

AMENDMENT FORM

Suggestion for amendment of Part III Article 321

By Mr Dick Roche

Status : - Member

Article III – 321 (ex Article L)

1. When enhanced cooperation is being established, it shall be open to all Member States, ~~subject to compliance with any conditions of participation which may be laid down in the authorising decision.~~ It shall also be open to them at any other time, subject to compliance with the acts already adopted within that framework, ~~in addition to any such conditions.~~

The Commission and the Member States participating in enhanced cooperation shall ensure that they **encourage and** facilitate participation by as many Member States as possible.

2. The Commission and, where appropriate, the Minister for Foreign Affairs shall keep all Council members and the European Parliament regularly informed regarding developments in enhanced cooperation.

Explanation (if any) : Enhanced cooperation must be as open as possible. There is no need to authorise the possibility of conditions of participation. In making the decision on whether to join any specific enhanced cooperation group, Member States would inevitably consider whether they share its objectives and are capable of meeting its demands.

Article 43b TEU stipulates that the Commission and Member States shall ensure that as many Member States as possible are ‘encouraged’ to participate in enhanced cooperation. This language should be retained.