

NOTE

Subject : **Summary report of the plenary session**
 – Brussels, 28 and 29 October 2002¹

I. OPENING OF THE SESSION

1. Presentation of the preliminary draft of the Constitutional Treaty by the Chairman

The Chairman presented the draft structure of the future Treaty drawn up by the Praesidium. He emphasised that this was a draft of a Constitutional Treaty, thus reflecting the wish of well-nigh the entire Convention. The approach adopted was based on the broad consensus which emerged during the debate at the last plenary in favour of the principle of a single legal personality, which paved the way for merger of the Treaties on the European Community and on the European Union. This single text would consist of three parts:

- Part One, containing provisions laying down the institutional architecture;
- Part Two, dealing with the Union's policies and action;
- Part Three, containing the final clauses and provisions on legal continuity usually found in this kind of constitutional act.

¹ The verbatim record of the plenary session may be found on the following website:
<http://european-convention.eu.int>

- (a) Part One, consisting of the fundamental provisions and which would therefore need to be particularly clear and sharply defined, would open with a preamble and then set down:
- what the Union is (its definition and legal nature);
 - why the Member States decided to come together (the values and goals bringing them together);
 - what it means to be a citizen of the Union and the fundamental rights of the Union;
 - the competences of the Union, specifying that the Union has only such competences as are conferred upon it. The principles of subsidiarity and proportionality would be set forth in detailed manner;
 - the institutions of the Union;
 - how the implementation of Union action is organised in an endeavour to achieve simplicity, transparency and efficiency;
 - the principles of the democratic life of the Union,
 - Union finances;
 - Union action in the world;
 - relations between the Union and its immediate environment;
 - the concept that the Union is open to all European States which respect its values and fundamental rights and accept its rules.
- (b) Part Two of the Treaty, on the Union's policies and action, would contain a large number of clauses from the existing treaties. Technical amendments would be made to the articles relating to Union policies – a necessary operation to ensure that Part Two was in line with Part One.
- (c) Part Three would consist of the final provisions and those on legal continuity. In the light of the overall draft – which meets the desire for a simplification of treaty structure – it would be logical and virtually inevitable to see the new Constitutional Treaty as supplanting the existing Treaties. Working on that assumption, the final provisions should include clauses guaranteeing legal continuity in relation to the Community and the European Union.

The second section of the document containing the draft Treaty (Convention 369/02) aims to outline the content of the provisions of the basic part of the Treaty. The outline sets out to illustrate the articulation of the draft Constitutional Treaty and to show where the various sections would appear in the text.

The Chairman remarked that some of these indications reflected tendencies beginning to emerge from the Convention's work; others embodied proposals which had been put forward on various sides but had yet to be discussed or developed. The matter of whether certain articles would be retained and their exact content would be addressed in future proceedings of the Convention.

The Chairman said that, in the first few months of 2003 and depending on the results of the plenary discussions on the recommendations in the Working Group reports, the Praesidium intended to present sections of the draft Treaty produced on the basis of elements put forward. That is how the building blocks would take their place in the constitutional structure and the Convention could attain its goal.

2. The role of national parliaments

- debate on the report of Working Group IV on the role of national parliaments, chaired by Ms Stuart (CONV 353/02)

The Chair of the Working Group, Ms Gisela Stuart, presented the conclusions reached by the Group, as set out in its final report (CONV 323/02). The Group had considered the role of national parliaments with respect to three main issues: oversight of the action of their governments in the Council, monitoring of the application of the principle of subsidiarity, and the role and function of multilateral interparliamentary networks or mechanisms.

The Chair recalled that the Group had concluded that the duty of national parliaments was first and foremost to hold their governments to account when they take decisions at a European level. It was generally agreed in the Group that an exchange of best practice on scrutiny models would be useful to improve national systems. The Group further considered that openness of the Council when it

legislates was crucial to allowing effective scrutiny by national parliaments. The Group had made a number of recommendations for enabling measures, including the strengthening of provisions in the protocol on the role of national parliaments annexed to the Amsterdam Treaty. On Subsidiarity the Group in general terms endorsed the conclusions of the Working Group chaired by Mr Mendez de Vigo. Finally, the Group made several recommendations regarding the structuring of relations between national parliaments and the European Parliament. The Chair underlined that the overall aim of the recommendations of the Group was to enhance the involvement of national parliaments in the EU, to encourage a sense of ownership, and to give them a real voice in a constructive way, without delaying the legislative process at the European level. The Chair stressed that while the Group had reached consensus on many issues, its members were of the view that a Plenary debate on institutional questions would be necessary before they could take firm positions on proposals for a new forum bringing together national parliaments and the European Parliament to debate, for example, the larger political orientations and strategy of the EU.

The general debate following the presentation revealed broad support among members of the Convention for the Working Group's report and recommendations. The following can be noted from the debate with regard to particular elements of the report:

There was widespread recognition of the importance of greater involvement of national parliaments in the activities of the Union: several members argued for specific recognition of their role in the future Constitutional Treaty. The role of national parliaments in bringing the Union closer to its citizens was underlined.

The recommended measures to facilitate improved national parliamentary scrutiny, while leaving the organisation of actual national scrutiny to each Member State in line with their Constitutional requirements and parameters arrangements, received broad support: permitting rapid access to both consultative documents and legislative proposals through their direct transmission to national parliaments were seen as an important step. The fact that the recommendations in the report were concrete and could rapidly be made operational was highlighted. A large number of speakers underlined the fact that full openness of the Council when exercising its legislative functions was essential to efficient parliamentary scrutiny of the action of governments in the Council, and expressed their support for the recommendations of the Working Group in this respect.

The Group's endorsement of the conclusions of the Working Group on Subsidiarity was welcomed by a large number of members, many of whom underlined the importance of involving national parliaments at an early stage of the legislative procedure. Several members welcomed the suggestions in the Working Group report to further enhance the subsidiarity mechanism. They referred in particular to the link between subsidiarity and proportionality and to the proposal not to restrict the right of appeal to those national parliaments which had issued a reasoned opinion at the early stage. Some members repeated their view that regions with legislative powers should have a right of appeal in areas within their scope of competence. One member recalled his doubts about an early-warning mechanism.

The importance of networking and exchange of good practice between national parliaments was underlined by several members, who saw this as a further means of increasing awareness in national parliaments of European Union activities and to enhance their capacity for efficient scrutiny. They considered that COSAC, possibly reformed and strengthened, could play an important role in this respect. Some advocated the creation of a small COSAC secretariat.

The recommendation of the Working Group to formalise, in the Treaty, the Convention method as a prior mechanism to consider future treaty changes met with a favourable response. Some suggested that Conventions need not necessarily be restricted to the preparation of future treaty changes and Intergovernmental Conferences, but could potentially have a wider remit.

Much of the debate was devoted to a discussion of ideas for involving national parliaments in EU debate on major strategic and policy issues. Ideas in this field included - in addition to the model of the Convention - the organisation of European weeks each year, as a common window for European debate in each Member State, the organisation of interparliamentary conferences on specific issues, and the creation of a Congress.

A considerable number of speakers were reluctant to envisage the creation of new institutions or bodies, because this could further complicate the institutional architecture, and in this context questioned the role of a Congress that would periodically bring together national and European parliamentarians. Several speakers thought that the Convention should defer consideration of the issue to the broader institutional debate that would take place at a later stage. Some thought it important to have a clear and precise idea of the objectives and the functions of any new mechanism or body: some thought that the possibility of convening a Convention, together with other existing means of networking between national and European parliamentarians, would be sufficient.

A number of speakers nevertheless supported the idea of a Congress, provided that it would not have any legislative powers. Some suggestions for its possible functions were advanced. It was argued that such a forum might provide increased democratic control of the European Council and it should be seen as complementary to the European Parliament. Those expressing an interest in the idea of a Congress were divided on whether it should have a role in appointments.

The President, closing the debate, drew the following conclusions:

- A large consensus could be noted regarding the importance of a stronger involvement of national parliaments in the activities of the Union, and the recognition of their role in the context of the future Constitutional Treaty.
- Their involvement should primarily lie in efficient control of the action of national governments: the Working Group's proposals for the direct transmission of texts and other practical measures were therefore welcome, and supported by the Plenary.
- Support for the recommendations of the Working Group on Subsidiarity, and the creation of an early-warning mechanism, was reconfirmed.
- The need to strengthen the possibilities for consultation and exchange of best practice between national parliaments was recognised.
- Several ideas had been advanced on how better to involve national parliaments in debates on the large orientations of the European Union, including the formalisation of the method of the Convention in the Constitutional Treaty, the organisation of European weeks, interparliamentary conferences on specific issues, and the creation of a Congress in which national and European parliamentarians would periodically meet. The Convention would need to explore the potential role and functions of a Congress further: in the view of the Chairman, such a Congress could play an important role in involving senior national parliamentarians, together with the European Parliament, in bringing debates on major issues (e.g. Enlargements) to the attention of wider public opinion. The Convention would revert to these issues.

- 3. Progress report by Mr Hänsch on the proceedings of Group VI on economic governance**
- 4. Progress report by Mr Christopherson on the proceedings of Group V on complementary competence**

The Convention heard oral presentations on the proceedings of each of these two Groups, which will present their reports at the next meeting (7-8 November).

5. The Charter of Fundamental Rights

- debate on the report by Group II chaired by Mr Vitorino (CONV 354/02)

The Working Group chaired by Commissioner Antonio Vitorino had been asked to examine:

- Modalities and consequences of possible incorporation of the Charter into the Treaties
- Modalities and consequences of possible accession of the EC/EU to the European Convention on Human Rights ("ECHR")
- In addition, the Group has also examined the question of effective judicial remedies and access of individuals to the European Court of Justice.

In introducing the debate, the President congratulated all members of the Group and its Chairman on having succeeded in producing a highly consensual report. The main features of the report as presented by Mr Antonio Vitorino were as follows:

The Group underlined that the political decision concerning the incorporation of the Charter into the Treaties was for the Convention. All members of the Group however either strongly supported incorporation in a form which would make the Charter legally binding and give it constitutional status or did not rule out giving favourable consideration to such incorporation.

As to the modalities of possible incorporation the basic options were: **either** insertion of the text of the Charter articles at the beginning of the Constitutional Treaty, in a Title or Chapter of that Treaty; **or** insertion of an appropriate reference to the Charter in one article of the Constitutional Treaty; such a reference could be combined with annexing or attaching the Charter to the Constitutional Treaty, either as a specific part of the Constitutional Treaty containing only the Charter or as a separate legal text (e.g., in form of a Protocol). According to one member of the Group, an "indirect reference" to the Charter could be used in order to make the Charter legally binding without giving it constitutional status.

In the Group's view the content of the Charter in its substance was a consensus crafted by the previous Convention: the Group did not recommend any substantive modifications. In order to render it absolutely clear and watertight, they had however drafted and submitted proposed adjustments of certain horizontal clauses included in the Charter. They had also discussed other questions such as: the preamble of the Charter, the role of the Praesidium Explanations, and the question of Article 6(2).

Concerning the modalities and consequences of possible accession of the EC/EU to the ECHR, all members of the Group either strongly supported or were ready to give favourable consideration to the creation of a constitutional authorisation enabling the Union to accede to the ECHR. Within this question the Group insisted on two points: preservation of the autonomy of Union law and the Luxembourg Court, and the introduction of technical safeguards in order to make clear that accession would not modify the division of competences between the Union and the Member States.

The Group also discussed the Union's current system of remedies available to individuals, notably in the light of the fundamental right to effective judicial protection. In this context, the Group drew the Convention's attention notably to the question whether or not the conditions of direct access by individuals to the Court (Article 230, fourth paragraph, TEC) need to be reformed in the interest of ensuring effective judicial protection. The Group refrained from making concrete recommendations: instead they commended the question of possible reform of Article 230, fourth paragraph, TEC for further examination by the Convention in an appropriate context.

In the general debate, speakers across the board welcomed the conclusions of the Working Group and congratulated it and its Chairman for having succeeded in producing such a highly consensual report on a complex matter which had in the past given rise to concerns and disagreement.

A very large majority of speakers supported incorporation of the Charter into the Constitutional Treaty thereby making the Charter a legally binding text with constitutional status, or stated that - on the basis of the common understanding reached and of the conditions defined by the Group - they were now ready to consider such an incorporation favourably, leaving behind the disagreements of the past. It was stated that fundamental rights are a key building block which would, through incorporation of the Charter, find their rightful place in the Union's future Constitution, and that such incorporation would follow the logic of the evolution from an economic Community to a political Union of common values.

One member welcomed the useful and solid technical work done by the Working Group which teased out many of the difficult issues raised by the Charter, and stated that the political decision on incorporation should be taken by the Plenary in due course. Another member referred to continuing concern about the Charter and particularly about its provisions touching on employment and social matters.

As to the concrete form of incorporation of the Charter, a series of speakers favoured the option of insertion of the text of the Charter articles in the Constitutional Treaty (option "a" in the Group's report). According to these speakers, this would enhance the visibility of fundamental rights in the Constitutional Treaty and express their high symbolic value clearly to the citizens.

Several other Convention members expressed a preference for the second basic option set out in the Group's report, i.e. incorporating the Charter through an appropriate reference made to it in an article of the Constitutional Treaty and, as some added, annexing or attaching it to the Treaty as a separate legal document. These speakers argued that this technique would best serve the interest of a short and legible Treaty, better preserve the integrity of the Charter, and avoid certain technical complications arising in the case of direct insertion of the Charter text into the Treaty.

A much smaller number of speakers preferred to make an "indirect" reference in an article of the Treaty to the Charter as a source for interpreting fundamental rights as general principles of Union law, arguing that not all articles of the Charter could in the same way entail justiciable rights for the citizens, or that some Charter rights would need more precise formulation.

Most speakers stated their support for the drafting adjustments in the horizontal provisions of the Charter as proposed by the Group, and were satisfied that these adjustments did not constitute changes of substance to the Charter. A number of speakers welcomed the adjustments as enhancing legal certainty and clarity and allowing different legal traditions to find themselves in the Charter, thereby paving the way for the Charter to become a legally binding text. Other speakers expressed the view that the amended horizontal clauses as proposed by the Group were not necessary and simply stated the obvious, but would not do any harm and could therefore be accepted if they helped to bring about consensus on incorporation of the Charter as a legally binding text.

Certain members, however, expressed reservations about the amendments to the horizontal articles proposed by the Group, seeing them as unnecessary or potentially diluting the standard of protection foreseen by the Charter and contrary to the basic line of respecting the content of the Charter. In particular, it was argued that proposed Article 52 (5) on the effect of "principles" of the Charter could be understood as contradicting the obligation, enshrined in Article 51 (1), to observe these principles and to promote their application, and that it unduly restricted the legal force of these principles which, according to these members, should be justiciable generally and not merely as regards acts specifically taken in implementation of the principles. One member saw ambiguities in the formula "with due regard to the principle of subsidiarity" in Article 51 (1) of the Charter, expressed doubts about the enforceability of certain Charter provisions, and stressed the need to know which Charter articles were, respectively, rights or principles.

A number of speakers stressed the need to preserve the preamble of the Charter which contained important statements on the fundamental nature of the Union and represented a delicate political consensus reached by the previous Convention. These members therefore called for that preamble to be incorporated into, or used as, the preamble of the Constitutional Treaty.

Several speakers underlined the importance of the Explanations which had been prepared at the instigation of the Praesidium of the previous Convention. Although, as stressed by some speakers, these Explanations have no legal value, they were seen as an extremely useful aid to interpretation - *inter alia* for the courts and authorities of the candidate countries which had not participated in the drafting of the Charter - or as a vital part of the overall political package on the Charter. In this perspective, speakers welcomed the Group's recommendation to incorporate the explanations given

by the Working Group on the technical amendments on the Charter with the original Explanations. It was, however, recalled by one member that the Explanations were drawn up under the sole responsibility of the Praesidium and did not engage the previous Convention which had decided not to discuss them.

A vast majority of speakers supported the insertion in the Constitutional Treaty of a constitutional authorisation enabling the Union to accede to the ECHR. Several speakers welcomed in this context the common understanding reached by the Group on key issues raised by accession to the ECHR; it was notably stressed that the autonomy of Union law and the position of the Court of Justice will not be undermined by accession; that, through the use of certain safeguards, it will be clear that the legal "scope" of accession will be limited to the Union's competencies without leading to any extension of these competencies; and that the national positions expressed with respect to the ECHR and its protocols will remain unaffected. A further point frequently made was that incorporation of the Charter and accession by the Union to the ECHR should be considered not as alternatives but as complementary initiatives, leading together to a situation analogous of that in national legal systems.

In this context, a number of speakers stressed the primary importance which they attribute to accession by the Union to the ECHR and recalled the main arguments for accession as developed in the Group's report. Some qualified accession by the Union to the ECHR as a necessity if the Charter became legally binding, in order to ensure that the relationship between the two European Courts was properly resolved; a call was also made for a political declaration in favour of accession to accompany the Constitutional Treaty.

Other members took the view that the Convention should limit itself to creating a legal base authorising the Union to accede to the ECHR and leave the decision on opening accession negotiations, and the modalities, to the Union institutions (on the basis of unanimity in the Council); one of these members specified that, prior to such a decision, it should be examined whether such an accession would be possible without encroaching on the autonomy of Union law, affecting the individual positions of Member States with respect to the ECHR or extending the Union's competence.

A small number of members expressed reservations about the idea of accession by the Union to the ECHR, calling for further reflection on whether such a step would not lead to an undue prolongation of judicial procedures or risk extending the Union's competencies or undermining the Court of Justice.

Several speakers underlined the importance of effective judicial remedies and called for an extension of the rights of action of individuals before the European Court of Justice, or requested further consideration on this issue. It was argued that lacunae of protection exist currently, given the strict conditions set out in Article 230, fourth paragraph, TEC, the fact that this Article mentions actions against institutions only, but not against bodies of the Union, and the current limitations on jurisdiction in Justice and Home Affairs. One member called for a stronger European Ombudsman with a view to reinforcing the protection of citizens' complaints.

In a final statement replying to points made during the discussion, the Chairman of the Working Group stressed that the Working Group's consensual report represented a compromise. He explained that the proposed text of Article 52 (4) would enshrine in the Charter the approach already followed by the Court of Justice, according to which the common constitutional traditions did not oblige the Court to stick to a common minimum denominator but instead to designate the common values of the Member States, which may not necessarily be stated with the same scope and meaning in all constitutions. He furthermore stressed that the Charter already makes a clear and undeniable distinction between subjective rights and principles that do not grant self-executing rights to concrete benefits but call for acts of implementation, a distinction which would only be spelt out in clearer terms in the new clause. As to the "Explanations" on the Charter, he confirmed that the Group's explanations would need to be added to the original Explanations in the further course of the Convention's work; he would be ready to take on this work of editing a consolidated version in close consultation with the members of the Working Group, and to submit it to the Praesidium. Finally, the Chairman of the Working Group argued that accession to the ECHR would not lead to significant extra delays in judicial proceedings, given that citizens can already today, in national proceedings relating to Union law, invoke the ECHR and go to the Strasbourg Court; accession would, however, permit, in such cases, the Union, as the author of the alleged human rights violation, itself to defend its acts rather than force Member States to assume the defence. He also argued that it would be strange if the Union, which required adherence to the ECHR from candidate countries as a condition of membership, were not ready to take the same step itself.

The President again congratulated Mr Vitorino, and expressed full endorsement of his summary of, and reactions to, the debate.

6. Preliminary debate on the preliminary draft Constitutional Treaty

Members of the Convention gave their preliminary views on the preliminary draft Treaty submitted by the Chairman on behalf of the Praesidium.

The architecture of the future Treaty was favourably received; the structure of the Treaty was deemed good while its essential features, namely its constitutional nature, the fact that it was a single Treaty, the explicit conferral of a single legal personality and the clarity and readability of the "backbone" of the draft were commended by the members as a bold approach which met the expectations of both the Convention and Union citizens.

More specific comments were also made:

- several members stressed the importance of the substantive elements, particularly concerning institutional matters, which would enhance the structure; some already saw in the draft architecture a balanced compromise; others made their backing for the structure subject to agreement on the solution finally adopted for institutional matters;
- some members stressed with satisfaction that the preliminary draft would be able finally to give citizens a sense of being part of a political union and not just of a single market;
- some members suggested that Article 1 should refer to peoples and not just to States; it was also suggested that an addition be made to the effect that the Union's citizens were united by the same values;
- a number of members expressed doubts about the second indent of Article 14, (as they feared that joint activity by Member States was a step backwards in the case of certain common policies);
- a number of members pointed out that the new policies reflected the Union's real priorities but differed in nature from "Community" policies and should therefore be covered by specific procedures;
- the importance of the Treaty emphasising the multicultural nature of the Union was stressed by several members, while some mentioned the need to refer to gender equality;
- the debate on finding a new name for the new Europe was regarded as pointless by a number of members, as the term European Union had already become part and parcel of the language of citizens;

- some members wanted a reference to national parliaments in the basic part of the Treaty;
- questions were raised about citizenship, competences, the existence in the draft of a "defence" title and of other articles concerning the Congress and the Presidency of the Council, the final clauses and the procedures for revising the Treaty.

Replying to the comments and questions, the Chairman:

- stressed the considerable progress represented by the single Treaty with the disappearance of the pillars, although this did not automatically mean that procedures and modalities would be made uniform, since specific procedures could be necessary depending on the nature of certain policies;
- confirmed that decision-making procedures and in particular the legislative procedure would be included in the basic part of the Treaty;
- stressed that national parliaments could not be cited as European institutions, but would, however, be referred to in the context of those procedures in which they were involved (subsidiarity);
- pointed out that competences were already defined in the existing Treaties but would be covered more systematically in the new Treaty;
- noted that common defence was already envisaged in the existing provisions of the TEU (Article 17);
- reiterated that the existence of certain articles and their content would depend on the Convention's debates; they were, however, referred to in order to show where they might fit into the structure.

The Chairman concluded that from the beginning of 2003 the Praesidium could, on the basis of the substantive points which emerged from the debate on the Working Groups' conclusions, start drawing up more detailed proposals. The institutional questions, which needed to be seen from an overall viewpoint, would not be entrusted to Working Groups but would be debated in plenary.

II. NEXT SESSION OF THE CONVENTION

The Chairman announced that the Convention's next meeting would take place starting at 15.00 on Thursday 7 and 9.30 on Friday 8 November. It would be devoted to examination of the reports by the Working Groups on economic governance and complementary competence and a debate on Social Europe.

THE EUROPEAN CONVENTION
Plenary session 28 and 29 October 2002

LIST OF SPEAKERS
following order of intervention

Monday 28 October

2. The role of national Parliaments (CONV 353/02)

– **debate on the report by Group IV on the role of national parliaments chaired by Ms Stuart**

1. Mr Erwin TEUFEL – Germany (Parliament)
2. Mr Dick ROCHE – Ireland (Government)
3. Mr Joschka FISCHER – Germany (Government)
4. Mr Sören LEKBERG – Sweden (Parliament)
5. Mr Michel BARNIER – Commission
6. Mr Elmar BROK – European Parliament
7. Mr Pierre LEQUILLER France (Parliament)
8. Mr Henrik HOLOLEI – Estonia (Government)
9. Mr Kimmo KILJUNEN – Finland (Parliament)

(Blue card: Caspar EINEM)

10. Mr Jürgen MEYER – Germany (Parliament)
11. Mr Andrew DUFF – European Parliament
12. Mr Alfonso DASTIS – Spain (Government)
13. Mr Tunne KELAM – Estonia (Parliament)
14. Mr Aloiz PETERLE – Slovenia (Parliament)
15. Mr Henrk Dam KRISTENSEN – Denmark (Parliament)
16. Mr Mesut YILMAZ – Turkey – (Government)

(Blue card: G. AMATO)

17. Ms Eduarda AZEVEDO – Portugal (Parliament)
18. Mr Hubert HAENEL – France (Parliament)
19. Ms Pervenche BERES – European Parliament

(Blue cards:

HAIN, Mac CORMICK, PIETERS, MCLENNAN, FAYOT, DI RUPO, VOGGENHÜBER)

20. M. Proinsias DE ROSSA – Ireland (Parliament)

21. Mr Josep BORRELL FONTELLES – Spain (Parliament)
22. Mr Matti VANHANEN – Finland (Parliament)
23. Mr Inigo MENDEZ de VIGO – European Parliament
24. Ms Hanja MAIJ-WEGGEN – European Parliament
25. Ms Dalia KUTRAITE-GIEDRAITIENE – Lithuania (Parliament)
26. Mr Gianfranco FINI – Italy (Government)
27. Mr Pierre MOSCOVICI – France (Government)
28. Ali TEKIN – Turkey (Parliament)
29. Mr William ABITBOL – European Parliament
30. Mr David HEATHCOAT-AMORY – United Kingdom (Parliament)
- (Blue cards: BRUTON, TOMLINSON, MENDEZ DE VIGO)*
31. Mr Pierre CHEVALIER – Belgium (Government)
32. Mr Alberto COSTA – Portugal (Parliament)
33. Mr Lamberto DINI – Italy (Parliament)
34. Mr Hannes FARNLEITNER – Austria (Government)
35. Mr Frans TIMMERMANS – Holland (Parliament)
36. Mr Edvins INKENS – Latvia (Parliament)
37. Mr Panayotis DEMETRIOU – Cyprus (Parliament)

LIST OF SPEAKERS
following order of intervention

5. **The Charter of Fundamental Rights (CONV 354/02)**
– debate on the report by Group II chaired by Mr Vitorino

1. Mr Ernâni LOPES – Portugal (Government)
2. Mr Inigo MENDEZ de VIGO – European Parliament
3. Mr Alexander ARABADJIEV – Bulgaria (Parliament)
4. Mr Andrew DUFF – European Parliament
5. Mr René van der LINDEN – Netherlands (Parliament)
6. Mr Peter HAIN – United Kingdom (Government)
7. Mr Ben FAYOT – Luxembourg (Parliament)
8. Mr Olivier DUHAMEL – European Parliament
9. Mr Jürgen MEYER – Germany (Parliament)
10. Mr Alfonso DASTIS (Spain) Government
11. Mr Dick ROCHE – Ireland (Government)
- (Blue cards: Caspar EINEM, S. KAUFFMANN)*
12. Mr Diego LOPEZ GARRIDO – Spain (Parliament)
13. Ms Neli KUTSKOVA – Bulgaria (Government)
14. Mr Neil Mac CORMICK – European Parliament
15. [Mr A. Emre KOCAOĞLU](#) – Turkey (Parliament)
16. Mr Hubert HAENEL – France (Parliament)
17. Mr Reinhard RACK – European Parliament
18. Mr Jozef OLEKSY – Poland (Parliament)
19. Mr Timothy KIRKHOPE – European Parliament
20. Mr Peter SERRACINO-INGLOTT – Malta (Government)
21. Mr Mihael BREJC – Slovenia (Parliament)
22. Mr Gianfranco FINI – Italy (Government)
23. Ms Anne VAN LANCKER – European Parliament
24. Mr Gabriel CISNEROS LABORDA – Spain (Parliament)
25. Ms Elena PACIOTTI – European Parliament

26. Mr Ingvar SVENSSON – Sweden (Parliament)
27. Ms Cristiana MUSCARDINI – European Parliament
28. Mr Pierre MOSCOVICI – France (Government)
29. Ms Lena HJELM-WALLEN – Sweden (Government)
30. Mr Niels PETERSEN – Denmark (Parliament)
- (Blue cards: Peter HAIN, HELLE)*
31. Mr Alberto COSTA – Portugal (Parliament)
32. Mr Gijs de VRIES – Netherlands (Government)
33. Mr Henning CHRISTOPHERSEN – Denmark (Government)
34. Ms Hanja MAIJ-WEGGEN – European Parliament
35. Mr John BRUTON – Ireland (Parliament)
36. Ms Eleni MAVROU – Cyprus (Parliament)

Preliminary debate on the preliminary draft Constitutional Treaty

Chairman Valéry Giscard d'Estaing

1. Mr Klaus HÄNSCH – European Parliament
2. Ms Ana PALACIO – Spain (Government)
3. Mr Andrew DUFF – European Parliament
4. Mr Michel BARNIER Commission
5. Mr Rytis MARTIKONIS – Lithuania (Government)
6. Mr Hubert HAENEL – France (Parliament)
7. Mr Josep BORRELL FONTELLES – Spain (Parliament)
8. Mr Ernâni LOPES – Portugal (Government)
9. Mr Gijs de VRIES – Netherlands (Government)
10. Mr Alan LAMASSOURE – European Parliament
11. Mr Peter HAIN – United Kingdom (Government)
12. Mr Rihards PIKS – Latvia (Parliament)
13. Ms Danuta HÜBNER – Poland (Government)
14. Mr Marco FOLLINI – Italy (Parliament)
15. Mr Dick ROCHE – Ireland (Government)
16. Ms Teija TIILIKAINEN – Finland (Government)
17. Ms Marietta GIANNAKOU – Greece (Parliament)
18. Ms Hanja MAIJ-WEGGEN – European Parliament
19. Mr Elmar BROK – European Parliament
20. Mr Ben FAYOT – Luxembourg (Parliament)
21. Ms Michael FRENDÓ – Malta (Parliament)
22. Ms Linda McAVAN – European Parliament
23. Ms Lena HJELM-WALLEN – Sweden (Government)
24. Mr Elio DI RUPO – Belgium (Parliament)
25. Mr Jens-Peter BONDE – European Parliament
26. Mr Pierre MOSCOVICI – France (Government)