

AMENDMENT FORM

Suggestion for amendment of Article : Part II, Title B, Article 9

Suggestion for protocol :

By Ms / Mr : Hain

Status : - Member - Alternate

Art 9.2: By derogation from paragraph 1, the Council shall act by qualified majority:

- when adopting [CFSP dDecisions](#) on Union actions and positions [implementing on the basis of](#) a European Council decision relating to the Union's strategic interests and objectives, as defined in Art 2(1) of this Title;
- ~~when acting on the basis of a joint proposal by the Minister for Foreign Affairs and the Commission, as defined in Art 2(2);~~
- when adopting any [decision measure](#) implementing a [CFSP dDecision](#) on Union action or position;
- when appointed a Special Representative in accordance with Art 11 of this Chapter.

If a member of the Council declares that, for important and stated reasons of national policy, it intends to oppose the adoption of a decision to be taken by qualified majority, a vote shall not be taken. The Council may, acting by a qualified majority, request that the matter be referred to the European Council for decision by unanimity. ~~This paragraph shall not apply to decisions having military or defence implications.~~

~~9.3:~~ The European Council may decide unanimously that the Council shall act by qualified majority in cases other than those referred to in paragraph 2 above.

[9.3: These arrangements shall not apply to decisions having military or defence implications.](#)

Explanation (if any) :

9.2 (first tiret): to clarify nature of CFSP instruments

9.2 (second tiret): same point as at Art 8.1 above

9.2 (third tiret): clearer English – too many references to “decision”

9.2 and 9.3: to make it absolutely clear the ESDP is excluded from these provisions.