

AMENDMENT FORM

Suggestion for amendment of Article : 1

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Peeter Kreitzberg, Mr Agirdas Gričius, Mr Puiu Hasotti, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; **and Alternate Members:** Ms Lone Dybkjaer, Mr Willem van Eekelen, Lord Robert MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

Status : Members and alternate members.

Part Two: of the Constitution

Title ...: Area of freedom, security and justice

Article 1: [Definition of the area]

The Union shall constitute an area of freedom, security and justice, *ensuring* the absence of internal border controls for persons, *the framing of* a common policy on asylum, immigration and external border *control*, a high level of *public* safety, *peaceable civic relations and easy* access to justice.

Explanation :

The Praesidium's draft is too wordy, and deserves simplification.

With the Charter installed in Part One, it is surely unnecessary to refer to yet again to the injunction to respect fundamental rights.

Likewise, the invocation of different legal traditions is not needed in the light of Part One.

No Union policy is conceivable that is not based on solidarity between Member States.

And the more detailed policies are spelled out later in any case.

The definition of the area of freedom, security and justice should focus on its essential elements: abolition of internal borders, protection of external borders, common asylum and immigration policies, public safety and access to justice.

To these we add a new reference to peaceable civic relations, the purpose of which is to provide a legal basis for citizens to protect their fundamental rights and liberties from one another. The Charter of Fundamental Rights and the European Convention on Human Rights invite us to make space in the Constitution to empower the citizen against abuse of their fundamental rights and

freedoms, especially to the grief of the weaker elements in our society.

Let us try to describe an area that people may actually want to live in.