

AMENDMENT FORM

Suggestion for amendment of Article 5.1 and 5.2:

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

Status : - **Members: Hjelm-Wallén, Lekberg and Lennmarker**
 - **Alternates: Petersson and Kvist**

1. The Charter of Fundamental Rights shall be an integral part of the Constitution. The Charter is set out [~~in the second part of~~¹ /in a Protocol annexed] to this Constitution.²

2. The Union [may accede] **shall seek accession to**³ to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Accession to that Convention shall not affect the Union's competences as defined by this Constitution.

Explanation

¹ The Charter should not be set out in Part II of the Treaty (The Charter does not provide any legal basis for the implementation of policies).

² The Laeken Declaration rightly established parallelism between “incorporation of the Charter” and “accession to the ECHR”, not only in substance but implicitly also as regards the timing of their respective implementation.

³ An enabling clause must be combined with a clear commitment by the high contracting parties in favour of accession.