# Constitutionalisation of the treaties

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The committee adopted the report by Olivier DUHAMEL (PES, F) on the constitutionalisation of the Treaties, seeking essentially to clarify this concept, which had been the subject of widely diverging interpretations. The committee believed that the aim was to integrate the fundamental values of the Union, the rights of its citizens and the organisation of its institutions into a constitutional text able to serve as a reference text for the citizens of the EU. To achieve this it proposed a two-stage method and a timetable. The first stage would involve recasting the texts to make the ends and means of European integration more easily understandable, in order to meet public demand for democracy, transparency and simplicity. It therefore proposed that the current Treaties be replaced by a single, readable and brief framework treaty which would contain only the fundamental provisions of a constitutional nature (the goals of the Union, the protection of fundamental rights, citizenship, the allocation and distribution of powers and institutional matters). Other provisions, such as those governing common policies, would be placed in protocols annexed to the treaty. The second stage would have as its goal the adoption of a text containing all the matters characteristic of a genuine constitution of the Union. Such a constitution would lay down clearly the common values of the EU, the fundamental rights of European citizens (the Charter of Fundamental Rights could form the first chapter of the Constitution), the principles of the separation of powers and the rule of law, the composition, role and functioning of the Union's institutions, etc. The procedure followed by the Convention which drew up the Charter of Fundamental Rights could, duly adapted, serve as a model for drafting the Constitution, which, the committee urged, should be adopted before the European elections in 2004. To reassure the candidate countries, the report stressed that under no circumstances should these proceedings be used as an excuse for blocking or delaying the accession process and that representatives of the candidate countries should take part in the proceedings. In addition, it underlined the role that would have to be played by national parliaments in stimulating public debate throughout the procedure.