

Charter of Fundamental Rights of the European Union

2000/2233(AVC) - 13/09/2000 - Document attached to the procedure

The preparation of the draft Charter of Fundamental Rights is now at a crucial stage. The Feira European Council concluded that the Convention is urged to continue its work in accordance with the timetable laid down in the mandate from the Cologne European Council so that a draft document is presented in advance of the European Council in 2000. The preliminary draft has been drawn up using the approach adopted by the Convention when it began its work, which involved preparing the draft for submission to the European Council as if it was subsequently to be incorporated into the Community Treaties with mandatory legal force. At the instigation of its President, Roman Herzog, the Convention concluded that this was the only approach that could leave the European Council the choice it will have to make in due course, in accordance with the Cologne mandate, about whether the Charter should take the form of a declaration or be incorporated in the Treaties with mandatory legal force. The work done by the Convention in the last few months involved giving each member of the Convention the possibility of submitting written amendments to previous texts. Over a thousand amendments were submitted, reflecting the full range of feelings within the Convention. The preliminary draft is a compromise drawn up by the Praesidium. It is intended to take account of all the points of view and feelings expressed by the Convention. The purpose of this communication is therefore: - to set out the Commission's position concerning the content of the preliminary draft, with the aim of furthering the development of consensus within the Convention, and - to highlight the political and institutional questions the Commission believes to be of particular importance, especially with regard to the nature of the Charter.