

## AMENDMENT FORM

### Suggestion for amendment to PART TWO, Title B, Article 20

By Mr Hannes FARNLEITNER

Status : - Member

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#### *Article 20*

4. The Member States listed in **Protocol Declaration X** annexed to the Constitution, which fulfil high military capability criteria **including those in specific areas** and wish to enter into more binding commitments in this matter with a view to more demanding tasks, hereby establish structured cooperation between themselves within the meaning of Article 30(6) of Part One of the Constitution. The military capability criteria and commitments ~~which these Member States have defined~~ are set out in that **Protocol Declaration**.
2. **Such a cooperation shall be open to all Member States that are willing to subscribe to the obligation it imposes. The Member States participating in such cooperation shall ensure that as many Member States as possible are encouraged to take part.**
- 3.2. If a Member State wishes to participate in such cooperation at a later stage, ~~and thus subscribe to the obligations it imposes~~, it shall **notify its intention to inform** the European Council of its intention. The ~~restricted~~ Council shall decide on the Member State's request **by unanimity. All members of the Council shall be able to take part in the deliberations, however, only those representing Member States participating in the structured cooperation shall take part in the adoption of this decision.**
- 4.3. **Without prejudice to paragraph 3, only Member States taking part in such cooperation shall take part in the deliberations and** adopt decisions relating to matters covered by it. The Minister for Foreign Affairs shall attend the deliberations. Other Member States shall be duly and regularly informed by the Minister for Foreign Affairs of developments in cooperation.
- 5.4. **Expenditure resulting from implementation of structured cooperation shall be borne by the participating Member States.** ~~The Council may ask the Member States participating in such cooperation to carry out at Union level a task referred to in Article 17 of this Title.~~

**Explanation (if any) :**

It should be clear that the structured cooperation is open to all interested Member States. The aim should be that as many Member States as possible take part in any structured cooperation.

Art. XX refers to the provision on qualified majority voting in Part I of the Constitution.