

## AMENDMENT FORM

Suggestion for amendment of Article : Article 21

Suggestion for protocol :

By Ms / Mr : David Heathcoat-Amory

Status : X - Member      - Alternate

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### Article 21

1. The closer cooperation on mutual defence provided for in Article 30(7) of Part One shall be open to all Member States of the Union. *[A]* **The** list of participating Member States shall *[be set out in a Declaration annexed to this Constitution]* **vary according to the mission** . If a Member State wishes to take part in such cooperation at a later stage, and thus subscribe to the obligations it imposes, it shall inform the European Council of its intention *[Delete: and subscribe to the Declaration annexed to the Constitution.]*
2. A *[participating]* Member State which is the victim of armed aggression on its territory *[shall]* **may** inform the other participating States of the situation *[and may request aid and assistance from them. Participating]* Member States *[shall]* **may** meet at ministerial level, assisted by their representative on the Political and Security Committee and the Military Committee.
3. The United Nations Security Council shall be informed immediately of any armed aggression and the measures taken as a result.
4. These provisions shall not affect the rights and obligations resulting, for those concerned, from the North Atlantic Treaty, **or from constitutional neutrality**.

**New 5. Defence matters remain the preserve of the unanimity principle.**

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**Explanation (if any) : These amendments remove any notion of a mutual defence pact, which runs counter to the constitutions of certain member states, and is a danger to NATO. At the same time, they allow a flexibility in European response to allow for partnerships of the willing on an ad hoc basis.**