

# EU Constitution

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The EU Constitution aims to bring all previous EU agreements and treaties together in one document in order to clarify the role and direction of the EU. Supporters argue that the Constitution makes the goals and limitations of the EU easier to understand. The Treaty confirms the power of the EU to act in areas such as human rights, judicial and foreign policy, and re-emphasises the idea that every citizen of a member state is also an EU citizen. It also strengthens the EU's independence by giving it **legal personality**. This change has led critics to suggest that rather than simply clarifying the position of the EU, the Constitution is laying the basis for faster integration in the future.

## History

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The EU Constitution was written by a Convention made up of appointed representatives of the EU institutions and member states' parliaments, which met between 2002 and 2004. On 29 October 2004, the Heads of State and Government of the EU's twenty-five member states signed the Treaty establishing the Constitution and started the **ratification** process. However, in June 2005 the people of France and the Netherlands both rejected the Constitution in referendums, causing the project to stall. Only now, driven by the German Presidency, is the issue firmly back on the EU agenda.

## What does the Constitution do?

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The Constitution changes the way EU decisions are made. It expands the areas where the EU Commission can propose legislation, creates two high profile posts of Foreign Minister and permanent EU President and shares the power to pass EU laws between the Council of the European Union and the EU Parliament.

The Constitution also expands the system of Qualified Majority Voting (QMV). At the moment, member states can use a **veto** in certain areas of policy but the Constitution limits this right to only the most sensitive policy areas, such as taxation or foreign affairs. It also expands the number of areas where the EU has initial power to propose new laws. However, it would clarify the steps necessary for a member to leave the EU and the penalties to be used against members who don't comply with EU rules, which are currently unclear.

Finally it brings a document called the Charter of Fundamental Human Rights into European Law. This fixes certain common human rights standards for all peoples in the EU.

## Facts and Figures

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- Countries would lose the right to veto over areas of policy in social security; terrorism prevention; transport and the definition of crimes and sentences.

- Because it is taking so long to ratify the Constitution the EU has brought forward the changes to asylum, immigration and defence procurement contained in the treaty under existing powers.

## Arguments

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### For

- The Treaty clarifies the power of the EU and the role of the nation state.
- Changes to QMV make the voting system fairer for all members and make decision-making more democratic.
- The Treaty safeguards existing rights.
- It makes it possible for the EU to operate with twenty-seven or more members.
- Although France and the Netherlands rejected the Constitution, seventeen member states have now ratified it.

### Against

- The Treaty is seven hundred and eighty-four pages long and written in legal language: ordinary people can't understand it.
- It gives the unelected EU Commission greater say over foreign and home affairs. This challenges the principle that sovereign states should have control over these important policy areas.
- The UK will not be able to use its veto to block future changes in an increasing number of areas.

## Quotations

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*'This pact is the point of no-return. Europe is becoming an irreversible project, irrevocable after the ratification of this treaty.'* Jean-Pierre Raffarin, French Prime Minister 2002-2005

*'[the Constitution] contains innovations that will make the Union more democratic, more effective and more transparent'* Romano Prodi, EU Commission President 1999-2004

### Technical Terms

**Legal Personality:** The power to allow the EU to make international agreements by itself, on behalf of member states.

**Veto:** The right of one country to block a proposal.

**Ratification:** the process by which member states' parliaments confirm their country's acceptance of a treaty.

### Links

- [http://europa.eu/constitution/index\\_en.htm](http://europa.eu/constitution/index_en.htm)
- [www.vote-no.com/](http://www.vote-no.com/)