptiver Natur und wiederholt lediglich Art. 12 Abs. 2 der Grundrechtecharta, die gemäß Art. 5 der Verfassung integraler Bestandteil der Verfassung wird. Statt dessen sollte mit dieser Bestimmung (anders als bisher in Art. 191 EGV) eine ausdrückliche Rechtsgrundlage zur Regelung des Rechts der Europäischen Politischen Parteien geschaffen werden, so dass zukünftig nicht mehr auf die Vertragsabrundungsklausel (bisher Art. 308 EGV) zurückgegriffen werden muss.

AMENDMENT FORM

Suggestion for amendment of Article 35a

By Mr Göran Lennmarker

Status : Member

Article 35a: Political parties at European level

Political parties at European level contribute to ~~forming a European awareness and to~~¹expressing the political will of the citizens of the Union.

¹ I disagree with the political implications of this phrase. The Treaties must not distinguish between different possible political views on European integration.

AMENDMENT FORM

Suggestion for amendment of Article 35a: Political parties at European level

By Mr Roche

Status : - Member

Article 35a: Political parties at European level

Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union.

Explanation (if any) :

While no amendment is proposed at this time, this Article overlaps significantly with Article 12.2 of the Charter (if it is to be incorporated).

AMENDMENT FORM

Suggestion for amendment of Article :35a

By Ms / Mr : Ernâni Lopes and Manuel Lobo Antunes

Status : - Member and Alternate

Article 35a: Political parties at European level

Political parties at European level **are an important factor of integration within the Union.**
They contribute to forming a European awareness and to expressing the political will of
the citizens of the Union.

**Explanation :our draft proposal reproduces the current text of article 191 of the EC Treaty,
which in our view should be kept.**

FICHE AMENDEMENT

Proposition d'amendement à l'Article : Article 35bis

Proposition d'amendement à la Partie I

Déposée par : Dominique de Villepin

Qualité : - Membre

Article 35bis : Les partis politiques au niveau européen

Les partis politiques au niveau européen contribuent à la formation de la conscience européenne et à l'expression de la volonté politique des citoyens de l'Union.

[Le statut des partis politiques au niveau européen et notamment les règles relatives à leur financement sont fixés conformément à la procédure législative.](#)

Explication éventuelle :

Cet amendement reprend le contenu de l'article 191 TCE.

AMENDMENT FORM

Suggestion for amendment of Article :Article I-45°

By Mr : Ernâni Lopes and Manuel Lobo Antunes

Status : Member and Alternate

Article I-45: The principle of representative democracy

2. Citizens are directly represented at Union level in the European Parliament. Member States are represented ~~in the European Council and~~ in the Council by their governments, themselves accountable to national Parliaments, elected by their citizens.
4. Political parties at European level **are an important factor of integration within the Union.** **They** contribute to forming a European awareness and to expressing the political will of the citizens of the Union.
- .

Explanation (if any):We maintain our initial proposal which reproduces the current text of article 191 of the EC Treaty.

FICHE AMENDEMENT

PARTIE I, TITRE VI : LA VIE DEMOCRATIQUE DE L'UNION – TEXTE REVISE

Proposition d'amendement à l'article I-45 § 2 : Principe de démocratie représentative

Déposée par: M. J. CHABERT
M. M. DAMMEYER
M. P. DEWAELE
Mme. C. du GRANRUT
M.C.MARTINI
M.R.VALCARCEL SISO

Status: - Observateur

Ajouter à la fin de l'alinéa :

2. Les citoyens sont directement représentés au niveau de l'Union au Parlement européen. Les Etats membres sont représentés au Conseil européen et au Conseil par leurs gouvernements, qui sont eux-mêmes responsables devant les parlements nationaux, élus par leurs citoyens. **Les collectivités régionales et locales sont représentées au Comité des régions, dont les représentants sont élus par les citoyens ou politiquement responsables devant une assemblée élue.**

AMENDMENT FORM

Suggestion for amendment of Article : I-45

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

Status : - Member - ~~Alternate~~

Artikel I-45: Grundsatz der repräsentativen Demokratie

- (1) Die Arbeitsweise der Union beruht auf dem Grundsatz der repräsentativen Demokratie.
- (2) Die **Bürgerinnen und** Bürger sind auf Unionsebene unmittelbar im Europäischen Parlament vertreten. Die Mitgliedstaaten werden im Europäischen Rat und im Rat von ihren jeweiligen Regierungen vertreten, die ihrerseits den von den **Bürgerinnen und** Bürgern gewählten nationalen Parlamenten Rechenschaft ablegen müssen.
- (3) ~~Jeder~~ **Alle Bürgerinnen und** Bürger ~~hat~~ **haben darüber hinaus** das Recht, am demokratischen Leben der Union **durch Europäische Volksbegehren und durch Volksabstimmungen** teilzunehmen. ~~Die Beschlüsse werden so offen und so bürgernah wie möglich gefasst.~~
- (4) ~~Politische Parteien auf europäischer Ebene tragen zur Herausbildung eines europäischen politischen Bewusstseins und zum Ausdruck des Willens der Bürger der Union bei.~~

Die Union anerkennt die Bedeutung Europäischer Politischer Parteien für das demokratische Leben in der Union. Das Recht der Europäischen Politischen Parteien kann durch ein Gesetz geregelt werden, das vom Europäischen Parlament und dem Rat im Gesetzgebungsverfahren erlassen wird.

Explanation (if any) :

Absatz 3:

Das Recht auf Teilnahme am demokratischen Leben hat keinen selbständigen Gehalt, neben dem Recht auf Teilnahme an den einzelnen Erscheinungsformen des demokratischen Lebens (Wahlen, Mitgliedschaft in Parteien etc.). Satz 2 betrifft nicht die repräsentative Demokratie und ist seinem Gehalt nach in Art. I-46 und I-49 enthalten.

Absatz 4:

Statt einer Wiederholung des Art. II-12 Abs. 2 sollte mit dieser Bestimmung (anders als bisher in Art. 191 EGV) eine ausdrückliche Rechtsgrundlage zur Regelung des Rechts der Europäischen Politischen Parteien geschaffen werden, so dass zukünftig nicht mehr auf die Flexibilitätsklausel zurückgegriffen werden muss.

AMENDMENT FORM

Suggestion for amendment of Article : 35a (Title VI)

By Mr : **Adrian Severin**

Status : **- Alternate member**

Art 35a Political parties at European level

Replace with:

Political parties may be founded at the European level. The procedure for registration shall be established by the European Parliament following a proposal from the Commission

Add Article 35 b

Art. 35 b Trade unions at European level

Trade unions may be founded at the European level. The procedure for registration shall be established by the European Parliament following a proposal from the Commission.

Explanation (if any) :

The Art 35a of the draft is a simple comment and cannot be a constitutional provision.

AMENDMENT FORM

Suggestion for amendment of Article: 35a doc

Suggestion for Part III

By Ms / Mr : Voggenhuber, Wagener, McCormick, Lichtenberger, Nagy

Status : - Member - Alternate

Article 35a: Political parties at European level

Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union **and shall be promoted**

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 35bis

Déposée par Messieurs : Borrell (miembro), Carnero y López Garrido suplentes)
(

Artículo 35 bis

...contribuyen ***de manera fundamental*** a la formación... la voluntad ***y el pluralismo políticos*** de los ciudadanos de la Unión. ***Deben respetar los valores de la Unión y tener una estructura y funcionamiento democráticos. Se rigen por el Estatuto correspondiente.***

FICHE AMENDEMENT

Proposition d'amendement à l'Article : Article 35 bis (Titre VI)

Déposée par MM. Santer, Helminger et Fayot (Titulaires, Luxembourg) et M. Schmit (Suppléant, Luxembourg)

Article 35bis : Les partis politiques au niveau européen

Les partis politiques au niveau européen sont importants en tant que facteur d'intégration au sein de l'Union. Ils contribuent à la formation de la conscience européenne et à l'expression de la volonté politique des citoyens de l'Union.

Explication éventuelle :

Le projet de texte du Présidium semble avoir omis un bout de phrase important de la formulation actuelle.

AMENDMENT FORM

Suggestion for amendment of Article: 35a Political parties at European level

Suggestion for

By Mr : M Caspar EINEM

Status : Member

Artikel 35 a: Politische Parteien auf europäischer Ebene

Politische Parteien auf europäischer Ebene tragen zur Herausbildung eines europäischen Bewusstseins und zum Ausdruck des politischen Willens der Bürger der Union bei.

Das Europäische Parlament und der Rat bestimmen nach dem Gesetzgebungsverfahren die Regelungen für die politischen Parteien auf europäischer Ebene und insbesondere die Vorschriften über ihre Finanzierung.

Explanation (if any) :

AMENDMENT FORM

Vorschlag für die Änderung von: Artikel 35a, Teil I, Titel VI des Verfassungsentwurfs (CONV 650/03)

von Herrn: Prof. Dr. Jürgen Meyer, Delegierter des Deutschen Bundestages

Status: - Mitglied -

Ziel: Streichung von Artikel 35a

Artikel 35a: Politische Parteien auf europäischer Ebene

~~Politische Parteien auf europäischer Ebene tragen zur Herausbildung eines europäischen Bewusstseins und zum Ausdruck des politischen Willens der Bürger bei.~~

Begründung:

Die Charta der Grundrechte der Europäischen Union (EuGRC) soll in Teil 1 der Europäischen Verfassung integriert werden. Um Doppelungen zu vermeiden, ist Artikel 35a zu streichen, da er weitgehend Artikel 12 Absatz 2 EuGRC entspricht.

AMENDMENT FORM

Suggestion for amendment of: Article 35a, Part I, Title VI of the draft Constitution (CONV 650/03)

By: Professor Jürgen Meyer, delegate of the German Bundestag

Status : - Member -

Aim:

To remove Article 35a.

~~Article 35a: Political parties at European level~~

~~Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union.~~

Explanation :

The Charter of Fundamental Rights of the European Union is to be incorporated in Part I of the European Constitution. In order to avoid duplications, Article 35a should be removed, as it largely corresponds to Article 12, paragraph 2 of the Charter of Fundamental Rights.

FICHE D'AMENDEMENT

Proposition d'amendement à l'article: 35bis, Partie I, Titre VI du projet de Traité constitutionnel (CONV 650/03)

Déposée par: Monsieur le Professeur Jürgen Meyer, délégué du Bundestag allemand

Qualité: - Membre –

Objectif: Suppression de l'article 35bis

Article 35bis: ~~Les partis politiques au niveau européen~~

~~Les partis politiques au niveau européen contribuent à la formation de la conscience européenne et à l'expression de la volonté politique des citoyens de l'Union.~~

Explication:

La Charte des droits fondamentaux de l'Union européenne (CDFUE) doit être intégrée dans la première partie du Traité constitutionnel européen. Pour éviter les répétitions, il faut supprimer l'article 35bis, puisqu'il correspond pour une très large part à l'article 12, paragraphe 2 de la CDFUE.

AMENDMENT FORM

Suggestion for amendment of Article 35a: Political parties at European level

By Ms / Mr : Ivan Korčok (Slovakia)

Status : - Member - Alternate

Delete the whole article.

Explanation (if any) :

There is partial duplicity with Art. 12 para. 2 of the Charter of Fundamental Rights

AMENDMENT FORM

Suggestion for amendment of Article 35a: Political parties at European level

By Mr Juraj Migaš (Slovakia)

Status : Alternate

Change the logical sequence as follows:

„Political parties at European level contribute to expressing the political will of citizens of the Union and to forming their European awareness.“

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article: 35A Political Parties at the European level

By: The Earl of Stockton MEP

Status : - Alternate

Article 35a: Political parties at European level

Political parties at European level, in parallel with national delegations to the European Parliament, contribute to forming a European awareness and to expressing the political will of the citizens of the Union.

Explanation (if any) :

AMENDMENT FORM

Title VI: The democratic life of the Union

Suggestion for amendment of Article : 35a

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Peeter Kreitzberg, Mr Algirdas Gricius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; **and Alternate Members:** Mr Willem Van Eekelen, Mr Valdo Spini, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

Status : **Members and alternate members.**

Article 35a: Political parties at European level

Political parties *shall be established at the level of the Union according to the provisions of a statute to be determined by the legislature. They shall contribute to the democratic unity of the peoples of Europe.*

Explanation:

It cannot be necessary to repeat Article 12.2 of the Charter, as the draft does, in respect of the "political will" of the citizens.

What is needed is the legal base for the establishment of genuine European political parties.

We propose that the Article is completed by a reference to the integrative role of political parties, as stated in Article 191 TEC.

AMENDMENT FORM

Suggestion for amendment of Article 35a

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

Status :
- Member: Hjelm-Wallén and Lekberg
- Alternate: Petersson, Kvist and Svensson

Article 35a: Political parties at European level

Political parties at European level contribute to ~~forming a European awareness and to~~¹ expressing the political will of the citizens of the Union.

The Council and the European Parliament, acting in accordance with the legislative procedure, shall lay down the regulations governing political parties at European level and in particular the rules regarding their funding.²

¹ The goals of the political parties' activities and the result of their endeavours should not be specified in the Treaty.

² Corresponds to the second part of the present Article 191EC, which was added by the Treaty of Nice.