

**QUESTIONNAIRE IN VIEW OF THE BILATERAL MEETINGS WITH FOCAL POINTS TO  
BE HELD BETWEEN 23 APRIL AND 4 MAY**

The bilateral consultations to be held between 23 April and 4 May represent an important stage in preparing the report the Presidency is mandated to submit to the June European Council. The Presidency wants to explore all avenues that would allow to place the EU on a renewed common basis before the European Parliament elections in 2009. To this end, an IGC with a very precise and limited mandate would have to be opened as soon as possible after the June summit, its starting point being the substance of modifications to the Treaty of Nice as agreed upon in the Constitutional Treaty. In order to succeed, every effort will have to be made to restrict changes to what is absolutely necessary to reach an overall agreement and to ensure ratification by all member states. Bearing this in mind as well as the questions raised by partners in the consultations in the 1<sup>st</sup> half of the Presidency, the Presidency invites delegations to reflect on the following questions:

1. How do you assess the proposal made by some Member States not to repeal the existing treaties but to return to the classical method of treaty changes while preserving the single legal personality and overcoming the pillar structure of the EU?
2. How do you assess in that case the proposal made by some Member States that the consolidated approach of part I of the Constitutional Treaty is preserved, with the necessary presentational changes resulting from the return to the classical method of treaty changes?
3. How do you assess the proposal made by some Member States using a different terminology without changing the legal substance, for example with regard to the title of the treaty, the denomination of EU legal acts and the Union's Minister for Foreign Affairs?
4. How do you assess the proposal made by some Member States not to include an article relating to the symbols of the EU?
5. How do you assess the proposal made by some Member States not to include an article that explicitly restates the primacy of EU law?
6. How do you assess the proposal made by some Member States that Member States will replace the full text of the Charter on Fundamental Rights by a short cross reference having the same legal value?
7. Do you agree that the institutional provisions of the Constitutional Treaty form a balanced package that should not be reopened?
8. Are there other elements which in your view constitute indispensable parts of the overall compromise reached at the time?
9. How do you assess the proposal made by some Member States concerning possible improvements/clarifications on issues related to new challenges facing the EU, for instance in the fields of energy/climate change or illegal immigration?
10. How do you assess the proposal made by some Member States to highlight the Copenhagen criteria in the article on enlargement?
11. How do you assess the proposal made by some Member States to address the social dimension of the EU in some way or the other?
12. How do you assess the proposal made by some Member States applying opt-in/out provisions to some of the new policy provisions set out in the Constitutional Treaty?