

AMENDMENT FORM

**Suggestion for amendment of: PART III OF THE CONSTITUTION:
Article III-210**

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Status : - Member - Alternate

On behalf of the EPP Convention Group

Suggestion

Article III-210 (ex Article 22)

1. Administrative expenditure which the provisions referred to in this Chapter entail for the institutions shall be charged to the Union budget.
2. Operating expenditure to which the implementation of those provisions gives rise shall also be charged to the Union budget, except for such expenditure arising from operations having military or defence implications and cases where the Council acting unanimously decides otherwise.

In cases where expenditure is not charged to the Union's budget it shall be charged to the Member States in accordance with the gross national product scale, unless the Council acting unanimously decides otherwise. As for expenditure arising from operations having military or defence implications, Member States whose representatives in the Council have made a formal declaration under [Article 9(1), second subparagraph], shall not be obliged to contribute to the financing thereof.

3. A Council Decision shall establish the specific procedures for guaranteeing rapid access to appropriations in the Union budget for urgent financing of initiatives in the framework of the common foreign and security policy, and in particular for preparatory activities for tasks as referred to in [Article 32(1) of Part One] of the Constitution.

Preparatory activities for tasks as referred to in [Article 32(1) of Part One] of the Constitution which are not charged to the Union budget shall be financed by a start-up fund made up of Member States' contributions.

The Council shall adopt by a qualified majority on a proposal from the Minister for Foreign Affairs:

- (a) the procedures for setting up and financing the fund, in particular the amounts allocated to the fund and the procedures for reimbursement;
- (b) the procedures for administering the fund;
- (c) the financial control procedures.

When it is planning a task as referred to in [Article 32(1) of Part One] of the Constitution which cannot be charged to the Union's budget, the Council shall authorise the Minister for

Foreign Affairs to use the fund. The Minister for Foreign Affairs shall report to the Council on the implementation of the remit. *After five years the preparatory fund will become an integral part of the Union's budget.*

Explanation (if any) :

The provisions on the start-up fund for activities having defence implications are designed to overcome the difficulties among member states in agreeing on the funding of operations. It is therefore an element in the Constitution which should be supported. On the other hand, it is a clear provision for circumventing the rights and the influence of the European Parliament. It is a method of creating a budget and using it for crisis management operations without the ordinary procedures of the Union. A transitory arrangement should be laid down in the Constitution. This would imply an automatism after a period of X years for transferring the defence fund into the EU-budget or alternatively a specific procedure should be foreseen.