

AMENDMENT FORM

Suggestion for amendment of Article: III-318

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

Status : - Members: Hjelm-Wallén and Lekberg
 - Alternates: Petersson, Kvist

Article III-318 (ex Article I)

The provisions of Article [~~32b~~ I-43] of the Constitution and Articles [~~J to P~~ 319 to 325] below shall not apply to the forms of cooperation in the areas of **common foreign, security, and defence policy** provided for by Article [~~30~~ **39 and 40**] of the Constitution and governed specifically by ~~Articles [18 to 21]~~ **Title V Chapter II (Part Three)** of the Constitution.

Explanation:

Not only ESDP, but the whole area of the common foreign and security policy, should be exempted from the rules of enhanced cooperation. The limited possibility for enhanced cooperation within the second pillar, as laid out in the Nice Treaty, is now redundant. The less complicated rules on constructive abstention are already covering the possibility for Member States to refrain from participation in specific CFSP-activities. The new article I-40(5) further clarifies that not all Member States need to participate when carrying out Union tasks.

Both these possibilities also require the most vital of all CFSP-assets - a *political consensus* between all Member States. Without such unity, there is no *common* foreign policy, and the Union's ability to influence the outside world cannot be fully realised. Instances when these provisions cannot be used due to dissenting views between Member States do thereby not constitute ground for *common* policies, and should consequently not be carried out in the name of the Union. There is

little, if any, credibility in an externally directed "EU-policy" if a group of Member States have decided between themselves on the issue. Third states will rarely take seriously such "EU-policies".