

AMENDMENT FORM

Suggestion for amendment of Article : Part II, Title B, Article 6

Suggestion for protocol :

By Ms / Mr : Hain

Status : - Member - Alternate

CFSP Decisions shall be taken in the following cases:

6.1 Where the international situation requires operational action by the Union, the Council shall take the necessary CFSP dDecisions. A CFSP dDecision shall lay down the objectives, scope, the means to be made available to the Union, if necessary its duration, and the conditions for implementation of the action.

6.2 If there is a change in circumstances having a substantial effect on a question subject to such a CFSP dDecision, the Council shall review the principles and objectives of the action and take the necessary CFSP dDecisions. As long as the Council has not acted, the CFSP dDecision on action by the Union shall stand.

6.3 Such CFSP dDecisions shall commit the Member States in the positions they adopt and in the conduct of their activity.

~~6.4 Whenever there is any plan to adopt a national position or take national action pursuant to such a CFSP decision, information shall be provided in time to allow, if necessary, for prior consultations within the Council. The obligation to provide prior information shall not apply to measures which are merely a national transposition of Council decisions.~~

6.5 In cases of imperative need arising from changes in the situation and failing a Council decision, Member States may take the necessary measures as a matter of urgency having regard to the general objectives of the decision on action by the Union. The Member State concerned shall inform the Council immediately of any such measures.

6.6 Should there be any major difficulties in implementing such a decision, a Member State shall refer them to the Council which shall discuss them and seek appropriate solutions. Such solutions shall not run counter to the objectives of the action or impair its effectiveness.

~~6.7 Art 7~~ The Council shall adopt CFSP Dedecisions setting out which shall define the approach of the Union to a particular matter of a geographical or thematic nature. Member States shall ensure that their national policies conform to the positions of the Union.

6.8 The Council shall adopt CFSP Decisions setting out strategies to be implemented by the Union in areas where the Member States have important interests in common.

Explanation (if any) :

Art 6.4 see Art 29.5 above (time constraints/practicality)

Art 6.7 = draft Art 7. If we are to merge all 3 CFSP instruments into one « Decision » it would be more logical to have them all in the same Article.

Art 6.8 reflects the existing Treaty language on Common Strategies, in order to make clear its inclusion in CFSP Decisions.