

## AMENDMENT FORM

### Suggestion for amendment of Part III, Article 322

By Mr Dick Roche

Status : - Member

---

#### Article III - 322(Ex Article M)

1. Member States which wish to establish enhanced cooperation between themselves in one of the areas covered by the Constitution, with the exception of the common foreign and security policy, shall address a request to the Commission, specifying the scope and objectives of the enhanced cooperation proposed. The Commission may submit a proposal to the Council to that effect. In the event of the Commission not submitting a proposal, it shall inform the Member States concerned of the reasons for not doing so.

Authorisation to proceed with enhanced cooperation shall be granted by a decision of the Council, acting by a qualified majority on a proposal from the Commission and after obtaining the assent of the European Parliament.

2. In the framework of the common foreign and security policy, the request of the Member States which wish to establish enhanced cooperation between themselves shall be addressed to the Council. It shall be forwarded to the **Union Minister for Foreign Affairs**, who shall give an opinion on whether the enhanced cooperation is consistent with the Union's common foreign and security policy, and to the Commission, which shall give its opinion in particular on whether the enhanced cooperation proposed is consistent with other Union policies. **The Union Minister for Foreign Affairs shall consult those Member States which are not party to the request to establish enhanced cooperation.** It shall also be forwarded to the European Parliament for information.

Authorisation to proceed with enhanced cooperation shall be granted by a decision of the Council.

**If a Member of the Council declares that, for important and stated reasons of national**

**policy, it intends to oppose the adoption of a decision to establish enhanced cooperation in the area of the CFSP, a vote shall not be taken. The Council may, acting by a qualified majority, request that the matter be referred to the European Council for decision by unanimity.**

---

**Explanation (if any) :** The ‘emergency brake’ in relation to enhanced cooperation in CFSP matters should continue to apply in line with its continuing existence in the CFSP generally. It would be inconsistent for lighter arrangements to apply in the area of enhanced cooperation than are agreed to be necessary in the CFSP generally.