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This publication contains the text of the Treaty establishing a Constitution for Europe signed in Rome on 29 October and published in the Official Journal of the European Union on 16 December (C series, No).

Solidarity clause[edit] The new solidarity clause of the TCE specifies that any member state which falls victim to a terrorist attack or other disaster will receive assistance from other member states, if it requests it. The type of assistance to be offered is not specified. Instead, the arrangements will be decided by the Council of Ministers should the situation arise. This is included in the Constitution so that EU institutions themselves are obliged to conform to the same standards of fundamental rights. Incorporation into TCE would have put its importance beyond doubt.

Simplification[edit] **Simplified jargon and legal instruments**[edit] The TCE made an effort to simplify jargon and reduce the number of EU legal instruments. However, it is a long document couched in technical terms, which proved unpopular when presented for example to French voters in their referendum on the TCE. The TCE unifies legal instruments across areas of policy referred to as pillars of the European Union in previous treaties. This individual would be responsible for co-ordinating foreign policy across the Union, representing the EU abroad in areas where member states agree to speak with one voice. The unanimous agreement of all member states would only be required for decisions on more sensitive issues, such as tax, social security, foreign policy and defence. The role itself would remain administrative and non-executive, but rather than the Presidency being held by a member state as at present, it would be held by an individual elected by and accountable to the Council.

President of the Council of Ministers[edit] The six-month rotating Presidency of the Council of Ministers , which currently coincides with the Presidency of the European Council , would be changed to an month rotating Presidency shared by a trio of member countries, in an attempt to provide more continuity.

Smaller Commission[edit] The Commission would be reduced in size from 27 to 18 by the year There would be fewer Commissioners, with member states taking it in turn to nominate Commissioners two times out of three.

Parliamentary power and transparency[edit] **President of the Commission:** The candidate for President of the European Commission would be proposed by the European Council , after consultation with the European Parliament , and would be elected by the European Parliament. Parliament would have the final say. The European Parliament would acquire equal legislative power under the codecision procedure with the Council in virtually all areas of policy. Previously, it had this power in most cases but not all. The Council of Ministers would be required to meet in public when debating all new laws. Currently, it meets in public only for texts covered under the codecision procedure.

Role of national parliaments: If the Commission wishes to ignore such an objection, it would be forced to submit an explanation to the parliament concerned and to the Council of Ministers. The Commission would be invited to consider any proposal "on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Constitution" which has the support of one million citizens. The mechanism by which this would be put into practice has yet to be agreed. See Article I 4 for details.

2: Treaty establishing a Constitution for Europe - Wikipedia

The Treaty establishing a Constitution for Europe (TCE; commonly referred to as the European Constitution or as the Constitutional Treaty) was an unratified international treaty intended to create a consolidated constitution for the European Union (EU).

Trafficking of arms
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Treaty revisions Previously, alteration of treaties was decided by unanimous agreement of the European Council in private meeting. This process may be bypassed if the European Parliament agrees, in which case, the final say on adopting proposals will rest with the European Council, who must agree unanimously.

3: Treaty establishing a Constitution for Europe | Revolv

The Treaty establishing a Constitution for Europe must be ratified by the national parliaments and in many countries by a referendum too. Once the Treaty has been ratified and the ratification has been officially notified by all the signatory states (lodging of the ratification instruments), the Treaty can enter into force and become effective.

Authentic texts and translations Article IV Repeal of earlier Treaties[edit] 1. This Treaty establishing a Constitution for Europe shall repeal the Treaty establishing the European Community, the Treaty on European Union and, under the conditions laid down in the Protocol on the acts and treaties having supplemented or amended the Treaty establishing the European Community and the Treaty on European Union, the acts and treaties which have supplemented or amended them, subject to paragraph 2 of this Article. The Treaties on the Accession: Succession and legal continuity[edit] 1. Until new provisions have been adopted in implementation of this Treaty or until the end of their term of office, the institutions, bodies, offices and agencies existing on the date of the entry into force of this Treaty shall, subject to Article IV, exercise their powers within the meaning of this Treaty in their composition on that date. The acts of the institutions, bodies, offices and agencies adopted on the basis of the treaties and acts repealed by Article IV shall remain in force. Their legal effects shall be preserved until those acts are repealed, annulled or amended in implementation of this Treaty. The same shall apply to agreements concluded between Member States on the basis of the treaties and acts repealed by Article IV The other components of the *acquis* of the Community and of the Union existing at the time of the entry into force of this Treaty, in particular the interinstitutional agreements, decisions and agreements arrived at by the Representatives of the Governments of the Member States, meeting within the Council, the agreements concluded by the Member States on the functioning of the Union or of the Community or linked to action by the Union or by the Community, the declarations, including those made in the context of intergovernmental conferences, as well as the resolutions or other positions adopted by the European Council or the Council and those relating to the Union or to the Community adopted by common accord by the Member States, shall also be preserved until they have been deleted or amended. The case-law of the Court of Justice of the European Communities and of the Court of First Instance on the interpretation and application of the treaties and acts repealed by Article IV, as well as of the acts and conventions adopted for their application, shall remain, *mutatis mutandis*, the source of interpretation of Union law and in particular of the comparable provisions of the Constitution. Continuity in administrative and legal procedures commenced prior to the date of entry into force of this Treaty shall be ensured in compliance with the Constitution. The institutions, bodies, offices and agencies responsible for those procedures shall take all appropriate measures to that effect. Transitional provisions relating to certain institutions[edit] The transitional provisions relating to the composition of the European Parliament, to the definition of a qualified majority in the European Council and in the Council, including those cases where not all members of the European Council or Council vote, and to the composition of the Commission, including the Union Minister for Foreign Affairs, shall be laid down in the Protocol on the transitional provisions relating to the institutions and bodies of the Union. Scope[edit] 1. This Treaty shall not apply to overseas countries and territories having special relations with the United Kingdom of Great Britain and Northern Ireland which are not included in that list. This Treaty shall apply to the European territories for whose external relations a Member State is responsible. Notwithstanding paragraphs 1 to 5: The European Council may, on the initiative of the Member State concerned, adopt a European decision amending the status, with regard to the Union, of a Danish, French or Netherlands country or territory referred to in paragraphs 2 and 3. The European Council shall act unanimously after consulting the Commission. Regional unions[edit] This Treaty shall not preclude the existence or completion of regional unions between Belgium and Luxembourg, or between Belgium, Luxembourg and the Netherlands, to the extent that the objectives of these regional unions are not attained by application of the said Treaty. Protocols and Annexes[edit] The Protocols and Annexes to this Treaty shall form an integral part thereof. Ordinary revision procedure[edit] 1. The government of any Member State, the European Parliament or the Commission may submit to the Council proposals for the amendment of this

Treaty. These proposals shall be submitted to the European Council by the Council and the national Parliaments shall be notified. If the European Council, after consulting the European Parliament and the Commission, adopts by a simple majority a decision in favour of examining the proposed amendments, the President of the European Council shall convene a Convention composed of representatives of the national Parliaments, of the Heads of State or Government of the Member States, of the European Parliament and of the Commission. The European Central Bank shall also be consulted in the case of institutional changes in the monetary area. The Convention shall examine the proposals for amendments and shall adopt by consensus a recommendation to a conference of representatives of the governments of the Member States as provided for in paragraph 3. The European Council may decide by a simple majority, after obtaining the consent of the European Parliament, not to convene a Convention should this not be justified by the extent of the proposed amendments. In the latter case, the European Council shall define the terms of reference for a conference of representatives of the governments of the Member States. A conference of representatives of the governments of the Member States shall be convened by the President of the Council for the purpose of determining by common accord the amendments to be made to this Treaty. The amendments shall enter into force after being ratified by all the Member States in accordance with their respective constitutional requirements. If, two years after the signature of the treaty amending this 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.

Simplified revision procedure[edit] 1. Where Part III provides for the Council to act by unanimity in a given area or case, the European Council may adopt a European decision authorising the Council to act by a qualified majority in that area or in that case. This paragraph shall not apply to decisions with military implications or those in the area of defence. Where Part III provides for European laws and framework laws to be adopted by the Council in accordance with a special legislative procedure, the European Council may adopt a European decision allowing for the adoption of such European laws or framework laws in accordance with the ordinary legislative procedure. Any initiative taken by the European Council on the basis of paragraphs 1 or 2 shall be notified to the national Parliaments. If a national Parliament makes known its opposition within six months of the date of such notification, the European decision referred to in paragraphs 1 or 2 shall not be adopted. In the absence of opposition, the European Council may adopt the decision. For the adoption of the European decisions referred to in paragraphs 1 and 2, the European Council shall act by unanimity after obtaining the consent of the European Parliament, which shall be given by a majority of its component members.

Simplified revision procedure concerning internal Union policies and action[edit] 1. The European Council shall act by unanimity after consulting the European Parliament and the Commission, and the European Central Bank in the case of institutional changes in the monetary area. Such a European decision shall not come into force until it has been approved by the Member States in accordance with their respective constitutional requirements. The European decision referred to in paragraph 2 shall not increase the competences conferred on the Union in this Treaty.

Duration[edit] This Treaty is concluded for an unlimited period.

Ratification and entry into force[edit] 1. This Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification shall be deposited with the Government of the Italian Republic. This Treaty shall enter into force on 1 November , provided that all the instruments of ratification have been deposited, or, failing that, on the first day of the second month following the deposit of the instrument of ratification by the last signatory State to take this step.

Authentic texts and translations[edit] 1. This Treaty, drawn up in a single original in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish and Swedish languages, the texts in each of these languages being equally authentic, shall be deposited in the archives of the Government of the Italian Republic, which will transmit a certified copy to each of the governments of the other signatory States. This Treaty may also be translated into any other languages as determined by Member States among those which, in accordance with their constitutional order, enjoy official status in all or part of their territory. A certified copy of such translations shall be provided by the Member States concerned to be deposited in the archives of the Council.

Geschehen zu Rom am neunundzwanzigsten Oktober

zweitausendundvier. Som skedde i Rom den tjugonionde oktober tjugohundrafyra.

4: Treaty establishing a Constitution for Europe/Part IV - Wikisource, the free online library

*Treaty Establishing A Constitution for Europe [The European Union] on www.enganchecubano.com *FREE* shipping on qualifying offers. HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE CZECH REPUBLIC, HER MAJESTY THE QUEEN OF DENMARK.*

Trafficking of arms Solidarity clause The new solidarity clause of the TCE specifies that any member state which falls victim to a terrorist attack or other disaster will receive assistance from other member states, if it requests it. The type of assistance to be offered is not specified. Instead, the arrangements will be decided by the Council of Ministers should the situation arise. This is included in the Constitution so that EU institutions themselves are obliged to conform to the same standards of fundamental rights. Incorporation into TCE would have put its importance beyond doubt. Simplification Simplified jargon and legal instruments The TCE made an effort to simplify jargon and reduce the number of EU legal instruments. However, it is a long document couched in technical terms, which proved unpopular when presented for example to French voters in their referendum on the TCE. The TCE unifies legal instruments across areas of policy referred to as pillars of the European Union in previous treaties. This individual would be responsible for co-ordinating foreign policy across the Union, representing the EU abroad in areas where member states agree to speak with one voice. The unanimous agreement of all member states would only be required for decisions on more sensitive issues, such as tax, social security, foreign policy and defence. The role itself would remain administrative and non-executive, but rather than the Presidency being held by a member state as at present, it would be held by an individual elected by and accountable to the Council. President of the Council of Ministers The six-month rotating Presidency of the Council of Ministers , which currently coincides with the Presidency of the European Council , would be changed to an month rotating Presidency shared by a trio of member countries, in an attempt to provide more continuity. Smaller Commission The Commission would be reduced in size from 27 to 18 by the year There would be fewer Commissioners, with member states taking it in turn to nominate Commissioners two times out of three. Parliamentary power and transparency President of the Commission: The candidate for President of the European Commission would be proposed by the European Council , after consultation with the European Parliament , and would be elected by the European Parliament. Parliament would have the final say. The European Parliament would acquire equal legislative power under the codecision procedure with the Council in virtually all areas of policy. Previously, it had this power in most cases but not all. The Council of Ministers would be required to meet in public when debating all new laws. Currently, it meets in public only for texts covered under the codecision procedure. Role of national parliaments: If the Commission wishes to ignore such an objection, it would be forced to submit an explanation to the parliament concerned and to the Council of Ministers. The Commission would be invited to consider any proposal "on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Constitution" which has the support of one million citizens. The mechanism by which this would be put into practice has yet to be agreed. See Article I 4 for details. A minimum of one third of member states would now be forced to participate in any enhanced cooperation, and the agreement of the European Parliament is needed. The option for enhanced cooperation would also be widened to all areas of agreed EU policy. Treaty revisions Traditionally amendments to the EU treaties were considered in inter-governmental conferences in which the European Council would meet in long private sessions in order to reach unanimous agreement on the proposed changes. The Convention which wrote the draft constitutional treaty was quite different in this regard. It met in public and was composed of a mix of national and European politicians. The Constitution proposed that amendments to the Constitution would be drafted by a convention unless both the Council of Minister and the European Parliament agreed otherwise. Changes to this Title could be made by a decision of the European Council subject to it being ratified by all member states. Although the Lisbon Treaty, was itself drafted behind closed doors, it adopted the amendment procedures proposed by the Constitution. Withdrawal clause A new clause in the TCE provided for the unilateral withdrawal of any member state from the Union clause I Under this clause, when a country notifies the Council of its intent to

withdraw, a settlement is agreed in the Council with the consent of Parliament. If negotiations are not agreed within two years, the country leaves anyway. An identical provision was subsequently inserted into the treaties by the Lisbon Treaty.

5: EUR-Lex - CTOC - EN - EUR-Lex

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Moreover, it would do much to cement his legacy as a French statesman. It would also have a divisive effect on the opposition Socialist Party. The date was announced on 4 March. Opinion polling had shown the "Yes" and "No" campaigns in the lead at various times, but in the weeks leading up to the referendum the "No" campaign consistently held the lead. This led many, even some on the "Yes" side, to predict openly that France would reject the Constitution. The issue of the Constitution had caused considerable divisions within the party, with many members—although broadly in favour of European integration—opposing the Constitution for reasons including a perceived lack of democratic accountability, and the threat they considered it posed to the European social model. A former prime minister of France—, Laurent Fabius, traditionally on the center right of the Socialist Party, opted for the No to the Constitution, switching to the left of the party. For many commentators, this paradoxical move was a gamble to get the upper hand within the party before the next presidential elections, in case of success of the No vote. Out of Socialist Party regional federations, 26 voted "No".

Amendment to the French Constitution[edit] The Constitutional Council of France ruled that the European Constitution could not legally coexist with the current Constitution of France. For that reason, a vote was taken to amend the Constitution of France to make the two documents compatible. This amendment passed in an extraordinary joint session of deputies and senators at the Palace of Versailles on 28 February, with 533 votes in favour and 66 votes against, with 96 abstentions. Both the ruling party and the Socialists supported the constitutional amendment. Communist Party members were the only ones to vote against it. Please improve it by verifying the claims made and adding inline citations. Statements consisting only of original research should be removed. February Learn how and when to remove this template message

Initial opinion polls showed a clear majority in favour of the Constitution, but public opposition grew over time. Supporters of the Constitution from the left sought to emphasise that the treaty incorporates a Charter of Fundamental Rights and thus helped to secure the future of the European social model. Somewhat surprisingly considering his usual political orientation, Jacques Chirac defended it as a possible barrier against neoliberal economic policies. Objections to the Constitution in France can be broadly divided into two camps. On the left, many expressed the view that the Constitution would enforce a neoliberal economic model. These critics sought to link the Constitution to the proposed directive on services in the internal market, which is widely opposed in France. There were also prominent opponents of the Constitution from the right, notably Nicolas Dupont-Aignan a Gaullist and Philippe de Villiers of the Movement for France, and from the extreme right, Jean-Marie Le Pen of the National Front, who opposed the Constitution on the grounds that France should not be part of any institution whose decisions can take precedence over what is decided in France at a national level. Another factor in the defeat of the Constitution may have been the linking of the Constitution in the minds of voters with the possibility of the accession of Turkey to the European Union, with which most of the French population disagrees.

6: French European Constitution referendum, - Wikipedia

The Treaty establishing a Constitution for Europe, commonly referred to as the European Constitution, is an international treaty intended to create a constitution for the European Union. It was signed in by representatives of the member states of the Union but was subject to ratification by all member states, two of which subsequently.

Trafficking of arms
Solidarity clause The new solidarity clause of the TCE specifies that any member state which falls victim to a terrorist attack or other disaster will receive assistance from other member states, if it requests it. The type of assistance to be offered is not specified. Instead, the arrangements will be decided by the Council of Ministers should the situation arise. This is included in the Constitution so that EU institutions themselves are obliged to conform to the same standards of fundamental rights. Incorporation into TCE would have put its importance beyond doubt. Simplification Simplified jargon and legal instruments The TCE makes an effort to simplify jargon and reduce the number of EU legal instruments ways in which EU countries may act. However, it is a long document couched in obscure and technical terms, which proved unpopular when presented for example to French voters in their referendum on the TCE. The TCE unifies legal instruments across areas of policy referred to as pillars of the European Union in previous treaties. This individual would be responsible for co-ordinating foreign policy across the Union, representing the EU abroad in areas where member states agree to speak with one voice. The unanimous agreement of all member states would only be required for decisions on more sensitive issues, such as tax, social security, foreign policy and defense. The role itself would remain administrative and non-executive, but rather than the Presidency being held by a member state as at present, it would be held by an individual elected by and accountable to the Council. President of the Council of Ministers The six-month rotating Presidency of the Council of Ministers , which currently coincides with the Presidency of the European Council , would be changed to an month rotating Presidency shared by a trio of member countries, in an attempt to provide more continuity. Smaller Commission The Commission would be reduced in size from 27 to 18 by the year There would be fewer Commissioners, with member states taking it in turn to nominate Commissioners two times out of three. Parliamentary power and transparency President of the Commission: Parliament would have the final say. The European Parliament would acquire equal legislative power under the codecision procedure with the Council in virtually all areas of policy. Previously, it had this power in most cases but not all. The Council of Ministers would be required to meet in public when debating all new laws. Currently, it meets in public only for texts covered under the Codecision procedure. Role of national parliaments: If the Commission wishes to ignore such an objection, it would be forced to submit an explanation to the parliament concerned and to the Council of Ministers. Popular mandate aka initiative: The Commission would be invited to consider any proposal "on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Constitution" which has the support of one million citizens. The mechanism by which this would be put into practice has yet to be agreed. See Article I 4 for details. A minimum of one third of member states would now be forced to participate in any enhanced cooperation, and the agreement of the European Parliament is needed. The option for enhanced cooperation would also be widened to all areas of agreed EU policy. Treaty revisions Previously, alteration of treaties was decided by unanimous agreement of the European Council in private meeting. This process may be bypassed if the European Parliament agrees, in which case, the final say on adopting proposals will rest with the European Council, who must agree unanimously. Withdrawal clause A new clause in the TCE allows for the withdrawal of any member state without renegotiation of the TCE or violation of treaty commitments clause I Under this clause, when a country notifies the Council of its intent to withdraw, a settlement is agreed in the Council with the consent of Parliament. If negotiations are not agreed within two years, the country leaves anyway. The process described is a formalisation of the process which Greenland used to leave the EC in

7: Draft Treaty establishing a constitution for Europe

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This applies to countries where the referendum is consultative. It is still the parliament that is ratifying the constitution. I think it would be preferable to add a column to the referenda table. The treaty has only been ratified by the Bundestag, the lower house, but also needs approval from the Bundesrat, the upper house. The Bundestag, made up of representatives from the local governments of the different laender, is in no way as positive as the Bundesrat. Did you mean to say Bundesrat at the last sentence? Glitch in the wiki? After I restored them in a second edit, it now seems like I was the one introducing the improved interlanguage edit and the first diff now looks like it should have been in the first place. I spotted that weird change - the German one in particular went very weird! Defenders of the constitution point out that it has always been the case that EU law supersedes national law, and that it has long been accepted in European nations that international law which a nation subscribed to overrides national law. According to them, the proposed Constitution does not change this arrangement for either existing or future EU law. However, the question of whether the arrangement is considered acceptable in the first place is still an issue for debate. Moreover, there were no such thing called EU laws before the European Constitution. Instead there were EU directives, that had to be transposed into national laws by national parliaments. The EU laws introduced by the European Constitution come into force without vote from national parliaments. This is wrong in several respects: EU law already supersedes national law. The treaty changes nothing in this respect. Are you sure about this? Although all member states have agreed to implement European Law over their own although not always - check out the French ban on British Beef , by the terms of the various treaties, as the EU does not have its own legal entity it cannot have sovereignty. There always have been two such instruments: Directives are agreed by governments and Parliament at EU level, then implemented at national level. Well, actually there are a couple of other types too. The constitution does not change this arrangement. More often, they are transposed by other national statutory instruments, e. Anyway, no EU laws are introduced by the constitution. OK, this one is a bit pedantic! The proposed Constitution does not change this arrangement for either existing or future EU law. I have the documented printed by the French government for French voters. The constitution itself is about 80 pages long. The remaining pages of appendices deal with details to clear, with issues like oversea territories. Could you then please clarify how long is the document sent? The document is as follows: Hope that clarifies things! One point that is missing in the European Constitution is Freedom of Speech. Nearly every country has a written document it can point to as its Constitution and the US one seems no more appropriate to have a section on in the article than any other. And in any case, this Constitution is very different from any existing national constitution and much more like an international treaty which technically it is. As for freedom of speech, I recommend giving Part II of the Constitution a read, which includes, amongst other provisions: This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. Additionally, many European countries France, but not the UK for instance already had free speech constitutional provisions. Yes, the definition of "freedom of speech", in every country, suffers from some restrictions. For instance, in the United States, you are not free to promote free, open sexuality to children you may be prosecuted for providing pornographic material to minors. The main diffrence is however not what the constitution says, but the it is said. While the american constitution specifcily forbids the government from doing specific things with phrase like shall make no law, shall not be infringed, No Soldier shall [Consider for example two sentences: This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance. Comparing the two side-by-side would be like trying to compare a hammer with a hacksaw: The US constitution is the fundamental source of legal authority for a nation. The EU constitution is a consolidated set of binding international treaties, plus a

charter of rights and a collection of agreed common principles between nations, and it categorically states that it is not the fundamental source of legal authority for the EU that derives from the sovereignty of the individual member states. They are about as different as you can get. From the first para: As for a comparison with the US Constitution, notwithstanding the points that have been made about how this would be comparing apples with oranges, this would look a bit odd in an international encyclopedia. The USA is not the only country with a constitution! US constitution is irrelevant; implicit comparison with constitutions in general is already adequate. Constitution is pretty much the "Gold Standard" and all other constitutions will inevitably be compared to it. You may wish to spend some time learning about the wonderful world beyond your borders. The US constitution is the wholly most remarkable document ever written. It has spawned a nation, that in every measurable sense, is the greatest nation on Earth. It is defiantly the measuring stick for all present and future constitutions. Awesomesauce Please leave out the personal attacks and comedy nationalism. Apart from that, I find it ridiculous to call any nation the "greatest" nation of all. Constitution is a natural analogy for this, as it spelled out the terms of a federal union of 13 now 50 states. Under the Articles the states largely maintained their sovereignty while granting very limited powers to the central government. Modifications and decisions required unanimity. The constitution was drafted to overcome the deadlock that arose from this requirement. For those interested in comparative analysis, the natural choice would be constitutions of confederations, federations and federal governments. There are two separate questions here: Is it useful to compare the EU constitution to other documents, like national constitutions? If we agree it is useful to do so, which one should we choose, and why? And I think that would be a very difficult thing to do indeed. You can find a comparison with the US constitution simply by going to the article on US constitution and reading it and comparing too. The US Constitution did not prevent, and even, I should say, was a reason for the American Civil War, a very bloody and costly war which left scars for more than a century see for instance the still remaining quarrels about Dixie flags or calling the war the "War of Northern Aggression". The US Constitution did initially very little actually with respect to civil rights. Initially, it limited the powers of the Federal government, and states were actually free to trample civil rights for instance, the so-called "wall of separation between Church and State" is a later interpretation; as far as I know, some federated states had established churches, and prosecuted advocacy of atheism, blasphemy etc. So, we should take things with a pinch of salt. The US constitutional rights as we know them are a fairly recent invention. They are often included, or in the American example, tacked on shortly after, but its really a seperate matter. Awesomesauce Then this whole discussion is moot, since the alleged weakness of civil rights in the proposed constitution is the topic since the beginning see "Freedom of Speech". Actually, the point of including the Charter of Fundamental Rights is nothing to do with the member states, since all member states already accede individually. The difference is that the EU institutions will now be subject to the same scrutiny by the Strasbourg ECHR as individual member states already are. In other words, laws agreed at EU level will have to conform to those basic standards. From the history it appears that people have been editing since this happened, which is going to make it a mess to spaghetti back together. We were up to three or four duplicates at one point. When I go to "Edit this page" in IE, it shows source code corresponding to the doubling. Internet Explorer is still showing you the old doubled version, while Firefox has realised the page has been changed. The moral of the story: Lets build a new European Constitution! Therefore it should not be written by politicians and law makers but by the European people themselves! The current events show that many Europeans are not willing to accept a constitution whether percieved as good or bad, which has been drafted by others than themselves. Many people want to be directly involved in the process and share their ideas. I would therefore like to suggest that we start a mediawiki with the goal to draft a New European Constitution from bottom up. Please feel free to present your suggestions on the New European Constitution discussion board. EU does not need Constitution. EU does not need political integration. EU just needs free market and equal chaces, so the job places will go back to Poland, Hungary, Czech etc. I just thought to gather some ideas how wiki could help get new ideas. Until now the article has been mostly maintained by just a few of us - so some fresh blood is great! However, I have made a few changes and reversions. Most of these are straightforward and clear from the edit history, but a couple might need explaining:

8: Project MUSE - Draft Treaty Establishing a Constitution for Europe

The Treaty establishing a Constitution for Europe was adopted by the European Council on 18 June , and signed in Rome later that year in the presence of the EP.

In June , the intergovernmental conference of Member States which met in Brussels on 17â€”18 June agreed a Treaty establishing a Constitution for Europe. The purpose of the Constitution should be to: None of the articles in the text of the proposed Constitution is entirely new. Each article is based either on a provision from existing treaties, or on a provision from the existing Charter of Fundamental Rights of the European Union. Most articles are identical in wording or spirit to their predecessors, others are differently presented, and some are significantly modified. The proposed Constitution is divided into four parts: This includes the definition and the objectives of the Union, fundamental rights and citizenship, Union competences and its institutions and bodies, as well as provisions on finances and membership. The policies and functioning of the Union. General and final provisions. Later at its summit in Laeken in December , the European Council posited a series of questions related to structural matters: How should the division of competence between the Union and the Member States be organised? In this context, the question emerged as to whether a revision of the European Treaties might lead to the adoption of a Constitution for the Union. In October , the intergovernmental conference i. On 18 June , all the 25 Member States agreed on an amended draft which was signed by the Heads of State or Government of the 25 Member States and three candidate countries on 24 October in Rome. The Treaty establishing a Constitution for Europe must be ratified by the national parliaments and in many countries by a referendum too. Once the Treaty has been ratified and the ratification has been officially notified by all the signatory states lodging of the ratification instruments , the Treaty can enter into force and become effective. The people of France and the Netherlands rejected the text of the proposed Constitution on 29 May and 1 June respectively. A period of reflection, explanation and discussion is currently under way in all countries, whether or not they have ratified the Constitution. This debate should involve citizens, civil society, social partners, national Parliaments and political parties. At the same time, the ratification process continued in several Member States. Since June , another five countries approved the Constitution. At its June meeting, the European Council carried out an overall assessment of national debates in the Member States. After the period of reflection work, the focus should be on delivery of concrete results and implementation of projects. The European Council agreed on a two-track approach. On the one hand, best use should be made of the possibilities offered by the existing treaties in order to deliver the concrete results that citizens expect. On the other hand, the Presidency was to present a report to the European Council during the first semester of , based on extensive consultations with the Member States. This report contained an assessment of the state of discussion with regard to the Constitutional Treaty and explore possible future developments. In the second half of , the Finnish Presidency was due to bring the passive period of reflection to a close and start active discussions on the future of the Treaty with the Member States and EU institutions, in accordance with the conclusions from the June European Council. With the signing of the Treaty of Lisbon on 17 December and its entry into force on 1 December the Constitutional Treaty was, in parts, integrated into EU law. Other parts will remain a footnote in the process of European integration. If errors are brought to our attention, we will try to correct them. Tell us what you think. [Hide comments](#) [Add new comment](#).

9: Treaty establishing a Constitution for Europe explained

This Treaty establishing a Constitution for Europe shall repeal the Treaty establishing the European Community, the Treaty on European Union and, under the conditions laid down in the Protocol on the acts and treaties having supplemented or amended the Treaty establishing the European Community and the Treaty on European Union, the acts and.

Trafficking of arms Solidarity clause The new solidarity clause of the TCE specifies that any member state which falls victim to a terrorist attack or other disaster will receive assistance from other member states, if it requests it. The type of assistance to be offered is not specified. Instead, the arrangements will be decided by the Council of Ministers should the situation arise. Charter of Fundamental Rights of the European Union. This is included in the Constitution so that EU institutions themselves are obliged to conform to the same standards of fundamental rights. Incorporation into TCE would have put its importance beyond doubt. Simplification Simplified jargon and legal instruments The TCE made an effort to simplify jargon and reduce the number of EU legal instruments. However, it is a long document couched in obscure and technical terms, which proved unpopular when presented for example to French voters in their referendum on the TCE. The TCE unifies legal instruments across areas of policy referred to as pillars of the European Union in previous treaties. This individual would be responsible for co-ordinating foreign policy across the Union, representing the EU abroad in areas where member states agree to speak with one voice. The unanimous agreement of all member states would only be required for decisions on more sensitive issues, such as tax, social security, foreign policy and defence. The role itself would remain administrative and non-executive, but rather than the Presidency being held by a member state as at present, it would be held by an individual elected by and accountable to the Council. President of the Council of Ministers The six-month rotating Presidency of the Council of Ministers , which currently coincides with the Presidency of the European Council , would be changed to an month rotating Presidency shared by a trio of member countries, in an attempt to provide more continuity. Smaller Commission The Commission would be reduced in size from 27 to 18 by the year There would be fewer Commissioners, with member states taking it in turn to nominate Commissioners two times out of three. Parliamentary power and transparency President of the Commission: The candidate for President of the European Commission would be proposed by the European Council , after consultation with the European Parliament , and would be elected by the European Parliament. Parliament would have the final say. The European Parliament would acquire equal legislative power under the codecision procedure with the Council in virtually all areas of policy. Previously, it had this power in most cases but not all. The Council of Ministers would be required to meet in public when debating all new laws. Currently, it meets in public only for texts covered under the codecision procedure. Role of national parliaments: If the Commission wishes to ignore such an objection, it would be forced to submit an explanation to the parliament concerned and to the Council of Ministers. The Commission would be invited to consider any proposal "on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Constitution" which has the support of one million citizens. The mechanism by which this would be put into practice has yet to be agreed. See Article I 4 for details. A minimum of one third of member states would now be forced to participate in any enhanced cooperation, and the agreement of the European Parliament is needed. The option for enhanced cooperation would also be widened to all areas of agreed EU policy. Treaty revisions Traditionally amendments to the EU treaties were considered in inter-governmental conferences in which the European Council would meet in long private sessions in order to reach unanimous agreement on the proposed changes. The Convention which wrote the draft constitutional treaty was quite different in this regard. It met in public and was composed of a mix of national and European politicians. The Constitution proposed that amendments to the Constitution would be drafted by a convention unless both the Council of Minister and the European Parliament agreed otherwise. Changes to this Title could be made by a decision of the European Council subject to it being ratified by all member states. Although the Lisbon Treaty, was itself drafted behind closed doors, it adopted the amendment procedures proposed by the Constitution. Withdrawal clause A new

clause in the TCE provided for the unilateral withdrawal of any member state from the Union clause I Under this clause, when a country notifies the Council of its intent to withdraw, a settlement is agreed in the Council with the consent of Parliament. If negotiations are not agreed within two years, the country leaves anyway. An identical provision was subsequently inserted into the treaties by the Lisbon Treaty. See also Treaties of the European Union External links History of the Constitution “ Academic site linking to many documents concerning the preparation, negotiation and ratification stages of the TCE and previous treaties.

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