

Working Group VII

Working document 67

Working group VII – "External Action"

Subject: **The comments by Mr Göran Lennmarker to the revised draft final report of Working Group VII on External Action (WG VII – WD 21 REV 3)**

Members of Working Group VII will find hereafter comments by Mr Göran Lennmarker, representative of the Swedish Parliament, member of the Convention.

Contribution to the European Convention, WG VII EU external action

First of all, allow me to express my general support of the draft Final Report, as well as my appreciation of the way the Group Chair and Secretariat have been conducting the Group deliberations and the drafting of the Report.

I have two general comments on the contents, as well as some drafting suggestions.

First, may I suggest that an annex be added to the Report, listing all written contributions to the Group? Such an annex – which is to be found i.a. in the Report from Working Group VIII on Defence – will facilitate for anyone looking for the background documentation of the Group.

Secondly, regarding the two final sentences of Part B, para. 45. These two sentences in practice describe two alternative solutions for a “national interest clause”. The second-but-last sentence speaks of “vital national interest”, whereas the last sentence refers to the current Article 23.2 TEU. The last-mentioned Article is in my opinion unsuitable as a model, since it gives a much too wide scope for possible invocation of national interest, rendering QMV almost meaningless. I am strongly in favour of the solution proposed in the sentence before.

My drafting suggestions are as follows:

1. Part A, para. 2.1, second line: insert the word “universal” before “values”.
2. Part A, para. 8 b), amend at the end to read: “...for some form of flexibility, such as a ‘national vital interest clause’, ‘constructive abstention’, or a ‘coalition of the willing’”.
3. Part A, para. 9: See point 7 below.
4. Part A, para. 10: see point 8 below.
5. Part B, para. 46, first line: replace “better use” by “wider use”.
6. Part B, para. 50, second line: delete “more” before “constructive abstention”.

7. Part B, para. 56: I am extremely hesitant towards integrating the EDF into the Community budget. Technically, this would mean a large increase of the net contribution to the EC budget, which would lead to a difficult debate for optical reasons. For these reasons, may I suggest that “A large consensus emerged in favour of...” be replaced by “A majority of members were in favour of...”. The same amendment should then, as a consequence, be made in para. 9 in part A.
8. Part B, para. 60: the heading speaks of the “Role of the European Parliament”, but the beginning of para. 60 speaks of “Parliamentary control on CFSP”. However, Parliamentary control is more than just the European Parliament, it also includes national parliaments – which are not mentioned. Instead of including new language on the role of National Parliaments, I suggest reformulation of first sentence to read: “Regarding the role of the European Parliament, the Group noted...”. In consequence, the heading for Part A, para. 10 should also read “Role of the European Parliament”.
9. In some places the abbreviation “TUE” for the Treaty on European Union is used. This is the French abbreviation, and it is incorrect for an English text. It should be “TEU” instead.

Göran Lennmarker
