

AMENDMENT FORM

Suggestion for amendment of Article: Part III

By Mr. Jan Zahradil

Status: - Member

Article G: Adoption, ratification and entry into force of the Constitutional Treaty

~~3. If, two years after the signature of the Constitutional Treaty, four fifths of the Member States have ratified it and one or more Member States have encountered difficulties in proceeding with ratification, the matter shall be referred to the European Council.~~

3. If, two years after the signature of the Constitutional Treaty, one or more Member States will not have ratified it, these states are bound in the European Union by their current legal status they had enjoyed before the signature of the Constitutional Treaty.

Explanation (if any):

As the Vienna Convention on the Law of Treaties (Art. 54) states a treaty can be terminated only in conformity with its provisions or by consent of all the parties, and the current Treaties are silent on the question of their repeal, so that repeal is possible only with the consent of all the Member States party to them, member states that will not ratify the Constitutional Treaty must be bound by their current legal status and arrangements in the Union.