

AMENDMENT FORM

Suggestion for amendment of Article : I-32

By Mr : Hain

Status : - Member -

1. In exercising the competences conferred on it in the Constitution, the Union shall use as legal instruments, in accordance with the provisions of Part Three, European laws, European framework laws, European regulations, European [decisions], recommendations and opinions.

Sub-paragraphs 2-4: OK.

[A European decision shall be a non-legislative act, binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them.]

Sub-paragraph 6: OK.

2. *See comment.*
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Explanation (if any) :

We will need to differentiate the kinds of instruments listed here from those applicable in CFSP, as part of ring-fencing CFSP.

1. *Sub-paragraph 1: Does this mean the distinction between Beschluss (sui generis) and Entscheidung (Art 249) decisions disappears within the context of a CFSP decision?*

Sub-paragraph 5: We will need to differentiate decisions from CFSP Decisions in order to differentiate CFSP instruments from other instruments.

2. *Will this prevent the use of atypical Acts and Council Conclusions, declarations and resolutions? We couldn't support such a loss of flexibility.*