

AMENDMENT FORM

Suggestion for amendment of Article : **Article 29: Common foreign and security policy**

Suggestion for protocol :

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Status : **Tiilikainen, Kiljunen, Vanhanen - Members**
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Article 29

The Union's common foreign and security policy

1. ~~The European Union shall undertake to conduct a common foreign and security policy, based on the progressive development of mutual political solidarity among Member States, the progressive identification of questions of general interest and the achievement of an ever-increasing degree of convergence of Member States' actions.~~
2. The European Council shall identify the Union's strategic interests and determine the objectives of its common foreign and security policy. The Council ~~of Ministers~~ shall frame this policy in accordance with the arrangements in Part Two of the Constitution.
3. The European Council and the Council ~~of Ministers~~ shall adopt the necessary decisions. The Council shall act on a proposal from a Member State, the Commission or from the Union's Minister for Foreign Affairs.
4. The common foreign and security policy shall be put into effect by the Union's Minister for Foreign Affairs and by the Member States, using national and Union resources.
5. Member States shall ensure, through the convergence of their actions, that the Union is able to assert its interests and values on the international scene. Member States shall show mutual solidarity. Member States shall consult one another within the Council and the European Council on any foreign and security policy issue ~~which is~~ of general interest in order to determine a common approach. Before undertaking any action on the international

scene or any commitment which could affect the Union's interests, each Member State shall consult the others within the Council or the European Council. ~~Member States shall ensure, through the convergence of their actions, that the Union is able to assert its interests and values on the international scene. Member States shall show mutual solidarity.~~

6. The European Parliament shall be consulted on the main aspects and basic choices of the common foreign and security policy, and shall be kept informed of how it develops.
7. ~~Decisions relating to the common foreign and security policy shall be adopted by the European Council and the Council of Ministers unanimously, except in the cases referred to in Part Two of the Constitution. They shall act on a proposal from a Member State or from the Union's Minister for Foreign Affairs, alone or together with the Commission.~~
8. ~~The European Council may unanimously decide that the Council should act by a qualified majority in cases other than those referred to in Part Two of the Constitution.~~

Explanation (if any) :

Explanation 29(1): The text should be deleted. Article 29 concerns instruments. Description of the content of common foreign and security policy is not necessary as this has already been done in Article 10 (of Part I - Title III) and Article 3 (of Part II - Title B). In addition, the text above would mean a clear step-back from the current Treaty: the substantive scope of CFSP is being limited and the requirement for solidarity is less binding.

Explanation 29(3): It would be logical to insert the whole decision-making procedure in the same paragraph (initiatives and decisions). The contents of the second sentence of paragraph 7 have therefore been moved to the end of this paragraph. The Union's Minister for Foreign Affairs shall have an independent right of initiative in CFSP matters along with the Commission and the Member States.

Explanation 29(5): The last two sentences of the paragraph have been moved to the beginning as they describe the philosophy of convergence and solidarity which are the cornerstones of common foreign and security policy. The latter part of the paragraph describes the means to achieve them.

Explanation 29(7 and 8): In WG VII there was a large consensus on introducing QMV as a general

rule for decision-making in the Council. This is an essential requirement to avoid CFSP inertia and encourage a pro-active CFSP. The existence of constructive abstention allows participation in the implementation based on national political interests whereas the 'emergency brake' would sufficiently guarantee the protection of vital national interests.

The first sentence of paragraph 7 and the paragraph 8 are not necessary if qualified majority is the general rule of decision-making.