

## AMENDMENT FORM

Suggestion for amendment of **Article 14: The common foreign and security policy**

By **Mr Dick Roche, Representative of the Government of Ireland**

Status : Member

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### **Article 14: The common foreign and security policy**

Amend to read :

1. ~~Member States shall actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity. They shall refrain from action contrary to the Union's interests or likely to undermine its effectiveness.~~
  1. **The objectives and principles of the common foreign and security policy shall be [to be inserted]**
  2. **The Union shall define and implement a common foreign and security policy, including the progressive framing of the common defence policy, which might lead to a common defence, should the European Council so decide. In that case, the European Council shall recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements.**
  3. **The exercise of competence in this area by the Union shall not result in Member States being prevented from exercising their competence.**
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### **Explanation (if any) :**

As in Article 13, it is necessary to restate the principles of Article 10. If it is intended to include a substantive reference to CFSP in Article 14, it is appropriate that it should list its objectives and principles or include a reference to their location elsewhere in the Treaty. The remainder of this Article cannot properly be considered until the full text dealing with this area is available.

Respect for the respective constitutional requirements of Member States in this area is an important principle (currently in Article 17.1 TEU) and merits inclusion in Part One of the Treaty. The provisions of Article 17 TEU in particular, and the other provisions of Title V TEU, will need to be considered when drafting Part Two of the Treaty, as will the issues raised in the report of the Working Group on Defence .

It is also necessary to clarify that Member States retain competence in this area .

Article 14.1 as it currently stands does not add to the principle of loyal cooperation as expressed in Article 8.5 (as expanded by proposed amendment) and should be deleted.