

AMENDMENT FORM

Suggestion for a new Article 4c:

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on behalf of the EPP Convention Group

Status: Members and Alternates

Text of the Praesidium

Proposed Amendments

Article 4c (New):
Union solidarity clause

- 1. If any of the Member States should be the object of a terrorist attack, the other Member States will afford the Member State so attacked, at the request of its civilian authorities, all military and other aid and assistance within their power. All the instruments available to the Union (including military resources, measures under the common police and judicial policy, as well as civil protection measures) shall be mobilised in order to avert, in accordance with the values of the Union, the terrorist threat in the territory of the Union, to protect the civilian population and the functioning of democratic institutions in the Union and to otherwise assist the Member State so attacked within its territory.*
- 2. In case of an armed attack, Union solidarity as described in paragraph 1 shall apply accordingly for the Member States which participate in the collective defence obligations set out the Protocol on Collective Defence annexed to this Constitu-*

tion.

Explanation:

Para 1:

- Such a **solidarity clause** was broadly supported in Convention Working Group VIII “Defence” (cf. its Final Report, para 57). We suggest that the best place for such a clause would be this Title of the Constitution, where the clause could directly follow the general provision on Union loyalty (the new Article 4b).

Para 2:

- Such an additional **collective defence clause**, which follows the spirit of Article V of the Brussels Treaty of 17 March 1948 establishing the Western European Union (WEU), found many supporters in Convention Working Group VIII “Defence” (cf. its Final Report, para 61 et seq.). We propose to include this additional clause in a way that it would allow **(only) those Member States which ratify a separate Protocol on Collective Defence** to support each other also by military means in a collective defence situation; other Member States would be free, but not obligated to join thus Protocol.

On the whole provision, see also Article 64 in the EPP Discussion Paper (Frascati text, as amended, 27 January 2003).