

**Articles of the EU Constitution related to  
Agriculture**

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# ***1) General Principles of EU law***

## ***1. Fundamental principles***

### **Article I-11**

*Principles governing EU Competence:*

*- Conferral:  
EU laws need legal base in the Constitution or else a Member State competence*

*- Subsidiarity:  
EU-action only when "Better achieved at Union level"*

*Principle of subsidiarity defined in attached protocol National Parliaments shall ensure compliance*

*- Proportionality:  
"Not exceed what is necessary"*

1. The limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principles of subsidiarity and proportionality.

2. Under the principle of conferral, the Union shall act within the limits of the competences conferred upon it by the Member States in the Constitution to attain the objectives set out in the Constitution. Competences not conferred upon the Union in the Constitution remain with the Member States.

3. Under the principle of subsidiarity, in areas which do not fall within its exclusive competence the Union shall act only if and insofar as the objectives of the intended action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.

The Union Institutions shall apply the principle of subsidiarity as laid down in the Protocol on the application of the principles of subsidiarity and proportionality, annexed to the Constitution. National Parliaments shall ensure compliance with that principle in accordance with the procedure set out in the Protocol.

4. Under the principle of proportionality, the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Constitution.

The Institutions shall apply the principle of proportionality as laid down in the Protocol referred to in paragraph 3.

## ***2. Primacy of EU law***

### **Article I-6**

*All EU law prevails over national laws and national constitutions*

The Constitution, and law adopted by the institutions of the Union in exercising competences conferred on it shall have primacy over the law of the Member States.

### ***3. The EU Court has jurisdiction on questions of competence***

#### **Article III- 365**

*EU-Court reviews:*

*- legality of legal acts*

*- lack of competence and infringement of:*

*- procedural requirements*

*- the Constitution*

*- rule of law*

1. The Court of Justice of the European Union shall review the legality of European laws and European framework laws, of acts of the Council, of the Commission and of the ECB, other than recommendations and opinions, and of acts of the European Parliament and of the European Council intended to produce legal effects vis-à-vis third parties. It shall also review the legality of acts of bodies, offices or agencies of the Union intended to produce legal effects vis-à-vis third parties.

2. For the purposes of paragraph 1, The Court of Justice of the European Union shall have **jurisdiction in actions brought by a Member State, the European Parliament, the Council or the Commission on grounds of lack of competence, infringement of an essential procedural requirement, infringement of the Constitution or of any rule of law relating to its application, or misuse of powers.**

***... and since no dispute on the interpretation and application of the Constitution shall be submitted to any other method of settlement .....***

#### **Article III-375**

2. Member States undertake **not to submit a dispute concerning the interpretation or application of the Constitution to any method of settlement other than those provided for therein.**

***.... only the EU Court, no national high court, has jurisdiction on questions of EU/Member States competence***

## II) Agriculture

### 1. Definition of agricultural products

#### Article III-225

*The concept agriculture subsumes fisheries*

The Union shall define and implement a common agriculture and fisheries policy.

**"Agricultural products" means the products of the soil, of stockfarming and of fisheries and products of first-stage processing directly related to these products. References to the common agricultural policy or to agriculture, and the use of the term "agricultural", shall be understood as **also referring to fisheries**.**

### 2. Agriculture: Shared competence between the Union and the Member States

#### *Agriculture remains shared competence*

#### Article I-14

*This means that if the Union legislates, EU law prevails over national law, regardless of whether or not the Member State(s) legislate(s)*

*Non-exhaustive list of shared competences (where an EU law suppresses national competence to legislate)*

1. The Union shall share competence with the Member States where the Constitution confers on it a competence which does not relate to the areas referred to in Articles I-12 and I-16.

2. Shared competence applies in the following principal areas:

- internal market,
- area of freedom, security and justice,
- **agriculture and fisheries**, excluding the conservation of marine biological resources,
- transport and trans-European networks,
- energy,
- social policy, for aspects defined in Part III,
- economic, social and territorial cohesion,
- environment,
- consumer protection,
- common safety concerns in public health matters.

### ***III) Agriculture: Part of the Internal Market***

#### ***1. Internal Market rules are applicable***

##### **Article III-226**

*Agriculture is part of the internal market*

***Therefore internal market rules apply to agricultural products***

***However, the application of Internal market rules for agricultural products is limited by the definition of a CAP***

1. The internal market shall extend to agriculture and trade in agricultural products.
2. Save as otherwise provided in Articles III-123 to III-128, the rules laid down for the establishment of the internal market shall apply to agricultural products.
3. The products listed in Annex I (This Annex, which corresponds to Annex I to the TEC, is to be drawn up) shall be subject to Articles III-123 to III-128.
4. The operation and development of the internal market for agricultural products must be accompanied by the establishment of a common agricultural policy.

#### ***2. Customs Union=***

- Free and undistorted competition for the agricultural sector***
- No customs duties on agricultural products***

##### **Article III-151**

*Basic principles*

*- Ban on customs duties and all charges with equivalent effect on agricultural products*

*- Common external tariff for the import of agricultural products from third countries*

*All customs duties between Member States on agricultural products are prohibited*

*The Commission must:*

1. The Union shall comprise a customs union which shall cover all trade in goods and which shall involve the prohibition between Member States of customs duties on imports and exports and of all charges having equivalent effect, and the adoption of a common customs tariff in their relations with third countries.
4. Customs duties on imports and exports and charges having equivalent effect shall be prohibited between Member States. This prohibition shall also apply to customs duties of a fiscal nature.
6. In carrying out the tasks entrusted to it under [this ex-chapter] the Commission shall be guided by:

- *promote trade*
- *improve competitive capacity*
- *ensure supply*
- *avoid disturbing conditions*
- *avoid disturbances of economies*
- *increase consumption*

- (a) the need to promote trade between Member States and third countries;
- (b) developments in conditions of competition within the Union insofar as they lead to an improvement in the competitive capacity of undertakings;
- (c) the requirements of the Union as regards the supply of raw materials and semi-finished goods; in this connection the Commission shall take care to **avoid distorting conditions of competition** between Member States in respect of finished goods;
- (d) the need to avoid serious disturbances in the economies of Member States and to ensure rational development of production and an expansion of consumption within the Union.

### ***3. Prohibition of quantitative restrictions on agricultural products***

#### **Article III-153**

*No quantitative restrictions or measures of equivalent effect on agricultural goods*

Quantitative restrictions on imports and exports and all measures having equivalent effect shall be prohibited between Member States.

## ***IV) However, the application of internal market rules are limited by the objectives of the CAP (Art III- 227-230)***

### ***1. Restriction of the application of internal market rules for the agricultural sector through the definition of the objectives of the CAP***

#### **Article III-227**

*Objectives of the CAP:*  
*- to increase productivity*

*- to ensure fair standard of living for agricultural community*  
*- to stabilise markets*

*- to assure supplies*

*- to ensure reasonable prices*

*CAP must take account of:*

*- the particular nature of agricultural activity*

*- gradual adjustment*

*- the close links between the economies*

1. The objectives of the common agricultural policy shall be:
  - (a) to **increase agricultural productivity** by promoting technical progress and by ensuring the rational development of agricultural production and the optimum utilisation of the factors of production, in particular labour;
  - (b) thus to **ensure a fair standard of living for the agricultural community**, in particular by increasing the individual earnings of persons engaged in agriculture;
  - (c) to **stabilise markets**;
  - (d) to assure the **availability of supplies**;
  - (e) to ensure that supplies reach consumers at **reasonable prices**.
2. In working out the common agricultural policy and the special methods for its application, account shall be taken of:
  - (a) the **particular nature** of agricultural activity, which results from the social structure of agriculture and from structural and natural disparities between the various agricultural regions;
  - (b) the need to effect the **appropriate adjustments** by **degrees**;
  - (c) the fact that in the Member States agriculture constitutes a sector **closely linked** with the **economy** as a whole.

### ***2. Restriction of the application of internal market rules for the agricultural sector through the Common market Organisation of the CAP***

#### **Article III-228**

*Common organisation of agriculture market...*

*...through the following methods:*

*- common competition rules*

1. In order to attain the objectives set out in Article III-123, a **common organisation** of agricultural markets shall be established.

This organisation shall take one of the **following forms**, depending on the product concerned:

- (a) **common rules on competition**;

- compulsory coordination of national markets

- **European market Organisation means**

Means:

- **regulation of prices**

- **aids**

- **storage**

- **stabilisation of imports and exports**

No discrimination inside Union

Uniform price calculation methods

Guarantee funds

(b) compulsory coordination of the various national market organisations;

(c) a European market organisation.

2. The common organisation established in accordance with paragraph 1 may include all measures required to attain the objectives set out in Article III-123, in particular regulation of prices, aids for the production and marketing of the various products, storage and carryover arrangements and common machinery for stabilising imports or exports.

The common organisation shall be limited to pursuit of the objectives set out in Article III-123 and shall exclude any discrimination between producers or consumers within the Union.

Any common price policy shall be based on common criteria and uniform methods of calculation.

3. In order to enable the common organisation referred to in paragraph 1 to attain its objectives, one or more agricultural guidance and guarantee funds may be set up.

### ***3. Restriction of the application of competition rules for the agricultural sector***

#### ***- Granting of aid***

#### **Article III-230**

Limits to the application of competition rules, decided by co-decision

**Since Council decides by regulation or decision (no European law or framework law) EP is not involved for the authorisation of aid**

- for companies in less-favourable areas  
-for economic development programmes

1. The Section relating to rules on competition shall apply to production of and trade in agricultural products only to the extent determined by a European law or framework law in accordance with Article III-127(2), having regard to the objectives set out in Article III-123.

2. The Council, acting on a proposal from the Commission, may adopt a European regulation or decision authorising the granting of aid:

(a) for the protection of enterprises handicapped by structural or natural conditions;

(b) within the framework of economic development programmes.

***V) Further restrictions for the application of the internal market rules on grounds of major needs (example - foot and mouth disease)***

***- Art. III 153 with Article III 154***

***Basic principle of internal market and thus agricultural products: No quantitative restrictions***

**Article III-153**

*No quantitative restrictions or measures of equivalent effect for the free movement of agricultural goods*

Quantitative restrictions on imports and exports and all measures having equivalent effect shall be prohibited between Member States.

***However.....:***

**Article III-154**

*.... the free movement of agricultural goods can be restricted on grounds of:*  
*- morality*  
*- public policy*  
*- public security*  
*- protection of health and life of humans, animals or plants*  
*- national treasures*  
*- industrial and commercial property*

Article III-153 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures possessing artistic, historic or archaeological value; or the protection of industrial and commercial property. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States.

***VI) Objectives of the Union which have to be taken into account by the CAP***

***Objectives of the Union:***

**Article I-3**

*Peace, values and well-being*  
*Area of freedom, security and justice without internal*

1. The Union's aim is to promote peace, its values and the well-being of its peoples.
2. The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, and a single market where competition is free and undistorted.

*frontiers and a single market with free competition*

*Sustainable development, and the quality of the environment are to be considered within the CAP*

*However, environmental interest will always "follow" internal market (and therefore CAP) rules because they are "integrated part" of the latter*

3. The Union shall work for a Europe of **sustainable development** based on balanced economic growth, a social market economy, highly competitive and aiming at full employment and social progress, and with a high level of protection and improvement of the **quality of the environment**. It shall promote scientific and technological advance.

It shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of children's rights.

It shall promote economic, social and territorial cohesion, and solidarity among Member States.

The Union shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.

## ***VII) Environmental issues which have to be taken into account***

***CAP has to take into account the environmental protection:***

### **Article II-97**

*High level of environmental protection has to be integral part of the CAP.*

*However, environmental interest will always "follow" internal market (and therefore CAP) rules because they are "integrated part" of the latter*

A high level of environmental protection and the improvement of the quality of the environment must be **integrated into the policies of the Union** and ensured in accordance with the principle of sustainable development.

### **Article III-119**

Environmental protection requirements must be **integrated into the definition and implementation of the Union policies and activities** referred to in this Part, in particular with a view to promoting sustainable development.

## ***VIII) Consumer protection rules which have to be taken into account***

***CAP has to take into account the consumer protection:***

### **Article II-98**

*High level of consumer protection is to be ensured by the CAP*

Union policies shall ensure a high level of consumer protection.

### **Article III-120**

Consumer protection requirements shall be taken into account in defining and implementing other Community policies and activities.

### **Article III-235**

*Objective: a high level of protection, not the "highest" level*

1. In order to promote the interests of consumers and to ensure a high level of consumer protection, the Union shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests.

2. The Union shall contribute to the attainment of the objectives referred to in paragraph 1 through:

(a) measures adopted pursuant to Article III-65 in the context of the completion of the internal market;

(b) measures which support, supplement and monitor the policy pursued by the Member States.

*Legislative procedure and consultation of EcoSoc*

3. The measures referred to in paragraph 2(b) shall be enacted by European laws. Such laws shall be adopted after consultation of the Economic and Social Committee.

*Stricter national rules can be kept, if compatible with the Constitution  
Commission must be notified*

4. Measures adopted pursuant to paragraph 3 shall not prevent any Member State from maintaining or introducing more stringent protective provisions. Such provisions must be compatible with the Constitution. They shall be notified to the Commission.

## **IX) INSTITUTIONAL PROVISIONS**

- 1. EUROPEAN PARLIAMENT**
- 2. EUROPEAN COUNCIL**
- 3. COUNCIL**
- 4. EUROPEAN COMMISSION**
- 5. FOREIGN MINISTER**

### **1) EUROPEAN PARLIAMENT**

*The European Parliament will, jointly with the Council, enact legislation and exercise the budgetary function, as well as functions of political control and consultation.*

*"Jointly with the Council" means that according to Article III-396.7 the EP can reject the proposals of law or propose amendments to them, but only with the absolute majority of its members in second reading.*

*The Council cannot adopt laws without the approval of the EP and the latter cannot decide anything without the approval of a qualified majority in the Council.*

*The EP "elects" the President of the European Commission but it can only elect the candidate proposed by the European Council acting by qualified majority. If the EP rejects a candidate, it will be up to the European Council to propose a new one.*

*After the President of the Commission has selected other Members of the Commission, the EP has to approve the College as a whole.*

*The number of MEPs will be limited to 750. The allocation of seats before the elections scheduled for 2009, shall be decided by the European Council, on a proposal from Parliament and with its consent, with a minimum threshold of six seats per Member State.*

#### **1.1 COMPOSITION OF THE EUROPEAN PARLIAMENT AT PRESENT:**

Bulgaria	18
Belgium	24
Czech Republic	24
Denmark	14
Germany	99
Estonia	6
Greece	24

Spain	54
France	78
Ireland	13
Italy	78
Cyprus	6
Latvia	9
Lithuania	13
Luxembourg	6
Hungary	24
Malta	5
Netherlands	27
Austria	18
Poland	54
Portugal	24
Romania	35
Slovenia	7
Slovakia	14
Finland	14
Sweden	19
United Kingdom	78
<b>TOTAL</b>	<b>785</b>

*From the date of Romania's and Bulgaria's accession and until 2009, the European Parliament will therefore be composed of up to 785 MEPs.*

*Note: According to the present Nice Treaty, the number of MEPs is limited to 736 MEP (which may be temporarily exceeded according to the Accession Act).*

## **1.2 COMPOSITION OF THE EUROPEAN PARLIAMENT ACCORDING TO THE CONSTITUTION:**

*The Constitution limits the number of MEPs to 750*

### **Article I-20**

*Direct elections every 5 years, max. 750 MEPs*

*Minimum of 6 members per Member State and maximum of 96 members per Member State*

2. The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number. Representation of citizens shall be digressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.

## 2) EUROPEAN COUNCIL

*The European Council is to become a full institution. It will provide impetus and define political priorities but will not exercise legislative functions. The present rotating presidency will be replaced by a permanent presidency, elected by a qualified majority of its members for a renewable term of two and a half years. The general rule regarding the adoption of decisions will be consensus.*

### Article I-21

#### *European Council*

*European Council = Prime Ministers, President of European Council and President of Commission. Minister of Foreign Affairs shall take part*

*The European Council meets quarterly*

*President may convene additional meetings*

*Decisions by consensus*

1. The European Council shall provide the Union with the necessary impetus for its development, and shall define its general political directions and priorities. It does not exercise legislative function.
2. The European Council shall consist of the Heads of State or Government of the Member States, together with its President and the President of the Commission. The Union Minister for Foreign Affairs shall take part in its work.
3. The European Council shall meet quarterly, convened by its President. When the agenda so requires, its members may decide to be assisted by a minister, and, in the case of the President of the Commission, a European Commissioner. When the situation so requires, the President shall convene a special meeting of the European Council.
4. Except where the Constitution provides otherwise, decisions of the European Council shall be taken by consensus.

## THE EUROPEAN COUNCIL PRESIDENT

### Article I-22

*Prime Ministers will appoint for 2 ½ years – may re-elect once*

*Tasks of the President*

1. The European Council shall elect its President, by a qualified majority, for a term of two and a half years, renewable once. In the event of an impediment or serious misconduct, the European Council can end his or her mandate in accordance with the same procedure.
2. The President of the European Council:
  - shall chair it and drive forward its work,
  - shall ensure proper preparation and continuity in cooperation with the President of the Commission, and on the basis of the work of the General Council,
  - shall endeavour to facilitate cohesion and consensus within the European Council;
  - shall present a report to the European Parliament after each of its meetings.

*Represents the EU in the wider world on CFSP issues*

*President cannot have a national office*

The President of the European Council shall at his or her level and in that capacity ensure, the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the responsibilities of the Union Minister for Foreign Affairs.

3. The President of the European Council may not hold a national office.

### **3) COUNCIL OF MINISTERS (COUNCIL)**

*The General Affairs Council shall ensure consistency in the Council's work. The proposed Constitution also provides for a Foreign Affairs Council chaired by the EU Minister for Foreign Affairs. A specific legal basis will allow the European Council to set up other formations of the Council, chaired by representatives of Member States on the basis of equal rotation.*

#### **3.1 WEIGHTING OF VOTES IN THE COUNCIL AT PRESENT**

Bulgaria	10
Belgium	12
Czech Republic	12
Denmark	7
Germany	29
Estonia	4
Greece	12
Spain	27
France	29
Ireland	7
Italy	29
Cyprus	4
Latvia	4
Lithuania	7
Luxembourg	4
Hungary	12
Malta	3
Netherlands	13
Austria	10
Poland	27
Portugal	12
Romania	14
Slovenia	4
Slovakia	7
Finland	7

Sweden	10
United Kingdom	29
<b>Total</b>	<b>345</b>

**Qualified majority:**

- 255 out of 345
- majority of Member States
- 62% of the population

### **3.3 VOTING IN THE COUNCIL ACCORDING TO THE PROPOSED CONSTITUTION-ARTICLE I-25**

*Qualified majority will become the general rule for the adoption of decisions within the Council, which will be defined as consisting of 55% of the Members of the Council (yet at least 15 Member States) comprising at least 65% of the population. For cases in which the Convention has not achieved consensus on changing over to qualified majority voting, a transitional measure (known as the ‘passerelle’) is planned, by which the European Council will have the opportunity to decide unanimously that the Council will in future act by qualified majority and, as the case may be, by the ordinary legislative procedure, without the need to amend the Constitution, which would in turn require ratification by each Member State.*

*When a Commission proposal is not required or when a decision is not adopted on the initiative of the Minister for Foreign Affairs, the qualified majority required will be made up of 72% of Member States representing at least 65% of the population of the Union.*

## **4) THE EU COMMISSION**

*The Commission’s monopoly of legislative initiative is clearly restated. Until 2009, it will be composed of one Commissioner per Member State. From 2009 on, the Commission shall be composed of members from at least two-thirds of the Member States.*

*Note: The present Nice Treaty stipulates in the Protocol on enlargement that when the EU is composed of 27 Member States, the number of Commissioners shall be less than the number of Member States.*

### **Article I-26**

**Composition:**

*no longer one from each Member State*

5. The first Commission appointed under the provisions of the Constitution shall consist of one national of each Member State, including its President and the Union Minister for Foreign Affairs who shall be one of its Vice-Presidents.

6. As from the end of the term of office of the Commission referred to in paragraph 5, the Commission shall consist of a number of members, including its President and the Union Minister for Foreign Affairs, corresponding to two thirds of the number of Member States, unless the European Council, acting unanimously, decides to alter this number.

*Rotate on equal basis*  
*- max one term between*  
*having a member*  
*- represent demographic*  
*and geographical range of*  
*the Union*

The members of the Commission shall be selected from among the nationals of the Member States on the basis of a system of equal rotation between the Member States. This system shall be established by a European decision adopted unanimously by the European Council and on the basis of the following principles:

(a) Member States shall be treated on a strictly equal footing as regards determination of the sequence of, and the time spent by, their nationals as members of the Commission; consequently, the difference between the total number of terms of office held by nationals of any given pair of Member States may never be more than one;

(b) subject to point (a), each successive Commission shall be so composed as to reflect satisfactorily the demographic and geographical range of all the Member States.

## **COMMISSION PRESIDENT**

***The political power of the President of the Commission will be backed through his approval by the European Parliament and will include the appointment of Commissioners, allocation of portfolios and the right to request the resignation of a Commissioner without needing the approval of the College, as it is actually the case.***

### **Article I-27**

#### **Commission President**

- 1. Prime Ministers elect by qualified majority*
- 2. EP approves with majority of Members*
- 3. If rejected a new candidate shall be put forward within 1 month*

#### **Commission members**

- EP approves by simple majority*
- Must have European commitment*
- Term: 5 years*

*The Commission President decides guidelines and internal organisation, and appoints vice presidents and dismisses members*

1. Taking into account the elections to the European Parliament and after having held the appropriate consultations, the European Council, acting by a qualified majority, shall propose to the European Parliament a candidate for President of the Commission.

This candidate shall be elected by the European Parliament by a majority of its component members. If he or she does not obtain the required majority, the European Council, acting by a qualified majority, shall within one month propose a new candidate who shall be elected by the European Parliament following the same procedure.

2. The Council, by common accord with the President-elect, shall adopt the list of the other persons whom it proposes for appointment as members of the Commission. They shall be selected, on the basis of the suggestions made by Member States, in accordance with the criteria set out in Article I-26(4) and (6), second subparagraph.

The President, the Union Minister for Foreign Affairs and the other members of the Commission shall be subject as a body to a vote of consent by the European Parliament. On the basis of this consent the Commission shall be appointed by the European Council, acting by a qualified majority.

3. The President of the Commission shall:

(a) lay down guidelines within which the Commission is to work;

(b) decide on the internal organisation of the Commission, ensuring that it acts consistently, efficiently and as a collegiate body;

(c) appoint Vice-Presidents, other than the Union Minister for Foreign Affairs, from among the members of the Commission.

A member of the Commission shall resign if the President so requests. The Union Minister for Foreign Affairs shall resign, in accordance with the procedure set out in Article I-28(1), if the President so requests.

## **5) EU FOREIGN MINISTER**

*The Minister for Foreign Affairs will be appointed by the European Council by qualified majority with the agreement of the President of the Commission. He will conduct the Union's common foreign and security policy, chair the Foreign Affairs Council and will also serve as Vice-President of the Commission. As such his nomination will be subject to the EP's approval of the Commission as a whole, and eventually to a vote of censure.*

*In this 'two-hat' role (Commission-Council), the Minister will be responsible for carrying out the Union's external policy as a whole. The Minister will have the power of initiative (in which absence a decision by qualified majority within the Council will not only require the majority, but two thirds of Member States), will represent the Union alone or with the Commission, and will have authority over the external delegations.*

*The Foreign Minister's (and the Commission's) opinion will be required for the Council's authorisation to proceed with enhanced cooperation in matters related to the Common Foreign and Security Policy.*

### **Article I-28**

#### ***EU Foreign Minister***

*Elected by qualified by Prime Ministers in agreement with Commission President*

#### ***Tasks***

#### ***Double Hat***

The European Council, acting by a qualified majority, with the agreement of the President of the Commission, shall appoint the Union Minister for Foreign Affairs.

The European Council may end his or her term of office by the same procedure.

2. The Union Minister for Foreign Affairs shall conduct the Union's common foreign and security policy. He or she shall contribute by his or her proposals to the development of that policy, which he or she shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.

3. The Union Minister for Foreign Affairs shall preside over the Foreign Affairs Council.

4. The Union Minister for Foreign Affairs shall be one of the Vice-Presidents of the Commission. He or she shall ensure the consistency of the Union's external action. He or she shall be responsible within the Commission for responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, the Union Minister for Foreign Affairs shall be bound by Commission procedures to the extent that this is consistent with paragraphs 2 and 3.