

AMENDMENT FORM

Suggestion for amendment of Article C: (Part Three: General and final provisions)

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

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

Article C: Scope

1. The Constitutional Treaty shall apply to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland, ...
2. The Constitutional Treaty shall apply to the French overseas departments, the Azores, Madeira, ~~and the Canary Islands~~ **and the regions of the Republic of Finland and of the Kingdom of Sweden with an extremely low population density**, in accordance with Article ... of Part Two.
3. The special arrangements for association set out in Part [Four of the TEC] of the Constitutional Treaty shall apply to the overseas countries and territories listed in [Annex II to the TEC].

The Constitutional Treaty shall not apply to overseas countries and territories having special relations with the United Kingdom of Great Britain and Northern Ireland which are not included in that list.

4. The Constitutional Treaty shall apply to the European territories for whose external relations a Member State is responsible.
5. The Constitutional Treaty shall apply to the Åland Islands in accordance with the provisions set out in Protocol **Y to the Constitutional Treaty** ~~2 to the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden.~~
6. Notwithstanding the preceding paragraphs:
 - (a) the Constitutional Treaty shall not apply to the Faeroe Islands;
 - (b) the Constitutional Treaty shall not apply to the sovereign base areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus;
 - (c) the Constitutional Treaty shall apply to the Channel Islands and the Isle of Man only to the extent necessary to ensure the implementation of the arrangements for those islands set out in the Treaty concerning the accession of new Member States

to the European Economic Community and to the European Atomic Energy Community, signed on 22 January 1972.

Explanation:

In the Accession Treaty of Austria, Finland and Sweden (Protocol 6) it was agreed to give the peripheral regions of Finland and Sweden with an extremely low population density a special status (Objective 6) in the framework of the Structural Funds. The eligibility of the regions for assistance from the Structural Funds was re-examined in 1999 simultaneously with the framework Regulation (EEC) No 2081/93 on Structural instruments and policies.

The regions of Finland and Sweden with an extremely low population density were assigned Objective 1 status (Council Regulation 1260/99, Article 3) equivalent to that of the ultra-peripheral regions as defined in Article 299, paragraph 2, of the EC Treaty. As the conditions which formed the basis for the special treatment of the regions of Finland and Sweden with extremely low population density have not improved, Finland proposes that the treatment of northern regions with an extremely low population density would be recognised in the new Article C. This would also take account of the need to reduce the number of special exceptions in the *acquis*. This treatment would be restricted to access to assistance from Structural Funds and state aid.

It follows from our comments on draft Articles A and E that the Protocol on the Åland Islands referred to in paragraph 5 should be annexed directly to the Constitutional Treaty.