

AMENDMENT FORM

Suggestion for amendment of Article 8: Fundamental principles

By Mr Dick Roche, Representative of the Government of Ireland

Status : Member

Article 8: Fundamental principles – paragraph 5

5. In accordance with the principle of loyal cooperation, the Union and the Member States shall, in full mutual respect, **actively and unreservedly** assist each other **in fulfilling the Union's principles and objectives and in implementing its policies as set out in this** ~~to~~ ~~carry out tasks which flow from the~~ Constitution. **The Member States shall refrain from any action which could jeopardise the attainment of those objectives or which would be likely to undermine the Union's effectiveness. The Union shall act loyally towards the Member States.**

Explanation (if any) :

The important principle of loyal cooperation should be stated once in a comprehensive way in the Treaty. This proposal draws together material in Articles 9.4, 9.5 and 14, which would then be deleted.

The question of the jurisdiction of the ECJ, in particular in relation to second and third pillar issues, will require clarification.