

AMENDMENT FORM

Part III - Chapter VI: The Functionings of the Union - Chapter 1 - Section 1 - The Institutions

Suggestion for amendment of Article : III-278

By Members: Mr Andrew Duff

Article III-278 (ex Article 240a)

DELETE

Explanation:

The merger of the pillars implies that there are no a priori areas where the supervision of the Court cannot apply. Already, Articles 1 and 9 of Part One, as well as the horizontal provisions of the Charter, insist on respect for both Union competence and national law. Together they provide an adequate safeguard.

The powers of the Court are clearly not the same in CFSP as they are in the old first pillar, but the constitutionalisation of the Union requires the potential for judicial review over the whole spectrum of the Union's activities.

The citizen will not understand why CFSP is excluded.

See our contribution CONV 758/03.