The legal personality of the European Union

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The European Parliament adopted its own-initiative report drafted by Carlos CARNERO GONZALEZ (PES, Spain) on the legal personality of the European Union. (Please refer to the document dated 20/11 /01). The EU's lack of legal personality creates a legal vacuum in so far as neither the Charter of Fundamental Rights of the European Union, even if it were to take the form of an instrument under Community law, nor any other instrument of international public law designed to protect the rights of the individual and to which Member States have subscribed, are enforceable vis-a-vis the Union. It is essential to stop the dismemberment of the institutional system and to establish a simple structure by combining the existing Communities and pillars into a single Union, which alone owuld have legal personality. The alternative of giving the Union legal personality alongside the legal personalities of the Communities would not provide the necessary clarity and transparency as the terms "Union" and "Communities" would have to be maintained in parallel within a single unified Treaty. Giving the EU legal personality also, inter alia, improves the Union's image and its capacity to take action by facilitating the Union's political and contractual activities at bilateral and multilateral level on the international stage, and its presence in international organisations, even if different procedures apply internally. It is an essential step towards increasing the coherence, visibility and efficiency of its external action.