

**SUMMARY**

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from :	Secretariat
to :	Working group on «Legal Personality»
Subject :	Summary of the meeting held on 18 June 2002

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**Procedure**

1. In order to meet requests by some Members, the Chairman will endeavour to have for the next meeting interpretation (passive) in IT, ES and D.
2. The Working Group (hereafter, WG) considered document CONV 103/02 on the calendar of meetings and agreed on the dates of the next three meetings: 26 June (9.00-12.30); 10 July (9.00-12.30) and 18 July (9.00-12.30). The dates for the subsequent meetings will be considered at the next meeting.
3. The WG decided to hold its meetings in private unless it decides otherwise.
4. One collaborator per Member is allowed to attend the meetings, but his name should be notified to the Secretariat by the Member itself.
5. Written contributions are welcome but will remain in their original language.

**Discussion on the substance**

6. The Chairman presented his working document (SN 2775/02). In his introduction, he pointed out that the WG could spend time on the question whether the Union had already legal personality or not. Yet, what is important is to determine what are the consequences of giving explicit legal personality (single or a fourth legal personality) to the Union. For example, what would be the consequences on:
  - The current delimitation of competences between the Union and the Member States;
  - The current procedures on negotiation and conclusion of international agreements;

- The present system of international representation (vg IMF);
  - The structure in pillars;
7. Other participants mentioned the fact that it was important to proceed step by step, from the more comprehensive issues to the more limited ones. It was pointed out that the explicit recognition implies changes of "constitutional" nature and reference was made in this context to the European Parliament's resolution on legal personality of the Union. On the possible effects on the current delimitation of competences, it was mentioned that the explicit recognition would not implicate as such a modification in the current system of competences nor on the existing procedures for the conclusion of agreements. In this context, it was necessary to evaluate the consequences of a single or a fourth legal personality. Concerning the possibility of a merger of the three existing pillars, it was pointed out that rather than a "take over" by the first pillar, it should be a "merger" in the sense that features of the second and third pillars could remain. It was also said that a merger of the pillars could facilitate the simplification of the treaties.

#### **Next meeting**

8. The participants accepted the proposal made by the President to hear at the next meeting of 26 June the Jurisconsults of the Parliament, the Council and the Commission. Before that (between 9.00 and 10.15) the group will pursue an exchange of views on the basis of doc. SN 2775/02, submitted by the Chairman. (The idea was put forward to hear at the Group meeting of 10 July Members of the European Court of Justice and Mr. Westendorp, MEP).
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