

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 5

Déposée par Madame ou Monsieur : Rt Hon David Heathcoat-Amory, MP

Qualité : - Membre *X* - Suppléant

5.1 Delete

Explication éventuelle

The integration of the Charter overturns the consensus reached by its authors. Integrating the text establishes a new legal hierarchy. It sets European law against established national practice, and creates immense legal uncertainty which can only be settled through the ECJ acting as a constitutional arbiter, a role for which it was manifestly not established.

5.2 Delete

Explication éventuelle

This creates ambiguity of institutions, between the ECJ and the ECHR.

5.3 Delete

Explication éventuelle

As the explanatory note explicitly states, this article is intended to expand Union competences by case law, and not through the treaties. This is most undemocratic. A better and simpler solution would be to require members of the Union to be signatories of the European Convention on Human Rights.