

AMENDMENT FORM

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

Suggestion for protocol :

By Mr : Dick Roche

Status : - Member

Place in brackets :

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.
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.
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.
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) : Much is already possible in this area under existing Treaty provisions concerning constructive abstention. The Praesidium's commentary on this article states that

operations undertaken by a group of Member States under structured cooperation provisions “would not be Union operations”. In these circumstances, such a provision in the Treaty is not appropriate.