

AMENDMENT FORM

Suggestion for amendment of Article :46

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Status : - Member and Alternate

Article 46: 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 Council of its intention. Once that notification has been given, 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 assent of the European Parliament.~~

~~The withdrawing State shall not participate in the Council's discussions or decisions concerning it.~~
- ~~3. This Constitution shall cease to apply to the State in question as from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2.~~

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.