

AMENDMENT FORM

Part Four: General and final provisions

Suggestion for amendment of Article : IV-6 (2)

By: Mr. Rein Lang, Mr. Tunne Kelam - members

Mr. Henrik Hololei, Mrs. Liina Tõnisson, Mr. Urmas Reinsalu - alternates

Article IV-6: Procedure for revising the Treaty establishing the Constitution

2. If the European Council, after consulting the European Parliament and the Commission, adopts by a simple majority a decision in favour of examining the proposed amendments, the President of the European Council shall convene a Convention composed of representatives of the national Parliaments of the Member States, of the Heads of State or Government of the Member States, of the European Parliament and of the Commission. The European Central Bank shall also be consulted in the case of Institutional changes in the monetary area. ~~The European Council may decide by a simple majority not to convene the Convention should this not be justified by the extent of the proposed amendments. In the latter case, the European Council shall define the terms of reference for the conference of representatives of the governments of the Member States.~~

The Convention shall examine the proposals for amendments and shall adopt by consensus a recommendation to the conference of representatives of the governments of the Member States provided for in paragraph 3.

Explanation:

It should not be left to the heads of state and government to decide by a simple majority, whether the proposed amendments are important enough to be considered by the Convention, given that there are no objective criteria for determining that.

For the sake of democratic legitimacy, the Convention should be always convened, when treaty reforms are concerned, unless a simplified amendment procedure applies (no ratification in member states in accordance with their respective constitutional requirements).