

AMENDMENT FORM

Suggestion for amendment of Article: III-196.1 (ex Article 9)

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.

**Status : - Member: Hjelm-Wallén and Lekberg
- Alternate: Petersson**

1. Decisions under this Chapter shall be taken by the Council acting unanimously. Abstentions by members present in person or represented shall not prevent the adoption of such decisions.

When abstaining in a vote, any member of the Council may qualify its abstention by making a formal declaration under the present subparagraph. In that case, it shall not be obliged to apply the decision, but shall accept that the decision commits the Union. In a spirit of mutual solidarity, the MemberState concerned shall refrain from any action likely to conflict with or impede Union action based on that decision and the other Member States shall respect its position. If the members of the Council **participating in the decision do not represent a qualified majority**¹ ~~qualifying their abstention in this way represent a more than one third of the votes weighted~~ in accordance with Article X of the Constitution, the decision shall not be adopted.

- ~~3. The European Council may decide unanimously that the Council shall act by a qualified majority in cases other than those referred to in paragraph 2.~~²

¹ The wording should be adjusted to the decisions-making rules in the Nice Treaty and the new provisions in part I

² Paragraph 2.a) on the possibility to use qualified majority on the basis of strategic interests and objectives adopted by the European Council, provides for sufficient flexibility in this regard.