

## **FICHE AMENDEMENT 1**

### **Proposition d'amendement à l'Article : Artículo 15**

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

---

#### **Artículo 14: Las instituciones de la Unión**

*Añadir al apartado 2:*

2. Este marco institucional está formado por:

El Parlamento Europeo

El Consejo Europeo

El Consejo de Ministros

La Comisión Europea

El Tribunal de Justicia de la Unión Europea

El Banco Central Europeo

El Tribunal de Cuentas

*El Comité de las Regiones*

*El Comité Económico y social*

---

**Explication éventuelle :**

## AMENDMENT FORM

### Suggestion for amendment of Article : 14

By: Mr Tunne Kelam  
Mr Rein Lang  
Mr Urmas Reinsalu  
Mrs Liina Tõnisson

---

#### Article 14 : The Union's Institutions

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union,
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.

2. This institutional framework comprises **the European Council and the following institutions:**

The European Parliament,  
~~The European Council,~~  
~~The Council of Ministers,~~  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.

4. **Each institution shall act as openly as possible and in accordance with fundamental principles of good administration the application of which shall be monitored by the Ombudsman.**

---

Explanation

## AMENDMENT FORM

### Suggestion for amendment of Article 14

By Ms Maria BERGER

Status: Alternate

---

#### Article 14 : The Union's Institutions

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
  - promote the values of the Union,
  - serve the interests of the Union, its citizens and its Member States,
- and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.

2. This institutional framework comprises :

The European Parliament,

The ~~European Council~~, **Council of the European Union**

~~The Council of Ministers~~,

The European Commission,

The ~~Court of Justice of the European Union~~, **Judicial System of the European Union**

The European Central Bank,

The Court of Auditors.

3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.<sup>1</sup>

---

**Explanation (if any):**

## AMENDMENT FORM

**Suggestion for amendment of Article:** 14  
**By Mr:** Erwin Teufel  
**Status:** Member

---

### *Text of the Praesidium*

(2) This institutional framework comprises:

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

### *Proposed Amendment*

(2) This institutional framework comprises:

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors,  
**The Committee of the Regions.**

---

### **Explanation:**

Due to its role as a speaker for the regional and local level within Europe as well as in reflection of its right of action, the Committee of the Regions should become an institution.

### *General remark on the proposals regarding the institutions:*

*Essential provisions on the institutions, which were provided by the current treaties (cf. current Articles 190, 193, 201 TEC on the European Parliament), are not included in the draft texts provided by the Praesidium. Those should be subject of Part Two of the Constitution.*

## FICHE AMENDEMENT

**Proposition d'amendement à l'Article:** 14  
**Déposée par Monsieur:** Erwin Teufel  
**Qualité:** Membre

---

### *Texte du Praesidium*

(2) Zu diesem institutionellen Rahmen gehören

das Europäische Parlament,  
der Europäische Rat,  
der Ministerrat,  
die Europäische Kommission,  
der Gerichtshof der Europäischen Union,  
die Europäische Zentralbank und  
der Rechnungshof.

### *Amendement proposé*

(2) Zu diesem institutionellen Rahmen gehören

das Europäische Parlament,  
der Europäische Rat,  
der Ministerrat,  
die Europäische Kommission,  
der Gerichtshof der Europäischen Union,  
die Europäische Zentralbank, ~~und~~  
der Rechnungshof **und**  
**der Ausschuss der Regionen.**

---

### **Begründung:**

Der Ausschuss der Regionen sollte entsprechend seiner Bedeutung als Sprachrohr der regionalen und lokalen Ebene in Europa und als Inhaber eines eigenen Klagerechts Organstatus erhalten.

### Allgemeine Anmerkung zu den Vorschlägen zu den Organen:

*Wesentliche Regelungen zu den Organen, die in den bisherigen Verträgen vorgesehen sind (z.B. bisherige Artikel 190, 193, 201 EG-Vertrag zum Europäischen Parlament), werden in den vom Präsidium vorgelegten Textentwürfen nicht genannt. Sie sollten in Teil II der Verfassung aufgegriffen werden.*

## AMENDMENT FORM

**Suggestion for amendment of Article : Organe**  
**Entwurf von Artikeln für Titel IV des Teils I der Verfassung**

**Suggestion for protocol :**

**By Mr : Joachim Wuermeling**

**Status : - Alternate**

---

### **Artikel 14: Die Organe der Union**

(1) Die Union verfügt über einen einheitlichen institutionellen Rahmen, mit dem angestrebt wird,

- die Ziele der Union zu verfolgen,
- ihren Werten Geltung zu verschaffen,
- den Interessen der Union, ihrer Bürger und ihrer Mitgliedstaaten zu dienen

~~**und die Kohärenz, die Wirksamkeit und die Kontinuität der Politiken und Maßnahmen sicherzustellen, die die Union zur Erreichung ihrer Ziele durchführt.**~~

---

**Explanation (if any) :**

*Kaum verständlich und überflüssig. Erster Satz allein ist kraftvoller.*

## AMENDMENT FORM

**Suggestion for amendment of Article : Organe**  
**Entwurf von Artikeln für Titel IV des Teils I der Verfassung**

**Suggestion for protocol :**

**By Mr : Joachim Wuermeling**

**Status : - Alternate**

---

### **Artikel 14: Die Organe der Union**

(2) Zu diesem institutionellen Rahmen gehören

das Europäische Parlament,  
der Europäische Rat,  
der Ministerrat,  
die Europäische Kommission,  
der Gerichtshof der Europäischen Union,  
die Europäische Zentralbank ~~und~~  
**der Ausschuss der Regionen,**  
**der Wirtschafts- und Sozialausschuss und**  
der Rechnungshof.

---

**Explanation (if any) :**

*Vervollständigung*

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 14 - Partie I - Architecture constitutionnelle Titre IV Des institutions de l'Union

Déposée par Monsieur : William ABITBOL

Qualité : - Suppléant

---

#### Article 14 : les institutions de l'Union

*Conv 691/03*

1. Afin d'atteindre les objectifs qui lui sont fixés par le présent traité constitutionnel, l'Union dispose d'**institutions appropriées** .
2. Ces institutions sont :
  - **le Conseil européen,**
  - le Parlement européen,
  - le Conseil des Etats,
  - la Commission européenne,
  - le Congrès des Parlements d'Europe.
3. La Cour de Justice de l'Union européenne, la Banque Centrale européenne et la Cour des Comptes concourent à la bonne exécution des objectifs de l'Union.



## AMENDMENT FORM

Suggestion for amendment of Article : Article 14 (Title IV)

Suggestion for protocol :

By Ms / Mr : David Heathcoat-Amory

Status : X - Member      - Alternate

---

### Article 14 : The Union's Institutions

1. The Union shall be served by *[Delete: a single]* **an** institutional framework which shall aim to:

*[Delete- advance the objectives of the Union,]*

*[- promote the values of the Union,]*

- serve the interests of *[the Union, its citizens and its]* Member States **and their citizens**,

and ensure *[the]* a consistency, effectiveness and continuity of the policies and actions *[which it undertakes]* **undertaken** in pursuit of its objectives.

2. This institutional framework comprises :

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

3. Each institution shall act within the limits of the powers conferred on it *[in the Constitution]* **by the Treaties**, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual **administrative** cooperation.

---

**Explanation (if any) : These amendments underline the cooperative and distinct nature of the Communities, which is not a single corporative entity. There should be no legal obligation for different institutions to mutually cooperate (ie compromise) in an instance of mutual contention, eg over institutional fraud.**

## AMENDMENT FORM

### Suggestion for amendment of Article : 14

By Mr : Josef ZIELENIEC

Status : - Member

---

#### Article 14 : The Union's Institutions

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union,
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.

2. This institutional framework comprises :

**The President of the Union**

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.<sup>1</sup>

---

#### **Explanation:**

cf. CONV 492/03 and explanation attached to the new article 14a

---

<sup>1</sup> p.m.: a provision along the following lines "The institutions shall be supported, in discharging their tasks, by an open, efficient and independent public service" should appear elsewhere in the Constitution.

## AMENDMENT FORM

Suggestion for amendment of Article : 14a (new article)

By Mr : Josef ZIELENIEC

Status : - Member

---

### Article 14a: The President of the Union

1. The President of the European Union shall represent the Union.
2. He shall endeavour to promote the awareness of common European identity within the Union and to reinforce the relationship between the Union and its citizens.
3. He shall represent the Union, in co-operation with the Foreign Minister, in matters coming within the common foreign and security policy.
4. He shall formally chair the meetings of the European Council, in close co-operation with its presidency. He shall endeavour to facilitate consensus within the European Council.
5. He shall have the right to attend any meeting of the Council of ministers or of the Commission.
6. The President of the Union shall be elected for a term of three years by European Council, by consensus, from among candidates proposed by at least 1/10 of Members of the European Parliament elected in at least 5 different Member States, by at least 5 national Parliaments or by a popular petition signed by at least 2% of voters in 10 Member States.
7. The President of the Union may not be a member of another European institution or hold a national mandate.

---

#### Explanation:

- for more detailed explanation – CONV 492/03

**The new function of a President of the European Union provides the following advantages:**

- more visibility to the Union (both at home and abroad)
- more continuity between rotating presidencies
- a new symbol of the political unity of Europe

**However, preserving a reformed rotating presidency for both the European Council and the Council of ministers in all its formations and submitting the new President of the EU to a permanent co-existence with it, is essential:**

- it preserves the principle of equality of all Member States
- it guarantees the diversity of influences on broad orientations of the Union
- it impedes an excessive concentration of power on the "Council-side" of the institutional system which could threaten the balance of power between the Commission and the Council

## AMENDMENT FORM

### Title IV

#### Suggestion for amendment of Article 14

By **Mr. Adrian Severin**

Status : **Alternate Member**

---

Para. 2 should be modified as follows:

2. This institutional framework comprises :

The European Parliament,  
**The Legislative Council,**  
**The Council of the European Union,**  
The European Commission,  
**The Judicial System of the European Union**  
The European Central Bank,  
The Court of Auditors.

---

#### Explanation:

1. *The separation between the legislative and executive powers is a must. As long as this separation is operated, the Legislative Council becomes one of the main European institutions dealing with the legislative issues, together with the European Parliament. As a result and since the European Parliament has been rightly mentioned at the top of the institutions' list, the Legislative Council should be also mentioned immediately after the European Parliament.*
2. *One needs a simple presentation of the EU's institutional framework. In fact the Council of the European Union is the institution formed by the representatives of the member states and is responsible for the coordination and the harmonization of their interests. This Council has an internal structure formed by different Councils, all of them being part of the Union's executive. The Legislative Council as a legislative institution is the only one Council which should be mentioned separately.*
3. *The judicial system of the EU is and should be more complex than one single Court. One has to include here the national Courts as well which thus should be Europeanized.*

## AMENDMENT FORM

### Suggestion for amendment of Article 14: The Union's Institutions

By : Mr Dick Roche, Member ; Mr Pat Carey and Mr Bobby McDonagh, Alternates

---

#### Article 14: The Union's Institutionals Framework

1. The Union shall be served by a single institutional framework which shall aim to:
  - advance the objectives of the Union,
  - promote the values of the Union,
  - serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.
2. This institutional framework comprises **the European Council and the following institutions:**

The European Parliament ;  
~~The European Council~~,  
The Council of Ministers ;  
The European Commission ;  
The Court of Justice of the European Union;  
The European Central Bank;  
The Court of Auditors.
3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.
4. **Each institution shall act as openly as possible and in accordance with fundamental principles of good administration the application of which shall be monitored by the Ombudsman.**

---

#### Explanation (if any) :

The principles of openness and good administration should be placed in this Article with appropriate reference the role of the Ombudsman. Detailed provision can be included elsewhere in the Treaty.

## AMENDMENT FORM

Suggestion for amendment of Article : IV 14

Suggestion for protocol :

By: **Mr Caspar Einem**

Status : **Member**

---

### Artikel 14: Die Organe der Union

- (1) **Die Organe der Union arbeiten nach Maßgabe der ihnen in dieser Verfassung zugewiesenen Befugnisse nach den Verfahren und unter den Bedingungen, die in der Verfassung festgelegt sind, loyal zusammen, um**
- **die Ziele der Union zu verfolgen,**
  - **ihren Werten und Grundsätzen Geltung zu verschaffen,**
  - **den Interessen der Union, ihrer Bürger und Mitgliedstaaten zu dienen und**
  - **die Kohärenz, die Wirksamkeit und Kontinuität der Politiken und Maßnahmen der Union sicher zu stellen, die die Union zur Erreichung ihrer Ziele durchführt.**

~~(1) Die Union verfügt über einen einheitlichen institutionellen Rahmen, mit dem angestrebt wird,~~

~~—— die Ziele der Union zu verfolgen,~~

~~—— ihren Werten Geltung zu verschaffen,~~

~~—— den Interessen der Union, ihrer Bürger und ihrer Mitgliedstaaten zu dienen~~

~~und die Kohärenz, die Wirksamkeit und die Kontinuität der Politiken und Maßnahmen sicherzustellen, die die Union zur Erreichung ihrer Ziele durchführt.~~

- (2) ~~Zu diesem institutionellen Rahmen gehören~~ **Die Organe der Union sind**

- das Europäische Parlament,
- der Europäische Rat,
- der Ministerrat,
- die Europäische Kommission,
- ~~der Gerichtshof der Europäischen Union,~~ **das Justizsystem der Europäischen Union**
- die Europäische Zentralbank und
- der Rechnungshof.

~~(3) ——— Jedes Organ handelt nach Maßgabe der ihm in dieser Verfassung zugewiesenen Befugnisse nach den Verfahren und unter den Bedingungen, die in der Verfassung festgelegt sind. Die~~

~~Organe arbeiten loyal zusammen.~~<sup>1</sup>

---

**Explanation (if any) :**

Absatz 1 soll nicht in Form einer Beschreibung, sondern in Form eines Verfassungsauftrages gefasst werden. Dabei kann der Inhalt des vorgeschlagenen Absatz 3 in Absatz 1 übernommen werden.

Absatz 2 soll klar die Organe benennen und im übrigen statt des Gerichtshofs, das Justizsystem der EU anführen, zu dem neben dem Gerichtshof noch andere Organe zählen.

---

<sup>1</sup> Z.E.: In einem anderen Teil der Verfassung soll etwa folgender Satz stehen: "Bei der Erfüllung ihrer Aufgaben werden die Organe von einer offenen, effizienten und unabhängigen europäischen Verwaltung unterstützt."



## **AMENDMENT FORM**

**Suggestion for amendment of Article : IV 14a**

**Suggestion for protocol :**

**By:** **Mr Caspar EINEM**

**Status :** **Member**

---

### **Artikel 14a: Die Organe der Gesetzgebung**

- (1) Das Europäische Parlament und der Legislativrat beraten und beschließen gemäß dem in Artikel Y beschriebenen Verfahren**
- **die europäischen Gesetze,**
  - **die europäischen Rahmengesetze und**
  - **den Haushaltsplan der Union.**
- (2) Das Europäische Parlament und der Legislativrat tagen öffentlich.**
- 

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

Es erscheint sinnvoll, das Gesetzgebungsverfahren vor seinen Institutionen zu beschreiben.

## AMENDMENT FORM

**Suggestion for amendment of: PART I, TITLE IV: The Union's Institutions, Article 14:  
The Union's Institutions**

**By: Mr Paraskevas AVGERINOS and Ms. Marietta GIANNAKOU**

**Status: Members**

---

### **Άρθρο 14 : Τα θεσμικά όργανα της Ένωσης**

2. Το Θεσμικό αυτό πλαίσιο περιλαμβάνει:

Το Ευρωπαϊκό Κοινοβούλιο,  
Το Ευρωπαϊκό Συμβούλιο,  
Το Συμβούλιο των Υπουργών,  
Την Ευρωπαϊκή Επιτροπή,  
Το Δικαστήριο της Ευρωπαϊκής Ένωσης,  
Την Ευρωπαϊκή Κεντρική Τράπεζα,  
Το Ελεγκτικό Συνέδριο

2. Το Θεσμικό αυτό πλαίσιο περιλαμβάνει  
**το Ευρωπαϊκό Συμβούλιο και τα  
Όργανα της Ευρωπαϊκής Ένωσης:**

Ευρωπαϊκό Κοινοβούλιο,  
Συμβούλιο των Υπουργών,  
Ευρωπαϊκή Επιτροπή,  
Δικαστήριο της Ευρωπαϊκής Ένωσης,  
Ευρωπαϊκή Κεντρική Τράπεζα,  
Ελεγκτικό Συνέδριο

---

### **Explanation:**

Το Ευρωπαϊκό Συμβούλιο δεν πρέπει να συμπεριληφθεί στο «Ενιαίο Θεσμικό Πλαίσιο» της Ένωσης ως θεσμός κατά την έννοια που συμπεριλαμβάνονται οι άλλοι θεσμοί / όργανα της Ε.Ε.

## AMENDMENT FORM

### Suggestion for amendment of Article : 14

By Mr : Michalis Attalides

Status : - Member

Art14attalides.doc

---

*Change Title as Follows*

**~~Article 14 : The Union's Institutions~~**

***Article 14 : The Union's Institutional Framework***

*Change paragraph 2 as follows :*

2. This institutional framework comprises *The European Council and the following Institutions :*

The European Parliament,  
~~The European Council,~~  
~~The Council of Ministers,~~  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

*Add para. 4 as follows :*

4. *Each Institution shall act as openly as possible and in accordance with fundamental principles of good administration.*

---

**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article 14

By Mr Barnier, Mr Vitorino, Mr O'Sullivan and Mr Ponzano:

Status : Members and Alternates

---

#### Article 14 : The Union's Institutions

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union,
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions, which it undertakes in pursuit of its objectives, **while respecting and building on the *acquis communautaire***.

2. This institutional framework comprises :

The European Parliament,

The European Council **and the Council**,

~~The Council of Ministers,~~

The European Commission,

The Court of Justice ~~of the European Union~~,

The European Central Bank,

The Court of Auditors.

3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.

4. **Union action shall be set within an inter-institutional programme. In the framework of the general policy guidelines set by the European Council and the multiannual financial framework, the European Parliament, the Council and Commission, acting on a**

**Commission proposal, shall conclude an inter-institutional agreement relating to the multi-annual programme, the essential elements of which shall be adopted by the European Council.**

---

**Explanation :**

Paragraph 1

Paragraph 1 should take on board all the elements covered in the existing Article 3 first paragraph TEU. The reference to the *acquis communautaire* is all the more important given the fact that the Constitution will replace the existing Treaties.

Paragraph 2

The Constitution should recognise all the specific characteristics of the composition, the functioning and the tasks of the European Council. However, it would be inappropriate to create formally two separate institutions. Indeed, the limited number of meetings, and the fact that these take place after a long process of preparation undertaken by the Council, points to maintaining the European Council integrated within the structures of the Council. Splitting the General Secretariat of the Council or creating a new administration would run against all principles of good administrative organisation.

There is no reason to change the present denomination of the "Council" (Council of the European Union) to "Council of Ministers".

Paragraph 4

In recent years, the different institutions have begun to devote attention to the planning and programming of their work. These efforts should be coordinated, to provide the Union with an inter-institutional programming for its work. This would also mean that the Commission's right of initiative would be exercised within a coherent overall programme for the Union.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 14

Déposée par M. Barnier, M. Vitorino, M. O'Sullivan et M. Ponzano

Qualité : Membres et Suppléants

---

#### Article 14 : Les institutions de l'Union.

1. L'Union dispose d'un cadre institutionnel unique qui vise à :
  - poursuivre les objectifs de l'Union,
  - promouvoir ses valeurs,
  - servir les intérêts de l'Union, de ses citoyens et de ses États membres,et à assurer la cohérence, l'efficacité et la continuité des politiques et des actions qu'elle mène en vue d'atteindre ses objectifs, **tout en respectant et en développant l'acquis communautaire.**
2. Ce cadre institutionnel comprend :

Le Parlement européen,  
Le Conseil européen **et le Conseil,**  
~~Le Conseil des ministres,~~  
La Commission européenne,  
La Cour de justice ~~de l'Union européenne~~  
La Banque Centrale européenne,  
La Cour des Comptes.
3. Chaque institution agit dans les limites des attributions qui lui sont conférées dans la Constitution, conformément aux procédures, et dans les conditions prévues par celle-ci. Les institutions pratiquent entre elles une coopération loyale.
4. **L'action de l'Union s'inscrit dans une programmation interinstitutionnelle. Dans le cadre des orientations politiques générales du Conseil européen et du cadre financier pluriannuel, le Parlement européen, le Conseil et la Commission, sur proposition de cette dernière, concluent un accord interinstitutionnel relatif au programme pluriannuel, dont les éléments essentiels sont adoptés par le Conseil européen.**

---

**Explication :****Paragraphe 1**

Il convient de reprendre dans le paragraphe 1 l'intégralité du texte du présent article 3, al. 1 TUE. Dans un contexte où la Constitution remplace les traités actuels, la référence à l'acquis communautaire devient d'autant plus importante.

**Paragraphe 2**

La Constitution devrait reconnaître toutes les particularités de la composition, du fonctionnement et des tâches du Conseil européen. Toutefois, il ne convient pas de créer formellement deux institutions séparées. En effet, le nombre peu élevé de réunions, qui ne constituent qu'un point culminant de leur préparation effectuée par les instances du Conseil, plaide pour que le Conseil européen reste intégré dans les structures du Conseil. Un dédoublement du Secrétariat général du Conseil ou la création d'une nouvelle administration serait contraire à tous les principes de bonne organisation administrative.

Il n'y a pas de raison de changer le nom actuel du "Conseil" (Conseil de l'Union européenne) en "Conseil des ministres".

**Paragraphe 4**

Ces dernières années, les différentes institutions ont déployé des efforts pour planifier et programmer leurs activités. Ces efforts devraient être coordonnés, afin que l'Union dispose d'une programmation interinstitutionnelle de ses travaux. L'exercice par la Commission de son droit d'initiative s'inscrirait ainsi dans un programme global et cohérent de l'Union.

**AMENDMENT FORM**

**Suggestion for amendment of Article : 14, Title IV, Part I**

**Suggestion for protocol :**

**By Ms / Mr : Hain**

**Status : - Member**

---

1. *OK.*
  2. *We note the intention to designate the European Council as an institution. Final decisions on the desirability of this change will need to be taken when we have the whole Constitutional Treaty.*
  3. *OK.*
- 

**Explanation (if any) :**



## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 14

Déposée par MM. Hubert Haenel, membre titulaire, et Robert Badinter, membre suppléant

---

#### Article 14 : Les institutions de l'Union.

1. supprimer

2. ~~Ce~~ **Le** cadre institutionnel **unique de l'Union** comprend :

Le Parlement européen,

Le Conseil européen,

Le Conseil des ministres,

La Commission européenne,

La Cour de justice de l'Union européenne,

La Banque Centrale européenne,

La Cour des Comptes.

3. Chaque institution agit dans les limites des attributions qui lui sont conférées dans la Constitution, conformément aux procédures, et dans les conditions prévues par celle-ci. Les institutions pratiquent entre elles une coopération loyale.

---

#### Explication éventuelle :

Les objectifs de l'Union sont définis à l'article 3 du Traité. Il est superfétatoire que l'article 14 définisse la finalité du cadre institutionnel établi par la Constitution.

## AMENDMENT FORM

### Suggestion for amendment of Article 14

By : TIMOTHY KIRKHOPE MEP

Status : MEMBER

PRAESIDIUM	TIMOTHY KIRKHOPE MEP
<p><b>Article 14 : The Union's Institutions</b></p> <p>1. The Union shall be served by a single institutional framework which shall aim to:</p> <ul style="list-style-type: none"><li>- advance the objectives of the Union,</li><li>- promote the values of the Union,</li><li>- serve the interests of the Union, its citizens and its Member States,</li></ul> <p>and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.</p> <p>2. This institutional framework comprises :</p> <p>The European Parliament, The European Council, The Council of Ministers, The European Commission, The Court of Justice of the European Union, The European Central Bank, The Court of Auditors.</p> <p>3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.</p>	<p><b>Article 14 : The <u>Community</u>'s Institutions</b></p> <p>1. The <u>Community</u> shall be served by a single institutional framework which shall aim to:</p> <ul style="list-style-type: none"><li>- advance the objectives of the <u>Community</u>,</li><li>- promote the values of the <u>Community</u>,</li><li>- serve the interests of the <u>citizens of the Community</u> and its Member States,</li></ul> <p>and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.</p> <p>2. This institutional framework comprises :</p> <p>The European Parliament, The European Council, The Council of Ministers, The European Commission, The Court of Justice of the European <u>Community</u>, The European Central Bank, The Court of Auditors.</p> <p>3. Each institution shall act within the limits of the powers conferred on it in the <u>simplifying Treaty</u>, and in conformity with the procedures and conditions set out in it. The institutions shall <u>cooperate fully both with each other and with the Member States</u>.</p>

# FICHE AMENDEMENT

## Proposition d'amendement à l'article: 14

Déposée par Mme SIGMUND, M. BRIESCH et M. FRERICHs

Qualité: Observateurs

---

### Artikel 14 Absatz 2: Die Organe der Union wie folgt ergänzen

1. Die Union verfügt über einen einheitlichen institutionellen Rahmen, mit dem angestrebt wird:
    - die Ziele der Union zu verfolgen,
    - ihren Werten Geltung zu verschaffen,
    - den Interessen der Union, ihrer Bürger und ihrer Mitgliedstaaten zu dienenund die Kohärenz, die Wirksamkeit und die Kontinuität der Politiken und Maßnahmen sicherzustellen, die die Union zur Erreichung ihrer Ziele durchführt.
  2. Zu diesem institutionellen Rahmen gehören
    - das Europäische Parlament,
    - der Europäische Rat,
    - der Ministerrat,
    - die Europäische Kommission,
    - der Gerichtshof der Europäischen Union,
    - die Europäische Zentralbank
    - der Rechnungshof *und*
    - die beratenden Einrichtungen.*
  3. Jedes Organ handelt nach Maßgabe der ihm in dieser Verfassung zugewiesenen Befugnisse nach den Verfahren und unter den Bedingungen, die in der Verfassung festgelegt sind. Die Organe arbeiten loyal zusammen.
- 

### Erläuterung:

Der Europäische Wirtschafts- und Sozialausschuss und der Ausschuss der Regionen tragen umfassend und im Rahmen der ihnen durch die Verfassung übertragenen Kompetenzen zur Verwirklichung der Ziele aus Artikel 14 Absatz 1 bei. Indem sie der organisierten Zivilgesellschaft und den Gebietskörperschaften ermöglichen, wirksam am Prozess der Gestaltung, Durchführung und Kontrolle der Gemeinschaftspolitiken mitzuwirken, tragen sie zur Erhöhung der demokratischen Legitimität der Europäischen Union im allgemeinem Interesse der Union und der Mitgliedstaaten gemäß dem Entwurf des Artikel 23 der Verfassung bei.

Der Europäische Wirtschafts- und Sozialausschuss und der Ausschuss der Regionen sind somit ebenfalls fester Bestandteil des einheitlichen institutionellen Rahmens der Union und sollten daher in Artikel 14 Absatz 2 erwähnt werden.

Eine Aufwertung des institutionellen Status der beiden beratenden Gremien würde im Übrigen dazu beitragen, die Autorität dieser beiden Einrichtungen in ihrer Außenwirkung zu stärken, denn sie verwirklichen den Grundsatz einer partizipatorischen Demokratie gemäß dem Entwurf des Artikels 34 der Verfassung und sind die Instrumente zur Durchsetzung dieses Grundsatzes auf Ebene der Union.

---

## AMENDMENT FORM

### Suggestion for amendment of Article : 14

By Ms SIGMUND, Mr BRIESCH and Mr FRERICHS

Status : Observers

---

### Add the following to Article 14(2): The Union's Institutions

- " 1. The Union shall be served by a single institutional framework which shall aim to:
- advance the objectives of the Union;
  - promote the values of the Union;
  - serve the interests of the Union, its citizens and its Member States;
- and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.
2. This institutional framework comprises:
- The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors,  
***The Advisory bodies***
3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation."

### Reasons

The European Economic and Social Committee and the Committee of the Regions contribute fully, within the competences devolved to them by the Constitution, to the attainment of the objectives referred to in Article 14(1). By enabling organised civil society and local and regional authorities to participate effectively in the process of shaping, implementing and monitoring Community policies, they are helping to increase the democratic legitimacy of the Union, in the general interest of the latter and of the Member States, in accordance with Article 23 of the draft Constitution articles.

Consequently the European Economic and Social Committee and the Committee of the Regions are also an integral part of the Union's single institutional framework and should be mentioned in Article 14(2).

Upgrading the institutional status of the Union's advisory bodies would also help to consolidate the visibility of the two bodies which, in accordance with Article 34 of the Constitution, embody the principle of participatory democracy and are its instruments at Union level.

---

## FICHE AMENDEMENT

### Proposition d'amendement à l'article : 14

Déposée par Mme SIGMUND, M. BRIESCH et M. FRERICHES

Qualité : Observateurs

---

#### Compléter comme suit le paragraphe 2 de l'Article 14 : Les institutions de l'Union

1. L'Union dispose d'un cadre institutionnel unique qui vise à :
    - poursuivre les objectifs de l'Union,
    - promouvoir ses valeurs,
    - servir les intérêts de l'Union, de ses citoyens et de ses États membres,et à assurer la cohérence, l'efficacité et la continuité des politiques et des actions qu'elle mène en vue d'atteindre ses objectifs.
  2. Ce cadre institutionnel comprend :
    - Le Parlement européen,
    - Le Conseil européen,
    - Le Conseil des ministres,
    - La Commission européenne,
    - La Cour de justice de l'Union européenne,
    - La Banque Centrale européenne,
    - La Cour des Comptes.*Les organes consultatifs*
  3. Chaque institution agit dans les limites des attributions qui lui sont conférées dans la Constitution, conformément aux procédures, et dans les conditions prévues par celle-ci. Les institutions pratiquent entre elles une coopération loyale.
- 

#### Explication:

Le Comité économique et social européen et le Comité des régions contribuent, à part entière et dans le cadre des compétences qui leur sont dévolues par la Constitution, à la réalisation des objectifs visés au paragraphe 1 de l'article 14. En permettant à la société civile organisée et aux collectivités territoriales de participer effectivement aux processus de formation, de mise en œuvre et de suivi des politiques communautaires, ils contribuent à accroître la légitimité démocratique de l'Union dans l'intérêt général de celle-ci et des États membres, conformément à l'article 23 du projet d'articles de la Constitution.

Le Comité économique et social européen et le Comité des régions sont, par conséquent, également une partie intégrante du cadre institutionnel unique de l'Union et devraient donc être mentionnés au paragraphe 2 de l'article 14.

Une valorisation du statut institutionnel des instances consultatives de l'Union contribuerait par ailleurs à asseoir la visibilité des deux organes qui, conformément au projet d'article 34 de la Constitution, donnent corps au principe de démocratie participative et en sont les instruments au niveau de l'Union.

---

## AMENDMENT FORM

**Suggestion for amendment of Article 14:**

**By Mr. Jozsef Szajer**

**Status: Member, National Parliament, Hungary**

### **Article 14 : The Union's Institutions**

1. The Union shall be served by a single institutional framework which shall aim to:
  - advance the objectives of the Union,
  - promote the values of the Union,
  - serve **and represent** the interests of the Union, its citizens and its Member States, **expressing the diversity** and ensure the consistency, effectiveness and continuity of the policies and actions-which it undertakes in pursuit of its objectives.
2. This institutional framework comprises:  
  
The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.
3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.

### **Explanation:**

It is an important task of the Union's Institutions to represent its citizens and its Member States.

## AMENDMENT FORM

**Suggestion for amendment of Article : I-18**

**By Mr : Hain**

**Status : - Member**

---

1. *Okay.*
  2. This institutional framework comprises:  
  
The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice [~~of the European Union,~~]  
~~The European Central Bank,~~  
[The Court of Auditors](#)  
~~The Court of Auditors.~~
- 

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

*We are content with the European Central Bank not being an Institution.*

*However, we believe that the Court of Auditors should remain an Institution. Removing this status would imply watering down of its independent status & reduce its central role.*

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article : I-18**

**Déposée par Madame ou Monsieur : Gianfranco Fini / Francesco Speroni**

**Qualité : - Membre - Suppléant**

---

#### Articolo I-18: Le istituzioni dell'Unione

1. L'Unione dispone di un quadro istituzionale unico che mira a:
  - perseguire gli obiettivi dell'Unione,
  - promuoverne i valori,
  - servire gli interessi dell'Unione, dei suoi cittadini e dei suoi Stati membri,nonché a garantire la coerenza, l'efficacia e la continuità delle politiche e delle azioni da essa condotte al fine di raggiungerne gli obiettivi.
  
2. Tale quadro istituzionale comprende:
  - Il Parlamento europeo,
  - Il Consiglio europeo,
  - Il Consiglio dei ministri,
  - La Commissione europea,
  - La Corte di giustizia dell'Unione europea,
  - ~~La Banca centrale europea,~~
  - La Corte dei conti.
  
3. Ciascuna istituzione agisce nei limiti delle attribuzioni che le sono conferite dalla Costituzione, conformemente alle procedure e alle condizioni da essa previste. Le istituzioni attuano tra loro una cooperazione leale.

---

**Explication éventuelle :**



## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article I/18**

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

**Qualité : - Membre**

---

2. This institutional framework comprises :

the European Parliament

~~the European Council~~

the Council of Ministers

the European Commission

the Court of Justice

---

**Explication éventuelle :**

## AMENDMENT FORM

### PART I, TITLE IV: THE UNION'S INSTITUTIONS - REVISED TEXT

#### Suggestion for amendment of Article I-18: The Union's Institutions

By Ms / Mr :    **M. J. CHABERT**  
                      **M. M. DAMMEYER**  
                      **M. P. DEWAELE**  
                      **Ms. C. du GRANRUT**  
                      **M. C. MARTINI**  
                      **M. R. VALCARCEL SISO**

Status :    ~~-Member~~            ~~-Alternate~~            - Observer

---

2.    This institutional framework comprises:

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice [of the European Union,]  
~~The European Central Bank,~~  
~~The Court of Auditors.~~  
**The Committee of the Regions.**

## AMENDMENT FORM

**Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, Article 14 : The Union's Institutions**

By Ms / Mr : **BROK; SANTER; VAN DER LINDEN; ALTMAIER; AZEVEDO; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES; FOGLER; FRENDON; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LENNMARKER; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; ZILE**

Status :    - Member                - Alternate

---

### Suggestion

**TITLE IV: ~~The Union's Institutions~~ *The Union's institutions, Organisations and Bodies***  
**Article 14 : The Union's Institutions**

1. The Union shall be served by a single institutional framework which shall aim to:
  - advance the objectives of the Union,
  - promote the values of the Union,
  - serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions ~~which it undertakes in pursuit of its objectives.~~
2. This institutional framework comprises :

The European Parliament,  
~~The European Council,~~  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
~~The European Central Bank,~~  
The Court of Auditors.
- ~~3.~~ 5. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.

---

### Explanation (if any) :

The European Council should not be an institution in the sense of an organ of the European Union as long as it seems to be unrealistic that it will be bound to the control of the European Parliament and checked by the European Court of Justice and, at the same time, there is the risk of a watering-down of the ordinary procedures by the high-ranking composition of the European Council. Therefore, the role of the European Council should be described in a new Article 14 a.

Concerning the ECB (European Central Bank), there is no doubt that it is one of the important bodies of the EU. But it is less an organ and more an instrument for administering the Euro and doing so by strictly following the principle of price stability. Due to its specific character as an organisation of the Union it is dealt with in Article 14 b.

## AMENDMENT FORM

**Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, new Article 14c**

**By Ms / Mr : BROK; SANTER; TAJANI; VAN DER LINDEN; ALTMAIER; AZEVEDO; BASILE; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES; FOGLER; FREND; KARINS; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LAMASSOURE; LENNMARKER; LIEPINA; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZILE**

**Status :            - Member                            - Alternate**

---

### **Suggestion**

**TITLE IV: ~~The Union's Institutions~~ The Union's institutions, Organisations and Bodies**

***New Article 14 c: The Committee of the regions and the Economic and Social Committee***

***The European Parliament, the Council and the Commission shall be assisted by a Committee of the Regions and an Economic and Social Committee acting in an advisory capacity.***

---

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

The provisions on the Committee of the Regions and the Economic and Social Committee should be put into a separate Article to stress their role in the organisational framework of the Union.

## AMENDMENT FORM

**Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, new Article 14b**

**By Ms / Mr : BROK; SANTER; VAN DER LINDEN; ALTMAIER; AZEVEDO; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES; FOGLER; FRENDÓ; KARINS ; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LENNMARKER; LIEPINA; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZILE**

**Status :            - Member                            - Alternate**

---

### **Suggestion**

**TITLE IV: ~~The Union's Institutions~~ The Union's institutions, Organisations and Bodies**

***New Article 14 b: European Central Bank and the European System of Central Banks***

The European Central Bank shall direct the European System of Central Banks, of which it, alongside the national central banks, forms part.

---

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

The provisions of the ECB and ESCB should be put into a separate Article, as the ECB is not an institution but an organisation of the Union.

## AMENDMENT FORM

**Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, new Article 14a**

**By Ms / Mr : BROK; SANTER; VAN DER LINDEN; AZEVEDO; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES; FOGLER; FRENDU; KARINS ; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LENNMARKER; LIEPINA; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZILE**

**Status :            - Member                            - Alternate**

---

### **Suggestion**

**TITLE IV: ~~The Union's Institutions~~ The Union's institutions, Organisations and Bodies**

***New Article 14 a: European Council***

***1. The European Council shall provide the Union with the necessary impetus for its development, and shall define the general political guidelines thereof. The European Council shall consist of the Heads of State or Government of the Member States, together with the President of the Commission. The Foreign Minister shall take part in its work.***

***2. The European Council shall meet at least twice a year, convened by its Chair. When the agenda so requires, its members may decide to be assisted by a minister, and, in the case of the President of the Commission, a Commissioner. When the situation so requires, the Chair shall convene an additional meeting of the European Council. The Chair of the European Council shall be held in turn by each Member State for a term of X months. The Council may decide unanimously on a longer term. Except where the Constitution provides otherwise, the European Council shall act by consensus.***

---

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

The European Council and its role should be stressed in a separate Part of Article 14, not as part of the institutions. The Article 16 should be deleted then.

The “political directions and priorities” could be misunderstood as going too far already into legislative matters which should be exclusively dedicated to the Council. It would therefore make sense to use the old wording of Art. 4 of the Union Treaty.

The term ‘Chairman of the European Council’ seems to be more appropriate than ‘president’ in view of the manifold resistance against the idea of a “European President”.

## AMENDMENT FORM

**Suggestion for amendment of Article : 14**

**Suggestion for Part I**

**By Mr : Vytenis Povilas Andriukaitis, Gintautas Šivickas**

**Status : Member, alternate**

---

### **Article 14: The Union's Institutions**

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union,
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.

2. This institutional framework shall comprise the following institutions:

The European Parliament,

~~The European Council,~~

~~The Council of Ministers,~~

**The Council of the European Union,**

The European Commission,

The Court of Justice of the European Union,

The European Central Bank,

The Court of Auditors,

**The Ombudsperson of the European Union,**

**The Public Prosecutor's Office of the European Union,**

**and the following advisory bodies:**

**The Committee of the Regions, and**

**The Economic and Social Committee.**

---

**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article : 14: The Union's Institutions Part I Title IV

By Mr. Esko HELLE

Status : - Alternate

---

#### Article 14 : The Union's Institutions

1. The Union shall be served by a single institutional framework which shall aim to:
    - advance the objectives of the Union,
    - promote the values of the Union,
    - serve the interests of the Union, its citizens and its Member States,and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.
  2. This institutional framework comprises :

The European Parliament,  
~~The European Council,~~  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.
  3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.<sup>1</sup>.
- 

#### Explanation (if any):

The European Council must not become a new institution but stay a part of the Council.

---

<sup>1</sup> p.m.: a provision along the following lines "The institutions shall be supported, in discharging their tasks, by an open, efficient and independent public service" should appear elsewhere in the Constitution.



## AMENDMENT FORM

Suggestion for amendment of Article :

Suggestion for protocol :

By Ms / Mr :

Status :    - Member                      - Alternate

---

## **PART I OF THE CONSTITUTION**

### **TITLE IV: The Union's Institutions**

#### **Article 14 : The Union's Institutions**

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- [DELETE: promote the values of the Union,]
- serve [ DELETE: the interests of the Union,] its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.

2. This institutional framework comprises :

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

#### **THE EUROPEAN OMBUDSMAN**

3. Each institution shall act within the limits of the powers conferred on it in the **TREATY** [DELETE: Constitution], and in conformity with the procedures and conditions set out in it, **RESPECTING THE HUMAN RIGHTS CONVENTION AS INTERPRETED BY THE COURT OF HUMAN RIGHTS IN STRASBOURG AND THE NATIONAL CONSTITUTIONS AS INTERPRETED BY THE HIGHEST COURTS IN THE MEMBER STATES**

The institutions shall practice full mutual cooperation.<sup>1</sup>

---

**Explanation (if any) :**

---

<sup>1</sup> p.m.: a provision along the following lines "The institutions shall be supported, in discharging their tasks, by an open, efficient and independent public service" should appear elsewhere in the Constitution.

## AMENDMENT FORM

**Suggestion for amendment of Article: 14(2) and subsequent Articles**

**Suggestion for protocol :**

**By Ms / Mr : Linda McAvan**

**Status : - Member - Alternate**

### **Article 14 : The Union's Institutions**

2. This institutional framework comprises :
- The European Parliament,
  - The European Council,
  - The Council of Ministers,
  - The European Commission,
  - The Court of Justice of the European Union,
  - The European Central Bank,
  - The Court of Auditors.

**Explanation (if any) :** The term "Council of Ministers" is, in some countries, the term used to refer to the Government. Using this term here creates the misunderstanding that the Council is the executive or government, which it is not. Using the term "Council" or "Council of States" would add clarity.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article: 14

Déposée par Messieurs:

Alberto Costa - membre

Guilherme d'Oliveira Martins – suppléant

---

Titre IV

#### Article 14 Les institutions de l'Union

1 .....

2. Ce cadre institutionnel comprend:

Le Parlement européen

**Le Conseil législatif**

**Le Conseil**

La Commission européenne

**Les Tribunaux de l'Union**

La Banque Centrale européenne

La Cour des Comptes

3 .....

---

### Explication

Comme chambre des États, le Conseil législatif devient autonome et suit immédiatement le Parlement européen.

## FICHA DE ALTERAÇÃO

### Proposta de alteração ao Artigo : 14 - Título IV

Apresentada por :

Alberto Costa - membro

Guilherme d'Oliveira Martins - suplente

---

#### Artigo 14º Instituições da União

1 .....

2. O quadro institucional compreende:

o Parlamento Europeu  
**o Conselho Legislativo**  
**o Conselho**  
a Comissão Europeia  
**os Tribunais da União**  
o Banco Central Europeu  
o Tribunal de Contas

3 .....

---

Como câmara dos Estados, o Conselho Legislativo é autonomizado e segue imediatamente o Parlamento Europeu.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : 14 de la Partie I

Déposée par Messieurs Santer, Michel, de Vries et Di Rupo

Qualité : - Membres

---

#### Chapitre Ier: Le cadre institutionnel

#### **Article 14 : ~~Les institutions de l'Union.~~**

1. L'Union dispose d'un cadre institutionnel unique qui vise à :

- poursuivre les objectifs de l'Union,
- promouvoir ses valeurs,
- servir les intérêts de l'Union, de ses citoyens et de ses États membres,

et à assurer la cohérence, l'efficacité et la continuité des politiques et des actions qu'elle mène en vue d'atteindre ses objectifs-, tout en respectant et en développant l'acquis communautaire.

2. ~~Ce cadre institutionnel comprend~~ Les institutions de l'Union sont :

Le Parlement européen,  
~~Le Conseil européen,~~  
Le Conseil ~~des ministres,~~  
La Commission ~~européenne,~~  
La Cour de justice ~~de l'Union européenne,~~  
La Banque Centrale européenne,  
La Cour des Comptes.

3. Chaque institution agit dans les limites des attributions qui lui sont conférées dans la Constitution, conformément aux procédures, et dans les conditions prévues par celle-ci. Les institutions pratiquent entre elles une coopération loyale.<sup>†</sup>

---

<sup>†</sup> — ~~Pour mémoire : une phrase du type "Dans l'accomplissement de leurs tâches, les institutions s'appuient sur une administration européenne ouverte, efficace et indépendante" devra figurer dans une autre partie de la Constitution.~~

## AMENDMENT FORM

**Suggestion for amendement of Article : 14**

**Suggestion for Part I**

**By Ms/ Mr : Georgios Papandreou and Mr Georgios Katiforis**

**Status :    - Member            Alternate**

---

### **Article 14 : The Union's Institutions**

1. The Union shall be served by a single institutional framework which shall aim at:

- advancing the objectives of the Union,
- promoting the values of the Union,
- serving the interests of the Union, its citizens and its Member States,

and ensuring the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.

2. This institutional framework comprises :

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

---

**Explanation (if any) :**

*Para 2 : There is no apparent reason for changing the term currently in use.*

## AMENDMENT FORM

Suggestion for amendment of Article : Art. 14

Suggestion for protocol :

By : Ernâni Lopes, Maria Eduarda Azevedo, António Nazaré Pereira, Manuel Lobo Antunes.

Status : - Members and Alternates

---

### Article 14 : ~~The Union's institutions~~ Institutional framework

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union **and the principles on which the Union is founded,**
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives, **respecting and building upon the *acquis communautaire*.**

**2. The Unions' institutional framework includes the European Council and the institutions.**

3. The institutions are:

The European Parliament,  
~~The European Council,~~  
~~The Council of Ministers,~~  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

~~3~~**4.** Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual co-operation.

---

Explanation (if any) :

## AMENDMENT FORM

### Suggestion for amendment of Article 14

**By:** **Danuta Hübner**

**Status:** **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p><b>Article 14 : The Union's Institutions</b></p> <p>1. The Union shall be served by a single institutional framework which shall aim to:</p> <ul style="list-style-type: none"><li>- advance the objectives of the Union,</li><li>- promote the values of the Union,</li><li>- serve the interests of the Union, its citizens and its Member States,</li></ul> <p>and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.</p> <p>2. This institutional framework comprises :</p> <p>The European Parliament, The European Council, The Council of Ministers, The European Commission, The Court of Justice of the European Union, The European Central Bank, The Court of Auditors.</p> <p>3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.</p>	



## AMENDMENT FORM

### Suggestion for amendment of Article 15

**By:** Danuta Hübner

**Status:** Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 15 : The European Parliament</b>  1. The European Parliament shall, jointly with the Council, enact legislation, as well as exercise functions of political control and consultation as laid down in the Constitution. It shall elect the President of the European Commission.  2. The European Parliament shall be directly elected by universal suffrage of European citizens in free and secret ballot for a term of five years. Its members shall not exceed seven hundred in number. Representation of European citizens shall be degressively proportional, with a minimum threshold of four members per Member State.  3. The European Parliament shall elect its President and its officers from among its members, for a term of five years.	<b>Article 15 : The European Parliament</b>  1. The European Parliament shall, jointly with the Council, enact legislation, as well as exercise functions of political control and consultation as laid down in the Constitution. It shall elect the President of the European Commission.  2. The European Parliament shall be directly elected by universal suffrage of European citizens in free and secret ballot for a term of five years. Its members shall not exceed <del>seven hundred</del> <b>seven hundred thirty two</b> in number. Representation of European citizens shall be degressively proportional, with a minimum threshold of <b>five</b> <del>four</del> members per Member State.  <b>3. The number of representatives of each Member State is as follows:</b> <i>(reproduction of seats in EP as decided in Nice and provided for in the Accession Treaty of Athens)</i>  4. The European Parliament shall elect its President and its officers from among its members, for a term of five years.
<b>Explanation:</b> We should try to maintain the institutional equilibrium achieved in Nice.	

## AMENDMENT FORM

### Suggestion for amendment of Article 16

By: **Danuta Hübner**

Status: **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 16 : The European Council</b>  1. The European Council shall provide the Union with the necessary impetus for its development, and shall define its general political directions and priorities.  2. The European Council shall consist of the Heads of State or Government of the Member States, together with its President and the President of the Commission. The Foreign Minister shall take part in its work.  3. The European Council shall meet quarterly, convened by its President. When the agenda so requires, its members may decide to be assisted by a minister, and, in the case of the President of the Commission, a Commissioner. When the situation so requires, the President shall convene an additional meeting of the European Council.  4. Except where the Constitution provides otherwise, decisions of the European Council shall be taken by consensus.	<b>Article 16 : The European Council</b>  1. The European Council shall provide the Union with the necessary impetus for its development, and shall define its general political directions and priorities.  2. The European Council shall consist of the Heads of State or Government of the Member States, together with its Chairman and the President of the Commission. The Foreign Minister shall take part in its work.  <b>3. The European Council shall assign to Member States presidencies of Council formations for a period of at least a year, taking into account European political and geographical balance and the diversity of all Member States.</b>  <b>3.4.</b> The European Council shall meet quarterly, convened by its <b>Chairman</b> <del>President</del> . When the agenda so requires, its members may decide to be assisted by a minister, and, in the case of the President of the Commission, a Commissioner. When the situation so requires, its <b>Chairman</b> <del>President</del> shall convene an additional meeting of the European Council.  <b>4.5.</b> Except where the Constitution provides otherwise, decisions of the European Council shall be taken by consensus.
<b>Explanation:</b> I propose that the European Council decides on allocating to Member States longer presidencies of Council formations.	

## AMENDMENT FORM

### Suggestion for amendment of Article 16a

By: **Danuta Hübner**

Status: **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 16a : The European Council Chair</b>  1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.  On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.  2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.  3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.  4. The President of the European Council may not be a member of another European institution or hold a national mandate.	<b>Article 16a : The European Council Chair</b>  1. The European Council shall elect its <b>Chairman President</b> , by qualified majority, for a term of two and a half years, renewable once. <del>The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.</del>  2. On issues concerning its common foreign and security policy <b>the Chairman of the European Council</b> shall ensure <b>in co-operation with the Union's Foreign Representative</b> that the Union at his level is effectively represented in the wider world.  <del>2.3.</del> 3. The Chairman of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.  <del>3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.</del>  4. The Chairman of the European Council may not be a member of another European institution or hold a national mandate.

**Explanation:** The Chairman of the European Council shall co-operate with the Union's Foreign Representative on issues relating to foreign and security policy.

## AMENDMENT FORM

### Suggestion for amendment of Article 17

**By:** **Danuta Hübner**

**Status:** **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p><b>Article 17 : The Council of Ministers</b></p> <ol style="list-style-type: none"><li>1. The Council of Ministers shall, jointly with the European Parliament, enact legislation, and shall carry out policy-making and co-ordinating functions, as laid down in the Constitution.</li><li>2. The Council of Ministers shall consist of a representative of each Member State at ministerial level for each of its formations. Only this representative may commit the Member State in question, and cast its vote.</li><li>3. Except where the Constitution provides otherwise, decisions of the Council shall be taken by qualified majority.</li></ol>	
<p><b>Explanation:</b></p>	

## AMENDMENT FORM

### Suggestion for amendment of Article 17a

By: **Danuta Hübner**

Status: **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 17a : Council formations</b>  1. The General Affairs Council shall ensure consistency in the work of the Council of Ministers. With the participation of the Commission, it shall prepare meetings of the European Council.  2. The Legislative Council shall consider and, jointly with the European Parliament, enact European laws and European framework laws, in accordance with the provisions of the Constitution. Each Member State's ministerial representative may be assisted by one or, if necessary, two specialist ministers, reflecting the business on the Council agenda.  3. The Foreign Affairs Council shall, on the basis of strategic guidelines laid down by the European Council, flesh out the Union's external policies, and ensure that its actions are consistent. It shall be chaired by the Union's Foreign Minister.  4. The Council shall also meet in the configuration of an Economic and Financial Affairs Council, and a Council on Justice and Security.  5. The Council, in its General Affairs formation, may decide on further formations.  6. The European Council may decide by consensus that the Presidency of a Council formation, other than that of	<b>Article 17a : Council formations</b>  1. The General Affairs Council shall ensure consistency in the work of the Council of Ministers <b>with a special emphasis on the intersectoral character of Union's legislation.</b> With the participation of the Commission, it shall prepare meetings of the European Council.  <del>2. The Legislative Council shall consider and, jointly with the European Parliament, enact European laws and European framework laws, in accordance with the provisions of the Constitution. Each Member State's ministerial representative may be assisted by one or, if necessary, two specialist ministers, reflecting the business on the Council agenda.</del>  2. The Foreign Affairs Council shall, on the basis of strategic guidelines laid down by the European Council, <del>flesh out</del> <b>elaborate</b> the Union's external policies, and ensure that its actions are consistent. It shall be chaired by the Union's Foreign Minister.  3. The Council shall also meet in the configuration of an Economic and Financial Affairs Council, and a Council on Justice and Security.  4. The Council, in its General Affairs formation, may decide on further formations.  <b>5. The Council shall meet in public in its</b>

<p>Foreign Affairs, should be undertaken by a Member State for a period of at least a year, taking into account European political and geographical balance and the diversity of all Member States.</p>	<p><b>legislative function.</b></p> <p>6. — <del>The European Council may decide by consensus that the Presidency of a Council formation, other than that of Foreign Affairs, should be undertaken by a Member State for a period of at least a year, taking into account European political and geographical balance and the diversity of all Member States.</del></p>
<p><b>Explanation:</b></p> <p>The General Affairs Council should closely monitor the legislative work of other Council formations. It is also advisable to highlight in this Article the achieved compromise on public legislative sessions of the Council.</p>	

## AMENDMENT FORM

### Suggestion for amendment of Article 17b

**By:** Danuta Hübner

**Status:** Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 17b : Qualified majority</b>  1. When the European Council or the Council take decisions by qualified majority, such a majority shall consist of the majority of Member States, representing at least three fifths of the population of the Union.  2. Within the European Council, its President and the President of the Commission do not vote.	<b>Article 17b : Qualified majority</b>  1. <i>This paragraph should be replaced by the current Article 205 TEC as modified by art. 3 of the Protocol on Enlargement adopted in Nice and amended by the Accession Treaty signed in Athens on 16 April 2003.</i>  2. Within the European Council, its <b>Chairman-President</b> and the President of the Commission do not vote.
<b>Explanation:</b> It would not be recommendable to reopen the debate on the voting system in the Council.	



## AMENDMENT FORM

### Suggestion for amendment of Article 18

**By:** Danuta Hübner

**Status:** Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 18 : The European Commission</b>  1. The European Commission shall safeguard the general European interest. It shall ensure the application of the Constitution, and steps taken by the institutions under the Constitution. It shall also exercise coordinating, executive and management functions as laid down in the Constitution.  2. Except where the Constitution provides otherwise, Union acts can be adopted only on the basis of a Commission proposal.  3. The Commission shall consist of a President and up to fourteen other members. It may call on the help of Associate Commissioners.  4. In carrying out its responsibilities, the Commission shall be completely independent. In the discharge of their duties members of the Commission shall neither seek nor take instructions from any government or other body.	<b>Article 18 : The European Commission</b>  1. The European Commission shall safeguard the general European interest. It shall ensure the application of the Constitution, and steps taken by the institutions under the Constitution. It shall also exercise co-ordinating, executive and management functions as laid down in the Constitution.  2. Except where the Constitution provides otherwise, Union acts can be adopted only on the basis of a Commission proposal.  <b>3. The Commission shall comprise one national of each Member State.</b>  <b>4. The Commission shall remain in office for five years.</b>  <del>4.</del> <b>5.</b> In carrying out its responsibilities, the Commission shall be completely independent. In the discharge of their duties members of the Commission shall neither seek nor take instructions from any government or other body.
<b>Explanation:</b> It is of great importance for Member States, especially the new ones, to have a national in the Commission's body. The President of the Commission should have more freedom at restructuring its work in order to ensure high functionality.	

## AMENDMENT FORM

### Suggestion for amendment of Article 18a

By: **Danuta Hübner**

Status: **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 18a : The President of the European Commission</b>  1. Taking into account the elections to the European Parliament, the European Council, deciding by qualified majority, shall put forward to the European Parliament its proposed candidate for the Presidency of the Commission. This candidate shall be elected by the European Parliament by a majority of its members. If this candidate does not receive the required majority support, the European Council shall within one month put forward a new candidate, following the same procedure as before.  2. Each Member State shall submit a list of three persons, of which at least one must be a woman, whom it considers qualified to be a European Commissioner. The President-elect, taking account of European political and geographical balance, shall, from among the names submitted, select as members of the Commission up to thirteen persons chosen for their competence, European commitment, and guaranteed independence. The President and the persons so nominated for membership of the Commission shall be submitted as a body to a vote of approval by the European Parliament.  3. The Commission, as a body, shall be responsible to the European Parliament. Under the procedures set out at Art. X of the Constitution, it may pass a censure	<b>Article 18a : The President of the European Commission</b>  1. <del>Taking into account the elections to the European Parliament,</del> The European Council, deciding by qualified majority, shall put forward to the European Parliament <b>two</b> <del>its proposed candidates</del> for the Presidency of the Commission. <del>This candidate</del> <b>The President of the European Commission</b> shall be elected by the European Parliament by a majority of its members. If this candidate does not receive the required majority support, the European Council shall within one month put forward a new candidate, following the same procedure as before.  2. Each Member State shall submit <b>a candidate</b> <del>a list of three persons, of which at least one must be a woman,</del> whom it considers qualified to be a European Commissioner. <del>The President-elect, taking account of European political and geographical balance, shall, from among the names submitted, select as members of the Commission up to thirteen persons chosen for their competence, European commitment, and guaranteed independence.</del> <b>The European Council, acting by a qualified majority and by common accord with the President-elect shall adopt the list of the persons whom it intends to appoint as Members of the Commission, drawn up in accordance with the proposals made by each</b>

<p>motion on the Commission. If such a motion is passed, the members of the Commission must all resign. They shall continue to handle everyday business until their successors are nominated.</p> <p>4. The Commission shall work to guidelines laid down by its President. He shall decide its internal organisation, ensuring that it acts consistently, efficiently and on a collegiate basis. He shall appoint vice-presidents from among the members of the Commission.</p> <p>5. The President may appoint Associate Commissioners, chosen according to the same criteria as apply for members of the Commission. Their number must not exceed the number of members of the Commission.</p>	<p><b>Member State.</b> The President and the persons so nominated for membership of the Commission shall be submitted as a body to a vote of approval by the European Parliament.</p> <p>3. The Commission, as a body, shall be responsible to the European Parliament. Under the procedures set out at Art. X of the Constitution, it may pass a censure motion on the Commission. If such a motion is passed, the members of the Commission must all resign. They shall continue to handle everyday business until their successors are nominated.</p> <p>4. The Commission shall work to guidelines laid down by its President. He shall decide its internal organisation, ensuring that it acts consistently, efficiently and on a collegiate basis. He shall appoint vice-presidents from among the members of the Commission. <b>A Commissioner shall resign on a request of the President.</b></p> <p><del>5. The President may appoint Associate Commissioners, chosen according to the same criteria as apply for members of the Commission. Their number must not exceed the number of members of the Commission.</del></p>
<p><b>Explanation:</b>  Paragraph 1: The European Parliament should enjoy the possibility of a real election of the President of the Commission and not only confirm the choice done by the European Council.  Paragraph 2: The nomination of other Commissioners should occur in co-operation between the President-elect and Member States.</p>	

## AMENDMENT FORM

### Suggestion for amendment of Article 19

By: **Danuta Hübner**

Status: **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 19 : The Foreign Minister</b>  1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy.  2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.  3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.	<b>Article 19 : The Foreign Minister Representative</b>  1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign <b>Representative Minister</b> . He shall conduct the Union's common foreign and security policy. <b>The Foreign Representative shall resign upon a request of the European Council deciding by qualified majority.</b>  2. The Foreign <b>Representative Minister</b> shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.  3. The Foreign <b>Representative Minister</b> shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.  4. <b>The Foreign Representative shall be assisted by two deputies. One of them shall be designated to this function by the Foreign Representative in common accord with the President of the</b>

	<p><b>Commission from the Members of the Commission. His tasks would be confined by the mandate of the Commission. The second deputy shall be elected by the European Council following the same procedure as in case of the Foreign Representative. He shall assist the Foreign Representative in the function of the chairman of the Council of Foreign Ministers, chair the Political and Security Committee.</b></p> <p><b>5. The Foreign Representative shall have at his disposal a joint administrative service drawing upon officials of the European Commission, the General Secretariat of the Council and the Member States administrations.</b></p> <p><b>6. The Foreign Representative shall have at his disposal the Union's external relations budget.</b></p>
<p><b>Explanation:</b>  The description "Foreign Minister" may cause a confusion between this function and that of national ministers. Therefore, I propose the label of Union's Foreign Representative. He should enjoy a special status within the Commission. Faced with a significant workload he should be assisted by two deputies. One of them would be elected form the Commissioners' body.</p>	

## AMENDMENT FORM

### Suggestion for amendment of Article 20

**By:** **Danuta Hübner**

**Status:** **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p><b>Article 20 : The Court of Justice of the European Union</b></p> <p>1. The Court of Justice, including the High Court, shall ensure respect for the Constitution and Union law.</p> <p>The Member States shall provide rights of appeal sufficient to ensure effective legal protection in the field of Union law.</p> <p>2. The Court of Justice shall consist of one judge from each Member State, and shall be assisted by Advocates-General. The High Court shall include at least one judge per Member State: the number shall be fixed by the Statute of the Court of Justice. The judges of the Court of Justice and the High Court, and the Advocates-General of the Court of Justice, chosen from persons whose independence is beyond doubt and who satisfy the conditions set out at Article [XX] of Part II, shall be appointed by common accord of the governments of the Member States for a term of six years, renewable.</p> <p>3. The Court of Justice shall be competent for :</p> <ul style="list-style-type: none"><li>- ruling on actions brought by the Commission, a Member State, an institution or a natural or legal person in the cases and according to the modalities foreseen in article [YY] of Part II;</li><li>- preliminary rulings, at the request</li></ul>	

<p>of Member State courts, on the interpretation of Union law or the validity of acts adopted by the institutions;</p> <ul style="list-style-type: none"><li>- ruling on appeals on decisions given by the High Court or exceptionally reviewing these decisions under conditions laid down in the Statute of the Court.</li></ul>	
<p><b>Explanation:</b></p>	

## AMENDMENT FORM

### Suggestion for amendment of Article 21

**By:** **Danuta Hübner**

**Status:** **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p><b>Article 21 : The European Central Bank</b></p> <p>1. The European Central Bank shall direct the European System of Central Banks, of which it, alongside the national central banks, forms part.</p> <p>2. The primary objective of the Bank shall be to maintain price stability. Without prejudice to the objective of price stability, it shall support general economic policies in the Union with a view to contributing to the achievement of the Union's objectives.</p> <p>3. The Bank shall define and implement the monetary policy of the Union. It alone may authorise the issue of the Union currency, the Euro. It shall conduct other Central Bank tasks according to the provisions of Part II of the Constitution.</p> <p>4. The Bank shall have legal personality. In the exercise of its powers and for its finances, it shall be independent. Union institutions and bodies, and the governments of the Member States, shall undertake to respect this principle.</p> <p>5. The Bank shall adopt such measures as are necessary to carry out its tasks in accordance with the provisions of Articles [A-B] of Part II of the Constitution, and with the conditions laid down in the Statutes of the Bank and of the European System of Central Banks. In accordance with these same provisions, those Member States which have not</p>	



<p>adopted the Euro, and their central banks, shall retain their powers in monetary matters.</p> <p>6. Within its areas of competence, the Bank shall be consulted on all proposed Union acts, and all proposals for regulation at national level; and may given an opinion.</p> <p>7. The organs of the Bank, their composition and operating methods are set out in articles X to Y of Part II, as well as in the Statute of the Bank.</p>	
<p><b>Explanation:</b></p>	

## AMENDMENT FORM

### Suggestion for amendment of Article 22

**By:** Danuta Hübner

**Status:** Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b>Article 22 : The Court of Auditors</b>  1. The Court of Auditors shall carry out the audit.  2. It shall examine the accounts of all Union revenue and expenditure, and shall ensure good financial management.  3. It shall consist of one national of each Member State. In the performance of their duties, its members shall be completely independent.	
<b>Explanation:</b>	

## AMENDMENT FORM

### Suggestion for amendment of Article 23

**By:** **Danuta Hübner**

**Status:** **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p><b>Article 23 : The Union's Advisory Bodies</b></p> <p>1. The European Parliament, the Council of Ministers and the Commission shall be assisted by a Committee of the Regions and an Economic and Social Committee, exercising advisory functions.</p> <p>2. The Committee of the Regions shall consist of representatives of regional and local bodies who have either been elected to a regional or local authority or are politically accountable to an elected assembly.</p> <p>3. The Economic and Social Committee shall consist of representatives of organisations of employers, of the employed, and of others in representative civil society, notably in socio-economic, civic, professional and cultural areas.</p> <p>4. The members of the Committee of the Regions and the Economic and Social Committee must not be bound by any mandatory instructions. They shall be completely independent, in the performance of their duties, in the Union's general interest.</p> <p>5. Rules governing the composition of these Committees, the designation of their members, their powers and their operations, are set out in Articles XY of Part II of the Constitution. The rules governing their composition shall be reviewed at regular intervals by the Council, on the basis of a Commission</p>	

proposal, in the light of economic, social and demographic developments within the Union.	
<b>Explanation:</b>	

## AMENDMENT FORM

### Suggestion for amendment of Article X

**By:** **Danuta Hübner**

**Status:** **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p><b>Article X : to be inserted in Title VI on "The Union's Democratic Life"</b></p> <ol style="list-style-type: none"><li>1. The Congress of the Peoples of Europe shall provide a forum for contact and consultation in European political life. It shall meet at least once a year. Its meetings shall be public. The President of the European Parliament shall convene and chair them.</li><li>2. The Congress shall not intervene in the Council's legislative procedure.</li><li>3. The President of the European Council shall report on the State of the Union. The President of the Commission shall present the annual legislative programme.</li><li>4. One third of the Congress shall be members of the European Parliament: two thirds shall be representatives of national Parliaments. The total shall not exceed seven hundred.</li></ol>	<p><b>DELETE</b></p>
<b>Explanation:</b>	

## AMENDMENT FORM

### Suggestion for amendment of Article : 14

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

Status : - Member - ~~Alternate~~

---

#### Artikel 14: Die Organe der Union

(1) ~~Die Union verfügt über einen einheitlichen institutionellen Rahmen, mit dem angestrebt wird, die Ziele der Union zu verfolgen, ihren Werten Geltung zu verschaffen, den Interessen der Union, ihrer Bürger und ihrer Mitgliedstaaten zu dienen und die Kohärenz, die Wirksamkeit und die Kontinuität der Politiken und Maßnahmen sicherzustellen, die die Union zur Erreichung ihrer Ziele durchführt.~~

*Die der Union zugewiesenen Aufgaben werden durch die von dieser Verfassung vorgesehenen Organe, Einrichtungen und sonstigen Institutionen der Union sowie durch die auf Grundlage dieser Verfassung geschaffenen Einrichtungen und Agenturen wahrgenommen.*

- (2) ~~Zu diesem~~ *Folgende Organe gehören zum institutionellen Rahmen ~~gehören der Union:~~*
- das Europäische Parlament,
  - der Europäische Rat,
  - der ~~Ministerrat~~ *Rat der Europäischen Union (im folgenden als "Rat" bezeichnet),*
  - die Europäische Kommission (*im folgenden als "Kommission" bezeichnet*),
  - der Gerichtshof der Europäischen Union (*im folgenden als "Gerichtshof" bezeichnet*),
  - ~~die Europäische Zentralbank und~~
  - der Rechnungshof *der Europäischen Union (im folgenden als "Rechnungshof" bezeichnet).*

*Als beratende Organe gehören der Wirtschafts- und Sozialausschuss sowie der Ausschuss der Regionen zum institutionellen Rahmen der Union.*

(3) ~~Jedes Organ handelt nach Maßgabe der ihm in dieser Verfassung zugewiesenen Befugnisse nach den Verfahren und unter den Bedingungen, die in der Verfassung festgelegt sind.~~ Die Organe, *Einrichtungen und sonstigen Institutionen der Union* arbeiten loyal zusammen.

---

#### Explanation (if any) :

##### **Absatz 1:**

Die besondere Anordnung der Einheitlichkeit des institutionellen Rahmens der Union war nur wegen der Säulenstruktur notwendig (Rückgriff auf Gemeinschaftsorgane im Bereich der Unionspolitiken). Mit der Verschmelzung der Säulen ist sie jedoch hinfällig geworden. Die Einheitlichkeit des institutionellen Rahmens der EU ist nach der Verschmelzung vielmehr ebenso selbstverständlich, wie sie es im Hinblick auf die EG seit jeher ist.

Statt dessen bietet es sich an, in diesem Absatz alle Elemente des institutionellen Rahmens der Union abstrakt aufzuführen.

##### **Absatz 2:**

Die EZB besitzt eine eigene Rechtspersönlichkeit und ist deshalb kein **Organ** der Union, sondern

eine von der Verfassung vorgesehene **Einrichtung** der Union. Die Verfassung sollte jedoch sehr klar terminologisch zwischen den Organen und den Einrichtungen unterscheiden.

***Absatz 3:***

Satz 1 gibt lediglich das Prinzip der begrenzten Ermächtigung wieder, das bereits in Art. 8 des Präsidiumsentwurf normiert ist. Das Prinzip der loyalen Zusammenarbeit erstreckt sich dagegen nicht nur auf die Organe, sondern auch auf die Einrichtungen und die sonstigen Institutionen.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 14

Déposée par Monsieur de Villepin

Qualité : - Membre

---

1. L'Union dispose d'un cadre institutionnel unique qui vise à :

- poursuivre les objectifs de l'Union,
- promouvoir ses valeurs,
- servir les intérêts de l'Union, de ses citoyens et de ses États membres,

et à assurer la cohérence, l'efficacité et la continuité des politiques et des actions qu'elle mène en vue d'atteindre ses objectifs.

2. Ce cadre institutionnel comprend :

Le Parlement européen,  
Le Conseil européen,  
Le Conseil des ministres,  
La Commission européenne,  
La Cour de justice de l'Union européenne,  
~~La Banque Centrale européenne,~~  
La Cour des Comptes.

3. Chaque institution agit dans les limites des attributions qui lui sont conférées dans la Constitution, conformément aux procédures, et dans les conditions prévues par celle-ci. Les institutions pratiquent entre elles une coopération loyale.<sup>1</sup>

---

Explication éventuelle :

---

<sup>1</sup> Pour mémoire : une phrase du type "Dans l'accomplissement de leurs tâches, les institutions s'appuient sur une administration européenne ouverte, efficace et indépendante" devra figurer dans une autre partie de la Constitution.



## AMENDMENT FORM

### Suggestion for amendment of Article : 14

By Mr Kimmo Kiljunen, Mr Matti Vanhanen, Ms Riitta Korhonen and Mr Antti Peltomäki

Status : - Kiljunen and Vanhanen – Members  
- Korhonen and Peltomäki - Alternates

---

#### Article 14: ~~The Union's Institutions~~ Institutional Framework of the Union

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union,
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives **while respecting and building upon the acquis communautaire.**

1a. **The institutions shall exercise their powers within the limits, under the conditions and in conformity with the procedures set out in the Constitution. The institutions shall practice full mutual cooperation.**

**Each institution shall act as openly as possible and in accordance with fundamental principles of good administration the application of which shall be monitored by the Ombudsman.**

2. This institutional framework **shall** comprises **the European Council and the following institutions:**

The European Parliament,  
~~The European Council,~~  
The Council of Ministers,  
The European Commission,  
The **Jurisdiction** ~~Court of Justice~~ of the European Union,  
The European Central Bank,  
The Court of Auditors.

~~3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.~~

---

## **AMENDMENT FORM**

### **Suggestion for amendment of Article : 14 a**

**By Mr Kimmo Kiljunen and Ms Riitta Korhonen**

**Status :    - Kiljunen – Member**

**- Korhonen - Alternate**

---

#### **Article 14 a: The European Council**

- 1.    The European Council shall provide the Union with the necessary impetus for its development, and shall define its general political directions and priorities.**
  - 2.    The European Council shall consist of the Heads of State or Government of the Member States and the President of the Commission. They shall be assisted by the Ministers of Foreign Affairs or – when the agenda so requires – any other minister and, in the case of the President of the Commission, a Commissioner. The Foreign Minister of the Union shall take part in its work.**
  - 3.    The European Council shall meet quarterly as a rule, convened by and under the chairmanship of the Head of State or Government of the Member State which holds the Presidency of the Council in its General Affairs configuration. When the situation so requires, additional meetings of the European Council may be convened.**
  - 4.    Except where the Constitution provides otherwise, decisions of the European Council shall be taken by unanimity. When the European Council takes decisions by a qualified majority, such a majority shall consist of the majority of the Member States and the majority of the population of the Union (single double majority). The President of the Commission does not vote within the European Council.**
  - 5.    The European Council shall submit to the European Parliament a report after each of its meetings and a yearly written report on the progress achieved by the Union.**
-

## **AMENDMENT FORM**

### **Suggestion for amendment of Article : 14 a**

**By Mr. Matti Vanhanen and Mr Antti Peltomäki**

**Status :**    - Vanhanen – Member  
                  - Peltomäki - Alternate

---

#### **Article 14 a: The European Council**

- 1.    The European Council shall provide the Union with the necessary impetus for its development, and shall define its general political directions and priorities.**
  - 2.    The European Council shall consist of the Heads of State or Government of the Member States and the President of the Commission. They shall be assisted by the Ministers of Foreign Affairs or – when the agenda so requires – any other minister and, in the case of the President of the Commission, a Commissioner. The Foreign Minister of the Union shall take part in its work.**
  - 3.    The European Council shall meet quarterly as a rule, convened by and under the chairmanship of the Head of State or Government of the Member State which holds the Presidency of the Council in its General Affairs configuration. When the situation so requires, additional meetings of the European Council may be convened.**
  - 4.    Except where the Constitution provides otherwise, decisions of the European Council shall be taken by unanimity. When the European Council takes decisions by a qualified majority, the votes of the members shall be weighted as set out in Article Y of Part Two.<sup>1</sup> The President of the Commission does not vote within the European Council.**
  - 5.    The European Council shall submit to the European Parliament a report after each of its meetings and a yearly written report on the progress achieved by the Union.**
- 

---

<sup>1</sup> Figures for EU-25 according to the Treaty of Nice and the Treaty of accession.

## FICHE AMENDEMENT

### Titre IV

#### Proposition d'amendement à l'Article : Artigo 14.º

Déposée par Monsieur Luís Queiró

Qualité: Suppléant

---

1. A União dispõe de um quadro institucional único que **assegura a coerência, a eficácia e a continuidade das políticas da União, no respeito pelo presente Tratado.**

2. O quadro institucional compreende:

**o Conselho Europeu;**

**o Parlamento Europeu;**

o Conselho; (2 palavras suprimidas)

a Comissão; (1 palavra suprimida)

o Tribunal de Justiça (3 palavras suprimidas)

(4 palavras suprimidas)

o Tribunal de Contas.

**3. (novo)**

**No âmbito da união económica e monetária, são instituídos um Sistema Europeu de Bancos Centrais, adiante designado por “SEBC”, e um Banco Central Europeu, cujos órgãos actuam no respeito pelo presente Tratado.**

4. Cada Instituição actua dentro dos limites das atribuições e **competências** que lhe são conferidas **pelo Tratado**, em conformidade com os processos e nas condições que esta prevê e **no respeito estrito pelo princípio** da cooperação leal. (8 palavras suprimidas)

---

#### **Explication éventuelle :**

*O quadro institucional único referido no corpo do n.º 1 consta já hoje do artigo 3.º do Tratado UE. Contudo, a enumeração do n.º 2 é bastante inovadora, pois, tradicionalmente, é dominante o entendimento segundo o qual o Conselho Europeu não é órgão da CE mas apenas da UE. Pela primeira vez, o Conselho Europeu fica órgão/instituição do conjunto (atenta a actual proposta de fusão UE/CE). O Conselho Europeu é o órgão que representa a função política, imune à fiscalização jurisdicional e caracterizada pela definição das orientações políticas gerais (v. artigo 4.º UE vs. 46.º UE).*

*O n.º 2 qualifica igualmente o BCE como «instituição», quando na realidade este é uma pessoa jurídica, dotada de órgãos próprios. É mais apropriada a solução actual do Tratado CE, no artigo 8.º.*

*O n.º 3 é uma síntese do disposto no artigo 7.º, n.º 1, § 2 do Tratado CE e no artigo 3.º UE. A ideia da cooperação leal não está explicitamente presente (cfr., ainda assim, artigo 3.º, § 2 UE), correspondendo a dimensões essenciais do princípio fundamental do equilíbrio institucional, tal como expresso na jurisprudência do Tribunal de Justiça.*

**AMENDMENT FORM**

**Suggestion for amendment of Article : 14**

**Suggestion for protocol :**

**By Mr : John Gormley**

**Status : Alternate**

---

**Article 14.1** after ‘serve the interests of the Union, its citizens and its Member States’  
add **“in an open and publicly accountable manner”**.

**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article 14: The Union's Institutions

By Mr Ivan Korčok, Ján Figel' and Juraj Migaš (Slovakia)

Status: I. Korčok and J. Figel' are members, J. Migaš is an alternate.

---

#### Article 14: The Union's ~~Institutions~~ Institutional Framework

1. The Union shall be served by a single institutional framework which shall aim to:
  - advance the objectives of the Union,
  - promote the values of the Union,
  - serve the interests of the Union, its citizens and its Member States,and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.
2. This institutional framework comprises :
  - The European Parliament,
  - The European Council,
  - The Council of Ministers,
  - The European Commission,
  - The Court of Justice of the European Union,
  - The European Central Bank,
  - The Court of Auditors.
3. Each institution shall act within the limits of the powers conferred on it in the ~~Constitution~~ Constitutional Treaty, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.

---

Explanation (if any):

## AMENDMENT FORM

### Suggestion for amendment of Article : 14

By Mr. Péter Balázs, Mr. Hannes Farnleitner, Ms. Sandra Kalniete, Mr. Jan Kohout, Mr. Ivan Korčok, Mr. Rytis Martikonis, Mr. Lennart Meri, Mr. Dimitrij Rupel, Ms. Teija Tiilikainen

Status : - Members

---

#### Article 14: ~~The Union's Institutions~~ Institutional Framework of the Union

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union,
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives **while respecting and building upon the acquis communautaire.**

1a. **The institutions shall exercise their powers within the limits, under the conditions and in conformity with the procedures set out in the Constitution. The institutions shall practice full mutual cooperation.**

**Each institution shall act as openly as possible and in accordance with fundamental principles of good administration the application of which shall be monitored by the Ombudsman.**

2. This institutional framework **shall** comprises **the European Council and the following institutions:**

The European Parliament,  
~~The European Council,~~  
The Council of Ministers,  
The European Commission,  
The **Jurisdiction** ~~Court of Justice~~ of the European Union,  
The European Central Bank,  
The Court of Auditors.

~~3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.~~

---

## **AMENDMENT FORM**

### **Suggestion for amendment of Article : 14 a**

**By Mr. Péter Balázs, Mr. Hannes Farnleitner, Ms. Sandra Kalniete, Mr. Jan Kohout, Mr. Ivan Korčok, Mr. Rytis Martikonis, Mr. Lennart Meri, Mr. Dimitrij Rupel, Ms. Teija Tiilikainen**

**Status : - Members**

---

#### **Article 14 a: The European Council**

- 1. The European Council shall provide the Union with the necessary impetus for its development, and shall define its general political directions and priorities.**
  - 2. The European Council shall consist of the Heads of State or Government of the Member States and the President of the Commission. They shall be assisted by the Ministers of Foreign Affairs or – when the agenda so requires – any other minister and, in the case of the President of the Commission, a Commissioner. The Foreign Minister of the Union shall take part in its work.**
  - 3. The European Council shall meet quarterly as a rule, convened by and under the chairmanship of the Head of State or Government of the Member State which holds the Presidency of the Council in its General Affairs configuration. When the situation so requires, additional meetings of the European Council may be convened.**
  - 4. Except where the Constitution provides otherwise, decisions of the European Council shall be taken by unanimity. When the European Council takes decisions by a qualified majority, the votes of the members shall be weighted as set out in Article Y of Part Two.<sup>1</sup> The President of the Commission does not vote within the European Council.**
  - 5. The European Council shall submit to the European Parliament a report after each of its meetings and a yearly written report on the progress achieved by the Union.**
- 

---

<sup>1</sup> Figures for EU-25 according to the Treaty of Nice and the Treaty of accession.



AMENDMENT FORM

Title IV

Suggestion for amendment of Article : 14

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mrs Lone Dybkjaer, Lord MacLennan, Mr Adrian Severin.

Status :Members and alternate members.

---

**Article 14 : The Union's Institutions**

1. The Union shall be served by a single institutional framework which shall *advance its objectives, promote its values and serve its interests*. *The institutions shall* ensure the *coherence*, effectiveness and continuity of the Union's policies and actions.
  2. This institutional framework comprises :
    - The European Parliament,
    - The European Council,
    - The Council of Ministers,
    - The European Commission,
    - The Court of Justice of the European Union,
    - The European Central Bank,
    - The Court of Auditors.
  3. Each institution shall act within the limits of the powers conferred on it in the Constitution *and be responsible for their own working arrangements*, in conformity with the procedures and conditions *laid down*. The institutions *may conclude interinstitutional agreements*.
  4. *The seat of the institutions, bodies and agencies of the Union shall be determined by the Council, acting by qualified majority, with the assent of the European Parliament.*
- 

**Explanation:**

1. *We suggest a more felicitous formulation of the first sentence, without changing the meaning of the Praesidium's draft.*

*However, the substitution of 'coherence' for 'consistency' is important: something that is both consistent and continuous may be changeless. The insertion of the need for coherence provides the right dynamic.*

3. *A reference is appropriate here to the prerogative each institution needs to devise their own methods of work. This implies that they must agree Rules of Procedure.*

*The Praesidium's formulation of 'full mutual cooperation' is curious. Sometimes the institutions will choose not to cooperate with each other while respecting constitutional constraints. However, the Constitution should provide here for interinstitutional agreements.*

4. *At present, the treaties provide that the question of where institutions be located is to be decided by unanimity, leading often to paralysis after an ignoble row. The particularly controversial issue of the seat of the European Parliament has to be determined by common accord of the Member States (Article 289 TEC). The time has come to rationalise the decision making procedure and to bring it into line with democratic norms.*

## FICHE AMENDEMENT

### I ERE PARTIE      TITRE IV : INSTITUTIONS DE L'UNION

#### **Proposition d'amendement à l'Article : 14 alinéa 2**

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

Qualité :    - **Membre**                    - **Suppléant**                    - **Observateur**

---

Ajouter à la fin de la liste :

2. Ce cadre institutionnel comprend :

Le Parlement européen,  
Le Conseil européen,  
Le Conseil des ministres,  
La Commission européenne,  
La Cour de justice de l'Union européenne,  
La Banque Centrale européenne,  
La Cour des Comptes,  
**Le Comité des régions.**

---

#### **Explication éventuelle :**

*Les débats du 7 février au sein de la Convention ont fait ressortir un large consensus pour reconnaître de façon solennelle le rôle des autorités régionales et locales dans l'Union européenne. En tant que représentant de ces autorités, le Comité des Régions doit accéder au rang d'Institution et développer son action et ses compétences de façon à garantir la pleine participation des ces autorités aux politiques de l'Union qui les concernent.*

*Un tel changement ne modifie en rien l'équilibre institutionnel, pas plus que la transformation de la Cour des Comptes en Institution par le traité de Maastricht n'avait à l'époque modifié cet équilibre. Ce changement répond à la volonté de donner plus de corps au principe de subsidiarité, en prenant en compte les autorités élues à chaque niveau de démocratie : locale, régionale, nationale et européenne.*

*Par ailleurs, après la réalisation du marché intérieur et de l'Union économique et monétaire l'Union européenne devient une Union politique qui repose sur la double légitimité des Etats et des peuples. Il est logique dès lors d'incorporer le niveau sous-national dans le système institutionnel. Le Comité des régions, composé d'élus locaux et régionaux, doit dès lors être pleinement associé au travail législatif de l'Union, lorsqu'il concerne la population locale et régionale, sans pour autant le compliquer ou le retarder, ceci d'autant plus que les autorités locales et régionales sont très largement responsables de la mise en œuvre de la législation et des actions de l'Union (75%).*

## AMENDMENT FORM

### Suggestion for amendment of TArt14liepina.doc

By Ms Liene Liepina, Mr Rihards Piks, Mr Arturs Krisjanis Karins, Mr Guntars Krasts.

Status: - Member: L.Liepina; R.Piks  
- Alternate: A.K.Karins; G.Krasts

---

#### Article 14 : The Union's Institutions

1. The Union shall be served by a single institutional framework which shall aim to:

- advance the objectives of the Union,
- promote the values of the Union,
- serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness and continuity of the policies and actions which it undertakes in pursuit of its objectives.

2. This institutional framework comprises :

The European Parliament,  
~~The European Council,~~  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.

3. Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. The institutions shall practice full mutual cooperation.

---

#### Explanation (if any) :

The question on granting the institutional status to the European Council should be considered more carefully. The European Council being independent from the Council of Ministers would have an increased role, simultaneously the role of the European Commission would be reduced.

## AMENDMENT FORM

### Suggestion for amendment of Article 14.1-3

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

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

---

### Article 14 : The Union's Institutions

1.     The Union shall be served by a single institutional framework which shall ~~aim to~~:
  - advance the objectives of the Union,
  - ~~promote~~ **respect**<sup>1</sup> the values of the Union,
  - serve the interests of the Union, its citizens and its Member States,

and ensure the consistency, effectiveness<sup>2</sup>, and continuity of the **activities carried out in order to attain** ~~policies and actions which it undertakes in pursuit of~~ its objectives.<sup>3</sup>
2.     This institutional framework comprises :

The European Parliament,  
The European Council,  
The Council of Ministers,  
The European Commission,  
The Court of Justice of the European Union,  
The European Central Bank,  
The Court of Auditors.
3.     Each institution shall act within the limits of the powers conferred on it in the Constitution, and in conformity with the procedures and conditions set out in it. ~~The institution shall practice full mutual cooperation.~~<sup>4</sup>

---

<sup>1</sup> Corresponds better to Article 2 of the draft Constitution.

<sup>2</sup> It is important that the Union's resources are used in a cost-effective way.

<sup>3</sup> Corresponds better to Article 3 EC.

<sup>4</sup> Unclear.

## AMENDMENT FORM

### **Suggestion for amendment of Article 14.4 NEW**

**By Mrs Lena Hjelm-Wallén, Teija Tiilikainen, Henning Christophersen and Mr Sven-Olof Petersson, government representatives, and Mr Sören Lekberg and Mr Kenneth Kvist, national parliament representatives.**

**Status :**  
- Member: Hjelm-Wallén, Tiilikainen, Christophersen and Lekberg  
- Alternate: Petersson and Kvist

---

- 4. Each institution shall act as openly as possible and in accordance with fundamental principles of good administration.<sup>1</sup>**

---

<sup>1</sup> Article 36 of the draft Constitution provides a legal basis for detailed rules on openness. An Article providing a legal basis for detailed rules on good administration – to be defined in accordance with the legislative procedure – should be included in Title VI, The democratic life of the Union, or in Part Two of the Constitution. Working group V on complementary competencies proposed that a provision should be introduced in a future Treaty, providing power for the Union to adopt rules on good administration within the EU institutions (CONV 375/1/02). The proposal from the working group did not meet any objections when its conclusions were discussed in the plenary.