

**AMENDMENT FORM**

**Suggestion for amendment of Article 29**

**By : TIMOTHY KIRKHOPE MEP**

**Status : MEMBER**

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<b>PRAESIDIUM</b>	<b>TIMOTHY KIRKHOPE MEP</b>
<b>Article 29</b>  When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, unanimously adopt the necessary measures.	<b>Article 29</b>  When the situation in a third country requires urgent financial aid from the <u><b>Community</b></u> , the Council shall, on a proposal from the Commission, unanimously adopt the necessary measures.

## AMENDMENT FORM

### Title B - Part II

#### Suggestion for amendment of Article : 29

**By Members:** Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Peeter Kreitzberg, Mr Algirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; **and Alternate Members:** Ms Lone Dybkjaer, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

**Status :**        **Members and alternate members.**

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#### *Article 29*

When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, adopt the necessary measures.

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#### **Explanation:**

*Surely if the request is urgent, unanimity cannot be the tool to deliver it.*

## FICHE AMENDEMENT

**Proposition d'amendement à l'Article 28, partie II – titre B - de la Constitution:**

### **L'ACTION EXTERIEURE DE L'UNION**

**Déposée par** Mme Linda McAVAN, Mme Anne VAN LANCKER, M. Olivier DUHAMEL, M. Luis MARINHO, Mme Pervenche BERÈS, Mme Maria BERGER, Mme Elena PACIOTTI, Mme Helle THORNING-SCHMIDT

**Qualité:** - Membres et Suppléants

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### **CHAPTER 3 : ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION WITH THIRD COUNTRIES**

#### **ARTICLE 28**

1. Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries, **including any provision for urgent, particularly financial aid.** Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the Union's external action as set out in Article 1 of this Title.

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**Explication éventuelle:**

## FICHE AMENDEMENT

**Proposition d'amendement à l'Article 29, partie II – titre B - de la Constitution:**

### **L’ACTION EXTERIEURE DE L’UNION**

**Déposée par** Mme Linda McAVAN, Mme Anne VAN LANCKER, M. Olivier DUHAMEL, M. Luis MARINHO, Mme Maria BERGER, Mme Elena PACIOTTI, Mme Helle THORNING-SCHMIDT, M. Jürgen MEYER

**Qualité:** - Membres et Suppléants

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### **CHAPTER 3 : ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION WITH THIRD COUNTRIES**

#### **ARTICLE 29**

When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission **and after consultation with the European Parliament** (delete one word “**unanimously**”) adopt the necessary measures.

*N.B. the word « unanimously » does seem to feature only in the English version*

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**Explication éventuelle:**

## AMENDMENT FORM

**Suggestion for amendment of Article : Article 29**

**Suggestion for protocol :**

**By: Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Matti Vanhanen, Riitta Korhonen**

**Status :   Tiilikainen, Kiljunen, Vanhanen - Members  
Peltomäki, Korhonen - Alternates**

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### *Article 29*

When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, ~~unanimously~~ adopt the necessary measures.

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**Explanation (if any) :**

Explanation: Decision-making in respect to all cooperation with third countries and humanitarian aid should be based on QMV. There is no reason why urgent financial aid issues would deviate from this rule. (This is obviously a question of omission as the Secretariat's comment on this Article refers to QMV.)

## AMENDMENT FORM

### Suggestion for amendment of Article : 28

By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann

Status : - Member - ~~Alternate~~

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### Artikel 28

(1) Unbeschadet der übrigen Bestimmungen dieses Vertrags und insbesondere der Artikel 25 bis 27 dieses Titels über die Entwicklungszusammenarbeit führt die Union im Rahmen ihrer Zuständigkeiten Maßnahmen der wirtschaftlichen, finanziellen und technischen Zusammenarbeit mit Drittländern durch. Die Maßnahmen der Union und die Maßnahmen der Mitgliedstaaten ergänzen und verstärken sich gegenseitig. ~~Den Rahmen für diese Maßnahmen bilden die in Artikel 1 dieses Titels aufgeführten Grundsätze und Ziele des außenpolitischen Handelns der Union.~~

(2) Das Europäische Parlament und der Rat nehmen nach dem Gesetzgebungsverfahren die zur Durchführung des Absatzes 1 erforderlichen Gesetze und Rahmengesetze an.

(3) Die Union und die Mitgliedstaaten arbeiten im Rahmen ihrer jeweiligen Zuständigkeiten mit Drittländern und den zuständigen internationalen Organisationen zusammen. Die Einzelheiten der Zusammenarbeit der Union können in Abkommen zwischen dieser und den betreffenden dritten Parteien geregelt werden, die nach Artikel 33 dieses Titels ausgehandelt und geschlossen werden. ~~Der Rat beschließt einstimmig in Bezug auf Assoziierungsabkommen im Sinne des Artikels 32 Absatz 2 dieses Titels sowie in Bezug auf Abkommen, die mit Staaten zu schließen sind, die den Beitritt zur Union beantragt haben.~~

Parteien geregelt werden, die nach Artikel 33 dieses Titels ausgehandelt und geschlossen werden.

Unterabsatz 1 berührt nicht die Zuständigkeit der Mitgliedstaaten, in internationalen Gremien zu verhandeln und internationale Abkommen zu schließen.

Unterabsatz 1 berührt nicht die Zuständigkeit der Mitgliedstaaten, in internationalen Gremien zu verhandeln und internationale Abkommen zu schließen.

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**Explanation (if any) :**

***Absatz 1:***

**Streichung** des Satzes 3. Dies ergibt sich bereits aus der Systematik des Titels "Außenpolitisches Handeln der Union".

***Absatz 3:***

**Streichung** des Satzes 3. Die Notwendigkeit einstimmiger Ratsbeschlüsse ergibt sich bereits aus Art. 33 Absatz 9, auf den im Satz 2 verwiesen wird.

## AMENDMENT FORM

**Suggestion for amendment of Article : 29**

**By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann**

**Status :    - Member            - ~~Alternate~~**

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### **Artikel 29**

Ist es aufgrund der Lage in einem Drittland notwendig, dass die Union umgehend finanzielle Hilfe leistet, so nimmt der Rat ~~auf Vorschlag der Kommission mit qualifizierter Mehrheit~~ ***nach Zustimmung des Europäischen Parlaments*** die erforderlichen Maßnahmen an.

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### **Explanation (if any) :**

Die Ergänzung sichert die notwendige parlamentarische Mitwirkung. Das Vorschlagsrecht der Kommission ergibt sich dagegen bereits aus Art. 18 Absatz 2 des Präsidiumsentwurfs, und die Regelung zur Beschlussfassung im Rat ist bereits in Artikel 17 Absatz 3 des Präsidiumsentwurfs festgelegt.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article 28

Déposée par Monsieur de Villepin

Qualité : - Membre

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#### Article 28

1. Sans préjudice des autres dispositions du présent traité, et notamment dans les articles 25 à 27 du présent Titre concernant la coopération au développement, l'Union mène, dans le cadre de ses compétences, des actions de coopération économique, financière et technique avec des pays tiers. Ces actions sont cohérentes avec la politique de développement de l'Union et avec la politique étrangère et de sécurité de l'Union. Les actions de l'Union et des États membres se complètent et se renforcent mutuellement. Elles sont menées dans le cadre des principes et objectifs de l'action extérieure de l'Union, tels qu'énoncés dans l'article 1 du présent Titre.
2. ~~Le Parlement européen et le Conseil adopte, après consultation du Parlement européen, et, conformément à la procédure législative, les lois européennes et les lois cadres européennes~~ nécessaires pour la mise en œuvre du paragraphe 1.
3. Dans le cadre de leurs compétences respectives, l'Union et les États membres coopèrent avec les pays tiers et les organisations internationales compétentes. Les modalités de la coopération de l'Union peuvent faire l'objet d'accords entre celle-ci et les tierces parties concernées, qui sont négociés et conclus conformément à l'article 33 de ce Titre. Le Conseil statue à l'unanimité pour les accords d'association visés à l'article 32, paragraphe 2 de ce Titre ainsi que pour les accords à conclure avec les États candidats à l'adhésion à l'Union.  
  
Le premier alinéa ne préjuge pas la compétence des États membres pour négocier dans les instances internationales et conclure des accords internationaux.

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#### Explication éventuelle :

L'ajout au paragraphe 1 vise, en cohérence avec l'amendement à l'article 3, à assurer l'unité de

l'action extérieure de l'Union.

L'amendement au paragraphe 2 vise à reprendre le dispositif de l'actuel article 181 A du traité, qui prend acte de la nature réglementaire de la coopération économique financière et technique avec les pays tiers.

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article 29**

**Déposée par Monsieur de Villepin**

**Qualité : - Membre**

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Article 29

Lorsque la situation dans un pays tiers exige une assistance financière exceptionnelle à caractère particulièrement urgent de la part de l'Union, le Conseil, sur proposition de la Commission, adopte, à la majorité qualifiée, les mesures nécessaires, conformément au objectifs de la politique de coopération au développement et de la politique étrangère et de sécurité.

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#### **Explication éventuelle :**

Il s'agit de circonscrire le recours à cette base juridique et d'assurer la cohérence des décisions prises dans ce cadre avec les objectifs de l'action extérieure de l'Union

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article : 28, Partie II, Titre B

Déposée par: M. Ernâni Lopes, Mme. Maria Eduarda Azevedo, M. Manuel Lobo Antunes et M. António Nazaré Pereira

#### Qualité : - Membres et Suppléants

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1. Sans préjudice des autres dispositions du présent traité, et notamment dans les articles 25 à 27 du présent titre concernant la coopération au développement, l'Union mène, dans le cadre de ses compétences, des actions de coopération économique, financière et technique avec des pays tiers **ou groupes de pays tiers**. Ces actions sont cohérentes avec la politique de développement de l'Union. Les actions de l'Union et des états membres se complètent et se renforcent mutuellement. Elles sont menées dans le cadre des principes et objectifs de l'action extérieure de l'Union, tels qu'énoncés dans l'article 1 du présent Titre.
2. Le Parlement européen et le Conseil adoptent, conformément à la procédure législative, les lois européennes, les lois-cadres européennes **et d'autres instruments** nécessaires pour la mise en oeuvre du paragraphe 1.
3. (...)
4. (...)

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#### Explication:

L'inclusion de l'expression « groupes de pays tiers » permet une approche régionale.

La référence aux lois européennes et lois-cadres européennes n'inclue pas toutes les mesures que le Conseil et le Parlement européen peuvent adopter dans ce domaine.

## AMENDMENT FORM

### Suggestion for amendment of Article : Chapter 3

By Member of the Convention Mr. Jens-Peter Bonde

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#### CHAPTER 3: COOPERATION WITH THIRD COUNTRIES AND HUMANITARIAN AID

### II. ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION WITH THIRD COUNTRIES

#### *Article 28*

1. Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries. Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall ~~[DELETE: be carried out within the framework of the principles and objectives of the Union's external action as set out in Article 1 of this Title]~~ **IN PARTICULAR BENEFIT THE POOREST PEOPLE IN THE POOREST NATIONS IN THE WORLD.**
1. The European Parliament and the Council shall, in accordance with the legislative procedure, adopt the European laws and European framework laws necessary for the implementation of paragraph 1.
3. Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and the competent international organisations. The arrangements for Union cooperation may be the subject of agreements between the Union and the third parties concerned, which shall be negotiated and concluded pursuant to Article 33 of this Title. The Council shall act unanimously for the association agreements referred to in Article 32(2) of this Title and for the agreements to be concluded with the States which are candidates for accession to the Union.

The first subparagraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.

**AMENDMENT FORM**

**Suggestion for amendment of Article : Chapter 3**

**By Member of the Convention Mr. Jens-Peter Bonde**

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**CHAPTER 3: COOPERATION WITH THIRD COUNTRIES  
AND HUMANITARIAN AID**

**I. DEVELOPMENT COOPERATION**

*Article 29*

When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, unanimously adopt the necessary measures.

## AMENDMENT FORM

Suggestion for amendment of Article : 28

Suggestion for PART TWO – CHAPTER 3: COOPERATION WITH THIRD COUNTRIES  
AND HUMANITARIAN AID, ILECONOMIC, FINANCIAL AND TECHNICAL  
COOPERATION WITH THIRD COUNTRIES

By Ms / Mr : BROK; SANTER; TAJANI; VAN DER LINDEN; ALMEIDA GARRETT;  
ALTMAYER; AZEVEDO; BASILE; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES;  
FOGLER; FRENDON; GIANNAKOU; KAUPPI; KELEMEN; KORHONEN; KRASTS;  
KROUPA; LENNMARKER; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK;  
WITTBRODT; ZIELENIEC; ZILE

on behalf of the EPP Convention Group

Status :    - Member            - Alternate

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### CHAPTER 3: COOPERATION WITH THIRD COUNTRIES AND HUMANITARIAN AID

#### II. ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION WITH THIRD COUNTRIES

##### Article 28

1. Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries *including any provision for urgent, particularly financial aid*. Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the Union's external action as set out in Article 1 of this Title.
2. The European Parliament and the Council shall, in accordance with the legislative procedure, adopt the European laws and European framework laws necessary for the implementation of

paragraph 1.

3. Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and the competent international organisations. The arrangements for Union cooperation may be the subject of agreements between the Union and the third parties concerned, which shall be negotiated and concluded pursuant to Article 33 of this Title. The Council shall act unanimously ~~for the association agreements referred to in Article 32(2) of this Title and~~ for the agreements to be concluded with the States which are candidates for accession to the Union.

The first subparagraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.

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**Explanation (if any) :**

## AMENDMENT FORM

Suggestion for amendment of Article : 29

Suggestion for PART TWO – CHAPTER 3: COOPERATION WITH THIRD COUNTRIES  
AND HUMANITARIAN AID, ILECONOMIC, FINANCIAL AND TECHNICAL  
COOPERATION WITH THIRD COUNTRIES

By Ms / Mr : BROK; SANTER; STYLIANIDIS; TAJANI; VAN DER LINDEN; ALMEIDA  
GARRETT; ALTMAIER; AZEVEDO; BASILE; BREJC; CUSHNAHAN; DEMETRIOU;  
DOLORES; FOGLER; FRENDON; GIANNAKOU; KAUPPI; KELEMEN; KORHONEN;  
KRASTS; KROUPA; LENNMARKER; LEQUILLER; MAIJ-WEGGEN; MLADENOV;  
PIKS; RACK; VAN DIJK; WITTBRODT; ZIELENIEC; ZILE

on behalf of the EPP Convention Group

Status :    - Member            - Alternate

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### CHAPTER 3: COOPERATION WITH THIRD COUNTRIES AND HUMANITARIAN AID

#### II. ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION WITH THIRD COUNTRIES

##### Article 29

When the situation in a third country requires urgent financial aid from the Union, the Council *and the European Parliament* shall, on a proposal from the Commission, ~~unanimously~~ adopt the necessary measures.

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##### Explanation (if any) :

The European Parliament has to be involved in all decision with budgetary consequences.

## AMENDMENT FORM

### Suggestion for amendment of Article 28

By : **TIMOTHY KIRKHOPE MEP**

Status : **MEMBER**

PRAESIDIUM	TIMOTHY KIRKHOPE MEP
<p><b>Article 28</b></p> <p>1. Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries. Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the Union's external action as set out in Article 1 of this Title.</p> <p>2. The European Parliament and the Council shall, in accordance with the legislative procedure, adopt the European laws and European framework laws necessary for the implementation of paragraph 1.</p> <p>3. Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and the competent international organisations. The arrangements for Union cooperation may be the subject of agreements between the Union and the third parties concerned, which shall be negotiated and concluded pursuant to Article 33 of this Title. The Council shall act unanimously for the association agreements referred to in Article 32(2) of this Title and for the agreements to be concluded with the States which are candidates for accession to the Union.</p> <p>The first subparagraph shall be without prejudice to</p>	<p><b>Article 28</b></p> <p>1. Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the <i>Community</i> shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries. Such measures shall be consistent with the development policy of the <i>Community</i>. The <i>Community's</i> measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the <i>Community's</i> external action as set out in Article 1 of this Title.</p> <p>2. The European Parliament and the Council shall, in accordance with the legislative procedure, adopt the European laws necessary for the implementation of paragraph 1.</p> <p>3. Within their respective spheres of competence, the <u>Community</u> and the Member States shall cooperate with third countries and the competent international organisations. The arrangements for <u>Community</u> cooperation may be the subject of agreements between the <u>Community</u> and the third parties concerned, which shall be negotiated and concluded pursuant to Article 33 of this Title. The Council shall act unanimously for the association agreements referred to in Article 32(2) of this Title and for the agreements to be concluded with the States which are candidates for accession to the <u>Community</u>.</p> <p>The first subparagraph shall be without prejudice to</p>

Member States' competence to negotiate in international bodies and to conclude international agreements.

Member States' competence to negotiate in international bodies and to conclude international agreements.

## AMENDMENT FORM

### Suggestion for amendment of Article : 29

By Mr Joschka Fischer

Status : - Member

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#### *Artikel 29*

#### *Die Gemeinsame Außen- und Sicherheitspolitik der Union*

- (1) Die Europäische Union verpflichtet sich zu einer gemeinsamen Außen- und Sicherheitspolitik, die sich auf alle Bereiche der Außen- und Sicherheitspolitik, einschließlich der Gemeinsamen Sicherheits- und Verteidigungspolitik erstreckt und die auf einer fortschreitenden Entwicklung der gegenseitigen politischen Solidarität der Mitgliedstaaten, der fortschreitenden gemeinsamen Ermittlung der Fragen von allgemeiner Bedeutung und der Positionen der Union auf diese Fragen, der gegenseitigen Abstimmung und einer zunehmend stärkeren Konvergenz zwischen den Maßnahmen der Mitgliedstaaten beruht.
- (2) Der Europäische Rat bestimmt die strategischen Interessen der Union und legt die Ziele ihrer Gemeinsamen Außen- und Sicherheitspolitik, und zwar auch bei Fragen mit verteidigungspolitischen Bezügen fest. Der ~~Ministerrat~~ Rat trifft die für die Festlegung und Durchführung der Gemeinsamen Außen- und Sicherheitspolitik erforderlichen Entscheidungen auf dieser Grundlage ~~gestaltet diese Politik nach Maßgabe von Teil II der Verfassung aus.~~
- (3) ~~Der Europäische Rat und der Ministerrat fassen die erforderlichen Beschlüsse.~~
- (4) Diese Gemeinsame Außen- und Sicherheitspolitik wird vom Außenminister der Union und von den Mitgliedstaaten mit den auf einzelstaatlicher und auf Unionsebene verfügbaren Mitteln umgesetzt.
- (5) Die Mitgliedstaaten stimmen einander im Rat und im Europäischen Rat zu jeder außen- und sicherheitspolitischen Frage von allgemeiner Bedeutung ab, um ein gemeinsames Vorgehen festzulegen. Bei Auftreten einer internationalen Krise oder einer Frage von strategischer Bedeutung für die Union beruft der Europäische Außenminister unverzüglich den Rat ein. Dieser beschließt

eine gemeinsame Haltung der Union. Bevor ein Mitgliedstaat auf internationaler Ebene eine Maßnahme ergreift oder eine Verpflichtung eingeht, die die Interessen der Union berühren könnte, konsultiert er die anderen Mitgliedstaaten im Rat oder im Europäischen Rat. Die Mitgliedstaaten gewährleisten durch konvergentes Handeln, dass die Union ihre Interessen und Werte auf internationaler Ebene geltend machen kann. Die Mitgliedstaaten sind untereinander solidarisch.

(6) Das Europäische Parlament wird zu den wichtigsten Aspekten und den grundlegenden Weichenstellungen der Gemeinsamen Außen- und Sicherheitspolitik gehört und über ihre Entwicklung auf dem Laufenden gehalten.

(7) Im Bereich der Gemeinsamen Außen- und Sicherheitspolitik ~~nehmen der Europäische Rat und der Ministerrat~~ außer in den in Teil II der Verfassung vorgesehenen Fällen und mit der Ausnahme von Beschlüssen mit militärischen oder verteidigungspolitischen Bezügen, Beschlüsse ~~einstimmig~~ mit qualifizierter Mehrheit an. ~~Sie Er beschließen beschließt~~ auf Vorschlag eines Mitgliedstaates oder des Außenministers der Union oder auf gemeinsamen Vorschlag des Außenministers der Union und der Kommission.

[(8) Der Europäische Rat kann einstimmig entscheiden, dass der Rat in anderen als den in Teil II der Verfassung genannten Fällen mit qualifizierter Mehrheit beschließt.]\*

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**Explanation (if any) :**

**Absatz 1:** Die Rahmen der Gemeinsamen Außen- und Sicherheitspolitik darf nicht hinter die bestehenden Bestimmungen zurückfallen (Art. 11 EUV) sondern sollte weiterentwickelt werden.

**Absatz 2:** Die unterschiedlichen Aufgaben von Europäischem Rat und Rat sollten klar beschrieben werden: Der Europäische Rat bestimmt die strategischen Interessen der Union und legt die Ziele ihrer Gemeinsamen Außen- und Sicherheitspolitik fest, der Rat trifft auf dieser Grundlage die für die Festlegung und Durchführung der Gemeinsamen Außen- und Sicherheitspolitik erforderlichen Entscheidungen.

**Absatz 3:** Durch Überarbeitung von Absatz 2 überflüssig.

**Absatz 5:** Bei der Abstimmung von Positionen zu außen- und sicherheitspolitischen Frage von allgemeiner Bedeutung sollte der Europäische Außenminister eine besondere Rolle spielen. Zudem sollte deutlich gemacht werden, dass die Union in solchen Fällen die Festlegung einer

gemeinsamen Haltung anstrebt.

**Absatz 7:** Grundsätzlich sollten Entscheidungen im Bereich der Gemeinsamen Außen- und Sicherheitspolitik, mit der Ausnahme von Fragen mit militärischen oder verteidigungspolitischen Bezügen, mit qualifizierter Mehrheit getroffen werden.

**Absatz 8:** Diese Bestimmung ist bei grundsätzlicher Beschlussfassung mit qualifizierter Mehrheit nicht erforderlich.

**Anmerkung:** Zudem sollte das Instrument der verstärkten Zusammenarbeit auf alle Bereiche der Gemeinsamen Außen- und Sicherheitspolitik angewandt werden können. Bestehende Ausnahmeregelungen sollten gestrichen werden (Art. 27 b EUV).

## AMENDMENT FORM

**Suggestion for amendment of Article : 29, part II**

**Suggestion for protocol :**

**By Ms / Mr :                G.M. de Vries  
                                     T.J.A.M. de Bruijn**

**Status :    Members**

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~~When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, unanimously adopt the necessary measures.~~

The Council may, on a proposal from the Commission and taking due consideration of the conditionalities of the international financial institutions, unanimously adopt the necessary measures to give exceptional financial assistance to third countries with which the Union maintains close political and economic links, taking into account especially their geographical proximity and the Union's economic, commercial and political interests.

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**Explanation (if any) : The scope of this article should be limited: taking into account 'GENVAL' criteria. The EU is not an IFI.**





## AMENDMENT FORM

### Title B - Part II

#### Suggestion for amendment of Article : 28

By Ms. Dybkjær

Status :    - Member            **X Alternate**

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Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with (~~delete~~ [third countries]) **non developing countries**.

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#### **Explanation (if any) :**

Clarity needs to be obtained as to the difference between the development co-operation chapter and the economic, financial and technical co-operation particularly in terms of their coverage.

## AMENDMENT FORM

### Title B - Part II

#### Suggestion for amendment of Article : 29

By Ms. Dybkjær

Status :    - Member            **X Alternate**

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When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, **and after consultation of the European Parliament**, adopt the necessary measures.

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**Explanation (if any) :**

## AMENDMENT FORM

**Suggestion for amendment of Article : 29 of Part II, Title B**

**Suggestion for protocol :**

**By Mr : Dick Roche**

**Status : - Member**

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When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, ~~unanimously~~ **by qualified majority**, adopt the necessary measures.

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**Explanation (if any) :** There is a contradiction between the text of this article, which states that decisions will be taken by unanimity, and the Praesidium commentary, which proposes a move to QMV in this area.

## AMENDMENT FORM

### Title B of part 2 of the Constitutional Treaty (External Action)

### Chapter 3: Co-operation with Third Countries and Humanitarian Aid

#### Suggestion for amendment of Article 28

By Ms / Mr : **Renée Wagener**

Status : - Alternate

~~Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries.~~

Replace by:

Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with (**delete** [third countries]) **non developing countries**.

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Explanatory note:

Clarity needs to be obtained as to the difference between the development co-operation chapter and the economic, financial and technical co-operation particularly in terms of their coverage.

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**Explanation (if any) :**

## **AMENDMENT FORM**

**Suggestion for amendment of Article : 28(1)**

**By Mr. Frans Timmermans**

**Status : Member of the European Convention**

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**In addition, of the preliminary, I introduce the following amendment:**

Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with ~~third countries~~ non developing countries. Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the Union's external action as set out in Article 1 of this Title.

---

### **Explanation:**

Clarity needs to be obtained as to the difference between the development co-operation chapter and the economic, financial and technical co-operation particularly in terms of their coverage.

## AMENDMENT FORM

**Suggestion for amendment of Article :Part II, Title B, Article 29**

**Suggestion for protocol :**

**By Ms / Mr : Hain**

**Status :        - Member                      - ~~Alternate~~**

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[Delete Article.](#)

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**Explanation (if any) :**

The intention appears to be to move to QMV for macro-financial assistance, but this article confuses the issue as it is not clear whether it refers to the macro-financial assistance or not. Macro-financial assistance has been agreed urgently when required.

## FICHE AMENDEMENT

Proposition d'amendement à l'Article : 29 (Capo 2 - Politica Commerciale Comune)

Déposée par Madame : **Cristiana MUSCARDINI**

Qualité : **Membre**

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### Articolo 29

Allorché la situazione in un paese terzo esige un'assistenza finanziaria urgente da parte dell'Unione, il Consiglio adotta a maggioranza qualificata, su proposta della Commissione, **o del Parlamento europeo**, le misure necessarie.

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Explication éventuelle :

## AMENDMENT FORM

**Suggestion for amendment of Article : 28 (PART TWO – TITLE B)**

**Suggestion for protocol :**

**By Mr : Ingvar SVENSSON**

**Status : - Alternate**

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### *Article 28*

1. Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries, **including any provision for urgent, particularly financial, aid**. Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the Union's external action as set out in Article 1 of this Title.
1. The European Parliament and the Council shall, in accordance with the legislative procedure, adopt the European laws and European framework laws necessary for the implementation of paragraph 1.
3. Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and the competent international organisations. The arrangements for Union cooperation may be the subject of agreements between the Union and the third parties concerned, which shall be negotiated and concluded pursuant to Article 33 of this Title. The Council shall act unanimously for the association agreements referred to in Article 32(2) of this Title and for the agreements to be concluded with the States which are candidates for accession to the Union.

The first subparagraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.

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**Explanation (if any) :**

**AMENDMENT FORM**

**Suggestion for amendment of Article : 29 (PART TWO – TITLE B)**

**Suggestion for protocol :**

**By Mr : Ingvar SVENSSON**

**Status : - Alternate**

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***Article 29***

When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, **and after consultation of the European Parliament,** unanimously adopt the necessary measures.

## AMENDMENT FORM

**Suggestion for amendment of Article:** 29 (Part Two, CFSP)

**By Mr:** Erwin Teufel

**Status:** Member

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### *Text of the Praesidium*

When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, *unanimously [correct would be “by qualified majority”, cf. French and German versions]* adopt the necessary measures.

### *Proposed Amendment*

When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, **unanimously** adopt the necessary measures.

---

### **Explanation:**

Balance-of-payments aid to third countries can grow to such dimensions as to require unanimous decisions by the Member States.

## FICHE AMENDEMENT

**Proposition d'amendement à l'Article:** **29 (Partie II, PESCE)**

**Déposée par Monsieur:** **Erwin Teufel**

**Qualité:** **Membre**

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### *Texte du Praesidium*

Ist es aufgrund der Lage in einem Drittland notwendig, dass die Union umgehend finanzielle Hilfe leistet, so nimmt der Rat auf Vorschlag der Kommission mit qualifizierter Mehrheit die erforderlichen Maßnahmen an.

### *Amendement proposé*

Ist es aufgrund der Lage in einem Drittland notwendig, dass die Union umgehend finanzielle Hilfe leistet, so nimmt der Rat auf Vorschlag der Kommission **einstimmig** die erforderlichen Maßnahmen an.

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### **Begründung:**

Zahlungsbilanzhilfen für Drittländer können in Größenordnungen erwachsen, über welche die Mitgliedstaaten einstimmig entscheiden müssen.

## AMENDMENT FORM

### **Suggestion for amendment of PART TWO – CHAPTER 3: COOPERATION WITH THIRD COUNTRIES AND HUMANITARIAN AID, II.ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION WITH THIRD COUNTRIES ,Article : 28**

**By Ms: GIANNAKOU Marietta**

**Status : - Member**

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### **CHAPTER 3: COOPERATION WITH THIRD COUNTRIES AND HUMANITARIAN AID II. ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION WITH THIRD COUNTRIES**

#### **Article 28**

1. Without prejudice to the other provisions of this Treaty, and in particular those of Articles 25 to 27 of this Title concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures with third countries *including any provision for urgent, particularly financial aid*. Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the Union's external action as set out in Article 1 of this Title.
2. The European Parliament and the Council shall, in accordance with the legislative procedure, adopt the European laws and European framework laws necessary for the implementation of paragraph 1.
3. Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and the competent international organisations. The arrangements for Union cooperation may be the subject of agreements between the Union and the third parties concerned, which shall be negotiated and concluded pursuant to Article 33 of this Title. The Council shall act unanimously for the association agreements referred to in Article 32(2) of this Title and for the agreements to be concluded with the States which are candidates for accession to the Union.

The first subparagraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.

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**Explanation (if any) :**

## AMENDMENT FORM

### Suggestion for amendment of Article 29

**By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg and Mr Kenneth Kvist, national parliament representatives.**

**Status :**

- Member: Hjelm-Wallén and Lekberg**
- Alternate: Petersson and Kvist**

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### Article 29

~~When the situation in a third country requires urgent financial aid from the Union, the Council shall, on a proposal from the Commission, unanimously adopt the necessary measures.<sup>1</sup>~~

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<sup>1</sup> The need, reason and explanation for including this new Article is unclear. What kind of situation calls for "urgent financial assistance in a third country" which is not already covered by humanitarian aid or how will this be distinguished from budget aid under development cooperation? Why is a different decision-making procedure from that of humanitarian aid justified?

## **AMENDMENT FORM**

**Suggestion for amendment of Article : III-217 (ex Article 29)**

**By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.**

**Status :**    - **Members: Hjelm-Wallén and Lekberg**  
                  - **Alternates: Petersson**

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### **Article III-217 (ex Article 29)**

~~When the situation in a third country requires urgent financial aid from the Union, the Council shall adopt the necessary measures by a qualified majority, on a proposal from the Commission.~~

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#### **Explanation:**

Urgent financial aid to a third country should not be part of regular EU activity. It should only be given in exceptional cases, as a complement to aid from other international financial institutions.

## **FICHE AMENDEMENT**

### **Proposition d'amendement à l'Article III-217**

**Déposée par Monsieur de Villepin**

**Qualité : - Membre**

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Lorsque la situation dans un pays tiers exige une assistance financière à caractère urgent **et exceptionnel** de la part de l'Union, le Conseil, sur proposition de la Commission, adopte, à la majorité qualifiée, les mesures nécessaires.

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**Explication éventuelle :**

**AMENDMENT FORM**

**Suggestion for amendment of Article 217**

**Suggestion for Part: III**

**By Ms / Mr :**            **G.M. de Vries**  
                                 **T.J.A.M. de Bruijn**

**Status :**            **Member**                    **Alternate**

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When the situation in a third country requires urgent financial aid from the Union, the Council shall adopt the necessary measures by a ~~qualified majority~~unanimity, on a proposal from the Commission.

## **AMENDMENT FORM**

**Suggestion for amendment of Article : III-217 (ex Article 29)**

**By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.**

**Status : - Members: Hjelm-Wallén and Lekberg**

**- Alternates: Petersson**

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~~When the situation in a third country requires urgent financial aid from the Union, the Council shall adopt the necessary measures by a qualified majority, on a proposal from the Commission.~~

---

### **Explanation:**

Urgent financial aid to a third country should not be part of regular EU activity. It should only be given in exceptional cases, as a complement to aid from other international financial institutions.

**AMENDMENT FORM**

**Suggestion for amendment of Article : Part III, Title V, Article 217 (ex Art. 29)**

**Suggestion for protocol :**

**By Ms / Mr : Hain**

**Status :        - Member                      - ~~Alternate~~**

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*Delete.*

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**Explanation (if any) :**

*It is not clear how this article differs from the management of urgent financial aid provided under other Treaty articles.*

## AMENDMENT FORM

**Suggestion for amendment of Article : III-216.1 (ex Article 28)**

**By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.**

**Status : - Member: Hjelm-Wallén and Lekberg  
- Alternate: Petersson**

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### **Article III-216 (ex Article 28)**

1. Without prejudice to the other provisions of this Treaty, and in particular those of [Articles III-213 (ex Art. 25) to III-215 (ex Art. 27)] concerning development cooperation, the Union shall, within its spheres of competence, carry out economic, financial and technical cooperation measures, ~~including financial aid in particular, with third countries other than developing countries.~~<sup>1</sup> Such measures shall be consistent with the development policy of the Union. The Union's measures and those of the Member States shall complement and reinforce each other. They shall be carried out within the framework of the principles and objectives of the Union's external action as set out in [Article III-188 (ex Art. 1)].  
clude international agreements.

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<sup>1</sup> There is no need for a reference of this kind.

## FICHE AMENDEMENT

### Proposition d'amendement à l'Article III-216

Déposée par MM. Barnier, Vitorino, O'Sullivan et Ponzano

Qualité :      Membres      et Suppléants

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#### Article III-216

(coopération économique, financière et technique)

1. Sans préjudice des autres dispositions du présent traité, et notamment dans [les articles III-213 à III-215 (ex-25 à 27)] du présent Titre concernant la coopération au développement, l'Union mène, dans le cadre de ses compétences, des actions de coopération économique, financière et technique, y compris de l'assistance en particulier dans le domaine financier, avec des pays tiers autres que les pays en voie de développement. Ces actions sont cohérentes avec la politique de développement de l'Union. Les actions de l'Union et des États membres se complètent et se renforcent mutuellement. Elles sont menées dans le cadre des principes et objectifs de l'action extérieure de l'Union, tels qu'énoncés dans [l'article III-188 (ex-1)] du présent Titre.
2. La loi ou la loi-cadre européenne établit les mesures nécessaires pour la mise en œuvre du paragraphe 1.
3. Dans le cadre de leurs compétences respectives, l'Union et les États membres coopèrent avec les pays tiers et les organisations internationales compétentes. Les modalités de la coopération de l'Union peuvent faire l'objet d'accords entre celle-ci et les tierces parties concernées, qui sont négociés et conclus conformément à [l'article III-222 (ex-33)] de ce Titre. ~~Le Conseil statue à l'unanimité pour les accords d'association visés à [l'article III-221 (ex-32bis), paragraphe 2] de ce Titre ainsi que pour les accords à conclure avec les États candidats à l'adhésion à l'Union.~~ Le premier alinéa ne préjuge pas la compétence des États membres pour négocier dans les instances internationales et conclure des accords internationaux.

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#### Explication :

Dans une Union de 25 Etats membres, le maintien de l'unanimité équivaut à l'inaction ou en tout cas à des décisions peu satisfaisantes. Il convient donc de supprimer l'exigence de l'unanimité à l'article III-216. Il est d'ailleurs incompréhensible pourquoi des accords internationaux qui visent à mettre en œuvre la coopération économique, financière et technique avec des pays tiers doivent être conclus à l'unanimité, dès lors qu'il s'agit de pays candidats à l'adhésion ou des pays avec lesquels un accord d'association est conclu.