

# **THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION:**

*the travaux préparatoires* and selected documents

## **Preliminary material: forewords, analytical introduction and chronologies**

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# **THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION:**

the *travaux préparatoires* and selected documents

*Edited by*

**Niall Coghlan**

*MA (Cantab), LL.M. (EUI)*

*Ph.D. Researcher, European University Institute (Florence)*

*Barrister, Lincoln's Inn (London)*

**Marc Steiert**

*MA (Sciences Po Paris), LL.M. (EUI)*

*Ph.D. Researcher, European University Institute (Florence)*



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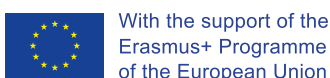
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As ever, this work could not have existed without the help, encouragement and time of many generous people.

First and foremost, we would like to thank Monica Steletti, the Special Collections Librarian at the EUI library. As well as helping us to assemble the core *travaux préparatoires*, she was the person who first proposed publishing them. Her work to push the project forward at every stage and to navigate various institutional mazes has been invaluable. Second, the EUI library (and particularly Pep Torn, its Director) welcomed this project with open arms, providing the support and funding that allowed it to become a published reality. Third, our respective Ph.D. supervisors (Claire Kilpatrick, Martin Scheinin and Joanne Scott) and the Academy of European Law have provided precious support, contacts and advice. Fourth, we would like to express our gratitude to Renaud Dehousse and Eleanor Sharpston who kindly provided their support and valuable forewords to this collection. Fifth, our discussions with Clemens Ladenburger and Jürgen Meyer provided crucial insight into the life behind the documents of the 1999-2000 and 2002-2003 Conventions. Sixth, we would like to thank Eleni Frantziou, Joanne Scott and Romain Tinière for their helpful comments on drafts of the analytical introduction and chronology. As ever, any errors in the introduction or collection remain entirely our own. Finally, we are grateful to Gerry Coghlan, Panos Koutrakos, Peter Oliver, and Sonia Tycko for giving us their seasoned advice as to the process of publication generally.

# Abstract

Twenty years after its proclamation and eleven years after it gained legal force, this collection brings together for the first time the complete *travaux préparatoires* of the Charter of Fundamental Rights of the European Union. The core collection consists of the roughly 5,000 pages of *travaux préparatoires* from the Convention that drafted the Charter between 1999 and 2000. In addition, it includes some of the key documents forming the roots of the Charter (such as the 1989 European Parliament Declaration) and those showing how its text and primary law framing evolved between 2003 and 2014 (notably in the 2002-3 Future of Europe Convention and 2004 and 2007 Intergovernmental Conferences which amended the Charter and gave it legal effect). Further, it includes an analytical introduction and full Convention chronology to assist the reader in navigating the material. This compilation will prove a valuable source for scholars and practitioners alike, and ultimately aims to spark a fresh wave of interest in the drafting of the EU's core rights text.

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# Foreword

Eleanor Sharpston,  
Former Advocate General  
of the Court of Justice of the European Union

Initially, busy lawyers perhaps did not take that much notice of the Charter of Fundamental Rights. When it first emerged as a ‘solemn proclamation’ of the European Parliament, the Council and the Commission on 7 December 2000, it was published in the ‘C’ series of the Official Journal<sup>1</sup> as befitted a non-binding communication. As its fourth recital made clear, it was promulgated because it was felt ‘necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments by *making those rights more visible* in a Charter’ (my emphasis). The Charter made its parentage clear: it was a modern compilation of ‘rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Community and by the Council of Europe and the case-law of the Court of Justice of the European Communities and of the European Court of Human Rights’ (fifth recital). There must assuredly have been many practitioners who said to themselves, ‘OK, very fine, very nice – it’s just a codified compilation of stuff that was there before: nothing to get excited about’.

But then the Treaty of Lisbon changed the Charter’s legal status, elevating it from ‘soft law’ to primary law – that is, law of the same status as the EU Treaties themselves. Since that change became effective in 2009, the Charter has transformed the way we think about EU law. It has given us an up-to-date yardstick of fundamental rights that is internal to the EU legal order. It requires the EU legislature to ensure that new legislation is ‘Charter compliant’. It also necessarily affects the Court’s analysis of the cases before it. When deciding between the various possible interpretations of an ambiguous text that are being urged upon it, the Court will naturally bear in mind relevant provisions of the Charter and do its best to ensure that the interpretation that it endorses in its judgment is in line with the guarantees that the Charter contains.

Until now, however, we have been remarkably short on background material to enable us to understand how the Charter came into being, the choices that were made (in terms both of selection and of actual drafting) and the discussions and thinking behind the EU’s flagship text protecting fundamental rights. True, the Praesidium of the Convention – at its own instigation and prior to the actual adoption of the Charter – prepared ‘explanations’ for each article of the Charter. As it was careful to explain, however, ‘These explanations have been prepared at the instigation of the Praesidium. They have no legal value and are intended simply to clarify the provisions of the Charter’.<sup>2</sup>

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<sup>1</sup> OJ 2000 C 364, p.1.

<sup>2</sup> Published by the Praesidium as document CHARTE 4473/00 CONVENT 49 of 11 October 2000 and available at [https://www.europarl.europa.eu/charter/convent49\\_en.htm](https://www.europarl.europa.eu/charter/convent49_en.htm). The European Parliament gives its own ‘spin’ to the value of the Explanations, saying that ‘They are intended simply to clarify the provisions of the



We all refer to those Explanatory Notes as if they were Holy Writ. It has to be said that sometimes they do not take us very much further in our understanding of the Charter article that we are trying to interpret and apply. Thus, for example, the original explanatory note for Article 21 (Non-discrimination) sets out the text of the article (two paragraphs) and then merely observes, ‘Paragraph 1 draws on Article 13 of the EC Treaty, Article 14 of the ECHR and Article 11 of the Convention on Human Rights and Biomedicine as regards genetic heritage. Insofar as this corresponds to Article 14 of the ECHR, it applies in compliance with it. Paragraph 2 corresponds to Article 12 of the EC Treaty and must be applied in compliance with the Treaty.’ The 2007 version of the explanations<sup>3</sup> contains a lengthy additional paragraph that was obviously designed to reassure those worried about competence-creep, but that is not very illuminating if what you are after is greater understanding of the intention and purpose of the article itself. I remember dutifully studying both that Charter article and its accompanying explanatory note (as well as the equivalent material on Articles 11(1) (freedom of expression) and Article 15(1) (right to engage in work), which had also been invoked) whilst working on my Opinion in Case C-507/18 *Associazione Avvocatura per i diritti LGBTI*.<sup>4</sup> Having read them carefully three times, I pushed both texts to one side and went on trying to analyse the actual problem with which the Court was confronted. I was certainly *aiming* at recommending to the Court an interpretation of Articles 3(1)(a), 8(1) and 9(2) of Directive 2000/78/EC<sup>5</sup> that was in line with the requirements of the Charter; and I hope that I did indeed do so. But I do not pretend that my understanding of those Charter provisions was buttressed by the kind of intensive study of the Charter’s ‘travaux préparatoires’ that I would instinctively apply when scrutinising some other piece of EU legislation. And yet the Charter is EU primary law.

That is why the present publication – over and above its obvious value to any researcher interested in the historical development of EU law – is so welcome. It is a meticulous and thorough compilation of material that you would otherwise spend weeks searching for (and most of us, most of the time, do not alas manage to find the time that would be required to do such searches). It will therefore be a valuable resource for anyone who wishes to make sure that a ‘Charter argument’ is solidly grounded. It may help us with the vexed question of what are ‘rights’ and what are ‘principles’.<sup>6</sup> It will assuredly enable us all to have a better grasp of what the Charter was, and was not, intended by its progenitors to do for fundamental rights protection within the European Union.

To my regret, I am now no longer doing the job in which I would have been referring to this work on an almost daily basis; but I am tolerably certain that I shall nevertheless find myself consulting it gratefully on many a future occasion.

*Eleanor Sharpston*

Advocate General, Court of Justice of the EU (2006-2020)

Grand Duchy of Luxembourg, November 2020

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Charter, indicating the sources and scope of each of the rights set out therein. They have no legal value and are published ... for information only’. The complete text of the Charter was then set out in CHARTE 4487/00 CONVENT 50 (whose final version was CHARTE 4487/2/00 REV2).

<sup>3</sup> Published in OJ 2007 C 303, p.17.

<sup>4</sup> Opinion of 31 October 2019, ECLI:EU:C:2019:922; judgment of 23 April 2020, ECLI:EU:C:2020:289.

<sup>5</sup> Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ 2000 L 303, p.16).

<sup>6</sup> See, for example, Tobias Lock, ‘Rights and Principles in the EU Charter of Fundamental Rights’, *Common Market Law Review* 56: 1201–1226, 2019.

# Foreword

Professor Renaud Dehousse,  
President of the EUI

Universities are not merely the crucible in which knowledge is developed and taught. They also contribute in multiple ways to the life of the society in which they are embedded, by contributing ideas to the public debate, fostering dialogue on disputed issues or providing expert advice to policy-makers. Today, all these tasks are considered to be a significant contribution to the mission of public universities, which must somehow ‘pay back’ the funding from which they benefit. This is, *a fortiori*, true for an institution such as the European University Institute (‘EUI’, ‘the Institute’), created by its member countries with the broad mission of developing ‘the cultural and scientific heritage of Europe’ and of conducting research ‘on the major issues confronting contemporary European society’. Member countries’ interest in the institution would likely fade if they could not identify its contribution to the process broadly defined as ‘the construction of Europe’ in the Florence Convention of 1972, by which the Institute was created.

The protection of human rights was bound to feature prominently in the Institute’s activities. This was after all one of the first areas in which the necessity was felt to tame the excesses of state sovereignty to prevent the repetition of past horrors, leading to the conclusion of the European Convention on Human Rights only a few years after the end of World War II. As readers will be aware, this first achievement was followed by a series of ‘small steps’, as defined by their chief architect Jean Monnet. This in turn gave rise to a question: what was to be the place of human rights in the policies developed first by the European Communities, and then by the EU? Without entering into the details of the controversy, let it be said that the answer to the question was far from obvious, whether because of the very existence of the Human Rights Convention or because the European Union’s competence to deal with human rights was contested.

Moreover, human rights are a quintessentially normative field, in which the positions one defends on law and policy issues are often imbued with value considerations. Analysis is rarely confined to what the law is supposed to say, and rapidly leans towards what it *should* say, which calls for a confrontation between various disciplines in the social sciences and the humanities. No wonder then that it became a matter of sustained attention at the Institute.

Activities in this area were often conducted in partnership with the European institutions. Since the 1970s, the European Parliament has been a strong supporter of a human rights policy, which in 1989 would lead to the adoption of its own Declaration of fundamental rights and freedoms. In 1978, at the Parliament’s request, the Institute hosted a large conference bringing together representatives of the European institutions and of the national parliaments, opened by the first EUI President Max Kohnstamm. The declared aim of the exercise – ‘to encourage discussion and action at Community and national levels’ on the idea of a charter of rights for European Community citizens

– illustrates effectively the frequent advocacy that is present in the field of human rights. In the following two decades, the European Commission funded two major research programmes, the aim of which was to take stock of accomplishments, identify problems and review options. The EUI’s Academy of European Law was the anchor for both projects, which brought together the best experts in the field under the leadership of a ‘dream team’ composed of three of its successive directors: Antonio Cassese, Joseph Weiler and Philip Alston. The European Union’s human rights policy also featured prominently in the EUI’s works on the ‘constitutionalisation’ of the European Treaties under the direction of Giuliano Amato. All this came on top of a steady flow of publications by various members of the Law Department and contributed to an intellectual and political environment that ultimately facilitated the adoption of the Charter of Fundamental Rights of the European Union.

Given this record, it is a great pleasure for the Institute to participate in the celebration of the Charter’s twentieth anniversary. Making publicly available its *travaux préparatoires* will ease the work of scholars and practitioners, for whom these documents are essential. I am particularly grateful to Marc Steiert and Niall Coghlan, PhD researchers in the Law Department, for having bravely undertaken the task of putting together this impressive collection of documents. Their hard work will contribute to consolidating the Institute’s record as an important knowledge hub in the field of fundamental rights. In publishing this collection, the EUI also intends to fulfil its commitment to open science, in which every kind of research data is made publicly available to the widest possible audience. Together with the focus on issues of notable relevance to the European society, this is one way for us to firmly justify our role as *the* European university.

*Renaud Dehousse*

President of the European University Institute

Florence, November 2020

# Analytical Introduction

This introduction consists of two parts. **Part I** gives an overview of the collection: the existing literature on the Charter’s drafting, the collection’s purpose and the possibility of future updates. **Part II** enters into the process of drafting the Charter. It provides an overview of the Charter Convention itself and a guide to the content of and editorial choices made in the collection. Together with the chronology in the following section, these aim to give the reader a way into this large collection.

For the busy practitioner, the overview of the Convention (in **Part II**) and the chronology of drafts (p.49) will likely provide the quickest way to begin tracing the development of a particular provision.

## PART I: Overview

### Introduction

A rich literature on the EU’s legal history is at last burgeoning.<sup>1</sup> One particularly promising bud seeks to historicise the development of fundamental rights in the EU.<sup>2</sup> This bud confronts a difficult environment: in this age of human and constitutional rights, few fields are as vulnerable to the temptations of teleology. Yet the language of fundamental rights is an historical object, taking root and flourishing in particular contexts and based on the actions of individuals and institutions.<sup>3</sup> It is moreover a language with myriad dialects: the specific fundamental rights provided by EU law are, at least in part,

<sup>1</sup> Rasmussen, ‘The Legal History of the European Union: Building a European Constitution’ in *Oxford Research Encyclopedia, Politics* (July 2019); more broadly Patel, ‘Widening and deepening? Recent advances in European Integration History’ (2019) 63 *Neue Polit. Lit.* 327

<sup>2</sup> For recent steps towards historicised understandings, see de Búrca, ‘The Road Not Taken: The European Union As A Global Human Rights Actor’ (2011) 105(4) *American Journal of International Law* 649; Davies, ‘*Internationale Handelsgesellschaft* and the Miscalculation at the Inception of the ECJ’s Human Rights Jurisprudence’ in Nicola and Davies (eds), *EU Law Stories* (CUP 2017), p.163; and Phelan, ‘The Role of the German and Italian Constitutional Courts in the Rise of EU Human Rights Jurisprudence: A Response to Delledonne & Fabbrini’ TRiSS Working Paper Series, TRiSS-WPS-02-2020.

<sup>3</sup> Tierney, *The Idea of Natural Rights: Studies on Natural Rights, Natural Law, and Church Law, 1150-1625* (Michigan William B. Eerdmans, 2001), p.6 (referring to human rights and their predecessor, natural rights). Whilst fundamental and human rights are strictly distinct, the two are intimately linked (Peers *et al.*, *The EU Charter of Fundamental Rights: A Commentary* (Hart 2014), §§60.01-60.09) and the terms are often conflated in EU law (e.g. *Ibid.*, pp.vii-viii). For our purposes, fundamental rights can be treated as the institutionalisation of human rights (Monereo Atienza and Monereo Pérez (eds), *La Europa de los Derechos: Estudio Sistemático de la Carta de los Derechos Fundamentales de la Unión Europea* (Editorial Comares 2012), pp.xv and xvii).

the result of historical processes, contingencies and choices.<sup>4</sup> Carefully cultivated, this bud promises to demystify these developments, in turn permitting a sharper, more clear-eyed understanding of the history, nature and role of EU fundamental rights.

A crucial chapter in that history was the proposal, drafting and elevation to primary-law status of the Charter of Fundamental Rights of the European Union (‘the Charter’, ‘CFR’). While the Charter professes simply to make existing rights ‘more visible’, it has sparked a transformation – still in its early days – in the role and status of fundamental rights within the Union.<sup>5</sup> The Charter was, moreover, not drafted in the dark corridors of diplomatic negotiation (like most human rights treaties) or in a long-passed revolutionary moment (like the American and French bills of rights): it was drafted in a public Convention between 1999 and 2000 (‘the Charter Convention’), with all documents published online, extensive public discussion by the participants, and an open exchange with several dozen NGOs. 46 of the 62 Members were national or EU Parliamentarians. One political scientist judged it ‘the best attempt yet to provide for an open and deliberative exchange’.<sup>6</sup>

Yet, where the drafting of other rights instruments has been studied extensively by both lawyers and (increasingly) historians<sup>7</sup>, the same is not true of the Charter. The detailed analyses of the Convention that do exist tend to focus on its overall mechanism and dynamics from a political science or constitutional perspective.<sup>8</sup> This perhaps partly arises from the context: the Convention’s innovative composition and working methods were widely acclaimed and replicated in the 2002-2003 Future of Europe Convention that drafted the Constitutional Treaty. In this ‘Convention moment’<sup>9</sup>, then, the Charter Convention’s process garnered more attention for its own sake – and for its potential constitutional significance<sup>10</sup> – than for what it revealed about the resulting, at that point

<sup>4</sup> Koskeniemi, ‘Rights, History, Critique’, and Moyn, ‘Human Rights in Heaven’ in Etinson, *Human Rights: Moral or Political* (Oxford, OUP 2018). Even proponents of the ‘orthodox’ view of human rights – which see them as moral rights possessed by all humans in virtue of their humanity, to be determined primarily by moral reasoning – accept (and indeed argue) that the particular rights provided in individual legal regimes are the result of contingent historical processes. This is precisely how they are able to criticise legal human rights which do not align with (their articulation of) moral human rights. See e.g. Tasioulas, ‘Saving Human Rights from Human Rights Law’ (2019) 52 *V and J Transnat’l L* 1167, 1172-3.

<sup>5</sup> See the Preambles to the Charter and Protocol 30 to the Treaties; see also Cologne Conclusions, p.19. For two assessments of the Charter’s impact, see Frantziou, ‘The Binding Charter Ten Years on: More than a “Mere Entreaty”?’ (2019) 38 *Yearbook of European Law* 73 and de Vries, ‘The Charter of Fundamental Rights and the EU’s “creeping” competences: does the Charter have a centrifugal effect for fundamental rights in the EU?’ in Douglas-Scott and Hatzis (eds), *Research Handbook on EU Law and Human Rights* (Edward Elgar Publishing, 2017).

<sup>6</sup> Schönlau, ‘New Values for Europe? Deliberation, Compromise, and Coercion in Drafting the Preamble to the EU Charter of Fundamental Rights’ in Eriksen *et al.*, *The Chartering of Europe: The European Charter of Fundamental Rights and its Constitutional Implications* (Nomos Verlagsgesellschaft 2003), p.132. Cf. Lüsberg ‘Does the EU Charter of Fundamental Rights threaten the supremacy of Community Law?’ (2001) 38 *CMLRev* 1171, p.1182.

<sup>7</sup> E.g. Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent* (University of Pennsylvania Press 1999); Simpson, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention* (OUP 2004).

<sup>8</sup> See particularly Schönlau, *Drafting the EU Charter: rights, legitimacy and process* (Palgrave 2005); de Búrca, ‘The drafting of the European Union Charter of Fundamental Rights’ [2001] *ELRev* 126; and Deloche-Gaudez, ‘The Convention on a Charter of Fundamental Rights: A Method for the Future?’ (Notre Europe Research and Policy Paper 15, November 2001. More recently, Bellamy, *From Maastricht to Brexit* (Rowman 2019), chapter 6.

<sup>9</sup> Castiglione *et al.*, *Constitutional Politics in the European Union: The Convention Moment and its Aftermath* (Palgrave 2007).

<sup>10</sup> Maduro, ‘The Double Life of the Charter of Fundamental Rights’ in Eriksen *et al.* (fn6) and Eeckhout, ‘The EU Charter of Fundamental Rights and the Federal Question’ (2002) 39 *CMLRev* 945.

non-binding, document. Indeed, the one period of the Charter's history for which a detailed drafting history exists is precisely that of the Constitutional Treaty.<sup>11</sup> The small number of relevant papers published since add little on the Charter as a drafted document.<sup>12</sup> What we are left with, then, are fragmented individual drafting histories of particular parts of the Charter, typically as part of a broader analysis: these notably exist on the preamble<sup>13</sup>, the Charter Explanations<sup>14</sup>, article 51<sup>15</sup> and article 53.<sup>16</sup> A possible exception to this rule is the commentary provided by Meyer and Hölscheidt, which includes relatively detailed drafting histories of the Charter's articles.<sup>17</sup> This is, however, only available to German-speakers. It is, moreover, an isolated example rather than one element of a flourishing legal and historical debate.

This lack is unfortunate for three reasons. First, the drafting history is relevant to the interpretation of the Charter as a matter of law.<sup>18</sup> It is remarkable, in this respect, how infrequently the Court or its Advocates General refer to the Charter's *travaux préparatoires*.<sup>19</sup>

Second, as set out above, the Charter is an historical as much as a legal document. A proper understanding of the historical and drafting processes that led to it existing at all, and to existing with the particular rights it contains, is not only important to understanding the nature and role of EU fundamental rights; it also casts light on the evolution of human rights more broadly, the operation of the 'Convention' system for drafting EU constitutional documents<sup>20</sup>, and the development of EU law as a whole.

Finally, the Charter establishes rights for the 450 million persons who live in the EU. This includes potentially controversial and unclear rights, including prohibitions on cloning, eugenics and commercialisation of the body; the right to dignity; expansive

<sup>11</sup> Ladenburger, 'Fundamental Rights and Citizenship of the Union' in Amato, Bribosia and de Witte, *Genesis and destiny of the European Convention* (Bruylant 2007). Dr Clemens Ladenburger was himself part of the secretariat assisting the Praesidium during the 1999-2000 and 2002-2003 Conventions, in the latter case as one of two 'drafters' assisting Working Group II ('Incorporation of the Charter/Accession to the ECHR').

<sup>12</sup> E.g. Wicks, "Declaratory of existing rights" – the United Kingdom's role in drafting a European Bill of Rights, Mark II' [2001] Public Law 527; Anderson and Murphy, 'The Charter of Fundamental Rights: History and Prospects in Post-Lisbon Europe' EUI Working Papers, Law 2011/08; and Conte, *A Europe of Rights: History of the EU Charter* (Publications Office of the European Union 2012).

<sup>13</sup> Schönlaue in Castiglione *et al.* (fn9).

<sup>14</sup> Ziller's magnificent 'Le fabuleux destin des *Explications relatives à la Charte des droits fondamentaux* de l'Union européenne' in *Mélanges en l'Honneur de Jean-Paul Jacqué* (Daloz 2010); and Jacqué, 'The Explanations Relating to the Charter of Fundamental Rights of the European Union' in Peers (fn3).

<sup>15</sup> De Búrca (fn8), p.136f

<sup>16</sup> Liisberg, (fn6), §2.

<sup>17</sup> Meyer and Hölscheidt, *Charta der Grundrechte der Europäischen Union – Kommentar* (Nomos 2019).

<sup>18</sup> Lenaerts and Gutiérrez-Fons, 'To say what the law of the EU is: methods of interpretation and the European Court of Justice' EUI Working Paper AEL.2013/9, pp.19-24 and 47. See e.g. C-583/11 P *Inuit* ECLI:EU:C:2013:625, para 59. Cf e.g. the Opinion of Advocate General Bobek in C-129/19 BV ECLI:EU:2020:375, paras 117-124.

<sup>19</sup> Advocate General Saugmandsgaard Øe is the only Advocate General who has referred to the content of the Convention debates to date (Opinion in C-235/17 *European Commission v Hungary* ECLI:EU:C:2018:971). Whilst Advocate General Tizzano did refer to another CHARTE document in 2001, this was to the Charter Explanations which had not been published separately: Opinion in C-173/99 BECTU ECLI:EU:C:2001:81. Neither the Court of Justice nor the General Court has yet referred to a CHARTE document.

<sup>20</sup> Back in the spotlight at the time of writing, given the proposals for a Conference on the Future of Europe.

and at times clashing economic and social rights<sup>21</sup>; and the protection of intellectual property. It also includes a variety of provisions that weaken or dilute its protection, including the rights/principles distinction (art.52(5)), strict limitation to the scope of EU law (art.51) and the weak wording of some rights (e.g. art.26). Understanding the process through which the Charter came to exist in its present form illuminates both the strengths and limitations of that form.

### **This compilation's purpose**

There are likely to be several causes for the limited attention attracted by the Charter's drafting. Two are identified above: the recency of the rise of EU legal history generally and the context of the Charter Convention. The Charter's youth, meaning that relevant EU and national archival material remains closed, is no doubt also important.

This compilation seeks to address a fourth cause: the difficulty in accessing the Charter's *travaux préparatoires*. It is true that the majority of these are available online, notably through the Council of the European Union's Document Register. Moreover, since 2015 a complete list of the official Charter *travaux préparatoires* document series (CHARTE) exists.<sup>22</sup> But this document list alone comes to 28 pages, making accessing and collating the individual documents – never mind making sense of a document's place in the overall scheme of the Convention – an arduous task. Nor does this official document series exhaust the actual *travaux préparatoires* of the Charter.

The present collection, published on the 20<sup>th</sup> anniversary of the Charter's proclamation (7 December 2000) and just over eleven years since it gained legal force (1 December 2009), seeks to fill this gap. In particular, it:

- Collates the entire CHARTE document series in **Chapter III**. With duplicates removed, this comes to approximately 4,800 pages of documents which make up the bulk of the *travaux préparatoires*;
- Adds a selection of other relevant documents, including:
  - The 2000, 2004 and (in force) 2007 versions of the Charter, including where relevant the Charter Explanations and primary law provisions (**Chapter I**);
  - Key documents relating to EU fundamental rights prior to the Charter Convention, including those providing the context to the Convention (**Chapter II**);
  - Non-CHARTE documents from the Charter Convention, such as over 400 pages of amendments deposited over summer in respect of the near-final 28 July 2000 draft; the mandate, agendas and work plans; and documents of the European Parliament delegation (included in **Chapter III**);

<sup>21</sup> Compare the conflict between the freedom to conduct a business and workers' rights in C-201/15 *AGET Iraklis*, ECLI:EU:C:2016:972. In fact, some delegates predicted this conflict between that freedom and the right to work (and its derivative rights) during the 2000 Convention: see Bernsdorff and Borowsky, *Die Charta der Grundrechte der Europäischen Union Handreichungen und Sitzungsprotokolle* (Nomos 2002).

<sup>22</sup> See Council Note 6933/15 dated 11 March 2015, from the General Secretariat of the Council to the Working Party on Information: 'Publication of preparatory documents related to the EU Charter of Fundamental Rights'.

- *Travaux préparatoires* relating to the amendment of the Charter and the evolution of primary law provisions giving it legal effect in the 2002-2003 Convention, 2003-2004 Inter-Governmental Conference and 2005-2007 Council and Inter-Governmental Conferences and beyond (**Chapter IV**).
- Seeks to give the reader a way into these documents through this analytical introduction and through chronologies with document references for the entire Charter Convention.

Our hope is to spark a fresh wave of scholarship on the Charter’s drafting history and the history of fundamental rights in the EU more generally, as well as providing practitioners with an accessible and searchable source when seeking to determine the interpretation or purpose of a particular provision.

### Future updates

This is the first edition of this collection. Our priority had been to publish a working collection of primary documents to help scholars and practitioners to work on the Charter’s drafting process. We may seek to publish a second edition which includes (i) further official documents or references to other sources and (ii) analytical chapters tracing the drafting of the Charter and of individual provisions. In this way, we aim to centralise information about the Charter’s drafting process in order further to help future scholars and practitioners.<sup>23</sup> Please do contact us if you have any suggestions, if you spot any errors, omissions or inconsistencies, or if you would be interested in contributing to a second edition.<sup>24</sup>

## PART II: Guide to the Charter Convention and this collection

### The Charter Convention: overview

Our intention here is to provide a brief sketch of certain aspects of the Convention’s operation to help the reader navigate the documents. We first summarise some features of the Convention arising from its mandate, including in particular the Convention’s composition and structure. We then provide a schematic set of three phases into which its operation can be divided and highlight some of the dynamics in play. This leads into the final section: the guide to this collection.

#### *Composition and structure*

A useful starting point is the mandate of the Charter Convention, set out in the Conclusions of the European Council in Cologne (3-4 June 1999) ‘*qui en a posé le principe et tracé les grandes lignes*’ and Tampere (15-16 October 1999), ‘*qui a précisé la procédure de son*

<sup>23</sup> See also the Fundamental Rights Agency’s centralised ‘Charterpedia’ of information, including case-law, academic and Parliamentary references to the Charter: <https://fra.europa.eu/en/eu-charter> <accessed 12 November 2020>. See also the further resources listed here: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra\\_charter\\_publications\\_material\\_and\\_tools.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra_charter_publications_material_and_tools.pdf) <accessed 12 November 2020>.

<sup>24</sup> By email: [niall.coghlan@eui.eu](mailto:niall.coghlan@eui.eu), [marc.steiert@eui.eu](mailto:marc.steiert@eui.eu).



*élaboration*.<sup>25</sup> This documents (and some of their own *travaux préparatoires*) are included in **Chapter III.1**. Here, we note three points.

First, the Convention<sup>26</sup> consisted of 62 members (and their alternates) divided into four ‘components’: 15 representatives of Heads of State or Governments of Member States; 1 representative of the Commission President; 16 MEPs; and 30 national Parliament members. Each could be replaced by an alternate.<sup>27</sup> Additionally, two Court of Justice of the European Communities representatives and two Council of Europe representatives (one from the European Court of Human Rights) were observers.<sup>28</sup> The Convention was to take into account the views of (amongst others) candidate states and NGOs. In addition to the vast quantity of contributions received (see **Chapter III.4**, a day of NGO hearings took place on 27 April, an open doors day on 6 June, and the candidate countries were heard on 19 June.

Legitimacy and visibility were, according to the Cologne Conclusions, core aims of this Charter. This may be part of the reason for the seniority of some of the Convention’s members, such as Roman Herzog for the German executive (former President of the German Constitutional Court and of the Federal Republic), Alvaro Rodríguez Bereijo for the Spanish one (former President of the Spanish Constitutional Court) and Antonio Vitorino for the Commission President (Commissioner for Justice and Home Affairs). This very fact gave it the authority, and perhaps pressure, to go beyond a simple codification of existing rights.<sup>29</sup>

Second, the mandate provided for a ‘drafting committee’ to be created. This would consist of a Chairperson, elected by the body; three Vice-Chairmen, each representing a component<sup>30</sup>; and the Commission representative. In the event, Roman Herzog was elected Chairman by acclamation at the first meeting.<sup>31</sup> The Vice-Chairman for the Representatives of the Heads of State and Government would rotate with the Council Presidency: Paavo Nikula (for Finland, late 1999), Pedro Bacelar de Vasconcelos (Portugal, early 2000) and Guy Braibant (France, late 2000). Importantly, however, Guy Braibant

<sup>25</sup> The quotations are from Braibant, *La Charte des droits fondamentaux de l’Union européenne Témoignages et commentaires de Guy Braibant* (Seuil 2001), p.19. That chapter (pp.19-33) provides a useful introduction to the Convention’s operation.

<sup>26</sup> The mandate called it a ‘Body’. On the ‘*petit coup d’État*’ of the Body’s vote to change its own name, see Braibant, *ibid.*, pp.19-20.

<sup>27</sup> For a colourful description on the origin and status of the alternates, see Méndez de Vigo, *El rompecabezas. Así redactamos las Constitución Europea* (Biblioteca Nueva 2005), pp.60-61, 70.

<sup>28</sup> The various lists of Members throughout are in Chapter III.5.b. See further the pre-Charter jostling over membership (e.g. the European Parliament Resolution on the establishment of the Charter of Fundamental Rights of 16 September 1999, included in Chapter II.1, and the mandate’s requirements to receive views or hold hearings with various groups or bodies, including candidate states.

<sup>29</sup> See similarly de Búrca (fn8), pp.131-133. One member acerbically commented that ‘[a]ny law student’ could copy the ECHR, such that new rights were the Charter’s main added value: Meyer and Engels *The Charter of Fundamental Rights of the European Union and the Work of the Convention: A Collection of Documents* (2<sup>nd</sup> edn) (Bundestag 2002), p.382. See also Haenel, ‘L’élaboration d’une Charte des droits fondamentaux’ *Les Rapports du Sénat* no 395, 7 June 2000, pp.10f.

<sup>30</sup> Note that the Council Presidency had originally suggested all fifteen Head of State or Government representatives being in the Committee: Presidency Report, Council document 10539/99 (in Chapter III.1); Schönlaui in Eriksen *et al.* (fn6), pp.64-5; Deloche-Gaudez, ‘The Convention on a Charter of Fundamental Rights: A Method for the Future’, *Notre Europe, Research and Policy Paper No.15, November 2001*, pp.8-9

<sup>31</sup> CHARTE 4105/00.

negotiated his inclusion throughout 2000 in exchange for Bacelar de Vasconcelos having the same right.<sup>32</sup> The European Parliament delegation elected Iñigo Méndez de Vigo, an important member of the constitutionalising group of the Committee on Institutional Affairs<sup>33</sup> as its Vice-Chairman; the National Parliamentarians elected Finland's Gunnar Jansson. Together with Commissioner Vitorino, this group formed the drafting committee – later called the 'Bureau' and ultimately the 'Praesidium'.<sup>34</sup>

This Praesidium, whose influence is described below, was not monolithic. One point of note is that whilst Herzog was crucial in assuring the Praesidium's legitimacy and played an important role toward the beginning of the Convention, his involvement faded towards the end for personal reasons<sup>35</sup> even if he continued to intervene at certain points.<sup>36</sup>

The Council Secretariat was, under the mandate, to provide 'secretariat services' to the Convention in 'close contacts' with the secretariats of the European Parliament, Commission and, to the extent necessary, national Parliaments. In practice, Jean-Paul Jacqué, Director of the Council Legal Service from 1992 to 2008, headed a small network of civil servants from each of those administrations.

Third, the Body was required to meet in 'Brussels, alternately in the Council and the European Parliament buildings'. In practice, the vast majority of meetings took place in the European Parliament.<sup>37</sup> The cover picture of this collection gives a sense of the meetings, with the Praesidium occupying the elevated bank facing the others Convention members sat in the hemicycle.<sup>38</sup> According to the Tampere conclusions these meetings, like the documents submitted to the body, would '[i]n principle' be public.

### *Schematic division of the Convention into phases, and dynamics*

The Convention met eighteen times between 17 December 1999 and 2 October 2000. It can be roughly divided into three phases:

- 17 December 1999 – 4 May 2000: **Preparatory phase.** The Praesidium issued initial lists of rights from late January, developing into draft articles in February and March (civil and political rights) and March and April (citizen and economic

<sup>32</sup> Deloche-Gaudez (fn30), p.13. See also Méndez de Vigo (fn27), p.70, claiming that he (Méndez de Vigo) negotiated rights for the alternates in exchange for agreeing to this.

<sup>33</sup> Vauchez, *Brokering Europe: Euro-Lawyers and the Making of a Transnational Polity* (CUP 2015), pp.215-6.

<sup>34</sup> The Praesidium members were also assisted by between two and five others, Braibant being assisted by Jacqueline Duthéil de la Rochère (his alternative), Thierry-Xavier Girardot and Françoise Klein: Braibant (fn25), p.24.

<sup>35</sup> Deloche-Gaudez states he 'virtually ceased to attend' from June 2000: (fn42) p.11. Such minutes as we have reflect this – and see notably CHARTE 4957/00.

<sup>36</sup> Deloche-Gaudez (fn30) notes he helped mediate the great debate as to 'religious heritage' in the preamble in September (p.11). Compare Schönlaue (fn8) p.105 and Méndez de Vigo (fn27), pp.101-102.

<sup>37</sup> Compare Deloche-Gaudez (fn30), p.20, claiming that all of the meetings took place at the Parliament. In fact, 3 out of the 18 meetings of the Convention took place in the Council's premises, according to the agendas included in Chapter III.5.a of this compilation.

<sup>38</sup> For twenty further photographs, see [https://multimedia.europarl.europa.eu/en/search?tg=%22EU+Charter+of+Fundamental+Rights%22&f=19991217&t=20001002&sn=true&st=EPV\\_EDITED\\_VIDEOS-EPV\\_PHOTO-EPV\\_AUDIO-WS\\_VIDEO&cut=EPV\\_REPLAY-EPV\\_VIDEO\\_FOOTAGE&col=EPV\\_PHOTO&at=1](https://multimedia.europarl.europa.eu/en/search?tg=%22EU+Charter+of+Fundamental+Rights%22&f=19991217&t=20001002&sn=true&st=EPV_EDITED_VIDEOS-EPV_PHOTO-EPV_AUDIO-WS_VIDEO&cut=EPV_REPLAY-EPV_VIDEO_FOOTAGE&col=EPV_PHOTO&at=1) <accessed 12 November 2020>.

and social rights). Few written comments were submitted by members until late March and early April. The Praesidium consolidated its own power through procedural rules (including on representation and the right to speak) in March. The Convention accelerated drafting at the request of the European Council, despite opposition from many of its members. Debate at the meetings was relatively expansive, focussed particularly on the risk of divergence from the ECHR and other horizontal questions.

- 5 May – 31 July 2000: **Formal drafting phase.** The Praesidium presented formal drafts of all articles on 5 (civil and political) and 16 (economic, social and horizontal) May. A formal amendment procedure operated, with around 1,200 pages of amendments collected on 25 May and 16 June respectively. On 15 June, the Praesidium circulated the EGE's report on the 8 March draft of rights.<sup>39</sup> The Praesidium analysed the amendments and proposed certain adjustments on 4 and 23 June respectively. These were debated at several Convention meetings, culminating in the Praesidium issuing a complete draft Charter and Explanations on 28 and 31 July respectively.<sup>40</sup> The Explanations were. In this phase, meeting record-keeping started to fade; from June, Herzog's involvement declined due to personal reasons.
- 1 August – 2 October 2000: **Finalising phase.** Written amendments were deposited over the summer. Final adjustments were discussed at the 11-12 and 25 September meetings, mostly in the Convention's four separate 'components'. The Praesidium decided that consensus has been reached and that the draft should be submitted to the European Council. There was little overt dissent at the 26 September final substantive meeting, despite a considerable (unsuccessful) push for a reference to the European Social Charter in the Charter's horizontal provisions. The Explanations were occasionally used to incorporate compromises; in general, however, their content was not discussed and Convention members deprecated their importance.<sup>41</sup> The draft Charter was approved by the European Council at Biarritz (13-14 October). The Praesidium's record-keeping collapsed: there is no CHARTE record of any amendments deposited over summer<sup>42</sup> or of any meeting, save verbatim minutes from the 26 September and 2 October ones.

The dynamics at play in the Convention are still only partly-understood, particularly in relation to the core battles over constitutional points and economic and social rights. Existing studies suggest disproportionate influence of executive representatives, particularly those from large Member States, not least because of the Praesidium's

<sup>39</sup> The 'EGE' is the European Group on Ethics in Science and New Technologies. The Opinion was requested on 3 February 2000 by Commission President Prodi. See CHARTE 4370/00.

<sup>40</sup> See Méndez de Vigo (fn27), pp.98-9 stating this draft received an 'avalanche of criticism' publicly.

<sup>41</sup> On the use for compromises, see Jacqué in Peers (fn3), §§62.15-62.16. On resistance to the Explanations having any significance, see Bernsdorff and Borowsky (fn21), pp354-400; CHARTE 4958/00, pp.28, 47, and 49. See also Meyer and Engels (fn29), pp.478-9.

<sup>42</sup> However, these amendments are collected in an unpublished document included in this collection: see Document multilingue: OBSERVATIONS RECUES RELATIVES AU DOCUMENT CHARTE 4422/00 CONVENT 45 (un-numbered, dated 7 September 2000).

refusal to adopt a voting system<sup>43</sup>; an increasing move to diplomatic-style horse-trading by the end of the Convention<sup>44</sup>; the greater coordination of MEPs as compared with national Parliamentarians<sup>45</sup>; and the limited but not entirely absent effect of NGO pressure.<sup>46</sup>

One point has been repeatedly highlighted by the existing literature: the degree to which the Praesidium, and to some extent the Secretariat, wielded significant power and influence as to both procedure and substance.<sup>47</sup> This partly arose from the Tampere mandate, which gave the Chairperson the power to propose (though not determine) the work plan, required the drafting committee to draft the first version of the Charter and determined the Charter should be transmitted to the European Council once the Chairperson, in cooperation with the Vice-Chairpersons, deemed that ‘all the parties’ could subscribe to it. One might observe, for instance, that the first Praesidium draft drew heavily on the European Parliament’s 1989 Declaration on Fundamental Rights – a Declaration drafted in part by Professor Jean-Paul Jacqué, later head of the Convention’s Secretariat.<sup>48</sup>

Beyond this, however, the Praesidium appears to have acted decisively in consolidating its power. It established a monopoly on drafting proposals, restricted speaking time and repeatedly postponed consideration of members’ specific proposed amendments.<sup>49</sup> It controlled information flows. It declined to permit votes on particular articles, drafts or amendments, instead judging itself whether particular rights should be incorporated into its drafts and when consensus was reached. Further, no objective criteria were offered as to when a proposal for amendment should lead to an adjustment of the draft.<sup>50</sup> As Deloche-Gaudez notes, the Praesidium and the Secretariat ‘became two strategic centres where decisions to keep or discard the various draft articles were taken’.<sup>51</sup>

<sup>43</sup> Deloche-Gaudez (fn30), p.28; Schönlau (fn8), p.150; see also Voggenhuber cited in Schönlau in Eriksen *et al.* (fn6), p.127, and Loncle ‘Vers une Charte des droits fondamentaux de l’Union européenne’ Les Documents d’Information de l’Assemblée Nationale 16/2000; Loncle, ‘La Charte des droits fondamentaux de l’Union européenne’, Les Documents d’Information de l’Assemblée Nationale 59/2000. See further Méndez de Vigo (fn27), p.91 claiming he established an informal dinner group consisting of certain Praesidium members and key Head of State and Government Representatives; and cf. p.103 stating that the Praesidium blocked a last-minute British attempt to force final changes.

<sup>44</sup> Schönlau in Eriksen *et al.* (fn6), pp.112f.

<sup>45</sup> Schönlau (fn8), pp.115f and Deloche-Gaudez (fn30), pp.20-1; House of Lords Select Committee on European Union, Eighth Report of Session 1999-2000 (16 May 2000), §35. National Parliamentarians did hold pre-meetings and seek to co-ordinate themselves: e.g. Meyer and Engels (fn29), pp.327-8.

<sup>46</sup> Schönlau (fn8), pp.153-4; De Schutter, ‘Civil Society in the Constitution for Europe’ in Castiglione *et al.* (fn9), esp. p.147; and Braibant’s revealing remarks in CHARTE 4959/00, p.15. Cf. Deloche-Gaudez (fn30), p.30 and Méndez de Vigo (fn27), pp.107-8.

<sup>47</sup> Deloche-Gaudez (fn30), pp.13, 29 (Praesidium and Secretariat); De Búrca (fn8), p.134 (Secretariat, focussing on the role of JP Jacqué); Maduro in Eriksen *et al.* (fn6), pp.205f (Praesidium and Secretariat) Schönlau (fn8), p.111 and (2007), pp.97ff (on Praesidium, especially Chair); Liisberg (fn6), p.1182; De Schutter in Castiglione *et al.* (fn9), p.147 (Secretariat); Bellamy (fn8), pp.150f (Praesidium). Braibant, himself a member of the Praesidium, admits to an ‘inequality’ between Praesidium and other members and suggests a future Convention should remedy this: Braibant (fn25), pp.24-5.

<sup>48</sup> PE 127.111/fin p.3; CHARTE 4111/00 and 4112/00.

<sup>49</sup> CHARTE 4134/00, 4154/00 and 4212/00, point 3. See also, at the 26 September 2000 meeting, CHARTE 4958/00 per Jansson (p.7) and strong criticism by Martin (pp.26-7) and O’Kennedy (pp.42-3).

<sup>50</sup> See Bernsdorff and Borowsky (fn21), pp.280-309. Their minutes of 28-30 June 2000 meeting records the concerns of certain delegates as to the Praesidium not disclosing its criteria for assessing proposed amendments.

<sup>51</sup> Deloche-Gaudez (fn30), p.29.

Come September, it interpreted its obligation to find consensus between ‘the parties’ as requiring each of the four ‘components’ to agree, rather than all 62 members.<sup>52</sup>

These dynamics are important not merely for understanding the Charter itself, but also for understanding the value of these *travaux préparatoires* in reaching such an understanding. For instance, Liisberg argued that the apparent openness of the Convention as compared to traditional Treaty-making was illusory: it ‘may also enhance and disguise the power of the draftsmen who lurk behind the piles of drafts and amendments, and may thus paradoxically produce less, rather than more, accountability and transparency.’<sup>53</sup> Viewed from that perspective, the present collection provides limited direct evidence of the inner workings of a crucial locus of decision-making, the Praesidium.

Nevertheless, we hope and trust that it provides enough direct evidence of the Convention’s workings, as well as indirect evidence of the Praesidium’s own workings, to enable light to be cast on the processes at work. Further, Liisberg’s view is not universally shared: we noted above Schönlaui’s claim that the Charter was a uniquely open and deliberative exchange (text to fn6), and Deloche-Gaudez cautioned that the Praesidium’s power ‘should not be exaggerated’, notably given that the later Convention drafts ‘naturally took into account the positions expressed within the Convention and the presidium’.<sup>54</sup> This collection should help scholars critically to assess these competing claims. It will moreover provide a foundation for further primary research – notably through the chronology provided below – that might unpick the Presidency itself and the role of other unsung actors, particularly national governments.

For practitioners, tracing the evolution of a particular right or structural feature (e.g. the rights/principles distinction, or the limitation clause) through the major Praesidium-issued drafts, amendment rounds and meeting discussions will illuminate the intention and thought behind them – or indeed, just as usefully, the *absence* of such intention or thought, implying that the Convention deliberately left the point open for the Court to decide. Our impression is that this ‘incomplete contracting’ is particularly evident in the overall ‘shapelessness’ of the Charter, a difficulty that continues to trouble the case-law today.<sup>55</sup>

In this way, this collection can enable scholars and practitioners to elucidate further the legal, historical and political processes that drove the evolution of the Charter.

<sup>52</sup> Schönlaui in Eriksen *et al* (fn6), p.126. See, tellingly, Jacqué in Peers (fn3) §62.16.

<sup>53</sup> Liisberg (fn6), p.1182.

<sup>54</sup> Deloche-Gaudez (fn30), p.29.

<sup>55</sup> In particular, the Charter has a single general limitation clause; a proposal to list the absolute rights was dropped (CHARTRE 4235/00); it provides little guidance on the boundary of the ‘essence’ of any right; nor, famously, does it provide guidance on the rights/principles distinction, perhaps unsurprisingly given that this distinction appeared faintly if at all in the 2000 Charter.

## Guide to this compilation

*The core collection: the Charter travaux préparatoires (Chapter III)*

The heart of this collection is the Council's CHARTE series of documents, comprising approximately 5,300 pages of documents from the Charter Convention including meeting records, drafts, proposed amendments, contributions from Convention Members and contributions from others, primarily NGOs. We have supplemented this with a number of other documents detailed below. The following editorial points are pertinent:

- **Arrangement.** Council Note 6933/15, partly following the CHARTE documents' internal sub-classification<sup>56</sup>, divides the documents into Outcomes (that is, meeting minutes of, both, the Convention's plenary and its Praesidium), Drafts (including compiled amendments) and Contributions (including Convention members and NGOs' amendments and contributions). In practice there is some fluidity between these categories, in particular, as regards the amendments submitted by the Convention's members. We have opted for the following arrangement:
  - 1. The Charter Convention's mandate
  - 2. Meeting records
  - 3. Drafts, and members' amendments and contributions
  - 4. NGOs and others' amendments and contributions
  - 5. Miscellaneous documents: member lists, agendas and work plans, and European Parliament delegation documents

In doing this, we are not taking a position on the degree of influence of NGO and others on the Convention. We rather seek to separate the 'internal' written debate from the 'external' one. This avoids Convention members' amendments and proposals being split between two categories, as in the Council Note's classification (where they appear in both Drafts and Contributions). This division has still led to some arbitrary choices: for instance, where a contribution is *drafted* by an external body but *submitted* by a member, we have classified it as internal.<sup>57</sup>

- **Document order:**
  - CHARTE documents are ordered by their document number. This occasionally leads to documents being out of date order.<sup>58</sup> However, we judged that following the official numbering was better than seeking to reconstruct the date on which documents were in fact circulated. This is particularly so given that (i) we generally include the English version of documents, as explained below, which often post-date the original (typically)

<sup>56</sup> The CHARTE series was sub-divided into BODY or CONVENT (the latter being used from 1-2 February, when the 'Body' re-named itself 'Convention': see CHARTE 4134/00) on the one hand, and CONTRIB on the other.

<sup>57</sup> E.g. CHARTE 4150/00.

<sup>58</sup> E.g. CHARTE 4182/00 (cf. CHARTE 4183/00 – 4188/00).

French version<sup>59</sup>, and (ii) non-CHARTÉ primary sources suggest that the documents' official dates do not necessarily correspond to the date they were in fact circulated.<sup>60</sup>

- Non-CHARTÉ documents are generally ordered by date.<sup>61</sup> Where there is a mixture of CHARTÉ and non-CHARTÉ documents, we have included the non-CHARTÉ document at the appropriate place based on the dates of the CHARTÉ documents.
- Where multiple versions of a document exist (e.g. a correction (COR), addendum (ADD) or revision (REV) was issued), we typically include the initial (INIT) version followed by those documents. See further the point below concerning duplicates.
- **Languages.** We have preferred the English version of documents where one is available given that this is the most widely-spoken (second) language in Europe, even though many documents were originally drafted in French. Where no English version is available, we have included the French version. For some documents (primarily NGO submissions) neither a French nor an English version is available, in which case we have included the original (German, Spanish and Italian). Finally, a few documents include a mixture of languages, including verbatim minutes from meetings.<sup>62</sup>
- **Duplicates.** First, we have excluded the majority of documents CHARTÉ 4358/00 and 4359/00, which were originally 550 pages long in total. These were prepared for the hearing of NGOs on 27 April 2000 and included a collection of the submissions of the presenting NGOs (all of which are CHARTÉ documents and so included elsewhere in the collection). We have included only the opening pages of these documents (which list the NGOs, the time they were to speak, and the document reference of their submission). Second, some documents are identical or nearly identical to others: for instance, some ADD versions simply include a further translation, and some REV versions simply include formatting or very minor changes. Where we are confident that they are identical or that there is a very minor change, we have excluded the duplicate and where relevant included a footnote highlighting the difference (in form of an additional page that precedes the document).<sup>63</sup> In cases of doubt, we have included the duplicate.

<sup>59</sup> Note that the *official* translated version of a document at times has a different date than its *original*. Where this is so, the document will have the original's date, with the date of the translation appearing in brackets: see, for instance, CHARTÉ 4135/00. Occasionally, the translation was circulated as an ADD rather than an INIT version (see below), in which case it only includes the translation's date. Where we have included an ADD translation but not the INIT original version, we add a footnote which states the date of the original.

<sup>60</sup> E.g. CHARTÉ 4112/00 was dated 26 January 2000 but, according to Meyer's contemporary account, only circulated on the day of the meeting on 1 February (Meyer and Engels, (fn29), p.325). Similarly, CHARTÉ 4332/00 is dated 25 May 2000 (English translation 31 May 2000), but according to Meyer only circulated on the eve of the 5 June 2000 Meeting (Meyer (fn29), p.386). See further Bernsdorff and Borowsky (fn21).

<sup>61</sup> Occasionally, logic or flow required a different approach. For instance, where we include verbatim minutes from the 2002-2003 Convention, we have included these after the relevant summary report (e.g. CONV 378/02 and the minutes that follow).

<sup>62</sup> E.g. CHARTÉ 4218/00.

<sup>63</sup> See also fn59 above re dates of translated documents.

*Gaps in the record*

Whilst the majority of the official Charter *travaux* can be found in the CHARTE series, that series is neither exhaustive nor even. This is particularly so for meetings of the Praesidium and the broader Convention from May onwards (see the chronology included in the next section). Official verbatim minutes exist for only three meetings<sup>64</sup>, and after the detailed minutes from the initial 17 December 1999 meeting<sup>65</sup>, minutes become increasingly Delphic or simply non-existent. There is no official record of many of the crucial Praesidium meetings, nor for instance of the crunch 11-12 September 2000 meeting where final compromises were struck in the four components. Nor does the CHARTE record include, for instance, the last amendments deposited over summer to the July drafts of the Charter and Explanations.<sup>66</sup>

Where possible, we have complemented these documents with other official records. For instance:

- We have included Council documents which reveal the evolution and final versions of the mandates (Cologne and Tampere) that governed the Convention;
- We have included various other Council documents which were part of the Convention's *travaux* (such as proposals<sup>67</sup>, member lists<sup>68</sup> and agendas and work plans<sup>69</sup>) or which cast light on the same (such as reports by the Council Presidency<sup>70</sup> and press releases on the Convention<sup>71</sup>).
- We have also included the summer amendments<sup>72</sup> and the documents published by the European Parliament delegation.<sup>73</sup>

However, gaps remain even in this augmented collection. We recommend the following sources as starting points for further research:

- **Meeting records:**
  - Recordings of the 17 December 1999 and 1-2 February 2000 meetings exist in the European Parliamentary archives. Other recordings or records of the meetings may exist elsewhere: in particular, the meetings appear to have been broadcast by some TV channels. Further research to locate these would be valuable.

<sup>64</sup> CHARTE 4218/00, 4958/00 and 4959/00.

<sup>65</sup> CHARTE 4105/00.

<sup>66</sup> CHARTE 4422/00 and 4423/00.

<sup>67</sup> E.g. SN 3340/00.

<sup>68</sup> Generally Chapter III.5.a.

<sup>69</sup> Generally Chapter III.5.b.

<sup>70</sup> E.g. SN 1524/00.

<sup>71</sup> Generally Chapter III.5.d.

<sup>72</sup> Document multilingue (fn42).

<sup>73</sup> Generally Chapter III.5.c.



- Meyer and Engels' 2002 collection<sup>74</sup> includes Professor Meyer's own reports (as a Convention Member) to the Bundestag. Unlike the CHARTE collection, they are systematic (in the sense of including a relatively even level of detail about each meeting) and include many interesting or colourful insights, particularly into Professor Meyer's own perceptions.
  - Bernsdorff and Borowsky's *Die Charta der Grundrechte der Europäischen Union – Handreichungen und Sitzungsprotokolle*.<sup>75</sup> This includes systematic minutes from all Convention meetings, as well as all meetings of the national parliamentary delegation. This is a useful resource that appears relatively impartial, although German interventions appear to be portrayed more exhaustively than others'. The collection is only available in German.
- **Other sources:**
    - *Agence Europe's Bulletin Quotidien Europe* included frequent reports on the Convention meetings and developments.<sup>76</sup> Other press reports from 1999-2000 may contain further insights.
    - A number of Convention members spoke or wrote publicly about the Convention at the time.<sup>77</sup>
    - A number of national and European parliamentary reports were published at the time, typically drafted by or incorporating evidence from Convention members.<sup>78</sup>
    - Existing secondary literature, including by authors who attended or even assisted a member at the Convention, provides numerous insights.<sup>79</sup>
    - Many members of the Convention and its Secretariat (and indeed of NGOs and other organisations who sought to influence the Convention) are still alive, so oral history may prove fruitful.

<sup>74</sup> See fn29 above. The original German version is Deutscher Bundestag, *Die Charta der Grundrechte der Europäischen Union Berichte und Dokumentation mit einer Einleitung von Jürgen Meyer und Markus Engels* (VS Verlag für Sozialwissenschaften 2001).

<sup>75</sup> See Bernsdorff and Borowsky (fn21).

<sup>76</sup> Agence Europe, *Bulletin Quotidien Europe*, available at <https://agenceurope.eu/fr/bulletin/recent/page/1> (accessed 2 November 2020). These are also available in the Historical Archives of the EU: <https://archives.cui.eu/en/fonds/434291?item=AGE-68> <accessed 2 December 2020>.

<sup>77</sup> E.g. La Documentation française, *Vers une Charte des droits fondamentaux de l'Union européenne* (Regards sur l'actualité no. 264, August 2000), Feus (ed), *The EU Charter of Fundamental Rights: Text and Commentaries* (Federal Trust Series 2000) (containing several chapters from members); Vitorino, 'La Charte des droits fondamentaux de l'Union européenne' (2001) 1 *Revue du droit de l'Union européenne* 27; Goldsmith, 'A Charter of Rights, Freedoms and Principles' (2001) 38 *CMLRev* 1201; Kaufmann (Hrsg.): *Grundrechtecharta der Europäischen Union: Mitglieder und Beobachter des Konvents berichten* (Europa Union Verlag 2001); Braibant (fn25); and Méndez de Vigo (fn27). Meyer and Engels (fn29) also includes Meyer and Engels' (the latter attended the Convention on behalf of a Bundestag Secretariat, though not as a Member) description of the drafting process and resulting Charter.

<sup>78</sup> To highlight only a few: at the national level, see the two reports by Loncle in (fn44); Haenel (fn29); and HL *Eighth Report* (fn45). At the European level, see e.g. Duff and Voggehuber, *Document de travail sur l'élaboration d'une charte des droits fondamentaux de l'Union européenne* PE 232.397, 7 December 1999, and various Parliamentary Assembly reports (e.g. CHARTE 4499/00).

<sup>79</sup> Particularly the work by Schönlaue (above, fn8) and Deloche-Gaudez (fn30).

*Selected other documents: the final versions of the Charter (Chapter I), key pre-Convention documents (Chapter II) and key post-Convention documents (Chapter IV)*

Finally, the Charter's drafting cannot be understood solely through the records of the Charter Convention. The Convention's existence and the choices made by its Members were influenced by the historical roots of rights protection within the EU and earlier proposed EU catalogues of rights. Indeed, the debate on a catalogue of fundamental rights on the EU-level had been waxing and waning at regular intervals for over 30 years before 1999. Moreover, the conversion of the Charter from a soft law into a binding instrument of EU law involved adjustments to the text of the Charter (particularly its 'horizontal' provisions (arts 51-54)), amendments to and elevation of its Explanations, and careful drafting of various related primary law provisions on the Charter's status, EU values and rights, and accession to the European Convention on Human Rights (ECHR). To take one striking example, the rights/principles distinction is a faint echo in the 2000 version of the Charter; by 2004, it was amplified into a structural feature.

Given this, we have sought to select and include the essential documents which cast light on the roots and post-2000 evolution of the Charter. In particular:

- In **Chapter I** we have included the **final versions** of the Charter (in 2000, 2004 and 2007) and, where relevant, its Explanations and pertinent primary law provisions.
- In **Chapter II** we have included **pre-Convention documents**. We have tried to trace the origins of the idea of an EU fundamental rights catalogue and the different possibilities for such a catalogue proposed in the lead-up to the Convention. By primary source and literature research, we have identified *four* major groups of documents:
  - 1. *The First Path – Institutional Resolutions, Calls and Drafts in relation to a Charter of Rights*: This section traces the idea of a catalogue of fundamental rights on a political level by focusing on European Parliament resolutions in relation to such a catalogue, reports on the protection of fundamental rights in Europe commissioned or supported by the Commission and,<sup>80</sup> finally, the role of the German Council Presidency in 1999 in ultimately establishing a Convention.
  - 2. *The Second Path – Accession to the European Convention on Human Rights*: Accession to the ECHR has been repeatedly proposed as complementary, or even an alternative, to a fundamental rights catalogue. It was the second possible pathway whose construction is traced until its premature end (until its post-Charter Convention revival) with the Court of Justice's *Opinion 2/94*.<sup>81</sup>

<sup>80</sup> The following reports in the 1990s were particularly important: Comité des Sages, *For a Europe of Civic and Social Rights ('Pintasilgo Report')* (European Commission 1996); a research project at the European University Institute which led to European University Institute, *Leading by example: a human rights agenda for the European Union for the year 2000* (European University Institute 1998) and Alston (ed), *The EU and Human Rights* (OUP 1999); and Expert Group on Fundamental Rights, *Affirming fundamental rights in the European Union: Time to act* (European Commission 1999).

<sup>81</sup> *Opinion 2/94 Adhésion de la Communauté à la CEDH*, ECLI:EU:C:1996:140.

- 3. *The Judicial Origins of the Charter of Fundamental Rights*: This section includes the foundational decisions of the Court of Justice concerning protection of fundamental rights in the EU legal order as they, for a long time, replaced a catalogue. Whilst several foundational national judgments could also be included<sup>82</sup>, we include only the *Solange I* judgment of the Bundesverfassungsgericht as the first judgment to propose a catalogue of fundamental rights for the (then) Community.
- 4. *Fundamental Rights in the Treaties, from the Single European Act to Amsterdam (1986 – 1997)*: Since the Single European Act (and its preamble), the protection of fundamental rights in the EU treaties has been progressively strengthened. This process is traced until the Amsterdam Treaty immediately preceding the Charter through selected and relevant excerpts of the Treaties.
- In addition, we have included in an annex to this Chapter an indicative index of other relevant pre-Charter documents.<sup>83</sup>
- In respect of **post-Convention documents**, we have included relevant documents from the drafting of the Constitutional Treaty (in particular the 2002-2003 Convention and the 2004 Inter-Governmental Conferences that followed<sup>84</sup>) and the Lisbon Treaty.<sup>85</sup> We have also included three documents relating to the withdrawn proposal for a Czech protocol.<sup>86</sup> In this respect:
  - The majority of changes and additions were made during the Constitutional Treaty drafting. We have included all of the documents of Working Group II of the 2002-2003 Convention (the Working Group charged with the Charter and with Accession) and other relevant documents from the Convention (including, in particular, verbatim minutes from the Plenary sessions focused on Working Group II's report and on what became arts. 2 and 6 TEU). This section is structured similarly to **Chapter III** (Mandate, Meeting records, Drafts, etc.)
  - In selecting documents, we have included adjustments to the Charter's text and its Explanations; the drafting of what became art.6 TEU, including as to ECHR accession; the drafting of the various protocols and Declarations

<sup>82</sup> See notably Phelan (fn2).

<sup>83</sup> This index generally includes final versions of such documents only. Naturally, many of these final documents will in turn have their own *travaux préparatoires* which would reveal still further depth. Take, for instance, the 1984 Draft Treaty establishing the European Union (Spinelli Report). Its initial report proposed including a list of fundamental rights to give the Union 'its public image' (Document 1-575/83/B, p.8; see also PE 81.387, p.6), and its working documents included initial drafts of such a list (PE 80.746 and PE 80.746/rev). Yet this proposal was only included in the report's explanatory statement; the main text, resulting 1983 Resolution and subsequent preliminary draft of the Treaty included no reference to such a list (Document 1-575/83/A, p.7; 1983 OJ C277/95; PE 87.000, p.8). The final report took a third way, requiring that the Union amend the Treaty with a 'declaration on fundamental rights' within five years (Document 1-1200/83/A, p.10, and similarly the adopted Resolution, pp.301-2 below, art.4(3)). The rapporteur for this part of the Report, Karel De Gucht, was later the general rapporteur for and a key author of the 1989 Declaration (see p.702 below). We are particularly grateful to the Historical Archives of the European Parliament for providing these documents exceptionally expeditiously.

<sup>84</sup> Chapter IV.1. On this process, see generally Deloche-Gaudez, "La Convention européenne sur l'avenir de l'Europe: Ruptures et continuités" in Amato *et al* (fn11). On the IGC that followed, see McDonagh, "The Intergovernmental Conference: How the Deal was Done" in the same volume.

<sup>85</sup> Chapter IV.2.

<sup>86</sup> Chapter IV.2.c.

that tweak or clarify the Charter's effect or nature of accession (what are now Declarations 1, 2, 53, 61 and 6, and Protocols 8, 30 and 38)<sup>87</sup>; and the drafting of art.2 TEU, which includes text concerning the rights of minorities that had been deliberately excluded from the Charter.<sup>88</sup>

- We have not purported to be exhaustive. In particular we have not included other references to fundamental rights (e.g. what are now art.67(1) TFEU, Declaration 25 or Protocol 24); the drafting of what is now art.218(6)(a) (ii) TFEU (requiring European Parliamentary consent for accession to the ECHR); the extended debate about widening the CJEU's jurisdiction or standing requirements, including by giving it a stand-alone '*amparo*' power to review fundamental rights violations<sup>89</sup>; or other documents related to these subjects but not to the drafting of the CFR or primary law themselves (such as subsequent case-law<sup>90</sup> or the EU-ECHR negotiation documents<sup>91</sup>).
- For a number of these selected documents, we have only included the relevant extracts. This was the case where the document was long (over approximately 10 pages) and only part of it was relevant. This is marked in the Table of Contents by '[Extracts]'.

We hope that this introduction, along with the Convention chronology that follows below, help the reader to begin the great task that lays before us all: excavating the Charter's *travaux préparatoires*.

*Niall Coghlan*

*Marc Steiert*

Florence, December 2020

<sup>87</sup> See Chapter I.3.

<sup>88</sup> We are very grateful to Dr Clemens Ladenburger for drawing our attention to this point and to the relevance of Protocol 38 (on the concerns of the Irish people).

<sup>89</sup> See for instance the following documents from the 2002-2003 Convention: Cercle 1, WD 01 p.4; WD 3; CONV 189/02; CONV 572/03; CONV 619/03; CONV 636/03; CONV 734/02, p.20; CONV 748/03, p.9. These are available online: <<http://european-convention.europa.eu>> accessed 30 October 2020.

<sup>90</sup> Including the continuation of the 'Judicial origins' described above in respect of pre-Charter Convention documents, namely the continued protection of fundamental rights as general principles of EU law. See art. 6(3) TEU and Peers *et al.* (fn3), §55.89.

<sup>91</sup> See e.g. Council Note 12349/19, and see also 12837/19, p.11.

# Convention Chronology

## A quick guide to the Chronology of the Convention

The following chronology provides the reader with an overview on the Convention as a process that led to the adoption of the Charter of Fundamental Rights of the European Union. It seeks to chronologically distinguish the various steps in the drafting process and, most importantly, to link the debates in the Convention to the different proposals for the included rights and, eventually, the final Charter. It thus puts the documents contained in this collection into their context. The chronology further helps trace the decision-making on the content of the Charter as a process that emerged through the Convention's plenary itself, but also through the meetings of the various delegations.

To help the reader gain a quick grasp of the essential documents, three shorter chronologies are also provided focused exclusively on the drafts, Convention and Praesidium meetings. They follow the same format as the main chronology, outlined here below.

To ease the reading of the chronology, the following will provide a short guide:

- **Praesidium meeting (Brackets: other events):**
  - This column provides an overview of the dates of the meetings of the Praesidium. Many drafts evolved after these meetings as the Praesidium decided upon the drafts. If the date is in (brackets), it indicates another important event on the Charter's drafting, such as for instance the European Parliament's Resolution on the Charter of 16 March 2000.
  - Further, Praesidium meetings are emphasised by an **orange background** of the relevant row.
- **Full Convention meeting ('Convention'):**
  - This column indicates the dates of the meetings of the Convention. The column indicates whether the Convention was to meet as 'plenary' or as 'Working Group (WG)'. Slight procedural differences among these working arrangements exist (e.g. on the right to speak of alternates), however, the Convention always met with all (available) delegates present.
  - Further, Convention meetings are emphasised by a **blue background** of the row.

- **Representatives of the Heads of State and Government ('HOSG') – Meeting:**
  - This column provides the dates of the meetings of the representatives of the Heads of State and Government.
- **Representatives of the National Parliaments ('NP') – Meeting:**
  - This column provides the dates of the meetings of the representatives of national Parliaments.
- **Representatives of the European Parliament ('EP') – Meeting:**
  - This column provides the dates of the meetings of the representatives of the European Parliament.
- **Draft or amendments ('Draft'):**
  - This column indicates the dates on which a specific draft or the collected amendments by the delegates were published. The relevant document is to be found under 'Document Reference'.
  - Further, drafts are emphasised by a **pink background** of the row.
- **Document Reference ('Reference') (CHARTE unless specified):**
  - This column refers either to the minutes of a Praesidium/delegation/Convention meeting or to drafts and amendments.
- **Agenda:**
  - This column refers to the document setting out the agenda for a given meeting.
- **Substance/Comments ('Comments'):**
  - First, this column indicates the form of meeting referred to in the given row. More importantly, it provides substantive comments on the discussions and the various drafts that should help the reader to situate the state of the drafting process in its (time) context.

# 1. Full Chronology of the Charter Convention

Praesidium meeting (Brackets: other events)	Full Convention meeting ('Convention')	Representatives of the Heads of State and Government ('HOSG') - Meeting	Representatives of the National Parliaments ('NP') - Meeting	Representatives of the European Parliament ('EP') - Meeting	Draft or amendments ('Draft')	Document Reference ('Reference') (CHARTE unless specified)	Agenda	Substance/ Comments ('Comments')
				24 November (1999)		PE 168.636	DE/OJ/001	<b>1<sup>st</sup> EP Group Meeting.</b> Election of the Delegation's chair.
				14 December (1999)		PE 168.656	PE 168.628	<b>2<sup>nd</sup> EP Group Meeting.</b> Discussion on the working methods of the Convention.
			17 December (1999)			No record		<b>1<sup>st</sup> NP Group Meeting.</b> Election of the Delegation's chair, discussion on the Convention's working methods and its name. <sup>1</sup>
	17 December (1999) – (Plenary)					4105/00		<b>1<sup>st</sup> Convention Meeting.</b> Election of the chairman Roman Herzog, Discussion on working methods and name of the Convention.
				8 January		PE 288.132		<b>3<sup>rd</sup> EP Group Meeting.</b> Chairman report on the meeting of the drafting committee on 17 January
17 January						4107/00		<b>1<sup>st</sup> Praesidium Meeting.</b> Renamed 'Praesidium'. Rules, 'Convention' name discussed, Timetable.
					20 January	4111/00		Note on Horizontal questions by the Secretariat.
				26 January		PE 288.134	PE 288.131	<b>4<sup>th</sup> EP Group Meeting.</b> Exchange of views about Convention meeting on 1 and 2 February.

<sup>1</sup> Norbert Bernsdorff and Martin Borowsky, *Die Charta der Grundrechte der Europäischen Union Handreichungen und Sitzungsprotokolle* (Nomos, Baden-Baden 2002), pp.107-124.

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
					26 January	4112/00		First list of rights.
					27 January	4112/2/00 REV 2		Same list grouped. <sup>2</sup>
1 February						No record		<b>2<sup>nd</sup> Praesidium Meeting.</b> No record. <sup>3</sup>
			1 February			No record		<b>2<sup>nd</sup> NP Group Meeting.</b> Discussion on working methods of the Convention. <sup>4</sup>
	1-2 February (Plenary)					4134/00	SN 1169/00	<b>2<sup>nd</sup> Convention Meeting.</b> Approves Praesidium's 17 January proposals on working methods. Important debate on the nature of the rights proposed in the draft list. Additional rights proposed. Lord Goldsmith proposes Charter structure in 2 parts. <sup>5</sup>
				15 February		PE 288.590	PE 288.130	<b>5<sup>th</sup> EP Group Meeting.</b>
					15 February	4123/1/00 REV 1		Draft articles 1-9 (civil and political rights) and horizontal clauses.
					24 February	4137/00		Draft articles 10-19 (civil and political rights).
		24 February				No record	SN 1538/00	<b>1<sup>st</sup> HOSG Group Meeting.</b> No record.
			24 February			No record	SN 1538/00	<b>3<sup>rd</sup> NP Group Meeting.</b> Discussion on CHARTE 4123/1/00 REV 1. <sup>6</sup>
24 February						No record	SN 1538/00	<b>3<sup>rd</sup> Praesidium Meeting.</b> No record.

<sup>2</sup> It seems these initial lists were only circulated at the 1-2 February meeting itself: Jürgen Meyer and Markus Engels, *The Charter of Fundamental Rights of the European Union and the Work of the Convention: A Collection of Documents* (2<sup>nd</sup> edn) (Bundestag 2002), p.325.

<sup>3</sup> Bernsdorff and Borowsky (fn1), p.125.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid., pp.124-133.

<sup>6</sup> Ibid., p.134.



Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
	24-25 February (Working Group – ‘WG’) <sup>7</sup>					4147/00	SN 1538/00	<b>3<sup>rd</sup> Convention Meeting.</b> Focus on 15 February draft CHARTE 4123/1/00 REV 1. Focus on relation to ECHR and structure. <sup>8</sup>
					28 February	4140/00		Comparative table for articles 8-19 and ECHR, requested by WG.
					28 February	4141/00		Herzog proposes wording for articles 1-9 and structure in six chapters.
2 March						4148/00		<b>4<sup>th</sup> Praesidium Meeting.</b> <sup>9</sup> Hearing certain NGO representatives and setting working methods.
	2-3 March (WG) <sup>10</sup>					4154/00	SN 1745/00	<b>4<sup>th</sup> Convention Meeting.</b> Approves Praesidium’s working methods. Working on 15, 24 & 28 Feb drafts.
7 March						4210/00		<b>5<sup>th</sup> Praesidium Meeting.</b> In Paris with French Minister of European Affairs. Not all Praesidium members present.
					8 March	4149/00		New drafts articles 1-12 (now 1-16).
				14 March		PE 288.595		<b>6<sup>th</sup> EP Group Meeting.</b> Report of Praesidium meeting in Paris, call to provide Charter already one month earlier than foreseen for Biarritz European Council (EUCO), Announcement of 27 April NGO hearing by Convention.
16 March						4199/00		EP Resolution on Charter’s content.
					17 March	4156/00		Deadline for amendments to 8 March draft. Proposals will not be voted.

<sup>7</sup> The only difference between working groups and plenaries was that alternatives had the right to speak at the former even where their corresponding full member was present: see CHARTE 4134/00.

<sup>8</sup> Bernsdorff and Borowsky (fn1), pp.134-148.

<sup>9</sup> This is its title. There is no record of any second Praesidium meeting.

<sup>10</sup> Meyer and Engels (fn2) record this as having occurred on 2-3 March: p.335.

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
			20 March			No record	SN 1949/00	<b>4<sup>th</sup> NP Group Meeting.</b> Comparison of the national standpoints of the various Parliaments on the future Charter. <sup>11</sup>
		20 March				No record	SN 1949/00	<b>2<sup>nd</sup> HOSG Group Meeting.</b> No record.
20 March						4211/00	SN 1949/00	<b>6<sup>th</sup> Praesidium Meeting.</b> Méndez de Vigo chairing. Reviewing civil and political rights, including 8 March draft.
					20 March	4170/00		Draft citizens' rights.
	20-21 March (Plenary)					4218/00 ( <i>verbatim note</i> )	SN 1949/00	<b>5<sup>th</sup> Convention Meeting.</b> Méndez de Vigo and Jansson chairing. Reviewing articles 1-15 of 8 March draft. Initial strong resistance to procedure.
27 March						4209/00	SN 2057/00	<b>7<sup>th</sup> Praesidium Meeting.</b> Agreement on economic and social rights.
					27 March	4192/00		Draft economic and social rights part I.
	27-28 March (WG)					4208/00	SN 2057/00	<b>6<sup>th</sup> Convention Meeting.</b> Méndez de Vigo Chairing. <sup>12</sup> 24 Feb, 20 Mar drafts analysed. Protest about EUCO-demanded acceleration to work (draft for June EUCO meeting).
					29 March	4193/00		Draft economic and social rights part II.
		April 2000				No record		<b>3<sup>rd</sup> HOSG Meeting.</b> No record. Held in Lisbon. <sup>13</sup>
	3-4 April (WG)					4304/00	SN 2195/00	<b>7<sup>th</sup> Convention meeting.</b> 8 articles of 27 and 29 March drafts reviewed. Controversy on the Charter's bindingness.

<sup>11</sup> Bernsdorff and Borowsky (fn1), p.163.

<sup>12</sup> See CHARTE 4209/00.

<sup>13</sup> Guy Braibant, *La Charte des droits fondamentaux de l'Union Européenne – Témoignage et commentaires de Guy Braibant*, (Paris : Editions du Seuil, 2001), p.26. Braibant remarks that « les représentants des exécutifs ont tenu en **avril à Lisbonne** et en **juillet à Paris** deux réunions importantes qui ont permis de dissiper des malentendus, de mesurer les divergences et d'essayer de les réduire, enfin de préparer les compromis nécessaires pour aboutir à un texte commun. » (emphasis added).

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
				11 April		PE 290.393	PE 288.597	<b>7<sup>th</sup> EP Group Meeting.</b> The delegation's chair Méndez de Vigo outlines work programme.
17 April						4305/00		<b>8<sup>th</sup> Praesidium Meeting.</b> Observers of the Council of Europe spoke. Economic, social and horizontal drafts reviewed.
					17 April	4227/00		Draft economic and social rights part III.
					18 April	4235/00		Horizontal clauses.
	27 April					4358/00, 4359/00	SN 2536/00	Hearing with 66 NGOs. <sup>14</sup>
	28 April (WG)					4306/00	SN 2536/00	<b>8<sup>th</sup> Convention Meeting.</b> Reviewed social rights (articles 9-12 of 27 March and 29 March and 17 April drafts).
3-4 May						4307/00	SN 2595/00	<b>9<sup>th</sup> Praesidium Meeting.</b> Revised civil, political and citizens' rights.
	3-4 May (WG)					No record <sup>15</sup>	SN 2595/00	<b>9<sup>th</sup> Convention Meeting.</b> Timetable set. 18 April draft reviewed. Discussion on horizontal clauses. <sup>16</sup>
					5 May	4284/00		Full draft civil and political rights (articles 1-30).
11 May						No record	SN 2665/00	<b>10<sup>th</sup> Praesidium Meeting.</b> No record.
	11-12 May (WG)					No record	SN 2665/00	<b>10<sup>th</sup> Convention Meeting.</b> Reviewing 5 May and 16 May drafts. <sup>17</sup> Open debate on additional rights, preamble and structure. <sup>18</sup>
					16 May	4316/00		Full economic and social rights and horizontal clauses (articles 31-50).

<sup>14</sup> Meyer stated that 67 attended. He also stated that '[w]ell under half of the members of the Convention were present. Hardly any comments were made.' Meyer and Engels (fn2), p.364.

<sup>15</sup> For Meyer's report, see Meyer and Engels (fn2), pp.367ff.

<sup>16</sup> Bernsdorff and Borowsky (fn1), pp.229-240

<sup>17</sup> Planned: CHARTE 4208/00 p.2. For Meyer's report, see Meyer and Engels (fn2), pp.375ff. It states that CONVENT 4284/00 and 4316/00 were under discussion despite the latter being dated 16 May.

<sup>18</sup> Bernsdorff and Borowsky (fn1), pp.241-250.

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
				17 May		PE 290.397	PE 290.395	<b>8<sup>th</sup> EP Group Meeting.</b>
22 May						No record		<b>11<sup>th</sup> Praesidium Meeting.</b> No record.
	22-23 May (WG – cancelled)					SN 2225/00		Cancelled Convention meeting. Initially, the Praesidium planned a general debate on the Charter.
					23 May	SN 2785/00		Deadline for amendments to 5 May draft (CHARTÉ 4384/00). Period for amendments from 12 to 23 May.
25 May						No record	SN 2785/00	<b>12<sup>th</sup> Praesidium Meeting.</b> Drafting Committee.
					25 May	4332/00 (and ADD 1, ADD 2, ADD 3)		All amendments to articles 1-30.
31 May						No record	SN 2785/00	<b>13<sup>th</sup> Praesidium Meeting.</b> No record.
					4 June	4333/00		Praesidium ‘compromise amendments’ to articles 1-30.
					5 June		SN 2785/00	Deadline for amendments to 16 May draft on economic and social rights and horizontal clauses (CHARTÉ 4316/00), Period for amendments from 19 May to 5 June.
			5 June			No record	SN 3021/00	<b>5<sup>th</sup> NP Group Meeting.</b> Praesidium report on ‘second reading’ of civil/political rights, Discussion on Jürgen Meyer’s proposal of a 3-pillar model for economic and social rights <sup>19</sup>
	5-6 June (Plenary)					No record	SN 3021/00	<b>11<sup>th</sup> Convention Meeting.</b> <sup>20</sup> ‘Second reading’ of 25 May amends and 4 June proposal. Debate on nature of social rights, distinction of rights and principles. Protest over amendments being sent last-minute; indicative votes. Méndez de Vigo chairing 6 June.

<sup>19</sup> Bernsdorff and Borowsky (fn1), p.250f.

<sup>20</sup> Planned: CHARTÉ 4208/00 p.3. Meyer’s report is at pp.381-388 of Meyer and Engels (fn2).

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
	6 June					No record	SN 2785/00	Convention open doors day. <sup>21</sup>
				8 June		PE 290.399	PE 290.396	<b>9<sup>th</sup> EP Group Meeting.</b> Proposals on procedure by EP Group to Praesidium.
					16 June	4360/00		Further document grouping 25 May amendments and explaining 4 June proposals.
					16 June	4372/00		All amendments to articles 31-50 (on CHARTE 4316/00).
19 June						No record	SN 2785/00	<b>14<sup>th</sup> Praesidium Meeting.</b> No record.
	19 June					Attendees listed in 4374/00.		Hearing of candidate countries. <sup>22</sup> Herzog resigns on death of wife. <sup>23</sup>
	19-20 June					No record	SN 3160/00	<b>12<sup>th</sup> Convention Meeting.</b> 'Second reading' resumes. <sup>24</sup> New calendar with additional July meetings. <sup>25</sup>
(19-20 June)								<b>Santa Maria da Feira EUCO.</b> <sup>26</sup>
					23 June	4373/00		Praesidium 'compromise amendments' for articles 31-40 (including horizontal clauses).
28 June (9-12:30)						No record	SN 3295/00	<b>15<sup>th</sup> Praesidium Meeting.</b> No record.
	28-30 June (WG)					No record	SN 3294/00	<b>13<sup>th</sup> Convention Meeting.</b> Herzog decides to keep presidency. 'Second reading' of articles 1-30 resumes. <sup>27</sup> Debate on horizontal clauses based on SN 3340/00. <sup>28</sup>

<sup>21</sup> Referred in CHARTE 4323/00 p.5.

<sup>22</sup> Meyer and Engels (fn2), pp.389ff

<sup>23</sup> Justus Schönlaue, *Drafting the EU Charter: rights, legitimacy and process* (Palgrave 2005), p.112; Meyer and Engels (fn2), p.389.

<sup>24</sup> Meyer and Engels (fn2), pp.394ff.

<sup>25</sup> Bernsdorff and Borowsky (fn1), pp.262-279.

<sup>26</sup> CHARTE 4441/00 p.4 (NGO submission) suggests that President Chirac and Prime Minister Kok said the Charter should include economic, social, environmental and bioethical rights.

<sup>27</sup> Meyer and Engels (fn2), pp.403ff.

<sup>28</sup> Bernsdorff and Borowsky (fn1), pp.280-309.

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
28 June (19-24:00)						No record	SN 3295/00	<b>15<sup>th</sup> Praesidium Meeting</b> continued.
					29 June	SN 3340/00		Praesidium proposal on horizontal clauses.
		July 2000				No record		<b>4<sup>th</sup> HOSG Meeting.</b> No record. Held in Paris. <sup>29</sup>
					3 July	4383/00		Summarising all filed amends to articles 31-50 and proposing amends.
					4 July	4399/00		Praesidium 'compromise amendments' for articles 41-44 (including horizontal)
				4 July		PE 290.402	PE 290.401	<b>10<sup>th</sup> EP Group Meeting.</b> Discussion on work programme.
10 July						No record	SN 3295/00	<b>16<sup>th</sup> Praesidium Meeting</b> No record.
	10-11 July (WG)					No record	SN 3501/00	<b>14<sup>th</sup> Convention Meeting.</b> Reviewing articles 31-50 on basis of 3 July proposal. <sup>30</sup> Meeting was not planned until 20 June 2000.
					13 July	4412/00		Praesidium proposed structure.
					14 July	4400/00		Praesidium draft preamble.
17 July						No record	SN 3295/00	<b>17<sup>th</sup> Praesidium Meeting.</b> No record.
	17-19 July (WG)					No record	SN 3502/00	<b>15<sup>th</sup> Convention Meeting.</b> Discussion of 3 July proposal. <sup>31</sup> The 19 July was added as an additional meeting day on 20 June 2000. The representatives affiliated to the EPP call in a joint paper for the inclusion of further economic rights, such as business freedom. <sup>32</sup>

<sup>29</sup> Braibant (fn13), p.26.

<sup>30</sup> Meyer and Engels (fn2), pp.426ff.

<sup>31</sup> Meyer and Engels (fn2), pp.439ff. It states the compromise was dated 3 July, but this appears to be a mistake.

<sup>32</sup> Bernsdorff and Borowsky (fn1), pp.329-353.

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
			17 July (after WG)			No record	SN 3502/00	<b>6<sup>th</sup> NP Group Meeting.</b> Praesidium report on working methods for last phase of Convention and for adoption of final draft.
19 July						No record		<b>17<sup>th</sup> Praesidium Meeting (continued).</b> <sup>33</sup>
					28 July	4422/00		Complete draft. Comments by 1 September.
					31 July	4423/00		Complete draft explanations.
<i>Summer break</i>								
				31 August		No record	PE 294.229	<b>11<sup>th</sup> EP Group Meeting.</b> No record.
					31 August			Deadline for last round of 'comments' on 28 July draft (CHARTE 4422/00).
				6 September		No record	PE 294.236	<b>12<sup>th</sup> EP Group Meeting.</b> No record.
					7 September	Observations recues relatives au Document CHARTE 4422/00 CONVENT 45		Amendments deposited by Convention delegates until 31 August - Not published and only distributed on 11/09. <sup>34</sup>
11 September						No record		<b>18<sup>th</sup> Praesidium Meeting.</b> Review last round of comments/amendments. <sup>35</sup>
	11-12 September (Plenary)					No record	SN 3995/00	<b>16<sup>th</sup> Convention Meeting.</b> Seemingly met as 'components' only (reported here below). Discussion of full 28 July draft. <sup>36</sup>

<sup>33</sup> Ibid., p.346.

<sup>34</sup> Bernsdorff and Borowsky (fn1), p.356.

<sup>35</sup> Ibid., p.347.

<sup>36</sup> CHARTE 4470/00 (INIT version) refers to the meetings and resulting amendments. Meyer and Engels (fn2), pp.461ff.

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
		11-12 September				No record	SN 3995/00	<b>5<sup>th</sup> HOSG Meeting.</b> Discussion on Preamble and econ/soc rights. <sup>37</sup>
			11-12 September			No record	SN 3995/00	<b>7<sup>th</sup> NP Group Meeting.</b> Discussion of the entire draft with a focus on Article 15 and the ‘missing’ right to work. <sup>38</sup>
				11-12 September		No record	SN 3995/00	<b>13<sup>th</sup> EP Group Meeting.</b> Discussion on Preamble, right to strike and children rights. <sup>39</sup>
					14 September	4470/00		Draft final text.
					20 September	4471/00		Revised draft explanations. Essentially final version, some legal references changed.
20 September						No record		<b>19<sup>th</sup> Praesidium Meeting.</b> Full Charter discussed. <sup>40</sup>
(20 September)						SN 4291/00		<b>Letter President Herzog to delegates.</b> Final working methods and transmission to EUCO.
				21 September		No record	PE 295.792	<b>14<sup>th</sup> EP Group Meeting.</b> No record.
					(21 September)	See below		Lawyer-linguist review of CHARTE 4470/00 (Final draft - Review for linguistic questions and ‘gender neutrality’).
	25 September					No record	SN 4236/1/00 REV 1	<b>17<sup>th</sup> Convention Meeting.</b> 25 <sup>th</sup> : Compromises reached in four ‘components’ (reported here below). <sup>41</sup>
		25-26 September				No record	SN 4236/1/00 REV 1	<b>6<sup>th</sup> HOSG Meeting.</b> No record.

<sup>37</sup> Bernsdorff and Borowsky (fn1), p.354-376.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> Ieke van den Burg in Sylvia-Yvone Kaufmann (Eds.), *Grundrechtecharta der Europäischen Union – Mitglieder und Beobachter des Konvents berichten* (Bonn: Europa Union Verlag, 2001), p.45.

<sup>41</sup> Schönlaue in Eriksen *et al*, *The Chartering of Europe: The European Charter of Fundamental Rights and its Constitutional Implications* (Nomos Verlagsgesellschaft 2003), p.126.



Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
			25-26 September			No record	SN 4236/1/00 REV 1	<b>8<sup>th</sup> NP Group Meeting.</b> Discussion on status of explanations, a ‘missing’ reference to the European Social Charter (ESC) in Article 52; EPP submits its 8 essential points directly to final Praesidium meeting (include business freedom, reference to “geistig-religiös” in German preamble,...). <sup>42</sup>
				25-26 September		No record	SN 4236/1/00 REV 1	<b>15<sup>th</sup> EP Group Meeting.</b> No record.
25 September (evening)						No record		<b>20<sup>th</sup> Praesidium Meeting</b> (without Herzog). Praesidium deems the Charter acceptable to all delegations and decides to transmit it to the European Council. <sup>43</sup>
					25 September	4470/1/00 REV 1 ADD 1		Final text after lawyer-linguist review and 25 September meeting.
	26 September (9:00-12:30)					No record	SN 4236/1/00 REV 1	<b>17<sup>th</sup> Convention Meeting. Continued.</b> No record.
		26 September (9:00-12:30)				No record	SN 4236/1/00 REV 1	<b>6<sup>th</sup> HOSG Meeting. Continued.</b> No record.
			26 September (9:00-12:30)			No record	SN 4236/1/00 REV 1	<b>8<sup>th</sup> NP Group Meeting. Continued.</b> No record.
				26 September (9:00-12:30)		No record	SN 4236/1/00 REV 1	<b>15<sup>th</sup> EP Group Meeting. Continued.</b> No record.

<sup>42</sup> Bernsdorff and Borowsky (fn1), pp.377-400.

<sup>43</sup> Ibid., pp.377-400.

Praesidium - (Other)	Convention	HOSG	NP	EP	Draft	Reference	Agenda	Comments
	26 September (Plenary - Afternoon)					26 <sup>th</sup> : 4958/00 ( <i>verbatim</i> )	SN 4236/1/00 REV 1	<b>17<sup>th</sup> Convention Meeting. Continued.</b> Jansson presiding. Final points on overall draft. <sup>44</sup> Many delegates voice their wish to include a reference to the ESC in Article 52. <sup>45</sup>
	2 October (Plenary)					4959/00		<b>18<sup>th</sup> Convention Meeting.</b> Final Plenary meeting. Closure ceremony.
	9-10 October (Cancelled)						SN 1524/00	Planned until 20 June.
(13-14 October)						4955/00		<b>Biarritz EUCO.</b> Braibant speech on drafting. Text accepted as final.
	18-19 October (Cancelled)						SN 1524/00	Planned until 20 June.
(14 November)						C5-0570/2000		EP Resolution approving.
(7 December)						[2000] OJ C364/01		Solemn proclamation of CFR.

<sup>44</sup> CHARTE 4958/00. We prefer this to Meyer/Engels (fn2), pp.470ff according to which Braibant presided. Meyer's report further omits the 25 September meeting.

<sup>45</sup> Bernsdorff and Borowsky (fn1), pp.377-400.

## 2. Chronology of the Meetings of the Charter Convention

Full Convention meeting	Representatives of the Heads of State and Government - Meeting	Representatives of the National Parliaments - Meeting	Representatives of the European Parliament - Meeting	Document Reference (CHARTE unless specified)	Agenda	Substance/Comments
17 December (1999) – (Plenary)				4105/00		<b>1<sup>st</sup> Convention Meeting.</b> Election of the chairman Roman Herzog, Discussion on working methods and the name of the Convention.
1-2 February (Plenary)				4134/00	SN 1169/00	<b>2<sup>nd</sup> Convention Meeting.</b> Approves Praesidium’s 17 January proposals on working methods. Important debate on the nature of the rights proposed in the draft list. Additional rights proposed. Lord Goldsmith proposes Charter structure in 2 parts. <sup>1</sup>
24-25 February (Working Group – ‘WG’) <sup>2</sup>				4147/00	SN 1538/00	<b>3<sup>rd</sup> Convention Meeting.</b> Focus on 15 February draft CHARTE 4123/1/00 REV 1. Focus on relation to ECHR and structure. <sup>3</sup>
2-3 March (WG) <sup>4</sup>				4154/00	SN 1745/00	<b>4<sup>th</sup> Convention Meeting.</b> Approves Praesidium’s working methods. Working on 15, 24 & 28 February drafts.
20-21 March (Plenary)				4218/00 ( <i>verbatim note</i> )	SN 1949/00	<b>5<sup>th</sup> Convention Meeting.</b> Méndez de Vigo and Jansson chairing. Reviewing articles 1-15 of 8 March draft. Initial strong resistance to procedure.
27-28 March (WG)				4208/00	SN 2057/00	<b>6<sup>th</sup> Convention Meeting.</b> Méndez de Vigo Chairing. <sup>5</sup> 24 February, 20 March drafts analysed. Protest about EUCCO-demanded acceleration to work (draft for June meeting of the European Council/EUCCO).

<sup>1</sup> Norbert Bernsdorff and Martin Borowsky, *Die Charta der Grundrechte der Europäischen Union Handreichungen und Sitzungsprotokolle* (Nomos, Baden-Baden 2002), pp.124-133.

<sup>2</sup> The only difference between working groups and plenaries was that alternatives had the right to speak at the former even where their corresponding full member was present: see CHARTE 4134/00.

<sup>3</sup> Bernsdorff/Borowsky (fn1), pp.134-148.

<sup>4</sup> Jürgen Meyer and Markus Engels, *The Charter of Fundamental Rights of the European Union and the Work of the Convention: A Collection of Documents* (2<sup>nd</sup> edn) (Bundestag 2002) records this as having occurred on 2-3 March: p.335.

<sup>5</sup> See CHARTE 4209/00.

Full Convention meeting	Representatives of the Heads of State and Government - Meeting	Representatives of the National Parliaments - Meeting	Representatives of the European Parliament - Meeting	Document Reference (CHARTE unless specified)	Agenda	Substance/Comments
3-4 April (WG)				4304/00	SN 2195/00	<b>7<sup>th</sup> Convention Meeting.</b> 8 articles of 27 and 29 March drafts reviewed. Controversy on the Charter's bindingness.
28 April (WG)				4306/00	SN 2536/00	<b>8<sup>th</sup> Convention Meeting.</b> Reviewed social rights (articles 9-12 of 27 March and 29 March and 17 April drafts).
3-4 May (WG)				No record <sup>6</sup>	SN 2595/00	<b>9<sup>th</sup> Convention Meeting.</b> Timetable set. 18 April draft reviewed. Discussion on horizontal clauses. <sup>7</sup>
11-12 May (WG)				No record	SN 2665/00	<b>10<sup>th</sup> Convention Meeting.</b> Reviewing 5 May and 16 May drafts. <sup>8</sup> Open debate on additional rights, preamble and structure. <sup>9</sup>
5-6 June (Plenary)				No record	SN 3021/00	<b>11<sup>th</sup> Convention Meeting.</b> <sup>10</sup> 'Second reading' of 25 May amends and 4 June proposal. Debate on nature of social rights, distinction of rights and principles. Protest over amendments being sent last-minute; indicative votes. De Vigo chairing 6 June.
19-20 June				No record	SN 3160/00	<b>12<sup>th</sup> Convention Meeting.</b> 'Second reading' resumes. <sup>11</sup> New calendar with additional July meetings. <sup>12</sup>
28-30 June (WG)				No record	SN 3294/00	<b>13<sup>th</sup> Convention Meeting.</b> Herzog decides to keep presidency. 'Second reading' of articles 1-30 resumes. <sup>13</sup> Debate on horizontal clauses based on SN 3340/00. <sup>14</sup>

<sup>6</sup> For Meyer's report, see Meyer and Engels (fn4), pp.367ff.

<sup>7</sup> Bernsdorff and Borowsky (fn1), pp.229-240.

<sup>8</sup> Planned: CHARTE 4208/00 p.2. For Meyer's report, see Meyer and Engels (fn4), pp.375ff. It states that CONVENT 4284/00 and 4316/00 were under discussion despite the latter being dated 16 May.

<sup>9</sup> Bernsdorff and Borowsky (fn1), pp.241-250.

<sup>10</sup> Planned: CHARTE 4208/00 p.3. Meyer's report is at pp.381-388 of Meyer and Engels (fn4).

<sup>11</sup> Meyer and Engels (fn4), pp.394ff.

<sup>12</sup> Bernsdorff and Borowsky (fn1), pp.262-279.

<sup>13</sup> Meyer and Engels (fn4), pp.403ff.

<sup>14</sup> Bernsdorff and Borowsky (fn1), pp.280-309.

Full Convention meeting	Representatives of the Heads of State and Government - Meeting	Representatives of the National Parliaments - Meeting	Representatives of the European Parliament - Meeting	Document Reference (CHARTE unless specified)	Agenda	Substance/Comments
10-11 July (WG)				No record	SN 3501/00	<b>14<sup>th</sup> Convention Meeting.</b> Reviewing articles 31-50 on basis of 3 July proposal. <sup>15</sup> Meeting was not planned until 20 June 2000.
17-19 July (WG)				No record	SN 3502/00	<b>15<sup>th</sup> Convention Meeting.</b> Discussion of 3 July proposal. <sup>16</sup> The 19 July was added as an additional meeting day on 20 June 2000. The representatives affiliated to the EPP call in a joint paper for the inclusion of further economic rights, such as business freedom. <sup>17</sup>
11-12 September (Plenary)				No record	SN 3995/00	<b>16<sup>th</sup> Convention Meeting.</b> Seemingly met as ‘components’ only (reported here below). Discussion of full 28 July draft. <sup>18</sup>
	11-12 September			No record	SN 3995/00	<b>5<sup>th</sup> HOSG Meeting.</b> Discussion on Preamble and econ/soc rights. <sup>19</sup>
		11-12 September		No record	SN 3995/00	<b>7<sup>th</sup> NP Group Meeting.</b> Discussion of the entire draft with a focus on Article 15 and the ‘missing’ right to work. <sup>20</sup>
			11-12 September	No record	SN 3995/00	<b>13<sup>th</sup> EP Group Meeting.</b> Discussion on Preamble, right to strike and children rights. <sup>21</sup>
	25-26 September			No record	SN 4236/1/00 REV 1	<b>6<sup>th</sup> HOSG Meeting.</b> No record.
		25-26 September		No record	SN 4236/1/00 REV 1	<b>8<sup>th</sup> NP Group Meeting.</b> Discussion on status of explanations, a ‘missing’ reference to the European Social Charter (ESC) in Article 52; EPP submits its 8 essential points directly to final Praesidium meeting (include business freedom, reference to “geistig-religiös” in German preamble,[...]). <sup>22</sup>

<sup>15</sup> Meyer and Engels (fn4), pp.426ff.

<sup>16</sup> Meyer and Engels (fn4), pp.439ff. It states the compromise was dated 3 July but this appears to be a mistake.

<sup>17</sup> Bernsdorff and Borowsky (fn1), pp.329-353.

<sup>18</sup> CHARTE 4470/00 (INIT version) refers to the meetings and resulting amendments. Meyer/Engels (fn4), pp.461ff.

<sup>19</sup> Bernsdorff and Borowsky (fn1), pp.354-376.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Bernsdorff and Borowsky (fn1), pp.377-400.

Full Convention meeting	Representatives of the Heads of State and Government - Meeting	Representatives of the National Parliaments - Meeting	Representatives of the European Parliament - Meeting	Document Reference (CHARTE unless specified)	Agenda	Substance/Comments
			25-26 September	No record	SN 4236/1/00 REV 1	<b>15<sup>th</sup> EP Group Meeting.</b> No record.
25-26 September (Plenary)				25 <sup>th</sup> : No record 26 <sup>th</sup> : 4958/00 ( <i>verbatim</i> )	SN 4236/1/00 REV 1	25 <sup>th</sup> : Compromises reached in four ‘components’ (reported here above). <sup>23</sup> <b>17<sup>th</sup> Convention Meeting.</b> Jansson presiding. Final points on overall draft. <sup>24</sup> Many delegates voice their wish to include a reference to the ESC in Article 52. <sup>25</sup>
2 October (Plenary)				4959/00		<b>18<sup>th</sup> Convention Meeting.</b> Final Plenary meeting. Closure ceremony.

<sup>23</sup> Schönlaui in Eriksen *et al*, *The Chartering of Europe: The European Charter of Fundamental Rights and its Constitutional Implications* (Nomos Verlagsgesellschaft 2003), p.126.

<sup>24</sup> CHARTE 4958/00. We prefer this to Meyer/Engels (fn4), pp.470ff according to which Braibant presided. Meyer’s report further omits the 25 September meeting.

<sup>25</sup> Bernsdorff and Borowsky (fn1), pp.377-400.

## 3. Chronology of the Meetings of the Praesidium of the Charter Convention

Praesidium meeting	Document Reference (CHARTE unless specified)	Agenda	Substance/Comments
17 January	4107/00		<b>1<sup>st</sup> Praesidium meeting.</b> Renamed ‘Praesidium’. Rules, ‘Convention’ name discussed, Timetable.
1 February	No record		<b>2<sup>nd</sup> Praesidium Meeting.</b> No record. <sup>1</sup>
24 February	No record	SN 1538/00	<b>3<sup>rd</sup> Praesidium Meeting.</b> No record.
2 March	4148/00		<b>4<sup>th</sup> Praesidium meeting.</b> <sup>2</sup> Hearing certain NGO representatives and setting working methods.
7 March	4210/00		<b>5<sup>th</sup> Praesidium meeting.</b> In Paris with French Minister of European Affairs. Not all Praesidium members present.
20 March	4211/00	SN 1949/00	<b>6<sup>th</sup> Praesidium meeting.</b> Méndez de Vigo chairing. Reviewing civil and political rights, including 8 March draft.
27 March	4209/00	SN 2057/00	<b>7<sup>th</sup> Praesidium meeting.</b> Agreement on economic and social rights.
17 April	4305/00		<b>8<sup>th</sup> Praesidium meeting.</b> Observers of the Council of Europe spoke. Economic and social and horizontal drafts reviewed.
3-4 May	4307/00	SN 2595/00	<b>9<sup>th</sup> Praesidium meeting.</b> Revised civil, political and citizens’ rights.
11 May	No record	SN 2665/00	<b>10<sup>th</sup> Praesidium Meeting.</b> No record.
22 May	No record		<b>11<sup>th</sup> Praesidium Meeting.</b> No record.
25 May	No record	SN 2785/00	<b>12<sup>th</sup> Praesidium Meeting.</b> Drafting Committee.
31 May	No record	SN 2785/00	<b>13<sup>th</sup> Praesidium Meeting.</b> No record.
19 June	No record	SN 2785/00	<b>14<sup>th</sup> Praesidium Meeting.</b> No record.
28 June (9-12:30)	No record	SN 3295/00	<b>15<sup>th</sup> Praesidium Meeting.</b> No record.
28 June (19-24:00)	No record	SN 3295/00	<b>15<sup>th</sup> Praesidium Meeting.</b> Continued. No record.
10 July	No record	SN 3295/00	<b>16<sup>th</sup> Praesidium Meeting.</b> No record.
17 July	No record	SN 3295/00	<b>17<sup>th</sup> Praesidium Meeting.</b> No record.

<sup>1</sup> Norbert Bernsdorff and Martin Borowsky, *Die Charta der Grundrechte der Europäischen Union Handreichungen und Sitzungsprotokolle* (Nomos, Baden-Baden 2002), p.125.

<sup>2</sup> This is its title. There is no record of any second Praesidium meeting.

Praesidium meeting	Document Reference (CHARTE unless specified)	Agenda	Substance/Comments
19 July	No record		<b>17<sup>th</sup> Praesidium Meeting.</b> Continued. No record. <sup>3</sup>
11 September	No record		<b>18<sup>th</sup> Praesidium Meeting.</b> Review last round of comments/amendments. <sup>4</sup>
20 September	No record		<b>19<sup>th</sup> Praesidium Meeting.</b> Full Charter discussed. <sup>5</sup>
25 September (evening)	No record		<b>20<sup>th</sup> Praesidium Meeting</b> (without Herzog). Praesidium deems the Charter to be acceptable for all delegations and decides to transmit it to the European Council. <sup>6</sup>

<sup>3</sup> Bernsdorff and Borowsky (fn1), p.346.

<sup>4</sup> Ibid., p.347.

<sup>5</sup> Ieke van den Burg in Sylvia-Yvone Kaufmann (Eds.), *Grundrechtecharta der Europäischen Union – Mitglieder und Beobachter des Konvents berichten* (Bonn: Europa Union Verlag, 2001), p.45.

<sup>6</sup> Bernsdorff and Borowsky (fn1), pp.377-400.



## 4. Chronology of Drafts of the Charter of Fundamental Rights

Draft or amendments	Document Reference (CHARTE unless specified)	Agenda	Substance/ Comments
26 January	4112/00		First list of rights.
27 January	4112/2/00 REV 2		Same list grouped. <sup>1</sup>
15 February	4123/1/00 REV 1		Draft articles 1-9 (civil and political rights) and horizontal clauses.
24 February	4137/00		Draft articles 10-19 (civil and political rights).
28 February	4140/00		Comparative table for articles 8-19 and ECHR.
28 February	4141/00		Herzog proposes wording for articles 1-9 and structure in six chapters.
8 March	4149/00		New draft articles 1-12 (now 1-16).
17 March	4156/00		Deadline for amendments to 8 March draft. Proposals will not be voted.
20 March	4170/00		Draft citizens' rights.
27 March	4192/00		Draft economic and social rights part I.
29 March	4193/00		Draft economic and social rights part II.
17 April	4227/00		Draft economic and social rights part III.
18 April	4235/00		Horizontal clauses.
5 May	4284/00		Full draft civil and political rights (articles 1-30).
16 May	4316/00		Full economic and social rights and horizontal clauses (articles 31-50).
23 May	SN 2785/00		Deadline for amendments to 05 May draft (CHARTE 4384/00). Period for amendments from 12 to 23 May.
25 May	4332/00 (and ADD 1, ADD 2, ADD 3)		All amendments to articles 1-30.
4 June	4333/00		Praesidium 'compromise amendments' to articles 1-30.
5 June		SN 2785/00	Deadline for amendments to 16 May draft on economic and social rights and horizontal clauses (CHARTE 4316/00), Period for amendments from 19 May to 5 June.
16 June	4360/00		Further document grouping 25 May amendments and explaining 4 June proposals.

<sup>1</sup> It seems these initial lists were only circulated at the 1-2 February meeting itself: Meyer and Engels, *The Charter of Fundamental Rights of the European Union and the Work of the Convention: A Collection of Documents* (2<sup>nd</sup> edn) (Bundestag 2002), p.325.

Draft or amendments	Document Reference (CHARTE unless specified)	Agenda	Substance/ Comments
16 June	4372/00		All amendments to articles 31-50 (on CHARTE 4316/00).
23 June	4373/00		Praesidium 'compromise amendments' for articles 31-40 (including horizontal clauses)
29 June	SN 3340/00		Praesidium proposal on horizontal clauses.
3 July	4383/00		Summarising all filed amendments to articles 31-50 and proposing amendments.
4 July	4399/00		Praesidium 'compromise amendments' for articles 41-44 (including horizontal clauses)
13 July	4412/00		Praesidium proposed structure.
14 July	4400/00		Praesidium draft preamble.
28 July	4422/00		Complete draft. Comments by 1 September.
31 July	4423/00		Complete draft explanations.
31 August			Deadline for last round of 'comments' on 28 July draft (CHARTE 4422/00).
7 September	Observations reçues relatives au Document CHARTE 4422/00 CONVENT 45		Amendments deposited by Convention delegates until 31 August - Not published and only distributed on 11/09. <sup>2</sup>
14 September	4470/00		Draft final text.
20 September	4471/00		Revised draft explanations. Essentially final version, some legal references changed.
21 September	See below		Lawyer-linguist review of CHARTE 4470/00 (Final draft - Review for linguistic questions and 'gender neutrality').
25 September	4470/1/00 REV 1 ADD 1		Final text after lawyer-linguist review and 25 September meeting.
	[2000] OJ C364/01		Solemn proclamation of CFR.

<sup>2</sup> Norbert Bernsdorff and Martin Borowsky, *Die Charta der Grundrechte der Europäischen Union Handreichungen und Sitzungsprotokolle* (Nomos, Baden-Baden 2002), p.356.

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2000 OJ C364/01	Charter of Fundamental Rights of the European Union	07/12/2000 (Proclaimed)	EN	85

2. <i>The Second Version: the 2004 Charter of Fundamental Rights and Explanations, and Extracts from the Constitutional Treaty</i>	108
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2004 OJ C310/01	Arts I-2 and I-9 of the Constitutional Treaty	16/12/2004	EN	109
2004 OJ C310/41	Part II of the Constitutional Treaty: The Charter of Fundamental Rights of the Union	16/12/2004	EN	112
2004 OJ C310/378	Protocol 32 to the Constitutional Treaty: Accession to the ECHR	16/12/2004	EN	126
2004 OJ C310/420	Declarations 2 and 12 of the Constitutional Treaty: On Art. I-9 and on the Explanations	16/12/2004	EN	127

*3. The Version in Force: the 2007 Charter of Fundamental Rights and Explanations, and Extracts from the Treaties (Lisbon consolidated version)*

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Document Reference	Title	Date	Language	Page
2007 OJ C303/01	Charter of Fundamental Rights of the European Union	01/12/2009 (Entry into force)	EN	165
2007 OJ C303/17	Explanations Relating to the Charter of Fundamental Rights	14/12/2007	EN	181
2008 OJ C115/13	Arts 2 and 6 of the Treaty on European Union (Lisbon version)	01/12/2009 (Entry into force)	EN	200
2008 OJ C115/273	Protocols 8, 30 to the Treaties (Lisbon version): Accession to the ECHR, and the Application of the Charter to Poland and the United Kingdom	01/12/2009 (Entry into force)	EN	203
2008 OJ C115/337	Declarations 1, 2, 53, 61 and 62 to the Treaties (Lisbon version): On the Charter, on Art.6(2) TEU, by the Czech Republic on the Charter, and by Poland on the Charter and on Protocol 30	01/12/2009 (Entry into force)	EN	206
2013 OJ C60/131	Protocol 38 to the Treaties (Lisbon version): On the concerns of the Irish people on the Treaty of Lisbon	01/12/2014 (Entry into force)	EN	210

**II. Key Pre-Charter Convention Documents**

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*1. The First Path – Institutional Resolutions, Calls and Drafts in relation to a Charter of Rights*

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1973 OJ C26/7	Resolution on the Protection of the Fundamental Rights of Member States' Citizens when Community Law is Drafted (JozEAU-Marigné Report)	04/04/1973	EN	221
1975 OJ C179/28	Resolution on European Union	10/07/1975	EN	224
COM (76) 37	The protection of fundamental rights as Community law is created and developed. Report of the Commission submitted to the European Parliament and the Council	04/02/1976	EN	228
Annex to COM (76) 37	The problems of drawing up a catalogue of fundamental rights for the European Communities. A study requested by the Commission - Report annexed to COM (76) 37	04/02/1976	EN	244
1977 OJ C103/1	Joint Declaration by the European Parliament, the Council and the Commission Concerning the Protection of Fundamental Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms	05/04/1977	EN	295
1984 OJ C77/33	Draft Treaty Establishing the European Union (Spinelli Report)	14/02/1984	EN	297
1989 OJ C120/51	Resolution adopting the “Declaration of Fundamental Rights and Freedoms”	12/04/1989	EN	328
ISBN 92-826-0975-5	Community Charter of the Fundamental Social Rights of Workers (adopted by 11 Members)	09/12/1989	EN	336
1991 OJ C183/473	Resolution on Union Citizenship	14/06/1991	EN	361
1994 OJ C61/155	Resolution on the Constitution of the European Union	10/02/1994	EN	366

Document Reference	Title	Date	Language	Page
ISBN 92-827-7697-2	For a Europe of civic and social rights: Report by the Comité des Sages	01/02/1996	EN	383
1997 OJ C371/99	Resolution on the Amsterdam Treaty	19/11/1997	EN	451
None	Koalitionsvereinbarung zwischen der Sozialdemokratischen Partei Deutschlands und Bündnis 90/Die GRÜNEN	20/10/1998	DE	458
P4_CRE(1999)01-12(1)	Speech by the President of the Council of the European Union Joschka Fischer, Federal Minister for Foreign Affairs on the Priorities of the German Council Presidency	12/01/1999	EN	473
ISBN 92-828-6605-X	Affirming fundamental rights in the European Union: time to act (Simitis Report)	01/02/1999	EN	480
2000 OJ C54/93	Resolution on the Establishment of the Charter of Fundamental Rights	16/09/1999	EN	516

*2. The Second Path – Accession to the European Convention on Human Rights*

518

1979 OJ C127/70	Resolution on the accession of the European Community to the European Convention on Human Rights	27/04/1979	EN	519
COM (79) 210	Memorandum on the accession of the European Communities to the Convention for the Protection of Human Rights and Fundamental Freedoms	02/05/1979	EN	522
1982 OJ C304/253	Resolution embodying the opinion of the European Parliament on the memorandum on adhesion to the European convention on human rights and fundamental freedoms	29/10/1982	EN	546
SEC (90) 2087	Commission Communication on Community accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms and some of its Protocols	19/11/1990	EN	549
Opinion 2/94	Opinion 2/94 - Accession of the Community to the ECHR	28/03/1996	EN	561

*3. The Judicial Origins of the Charter of Fundamental Rights*

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ECLI:EU:C:1969:57	Judgment of 12 November 1969, C-29/69, Erich Stauder v City of Ulm-Sozialamt	12/11/1969	EN	571
ECLI:EU:C:1970:114	Judgment of 17 December 1970, C-11/70, Internationale Handelsgesellschaft mbH v Einfuhr- und Vorratsstelle für Getreide und Futtermittel	17/12/1970	EN	580
ECLI:EU:C:1974:51	Judgment of 14 May 1974, C-4/73, J. Nold, Kohlen- und Baustoffgroßhandlung v Commission of the European Communities	14/05/1974	EN	595
BVerfGE 37, 271-305	BVerfG, Beschluss vom 29. Mai 1974 (“Solange I”) – 2 BvL 52/71 –, BVerfGE 37, 271-305	29/05/1974	DE	614
ECLI:EU:C:1975:137	Judgment of 28 October 1975, C-36/75, Roland Rutili v Ministre de l’intérieur	28/10/1975	EN	636
ECLI:EU:C:1979:290	Judgment of 13 December 1979, C-44/79, Liselotte Hauer v Land Rheinland-Pfalz	13/12/1979	EN	655

*4. Fundamental Rights in the Treaties, from the Single European Act to Amsterdam (1986 – 1997)*

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1987 OJ L169/1	Single European Act	01/07/1987 (Entry into force)	EN	680
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Document Reference	Title	Date	Language	Page
1992 OJ C191/1	Treaty on European Union - Maastricht Treaty	01/11/1993 (Entry into force)	EN	684
1997 OJ C340/1	Treaty of Amsterdam Amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts	01/05/1999 (Entry into force)	EN	692

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SN 2960/99	Draft Mandate: Charter of Fundamental Rights of the European Union	11/05/1999	EN	710
8344/99	Compte rendu sommaire de la 1833ème réunion du Coreper tenue à Bruxelles les 19-21 mai 1999 [Extraits]	28/07/1999	FR/EN	712
8735/99	Compte rendu sommaire de la 1834ème réunion du Coreper tenue à Bruxelles les 26 et 28 mai 1999 [Extraits]	30/07/1999	FR/EN	715
150/99 REV 1	Presidency Conclusions – Cologne European Council, 3 and 4 June 1999 [Extraits]	04/06/1999	EN	717
10539/99	Presidency Report: Composition, method of work and practical arrangements for the Body to elaborate a draft EU Charter of Fundamental rights	30/07/1999	EN	721
10871/99	Compte rendu sommaire de la 1843ème réunion du Coreper tenue à Bruxelles le 8 septembre 1999 [Extraits]	15/10/1999	FR/EN	732
11243/99	Presidency Note: Revised Proposal concerning the composition, method of work and practical arrangements for the Body to elaborate a draft Charter of Fundamental Rights	23/09/1999	EN	734
11865/99	Compte rendu sommaire de la 1846ème réunion du Coreper tenue à Bruxelles le 29 septembre et le 1er octobre 1999 [Extraits]	05/11/1999	FR/EN	739
11475/99	Presidency Report: Compromise proposal concerning the composition, method of work and practical arrangements for the Body to elaborate a draft EU Charter of Fundamental Rights	05/10/1999	EN	741
11745/99	Draft Minutes: 2206th Council Meeting (General Affairs) Held in Luxembourg, 11 October 1999 [Extraits]	07/12/1999	EN	746
None	Presidency Conclusions – Tampere European Council, 15 and 16 June 1999	16/10/1999	EN	748

*2. Meeting Records* 756

CHARTE 4105/00	Outcome of the first meeting of the Body – 17 December 2000	13/01/2000	EN	757
CHARTE 4107/00	Outcome of the first meeting of the Praesidium – 17 January 2000	18/01/2000	EN	784
CHARTE 4134/00	Record of the second meeting of the Convention – 1 and 2 February 2000	21/02/2000	EN	789
6036/00	Compte rendu sommaire de la 1862ème réunion du Coreper tenue à Bruxelles le 9 février 2000 [Extraits]	01/03/2000	FR	793

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SN 1524/00	Presidency Note: Progress Report to Coreper on the Charter of Fundamental Rights	07/02/2000	EN	795
CHARTE 4147/00	Record of the first Working Group meeting of the Convention – 24 and 25 February 2000	01/03/2000	EN	799
CHARTE 4148/00	Outcome of the third meeting of the Praesidium – 2 March 2000	02/03/2000	EN	804
CHARTE 4154/00	Record of the second Working Party meeting of the Convention – 2 and 3 March 2000	03/03/2000	EN	809
CHARTE 4208/00	Record of the second Working Group meeting of the Convention – 27 and 28 March 2000	29/03/2000	EN	811
CHARTE 4209/00	Outcome of the sixth meeting of the Praesidium – 27 March 2000	29/03/2000	EN	814
CHARTE 4210/00	Outcome of the fourth meeting of the Praesidium – 7 March 2000 (Paris)	31/03/2000	EN	816
CHARTE 4211/00	Outcome of the fifth meeting of the Praesidium – 20 March 2000	31/03/2000	EN	817
CHARTE 4212/00	Record of the third (plenary) meeting of the Convention – 20-21 March 2000	31/03/2000	EN	819
CHARTE 4218/00	Verbatim de la troisième réunion plénière de la Convention – 20 et 21 mars 2000	06/04/2000	MULTI	822
CHARTE 4304/00	Record of the fourth Working Group meeting of the Convention – 3 and 4 April 2000	12/05/2000	EN	929
CHARTE 4305/00	Outcome of the seventh meeting of the Praesidium – 17 April 2000	12/05/2000	EN	931
CHARTE 4306/00	Record of the fourth Working Party meeting of the Convention – 27 and 28 April 2000	12/05/2000	EN	933
CHARTE 4307/00	Outcome of the eighth meeting of the Praesidium – 3 and 4 May 2000	12/05/2000	EN	935
None	Presidency Conclusions – Santa Maria da Feira European Council, 19 and 20 June 2000 [Extract]	20/06/2000	EN	936
CHARTE 4955/00	Secretariat Note on the Informal Council Meeting in Biarritz - 13 and 14 October 2000	17/10/2000	EN	937
CHARTE 4957/00	Letter from the Vice-Chairman to the Members of the Convention	19/10/2000	EN	939
CHARTE 4958/00	Verbatim de la réunion de la Convention - 26 septembre 2000	27/10/2000	FR	941
CHARTE 4959/00	Verbatim de la séance solennelle de clôture de la Convention (02/10) et Discours de M. Guy Braibant lors du Conseil informel à Biarritz (14/10)	20/10/2000	FR/DE	999

*3. Drafts, and Members' Amendments and Contributions*

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CHARTE 4102/00	Discussion draft of Prof. Dr. Jürgen Meyer (Bundestag)	06/01/2000	EN	1031
CHARTE 4103/00	Proposition de Charte Européenne des droits fondamentaux soumise par le de M. Georges Berthu (MPE)	07/01/2000	FR	1040
CHARTE 4111/00	Secretariat paper: Horizontal Questions	20/01/2000	EN	1067
CHARTE 4112/00	Presidency Note: Draft list of fundamental rights	26/01/2000	EN	1074
CHARTE 4112/1/00 REV 1	Note de la Présidence: Projet de liste des droits fondamentaux	27/01/2000	FR	1080
CHARTE 4112/2/00 REV 2	Presidency Note: Draft list of fundamental rights	27/01/2000	EN	1088

Document Reference	Title	Date	Language	Page
CHARTE 4117/00	Contribution of Mr. Paavo Nikula (Personal representative of the Government of Finland)	28/01/2000	EN	1097
CHARTE 4118/1/00 REV 1	Letter from Mr. Buttiglione to Mr. Mendez de Vigo, Chairman of the European Parliament delegation (dated 26/01/00)	02/02/2000	EN	1105
CHARTE 4121/00	Contribution de M. Guy Braibant (Représentant personnel de la France)	07/02/2000	EN	1111
CHARTE 4122/00	Contribution and intervention made by Lord Goldsmith, QC at the meeting of 1 and 2 February 2000	07/02/2000	EN	1115
CHARTE 4123/1/00 REV 1	Praesidium Note: Draft articles	15/02/2000	EN	1126
CHARTE 4125/00	Discours prononcé par Mme Anne-Marie Sigmund (rapporteur du Comité économique et social) lors de la réunion du 2 février 2000	09/02/2000	FR	1138
CHARTE 4131/00	Speech of Mr. Jacob Söderman (European Ombudsman) at the meeting of 1/2 February 2000	17/02/2000	EN	1142
CHARTE 4135/00	Observations sur CHARTE 4123/1/00 REV 1 de M. Guy Braibant (Représentant personnel du Gouvernement de la France)	21/02/2000	EN	1148
CHARTE 4136/00	Contribution by Messers Fischbach and Krüger (Council of Europe observers)	21/02/2000	EN	1155
CHARTE 4137/00	Praesidium Note: Proposed Articles (Articles 10 to 19)	24/02/2000	EN	1160
CHARTE 4138/00	Due lettere di l'On. Elena Paciotti (MPE) al Presidium (datate 14/02/00 e 28/02/00)	28/02/2000	IT	1168
CHARTE 4139/00	Statement of Mr Marc Fischbach (Council of Europe observers), at the meeting on 24/02/00	28/02/2000	EN	1171
CHARTE 4140/00	Secretariat Note: Comparative table (CHARTE 4123/1/00 REV 1, CHARTE 4137/00 and the ECHR)	28/02/2000	EN	1175
CHARTE 4141/00	Note from Mr Roman Herzog (Chairman and Personal representative of the Government of Germany): Proposed structure and new draft articles 1-9 (see CHARTE 4123/1/00 REV 1)	28/02/2000	EN	1182
CHARTE 4141/1/00 REV 1	Note de M. Roman Herzog (Président): Structure proposée et nouvelle version des propositions des articles 1-9 (voir CHARTE 4123/1/00 REV 1)	28/02/2000	FR	1188
CHARTE 4142/00	Lettera di l'On. Elena Paciotti (MPE) al Presidium datata 28/02/00	29/02/2000	IT	1194
CHARTE 4145/00	Contribution of Mr Frits Korthals Altes (Personal Representative of the Dutch Government)	08/03/2000	EN	1196
CHARTE 4146/00	Draft Charter of Lord Goldsmith (Personal Representative of the Government of the United Kingdom)	06/03/2000	EN	1203
CHARTE 4149/00	Praesidium Note: New proposal for Arts 1-12 (now 1-16). Reference docs: CHARTE 4123/1/00 REV 1 and CHARTE 4137/00	08/03/2000	EN	1210
CHARTE 4150/00	Anmerkungen der deutschen Länder zu CHARTE 4123/1/00 REV 1 - Vorschläge für die Artikel 1 bis 9 überbracht durch Jürgen Gnauck	07/03/2000	DE	1228
CHARTE 4151/00	Letter from Mr. Buttiglione (MEP) to Mr. Herzog (President of the Convention)	07/03/2000	EN	1235
CHARTE 4152/00	Contribution de M. José Barros Moura (Parlement du Portugal)	07/03/2000	FR	1239
CHARTE 4156/00	Praesidium Note: Amendment Procedure for CHARTE 4149/00	09/03/2000	EN	1258
CHARTE 4160/00	Contribution of Mr Guy Braibant (Personal representative of the Government of France)	13/03/2000	EN	1260



Document Reference	Title	Date	Language	Page
CHARTE 4170/00	Praesidium Note: Proposed Articles on the rights of citizens (Articles A to J)	20/03/2000	EN	1263
CHARTE 4176/00	Proposed amendment to art.16(1) submitted by Mr. Graham Watson (MEP)	28/03/2000	EN	1272
CHARTE 4177/00	Änderungsvorschläge Herrn Jürgen Meyer zu Dokument Chartre 4149/00 Convent 13	28/03/2000	DE	1273
CHARTE 4178/00	Observations of Mr Fischbach and Mr. Krüger (Council of Europe observers) on CHARTE 4149/00 (dated 16/03/00)	28/03/2000	EN	1281
CHARTE 4179/00	Draft amendments to CHARTE 4149/00 of Lord Goldsmith, QC (Personal representative of the Government of the United Kingdom) (dated 17/03/00)	28/03/2000	EN	1284
CHARTE 4180/00	Observations de M. Guy Braibant (Représentant personnel du Gouvernement de la France) sur CHARTE 4149/00 (datées le 17/03/00)	28/03/2000	FR	1297
CHARTE 4181/00	Contribution of Mr. Erling Olsen (Personal representative of the Government of Denmark) on CHARTE 4149/00 (dated 17/03/00)	28/03/2000	EN	1300
CHARTE 4182/00	Contribution of Prof. Dr. George Papadimitriou (Personnel representative of the Government of Greece) on CHARTE 4149/00 and 4170/00 (dated 24/03/00)	30/03/2000	EN	1304
CHARTE 4183/00	Anmerkungen der Arbeitsgruppe der deutschen Länder zu Chartre 4149/00 vorgelegt von Herrn Jürgen Gnauck	28/03/2000	DE	1313
CHARTE 4184/00	Contribution of Mr. Gunnar Jansson (Finnish Parliament) on CHARTE 4149/00 (dated 17/03/00)	28/03/2000	EN	1320
CHARTE 4185/00	Contributions of Mr. Paavo Nikula (Personal Representative of the Finnish Government) and Mrs Tuija Brax (Finnish Parliament) on CHARTE 4149/00 (dated 17/03/00)	28/03/2000	EN	1323
CHARTE 4186/00	Propositions d'amendements à la CHARTE 4149/00 de M. Ben Fayot (Parlement luxembourgeois) (datées le 17/03/00)	28/03/2000	FR	1328
CHARTE 4187/00	Observations de M. Stefano Rodotà (Représentant personnel du Gouvernement de l'Italie) sur CHARTE 4149/00	28/03/2000	FR	1331
CHARTE 4188/00	Comments and draft amendments to CHARTE 4149/00 of Mr. Andrew Duff (MEP) (dated 17/03/00)	28/03/2000	EN	1334
CHARTE 4189/00	Contribution of Mrs Sylvia Kaufmann (MEP): Motion tabled by the PDS grouping in the German Bundestag (dated 27/09/95)	24/03/2000	EN	1339
CHARTE 4191/00	Änderungsanträge von Herrn Ingo Friedrich zu CHARTE 4149/00	30/03/2000	DE	1349
CHARTE 4192/00	Praesidium Note: Proposals for social rights	27/03/2000	EN	1353
CHARTE 4193/00	Praesidium Note: Proposals for social rights (draft Articles on health and social protection)	29/03/2000	EN	1366
CHARTE 4195/00	Änderungsvorschläge von Herrn. Jürgen Meyer zu CHARTE 4170/00 und CHARTE 4137/00	29/03/2000	DE	1367
CHARTE 4196/00	Contributo di M. Andrea Manzella (Parlamento Italiano): Risoluzione della Giunta Per Gli Affari Delle Comunità europee del Senato Italiano (datata 15/03/00)	31/03/2000	IT	1372
CHARTE 4199/00	Resolution of the European Parliament adopted on 16 March 2000 (Report by Mr Duff and Mr Voggenhuber)	05/04/2000	EN	1379
CHARTE 4200/00	Contribution de M. Hubert Haenel (Parlement français) (datée le 17/03/00)	29/03/2000	FR	1386
CHARTE 4201/00	Änderungsanträge von Herrn Ingo Friedrich zu CHARTE 4170/00	04/04/2000	DE	1389

Document Reference	Title	Date	Language	Page
CHARTE 4202/00	Observations au document CHARTE 4159/00 de M. Alvaro Rodriguez Bereijo (Représentant personnel du Gouvernement d'Espagne) (datées le 17/03/00)	05/04/2000	FR	1393
CHARTE 4203/00	Anmerkungen der Arbeitsgruppe der deutschen Länder, vorgelegt von Herrn Jürgen Gnauck zu CHARTE 4137/00 und CHARTE 4170/00	04/04/2000	DE	1408
CHARTE 4204/00	Contribution of Mr. Gunnar Jansson and Mrs Tuija Brax (Finnish Parliament)	04/04/2000	EN	1416
CHARTE 4205/00	Contribution of Mr. Paavo Nikula (Personnel representative of the Government of Finland) and Mr. Gunnar Jansson and Mrs. Tuija Brax (Finnish Parliament)	04/04/2000	EN	1419
CHARTE 4206/00	Contribution of Mrs. Charlotte Cederschiöld (MEP) on articles 10 and 16	06/04/2000	EN	1424
CHARTE 4207/00	Proposition d'amendements au document CHARTE 4170/00 de Mme Claude Du Granrut (membre du Comité des Régions)	04/04/2000	FR	1426
CHARTE 4214/00	Observations sur CHARTE 4192/00 et 4193/00 de M. Guy Braibant (Représentant personnel du Gouvernement de la France) (datées le 03/04/00)	07/04/2000	FR	1428
CHARTE 4221/00	Observations sur CHARTE 4123/00 de M. Guy Braibant (Représentant personnel du Gouvernement de la France)	07/04/2000	FR	1433
CHARTE 4221/00 COR 1	Corrigendum à la note de transmission de CHARTE 4221/00	10/04/2000	FR	1439
CHARTE 4222/00	Comments on CHARTE 4192/00 and 4193/00 by Mr. George Papadimitriou (Personal representative of the Government of Greece)	12/04/2000	EN	1440
CHARTE 4225/00	Contribution of Mrs. Johanna Maij-Weggen (MEP) on CHARTE 4192/00	12/04/2000	EN	1444
CHARTE 4227/00	Praesidium Note: Proposals for social rights III	17/04/2000	EN	1446
CHARTE 4235/00	Praesidium Note: Horizontal clauses	18/04/2000	EN	1451
CHARTE 4238/00 ADD 1	Amendments to CHARTE 4193/00 and 4192/00 of Mrs Pervenche Berès, Mrs Elena Paciotti and Mrs Ieke van den Burg (MEPs)	23/05/2000	EN	1455
CHARTE 4261/00	Comments on CHARTE 4170/00 and 4137/00 of Mr. Jens-Peter Bonde (MEP)	02/05/2000	EN	1464
CHARTE 4269/00	Commentaires sur CHARTE 4192/00 et 4193/00 des Lands allemands soumis par M. Jürgen Gnauck (Bundsrat) (datés le 08/05/00)	05/05/2000	FR	1466
CHARTE 4270/00	Observations sur les droits économiques et sociaux (CHARTE 4192/00, 4193/00 and 4227/00) de M. Guy Braibant (Représentant personnel du Gouvernement de la France)	02/05/2000	FR	1474
CHARTE 4271/00	Proposed amendment to the structure of social rights by Mr. Jürgen Meyer (Bundestag)	04/05/2000	EN	1478
CHARTE 4272/00	Propositions de dispositions horizontales soumises par MM. Fischbach et Krüger (observateurs du Conseil de l'Europe) (datées le 17/04/00)	02/05/2000	FR	1484
CHARTE 4280/00	Contribution de M. Guy Braibant (Représentant personnel du gouvernement français) sur les droits sociaux	02/05/2000	FR	1488
CHARTE 4284/00	Note du Présidium: Proposition pour les articles 1 à 30 (Droits civils et politiques et droits du citoyen (i.e. '...et droits du citoyen)	05/05/2000	FR	1491

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CHARTE 4284/00	Praesidium Note: New proposal for Articles 1 to 30 (Civil and political rights and citizens' rights)	12/05/2000	EN	1521
CHARTE 4285/00	Comments and amendments to CHARTE 4192/00 of Mr. Jens-Peter Bonde (MEP)	08/05/2000	EN	1550
CHARTE 4295/00	Proposition d'amendements aux CHARTE 4149/00, 4137/00 et 4170/00 de M. Jean-Luc Dehaene (Représentent personnel du Gouvernement de la Belgique)	08/05/2000	FR	1554
CHARTE 4297/00	Proposal on including minority rights by Mr. Jens-Peter Bonde (MEP)	10/05/2000	EN	1559
CHARTE 4299/00	Propositions d'amendements aux clauses horizontales (CHARTE 4235/00) de M. Jean-Luc Dehaene (Représentent personnel du Gouvernement de la Belgique)	10/05/2000	FR	1591
CHARTE 4303/00	Praesidium Note: Amendment Procedure for CHARTE 4284/00	12/05/2000	EN	1594
CHARTE 4308/00	Draft preamble by Mr. Stefano Rodotà (Personal representative of the Government of Italy), Mr. Andrea Manzella (Italian Parliament) and Mrs. Elena Paciotti (MEP)	17/05/2000	EN	1596
CHARTE 4309/00	Contribution of Mr. Frits Korthals Altes (Personal Representative of the Government of the Netherlands)	17/05/2000	EN	1598
CHARTE 4310/00	Anmerkungen der Arbeitsgruppe der deutschen Länder zu CHARTE 4227/00 und CHARTE 4235/00 sowie Diskussionsvorschläge der deutschen Länder für die Sitzung des Konvents am 11./12. Mai 2000	17/05/2000	DE	1605
CHARTE 4316/00	Praesidium note: New Proposals for the Articles on Economic and Social Rights and for the Horizontal Clauses	16/05/2000	EN	1612
CHARTE 4322/00	Contribution de M. Guy Braibant, Représentant personnel du Gouvernement de la France	23/05/2000	FR	1624
CHARTE 4330/00 ADD 1	Contribution de MM. Fischbach et Krüger, observateurs du Conseil de l'Europe (datée le 05/06/2000)	22/06/2000	EN	1630
CHARTE 4332/00	Praesidium Note: Amendments submitted by the members of the Convention regarding civil and political rights and citizens' rights - Reference: CHARTE 4284/00	25/05/2000	EN	1635
CHARTE 4332/00 ADD 1	Addendum to Praesidium note: amendment 545b submitted by Rodríguez Bereijo, representative of the Spanish Prime Minister	05/06/2000	EN	2364
CHARTE 4332/00 ADD 2	Addendum to Praesidium note: amendments 599-604 on civil and political and citizens' rights	07/06/2000	EN	2367
CHARTE 4332/00 ADD 3	Addendum to Praesidium note: amendments 605-606 on civil and political rights and citizens' rights	27/06/2000	EN	2376
CHARTE 4333/00	Note du Présidium: Projet d'articles 1 à 30, propositions d'amendements de compromis présentés par le Présidium	04/06/2000	FR	2377
CHARTE 4344/00	Contribution by Lord Goldsmith Q.C, personal representative of the government of the United Kingdom	31/05/2000	EN	2389
CHARTE 4352/00	Comité des régions: Propositions d'amendement concernant les droits civils et politiques et droits des citoyens	08/06/2000	FR	2395
CHARTE 4360/00	Praesidium note: Summary of amendments presented by the Praesidium	14/06/2000	EN	2403
CHARTE 4367/00	Ergänzungsvorschlag zu den Identitätsrechten von Herrn Wilhelm Brauneder, Vertreter des Österreichischen Parlaments	15/06/2000	DE	2448
CHARTE 4371/00	Praesidium note: contribution from the former President of the Federal Republic of Germany, Roman Herzog, relating to Articles 1-7	15/06/2000	EN	2452

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CHARTE 4372/00	Praesidium note: amendments submitted by the Members of the Convention regarding social rights and the horizontal clauses	16/06/2000	EN	2460
CHARTE 4373/00	Praesidium note: compromise proposal for Articles 31 to 40 (social rights and horizontal clauses)	23/06/2000	EN	2944
CHARTE 4383/00	Praesidium note: summary of amendments received and of Praesidium compromise amendments on economic and social rights and on the horizontal clauses	03/07/2000	EN	2949
CHARTE 4385/00	Complementary suggestion to article 34 of document CHARTE 4316/00 CONVENT 34, by Mr. Daniel Tarchys, personal representative of the Government of Sweden.	26/06/2000	EN	2979
CHARTE 4392/00	Contribution de Mme Anna Benaki-Psarouda, membre du Parlement grec	27/06/2000	FR	2981
SN 3340/00	Praesidium note: Proposals for Horizontal Articles	29/06/2000	EN	2985
CHARTE 4393/00	Ergänzung des Änderungsantrags zu Artikel 47 von Herrn Jürgen Gnauck, Mitglied des deutschen Bundestags	30/06/2000	EN	2991
CHARTE 4397/00	Contribution by Mr. Hirsch Ballin relating to the horizontal clauses, representative of the Parliament of the Netherlands (dated 29/06/00)	03/07/2000	EN	2993
CHARTE 4399/00	Praesidium note: Compromise proposal for Articles 41 to 44	04/07/2000	EN	2996
CHARTE 4400/00	Praesidium note: Draft Preamble	14/07/2000	EN	2999
CHARTE 4401/00	Compromise proposal on economic and social rights by Mr. Guy Braibant, Representative of the Government of France and Mr. Jürgen MEYER, Representative of the German Parliament (dated 13/06/00)	04/07/2000	EN	3001
CHARTE 4402/00	Contribution on Articles 20-30 by Mr Caspar Einem, representative of the Austrian Parliament (dated 02/07/00)	04/07/2000	EN	3006
CHARTE 4405/00	Proposal for amendments by Dr Sylvia-Yvonne Kaufmann, Member of the European Parliament	06/07/2000	EN	3010
CHARTE 4406/00	Letter to the Convention by Mr. Frits Korthals Altes, Representative of the Government of the Netherlands, relating to horizontal articles (dated 28/06/00)	06/07/2000	EN	3034
CHARTE 4408/00	Contribution by Mr. Daniel Tarschys, representative of the Swedish government	07/07/2000	EN	3036
CHARTE 4411/00	Intervention by M. Marc Fischbach, observer of the Council of Europe, in the debate on the horizontal provisions (dated 30/06/00)	13/07/2000	EN	3041
CHARTE 4412/00	Praesidium note: Structure of the Charter	13/07/2000	EN	3045
CHARTE 4413/00	Contribution by M. Guy Braibant, representative of the French government, on a Charter Plan (dated 07/07/00)	11/07/2000	EN	3046
CHARTE 4414/00	Contribution de M. Rodriguez Bereijo Représentant du gouvernement d'Espagne on economic and social rights	12/07/2000	FR	3049
CHARTE 4417/00	Letter to Mr Roman Herzog by Mr Caspar Einem, member of the Austrian National Council	13/07/2000	EN	3053
CHARTE 4421/00	Stellungnahme von Herrn Jo Leinen, Mitglied des Europäischen Parlaments, zum Artikel 24	17/07/2000	DE	3056
CHARTE 4422/00	Praesidium note: Complete Text of the Charter proposed by the Praesidium	28/07/2000	EN	3058
CHARTE 4423/00	Praesidium note: Text of the Explanations relating to the Complete Text of the Charter	31/07/2000	EN	3075
CHARTE 4427/00	Contribution by Dr. Erling Olsen, representative of the Danish government, relating to a horizontal article concerning the relation between the Charter and the ECHR	14/07/2000	EN	3112

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CHARTE 4428/00	Contribution by Lord Goldsmith QC, personal representative of the Government of the United Kingdom, on the structure of the draft Charter (dated 18/07/00)	20/07/2000	EN	3114
CHARTE 4429/00	Contribution by Lord Goldsmith QC, personal representative of the government of the United Kingdom, on the Preamble (dated 18/07/00)	20/07/2000	EN	3118
CHARTE 4430/00	Stellungnahme von Herrn Jürgen Gnauck, Vertreter des Deutschen Bundestages, zu den sozialen Rechten	20/07/2000	DE	3121
None	Observations reçues relatives au Document CHARTE 4422/00	07/09/2000	MULTI	3125
None	Addendum à la Note – Observations reçues relatives au Document CHARTE 4422/00	09/09/2000	MULTI	3547
CHARTE 4470/00	Praesidium note: Complete Text of the Charter proposed by the Praesidium following the meeting held from 11-13/09/00	14/09/2000	EN	3559
CHARTE 4470/00 COR 1	Corrigendum to Praesidium note CHARTE 4470/00	20/09/2000	EN	3577
CHARTE 4470/1/00 REV 1	Praesidium note: Complete text of the Charter after being finalised by the Legal Linguistic Working Party	21/09/2000	EN	3578
CHARTE 4470/1/00 REV 1 ADD 1	Addendum to Praesidium note: Complete text of the Charter after being finalised by the Legal Linguistic Working Party	25/09/2000	EN	3600
CHARTE 4471/00	Praesidium note: Text of the Explanations relating to the Complete Text of the Charter as set out in CHARTE 4470/00 + COR 1	20/09/2000	EN	3604
CHARTE 4473/00	Praesidium note: Text of the Explanations relating to the Complete Text of the Charter as set out in CHARTE 4487/00	11/10/2000	EN	3649
CHARTE 4473/1/00 REV 1	Note du Praesidium: Texte des explications relatives au texte complet de la Charte, tel que repris au doc. CHARTE 4487/00	19/10/2000	FR	3700
CHARTE 4475/00	Council of Europe's observations (dated 22/08/00)	19/09/2000	EN	3751
CHARTE 4477/00	Commission Communication COM(2000) 559 final on the Charter of Fundamental Rights of the European Union (dated 13/09/00)	20/09/2000	EN	3754
CHARTE 4479/00	Contribution submitted by the Council of Europe's observers (dated 19/09/00)	25/09/2000	EN	3767
CHARTE 4487/00	Projet de Charte des droits fondamentaux de l'Union européenne	25/09/2000	EN	3770
CHARTE 4487/1/00 REV 1	Draft Charter of Fundamental Rights of the European Union	10/10/2000	EN	3793
CHARTE 4487/1/00 REV 1 COR 1	Corrigendum to Draft Charter of Fundamental Rights of the European Union as contained in CHARTE 4487/1/00	11/10/2000	EN	3816
CHARTE 4487/2/00 REV 2	Draft Charter of Fundamental Rights of the European Union	09/11/2000	EN	3817
CHARTE 4952/00	Contribution de M. Jean-Luc Dehaene, représentant personnel du gouvernement belge	05/10/2000	FR	3840
CHARTE 4953/00	Contribution by Mrs. Van der Burg (Member of the European Parliament) (dated 20/09/00)	17/10/2000	EN	3846

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CHARTE 4960/00	Letter sent by President Herzog to President Chirac upon completion of the Convention's proceedings (dated 05/10/00)	26/10/2000	EN	3855
CHARTE 4961/00	Comments of the Council of Europe observers on the draft Charter (dated 09/11/00)	13/11/2000	EN	3857
13534/00	Note from the Council Presidency: Charter – Solemn proclamation, Nice, 7 December 2000	17/11/2000	EN	3861
13891/00	Compte rendu sommaire de la 1898ème réunion du Coreper tenue à Bruxelles les 29 novembre et 1er décembre [Extraits]	21/02/2001	FR	3862
14101/00	Note from Coreper to the European Council: Charter – Solemn proclamation, Nice, 7 December 2000	30/11/2000	EN	3864

#### 4. NGOs and Others' Amendments and Contributions

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CHARTE 4101/00	Rapport de position établi par la Fédération Internationale des Ligues des Droits de l'Homme (FIDH)	06/01/2000	FR	3866
CHARTE 4104/00	Draft European Citizen's Charter submitted by the Permanent Forum of Civil Society	07/01/2000	EN	3889
CHARTE 4106/00	Report submitted by the Parliamentary Assembly of the Council of Europe (dated 14/01/00)	18/01/2000	EN	3900
CHARTE 4108/00	Open letter submitted by the European Parliament Intergroup (Fourth World European Committee) (dated 12/01/00)	20/01/2000	EN	3916
CHARTE 4109/00	Contribution submitted by Bench House (Fair Trials Abroad Trust)	20/01/2000	EN	3918
CHARTE 4110/00	Report "Property rights within European law" submitted by the European Landowners' Organisation – ELO	21/01/2000	EN	3932
CHARTE 4113/00	Draft Opinion of the Committee of the Regions (dated 25/11/99)	27/01/2000	EN	3943
CHARTE 4114/00	Opinion from the Political Affairs Committee of the Parliamentary Assembly of the Council of Europe (dated 17/01/00)	28/01/2000	EN	3953
CHARTE 4115/00	Texts adopted by the Parliamentary Assembly of the Council of Europe on 25 January 2000: Recommendation 1439(2000), Resolution 1210(2000) and Directive no 561(2000)	28/01/2000	EN	3960
CHARTE 4116/00	Opinion from the Social and Family Affairs Committee of the Parliamentary Assembly of the Council of Europe (dated 24/01/00)	28/01/2000	EN	3966
CHARTE 4119/00	Resolution of the Synod of the Protestant Church in Germany (EKD), Leipzig, 11/11/99	03/02/2000	EN	3973
CHARTE 4120/00 ADD 1	Declaration of the Association of Women of Southern Europe (AFEM) (dated 29/01/00)	28/02/2000	EN	3976
CHARTE 4124/00	Resolution of the European Trade Union Conference (ETUC), 16-17/09/99	08/02/2000	EN	3979
CHARTE 4126/00	Erklärung von Halle zur Europäischen Grundrechtscharta, vom 2.12.99, vorgelegt vom Rat der Gemeinden und Regionen Europas - Deutsche Sektion	09/02/2000	DE	3984
CHARTE 4127/00	Submission on the Recognition of the Rights of the Child in the Charter by the European Children's Network (Euronet) (dated January 2000)	09/02/2000	EN	3988
CHARTE 4128/00 ADD 1	Contribution of the Secretariat of the Commission of the Bishops' Conferences of the European Community (COMECE) (dated 8/02/00)	07/03/2000	EN	4005

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CHARTE 4129/00 ADD 1	Common statement by the International Federation of Human Rights (FIDH) (dated 14/02/00)	07/06/2000	EN	4016
CHARTE 4130/00	Contribution de la Fédération Européenne des Retraités et Personnes Agées (FERPA) (datée le 11/02/00)	16/02/2000	FR	4022
CHARTE 4132/00	Letter submitted by the European Women's Lobby (dated 14/02/00)	18/02/2000	EN	4027
CHARTE 4133/00	Working document on Fundamental Social Rights in Europe produced by the European Parliament's Directorate General for Research (dated completed November 1999)	21/02/2000	EN	4031
CHARTE 4143/00	Contribution submitted by the European Bureau for Lesser Used Languages (EBLUL) (dated 25/02/00)	29/02/2000	EN	4075
CHARTE 4144/00	Diskussions-Vorschlag der EU-Vertretung der Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege (BAGFW) (datiert 16.02.00)	29/02/2000	DE	4078
CHARTE 4153/00	Opinion of the Committee of the Regions adopted on 16/02/00	08/03/2000	EN	4081
CHARTE 4155/00	Contribution intitulée "Convention européen de protection contre la violence et le harcèlement raciste" soumise par M. Joël Zylberberg	14/03/2000	FR	4091
CHARTE 4157/00	Contribution of the Association of Women of Southern Europe (AFEM)	13/03/2000	EN	4165
CHARTE 4157/00 ADD 1	Contribution de l'Association des Femmes de l'Europe Méridionale (AFEM)	17/03/2000	FR	4174
CHARTE 4159/00	Beitrag der Konrad-Adenauer-Stiftung zur EU-Grundrechtscharta	14/03/2000	DE	4185
CHARTE 4161/00	Contribution du Conseil Central des Communautés Philosophiques non Confessionnelles de Belgique (CCL-CVR) (07/03/00)	14/03/2000	FR	4193
CHARTE 4162/00	Contribution from the Federation of Catholic Family Associations in Europe	15/03/2000	EN	4199
CHARTE 4163/00	Memorandum submitted by the Dutch Standing Committee of Experts on International Immigration, Refugee and Criminal Law as evidence to an inquiry of the UK House of Lords (dated 22/02/00)	15/03/2000	EN	4204
CHARTE 4164/00	Vorschläge der Initiative "Netzwerk Dreigliederung"	16/03/2000	DE	4216
CHARTE 4165/00	Contribution submitted by the Europeans Landowner's Organisation (ELO) (dated 15/03/00)	16/03/2000	EN	4230
CHARTE 4166/00	Contribution submitted by the European Bureau for Lesser Used Languages (EBLUL) (dated 25/02/00)	16/03/2000	EN	4237
CHARTE 4167/00	Contribution submitted by European Round Table of Charitable Social Welfare Associations (ETWelfare) (dated 03/02/00)	16/03/2000	EN	4239
CHARTE 4168/00	Contribution du Groupement Européen des Fédérations intervenant dans l'immobilier (GEFI)	16/03/2000	FR	4242
CHARTE 4169/00	Contribution submitted by the European Children's Network (Euronet) (dated 27/02/00)	17/03/2000	EN	4260
CHARTE 4171/00	Contribution submitted by European Liaison Committee on Services of General Interest (CELSIG) (dated 02/03/00)	20/03/2000	EN	4259
CHARTE 4172/00	Déclaration de l'Association des Femmes de l'Europe Méridionale (AFEM) – Strasbourg, 17 mars 2000	22/03/2000	FR	4263
CHARTE 4173/00	Contribution submitted by Amnesty International on the right of asylum and the protection of refugees (dated 20/02/00)	22/03/2000	EN	4265

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CHARTE 4174/00	Open letter submitted by the European Federation of National Organisations Working with the Homeless (FEANTSA) (dated 21/02/00)	22/03/2000	EN	4269
CHARTE 4175/00	Beitrag des Zentralverband der Deutschen Haus-, Wohnungs- und Grundeigentümer e.V. (“Hans und Grund Deutschland”) (datiert 08.03.00)	22/03/2000	DE	4273
CHARTE 4190/00	Contribution submitted by three European owners’ organisations: the European Association of Real-estate Owners (GEFI), the European Confederation of Forest owners (CEPF) and the European Landowners’ Organisation (ELO) (dated 21/03/00)	27/03/2000	EN	4278
CHARTE 4194/1/00 REV 1	Contribution submitted by the Platform of European Social NGOs and the European Trade Union Confederation (ETUC)	28/04/2000	EN	4284
CHARTE 4197/00	Declaration of the European Health Forum Gastein 1999 (EHFG) submitted by the International Forum Gastein (dated 06-09/10/99)	31/03/2000	EN	4298
CHARTE 4198/00	Contribution submitted by European Justice and Peace Commissions, International Federation of Leagues for Human Rights (FIDH), European Migrant’s Forum, International Catholic Migration Commission (ICMC), KAIROS Europe, Pax Cristi International, Representantatives of Communities of African Origin, and Quaker Council for European Affairs (QCEA) (dated 14/02/00)	04/04/2000	EN	4312
CHARTE 4213/00	Contribution de la Confédération Européenne des Syndicats Indépendants (CESI)	07/04/2000	FR	4317
CHARTE 4215/00	Contribution submitted by the European Forum for Freedom in Education (EFFE) with a view to the hearing on 27/04/00	10/04/2000	EN	4322
CHARTE 4216/00	Beitrag von Herrn Thomas Clement zu den Bürgerrechten	07/04/2000	DE	4330
CHARTE 4217/00	Contribución de D. Isaac Ibáñez García sobre el Derecho de Petición (de fecha el 31/03/00)	10/04/2000	ES	4346
CHARTE 4219/00	Recommendation and report by the Council of Europe on Protection of human rights and dignity of the terminally ill and dying (Recommendation 1418(1999) and Doc.8421 of 21 May 1999), submitted by Mr. Reinhard Rack, member of the German Bundestag (dated May and June 1999)	07/04/2000	EN	4352
CHARTE 4220/00	Contribution du Conseil des communes et régions d’Europe (CCRE), en vue de l’audition du 27/04/00 (datée le 22/03/00 et 11/10/99)	11/04/2000	FR	4372
CHARTE 4223/00	Vorläufige Stellungnahme der “European Co-operation in Anthroposophical Curative Education and Social Therapy” (ECCE) (datiert 07.04.00)	12/04/2000	DE	4387
CHARTE 4224/00	Stellungnahme des Forum Menschenrechte zur Grundrechtscharta	12/04/2000	DE	4391
CHARTE 4226/00	Submission of the Confederation of British Industry (CBI)	12/04/2000	EN	4396
CHARTE 4228/00	Contribution submitted by the Initiative “Netzwerk Dreigliederung” ahead of the public hearing on 27/04/00	18/04/2000	EN	4402
CHARTE 4229/00	Contribution submitted by the Association of German Public Service Broadcasting Corporations (ARD) and German Television (ZDF)	18/04/2000	EN	4406
CHARTE 4230/00	Beitrag des Diakonischen Werks der Evangelischen Kirche in Deutschland	18/04/2000	DE	4412
CHARTE 4231/00	Contribution submitted by the Association of Women of Southern Europe (AFEM) with a view to the hearing on 27/04/00	18/04/2000	EN	4419



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CHARTE 4232/00 ADD 1	Contribution by the International Federation of Human Rights (FIDH) with a view to the hearing on 27/04/00	07/06/2000	EN	4425
CHARTE 4233/00	Contribution submitted by the Conference of European Churches with a view to the hearing on 27/04/00	18/04/2020	EN	4433
CHARTE 4234/00	Contribution submitted by the General Council of the Bar of England and Wales – Written evidence to an inquiry of the UK House of Lords (dated 09/02/00)	02/05/2000	EN	4438
CHARTE 4236/00	Contribution submitted by the Union of Industrial and Employers’ Confederations of Europe (UNICE) with a view to the hearing on 27/04/00 (dated 27/03/00)	18/04/2000	EN	4455
CHARTE 4237/00	Statement submitted by the European Bureau for Lesser Used Languages (EBLUL) with a view to the hearing on 27/04/00	18/04/2020	EN	4458
CHARTE 4239/00	Contribution submitted by the European Union of Christian Democratic Workers (EUCDW) with a view to the hearing on 27/04/00 (dated 12/04/00)	19/04/2000	EN	4462
CHARTE 4240/00	Contribution submitted by the European Children’s Network (EURONET) with a view to the hearing on 27/04/00 (dated 12/04/00)	19/04/2000	EN	4466
CHARTE 4241/00	Contribution du Carrefour pour une Europe civique et sociale (CAFECS) en vue de l’audition publique du 27/04/00 (datée le 07/10/99)	25/04/2000	FR	4484
CHARTE 4242/00	Contribution submitted by the European Housing Forum (EHF) with a view to the hearing on 27/04/00 (dated 14/04/00)	19/04/2000	EN	4539
CHARTE 4243/00	Contribution du Collectif pour la Charte des droits fondamentaux (CCDF) en vue de l’audition publique du 27/04/00	19/04/2000	FR	4548
CHARTE 4244/00	Contribution du Conseil Central des Communautés Philosophiques non-Confessionnelles (CCL) en vue de l’audition publique du 27/04/00	19/04/2000	FR	4559
CHARTE 4245/00	Contribution de “Terre Des Hommes France” en vue de l’audition publique du 27/04/00	19/04/2000	FR	4567
CHARTE 4246/00	Contribution submitted by the European Region of the International Lesbian and Gay Association (ILGA-Europe) with a view to the hearing on 27/04/00 (dated 15/04/00)	19/04/2000	EN	4571
CHARTE 4247/00	Contribution submitted by the European Women’s Lobby European Women’s Lobby with a view to the hearing on 27/04/00 (dated 10/04/00)	19/04/2000	FR	4581
CHARTE 4248/00	Contribution de Eurocities, soumise par M. Delebecque, vice-Président de la Communauté Urbaine de Lille, en vue de l’audition publique du 27/04/00	19/04/2000	FR	4584
CHARTE 4249/00	Beitrag von der Evangelischen Akademie Thüringen zu Forderungen der Frauentagung (datiert 02.04.00)	19/04/2000	DE	4588
CHARTE 4250/00	Contribution submitted by the European Blind Union with a view to the hearing on 27/04/00 (dated 19/04/00)	20/04/2000	EN	4591
CHARTE 4251/00	Contribution de l’Office catholique d’information et d’initiative pour l’Europe (OCIPE) en vue de l’audition publique du 27/04/00	26/04/2000	FR	4595
CHARTE 4252/00	Contribution de “World Conference on Religion & Peace” (WCRP) en vue de l’audition publique du 27/04/00 (datée le 25/04/00)	26/04/2000	FR	4597
CHARTE 4253/00	Stellungnahme des Europäischen Forums für Freiheit im Bildungswesen (EFFE) (datiert 25.04.00)	02/05/2000	DE	4600

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CHARTE 4482/00	Contribution du Congrès des Pouvoirs Locaux et Régionaux de l'Europe (CPLRE) (datée le 15/09/00)	25/09/2000	FR	5705
CHARTE 4483/00	Contribution submitted by the Social, Health and Family Affairs Committee of the Council of Europe (dated 20/09/00)	26/09/2000	EN	5708
CHARTE 4484/00	Contribution submitted by the "Universität der Bundeswehr" (dated 20/09/00)	26/09/2000	EN	5712
CHARTE 4485/00	Contribution submitted by the European Union of House Builders and Developers (UEPC)	26/09/2000	EN	5716
CHARTE 4486/00	Contribution submitted by the Association of Women of Southern Europe (AFEM)	27/09/2000	EN	5718
CHARTE 4488/00	Opinion of the Economic and Social Committee, "Towards an EU Charter of Fundamental Rights"	19/09/2000	EN	5722
CHARTE 4489/00	Contribution submitted by the Federation of German Industries (BDI) and the Confederation of German Employers' Associations	29/09/2000	EN	5733
CHARTE 4490/00	Contribution submitted by the Church and Society Commission of the Conference of European Churches (dated 25/09/00)	29/09/2000	EN	5741
CHARTE 4491/00	Beitrag der Evangelischen Kirche A.B. in Österreich (datiert 12.02.00)	29/09/2000	DE	5745
CHARTE 4492/00	Contribution de la Plate-forme des ONG européennes du secteur social (datée le 23/09/00)	29/09/2000	FR	5748
CHARTE 4493/00	Contribution du Carrefour pour une Europe civique et sociale (CAFECS)	29/09/2000	FR	5751
CHARTE 4494/00	Beitrag von Herrn Dr. Marten Brauer (datiert 25.09.00)	03/10/2000	DE	5753
CHARTE 4495/00	Contribution submitted by the Quaker Council for European Affairs (dated 23/09/00)	03/10/2000	EN	5756
CHARTE 4496/00	Motions submitted by the Non-Governmental Organisations (NGOs) enjoying consultative status with the Council of Europe	04/10/2000	EN	5759
CHARTE 4497/00	Observations submitted of the British Medical Association (BMA)	10/03/2000	EN	5762
CHARTE 4498/00	Position du Carrefour pour une Europe civique et sociale (CAFECS): "Un point de départ" (datée le 29/09/00)	04/10/2000	FR	5766
CHARTE 4499/00	Report submitted by the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe (dated 27/09/00)	04/10/2000	EN	5770
CHARTE 4500/00	Texts adopted by the Parliamentary Assembly of the Council of Europe the 29 September 2000	04/10/2000	EN	5782
CHARTE 4951/00	European Parliament Resolution on the European Union Charter of Fundamental Rights	04/10/2000	EN	5789
CHARTE 4954/00	Contribution submitted by the European Council on Environmental Law (adopted 22/09/00, transmitted to Convention 26/09/00)	17/10/2000	EN	5791
CHARTE 4956/00	Commission Communication COM(2000) 644 final "On the Legal Nature of the Charter of Fundamental Rights of the European Union" (dated 11/10/00)	18/10/2000	EN	5794

5. *Miscellaneous Documents – Member Lists, Agendas and Work Plans, and European Parliament Delegation Documents* 5802

a. Member Lists and Curricula Vitae 5803

Document Reference	Title	Date	Language	Page
None	Liste des nominations avec addresses – État au 15 décembre 1999	15/12/1999	FR	5804
None	Liste des nominations avec addresses – État au 3 janvier 2000	03/01/2000	FR	5810
None	Liste des nominations – État au 9 février 2000	09/02/2000	FR	5816
None	Liste des nominations – État au 16 février 2000	16/02/2000	FR	5819
None	Liste des nominations – État au 9 mars 2000	09/03/2000	FR	5822
CHARTE 4158/00	Note d'information: Projet de Charte des droits fondamentaux de l'Union européenne - Liste des nominations des membres de la Convention	15/03/2000	MULTI	5825
None	Liste des nominations – État au 23 mars 2000	23/03/2000	FR	6007
None	Liste des nominations – État au 24 mars 2000	24/03/2000	FR	6010
None	Liste des nominations – État au 5 avril 2000	05/04/2000	FR	6013
None	Liste des nominations – État au 19 avril 2000	19/04/2000	FR	6016
None	Liste des nominations – État au 29 mai 2000	29/05/2000	FR	6019
None	Liste des nominations – État au 7 juin 2000	07/06/2000	FR	6022

b. Agendas and Timetables of the Charter Convention 6025

None	Programmation des travaux	01/02/2000	EN	6026
SN 1743/00	Work programme for the Convention	22/02/2000	EN	6027
SN 2225/00	Work programme for the Convention Update	24/02/2000	EN	6030
SN 2785/00	Timetable and work programme for the Convention Updated on 12 May 2000	15/05/2000	EN	6032
SN 3295/00	Timetable and work programme for the Convention Updated as at 20 June 2000	21/06/2000	EN	6034
SN 5133/1/99/ REV 1	Draft Work Programme	13/12/1999	EN	6035
SN 1169/00	Agenda for the meeting of the Body on 1 February 2000	18/01/2000	EN	6037
SN 1538/00	Agenda for the meeting on 24-25 February 2000	09/02/2000	EN	6038
SN 1745/00	Agenda for the meeting of the Convention on 02-03/03/00	22/02/2000	EN	6040
SN 1949/00	Agenda for the meeting of the Convention on 20-21/03/00	09/03/2000	EN	6041
SN 2057/00	Agenda for the meeting of the Convention on 27-28/03/00	17/03/2000	EN	6043

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SN 2195/00	Agenda for the meeting of the Convention on 03-04/04/00	27/03/2000	EN	6045
SN 2536/00	Agenda for the meeting of the Convention on 27-28/04/00	17/04/2000	EN	6046
SN 2595/00	Agenda for the meeting of the Convention on 03-04/05/00	26/04/2000	EN	6047
SN 2665/00	Agenda for the meeting of the Convention on 11-12/05/00	04/05/2000	EN	6048
SN 3021/00	Agenda for the meeting of the Convention on 05-06/06/00	26/05/2000	EN	6050
SN 3160/00	Agenda for the meeting of the Convention on 19-20/06/00	09/06/2000	EN	6052
SN 3294/00	Agenda for the meeting of the Convention on 28-30/06/00	21/06/2000	EN	6054
SN 3501/00	Agenda for the meeting of the Convention on 10-11/07/00	04/07/2000	EN	6055
SN 3502/00	Agenda for the meeting of the Convention on 17-19/07/00	05/07/2000	EN	6057
SN 3995/00	Agenda for the meeting of the Convention on 11-13/09/00	31/08/2000	EN	6059
SN 4236/1/00 REV 1	Agenda for the meeting of the Convention on 25-26/09/00	18/09/2000	EN	6061
SN 4291/00	Letter from President Herzog to the Members of the Convention	20/09/2000	EN	6063
SN 4376/00	Agenda for the meeting of the Convention on 02/10/00	27/09/2000	EN	6065

## c. European Parliament Delegation Documents relating to the Charter Convention

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DE/OJ/001	EP Delegates meeting agenda – 24 November 1999	22/11/1999	EN/FR	6067
PE 168.636	EP Delegates meeting minutes – 24 November 1999	03/12/1999	EN	6068
PE 232.397	Duff et Voggenhuber: Document de travail sur l'élaboration d'une charte des droits fondamentaux de l'Union européenne	07/12/1999	FR	6069
PE 168.628	EP Delegates meeting agenda – 14 December 1999	30/11/1999	EN/FR	6076
PE 168.656	EP Delegates meeting minutes – 14 December 1999	14/12/1999	EN	6077
PE 288.132	EP Delegates meeting minutes – 8 January 2000	18/01/1999	EN	6082
PE 288.131	EP Delegates meeting agenda – 26 January 2000	19/01/2000	EN	6087
PE 288.134	EP Delegates meeting minutes – 26 January 2000	31/01/2000	EN	6088
PE 288.130	EP Delegates meeting agenda – 15 February 2000	03/02/2000	EN	6092
PE 288.590	EP Delegates meeting minutes – 15 February 2000	02/03/2000	EN	6093
PE 232.648	Committee on Constitutional Affairs: Report on the drafting of a European Union Charter of Fundamental Rights	03/03/2000	EN	6097
PE 288.595	EP Delegates meeting minutes – 14 March 2000	14/03/2000	EN	6148
PE 288.596	EP Delegates: Résumé Succinct des débats – 14 mars 2000	14/03/2000	FR	6150
PE 288.597	EP Delegates meeting Orde du Jour – 11 avril 2000	27/03/2000	FR	6151

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PE 290.393	EP Delegates meeting minutes – 11 April 2000	11/04/2000	EN	6152
PE 290.394	EP Delegates: Résumé Succinct des débats – 11 avril 2000	02/05/2000	FR	6155
PE 290.395	EP Delegates meeting agenda – 16 May 2000	02/05/2000	EN	6156
PE 290.397	EP Delegates meeting minutes – 17 May 2000	17/05/2000	EN	6157
PE 290.396	EP Delegates meeting agenda – 8 June 2000	26/05/2000	EN	6160
PE 290.399	EP Delegates meeting minutes – 8 June 2000	08/06/2000	EN	6161
PE 290.400	EP Delegates: Summary of discussions – 8 June 2000	21/06/2000	EN	6164
PE 290.401	EP Delegates meeting agenda – 4 July 2000	27/06/2000	EN	6166
PE 290.402	EP Delegates meeting minutes – 4 July 2000	04/07/2000	EN	6167
PE 294.229	EP Delegates meeting agenda – 31 August 2000	05/07/2000	EN	6171
PE 294.236	EP Delegates meeting agenda – 6 September 2000	31/08/2000	EN	6172
PE 295.792	EP Delegates meeting agenda – 21 September 2000	21/09/2000	EN	6173
None	Table with EP Delegate position and CONVENT' 45 > CONVENT' 47 changes	21/09/2000	EN	6174
PE 294.705	Committee on Constitutional Affairs: Recommendation on the draft Charter of Fundamental Rights of the European Union [Extract]	11/08/2000	EN	6186
[2001] OJ C223/74	EP Decision of 14 November 2000 approving the draft Charter of Fundamental Rights of the European Union [Extract]	14/11/2000	EN	6192

d. Council Press Releases Concerning the Charter Convention

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6451/00	First informal working-party meeting of the Convention: 24-25 February 2000	25/02/2000	EN	6195
6593/00	Second informal working-party meeting of the Convention: 2-3 March 2000	06/03/2000	EN	6196
7095/00	Third plenary meeting of the Convention: 20-21 March 2000	21/03/2000	EN	6198
7531/00	Fourth informal working-party meeting of the Convention: 3-4 April 2000	06/04/2000	EN	6200
8059/00	Fifth informal working-party meeting of the Convention: 27-28 April 2000	02/05/2000	EN	6202
8388/00	Sixth informal working-party meeting of the Convention: 3-4 May 2000	10/05/2000	EN	6204
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9550/00	Eighth informal working-party meeting of the Convention: 19-20 June 2000	27/06/2000	EN	6207
10076/00	Ninth informal working-party meeting of the Convention: 28-30 June 2000	05/07/2000	EN	6209
10576/00	Eleventh informal working-party meeting of the Convention: 24 July 2000	24/07/2000	EN	6210
11242/00	Fifth plenary meeting of the Convention: 11-12 September 2000	15/09/2000	EN	6212

Document Reference	Title	Date	Language	Page
11561/00	Sixth plenary meeting of the Convention: 25-26 September 2000	27/09/2000	EN	6214
11824/00	Seventh plenary meeting of the Convention: 2 October 2000	02/10/2000	EN	6215
11824/00 COR 1	Seventh plenary meeting of the Convention: 2 October 2000: Correction	05/10/2000	EN	6216

**IV. Key Post-Charter Convention Documents** **6217**

*1. Selected travaux préparatoires from the 2002-2003 Convention on the Future of Europe and 2003-2004 Inter-Governmental Conference (‘IGC’)* 6218

a. The Mandate of the Convention on the Future of Europe 6219

SN 300/1/01 REV 1	Presidency Conclusions: European Council Meeting in Laeken, 14 and 15 December 2001 [Extracts]	15/12/2001	EN	6220
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b. Meeting Records – Plenary, Praesidium and Working Group II 6242

CONV 14/02	Report on plenary of 21-22 March 2002	25/03/2002	EN	6243
CONV 40/02	Report on plenary of 15-16 April 2002	25/04/2002	EN	6254
None	Summary of Conclusions: Meeting of the Praesidium – Brussels, 25 April 2002	06/05/2002	EN	6266
None; annex: SN 2252/02	Summary of Conclusions: Meeting of the Praesidium – Brussels, 8 May 2002	08/05/2002	EN/FR	6269
CONV 52/02	Praesidium Note: Working Groups	17/05/2002	EN	6274
CONV 72/02	Note from Vitorino: Mandate of the Working Group on the Charter	31/05/2002	EN	6278
CONV 77/1/02 REV 1	Praesidium Note: Composition of the Working Groups	14/06/2002	EN	6283
CONV 124/02	Secretariat Note: Working Groups	19/06/2002	EN	6290
CONV 121/02, WG II 2	Agenda for meeting of the Working Group on Incorporation of the Charter/Accession to the ECHR on Tuesday 25 June 2002	19/06/2002	EN	6294
CONV 164/02, WG II 4	Summary of meeting on 25 June 2002	28/06/2002	EN	6295
CONV 172/02, WG II 5	Agenda for meeting of the Working Group on Incorporation of the Charter/Accession to the ECHR	03/07/2002	EN	6298
None	Summary of Conclusions: Meeting of the Praesidium – Brussels, 10 July 2002	12/07/2002	EN	6299
CONV 196/02, WG II 6	Provisional Agenda for the Meeting of the Working Group on Incorporation of the Charter/Accession to the ECHR on Tuesday 23 July 2002	15/07/2002	EN	6302
CONV 203/02, WG II 7	Summary of the meeting held on 12 July 2002 chaired by Commissioner António Vitorino	18/07/2002	EN	6304
CONV 223/02, WG II 8	Summary of the meeting held on 23 July 2002 chaired by Commissioner António Vitorino	31/07/2002	EN	6309
WG II WD 13	Interventions of Schoo, Piris and Petite at 23/07/02 meeting	05/09/2002	EN	6318

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CONV 244/02, WG II 9	Agenda for the meeting of the Working Group on Incorporation of the Charter/Accession to the ECHR on Tuesday 17 September 2002	09/09/2002	EN	6369
None	Summary of Conclusions: Meeting of the Praesidium – 11 September 2002	13/09/2002	EN	6370
CONV 163/02, WG II 3	Secretariat Note: Timetable of meetings	18/09/2002	EN	6373
WG II WD 19	Hearing of Judge Skouris on 17/09/02	27/09/2002	EN	6374
CONV 295/02, WG II 10	Summary of the meeting held on 17/09/02 chaired by Commissioner António Vitorino	26/09/2002	EN	6383
CONV 306/02, WG II 11	Agenda for the meeting of Working Group II on 4 October 2002 14h30 - 18h30	30/09/2002	EN	6393
CONV 309/02, WG II 12	Agenda for the meeting of Working Group II on 7 October 2002 10h00 to 18h30	01/10/2002	EN	6394
CONV 348/02, WG II 13	Agenda for the meeting of Working Group II on 21 October 2002 9h30 to 13h00	16/10/2002	EN	6395
CONV 350/02, WG II 14	Summary of the meeting held on Friday 4 October 2002 chaired by Commissioner António Vitorino	17/10/2002	EN	6396
CONV 351/02, WG II 15	Summary of the meeting on Monday 7 October 2002 chaired by Commissioner António Vitorino	17/10/2002	EN	6399
CONV 360/02, WG II 17	Summary of the meeting of Working Group II held on 21 October 2002	23/10/2002	EN	6402
CONV 378/02	Summary report of the plenary session – Brussels, 28 and 29 October 2002	31/10/2002	EN	6403
None	Verbatim minutes from the session on 28 October 2002: The Charter of Fundamental Rights [Extract]	28/10/2002	MULTI	6423
None	Verbatim minutes from the session on 29 October 2002: The Charter of Fundamental Rights	29/10/2002	MULTI	6431
CONV 601/03	Summary report on the plenary session – Brussels, 27 and 28 February 2003 [Extract]	11/03/2003	EN	6466
None	Verbatim minutes from the session on 27 February 2003: Debate on Draft Articles 1-3; Debate on Draft Articles 5-7	27/02/2003	MULTI	6469
CONV 674/03	Summary report of the additional plenary session on amendments relating to articles 1 to 7 of the Draft Constitution, Brussels, 26 March 2003	08/04/2003	EN	6512
None	Summary of Proceedings: Meeting of the Praesidium – Brussels, 21-23 May 2003	26/05/2003	EN	6526
CONV 783/03	Summary report on the plenary session – Brussels, 30 and 31 May 2003 [Extracts]	16/06/2003	EN	6529
CONV 814/03	Summary report of the Plenary Session – Brussels, 11 and 13 June 2003	19/06/2003	EN	6533

c. Drafts, and Members' Amendments and Contributions

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CONV 116/02, WG II 1	Secretariat Note: Modalities and consequences of incorporation into the Treaties of the Charter of Fundamental Rights and accession of the Community/Union to the ECHR	18/06/2002	EN	6541
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WG II WD 1	Contribution from Mr. Bobby McDonagh on incorporation and accession	24/06/2002	EN	6567
CONV 157/02	Note submitted by Jacques Santer: Contribution from the Secretary General of the Council of Europe	25/06/2002	EN	6570
WG II WD 2	Contribution from Ms. Elena Paciotti (MEP)	28/06/2002	EN	6579
WG II WD 3	Paper by Mr. António Vitorino on the relationship between the Charter and the Union's competencies	05/07/2002	EN	6581
WG II WD 4	Working document by Baroness Scotland on the "missing" horizontal article in the Charter of Rights	09/07/2002	EN	6585
WG II WD 5	Working document by Mr. Vytenis Povilas Andriukaitis on the Legal status of the Charter	09/07/2002	EN	6591
WG II WD 6	Working document by Ms. Elena Paciotti on answers to questions in chapter II of CONV 116/02	12/07/2002	EN	6594
WG II WD 7	Working document by Mr. Vytenis Povilas Andriukaitis on answers to some questions raised at the first meeting of the WG	12/07/2002	EN	6634
WG II WD 8	Working Document from Mr António Vitorino circulating a Council of Europe study on technical and legal issues of accession	12/07/2002	EN	6639
CONV 193/02	Note from Mr van Linden: Parliamentary Assembly Resolution 1290 (2002)	17/07/2002	EN	6676
WG II WD 9	Working Document from Mr. António Vitorino on possible drafting adjustments to arts 51(2) and 52(2) and on "replication"	18/07/2002	EN	6694
WG II WD 10	Working Document by Mr. Alexander Arabadjiev on "replication"	22/07/2002	EN	6699
WG II WD 11	Working Document by Mr. Janusz Trzcinski on CONV 116/02, concerning incorporation and accession	23/07/2002	EN	6701
WG II WD 12	Working document by Réne van der Linden on the Charter/ECHR relationship	25/07/2002	EN	6703
WG II WD 14	Note by Neil MacCormick on clarifying horizontal articles	04/09/2002	EN	6705
WG II WD 15	Proposals by Mr. Ingvar Svensson and Mrs. Lena Hjelm-Wallén on accession	12/09/2002	EN	6707
WG II WD 16	Note by Baroness Scotland on the "missing horizontal": interim progress report	13/09/2002	EN	6716
WG II WD 17	Working Document by Professor Jürgen Meyer on enforceability of Charter and judicial remedies	16/09/2002	EN	6721
WG II WD 18	Working Document by Mr Esko Helle, supported by Messers Andriukaitis and MacCormick, on accession to the ECHR	16/09/2002	EN	6724
WG II WD 20	Working Document by M. Ben Fayot circulating a note by Sir Francis Jacobs, Advocate General, on effective judicial remedies	27/09/2002	FR/EN	6728
WG II WD 21	Working Document from Mr. António Vitorino on effective judicial remedies and access of individuals to the ECJ	01/10/2002	EN	6738
WG II WD 22	Working Document de Mme Elena Paciotti qui contient un projet de Constitution de l'Union basé sur les résolutions du Parlement européen	03/10/2002	FR	6745
WG II WD 23	Compromise proposals from António Vitorino on drafting adjustments in the horizontal articles	04/10/2002	EN	6801
WG II WD 24	Comments by Mr. Vytenis Povilas Andriukaitis on horizontal articles	09/10/2002	EN	6806
WG II WD 25	Draft final report	14/10/2002	EN	6808
WG II WD 26 REV 1	Document de travail 26: commentaires au projet de rapport final du groupe (WD 025)	18/10/2002	MULTI	6826

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CONV 354/02, WG II 16	Final report of Working Group II	22/10/2002	EN	6870
None	Note summarising report	29/10/2002	EN	6887
CONV 368/02	Contribution from Mr Iñigo Méndez de Vigo, Mr Klaus Hänsch and Mr Andrew Duff: European Parliament Resolution on the impact of the Charter and its future status	25/10/2002	EN	6888
CONV 369/02	First draft Constitutional Treaty [Extract]	28/10/2002	EN	6896
CONV 495/03	Contribution from Mr Erwin Teufel: Freiburg Draft of the European Constitutional Treaty [Extracts]	20/01/2003	EN	6906
CONV 528/02	Praesidium Note: Draft of Articles 1 to 16 of the Constitutional Treaty [Extracts]	06/02/2003	EN	6914
CONV 567/03	Contribution from Mr David Heathcoat-Amory: “The EU Convention, the Council of Europe and the Future of Europe”	19/02/2003	EN	6921
CONV 574/1/03 REV 1	Analysis of Reactions to draft Articles 1 to 16 of the Constitutional Treaty [Extracts: arts 2 and 5]	26/02/2003	EN	6926
CONV 607/03	Letter from several members seeking incorporation of the Charter in the Constitutional Treaty	11/03/2003	EN	6944
CONV 659/03	Letter from several members on incorporation of the Charter in the Constitutional Treaty	14/04/2003	EN	6947
CONV 703/03	Contribution by Mr Giuliano Amato, Vice President of the Convention, attaching a paper by the European University Institute [Extracts]	28/04/2003	EN	6950
CONV 736/03	Letter from Mr Peter Hain concerning the Charter	13/05/2003	EN	6989
CONV 726/03	Draft text of Part II with comments	26/05/2003	EN	6991
CONV 724/03	Draft Constitution, Volume I – Revised text of Part One	26/05/2003	EN	7011
WG II WD 27	Consultation on the updated and consolidated version of the Explanations	03/06/2003	EN	7020
CONV 779/03	Reactions to the draft Articles of the revised text of Part One (Volume I) – Analysis [Extract]	04/06/2003	EN	7081
None	All amendments to art.I-2	04/06/2003	MULTI	7084
None	All amendments to art.I-5	04/06/2003	MULTI	7186
WG II WD 28	Reactions of Working Group members to WD II 27 (consolidated and updated Explanations on the Charter)	12/06/2003	MULTI	7272
CONV 797/1/03 REV 1	Text of Part I and Part II of the Constitution [Extracts]	12/06/2003	EN	7288
CONV 811/03	Praesidium Note: Revised texts [Extracts]	12/06/2003	EN	7307
CONV 828/03	Updated Explanations relating to the Charter of Fundamental Rights	09/07/2003	EN	7310
CONV 850/03	Draft Treaty Establishing a Constitution for Europe	18/07/2003	EN	7362
CONV 828/1/03 REV 1	Updated Explanations relating to the Charter of Fundamental Rights	18/07/2003	EN	7383

d. NGOs and Others’ Amendments and Contributions

7435

CONV 112/02	Digest of contributions to the forum ahead of the plenary session on civil society 24-25 June 2002	17/06/2002	EN	7436
CONV 112/02 ADD 1	Addendum: List of Contributions to the Forum		EN	7445



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CONV 120/02	Secretariat Note: Reports from the meetings of the eight civil society contact groups, 10-18 June 2002	20/06/2002	EN	7451
CONV 167/02	24-25 June 2002 Plenary: minutes	04/07/2002	EN	7473
None	Verbatim minutes from the session on 24 June 2002	24/06/2002	MULTI	7490
None	Verbatim minutes from the session on 25 June 2002	25/06/2002	MULTI	7537

## e. IGC Documents, 2003-2004

7574

12656/03	Secretariat Note attaching the European Parliament's Resolution on the draft Treaty establishing a Convention [sic] for Europe and on the convening of the IGC	26/09/2003	EN	7575
CIG 4/03	Secretariat comments on the draft Treaty establishing a Constitution for Europe – Basic document [Extracts]	06/10/2003	EN	7585
CIG 5/03	Presidency Note: Indicative Timetable	06/10/2003	EN	7645
CIG 37/03	Presidency Note: Non-institutional issues raised by Delegations [Extracts]	24/10/2003	EN	7647
CIG 43/03	Presidency Note: new list of issues to be dealt with by the Legal Experts group (new mandate)	04/11/2003	EN	7651
CIG 50/03	Draft Treaty establishing a Constitution for Europe (following editorial and legal adjustments by the Working Party of IGC Legal Experts) [Extracts]	04/11/2003	EN	7656
CIG 51/03	Presentation of the outcome of proceedings of the Working Party of IGC Legal Experts – CIG 50/03	25/11/2003	EN	7682
CIG 52/1/03 REV 1	Presidency Note: Naples Ministerial Conclave: Presidency proposal	25/11/2003	EN	7689
CIG 52/03 ADD 1	Presidency Note: Naples Ministerial Conclave: Presidency proposal texts	25/11/2003	EN	7702
CIG 60/03	Presidency Note: Presidency proposal for the IGC of 12-13 December 2003	09/12/2003	EN	7706
CIG 60/03 ADD 1	Presidency Note: Presidency proposal for the IGC of 12-13 December 2003: ADDENDUM 1 [Extracts]	09/12/2003	EN	7709
CIG 60/03 ADD 2	Presidency Note: Presidency proposal for the IGC of 12-13 December 2003: ADDENDUM 2	11/12/2003	EN	7713
CIG 64/04	European Parliament Resolution on the progress report on the IGC, adopted at the 3-4 December 2003 session	14/01/2004	EN	7717
CIG 73/04	Presidency working document for the meeting of Focal Points on 4 May 2004 in Dublin [Extracts]	29/04/2004	EN	7720
CIG 75/04	Presidency Note: Discussion at Ministerial Meeting, 17/18 May 2004 [Extracts]	13/05/2004	EN	7726
CIG 76/04	Presidency Note: Presidency proposals following the meeting of “focal points” on 4 May 2004 [Extracts]	13/05/2004	EN	7730
CIG 79/04	Presidency Note: Revised version of CIG 76/04 following the Ministerial meeting on 24 May 2004 [Extracts]	10/06/2004	EN	7734
CIG 80/04	Presidency Note: Ministerial meeting, Luxembourg, 14 June 2004 [Extracts]	12/06/2004	EN	7738
CIG 81/04	Presidency Note: Overall compromise texts for the meeting at Brussels, 17/18 June 2004 [Extracts]	16/06/2004	EN	7742
CIG 82/04	Presidency Note: Meeting of Heads of State or Government, Brussels, 17/18 June 2004 [Extracts]	16/06/2004	EN	7746
CIG 83/04	Presidency Note: Proposed amendments to CIG 81/04 following discussions on Thursday 17 June 2004 [Extracts]	18/06/2004	EN	7749
CIG 84/04	Presidency Note: Proposed amendments to CIG 81/04 following discussions on Thursday 17 and Friday 18 June 2004 [Extracts]	18/06/2004	EN	7751
CIG 85/04	Presidency Note: outcome of the Intergovernmental Conference [Extracts]	18/06/2004	EN	7753

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10633/01/06 REV 1	Presidency Conclusions – Brussels European Council, 15/16 June 2006 [Extract]	17/07/2006	EN	7759
None	Berlin Declaration – Declaration on the occasion of the 50th anniversary of the signature of the Treaties of Rome	25/03/2007	EN	7764
10659/07	Presidency Report – Pursuing the treaty reform process	14/06/2007	EN	7766
11177/1/07 REV 1	Presidency Conclusions – Brussels European Council, 21/22 June 2007 [Extracts]	20/07/2007	EN	7772
CIG 2/07	Draft Treaty Amending the Treaty on European Union and the Treaty Establishing the European Community [Extracts]	23/07/2007	EN	7783
CIG 3/07	Note from the Presidency of the IGC: Draft Declarations	23/07/2007	EN	7787
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