

AMENDMENT FORM

Suggestion for amendment of Article : **Part II, Title B, Article 20**

Suggestion for protocol :

By Ms / Mr : **Hain**

Status : - Member - ~~Alternate~~

Art 20:1 ~~The Member States listed in Declaration X annexed to the Constitution, which fulfil high military capability criteria 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 those Member States have defined are set out in that Declaration.~~

~~20.2 If a Member State wishes to participate in such cooperation at a later stage, and thus subscribe to the obligations it imposes, it shall inform the European Council of its intention. The restricted Council on structured cooperation shall decide on the Member State's request.~~

~~20.3 Only Member States taking part in such cooperation shall 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.~~

~~20.4 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) :

As in Art 30, Part I, the currently drafted the text is not sufficiently clear. While we support MS making higher capability commitments, or co-operating with partners to this end, the activity described risks undermining the inclusive, flexible, model of ESDP that the EU has agreed.