

## FICHE AMENDEMENT 2

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

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

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#### Artículo 15: El Parlamento Europeo

##### *Añadir:*

1. *El Parlamento Europeo representa directamente a la ciudadanía europea. Es, junto con el Consejo, el poder legislativo y presupuestario de la Unión; ejerce funciones de elección, control político y consulta y las demás que le atribuye la constitución. Ante él responden las instituciones de la Unión, de acuerdo con lo establecido en la Constitución.*
2. El Parlamento Europeo será elegido directamente por los ciudadanos europeos, por sufragio universal, mediante votación libre y secreta, por un período de cinco años. El número de sus miembros no excederá de setecientos. Se garantizará la representación de los ciudadanos europeos de manera (*suprimir 1 palabra*) proporcional, con un umbral mínimo de cuatro miembros del Parlamento Europeo por Estado miembro, *de acuerdo con la ley electoral, que asegurará la paridad entre hombre y mujer.*
- 2bis. *El Parlamento Europeo aprueba su reglamento de funcionamiento y establece el Estatuto del Diputado Europeo.*
3. El Parlamento Europeo elegirá a su presidente y a su *mesa* de entre sus miembros, para un mandato de cinco años.

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**Explication éventuelle :**

## AMENDMENT FORM

### Suggestion for amendment of Article :15

By Mr : M. Attalides

Status : - Member

Art15attalides.doc

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*Change subtitle as follows :*

***The Union's Institutions***

***16. The European Parliament***

*Change para.2 as follows :*

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 *and thirty-two* in number. ~~Representation of European citizens shall be degressively proportional, with a minimum threshold of four members per Member State.~~

*Add new para. 3 as follows :*

3. *Appropriate representation of the citizens of the States brought together in the Union is ensured by the principle of degressive proportionality and a minimum threshold of five members per Member State. The number of Representatives from each Member State is set out in Article X of Part Two. (Note : As provided for in the Nice Treaty.)*

*Renumber para. 3*

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**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article 15

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

Status : Members and Alternates

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#### Article 15 : The European Parliament

1. The European Parliament shall, jointly with the Council, enact legislation **and be the budgetary authority**, 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 **members of the** European Parliament shall be ~~directly~~ elected by **direct** universal suffrage of European citizens in free and secret ballot for a term of five years. ~~Its~~**The number of** members shall not exceed seven hundred. Representation of European citizens shall be degressively proportional, with a minimum threshold of four members per Member State.

**The number of members of the European Parliament elected in each Member State in accordance with a uniform electoral procedure is laid down in Article X (*Part II of the Constitution*)**

3. The European Parliament shall elect its President and its officers from among its members, ~~for a term of five years.~~
4. **Except where the Constitution provides otherwise, the European Parliament shall act by a majority of the votes cast.**

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**Explanation :****Paragraph 1**

The function of budgetary authority (together with the Council) is one of the most important tasks of the European Parliament, and should therefore be mentioned.

**Paragraph 2**

The European Parliament does not have a five year mandate. It is its members who are elected for a period of five years.

The Constitution should itself lay down the number of members of the Parliament elected in each Member State or, at least, indicate more precisely how this number is determined. A reference to the uniform electoral procedure should be inserted in Part I of the Constitution.

**Paragraph 3**

It is for the European Parliament to determine in its Rules of Procedure the rules concerning the length of the mandate of its President.

**Paragraph 4**

The Constitution should indicate in Part I the essential elements of the decision making of each Institution.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 15

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

Qualité : Membres et Suppléants

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#### Article 15 : Le Parlement européen

1. Le Parlement européen exerce, conjointement avec le Conseil, la fonction législative **et d'autorité budgétaire**, ainsi que des fonctions de contrôle politique et consultatives selon les conditions fixées par la Constitution. Il élit le Président de la Commission européenne.
2. **Les membres du** Le Parlement européen ~~est directement élu~~ **sont élus** au suffrage universel **direct** par les citoyens européens au cours d'un scrutin libre et secret pour **une période** ~~un mandat~~ de cinq ans. ~~Leur nombre de ses membres~~ ne dépasse pas sept cents. La représentation des citoyens européens est assurée de façon dégressivement proportionnelle, avec la fixation d'un seuil minimum de quatre membres du Parlement européen par État membre.  
  
**Le nombre de membres du Parlement européen élus dans chaque Etat membre selon une procédure électorale uniforme est fixé à l'article X (*deuxième partie de la Constitution*).**
3. Le Parlement européen élit son Président et son bureau en son sein, ~~pour une période de cinq ans~~.
4. **Sauf dans les cas où la Constitution en dispose autrement, le Parlement européen statue à la majorité des suffrages exprimés.**

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

La fonction d'autorité budgétaire (ensemble avec le Conseil) est une des tâches les plus importantes du Parlement européen, et doit donc être mentionnée.

**Paragraphe 2**

Le Parlement européen n'a pas un mandat de cinq ans. Ce sont les membres du Parlement européen qui sont élus pour cinq ans.

La Constitution devrait elle-même fixer le nombre de membres du Parlement élus dans chaque Etat membre ou, au moins, indiquer plus précisément comment ce nombre est déterminé. Une référence à la procédure électorale uniforme devrait figurer dans la Partie I de la Constitution.

**Paragraphe 3**

Il appartient au Parlement européen de prévoir dans son règlement intérieur la durée du mandat de son Président.

**Paragraphe 4**

En revanche, la Constitution devrait indiquer dans la Partie I les éléments essentiels de la prise de décision de chaque institution.

## AMENDMENT FORM

**Suggestion for amendment of Article : 15, Title IV, Part I**

**Suggestion for protocol :**

**By Ms / Mr : Hain**

**Status : - Member**

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

*Article 15.1 The last sentence is misleading. If there is to be a reference to the EP's role in electing the President of the Commission here, it should be brought into line with the provisions set out in 18.4 in their entirety. It is clearer simply to delete the reference here.*

*Article 15.2 The UK has, since the introduction of direct elections, given EP voting rights to Commonwealth citizens who fulfil certain conditions but who are not UK nationals for Community law purposes more generally. In order not to disenfranchise them, "of European citizens" should be deleted.*

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 15

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

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#### Article 15 : Le Parlement européen

1. Le Parlement européen exerce, conjointement avec le Conseil, la fonction législative, ainsi que des fonctions de contrôle politique et consultatives selon les conditions fixées par la Constitution. Il élit le Président de la Commission européenne.

2. Le Parlement européen est directement élu au suffrage universel par les citoyens européens ~~au cours d'un scrutin libre et secret~~ pour un mandat de cinq ans. **Le scrutin est libre et secret.** Le nombre de ses membres ne dépasse pas sept cents. La représentation des citoyens européens est assurée de façon dégressivement proportionnelle, avec la fixation d'un seuil minimum de quatre membres du Parlement européen par État membre.

3. Le Parlement européen élit son Président et son bureau en son sein, pour une période de cinq ans.

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**Explication éventuelle :**  
Amendement rédactionnel



## FICHE AMENDEMENT

**Proposition d'amendement à l'Article 15 para 3**  
**Déposée par Anne Van Lancker**

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### **Article 15 : Le Parlement européen**

3. Le Parlement européen élit son Président et son bureau en son sein, ~~pour une période de cinq ans.~~  
***Le Parlement européen détermine le lieu de son siège.***

#### **Justification**

Il convient que le Parlement européen décide de sa Présidence, ainsi que de son lieu de travail.

## AMENDMENT FORM

### Suggestion for amendment of Article 15

By : TIMOTHY KIRKHOPE MEP

Status : MEMBER

PRAESIDIUM	TIMOTHY KIRKHOPE MEP
<p><b>Article 15 : The European Parliament</b></p> <p>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.</p> <p>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.</p> <p>3. The European Parliament shall elect its President and its officers from among its members, for a term of five years.</p>	<p><b>Article 15 : The European Parliament</b></p> <p>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 <u>simplifying Treaty</u>. It shall elect the President of the European Commission, <u>a decision which shall be confirmed by the European Council on a qualified majority basis. The European Parliament shall also have the right to initiate legislation.</u></p> <p>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.</p> <p>3. The European Parliament shall elect its President and its officers from among its members, for a term of five years.</p> <p><b>Explanation: The right of initiative should reside with the European Parliament and the Commission should become a non-political civil service. This change would go a long way to redressing the perceived democratic deficit in the Community, as a democratically elected</b></p>

**body would propose legislation, as is the case in most Member States. I envisage the legislative process working as follows:**

**1. National parliaments, national governments, civil society and members of the public – in fact, any EU citizen – could have the right to suggest new European proposals to their MEP. This would also expand the existing right of petition.**

**2. If a national delegation decided to support the proposal, or included the proposal in a larger package of measures, they would then need the support of at least 10% of MEPs representing a minimum of 5 Member States for the proposal to be considered in Committee. This would ensure that committees are not overloaded by unpopular proposals that do not have the necessary support to proceed with a real prospect of success.**

**3. If a majority of the Members of a Committee supported the proposal – which could be amended by the Committee – it would then be considered in a plenary session of the European Parliament.**

**4. If a majority of the total number of MEPs in a plenary vote supported the amended proposal, it would then be forwarded to the European Council.**

**5. In the Council a qualified majority would be required for it to be considered by the national parliaments. The proposal could not be amended by the Council.**

**This change would not imply abolishing the veto, because national parliaments would have an enhanced right to veto all new European proposals that are not exclusive competences of the Community and exclusive competences are already decided by qualified majority voting.**

**6. New proposals falling under the exclusive**

	<p>competence of the Community (i.e. matters relating to the customs union, Article 11), would require a qualified majority of the national parliaments to become a European Community law or an opinion.</p> <p>New proposals under the shared competence of the Community (Article 12) or areas for supporting action (Article 15) would require the unanimous support of the national parliaments for approval.</p> <p>7. If a national parliament rejected the new proposal, a Mediation Committee would be formed to include representatives of the national parliament, the national government, the European Parliament and the current Presidency.</p> <p>8. If a proposal was then approved, a joint committee of MPs and MEPs would be formed to oversee the implementation of this new European law.</p> <p>If mediation failed, or if the proposal failed at any other legislative stage, it would be rejected as a European law, but Member States would be free to adopt it on a bilateral or multilateral basis as they chose.</p>
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## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 15

Déposée par Olivier Duhamel, titulaire  
Anne Van Lancker, titulaire  
Pervenche Berès, suppléante

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#### Article 15 : Le Parlement européen

##### *Paragraphe 1*

- 1- Le Parlement européen *représente les citoyens de l'Union européenne*.
- Il élit le Président de la Commission européenne *et investit la Commission, qui est responsable devant lui*.
  - Il exerce, conjointement avec le *Conseil législatif des Etats membres*, la fonction législative.
  - Il *assure* le contrôle politique *des institutions et administrations de l'Union, ainsi que les autres compétences que lui attribue* la Constitution.
  - *Il délibère et vote des résolutions sur toute question d'intérêt européen.*

##### Justification

*La rédaction du Présidium est incomplète et mal hiérarchisée.*



## AMENDMENT FORM

### Suggestion for amendment of Article I -19

By Mr Proinsias De Rossa

Status : - Member

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Redraft paragraph 2, as follows:

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 and thirty-two** in number. Representation of European citizens shall be degressively proportional, with a minimum threshold of **six** members per Member State.

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**Explanation (if any) :**

This amendment restores the agreement on the allocation of seats agreed at Nice.

## AMENDMENT FORM

### Suggestion for amendment of Article : I-19

By Mr : Hain

Status : - Member

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1. The European Parliament shall, jointly with the Council, enact legislation, and determine the annual budget ~~exercise the budgetary function~~, as well as 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~~.
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### Explanation (if any) :

*I.19.1: Cannot accept the EP jointly "exercising the budgetary function". It has a joint role only in relation to the annual budget. Our amendment reflects this.*

*I.19.2: The UK has, since the introduction of direct elections, given EP voting rights to Commonwealth citizens who fulfil certain conditions but who are not UK nationals for Community law purposes more generally. In order not to disenfranchise them, "of European citizens" should be deleted.*



## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article I-19**

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

**Qualité : - Membre**

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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 ~~700~~ 732 in number. Representation of European citizens shall be degressively proportional, with a minimum threshold of ~~4 members~~ 6 members per member state.

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**Explication éventuelle :**

**AMENDMENT FORM**

**Suggestion for amendment of Article : 15, para 2 - CONV 691/03**

**By Ms / Mr : František Kroupa**

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

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To add the method for calculation of number of deputies from every Member State and keep the proportion between the small and big states to prevent the superiority one group to another.

## AMENDMENT FORM

**Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, Article 15 : The European Parliament**

**By Ms / Mr : BROK; SANTER; TAJANI; TEUFEL; VAN DER LINDEN; ALMEIDA GARRETT; AZEVEDO; BASILE; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES; FOGLER; FRENDON; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; MAIJEWEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZIELENIEC; ZILE**

**Status :    - Member                    - Alternate**

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### **Suggestion**

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

##### **Article 15 : The European Parliament**

1.    The European Parliament shall *form the House of Citizens and*, jointly with the Council, enact legislation *and act as budgetary authority*, 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~~ *six* members per Member State. *The number of representatives elected in each Member State shall be as follows:*  
.....
3.    The European Parliament shall elect its President and its officers from among its members, for a term of ~~five~~ *two and a half* years.
4.    *The European Parliament shall control the European Commission.*
5.    *The European Parliament may, acting by a majority of its members, request the Commission to submit any appropriate proposal on matters on which it considers that a Union Act is required for the purpose of implementing this Constitution. The President of*

*the Commission must give a reasoned opinion to the plenary of the European Parliament in case it should decide not to follow the request.*

6. *In the course of its duties, the European Parliament may, at the request of a quarter of its members, set up a temporary Committee of Inquiry to investigate, without prejudice to the powers conferred by this Constitution on other institutions or bodies, alleged contraventions or maladministration in the implementation of Union law, except where the alleged facts are being examined before a court and while the case is still being subject to legal proceedings. The temporary Committee of Inquiry shall cease to exist on the submission of its report.*
  7. *The European Parliament may, by a motion of censure carried out by a two-third majority of the votes cast, representing the majority of the members of the European Parliament, force the Commission to resign as a body.*
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**Explanation (if any) :**

The character of the European Parliament as House of the Citizens should be stressed.

The budgetary authority should be fully shared between the European Parliament and the Council.

So far, the Constitution does not include any provision on the distribution of seats per country within the European Parliament. This has been the case in all treaties up to date and should also be the case in the European Constitution. A list of representatives per Member State should be added here. The numbers have to be fixed according to the relations decided in Nice, but newly calculated to stay below 700.

The request of the EP to the Commission to submit a proposal is already laid down in Art. 192 (2) ECT.

The Committee of Inquiry is laid down in Art. 193 ECT currently and should be taken over.

## AMENDMENT FORM

Suggestion for amendment of Article : 15

Suggestion for Part I

By Mr : Vytenis Povilas Andriukaitis, Gintautas Šivickas, Eugenijus Maldeikis

Status : Member, alternate, alternate

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### Article 15: The European Parliament

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 **thirty two** in number. ~~Representation of European citizens shall be degressively proportional, with a minimum threshold of four members per Member State.~~ **The number of representatives elected in each Member State shall be as follows:**

<b>Belgium</b>	<b>24</b>
<b>Czech Republic</b>	<b>24</b>
<b>Denmark</b>	<b>14</b>
<b>Germany</b>	<b>99</b>
<b>Estonia</b>	<b>6</b>
<b>Greece</b>	<b>24</b>
<b>Spain</b>	<b>54</b>
<b>France</b>	<b>78</b>
<b>Ireland</b>	<b>13</b>
<b>Italy</b>	<b>78</b>
<b>Cyprus</b>	<b>6</b>
<b>Latvia</b>	<b>9</b>
<b>Lithuania</b>	<b>13</b>

<b>Luxembourg</b>	<b>6</b>
<b>Hungary</b>	<b>24</b>
<b>Malta</b>	<b>5</b>
<b>Netherlands</b>	<b>27</b>
<b>Austria</b>	<b>18</b>
<b>Poland</b>	<b>54</b>
<b>Portugal</b>	<b>24</b>
<b>Slovenia</b>	<b>7</b>
<b>Slovakia</b>	<b>14</b>
<b>Finland</b>	<b>14</b>
<b>Sweden</b>	<b>19</b>
<b>United Kingdom</b>	<b>78</b>

3. The European Parliament shall elect its President and its officers from among its members;  
~~for a term of five years.~~
  
4. **The European Parliament shall undertake to enter into an interparliamentary agreement with the parliaments of the Member States providing for, *inter alia*, the cooperation between parliamentary committees and administrations, cooperation in respect of EU-related events and exchange of information and documents.**

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**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article : 15

By Mr. Esko HELLE

Status : - Alternate

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### Article 15 : The European Parliament

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 **and propotional** 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.
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### Explanation (if any):

The proportionality of the election would increase the citizens' activity and therefore also the legitimacy of the European Parliament.

## FICHE AMENDEMENT

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

Déposée par Messieurs:

Alberto Costa - membre

Luís Marinho - membre

Guilherme d'Oliveira Martins – suppléant

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#### Article 15

#### Le Parlement européen

1. Le Parlement européen exerce, conjointement avec le Conseil **législatif**, la fonction législative, ainsi que des fonctions de contrôle politique et consultatives selon les conditions fixées par la Constitution. Il élit le Président de la Commission européenne.
2. Le Parlement européen est directement élu au suffrage universel par les citoyens européens au cours d'un scrutin libre et secret pour un mandat de cinq ans. Le nombre de ses membres ne dépasse pas **sept cents trente deux. Le nombre de représentants élus dans chaque État membre est fixé comme suit:**<sup>1</sup>
3. ....

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<sup>1</sup> Nous prévoyons la possibilité d'accepter la proposition de Nice relative à la composition du Parlement européen.



## FICHA DE ALTERAÇÃO

### Proposta de alteração ao Artigo : 15

Apresentada por :

Alberto Costa - membro

Luís Marinho - membro

Guilherme d'Oliveira Martins - suplente

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#### Artigo 15º

#### Parlamento Europeu

1. O Parlamento Europeu exerce, juntamente com o Conselho **Legislativo**, a função legislativa, bem como funções de controlo político e funções consultivas, nos termos estabelecidos na Constituição. O Parlamento Europeu elege o Presidente da Comissão Europeia.
2. O Parlamento Europeu é directamente eleito por sufrágio universal pelos cidadãos europeus, em escrutínio livre e secreto, por um período de cinco anos. O número de deputados não será superior a **setecentos e trinta e dois**. **O número de representantes eleitos em cada Estado-Membro é fixado da seguinte forma:**<sup>1</sup>
3. ....

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<sup>1</sup> Prevê-se a possibilidade de acolher aqui a solução de Nice sobre a composição do Parlamento Europeu.



## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : 15 de la partie I

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

Qualité : - Membres

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#### Chapitre II: Le Parlement européen

#### **Article 15 : ~~Le Parlement européen~~**

1. Le Parlement européen exerce, conjointement avec le Conseil, la fonction d'autorité budgétaire et la fonction législative, ainsi que des fonctions de contrôle politique et consultatives selon les conditions fixées par la Constitution. Il élit le Président de la Commission européenne.
2. Les représentants au Parlement européen des peuples des Etats réunis dans l'Union sont est directement élus au suffrage universel direct par les citoyens européens au cours d'un scrutin libre et secret selon une procédure électorale uniforme pour un mandat de cinq ans. Le nombre de ses membres ne dépasse pas sept cents trente-deux. La représentation des citoyens européens est assurée de façon dégressivement proportionnelle, avec la fixation d'un seuil minimum de quatre membres du Parlement européen par Etat membre. Ce nombre peut être révisé par le Conseil, statuant à l'unanimité après avis conforme du Parlement européen.
3. Le Parlement européen élit son Président et son bureau en son sein, ~~pour une période de cinq ans~~.
4. Sauf dans les cas où la Constitution en dispose autrement, le Parlement européen statue à la majorité des suffrages exprimés.
5. Le Parlement européen nomme un médiateur, habilité à recevoir les plaintes émanant de tout citoyen de l'Union ou de toute personne physique ou morale résidant ou ayant son siège statuaire dans un Etat membre et relatives à des cas de mauvaise administration dans l'action des institutions ou organes communautaires, à l'exclusion de la Cour de Justice et du Tribunal de Première instance dans l'exercice de leurs fonctions juridictionnelles.

## AMENDMENT FORM

**Suggestion for amendement of Article : 15**

**Suggestion for Part I**

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

**Status :    - Member            Alternate**

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### **Article 15 : The European Parliament**

1.    The Parliament shall, jointly with the Council, enact legislation, ~~as well as exercise the~~ **budgetary authority, as well as** functions of political control and consultation as laid down in the Constitution. It elects the President of the European Commission **and gives its approval to the Commission as a body.**
  2.    The **members of the** European Parliament shall be directly elected by universal suffrage of European citizens in free and secret ballot, for a term of five years. Their number shall not exceed seven hundred **thirty-two**. Representation of European citizens shall be degressively proportional, with a minimum threshold of ~~four~~ **five** 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.
  4.    **Except where the Constitution provides otherwise, the European Parliament shall act by the majority of the votes cast.**
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### **Explanation (if any) :**

*Para 1 : Reference should be made to two of the Parliament's politically most important competences, i.e. the exercise of budgetary authority together with the Council an its approval to the Commission as a whole.*

*Para 2 : There is no apparent reason why it is necessary to revert to the subject of the total number of the E.P. members, after what was decided in Nice. In the event of any future enlargement of the Union, the number of the members of the European Parliament elected in each Member State should be adjusted by a decision of the European Council, acting unanimously (relevant reference should be included in Article X, Part II).*

*Para 4 (new) : For reasons of clarity, a reference should be made to the general voting rule within the European Parliament.*

## AMENDMENT FORM

Suggestion for amendment of Article : Art. 15

Suggestion for protocol :

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

Status : - Members and Alternates

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### Article ~~15~~ 16: The European Parliament

1. The European Parliament, which shall consist of representatives of the peoples of the States brought together in the Union, shall exercise the powers conferred upon it by this Constitutional Treaty.
2. The European Parliament shall, jointly with the Council, enact legislation **and be the budgetary authority**, as well as exercise functions of political control and consultation **in conformity with the procedures and conditions set out in it** ~~as laid down in the Constitutional Treaty~~.
3. ~~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 be directly elected by universal suffrage of European citizens in free and secret ballot for a term of five years.
4. The number of Members of the European Parliament shall not exceed 732. Appropriate representation of the citizens of the States brought together in the Union is ensured by the principle of degressive proportionality. The number of representatives elected in each Member State shall be set out in Article X of Part Two. The European Council, acting unanimously, may decide to adjust the number of seats held by each Member State to provide for any future enlargement of the Union, subject to a minimum threshold of five members per Member State.
5. The European Parliament shall elect its President and its officers from among its members, ~~for a term of five years~~.

Unless otherwise provided in this Constitutional Treaty, the European Parliament shall act by an absolute majority of the votes cast.

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Explanation (if any) :

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : 15 bis

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

**Qualité : - Membre - Suppléant**

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### **Nouvel article 15 bis : Partis politiques européens**

#### **Article 15 bis :**

**Le Parlement et le Conseil fixent, conformément à la procédure législative, le statut des partis politiques européens et notamment les règles relatives à leur financement.**

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#### **Explication éventuelle :**

*Les partis politiques européens font partie intégrante du fonctionnement de la démocratie représentative et doivent dès lors être mentionnés dans le Titre sur les institutions. Le présent amendement est à lire conjointement avec la proposition tendant à supprimer l'article 35 bis qui plaçait erronément les partis politiques européens dans un Titre relatif à la démocratie participative.*

## 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 : 15

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

Status :    - Member            ~~Alternate~~

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### Artikel 15: Das Europäische Parlament

- (1) Das Europäische Parlament wird gemeinsam mit dem Rat als Gesetzgeber ***und als Haushaltsorgan der Union*** tätig und nimmt Aufgaben der politischen Kontrolle und Beratungsaufgaben ~~nach Maßgabe der Verfassung~~ wahr. Es wählt den Präsidenten der Europäischen Kommission.
- (2) Das Europäische Parlament wird von den europäischen ***Bürgerinnen und*** Bürgern für eine Amtszeit von fünf Jahren im Rahmen allgemeiner, freier und geheimer Wahlen direkt gewählt. Die Anzahl seiner Mitglieder darf 700 nicht überschreiten. Die ~~europäischen Bürger sind~~ ***Bevölkerung der Mitgliedstaaten ist*** im Parlament degressiv proportional vertreten, wobei eine Mindestanzahl von vier Mitgliedern des Europäischen Parlaments je Mitgliedstaat gilt.
- (3) Das Europäische Parlament wählt aus seiner Mitte seinen Präsidenten und sein Präsidium für einen Zeitraum von fünf Jahren. ***Es gibt sich eine eigene Geschäftsordnung und bestimmt seinen Sitz.***
- (4) ***Soweit in der Verfassung nichts anderes festgelegt ist, beschließt das Europäische Parlament mit der Mehrheit der abgegebenen Stimmen.***
- 

### Explanation (if any) :

Wie für die anderen Organe ist auch für das EP die Grundsatzregel der Beschlussfassung in Teil I der Verfassung zu festzulegen (vgl. Art. 198 Abs. 1 EG-Vertrag).



## AMENDMENT FORM

### Suggestion for amendment of Article : 15

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

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

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#### Article 15: The European Parliament

1.    **The European Parliament, which shall consist of representatives of the citizens of the States brought together in the Union, shall exercise the powers conferred upon it by the Constitution.**
  - 1a.   The European Parliament shall, jointly with the Council, enact legislation **and be the budgetary authority**, as well as exercise functions of political control and consultation as laid down in the Constitution. It ~~shall~~ elects the President of the European Commission.<sup>1</sup>
  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.~~
  - 2a.   **Appropriate representation of the citizens of the States brought together in the Union is ensured by the principle of degressive proportionality and a minimum threshold of five Members per Member State. The number of Members of the European Parliament shall not exceed 732. The number of seats per Member State is set out in Article X of Part Two.**<sup>2</sup>
  3.    The European Parliament shall elect its President and its officers from among its ~~M~~members; ~~for a term of five years.~~
  4.    **Except where the Constitution provides otherwise, the European Parliament shall act by the majority of the votes cast.**
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<sup>1</sup> See also the footnote concerning Article 18b, which refers to the idea of the election of the Commission President by an Electoral College.

<sup>2</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 15.º, novo

Déposée par Monsieur Luís Queiró

Qualité: Suppléant

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1. O Parlamento Europeu, composto por representantes dos povos dos Estados reunidos na União, exerce os poderes de deliberação e controlo previstos no presente Tratado.
  2. O Parlamento Europeu aprova a designação, pelo Conselho Europeu, da personalidade que será nomeada Presidente da Comissão e, antes da sua nomeação pelo Conselho, dá parecer favorável à nomeação da Comissão. O Parlamento Europeu pode destituir a Comissão, por intermédio de uma moção de censura.
  3. Os representantes ao Parlamento Europeu, que não podem exceder o setecentos e trinta e dois, são eleitos por sufrágio universal, directo e secreto dos cidadãos da União, em cada Estado membro, nos termos definidos na respectiva legislação interna.
  4. O Conselho Europeu, deliberando por unanimidade, fixa o número de representantes a serem eleitos em cada Estado membro, de acordo com um critério que garanta a adequada representação dos Estados membros de pequena e média dimensão.
  5. O Parlamento Europeu dispõe do poder de auto-organização.
- 

#### Explication éventuelle :

*Na lógica proposta, o primeiro órgão a ser desenvolvido deveria ser o Conselho Europeu. Contudo, para não destruir neste momento a sequência dada pelo Praesidium no seu projecto, opta-se por manter a ordenação das disposições.*

*O artigo é confuso e pouco correcto. Fala em «cidadãos europeus» mas devia falar em «cidadãos da União». A descrição geral das funções que é feita clarifica o seu papel, mas seria até preferível a redacção anterior ao Tratado de Maastricht, que adiante reproporemos. A eleição do Presidente da Comissão é inaceitável, na minha opinião, embora seja uma decorrência lógica da evolução do actual sistema de controlo democrático da Comissão. Não se percebe a preocupação em fugir às redacções actualmente presentes nos artigos 189.º e seguintes CE.*

*As modificações que a seguir se propõem retomam algumas disposições dos tratados actuais:*

*O n.º 1 proposto retoma o n.º 1 (adaptado) do artigo 189.º CE.*

*O n.º 2 inspira-se no artigo 214.º CE, antes de Nice.*

*O n.º 3 corresponde ao artigo 189.º, § 2, CE, e 190.º, n.º 1*

*O n.º 4 remete para o Conselho Europeu – como hoje de facto sucede, v. Nice (2000) e Sevilha (2002) – a fixação do n.º de representantes de cada Estado membro.*

*O n.º 5 não fala agora do Presidente e da Mesa, mas é mais amplo, dando total autonomia organizatória ao Parlamento Europeu.*

**AMENDMENT FORM**

**Suggestion for amendment of Article : 15**

**Suggestion for protocol :**

**By / Mr : John Gormley**

**Status : Alternate**

**Article 15.1** Delete last sentence and insert: **“It shall jointly, with National Parliaments, elect the President of the European Commission.”**

**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article 15: The European Parliament

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

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

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#### Article 15: The European Parliament

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~~ Constitutional Treaty. It shall elect the President of the European Commission by majority of three fifth of its members.
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. The number of seats per Member State is set out in Article X Part Two<sup>1</sup>. The European Council, acting unanimously, may decide to adjust the number of seats held by each Member State to provide for any future enlargement of the Union, subject to a minimum threshold of five 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.~~

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Explanation (if any):

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<sup>1</sup> The number for EU27, including Bulgaria and Romania, shall take into account the ~~decision~~ of Nice and the figures in the Accession Treaty.

## AMENDMENT FORM

**Suggestion for amendment of Article : 15 comma 1**

**Suggestion for protocol :**

**By Mr : Valdo Spini**

**Status : - Alternate**

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### **Articolo 15: Il Parlamento europeo**

1. Il Parlamento europeo esercita, congiuntamente al Consiglio, la funzione legislativa, nonché funzioni di controllo politico e consultive secondo le condizioni stabilite dalla Costituzione. Esso elegge il Presidente della Commissione europea ***votando tra le candidature presentate.***
2. Il Parlamento europeo è eletto a suffragio universale diretto dai cittadini europei nel corso di uno scrutinio libero e segreto per un termine di cinque anni. Il numero dei suoi membri non può essere superiore a settecento. La rappresentanza dei cittadini europei è garantita in modo regressivamente proporzionale, con la fissazione di una soglia minima di quattro membri del Parlamento europeo per Stato membro.
3. Il Parlamento europeo elegge il Presidente e l'Ufficio di presidenza tra i suoi membri, per un periodo di cinque anni.

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

La formulazione proposta dal presidium secondo cui il Parlamento Europeo può solo accettare o bocciare un unico candidato espresso dal Parlamento Europeo è assolutamente insoddisfacente. Infatti la libertà del Parlamento europeo è fortemente limitata: o ratifica la proposta del Consiglio Europeo, e quindi non ha di fatto alcun ruolo, o si deve porre in opposizione frontale rispetto al Consiglio bocciando il suo candidato, ipotesi questa poco più che di scuola. L'emendamento è legato a quelli presentati all'articolo 18 bis

## AMENDMENT FORM

### Suggestion for amendment of Article : 15

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

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#### Article 15: The European Parliament

1. **The European Parliament, which shall consist of representatives of the citizens of the States brought together in the Union, shall exercise the powers conferred upon it by the Constitution.**
  - 1a. The European Parliament shall, jointly with the Council, enact legislation **and be the budgetary authority**, as well as exercise functions of political control and consultation as laid down in the Constitution. It ~~shall~~ elects the President of the European Commission.<sup>1</sup>
  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.~~
  - 2a. **Appropriate representation of the citizens of the States brought together in the Union is ensured by the principle of degressive proportionality and a minimum threshold of five Members per Member State. The number of Members of the European Parliament shall not exceed 732. The number of seats per Member State is set out in Article X of Part Two.**<sup>2</sup>
  3. The European Parliament shall elect its President and its officers from among its ~~M~~members; ~~for a term of five years.~~
  4. **Except where the Constitution provides otherwise, the European Parliament shall act by the majority of the votes cast.**
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<sup>1</sup> See also the footnote concerning Article 18b, which refers to the idea of the election of the Commission President by an Electoral College.

<sup>2</sup> Figures for EU-25 according to the Treaty of Nice and the Treaty of Accession.

## AMENDMENT FORM

### Suggestion for amendment of Article 15

By Prof Peter Serracino Inglott, Member

Mr John Inguanez, Alternate

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#### Article 15 : The European Parliament

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~~ six 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.
- 

#### Explanation (if any) :

The election of the President of the Commission by an electoral college is preferable, to minimise the possibility of unduly politicising the election process.

Secondly, while the composition of the European Parliament should necessarily continue to be based on a system of degressive proportionality, it is also the Maltese Government's firm belief that a minimum threshold in the allocation of seats must be established, irrespective of a Member State's size, and in full cognisance of each nation state's identity and sovereignty. Taking the Nice arrangement as a point of reference, the lower limit would be fixed at six seats. This threshold is moreover essential to guarantee an adequate participation in the European Parliament's Committees and in view of the urgent need to strengthen the links between European parliamentarians and their national counterparts aimed at bridging the gap between European citizens and the institutions. For the above reasons, the number of MEPs cannot and should not be lower than a pre-established threshold of six seats.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : 15 (Titre IV de la Partie I)

Déposée par Madame Palacio

Qualité : - Membre - Suppléant

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#### Article 15 : Le Parlement européen

1. Le Parlement européen exerce, conjointement avec le Conseil, la fonction législative, ainsi que des fonctions de contrôle politique et consultatives selon les conditions fixées par la Constitution. Il élit le Président de la Commission européenne.
2. Le Parlement européen est directement élu au suffrage universel par les citoyens européens au cours d'un scrutin libre et secret pour un mandat de cinq ans. Le nombre de ses membres ne dépasse pas les ~~sept-cents~~ sept cents trente-deux. La représentation des citoyens européens est assurée de façon dégressivement proportionnelle, avec la fixation d'un seuil minimum de ~~quatre~~ cinq membres du Parlement européen par État membre.

Le nombre des représentants élus dans chaque Etat membre est fixé ainsi qu'il suit :  
*reproduire ici le nombre de sièges accordés à Nice, tel que prévus dans le Traité d'adhésion d'Athènes.*

3. Le Parlement européen élit son Président et son bureau en son sein, pour une période de cinq ans.
- 

#### Explication :

Je considère qu'il faut s'en tenir aux accords institutionnels de Nice si nous voulons assurer le succès de la Convention.



## AMENDMENT FORM

### Suggestion for amendment of Article : Title IV

By Ms / Mr : Jan Kohout

Status : - Member

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#### 15. European Parliament

1. The European Parliament which consists of the representatives of the peoples of the Member States brought into the European Union, shall exercise powers laid down in the Constitutional Treaty. It shall, alongside the Council, enact legislative acts. It will provide assent, give consultative opinion and carry out political control of the European Commission.
  2. Other functions of the European Parliament are stipulated in Part Two of the Constitutional Treaty.
  3. The number of the European Parliament members is not to exceed 700. The representation in the EP of the European citizens as related to their Member State will be degressively proportional, with each Member State having at least 5 MEPs.
  4. The MEPs shall be elected for 5 years by free, direct, universal suffrage.
  5. The EP should elect its speaker in line with its Rules of procedure.
  6. Obtaining a list of at least two (three?) candidate nominees from the European Council, reflecting geographical and political diversity, the EP shall elect president of the European Commission. If the need be, the election of the winning nominee may go through three rounds at maximum. In the first round, the candidate is elected, if he/she gets support at least of two-thirds of all component MEPs. In the second round, the candidate is elected, if he/she gets support of three-fifths of all component MEPs. In the third round, the candidate is elected, if he/she gets support of three-fifths of MEP present.
  7. The EP can pass censure of the European Commission if the motion gathers support of two-thirds of all component MEPs. In this case the resulting no confidence vote becomes a relevant proposal for the European Council to confirm it. If the censure motion gathers three-fifths of all component MEPs or three-fifths of MEPs present, it becomes a relevant recommendation for the European Council. The European Council will then decide, whether it will comply with the recommendation. If not, the European Council may dissolve the European Parliament.
  8. The procedure described in point 7 will also apply when the European Parliament adopts the annual budget and/or whenever the European Commission decides to link the adoption of a basic legislative act with the confidence motion.
- 

#### Explanation (if any) :

15.4 : *Rules and procedures for EP's election are identical to Art 190/4/ of TEC except Council acting by three-quarters of its Member States and EP by majority of all MEPs.*

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 15, partie I de la Constitution:

**Déposée par** Mme Elena PACIOTTI, Mme Anne VAN LANCKER, M. Olivier DUHAMEL, Mme Linda McAVAN, M. Luis MARINHO, Mme Pervenche BERÈS, M. Carlos CARNERO, Mme Helle THORNING-SCHMIDT

**Qualité:** - Membres et Suppléants

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### ARTICLE 15 – Le Parlement européen

1. Le Parlement européen **représente les citoyens de l'Union européenne**.  
Il élit le Président de la Commission européenne **et investit la Commission, qui est responsable devant lui**.  
Il exerce, conjointement avec le **Conseil législatif des Etats membres**, la fonction législative **et il a l'autorité budgétaire**.  
Il **assure** le contrôle politique **des institutions et administrations de l'Union, ainsi que les autres compétences que lui attribue** la Constitution.  
Il **délibère et vote des résolutions sur toute question d'intérêt européen**.
  3. Le Parlement européen élit son Président et son bureau **parmi ses membres (neuf mots supprimés)**.
- 

**Explication éventuelle:**

**Title IV**

**Suggestion for amendment of Article : 15**

**By Members: Mr Andrew Duff, Mr Lamberto Dini, Mrs Maria Berger, Mrs Lone Dybkjaer, Lord Maclellan, Mr Adrian Severin.**

**Status : Members and alternate members.**

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**Article 15 : The European Parliament**

1. The European Parliament, *representing the citizens of the Union*, shall, jointly with the Council, enact legislation, as well as exercise *other* functions as laid down in the Constitution. It shall *nominate* 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 *according to a uniform electoral procedure*. Its members shall not exceed seven hundred in number. Representation of European citizens shall be degressively proportional, with a *minimum of* four members per Member State *and a maximum of ninety-five*.
  3. The European Parliament shall elect its *President from* among its members, for a term of *two and a half* years.
  4. *Members of the Parliament shall enjoy immunity from prosecution for opinions expressed and votes cast in performance of their parliamentary duties.*
- 

**Explanation:**

1. *The Constitution should establish the popular basis for the representative capability of the Parliament, as does Article 189 TEC.*

*The Parliament has many functions concerning legislation, the budget (including discharge), political scrutiny, inquiry and control, as well as its constitutional duties and the powers of assent over international agreements. The article should either set them all out comprehensively or leave them all out with the exception of its prime function, which is to act as a branch of the legislature. Brevity suggests the latter option.*

*As far as the election of the President of the Commission is concerned, we propose in Article 18a that the process is reversed - in other words, that the Parliament nominates and the European Council decides.*

2. *This clause should establish that there is to be a uniform electoral procedure, to be determined according to the provisions of Part Two.*

*To be as equitable as possible to all Member States, the application of the principle of degressive proportionality needs a ceiling as well as a threshold. If the smallest Member State is to take a cut in numbers, so should the largest.*

3. *No criticism has yet been voiced in the Convention about the present term of office of the President of the Parliament.*

*It is strange to copy the present treaty in mentioning other 'officers' of the Parliament: there are many varieties of office holder in the Parliament, and their competences, terms and conditions are best left to the Rules of Procedure.*

4. *The present regime of parliamentary privilege and immunity is based on the 1965 Protocol, reflecting the situation when MEPs were delegates of national parliaments, and has given rise to much confusion. The Constitution needs to establish a clear legal base for a new system of EU privileges and immunities, to be fleshed out in Part Two.<sup>1</sup>*

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<sup>1</sup> See a separate contribution by Mr Duff on this subject (forthcoming).

## AMENDMENT FORM

**Suggestion for amendment of Article: 15 The European Parliament**

**By the Earl of Stockton MEP**

**Status : Alternate**

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### **Article 15 : The European Parliament**

- 1. The European Parliament shall, jointly with the Council, initiate 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.**

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**Explanation (if any) :**

AMENDMENT FORM

Suggestion for amendment of TArt15liepina.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

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Article 15 : The European Parliament

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 representatives in the European Parliament of the peoples of the States brought together in the Union shall be elected by direct universal suffrage** in free and secret ballot for a term of five years.
3. The number of representatives elected in each Member State shall be as follows:<sup>1</sup>

Belgium	24
Czech Republic	24
Denmark	14
Germany	99
Estonia	6
Greece	24
Spain	54
France	78
Ireland	13
Italy	78
Cyprus	6
Latvia	9
Lithuania	13
Luxembourg	6
Hungary	24
Malta	5
Netherlands	27
Austria	18
Poland	54
Portugal	24
Slovenia	7
Slovakia	14
Finland	14
Sweden	19
United Kingdom	78"

4. The members of the Parliament shall not exceed seven hundred **and thirty two** in number. **The number of representatives elected in each Member State must ensure appropriate representation of the peoples of the States brought together in the Union.** The European Council, acting unanimously, may decide to adjust the number of seats held by each Member State to provide for any future enlargement of the Union, subject to a minimum threshold of **five** ~~four~~ members per Member State.

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<sup>1</sup> Figures for EU-27, including Bulgaria and Romania, according to Nice, to be annexed in a Protocol.

5. The European Parliament shall elect its President and its officers from among its members, for a term of five years.
6. **Except where the Constitution provides otherwise, the European Parliament shall act by the majority of the votes cast.**

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**Explanation (if any) :**

There is no reason to depart from the provisions relating the composition of the European Parliament envisaged in the Treaty of Nice.

Setting the composition of the European Parliament only on the grounds of the demographic principle would undermine the equality principle of the member states, dividing the big and the small countries, as well as the idea of the European Union as the Union of states and peoples as such.

## AMENDMENT FORM

### Suggestion for amendment of Article 15

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

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

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#### **Article 15 : The European Parliament**

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.~~<sup>1</sup>
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~~ **732**. ~~Representation of European citizens shall be degressively proportional, with a minimum threshold of four members per Member State.~~ **The number of representatives elected in each Member State shall be as follows:**<sup>2</sup>

<b>Belgium</b>	<b>24</b>
<b>Czech Republic</b>	<b>24</b>
<b>Denmark</b>	<b>14</b>
<b>Germany</b>	<b>99</b>
<b>Estonia</b>	<b>6</b>
<b>Greece</b>	<b>24</b>
<b>Spain</b>	<b>54</b>
<b>France</b>	<b>78</b>
<b>Ireland</b>	<b>13</b>
<b>Italy</b>	<b>78</b>
<b>Cyprus</b>	<b>6</b>
<b>Latvia</b>	<b>9</b>
<b>Lithuania</b>	<b>13</b>
<b>Luxembourg</b>	<b>6</b>
<b>Hungary</b>	<b>24</b>
<b>Malta</b>	<b>5</b>
<b>Netherlands</b>	<b>27</b>
<b>Austria</b>	<b>18</b>
<b>Poland</b>	<b>54</b>
<b>Portugal</b>	<b>24</b>
<b>Slovenia</b>	<b>7</b>
<b>Slovakia</b>	<b>14</b>

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<sup>1</sup> The rules regarding the appointment of the President of the Commission are laid down in article 18a and need not be mentioned here.

<sup>2</sup> It is unclear to the citizen what degressive proportionality means.

There is no enabling clause. It would be far more transparent to list the number of representatives elected in each Member State directly in the Constitutional Treaty. There is no need to reopen the compromise reached and signed in the Treaty of Accession.

<b>Finland</b>	<b>14</b>
<b>Sweden</b>	<b>19</b>
<b>United Kingdom</b>	<b>78</b>

3. The European Parliament shall elect its President and its officers from among its members, for a term of five years.



## AMENDMENT FORM

### Suggestion for amendment:

Parte I, Titolo IV (Le Istituzioni dell'Unione), Articolo 15 (Il Parlamento europeo)

**By:** Antonio TAJANI

**Status:** Member

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### TESTO DEL PRESIDIO

#### Parte I della Costituzione

#### Titolo IV: Le Istituzioni dell'Unione

#### Articolo 15: [Il Parlamento europeo]

1. Il Parlamento europeo esercita, congiuntamente al Consiglio, la funzione legislativa, nonché funzioni di controllo politico e consultive secondo le condizioni stabilite dalla Costituzione.

Esso elegge il Presidente della Commissione europea.

2. Il Parlamento europeo è eletto a suffragio universale diretto dai cittadini europei nel corso di uno scrutinio libero e segreto per un termine di cinque anni. Il numero dei suoi membri non può essere superiore a settecento. La rappresentanza dei cittadini europei è garantita in modo regressivamente proporzionale, con la fissazione di una soglia minima di quattro membri del Parlamento europeo per Stato membro.

3. Il Parlamento europeo elegge il Presidente e l'Ufficio di presidenza tra i suoi membri, per un periodo di cinque anni.

### EMENDAMENTO PROPOSTO

#### Parte I della Costituzione

#### Titolo IV: Le Istituzioni dell'Unione

#### Articolo 15: [Il Parlamento europeo]

1. Il Parlamento europeo esercita, congiuntamente al Consiglio, la funzione legislativa, nonché funzioni di controllo politico e consultive secondo le condizioni stabilite dalla Costituzione.

Esso elegge il Presidente della Commissione europea.

***Ibis. A maggioranza dei suoi membri, il Parlamento europeo può chiedere alla Commissione di presentare proposte sulle questioni per le quali reputa necessaria l'adozione di un atto legislativo dell'Unione. La Commissione è obbligata a dare seguito alla richiesta del Parlamento.***

2. Il Parlamento europeo è eletto a suffragio universale diretto dai cittadini europei nel corso di uno scrutinio libero e segreto per un termine di cinque anni. Il numero dei suoi membri non può essere superiore a settecento. La rappresentanza dei cittadini europei è garantita in modo regressivamente proporzionale, con la fissazione di una soglia minima di quattro membri del Parlamento europeo per Stato membro.

3. IL Parlamento Europeo elegge il Presidente e l'Ufficio di presidenza tra i suoi membri per un periodo di cinque anni.

***3bis. Lo statuto dei deputati al Parlamento europeo, approvato con legge europea, stabilirà le condizioni generali e le regole di esercizio delle funzioni dei deputati al Parlamento europeo.***

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**Motivazione:**

*Affinché il Parlamento europeo sia un “vero” Parlamento occorre che i suoi membri siano titolari del diritto di iniziativa legislativa. Tale diritto è legato alla funzione parlamentare. Il mandato di rappresentanza dei cittadini è fortemente menomato senza tale diritto, tanto da creare un vero deficit democratico.*

*La proposta in esame è uno sviluppo dell’articolo 192 del Trattato e può rappresentare una prima tappa verso l’attribuzione del diritto d’iniziativa al singolo deputato.*

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## AMENDMENT FORM

### Suggestion for amendment:

Parte I, Titolo IV (Le Istituzioni dell'Unione), Articolo 15 a (Indipendenza del deputato al Parlamento europeo)

**By:** Antonio TAJANI

**Status:** Member

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### TESTO DEL PRESIDIO

### EMENDAMENTO PROPOSTO

**Parte I della Costituzione**

**Titolo IV: Le Istituzioni dell'Unione**

**Articolo 15 a: [Indipendenza del deputato al Parlamento europeo]**

*1. I deputati al Parlamento europeo sono liberi e indipendenti. Non possono essere vincolati da istruzioni né ricevere mandato imperativo.*

*2. Il deputato non può essere perseguito a motivo dei voti o delle opinioni espresse nell'esercizio del proprio mandato, né può essere chiamato a renderne altrimenti conto in sede extragiudiziale.*

*3. Su richiesta del deputato, il Parlamento decide se un'opinione sia stata espressa nell'esercizio del mandato.*

*4. Un'indagine o un procedimento penale nei confronti di un deputato possono essere avviati solo a seguito di revoca dell'immunità da parte del Parlamento europeo.*

*5. Nessun deputato può essere sottoposto a perquisizione personale o domiciliare, né può essere arrestato o altrimenti privato della libertà personale, o mantenuto in detenzione, salvo che in esecuzione di una sentenza irrevocabile di condanna, ovvero se sia colto nell'atto di commettere un delitto per il quale è previsto l'arresto obbligatorio in flagranza.*

*6. Analoga autorizzazione è richiesta per sottoporre un deputato ad intercettazioni, in qualsiasi forma, di conversazioni o comunicazioni e a sequestro di corrispondenza.*

***7. I deputati europei percepiscono un'indennità determinata secondo criteri fissati nello Statuto dei deputati al Parlamento europeo.***

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***Motivazione:***

*La Costituzione deve prevedere le regole necessarie per assicurare l'indipendenza del Parlamento. L'indipendenza del Parlamento si concretizza attraverso una serie di garanzie poste a tutela del singolo deputato che gli consentono di svolgere liberamente la sua funzione: divieto di mandato imperativo, insindacabilità delle opinioni e dei voti espressi, immunità dai procedimenti penali, percepimento di un'indennità parlamentare.*

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## AMENDMENT FORM

### Suggestion for amendment:

Parte I, Titolo IV (Le Istituzioni dell'Unione), Articolo 15 b (Autonomia del Parlamento europeo)

**By:** Antonio TAJANI

**Status:** Member

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### TESTO DEL PRESIDIO

### EMENDAMENTO PROPOSTO

**Parte I della Costituzione**

**Titolo IV: Le Istituzioni dell'Unione**

**Articolo 15 b: [Autonomia del Parlamento europeo]**

*1. Il Parlamento europeo stabilisce il proprio regolamento interno a maggioranza dei membri che lo compongono.*

*2. Il Parlamento europeo verifica dei poteri e decide in merito alla validità del mandato dei suoi membri.*

*3. Le deliberazioni del Parlamento europeo non sono valide se non è presente la maggioranza dei loro componenti, e se non sono adottate a maggioranza dei presenti, salvo che la Costituzione prescriva una maggioranza speciale.*

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### **Motivazione:**

*L'indipendenza del Parlamento si esprime anche attraverso l'auto-organizzazione del Parlamento - autonomia regolamentare, amministrativa e finanziaria.*

## AMENDMENT FORM

### Suggestion for amendment of Article : 15

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

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#### Article 15 : The European Parliament

1. **The European Parliament shall directly represent the citizens of the European Union.**  
~~The European Parliament~~ It 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.~~<sup>1</sup>
  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.
  3. ~~Its~~ **The members of the European Parliament** shall not exceed seven hundred **and thirty two** in number. Representation of European citizens shall be degressively proportional. **The number of seats per Member State is set out in Article X of Part Two. The European Council, acting unanimously, may decide to adjust the number of seats held by each Member State to provide for any future enlargement of the Union, subject to a minimum threshold of five** ~~four~~ members per Member State.
  4. The European Parliament shall elect its President and its officers from among its members, ~~for a term of five years.~~
  5. **Except where the Constitution provides otherwise, the European Parliament shall act by the majority of the votes cast.**
- 

#### Explanation

The Article should be renumbered as Article 16 (see also amendment to current Article 16).

Arrangements for the election of the President of the Commission should be set out in Article 18b.

There is no reason to depart from the agreement reached in Nice which is degressively proportional. The number of seats held by each Member State should be set out in Part Two of the Treaty.

To provide sufficient flexibility it should be open to the European Council to decide to alter the number of seats per Member State subject to a minimum threshold of 5 seats per Member.

It should be for the European Parliament to decide the term of office of its President and other officers.

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<sup>1</sup> See Article 18b.

## **FICHE AMENDEMENT**

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

**Proposition d'amendement au protocole:**

**Déposée par Madame ou Monsieur : Gianfranco FINI – Francesco SPERONI**

**Qualité : - Membre      - Suppléant**

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### **Articolo 15: Il Parlamento europeo**

1. Il Parlamento europeo esercita, congiuntamente al Consiglio, la funzione legislativa, nonché funzioni di controllo politico e consultive secondo le condizioni stabilite dalla Costituzione.
2. **Su proposta del Consiglio Europeo, esso elegge il Presidente della Commissione europea.**
3. Il Parlamento europeo è eletto a suffragio universale diretto dai cittadini europei nel corso di uno scrutinio libero e segreto per un termine di cinque anni. Il numero dei suoi membri non può essere superiore a settecento. La rappresentanza dei cittadini europei è garantita in modo regressivamente proporzionale, con la fissazione di una soglia minima di quattro membri del Parlamento europeo per Stato membro.
4. Il Parlamento europeo elegge il Presidente e l'Ufficio di presidenza tra i suoi membri, per un periodo di cinque anni.

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**Explication éventuelle :**

## AMENDMENT FORM

### Suggestion for amendment of Article: 15, Part I – Title IV

By Mr: Henning Christophersen, Poul Schlüter, Henrik Dam Kristensen and Niels Helveg Petersen.

Status: Members and alternate members.

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#### Article 15: The European Parliament

(...)

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 732 ~~seven hundred~~ in number. ~~Representation of European citizens shall be degressively proportional, with a minimum threshold of four members per Member State.~~ The number of representatives elected in each Member State shall be as follows:

<u>Belgium</u>	<u>24</u>	<u>Luxembourg</u>	<u>6</u>
<u>Czech Republic</u>	<u>24</u>	<u>Hungary</u>	<u>24</u>
<u>Denmark</u>	<u>14</u>	<u>Malta</u>	<u>5</u>
<u>Germany</u>	<u>99</u>	<u>Netherlands</u>	<u>27</u>
<u>Estonia</u>	<u>6</u>	<u>Austria</u>	<u>18</u>
<u>Greece</u>	<u>24</u>	<u>Poland</u>	<u>54</u>
<u>Spain</u>	<u>54</u>	<u>Portugal</u>	<u>24</u>
<u>France</u>	<u>78</u>	<u>Slovenia</u>	<u>7</u>
<u>Ireland</u>	<u>13</u>	<u>Slovakia</u>	<u>14</u>
<u>Italy</u>	<u>78</u>	<u>Finland</u>	<u>14</u>
<u>Cyprus</u>	<u>6</u>	<u>Sweden</u>	<u>19</u>
<u>Latvia</u>	<u>9</u>	<u>United Kingdom</u>	<u>78</u>
<u>Lithuania</u>	<u>13</u>		

(...)

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#### Explanation:

It is unclear to the citizens what degressive proportionality means. It is also unclear who decides what it means by which procedure. There is no enabling clause. It would be far more transparent to list the number of representatives elected in each Member State directly in the Constitutional Treaty. An excellent compromise has only just been reached and signed in the Treaty of Accession. We see no need to reopen this compromise.



## AMENDMENT FORM

### Suggestion for amendment of Article 15

By Ms Maria BERGER

Status: Alternate

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#### Article 15 : The European Parliament

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 and 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.~~
- 

#### Explanation (if any):

It should be made clear, that first each Member State is guaranteed four seats and that only the than remaining seats are attributed degressively proportional. Present formula could mean that the four seats are the only degressive element and all the other seats are attributed by a pure proportional system.

## **AMENDMENT FORM**

### **Title IV**

#### **Suggestion for amendment of Article : 15**

**By Members: Voggenhuber, Lichtenberger, MacCormick, Wagener**

**Status :       Members and alternate members.**

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Rewrite Article 15 as follows:

#### **Article 15: The European Parliament**

1. The European Parliament, representing the European citizens, is, jointly with the Council, the legislature of the Union. It constitutes, jointly with the Council, the budgetary authority of the Union. It elects the President of the Commission.
  2. The European Parliament exercises, along with the Commission a right of initiative regarding European legislation, exercises control over all policies of the Union and gives its recommendation and opinion on all questions of general European interest.
  3. The European Parliament shall be directly elected by universal suffrage in a personal, free and secret ballot for a term of five years. Its members shall not exceed 732 in number. Representation of European citizens shall be digressively proportional, with a minimum threshold of six members per Member State.
  4. The European Parliament lays down a uniform European electoral law for its elections, based on the principles of proportional voting.
- 

**Explanation:**

**FICHE AMENDEMENT**

**Proposition d'amendement à l'Article:** **Partie I, 15**

**Déposée par Monsieur:** **Joachim Wuermeling**

**Qualité:** **Alternate**

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*Texte du Praesidium*

- (1) (unverändert)
- (2) Das Europäische Parlament wird von den europäischen Bürgern für eine Amtszeit von fünf Jahren im Rahmen allgemeiner, freier und geheimer Wahlen direkt gewählt. Die Anzahl seiner Mitglieder darf 700 nicht überschreiten. Die europäischen Bürger sind im Parlament degressiv proportional vertreten, wobei eine Mindestanzahl von vier Mitgliedern des Europäischen Parlaments je Mitgliedstaat gilt.

*Amendement proposé*

- (1) (unverändert)
- (2) Das Europäische Parlament wird von den europäischen Bürgern für eine Amtszeit von fünf Jahren im Rahmen allgemeiner, freier und geheimer Wahlen direkt gewählt. Die Anzahl seiner Mitglieder darf 700 nicht überschreiten. Die europäischen Bürger sind im Parlament degressiv proportional degressiv mit einer Mindestanzahl von vier Mitgliedern des Europäischen Parlaments je Mitgliedstaat gilt giltvertreten.

---

**Begründung:**

Die Vorgabe, die europäischen Bürger sollen im Parlament „degressiv“ proportional vertreten sein, würde dem Ziel widersprechen, den Grundsatz der Gleichheit der Wahl zu stärken und sollte deshalb gestrichen 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**

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### **Artikel 15: Das Europäische Parlament**

(1) Das Europäische Parlament wird gemeinsam mit dem Rat als Gesetzgeber **und**  
**Haushaltsautorität** tätig und nimmt Aufgaben der politischen Kontrolle und Beratungsaufgaben nach Maßgabe der Verfassung wahr. Es wählt den Präsidenten der Europäischen Kommission.

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**Explanation (if any) :**

Vervollständigung

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 15

Déposée par Monsieur Alain Lamassoure

Qualité : Membre

---

#### Article 15 : Le Parlement européen

1. Le Parlement européen exerce, conjointement avec le Conseil, la fonction législative, ainsi que des fonctions de contrôle politique et consultatives selon les conditions fixées par la Constitution. Il élit le Président de la Commission européenne.
2. Le Parlement européen est directement élu au suffrage universel par les citoyens européens au cours d'un scrutin libre et secret ***uniforme dans tous les Etats membres*** pour un mandat de cinq ans. Le nombre de ses membres ne dépasse pas sept cents. La représentation des citoyens européens est assurée de façon dégressivement proportionnelle, avec la fixation d'un seuil minimum de quatre membres du Parlement européen par Etat membre.
3. Le Parlement européen élit son Président et son bureau en son sein, pour une période de cinq ans.

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***Explication :** Il est essentiel d'assurer l'homogénéité du mode de désignation des députés européens dans tous les Etats membres.*

## AMENDMENT FORM

### Suggestion for amendment of Article 15

By Ms / Mr : Ms Helle THORNING-SCHMIDT, Ms Linda McAVAN, Kimmo KILJUNEN, Henrik DAM KRISTENSEN, Lord TOMLINSON

Status : - Member and Alternate

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Article 15: European Parliament

3. The European Parliament shall elect its President and its officers from among its members, for a term of five years. *The European Parliament shall choose its own seat.*

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Explanation (if any) :

## AMENDMENT FORM

### Suggestion for amendment of Article 15

By Ms / Mr : Ms Helle THORNING-SCHMIDT

Status : - Alternate

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#### Article 15: The European Parliament

(...)

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 **732 [2 words deleted]** in number. [18 words deleted] ***The number of representatives elected in each Member State shall be as follows:***

<i>Belgium</i>	<i>24</i>	<i>Luxembourg</i>	<i>6</i>
<i>Czech Republic</i>	<i>24</i>	<i>Hungary</i>	<i>24</i>
<i>Denmark</i>	<i>14</i>	<i>Malta</i>	<i>5</i>
<i>Germany</i>	<i>99</i>	<i>Netherlands</i>	<i>27</i>
<i>Estonia</i>	<i>6</i>	<i>Austria</i>	<i>18</i>
<i>Greece</i>	<i>24</i>	<i>Poland</i>	<i>54</i>
<i>Spain</i>	<i>54</i>	<i>Portugal</i>	<i>24</i>
<i>France</i>	<i>78</i>	<i>Slovenia</i>	<i>7</i>
<i>Ireland</i>	<i>13</i>	<i>Slovakia</i>	<i>14</i>
<i>Italy</i>	<i>78</i>	<i>Finland</i>	<i>14</i>
<i>Cyprus</i>	<i>6</i>	<i>Sweden</i>	<i>19</i>
<i>Latvia</i>	<i>9</i>	<i>United Kingdom</i>	<i>78</i>
<i>Lithuania</i>	<i>13</i>		

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#### Explanation (if any) :

It is unclear to the citizens what degressive proportionality means. It would be far more transparent to list the number of representatives elected in each Member State directly in the Constitutional Treaty.

The figures will have to be revised when new countries such as Bulgaria and Romania join the European Union.

**FICHE AMENDEMENT****Proposition d'amendement à l'Article : 15**

**Déposée par MM. Alexandru ATHANASIU et Hubert HAENEL**

**Qualité : Membres**

---

**Article 15 : Le Parlement européen**

2. Le Parlement européen est directement élu au suffrage universel selon une procédure uniforme par les citoyens européens au cours d'un scrutin libre et secret pour un mandat de cinq ans. Le nombre de ses membres ne dépasse pas sept cents. La représentation des citoyens européens est assurée de façon dégressivement proportionnelle, avec la fixation d'un seuil minimum de quatre membres du Parlement européen par État membre.

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**Explication éventuelle :**

Le Parlement européen doit être élu selon une procédure uniforme dans l'ensemble des Etats membres.



## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 15 - Partie I - Architecture constitutionnelle Titre IV Des institutions de l'Union

Déposée par Monsieur William ABITBOL

Qualité : - Suppléant

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#### Article 15 : le Parlement européen

*Conv 691/03*

1. Le Parlement européen vote la loi conjointement avec le Conseil de Etats. Il contrôle la Commission européenne et émet des avis dans tous les cas prévus par le présent traité constitutionnel.  
Sur proposition du Conseil européen, le Parlement européen **investit** le Président de la Commission européenne.
2. Le Parlement européen est élu pour cinq ans au suffrage universel direct par les électeurs des Etats membres. Les citoyens européens installés dans un Etat membre autre que le leur peuvent choisir de voter dans cet Etat membre.
3. Le nombre de députés européens au Parlement européen est de sept cents au maximum. Il est fixé par le Conseil européen. Aucun Etat ne peut disposer d'une représentation inférieure à quatre députés, **ni aucun autre d'une représentation supérieure à soixante-quinze députés.**
4. Le Parlement européen élit son Président et son bureau en son sein pour l'ensemble de la législature.

**Le Parlement européen a son siège à Strasbourg.**

## FICHE AMENDEMENT

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

Déposée par Madame : **Cristiana MUSCARDINI**

Qualité : **Membre**

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### **Articolo 15: Il Parlamento europeo**

#### **Par. 1**

Il Parlamento europeo esercita, congiuntamente al Consiglio, la funzione legislativa **e di bilancio**, nonché funzioni di controllo politico e consultive secondo le condizioni stabilite dalla Costituzione. Esso elegge il presidente della Commissione europea.

#### **Par. 3**

**Il Parlamento europeo elegge, tra i suoi membri, il Presidente e l'ufficio di presidenza, la cui durata in carica sarà stabilita da un regolamento emanato dal Parlamento stesso.**

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Explication éventuelle :

## AMENDMENT FORM

Suggestion for amendment of Article : Article 15 (Title IV)

Suggestion for protocol :

By Ms / Mr : David Heathcoat-Amory

Status : X - Member            - Alternate

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### Article 15 : The European Parliament

1. The European Parliament shall, *[jointly]* with the Council, *[enact legislation]* **assist in drafting legislative proposals**, as well as exercise functions of political control and consultation as laid down in the Constitution. It shall *[elect]* **confirm the appointment of** the President of the European Commission.
  2. The European Parliament shall be directly elected by universal suffrage. *[of European citizens]* in free and secret ballots for a term of five years. Its members shall not exceed seven hundred in number, **and shall be elected as national representatives**. *[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]* **set term**.
- 

**Explanation (if any) : Amendments to (1) define the EP as assisting the Council, rather than as holding equal legislative power.**

**The changes to (2) remove any possibility that MEPs may be elected on a Common European List. This would alienate the MEP even further from the ordinary citizen. The concept of « degressive proportionality » is too vague.**

**The change to (3) permits presidencies to be split between two individuals or political groups during a parliamentary term.**

## AMENDMENT FORM

**Suggestion for amendment of Article : 15**

**By Mr : Josef ZIELENIEC**

**Status : - Member**

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### **Article 15 : The European Parliament**

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. **The exact distribution of seats among the Member States is laid down in the part II of this Constitution.**
  3. The European Parliament shall elect its President and its officers from among its members, for a term of five years.
-

## AMENDMENT FORM

### Title IV

#### Suggestion for amendment of Article 15

By **Mr. Adrian Severin**

Status : **Alternate Member**

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Para.1 should be modified as follows:

1. The European Parliament, shall, jointly with the **Legislative Council**, enact legislation, as well as exercise functions of political control as laid down in the Constitution. It shall elect the President of the European Commission.

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#### **Explanation:**

*One must separate clearly the legislative and the executive power. That is precisely why one has created the Legislative Council.*

## AMENDMENT FORM

### Suggestion for amendment of Article 15: The European Parliament

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

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#### Article 15 : The European Parliament

1. The European Parliament shall, jointly with the Council, enact legislation **and establish the Union's budget**, as well as exercising 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.
3. **Representation of European citizens shall be degressively proportional. Its membership of the European Parliament shall not exceed seven hundred and thirty two in number. Representation of European citizens shall be degressively proportional. The number of seats per Member State is set out in Article X of Part Two. The European Council, acting unanimously, may decide to adjust the number of seats held by each Member State to provide for any future enlargement of the Union, subject to a minimum threshold of five for members per Member State.**
4. The European Parliament shall elect its President and its officers from among its members, ~~for a term of five years.~~

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

Arrangements for the election of the President of the Commission should be set out in Article 18. While the European Parliament should have a key role, national Parliaments should also be involved

There is no reason to depart from the agreement reached at Nice which is degressively proportional. The number of seats held by each Member State should be set out in Part Two of the Treaty and should be based on Nice (with appropriate adjustments as set out in the Accession Treaty).

To provide sufficient flexibility it should be open to the European Council to decide to adjust the number of seats per Member State subject to a minimum threshold of 5 seats per Member.

It should be for the European Parliament to decide the term of office of its President and other officers.

## AMENDMENT FORM

**Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, Article 15 : The European Parliament**

**By Ms : GIANNAKOU Marietta**

**Status : - Member**

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### **Suggestion**

#### **TITLE IV: The Union's Institutions Article 15 : The European Parliament**

1. The European Parliament shall jointly with the Council, enact legislation **and act as budgetary authority**, 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 **according to the provisions set in article 18a and approve the European Commission as a body**.
3. The European Parliament shall elect its President and its officers from among its members, for a term of ~~five~~ *two and a half* years.
4. *The European Parliament shall control the European Commission.*
5. *The European Parliament may, acting by a majority of its members, request the Commission to submit any appropriate proposal on matters on which it considers that a Union Act is required for the purpose of implementing this Constitution. The President of the Commission must give a reasoned opinion to the plenary of the European Parliament in case it should decide not to follow the request.*
6. *In the course of its duties, the European Parliament may, at the request of a quarter of its members, set up a temporary Committee of Inquiry to investigate, without prejudice to the powers conferred by this Constitution on other institutions or bodies, alleged contraventions or maladministration in the implementation of Union law, except where the alleged facts are being examined before a court and while the case is still being subject to legal proceedings. The temporary Committee of Inquiry shall cease to exist on the submission of its report.*

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**Explanation (if any) :**

The request of the EP to the Commission to submit a proposal is already laid down in Art. 192 (2) ECT.

The Committee of Inquiry is laid down in Art. 193 ECT currently and should be taken over.



## FICHE AMENDEMENT

Proposition d'amendement à l'Article 15 para 3

Déposée par Anne Van Lancker et cosigné par Mme Mc Avan

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### **Article 15 : Le Parlement européen**

3. Le Parlement européen élit son Président et son bureau en son sein, ~~pour une période de cinq ans.~~ *Le Parlement européen détermine le lieu de son siège.*

#### Justification

Il convient que le Parlement européen décide de sa Présidence, ainsi que de son lieu de travail.

## AMENDMENT FORM

Suggestion for amendment of Article : IV 15

Suggestion for protocol :

By: Mr Caspar EINEM

Status : Member

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### Artikel 15: Das Europäische Parlament

- (1) Das Europäische Parlament wird gemeinsam mit dem **Legislativrat** als Gesetzgeber tätig, ~~und nimmt Aufgaben der politischen Kontrolle und Beratungsaufgaben nach Maßgabe der Verfassung wahr. Es wählt den Präsidenten der Europäischen Kommission.~~
- (2) **Darüber hinaus wird das Europäische Parlament durch die Erteilung seiner Zustimmung oder die Abgabe von Stellungnahmen zu den sonstigen Akten des Rates und der Kommission sowie im Rahmen der Ernennung des Ministers für Auswärtige Angelegenheiten, der Mitglieder des Europäischen Rechnungshofes, des Europäischen Gerichtshofes und der Europäischen Zentralbank beteiligt.**
- (3) **Das Europäische Parlament kann mit der Mehrheit seiner Mitglieder die Kommission auffordern, geeignete Vorschläge zu Fragen zu unterbreiten, die nach seiner Auffassung die Ausarbeitung eines Rechtsaktes der Union zur Durchführung dieser Verfassung erfordern.**
- (4) **Das Europäische Parlament wählt mit der Mehrheit seiner Mitglieder den Präsidenten der Europäischen Kommission auf der Basis von Vorschlägen des Europäischen Rates und entscheidet über die Zustimmung zur Kommission.**
- (5) **Das Europäische Parlament wählt einen Bürgerbeauftragten, der Beschwerden über Missstände in den Organen der Union entgegen nimmt, untersucht und darüber Bericht erstattet.**
- (6) **Das Europäische Parlament kann auf Antrag eines Viertels seiner Mitglieder die Einsetzung eines nichtständigen Untersuchungsausschusses beschließen, der unbeschadet der Befugnisse, die anderen Organen oder Institutionen durch die Verfassung übertragen sind, behauptete Verstöße gegen das Recht der Union oder Missstände bei der Anwendung desselben prüft; dies gilt nicht, wenn ein Gericht mit den behaupteten Sachverhalten befasst ist, solange das Gerichtsverfahren nicht abgeschlossen ist. Mit der Vorlage seines Berichts hört der nichtständige Untersuchungsausschuss auf, zu bestehen.**
- (7) **Jeder Bürger der Union sowie jede natürliche oder juristische Person mit Wohnort oder satzungsgemäßigem Sitz in einem Mitgliedstaat kann allein oder**

**zusammen mit anderen Bürgern oder Personen in Angelegenheiten, die in den Tätigkeitsbereich der Union fallen und die ihn oder sie unmittelbar betreffen, eine Petition an das Europäische Parlament richten.**

- (8) Das Europäische Parlament wird von den europäischen Bürgern für eine Amtszeit von fünf Jahren im Rahmen allgemeiner, freier und geheimer Wahlen direkt gewählt. Die Anzahl seiner Mitglieder darf 700 nicht überschreiten. Die europäischen Bürger sind im Parlament degressiv proportional vertreten, wobei eine Mindestanzahl von vier Mitgliedern des Europäischen Parlaments je Mitgliedstaat gilt.
- (9) Das Europäische Parlament wählt aus seiner Mitte seinen Präsidenten und sein Präsidium ~~für einen Zeitraum von fünf Jahren.~~
- (10) **Die Mitglieder der Kommission können an allen Sitzungen des Europäischen Parlaments teilnehmen und müssen auf ihren Antrag im Namen der Kommission jederzeit gehört werden.**
- (11) **Die Kommission, der Rat und der Generalsekretär/Koordinator des Europäischen Rates antworten mündlich oder schriftlich auf die ihnen vom europäischen Parlament oder von dessen Mitgliedern gestellten Fragen.**
- (12) **Soweit diese Verfassung nicht etwas anderes bestimmt, beschließt das Europäische Parlament mit der absoluten Mehrheit der abgegebenen Stimmen.**
- (13) **Das Europäische Parlament erörtert in öffentlicher Sitzung den jährlichen Gesamtbericht, der ihm von der Kommission vorgelegt wird.**
- (14) **Das Europäische Parlament kann der Europäischen Kommission mit der Mehrheit von zwei Dritteln der abgegebenen Stimmen und mit der Mehrheit seiner Mitglieder das Misstrauen aussprechen.**

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**Explanation (if any) :**

**Zu Abs. (2):** vgl. Artikel 192 Abs. 1 EGV

**Zu Abs. (3):** vgl. Artikel 192 Abs. 2 EGV

**Zu Abs. (4):** Das EP kann dem Vorschlag des Präsidenten der Kommission für die neue Kommission zustimmen oder aber diese Zustimmung verweigern. Das erscheint um so bedeutsamer, als der Präsident der EK in diesem Vorschlag frei sein soll, die Größe der Kommission selbst zu bestimmen und so auch darüber zu entscheiden, welche Mitgliedstaaten nicht in der Kommission vertreten sind.

**Zu Abs. (6):** vgl. Artikel 193 EGV

**Zu Abs. (7):** vgl. Artikel 194 EGV

**Zu Abs. (8):** Jede Annäherung der Zusammensetzung des Europäischen Parlaments an das Prinzip der Proportionalität nach dem Grundsatz, dass jeder Bürger eine Stimme von gleichem Gewicht haben soll, muss zu einer Zurücknahme der Stimmgewichtung im Rat in Richtung des Prinzips, dass jeder Staat eine Stimme von gleichem Gewicht hat führen!

**Zu Abs. (9):** Das Europäische Parlament soll frei sein, seinen Präsidenten auf fünf Jahre oder auch für kürzere Zeit zu wählen. Die Frist muss daher nicht in der Verfassung verankert werden

**Zu Abs. (10) und (11):** vgl. Artikel 197 EGV. Durch die Mitaufzählung des Generalsekretärs/Koordinators des Europäischen Rates soll ein Mindestmaß an demokratischer Kontrolle gewährleistet werden.

**Zu Abs. (12):** vgl. Artikel 198 EGV

**Zu Abs. (13):** vgl. Artikel 200 EGV

**Zu Abs. (14):** vgl. Artikel 201 EGV

## **FICHE AMENDAMENT**

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

**Déposé par Monsieur Eckstein-Kovács Péter**

**Qualité: membre suppléant**

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#### **Article 15 - Para 2 modifier comme suit:**

Le Parlement européen est directement élu au suffrage universel par les citoyens européens au cours d'un scrutin libre et secret pour un mandat de cinq ans. **Le nombre des membres du Parlement européen ne dépasse pas sept cent trente-deux.** La représentation des citoyens européens est assurée de façon dégressivement proportionnelle, avec la fixation d'un seuil minimum de quatre membres du Parlement européen par Etat membre.

## AMENDMENT FORM

**Suggestion for amendment of: PART I, TITLE IV: The Union's Institutions, Article: 15: The European Parliament**

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

**Status: Members**

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### **Άρθρο 15: Το Ευρωπαϊκό Κοινοβούλιο**

2. Το Ευρωπαϊκό Κοινοβούλιο εκλέγεται από τους Ευρωπαίους πολίτες με άμεση και καθολική ψηφοφορία κατά τη διάρκεια ελεύθερης και μυστικής ψηφοφορίας για θητεία πέντε ετών. Ο αριθμός των μελών του ~~δεν υπερβαίνει τους επτακόσιους. Η εκπροσώπηση των Ευρωπαίων πολιτών ακολουθεί φθινόντως αναλογικό σύστημα, με καθορισμό ενός ελαχίστου αριθμού τεσσάρων μελών του Ευρωπαϊκού Κοινοβουλίου ανά κράτος μέλος.~~

Το Ευρωπαϊκό Κοινοβούλιο εκλέγεται από τους Ευρωπαίους πολίτες με άμεση και καθολική ψηφοφορία κατά τη διάρκεια ελεύθερης και μυστικής ψηφοφορίας για θητεία πέντε ετών. Ο αριθμός των μελών του **είναι επτακόσιοι τριάντα δύο.**

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### **Explanation:**

Παραμένει η απόφαση της Νίκαιας όπου είχε ορισθεί επακριβώς ο αριθμός των μελών του Ευρωπαϊκού Κοινοβουλίου για κάθε κράτος μέλος.

## AMENDMENT FORM

**Suggestion for amendment of: PART 1, TITLE IV: The Union's Institutions, Article 15:  
The European Parliament**

**By Mr: Paraskevas AVGERINOS**

**Status: Member**

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### **Άρθρο 15: Το Ευρωπαϊκό Κοινοβούλιο**

1. Το Ευρωπαϊκό Κοινοβούλιο ασκεί από κοινού με το Συμβούλιο τη νομοθετική λειτουργία, καθώς και καθήκοντα πολιτικού ελέγχου και συμβουλευτικά καθήκοντα σύμφωνα με τους όρους που ορίζονται από το Σύνταγμα. Εκλέγει τον Πρόεδρο της Ευρωπαϊκής Επιτροπής.

1. Το Ευρωπαϊκό Κοινοβούλιο ασκεί από κοινού με το Συμβούλιο τη νομοθετική λειτουργία, καθώς και καθήκοντα πολιτικού ελέγχου και συμβουλευτικά καθήκοντα σύμφωνα με τους όρους που ορίζονται από το Σύνταγμα. Εκλέγει τον Πρόεδρο της Ευρωπαϊκής Επιτροπής **και εγκρίνει την Ευρωπαϊκή Επιτροπή ως σώμα.**

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**Explanation:**