

AMENDMENT FORM

Suggestion for amendment of Article :Article I-59°

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Status : Member and Alternate

Article I-59: Voluntary withdrawal from the Union

- ~~1. Any Member State may decide to withdraw from the European Union in accordance with its own constitutional requirements.~~
 - ~~2. A Member State which decides to withdraw shall notify the European Council of its intention; the European Council shall examine that notification. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament.~~

~~The representative of the withdrawing Member State shall not participate in Council or European Council discussions or decisions concerning it.~~
 - ~~3. This Constitution shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, decides to extend this period.~~
 - ~~4. If a State which has withdrawn from the Union asks to re-join, that request shall be subject to the procedure referred to in Article I-57.~~
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Explanation: we propose this article to be deleted. In our view, the nature of the Union is not compatible with such an exit clause. This is why it has not been inserted on the current treaties. Besides, being the Union the result of the will of sovereign States, no one questions their right to withdraw from the Union. The 1969 Vienna Convention on the “Law of Treaties” provides already for this situation. And the Constitution is, for all legal effects, an international treaty.

Explanation: We consider that any adjustments to the treaties standing from a new admission must also be the object of an agreement among Member States.