

AMENDMENT FORM

Suggestion for amendment of Article : I-43

By Ms: Danuta Hübner

Status : - Member

<u>Article I-43: Enhanced cooperation</u>	<u>Article I-43: Enhanced cooperation</u>
<p>1. Member States which wish to establish enhanced cooperation between themselves within the framework of the Union's non-exclusive competences may make use of its institutions and exercise those competences by applying the relevant provisions of the Constitution, subject to the limits and in accordance with the procedures laid down in this article and in Articles [III-318 to III-325 (ex Articles I to P)] of the Constitution.</p> <p>Enhanced cooperation shall aim to further the objectives of the Union, protect its interests and reinforce its integration process. Such cooperation shall be open to all Member States when it is being established and at any time, in accordance with Article [III-321 (ex Article L)] of the Constitution.</p> <p>2. Authorisation to proceed with enhanced cooperation shall be granted by the Council as a last resort, when it has been established within the Council that the objectives of such cooperation cannot be attained within a reasonable period by the Union as a whole, and provided that it brings together at least one third of the Member States. The Council shall act in accordance with the procedure laid down in Article [III-322 (ex Article M)] of the Constitution.</p> <p>3. Only representatives of the Member States participating in enhanced cooperation shall take part in the adoption of acts adopted within the Council. All Member States may, however, take part in the deliberations of the Council.</p> <p>Unanimity shall be constituted by the</p>	<p>1. Member States which wish to establish enhanced cooperation between themselves within the framework of the Union's non-exclusive competences may make use of its institutions and exercise those competences by applying the relevant provisions of the Constitution, subject to the limits and in accordance with the procedures laid down in this article and in Articles [III-318 to III-325 (ex Articles I to P)] of the Constitutional Treaty. <u>The Council and the Commission shall ensure the consistency of activities undertaken in the context of enhanced cooperation and the consistency of such activities with the policies of the Union, and shall cooperate to that end. The Commission and the Member States participating in enhanced cooperation shall ensure that they facilitate participation by as many Member States as possible.</u></p> <p>Enhanced cooperation shall aim to further the objectives of the Union, protect its interests and reinforce its integration process. Such cooperation shall be open to all Member States when it is being established and at any time, in accordance with Article [III-321 (ex Article L)] of the Constitution.</p> <p>2. Authorisation to proceed with enhanced cooperation shall be granted by the Council as a last resort, when it has been established within the Council that the objectives of such cooperation cannot be attained within a reasonable period by the Union as a whole, and provided that it brings together at least one third of the Member States. The Council shall act in accordance with the procedure laid down in Article [III-322 (ex Article M)] of the</p>

<p>participating States only. A qualified majority shall be defined as a majority of the votes of the participating Member States, representing at least three fifths of the population of those States.</p> <p>Acts adopted in the framework of enhanced cooperation shall bind only participating Member States. They shall not be regarded as an <i>acquis</i> which has to be accepted by candidates for accession to the Union.</p>	<p>Constitution.</p> <p>3. Only representatives of the Member States participating in enhanced cooperation shall take part in the adoption of acts adopted within the Council. All Member States may, however, take part in the deliberations of the Council.</p> <p>Unanimity shall be constituted by the participating States only. A qualified majority shall be defined as a majority of the votes of the participating Member States, representing at least three fifths of the population of those States.</p> <p>Acts adopted in the framework of enhanced cooperation shall bind only participating Member States. They shall not be regarded as an <i>acquis</i> which has to be accepted by candidates for accession to the Union.</p>
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Explanation (if any) : The role of the Commission is of utmost importance in all activities of the Union performed in the community way.