

AMENDMENT FORM

Suggestion for amendment to PART TWO, Title B, Article 31

By Mr Hannes Farnleitner

Status : - Member

Article 31

1. Where a decision on a Union position or action adopted according to the provisions on the common foreign and security policy in Chapter 1 of this Title provides for the interruption or reduction, in part or completely, of economic and financial relations with one or more third countries, the Council, acting by a qualified majority on a joint proposal from the Minister for Foreign Affairs and the Commission, shall take the necessary measures. It shall inform the European Parliament thereof.
 2. In the areas referred to in paragraph 1 the Council may adopt restrictive measures under the same procedure against natural or legal persons and non-State groups or bodies. **Such measures shall be in accordance with the rights and obligations under international law and the fundamental rights of the persons or groups concerned.**
-

Explanation (if any) :

Especially when deciding upon restrictive measures against individuals, the fundamental rights of these persons have to be protected while of course ensuring the effectiveness of the measures.

When dealing with the respective provisions of the Constitutional Treaty concerning access for individuals to the Court it will be crucial to ensure that all persons concerned by those measures have an adequate right to appeal to the Court against such a measure.