

Speech by Guntars Krasts, alternate member, Latvian Parliament

European Convention

Brussels, 25 April 2003

"General and Final provisions"

Mr. President, distinguished colleagues,

I support the position that the Constitutional Treaty shall repeal all existing treaties from the date of its entering into force. It was one of the main objectives of the Convention itself – simplification of the treaties, which would be achieved by the replacement of all the existing treaties by the new Constitutional Treaty. So far we can decide on this principle politically. It's time for legal experts to evaluate the consequences such a replacement would entail.

It is plain that the European Union established by the Constitutional Treaty must succeed to the rights and obligations of the European Community and the European Union. In order to have clear view on the legal environment of the EU after the entering into force of the Treaty, it would be reasonable to draft a special protocol clearly indicating which legal acts are and which are not compatible with the Treaty.

In the Constitutional Treaty the existing regional unions have to be mentioned but there should be general provision to have doors open for emerging of the new regional unions, so far as they are not in contradiction of this Treaty. I am supportive for possibility to be left open having in mind the enlargement of the European Union as well.

If the Convention hopefully will be able to produce a consensus product – the Constitutional Treaty to Intergovernmental Conference, it would be quite obvious to maintain for the Convention possibility to have a word in the preparation of the amendments to this document. The aim of the Convention was to make the legislative process more transparent, democratic and understandable. I think I am not mistaken presuming that the possible future amendments will be aimed to the same direction.

I am in favour of maintaining the principle, that the Constitutional Treaty, as well as amendments before entering into force, shall always be ratified by all member states according to their Constitutional provisions. Introduction of other mechanisms will create unnecessary legal confusion and often chaos by contradicting the constitutional systems of the Member states.