

AMENDMENT FORM

Suggestion for amendment of Article 11 Part I of the Constitution

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Article I-11: Categories of competence

1. When the Constitution confers on the Union exclusive competence in a specific area, only the Union may legislate and adopt legally binding acts, the Member States being able to do so themselves only if so empowered by the Union or for the implementation of acts adopted by the Union.
2. When the Constitution confers on the Union a competence shared with the Member States in a specific area, the Union and the Member States shall have the power to legislate and adopt legally binding acts in that area. The Member States shall exercise their competence to the extent that the Union has not exercised, or has decided to cease exercising, its competence.
- ~~3. The Union shall have competence to coordinate the economic and employment policies of the Member States.~~
4. The Union shall have competence to define and implement a common foreign and security policy, including the progressive framing of a common defence policy.
5. In certain areas and in the conditions laid down in the Constitution, the Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States, without thereby superseding their competence in these areas.
6. The scope of and arrangements for exercising the Union's competences shall be determined by the provisions specific to each area in Part Three of the Constitution.

Explanation (if any) :

For reasons of consistency and clarity, the overarching aim of the reform should be to place all areas of Union action – with the exception of common foreign and security policy - in the three basic categories of competence. As no sufficient grounds have been put forward for the introduction of a separate provision on the coordination of economic and employment policies, the proposed paragraph 3 ought to be deleted.