

AMENDMENT FORM

Suggestion for amendment of Article : 318 (ex Article I)

By Mr Hain

Status : Member

The provisions of Article [I-43] of the Constitution and Articles [III-319 to III-325] below shall not apply to ~~the forms of cooperation in the area of defence provided for by Article [I-40]. Such forms of cooperation shall be governed specifically by Articles [III-206 to III-209 (ex 18 to 21)].~~ matters with military or defence implications.

Within the framework of the common foreign and security policy, enhanced cooperation proposed pursuant to Article [I-43] shall relate to the implementation of a CFSP Decision.

Explanation (if any) :

This amendment clarifies the exclusion of defence.

We cannot accept the extension of enhanced co-operation to all aspects of CFSP. We wish to retain the limit to the use of enhanced co-operation in CFSP that is in Nice. The language in our amendment is taken from Article 27b TEU, updated to reflect the proposed loss of the separate CFSP instruments of Joint Actions and Common Positions.