

## AMENDMENT FORM

### Suggestion for amendment of Article: 30 (part I)

By Mr Kvist

Status : - Alternate

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#### Article 30:

##### *Common security and defence policy*

1. The common security and defence policy, which is an integral part of the common foreign and security policy, shall provide the Union with an operational capability for crisis management<sup>1</sup> which makes use of military and civilian means. The Union may deploy them on tasks outside the Union to preserve peace and strengthen international security in accordance with the principles of the United Nations Charter.

2. The common security and defence policy ~~shall might~~ include should the European Council, acting unanimously, so decide,<sup>2</sup> the progressive framing of a common defence policy for the Union. ~~This will lead to a common defence, when the European Council, acting unanimously, so decides.~~ It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements.

The policy of the Union in accordance with this Article shall not prejudice the ~~specifi~~non-aligned<sup>3</sup> character of the security and defence policy of certain Member States and shall respect the obligations of ~~certain other~~ Member States, which see their common defence realised in the North Atlantic Treaty Organisation (NATO), under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.

3. Member States shall make military and civilian capabilities available to the common security and defence policy, to contribute to the objectives defined by the Council. Member States shall undertake progressively to ~~improve~~develop<sup>4</sup> their military and civilian<sup>5</sup> capabilities. ~~A~~

~~European Armaments and Strategic Research Agency shall be established to identify operational requirements, to put forward measures to satisfy those requirements, to contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defence sector, and to assist the Council in evaluating the improvement of its military capabilities. Those Member States which establish multinational forces together may also make those forces available to the common security and defence policy. The development of military capabilities might be supported by co-operation between the Member States in the field of armaments.~~<sup>1</sup>

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<sup>1</sup> It should be clarified that the co-operation in defence matters relates solely to crisis management.

<sup>2</sup> I wish to make it crystal clear that the EU is not developing into a defence co-operation of a NATO or WEU type.

<sup>3</sup> Less cryptic formulation.

<sup>4</sup> More flexible.

<sup>5</sup> Civilian capabilities are also covered, which should be reflected.

4. Decisions on the implementation of the common security and defence policy, including those initiating a task as referred to in this Article, shall be adopted by the Council acting unanimously on a proposal from the Union's Minister for Foreign Affairs or from a Member State. The Minister for Foreign Affairs may propose the use of both national resources and Union instruments, together with the Commission where appropriate.

5. The Council may entrust the execution of a task, within the Union framework, to a group of Member States. The execution of such a task shall be governed by Article 18 in Part Two, Title B, of the Constitution.

~~<sup>2</sup>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 establish structured cooperation within the Union framework. Such cooperation shall be governed by the provisions of Article 20 of Part Two, Title B, of the Constitution.~~

~~<sup>3</sup>7. Until such time as the European Council has acted in accordance with paragraph 2 of this Article, closer cooperation shall 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. 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.~~

8. The European Parliament shall be consulted on the main aspects and basic choices of the common security and defence policy, and shall be kept informed of how it develops.

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<sup>1</sup> I am not completely opposed to establishing an armaments agency, but this should be a matter for part II of the Constitutional Treaty. It should not be automatic.

<sup>2</sup> I am opposed to the inclusion of provisions on a “defence Euro-zone”. Working Group VIII did not reach agreement on this; its Report speaks only of “several members of the Group” who were in favour, and that did not reflect a majority in the Group.

<sup>3</sup> I am opposed to the inclusion of provisions on closer cooperation in defence matters. Here, as in note 1 above, the Working Group was divided and only “several members”/“certain members” were in favour.