

AMENDMENT FORM

Suggestion for amendment of Article: 30 paragraph 6 and 7, Part I – Title V

By Mr: Henning Christophersen, Poul Schlüter, Henrik Dam Kristensen and Niels Helveg Petersen.

Status: Members and alternate members.

Article 30, paragraph 6.

6. Those Member States which ~~fulfil higher criteria for military capabilities and which have made more binding commitments to one another in this area with a view to more demanding tasks shall~~ wish to establish structured cooperation on higher criteria for military capabilities within the Union framework. ~~Such cooperation shall do so in accordance with be governed by the provisions of~~ Article 20 of Part Two, Title B, of the Constitution.

Article 30, paragraph 7.

7. Until such time as the European Council has acted in accordance with paragraph 2 of this Article, closer cooperation ~~shall~~ may be established, in the Union framework, as regards mutual defence. Under this cooperation, if one of the Member States participating in such cooperation is the victim of armed aggression on its territory, the other participating States shall give it aid and assistance by all the means in their power, military and other, in accordance with Article 51 of the United Nations Charter. In the execution of the closer cooperation on mutual defence, the participating Member States shall work in close cooperation with the North Atlantic Treaty Organisation. The detailed arrangements for participation in this cooperation and its operation, and the relevant decision-making procedures, are set out in Article 21 of Part Two, Title B, of the Constitution.

Explanation:

We wish to ensure that structured cooperation on military capabilities serves the interests of the Union as a whole, see our proposed amendment to Article 20 in the second part of the Constitutional Treaty.

It should be stressed that any structured cooperation on mutual defence takes place in close cooperation with NATO, see our proposed amendment to Article 21 in the second part of the Constitutional Treaty. The proposed amendment is based on Article IV of the Brussels (WEU) Treaty.