

## AMENDMENT FORM

Suggestion for amendment of: **PART THREE: GENERAL AND FINAL PROVISIONS**

### Article F: Procedure for revising the Constitutional Treaty

By: **Josef Zieleniec**

Status: **Member**

---

#### *Text of the Praesidium*

#### Article F: Procedure for revising the Constitutional Treaty

The government of any Member State or the Commission may submit to the Council proposals for the amendment of the Constitutional Treaty. The national Parliaments shall be notified of these proposals.

If the Council, after consulting the European Parliament and, where appropriate, the Commission, delivers an opinion in favour of calling a conference of representatives of the governments of the Member States, the conference shall be convened by the President of the Council for the purpose of determining by common accord the amendments to be made to the Constitutional Treaty. The Council of the European Central Bank shall also be consulted in the case of institutional changes in the monetary area.

The amendments shall enter into force after being ratified by all the Member States in accordance with their respective constitutional requirements.

#### *Proposed Amendments*

#### Article F: Procedures for revising the Constitution

The government of any Member State, the Commission **or the European Parliament** may submit to the Council proposals for the amendment of the Constitutional Treaty. The national Parliaments shall be notified of these proposals.

#### **a) The procedure for revising the part I or III of the Constitution shall be as follows:**

If the Council, after consulting the European Parliament and, ~~where appropriate,~~ the Commission, delivers, **by qualified majority**, an opinion in favour of **the revision of the part I or III of the Constitution, a Constitutional Convention** shall be convened by the President of the Council for the purpose of **proposing by consensus** the amendments to be made to the part I or III of the Constitution.

**The Constitutional Convention shall be composed of a representative delegated by the government of each Member State, two representatives delegated by the national parliaments of each Member State, 16 representatives of the European Parliament and 2 members of the European Commission. The President of the Convention shall be appointed by the Council with the approval of the European Parliament.**

**A representative of the ECB shall be member of the Convention, in the case of institutional changes in the monetary area.**

**The Council and the European Parliament by a common agreement shall appoint observers to the Constitutional Convention.**

**The amendments to the Constitution adopted by consensus by the Constitutional Convention are submitted to an extraordinary European Council**

convened within 60 days following the conclusion of the Constitutional Convention's work.

The text of the constitutional amendments approved by unanimity within the European Council is submitted to the European Parliament for assent.

If the amendments are assented by a majority of all members of the European Parliament, they shall be submitted for ratification to the Member States, in accordance with their respective constitutional requirements.

The amendments shall enter into force after the ratification by all Member States.

**b) The procedure for revising the part II of the Constitution shall be as follows:**

If the Council, after consulting the European Parliament and, ~~where appropriate,~~ the Commission, delivers, **by qualified majority**, an opinion in favour of **the revision of the part II of the Constitution, an extraordinary European Council** shall be convened by the President of the Council for the purpose of **adopting by unanimity a proposal of the amendments to be made to the part II of the Constitution.**

The amendments shall enter into force after being assented by a majority of all members of the European Parliament and after being ratified by the Member States in accordance with their respective constitutional requirements.

---

***Explanation:***

- the Convention method should become the standard method for revising the Constitution. The combination of the Convention (drafting a proposal by consensus) and the European Council acting by unanimity can replace the traditional IGC method.
- nevertheless, a difference should be established between the procedure for revising the part I and II of the Constitution. However, this difference should not concern the majority required (in both cases the unanimity should be the rule), but the length and the complexity of the procedure. Any change of the part I or III requires a consensus within a Constitutional Convention, which guarantees that a broader range of opinions has necessarily to be taken into account.