

## **AMENDMENT FORM**

### **Suggestion for amendment of Article 5**

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**Status: Member**

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Proposed Amendments:

Article 5: Fundamental rights

1. The Charter of Fundamental Rights shall be an integral part of the Constitution. The Charter is set out in the second part of this Constitution.

3. *delete*

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Explanation:

It is assumed that the Charter will become the second part of the Treaty. In addition to this, the deletion of para. 3 confirms the treaty legitimacy of the Charter of Fundamental Rights and not the European Convention on Human Rights ( ECHR ), which the Union may (or may not) choose to adapt . As the Charter of Fundamental Rights is raised to an act of constitutional rank and includes basic rights, including those, which the Court of Justice articulated in the form of general legal rules, questions arise as to why provisions on basis rights are kept as general rules.