

AMENDMENT FORM

Suggestion for amendment of Article : Chapter 1bis - Civilian Crisis Management

Suggestion for protocol :

By: Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Matti Vanhanen, Riitta Korhonen

Status : Tiilikainen, Kiljunen, Vanhanen - Members

Peltomäki, Korhonen - Alternates

CHAPTER 1bis: CIVILIAN CRISIS MANAGEMENT

Article xx

1. In the context of the principles and objectives of the Union's external action under Article 1 of this Title, the Union's actions in the field of civilian crisis management shall be carried out in order to prevent and manage conflicts and crises, including man-made and natural disasters. Civilian crisis management actions may also be used in post-conflict or post-crisis stabilisation situations.

2. The Union and the Member States shall undertake progressively to improve their civilian capabilities and make them available for the purposes of tasks referred to in this Article.

3. The Union may conclude with third countries and international organisations agreements facilitating to undertake actions referred to in paragraph 1. Such agreements shall be negotiated and concluded pursuant to Article 33 of this Title. This shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.

4. The Union's actions and those of the Member States shall complement and reinforce each other

5. The Commission may take initiatives to promote coordination between actions of the Union and those of the Member States, in order to enhance the efficiency and complementarity of Union and national civilian crisis management actions.

Article xx+1

The Council shall adopt decisions relating to the actions referred to in Article xx, defining their objectives and scope as well as general conditions for their implementation. The specific decision-making procedures, relevant to the actions to be taken, shall be followed.

Article xx+2

All expenditure relating to the actions referred to in Article xx(1) shall be treated, where applicable, according to the provisions in Article 22 of this Title.

Explanation (if any) :

We would prefer to complement the existing articles with a new chapter on civilian crisis management. This chapter would only refer to the civilian crisis management missions, their objectives (principles of democracy, respect for universal and indivisible human rights, fundamental freedoms and the rule of law), the types of actions to be taken etc.

From a civilian crises management viewpoint the present draft contains a deficiency which, if not corrected, would only cause more problems and confusion.

1. The on-going development of civilian crisis management capacities (i.e. police, in the area of rule of law, civil administration and civil protection) and the respective planning capabilities within the General Secretariat of the Council and the Commission have increased significantly recently and will continue to do so in the near future.
2. Civilian crisis management operations often have implications on several policy areas, requiring under the current Treaty structure the use of instruments from different pillars. An example of this is the activity in the field of civil protection (PROCIV and CIVCOM/CFSP). Natural disasters are a typical concrete example of cases where current community instruments as well as political, diplomatic or crisis management instruments can be used. On the other hand, there are operations which can be described as purely civilian crisis management operations, such as EU Police Missions.

3. Civilian crises management operations include crises of the highest degree of complexity. They aim to respond earlier and much more effectively to indications of human rights violations (often the first warning signal of imminent violent conflict). The aim is also to enhance the capacity of the EU, by strengthening the principles of democracy, respect for universal and indivisible human rights, fundamental freedoms and the rule of law, to create peaceful processes for managing conflicts and preventing the use of arms and overall maintaining peace in the (conflict) area or country.
4. The decisions concerning civilian crisis management would be taken by QMV. In some cases, however, unanimity could be required subject to specific procedures under the relevant Articles.
5. This Title contains also the possibility that the implementation of a task may be entrusted to a group of Member States having the necessary capability and the desire to undertake the task.
6. The provisions of this Title are by no means intended to be interpreted in such a way that the prerogatives of the Commission would be limited.