

AMENDMENT FORM

Suggestion for amendment of Article : Part III, Title V, Article 199 bis

Suggestion for protocol :

By Ms / Mr : Hain

Status : - Member - ~~Alternate~~

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1. In the field of the common foreign and security policy, agreements between the Union and third states or international organisations shall be negotiated and concluded in accordance with the following procedure.
 2. The Council shall authorise negotiations to be opened, adopt negotiating directives and conclude agreements.
 3. Where an agreement relates to the common foreign and security policy, the Union's Minister for Foreign Affairs shall submit recommendations to the Council, which shall authorise the opening of negotiations.
 4. In connection with the decision authorising negotiations, depending on the subject of the future agreement, the Council shall nominate the negotiator or leader of the Union's negotiating team.
 5. Without prejudice to the specific provisions laid down in Article 24, the Council may address negotiating directives to the negotiator of the agreement and may designate a special committee in consultation with which the negotiations must be held.
 6. On a proposal from the agreement negotiator, the Council shall decide on the signing and, if necessary, provisional application of agreements before entry into force.
 7. The Council shall conclude agreements on the proposal of the agreement negotiator.
 8. When concluding an agreement, the Council may, by way of derogation from the foregoing, authorise the negotiator of the agreement to approve modifications on the Union's behalf where the agreement provides for them to be adopted by simplified procedure or by a body set up by the agreement; it may attach specific conditions to such authorisation.
 9. The Council shall act by unanimity throughout the procedure. However, it shall act by QMV when the agreement covers a field for which QMV is required for the adoption of a CFSP decision.
 10. The Council, on a proposal from the Union's Minister for Foreign Affairs, shall take a decision to suspend the application of an agreement and shall establish the positions to be adopted on the Union's behalf in a body set up by an agreement, when that body is called upon to adopt decisions having legal effects, with the exception of decisions supplementing or amending the institutional framework of the agreement.
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Explanation (if any) :

To make clear the different procedures for CFSP and non-CFSP instruments.