

1 **CONSTITUTION OF THE EUROPEAN UNION**
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4 **Preamble**
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7 The states and peoples of the Union, determined

8
9 to uphold democracy and fundamental rights,
10 to promote sustainable economic and social progress,
11 to live together in freedom, justice and peace,
12 to advance our common interests in the world,
13

14 and resolved to continue the process of creating an ever closer Union among the
15 peoples of Europe, whilst respecting the diverse cultures of Europe,
16

17 ordain and establish this Constitution of the European Union.
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20 **Title I PRINCIPLES OF THE EUROPEAN UNION**
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23 **Section 1: Founding values**
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26 **Article 1 : Democratic nature**
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28 (1) The Union is founded on the principles of liberty, democracy, respect for human
29 rights and fundamental freedoms, and the rule of law.
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31 (2) In the case of a serious and persistent breach or threat of breach by a Member
32 States of these principles, the rights of the Member State in question deriving from
33 the Treaties, including voting rights, may be suspended, in accordance with the
34 implementation provisions laid down in the annexed treaty.

35 (3) The Union shall respect the national identities of its Member States and the
36 diverse cultures of Europe.
37

38 (4) The Union shall respect fundamental rights, as guaranteed by the European
39 Convention for the protection of Human Rights and Fundamental Freedoms, the
40 European Social Charter of Turin and the constitutional traditions common to the
41 Member States.
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44 **Article 2 : European model of society**
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46 The Union sets itself the following objectives:
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- 48 - to promote social and economic progress
49 - to enhance the environment of Europe and the world

- 50 - to establish an area of freedom, security and justice
51 - to contribute to the development of peace and international cooperation
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Section 2: Fundamental rights

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Article 3 : Freedoms

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58 (1) Everyone has the right to liberty and security of person.

59

60 (2) Everyone has the right to respect for his or her private and family life, home and
61 communications.

62

63 (3) Everyone has the right to the protection of personal data concerning him or her.
64 Such data must be processed fairly for specified purposes and on the basis of the
65 consent of the person concerned or some other legitimate basis laid down by law.
66 Everyone has the right of access to data which has been collected concerning him or
67 her, and the right to have it rectified. Compliance with these rules shall be subject to
68 control by an independent authority.

69

70 (4) The right to marry and the right to found a family shall be guaranteed in
71 accordance with the national laws governing the exercise of these rights.

72

73 (5) Everyone has the right to freedom of thought, conscience and religion. This
74 right includes freedom to change religion or belief and freedom, either alone or in
75 community with others, and in public or in private, to manifest religion or belief in
76 worship, teaching, practice and observance. The right to conscientious objection is
77 recognised, in accordance with the national laws governing the exercise of this right.

78

79 (6) Everyone has the right to freedom of expression. This right shall include
80 freedom to hold opinions and to receive and impart information and ideas without
81 interference by public authority and regardless of frontiers. The freedom and
82 pluralism of the media shall be respected.

83

84 (7) Everyone has the right to freedom of peaceful assembly and to freedom of
85 association at all levels, in particular in political, trade union and civic matters, which
86 implies the right of everyone to form and to join trade unions for the protection of his
87 or her interests. Political parties at Union level contribute to expressing the political
88 will of the citizens of the Union.

89

90 (8) The arts and scientific research shall be free of constraint. Academic freedom
91 shall be respected.

92

93 (9) Everyone has the right to education and to have access to vocational and
94 continuing training. This right includes the right to receive free compulsory
95 education. The freedom to found educational establishments with due respect for
96 democratic principles and the right of parents to ensure the education and teaching

97 of their children in conformity with their religious, philosophical and pedagogical
98 convictions shall be respected, in accordance with the national laws governing the
99 exercise of such freedom and right.

100
101 (10) Everyone has the right to engage in work and to pursue a freely chosen or
102 accepted occupation. Every citizen of the Union has the freedom to seek
103 employment, to work, to exercise the right of establishment and to provide services in
104 any Member State. Nationals of third countries who are authorised to work in the
105 territories of the Member States are entitled to working conditions equivalent to those
106 of citizens of the Union.

107
108 (11) The freedom to conduct a business in accordance with Union law and national
109 laws and practices is recognised.

110
111 (12) Everyone has the right to own, use, dispose of and bequeath his or her lawfully
112 acquired possessions. No one may be deprived of his or her possessions, except in
113 the public interest and in the cases and under the conditions provided for by law,
114 subject to fair compensation being paid in good time for their loss. The use of
115 property may be regulated by law in so far as is necessary for the general interest.
116 Intellectual property shall be protected.

117
118 (13) The right to asylum shall be guaranteed with due respect for the rules of the
119 Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to
120 the status of refugees.

121
122 (14) Collective expulsions are prohibited. No one may be removed, expelled or
123 extradited to a State where there is a serious risk that he or she would be subjected
124 to the death penalty, torture or other inhuman or degrading treatment or punishment.

125
126 **Article 4 : Equality rights**

127
128 (1) Everyone is equal before the law.

129
130 (2) Any discrimination based on any ground such as sex, race, colour, ethnic or
131 social origin, genetic features, language, religion or belief, political or any other
132 opinion, membership of a national minority, property, birth, disability, age or sexual
133 orientation shall be prohibited. Within the scope of the present Constitution and the
134 annexed treaty, any discrimination on grounds of nationality shall be prohibited.

135
136 (3) The Union shall respect cultural, religious and linguistic diversity.

137
138 (4) Equality between men and women must be ensured in all areas, including
139 employment, work and pay. The principle of equality shall not prevent the
140 maintenance or adoption of measures providing for specific advantages in favour of
141 the under-represented sex.

142
143 (5) Children shall have the right to such protection and care as is necessary for
144 their well-being. They may express their views freely. Such views shall be taken into
145 consideration on matters which concern them in accordance with their age and
146 maturity. In all actions relating to children, whether taken by public authorities or

147 private institutions, the child's best interests must be a primary consideration. Every
148 child shall have the right to maintain a personal relationship and direct contact with
149 both his or her parents on a regular basis, unless that is contrary to his or her
150 interests.

151
152 (6) The Union recognises and respects the rights of the elderly to lead a life of
153 dignity and independence and to participate in social and cultural life.

154
155 (7) The Union recognises and respects the right of persons with disabilities to
156 benefit from measures designed to ensure their independence, social and
157 occupational integration and participation in the life of the community.

158 **Article 5 : Dignity rights**

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160
161 (1) Human dignity is inviolable. It must be respected and protected.

162
163 (2) Everyone has the right to life. No one shall be condemned to the death penalty
164 or executed.

165
166 (3) Everyone has the right to respect for his or her physical and mental integrity. In
167 the fields of medicine and biology, the following must be respected in particular:

- 168 - the free and informed consent of the person concerned, according to the
169 procedures laid down by law,
- 170 - the prohibition of eugenic practices, in particular those aiming at the selection of
171 persons,
- 172 - the prohibition on making the human body and its parts as such a source of
173 financial gain,
- 174 - the prohibition of the reproductive cloning of human beings.

175
176 (4) No one shall be subjected to torture or to inhuman or degrading treatment or
177 punishment.

178
179 (5) No one shall be held in slavery or servitude. No one shall be required to perform
180 forced or compulsory labour. Trafficking in human beings is prohibited.

181 **Article 6 : Solidarity rights**

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183
184 (1) Workers or their representatives must, at the appropriate levels, be guaranteed
185 information and consultation in good time in the cases and under the conditions
186 provided for by Union law and national laws and practices.

187
188 (2) Workers and employers, or their respective organisations, have, in accordance
189 with Union law and national laws and practices, the right to negotiate and conclude
190 collective agreements at the appropriate levels and, in cases of conflicts of interest,
191 to take collective action to defend their interests, including strike action.

192
193 (3) Everyone has the right of access to a free placement service.

194
195 (4) Every worker has the right to protection against unjustified dismissal, in
196 accordance with Union law and national laws and practices.

197
198 (5) Every worker has the right to working conditions which respect his or her health,
199 safety and dignity. Every worker has the right to the limitation of maximum working
200 hours, to daily and weekly rest periods and to an annual period of paid leave.

201
202 (6) The employment of children is prohibited. The minimum age of admission to
203 employment may not be lower than the minimum school-leaving age, without
204 prejudice to such rules as may be more favourable to young people and except for
205 limited derogations. Young people admitted to work must have working conditions
206 appropriate to their age and be protected against economic exploitation and any work
207 likely to harm their safety, health or physical, mental, moral or social development or
208 to interfere with their education.

209
210 (7) The family shall enjoy legal, economic and social protection. To reconcile family
211 and professional life, everyone shall have the right to protection from dismissal for a
212 reason connected with maternity and the right to paid maternity leave and to parental
213 leave following the birth or adoption of a child.

214
215 (8) The Union recognises and respects the entitlement to social security benefits
216 and social services providing protection in cases such as maternity, illness, industrial
217 accidents, dependency or old age, and in the case of loss of employment, in
218 accordance with the rules laid down by Union law and national laws and practices.
219 Everyone residing and moving legally within the European Union is entitled to social
220 security benefits and social advantages in accordance with Union law and national
221 laws and practices. In order to combat social exclusion and poverty, the Union
222 recognises and respects the right to social and housing assistance so as to ensure a
223 decent existence for all those who lack sufficient resources, in accordance with the
224 rules laid down by Union law and national laws and practices.

225
226 (9) Everyone has the right of access to preventive health care and the right to
227 benefit from medical treatment under the conditions established by national laws and
228 practices. A high level of human health protection shall be ensured in the definition
229 and implementation of all Union policies and activities.

230
231 (10) The Union recognises and respects access to services of general economic
232 interest as provided for in national laws and practices, in accordance with Union law,
233 in order to promote the social and territorial cohesion of the Union.

234
235 (11) A high level of environmental protection and the improvement of the quality of
236 the environment must be integrated into the policies of the Union and ensured in
237 accordance with the principle of sustainable development.

238
239 (12) Union policies shall ensure a high level of consumer protection.

240
241 **Article 7 : Justice rights**

242
243 (1) Everyone whose rights and freedoms guaranteed by the law of the Union are
244 violated has the right to an effective remedy before a tribunal in compliance with the
245 conditions laid down in this Article. Everyone is entitled to a fair and public hearing
246 within a reasonable time by an independent and impartial tribunal previously

247 established by law. Everyone shall have the possibility of being advised, defended
248 and represented. Legal aid shall be made available to those who lack sufficient
249 resources in so far as such aid is necessary to ensure effective access to justice.

250
251 (2) Everyone who has been charged shall be presumed innocent until proven guilty
252 according to law. Respect for the rights of the defence of anyone who has been
253 charged shall be guaranteed.

254
255 (3) No one shall be held guilty of any criminal offence on account of any act or
256 omission which did not constitute a criminal offence under national law or
257 international law at the time when it was committed. Nor shall a heavier penalty be
258 imposed than that which was applicable at the time the criminal offence was
259 committed. If, subsequent to the perpetration of a criminal offence, the law provides
260 for a lighter penalty, that penalty shall be applicable. This Article shall not prejudice
261 the trial and punishment of any person for any act or omission which, at the time
262 when it was committed, was criminal according to the general principles recognised
263 by the community of nations. The severity of penalties must not be disproportionate
264 to the criminal offence.

265
266 (4) No one shall be liable to be tried or punished again in criminal proceedings for
267 an offence for which he or she has already been finally acquitted or convicted within
268 the Union in accordance with the law.

269
270 **Article 8 : Right to good administration**

271
272 (1) Every person has the right to have his or her affairs handled impartially, fairly
273 and within a reasonable time by the institutions and bodies of the Union. This right
274 includes:

- 275 - the right of every person to be heard before any individual measure which would
276 affect him or her adversely is taken;
277 - the right of every person to have access to his or her file, while respecting the
278 legitimate interests of confidentiality and of professional and business secrecy;
279 - the obligation of the administration to give reasons for its decisions.

280
281 (2) Every person has the right to have the Union make good any damage caused
282 by its institutions or by its servants in the performance of their duties, in accordance
283 with the general principles common to the laws of the Member States.

284
285 (3) Every person may write to the institutions of the Union in one of the languages
286 of the Treaties and must receive an answer in the same language.

287
288 **Article 9 : Implementation of fundamental rights**

289
290 (1) The fundamental rights must be respected by the institutions and the bodies
291 established by the present Constitution and the annexed Treaty, and by the Member
292 States. They do not give the Union institutions other competences than those
293 attributed by the present Constitution.

294
295 (2) The main responsibility for the implementation of the fundamental rights
296 belongs to the Member States. They will realise a yearly report about their action in

297 that field. The Commission will present its own synthesis about the situation in the
298 whole European Union. These documents will be examined by the Congress of
299 Parliaments.

300
301 **Article 10 : Level of protection**

302
303 (1) Insofar as this Constitution contains rights which correspond to rights
304 guaranteed by the Convention for the Protection of Human Rights and Fundamental
305 Freedoms, the meaning and scope of those rights shall be the same as those laid
306 down by the said Convention. This provision shall not prevent Union law providing
307 more extensive protection.

308
309 (2) Nothing in this Constitution shall be interpreted as restricting or adversely
310 affecting human rights and fundamental freedoms as recognised, in their respective
311 fields of application, by Union law and international law and by international
312 agreements to which the Union or all the Member States are party and by the
313 Member States' constitutions.

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Section 3: Citizenship

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317 **Article 11 : Citizenship of the European Union**

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319 Every person holding the nationality of a Member State shall also be a citizen of the
320 Union, with the corresponding rights and duties.

321

322 **Article 12 : Freedom of movement and residence**

323

324 Every citizen of the Union and national of a third country legally resident in the
325 territory of a Member State shall have the right to move and reside freely within the
326 territory of the Member States.

327

328 **Article 13 : Electoral rights**

329

330 Every citizen of the Union residing in a Member State in which he is not a national
331 shall have the right to vote and stand as a candidate at municipal elections, as well
332 as at European Parliament elections.

333

334 **Article 14 : Diplomatic protection**

335

336 Every citizen of the Union shall, in the territory of a third country in which the Member
337 State of which he is a national is not represented, be entitled to protection by the
338 diplomatic authorities of any other Member State on the same conditions as the
339 nationals of that state.

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344 **Article 15 : Right of access to documents**

345
346 Any citizen of the Union, and any natural or legal person residing or having their
347 registered office in a Member State, has a right of access to European Parliament,
348 Council and Commission documents, with the exception of restricted documents for
349 security reasons.

350
351 **Article 16 : Ombudsman**

352
353 Any citizen of the Union and any natural or legal person residing or having their
354 registered office in a Member State has the right to refer to the Ombudsman of the
355 Union cases of maladministration in the activities of the Union institutions or bodies,
356 with the exception of the Court of Justice and the Court of First Instance acting in
357 their judicial role.

358
359 **Article 17 : Right to petition**

360
361 Any citizen of the Union and any natural or legal person residing or having their
362 registered office in a Member State has the right to petition the European Parliament.

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365 **Title II : MISSIONS OF THE EUROPEAN UNION**

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370 **Section 1 : Powers of the Union**

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372 **Article 18 : Principle of attribution**

373 (1) The Union only has those competences and powers which are conferred upon it
374 by the present Constitution and the annexed Treaty. The Union shall act within the
375 limits conferred upon it by these texts and of the objectives assigned to it therein.

376 (2) Those powers that are not assigned to the European Union shall belong to the
377 Member States.

378
379 **Article 19 : Types of competences**

380
381 (1) The Union's competences are either exclusive or are shared with the Member
382 States.

383
384 (2) The exclusive competences of the Union are those powers which, by their very
385 nature, are reserved for the Union and therefore only the institutions of the Union are
386 empowered to act. The Member States can only intervene by virtue of a legal act of
387 the Union.

388
389 (3) The competences which the Union shares with the Member States are either
390 concurrent or complementary. Concurrent competences of the Union are those

391 conferred upon the Union which the Member States may exercise as long as and
392 provided that the Union has not yet done so. Complementary competences of the
393 Union are those conferred upon the Union to complement or support action taken by
394 the Member States with a view to achieving a common objective.

395
396 (4) The type of competence does not predetermine the type of instrument to be
397 used.

398 399 **Article 20 : Subsidiarity**

400
401 (1) In areas which do not fall within its exclusive competence, the Union shall take
402 action only if and insofar as the objectives of the proposed action cannot be
403 sufficiently achieved by the Member States and can therefore, by reason of the scale
404 or effects of the proposed action, be better achieved by the Union.

405
406 (2) The compliance with the principle of subsidiarity shall be subject to the scrutiny
407 of the national Parliaments. Any law or directive may be annulled by a two-third
408 majority of the national Parliaments representing two-thirds of the population of the
409 Union, on the grounds of non-compliance with the said principle in a period of one
410 month after the adoption of the measure in question and before the entering into
411 force of the measure in question.

412 413 **Article 21 : Proportionality**

414
415 Any action by the Union shall not go beyond what is necessary to achieve the
416 objectives of the Treaty.

417 418 **Article 22 : Sincere cooperation**

419
420 Member States shall facilitate the achievement of the Union's tasks and abstain from
421 any measure which could jeopardise the attainment of the objectives of the Union.

422 423 **Article 23 : Enabling clause**

424
425 (1) If action by the Union should prove necessary to attain one of the objectives of
426 the Union and neither this Constitution nor the annexed treaty have provided the
427 necessary powers, the Council shall, acting on a proposal from the Commission in
428 codecision with the European Parliament, take the appropriate measures.

429
430 (2) The use of this clause shall be subject to the scrutiny of the national
431 Parliaments, which may annul its use acting by a two-third majority representing two-
432 thirds of the population of the Union in a period of one month after the adoption of the
433 measure and before the entering into force of the measure.

434 435 **Article 24 : Closer cooperation**

436
437 Member States may establish closer cooperation between themselves and make use
438 of the institutions, procedures and mechanisms of the Constitution, provided that this
439 closer cooperation meets the conditions laid down by the annexed Treaty.

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Section 2 : Internal missions of the European Union

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Article 25 : Internal objectives of the European Union

The Union shall have as its internal objectives:

- (1) to promote a balanced and sustainable development of economic activities,
- (2) to achieve a high level of employment and of social protection, as well as a high degree of competitiveness and convergence of economic performance,
- (3) to guarantee the quality of the environment,
- (4) to raise the standard of living and the quality of life,
- (5) to foster economic and social cohesion and solidarity among Member States,
- (6) to provide citizens with a high level of safety within an area of freedom, security and justice.

Article 26 : Internal activities of the European Union

In order to fulfil its internal objectives, the European Union shall undertake the following activities:

- (1) an internal market characterised by the abolition of obstacles to the free movement of goods, persons, services and capital, as well as by the absence of competition distortions;
- (2) an economic policy based on the close coordination of Member States' economic policies;
- (3) the definition and conduct of a single monetary policy, the primary objective of which shall be to maintain price stability, and, without prejudice to this objective, to support the general economic policies in the European Union;
- (4) a common policy in the sphere of agriculture and fisheries;
- (5) a common policy in the sphere of transport;
- (6) the development of a co-ordinated strategy for employment, promoting the co-ordination between employment policies of the Member States with a view to enhancing their effectiveness;
- (7) a social policy comprising a European Social Fund;
- (8) the strengthening of economic and social cohesion;
- (9) a non discrimination policy;
- (10) an environmental policy;
- (11) the strengthening of the competitiveness of the Union enterprises;
- (12) the promotion of research and technological development;
- (13) the encouragement of trans- European networks;
- (14) a contribution to the attainment of a high level of health protection;
- (15) a contribution to education and training of quality and to the flowering of the cultures of the Member States;
- (16) a consumer protection policy;
- (17) measures in the spheres of energy, civil protection and tourism;
- (18) assuring that services of general economic interest operate on the basis of principles and conditions that enable them to fulfil their missions;

- 488 (19) a common policy in the field of visa, asylum and immigration, and other matters
489 related to the free movement of persons in an area of freedom, security and
490 justice;
491 (20) a policy of fighting crime.
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Section 3: External missions of the European Union

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496 **Article 27 : External objectives of the European Union**
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498 The Union shall have as its external objectives:
499
500 (1) to safeguard the common values, fundamental interests, independence and
501 integrity of the Union;
502 (2) to strengthen the security of the Union;
503 (3) to preserve peace and strengthen international security;
504 (4) to promote international co-operation;
505 (5) to support sustainable development;
506
507 (6) to develop and consolidate democracy and the rule of law and respect for
508 human rights and fundamental freedoms.

Article 28 : External activities of the European Union

- 509
510 In order to fulfil its external activities, the European shall undertake the following
511 activities:
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515 (1) a common foreign policy, including all questions relating to the security and
516 defence of the Union. These questions shall include humanitarian and rescue
517 tasks, peacekeeping tasks and tasks of combat forces in crisis management,
518 including peacemaking ;
519 (2) a common commercial policy;
520 (3) a development policy.
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Title III : INSTITUTIONS

Section 1: General provisions on Union institutions

Article 29 : Union institutions

(1) The tasks entrusted to the Union shall be carried out by the following institutions:

- EUROPEAN COUNCIL,
- EUROPEAN PARLIAMENT,
- COUNCIL,
- COMMISSION,
- COURT OF JUSTICE,
- COURT OF AUDITORS.
- CONGRESS OF PARLIAMENTS
- EUROPEAN SYSTEM OF CENTRAL BANKS

(2) Each institution shall exercise its powers under the conditions and for the purposes provided for by this Constitution and the annexed Treaty.

(3) The Council and the Commission shall be assisted by an Economic and Social Committee and a Committee of the Regions acting in an advisory capacity, according to the different procedures as laid down in the Constitution and the annexed Treaty.

Section 2: The European Council

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Article 30 : Composition of the European Council

The European Council shall consist of the Heads of State or Government of the Member States, the President of the Commission and the President of the European Parliament.

Article 31 : Presidency of the European Council

The European Council will be chaired by the Head of State or Government of one of the Member States. The office of President of the European Council shall be held in turn by each Member State for a term of six months.

Article 32 : Functions of the European Council

(1) The European Council shall provide the Union with the necessary impetus for its development and shall define the general political guidelines thereof.

569 (2) The European Council shall approve the revision of this Constitution or the
570 annexed Treaty according to the procedures defined by Article 70.
571

Section 3: The European Parliament

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Article 33 : Composition of the European Parliament

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575
576 (1) The European Parliament is composed of representatives of the peoples of the
577 States brought together in the Union.

578
579 (2) The number of representatives elected in each Member State shall be as
580 follows :

581
582 All Member States will have at least 3 representatives.
583 Member States with a population between 1.000.000 and 2.500.000 will have 4.
584 Member States with a population between 2.500.000 and 5.000.000 will have 6.
585 Member States with a population between 5.000.000 and 7.500.000 will have 8.
586 Member States with a population between 7.500.000 and 10.000.000 will have 10.
587 Member States with a population between 10.000.000 and 12.500.000 will have 12.
588 Member States with a population between 12.500.000 and 15.000.000 will have 14.
589 Member States with a population between 15.000.000 and 25.000.000 will have 18.
590 Member States with a population between 25.000.000 and 35.000.000 will have 22.
591 Member States with a population between 35.000.000 and 50.000.000 will have 27.
592 Member States with a population between 50.000.000 and 70.000.000 will have 32.
593 Member States with a population between 70.000.000 and 90.000.000 will have 37.
594 Member States with a population between 90.000.000 and 120.000.000 will have 42.

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Article 34 : Election of the European Parliament

597
598 (1) The representatives shall be elected by direct universal suffrage for a term of
599 five years. The number of representatives elected in each Member State must
600 ensure appropriate representation of the peoples of the states brought together in the
601 European Union. This number shall not exceed five hundred. There will be at least
602 three members of the European Parliament per Member State.

603
604 (2) Each Member State shall establish regional constituencies without generally
605 violating the proportional character of the system. This provision shall apply with
606 effect from the elections to the European Parliament scheduled for 2009. Member
607 States whose population does not exceed 10 million inhabitants are not required to
608 establish such constituencies.

609
610 (3) 20 % of the total number of seats within the European Parliament shall be filled
611 by means of list-based proportional representation relating to a single constituency
612 comprising the territory of the Member States with effect from the European elections
613 to be held in 2009. The implementing provisions shall be adopted by 1 January 2008
614 according to the codecision procedure.
615

616 **Article 35 : Legislative and financial functions of the European Parliament**

617
618 (1) The European Parliament shall participate in the adoption of Union legislative
619 and financial instruments. According to the respective decision procedures laid down
620 by the annexed Treaty, it shall exercise its powers under the codecision procedure,
621 request an initiative from the Commission or deliver advisory opinions.

622
623 (2) The European Parliament shall approve all international agreements of major
624 importance.

625
626 (3) The European Parliament will also be informed and consulted on decisions
627 relating to the foreign policy activities of the Union.

628
629 (4) Save as otherwise provided by the Treaty, the European Parliament shall act by
630 an absolute majority of the votes cast.

631
632 **Article 36 : Control functions of the European Parliament**

633
634 (1) The European Parliament controls the activities of the Executive Council and
635 the Commission.

636
637 (2) The European Parliament may approve, by a two-third majority of the votes cast
638 representing a majority of the Members, a motion of censure on the activities of the
639 Commission. As a result, the Commission shall resign as a body.

640
641 (3) The European Parliament may approve, by a 60 % majority of the votes cast
642 representing a majority of the Members, a motion of censure on the activities of one
643 Commission Member. The president of the Commission will decide after such a
644 motion whether the Commission member in question shall resign.

645
646 (4) The European Parliament can ask written and oral questions to the Commission
647 and may set up Committees of Inquiry. It will also appoint an Ombudsman.

648
649 (5) The European Parliament may receive from the national and regional
650 Parliaments complaint letters regarding the implementation of Union policies and
651 funds by national and regional governments. The complaint will be examined by the
652 responsible European Parliament Committee.

653
Section 4: The Council

654
655
656 **Article 37 : Composition of the Council**

657
658 (1) The Council shall be composed of a Legislative Council and an Executive
659 Council.

660
661 (2) The Legislative Council shall consist of Ministers of European Affairs,
662 authorised to commit the government of their Member State. The Member States are

663 allowed to include members from their parliaments and from their regional
664 governments in their ministerial delegations. Its meetings are public.

665
666 The Legislative Council will be assisted by a number of Legislative Committees, as
667 laid down in the annexed Treaty. The Legislative Committees shall consist of
668 ministerial delegations, authorised to commit the government of their Member State.
669 The Member States are allowed to include members from their parliaments and from
670 their regional governments in their ministerial delegations.

671
672 (3) The Executive Council shall consist of a representative of each Member State
673 at ministerial level, authorised to commit the government of that Member State. The
674 publicity of the meetings will be restricted according to the concerned topics.

675
676 **Article 38 : Presidency of the Council**

677
678 (1) The Legislative Council shall be chaired by the Member States on a rotation
679 basis of 6 months. The president of the Legislative Council will follow the agenda
680 drafted by the Commission.

681
682 The Legislative Committees will be chaired by the Commission members with the
683 corresponding portfolios.

684
685 (2) The Executive Council shall, according to the subject matter, be chaired by the
686 Vice-President of the Commission in charge of external relations, or the Vice-
687 President in charge of economic and social coordination, or the Commissioner in
688 charge of the fight against crime.

689
690 During a transitory period of ten years, the Executive Council regarding foreign
691 policy shall be chaired by the High Representative, who shall be elected by the
692 European Council. During this period, the Commission shall be fully associated with
693 the work carried out in the framework of the foreign policy.

694
695 **Article 39 : Functions of the Legislative Council**

696
697 (1) In order to fulfil the objectives of the European Union, the Legislative Council
698 shall:

- 699
- 700 - give final approval to legislative and financial instruments adopted by the
 - 701 Legislative Committees, provided they do not present incoherences with other
 - 702 texts;
 - 703 - have powers to adopt legislative and financial instruments when the Legislative
 - 704 Committees are not able to reach a decision;
 - 705 - approve external agreements ;
 - 706 - give additional powers to the Commission for the implementation of the rules
 - 707 which it has laid down;
 - 708 - promote the coordination of national policies through the use of the open
 - 709 coordination method;
 - 710 - request the Commission to undertake studies in view of the attainment of
 - 711 common objectives and to submit to it any appropriate proposals.
- 712

713 (2) In order to fulfil the objectives of the European Union, the Legislative
714 Committees will vote on the propositions of the Commission. They may request the
715 Commission to undertake studies in view of the attainment of common objectives and
716 to submit to it any appropriate proposals. In case no agreement can be found within
717 the Committee, the proposal and the positions within the Committee shall be
718 definitively forwarded for decision to the Legislative Council.

719
720 (3) The final vote and the explanation of the vote during the meetings of the
721 Legislative Committees shall be open to the public. The meetings of the Legislative
722 Council shall be open to the public.

723
724 **Article 40 : Functions of the Executive Council**

725
726 The functions of the Executive Council are limited to the following topics.

727
728 (1) With regard to foreign policy, the Executive Council shall:

- 729
- 730 - adopt common strategies;
 - 731 - implement the common strategies through common positions and common
732 actions;
 - 733 - decide and organise common military actions
 - 734 - request the Commission to undertake studies in view of the attainment of
735 common objectives and to submit to it any appropriate proposals.

736
737 (2) With regard to the fight against crime, the Executive Council shall:

- 738
- 739 - define and control the activities of Europol;
 - 740 - organise common police actions;
 - 741 - request the Commission to undertake studies in view of the attainment of
742 common objectives and to submit to it any appropriate proposals.

743
744 (3) With regard to economic and monetary policy, the Executive Council shall:

- 745
- 746 - decide upon the measures appropriate to the economic situation, in particular if
747 severe difficulties arise in the supply of certain products;
 - 748 - -grant financial assistance in case of severe difficulties caused by exceptional
749 occurrences;
 - 750 - be in charge of implementing the excessive deficit provisions, as annexed to this
751 Constitution;
 - 752 - adopt Broad Economic and Employment Policy Guidelines ;
 - 753 - Formulate general orientations for exchange-rate policy;

754
755 (4) With regard to nominations, the Executive Council will exercise the powers
756 granted by the Constitution and the annexed Treaty to the Council.

757
758 **Article 41 : Voting within the Council**

759
760 (1) Save as otherwise provided, the Council shall act by a double majority of both
761 Member States and the population.

762

763 (2) Abstentions shall not prevent the adoption by the Council of acts requiring
764 unanimity.
765

Section 5: The Commission

766
767

Article 42 : Composition of the Commission

768
769
770 The Commission shall consist of nationals from the Member States. The number of
771 Commissioners will be 20, following a principle of rotation. The Member States
772 without a Commissioner have a priority in the appointment of the presidents of EU
773 agencies.
774

Article 43 : Appointment of the Commission

775
776
777 (1) The Members of the Commission shall be appointed for a renewable term of
778 five years.
779

780 (2) The President of the Commission shall be elected by the European citizens on
781 the same day as the European Parliament elections through a separate ballot.
782

783 During a transitory phase of ten years after the entry into force of the present
784 Constitution, the president will be elected by the Congress of Parliaments. The
785 European Council can, acting by a two-third majority, reject the President elect.
786

787 (3) The president of the Commission shall nominate the other persons (s)he
788 intends to appoint as Members of the Commission. The composition of the
789 Commission will take into account the rotation principle. It will also reflect the
790 composition of the European Parliament. The Commission thus nominated shall be
791 subject to a vote of collective approval by the European Parliament.
792

793 (4) The Vice-President in charge of external relations is chosen by the president of
794 the Commission on a list of three candidates presented by the European Council.
795 The control of his individual responsibility will be exercised by the European Council.
796

Article 44 : Functions of the Commission

797
798
799 (1) In its legislative role, the Commission shall:
800
801 - have the exclusive right of initiative for all legislative and financial instruments;
802 - have the exclusive right of initiative for all international agreements, and executive
803 foreign policy instruments, without prejudice to the transitory period foreseen for
804 the foreign policy by article 45;
805 - ensure that the provisions of this Constitution, the annexed Treaty and the
806 measures taken by the institutions pursuant thereto are applied;
807 - formulate recommendations or deliver opinions on matters dealt with in this
808 Constitution and the annexed Treaty, if they expressly so provide or if the
809 Commission considers it necessary;

810
811 Where the Council acts on a proposal from the Commission, unanimity shall be
812 required for an amendment to that proposal. As long as the Council has not acted,
813 the Commission may alter its proposal at any time.

814
815 (2) In the framework of coordination instruments, the Commission shall have the
816 exclusive right of initiative.

817
818 Where the Council acts on a proposal from the Commission, unanimity shall be
819 required for an amendment to that proposal. As long as the Council has not acted,
820 the Commission may alter its proposal at any time.

821
822 (3) In its implementation role, the Commission shall faithfully execute laws and
823 directives adopted by the European Parliament and the Legislative Council or the
824 Legislative Committees, according to the control procedures that these acts can
825 define if necessary.

826
827 (4) In its control role, the Commission shall supervise the works of the different
828 agencies established by the annexed Treaty.

829
830 (5) At the start of its legislature, the Commission shall prepare a five year action
831 program laying down the main objectives for the coming years. This program will be
832 presented to the European Council and the Congress of Parliaments. On the basis of
833 this program, the Commission shall prepare an annual program, which it shall
834 present to the European Council and the Congress of Parliaments.

835
836 **Article 45 : External representation**

837
838 (1) The Vice President of the Commission in charge of external relations shall
839 represent the Union in matters coming within the external activities, negotiate
840 external agreements and be responsible for the implementation of decisions taken
841 within this framework.

842
843 (2) This function will be exercised for the foreign policy by the High Representative
844 during a transitory period of ten years after the entry into force of this Constitution.
845 During this period, the Commission shall be fully associated with the work carried out
846 in the framework of this policy. The High Representative shall take part in the
847 Commission's deliberations on external matters as a non-voting member.

848
849 **Article 46 : Working and voting procedures of the Commission**

850
851 (1) The Members of the Commission shall be completely independent in the
852 performance of their duties. They shall neither seek nor take instructions from any
853 government or from any other body.

854
855 (2) The Commission shall act by an absolute majority of the number of its
856 members. In case votes are equally divided, the vote of the President will be decisive.

857

858 (3) The Commission shall work under the political guidance of its President. The
859 Members of the Commission shall carry out the duties devolved upon them by the
860 President under his authority.

861
862 (4) The responsibilities incumbent upon the Commission shall be structured and
863 allocated among its Members by its President. The President may reshuffle the
864 allocation of those responsibilities during the Commission's term of office, except for
865 the Vice-President for external relations.

866
867 (5) The President has the power to dismiss any Commissioner, save the Vice-
868 President for external relations.
869

Section 6: The Court of Justice

870

871

Article 47 : Composition of the Court of Justice

872

873
874 (1) The Court of Justice shall consist of judges and be assisted by 6 Advocates-
875 General.

876

877 (2) A Court of First Instance shall be attached to the Court of Justice, with
878 jurisdiction to hear and determine at first instance, subject to a right of appeal to the
879 Court of Justice, under certain conditions.

880

881 (3) The total number of judges in the Court of justice and the Court of First Instance
882 will be equal to the number of Member States.

883

Article 48 : Appointment procedure

884

885
886 Judges, Advocates-General and members of the Court of First Instance, shall be
887 chosen from persons whose independence is beyond doubt and who possess the
888 required qualifications. They shall be appointed by the Council on a double list of
889 three candidates presented by the European Parliament and the European Court of
890 Justice for a renewable term of six years.

891

Article 49 : Functions of the Court of Justice

892

893
894 (1) The Court of Justice shall assure that in the interpretation and application of the
895 Treaty, the law is observed.

896

897 (2) The European Court of Justice can hear actions brought against Member States
898 by the Commission or a Member State to ensure that they comply with their
899 obligations under the Treaty and under Union legislation. The Member State
900 concerned shall be required to take the necessary measures to comply with the
901 judgement of the European Court of Justice, which may impose penalties on the
902 Member State concerned.

903

904 (3) The Court of Justice shall review the legality of all legal instruments adopted
905 individually or jointly by the European Parliament, the Council, the Commission, the
906 European Central Bank.

907
908 (4) Should an institution established by the present Constitution, in infringement of
909 this Constitution and the annexed Treaty, fail to act, the Member States and the other
910 institutions of the Union may bring an action before the Court to have the
911 infringement established. The action shall be admissible only if the institution
912 concerned has first been called upon to act.

913
914 Any natural or legal person may complain to the Court of Justice that an institution of
915 the Union has failed to address to that person any act other than a recommendation
916 or an opinion.

917
918 (5) The Court of Justice shall have jurisdiction to give preliminary rulings
919 concerning:

- 920
- 921 - the interpretation of this Treaty;
 - 922 - the validity and interpretation of acts of the institutions of the Union and of the
923 EUROPEAN CENTRAL BANK;
 - 924 - the interpretation of the statutes of bodies established by an act of the Council,
925 where those statutes so provide.
- 926

927 (6) If any member of the Commission no longer fulfils the conditions required for
928 the performance of his duties or if he has been guilty of serious misconduct, the
929 Court of Justice may, on application by the Council or the Commission, compulsory
930 retire him.

931
932 (7) The Court of Justice shall have jurisdiction in disputes relating to compensation
933 for damage caused by its institutions.

934
935 (8) The Court of Justice shall have jurisdiction in any dispute between the Union
936 and its servants.

937

Section 7: The Court of Auditors

938

939

Article 50 : Composition of the Court of Auditors

940

941
942 The Members of the Court of Auditors shall be chosen from among persons who
943 belong or have belonged in their respective countries to external audit bodies or who
944 are especially qualified for this office. The Members of the Court of Auditors shall be
945 completely independent in the performance of their duties.

946

Article 51 : The appointment of the Court of Auditors

947

948
949 The Members of the Court of Auditors shall be appointed for a renewable term of six
950 years by the Council.

951
952 **Article 52 : Functions of the Court of Auditors**

- 953
954 (1) The Court shall carry out the audit.
955
956 (2) The Court shall examine the accounts of all revenue and expenditure of the
957 Community, their reliability as well as the regularity of the underlying transactions.
958

Section 8 : The Congress of Parliaments

959
960
961 **Article 53 : Composition of the Congress of Parliaments**

962
963 The Conference of Parliaments shall consist of two representatives chosen by the
964 Parliament(s) of each Member State, and of the same number of representatives of
965 the European Parliament. It will meet once a year and will use the secretariat of the
966 European Parliament.

967
968 **Article 54 : Functions of the Congress of Parliaments**

- 969
970 (1) The Congress of Parliaments will prepare the modification of the present
971 Constitution and the annexed Treaty.
972
973 (2) The Congress of Parliaments will examine the implementation of fundamental
974 rights in the European Union.
975
976 (3) The Congress of Parliaments will examine the action programs of the
977 Commission.
978
979 (4) The Congress of Parliaments will examine the implementation of the open
980 method of coordination in the European Union.
981
982 (5) During a transitory phase of ten years after the entry into force of the present
983 Constitution, the Congress of Parliaments will elect the Commission president.

Section 9: European System of Central Banks and European Central Bank

984
985 **Article 55 : Composition**

- 986
987 (1) The ESCB shall be composed of the European Central Bank and the national
988 central banks.
989
990 (2) The ESCB shall be governed by the decision-making bodies of the European
991 Central Bank, which shall be the governing council and the executive board.
992
993 (3) The governing council of the European Central Bank shall comprise the
994 members of the Executive Board of the European Central Bank and 12 governors

995 of the national central banks on a rotating principle. The central banks of Member
996 States with more than 30.000.000 inhabitants will always be represented.

997
998 (4) The executive board shall comprise the president of the European Central
999 Bank, the vice-president and four other members, who shall be appointed according
1000 to the provisions laid down in the annexed Treaty.

1001
1002 **Article 56 : Objectives**

1003
1004 The primary objective of the ESCB shall be to maintain price stability. Without
1005 prejudice to the objective of price stability, it shall support the general economic
1006 policies in the Union.

1007
1008 **Article 57 : Functions**

1009
1010 (1) The functions of the ESCB shall be:

- 1011
1012 - to define and implement the monetary policy of the European Union
1013 - to conduct foreign exchange operations
1014 - to hold and manage the official reserves of the Member States
1015 - to promote the smooth operation of payment systems.

1016
1017 (2) The function of the European Central Bank shall be to exercise the exclusive
1018 right to authorise the issue of banknotes within the Union.

1019
1020 **Article 58 : Independence**

1021
1022 When exercising their powers and carrying out their functions and duties, neither the
1023 EUROPEAN CENTRAL BANK, nor a national central bank, nor any member of their
1024 decision-making structures shall seek or take instructions from Union institutions or
1025 bodies, from any government of a Member State or from any other body.
1026

Section 10 : Consultative Committees

1027
1028
1029 **Article 59 : The Economic and Social Committee**

1030
1031 (1) The Economic and Social Committee shall consist of representatives of the
1032 various categories of economic and social activity, in particular, representatives of
1033 producers, farmers, carriers, workers, traders, craftsmen, professional occupations
1034 and representatives of the general public.

1035
1036 (2) The Members of the Committee shall be appointed by the Council for four
1037 years. Their appointments shall be renewable.

1038
1039 (3) The Members of the Committee shall be completely independent in the
1040 performance of their duty.
1041

1042 (4) The Committee shall have an advisory status. It may issue an opinion on its
1043 own initiative in cases in which it considers such actions appropriate.

1044

Article 60 : The Committee of Regions

1046

1047 (1) The Committee of Regions shall consist of representatives of regional and local
1048 bodies.

1049

1050 (2) The Members of the Committee shall be appointed by the Council for four
1051 years. Their appointments shall be renewable. An equal number of alternates shall
1052 be appointed.

1053

1054 (3) The Members of the Committee shall be completely independent in the
1055 performance of their duty.

1056

1057 (4) The Committee shall have an advisory status. It may issue an opinion on its
1058 own initiative in cases in which it considers such actions appropriate.

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Title IV INSTRUMENTS

Section 1: Legal instruments

Article 61 : Legislative instruments

In order to carry out their legislative tasks and in accordance with the provisions of this Constitution, the European Parliament acting jointly with the Legislative Council shall make laws, issue directives, or take decisions.

A law shall have general application. It shall be binding in its entirety and directly applicable in all Member States. A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods. A decision shall be binding in its entirety upon those to whom it is addressed.

Article 62 : Financial instruments

- (1) Decisions on revenue and expenditure shall take the form of a law.
- (2) The revenue and expenditure shown in the budget shall be in balance.
- (3) The Union shall establish its own budget within expenditure limits expressed as a defined percentage of the Union's gross domestic product.
- (4) The budget shall be financed wholly from own resources. The Union shall establish the percentages of the Union VAT, custom duties, and environmental taxes which are to be transferred to the Union budget.
- (5) All items of revenue and expenditure of the Union shall be included in estimates to be drawn up for each financial year and shall be shown in the budget.

Article 63 : International agreements

International agreements will be binding in their entirety and may be directly applicable in all Member States.

Article 64 : Advisory instruments

Recommendations, resolutions and opinions made by the European Council, the European Parliament, the Council, the Commission, the Economic and Social Committee and the Committee of the Regions in order to carry out their functions under this Constitution, shall have no binding force.

Article 65 : Implementation instruments

1109 Within the framework of its executive role, the Commission shall issue
1110 implementation decrees. A decree shall have binding effect. It will be subordinated to
1111 the laws and directives it implements.

1112

1113 **Article 66 : Executive instruments of the foreign policy**

1114

1115 Within the framework of its executive tasks, the Executive Council shall decide on
1116 common strategies and adopt joint actions and common positions.

1117

1118 A common strategy shall set out, in areas where the Member States have important
1119 interests in common, the objectives, duration and the means to be made available by
1120 the Union and the Member States. A joint action shall set out, for specific situations
1121 where operational action by the Union is deemed to be required, the objectives,
1122 duration and means to be made available to the Union. A common position shall
1123 define the approach of the Union to a particular matter of geographical or thematic
1124 nature. Member States shall ensure that their national policies conform to the
1125 common position.

1126

Section 2: Coordination instruments

1127

1128

1129 **Article 67 : Open Method of Coordination**

1130

1131 (1) In the fields referred to in the annexed Treaty, the Legislative Council shall, on a
1132 proposal from the Commission, adopt a set of commonly agreed objectives and
1133 indicators.

1134

1135 (2) Relying on the common indicators, the Commission shall issue a
1136 recommendation to the Legislative Council on the implementation of this coordination
1137 process. On the basis of this recommendation, the Legislative Council may adopt
1138 reports, and if appropriate, draw up guidelines which the Member States shall take
1139 into account in their policy.

1140

1141 (3) The Vice-President of the Commission in charge of economic and social
1142 coordination shall keep the Congress of Parliaments informed of the results of the
1143 coordination efforts. The Congress of Parliaments shall, on the basis of the reports
1144 submitted by the Commission, monitor developments in each Member State and their
1145 consistency with the guidelines.

1146

1147 **Article 68 : Broad Economic and Employment Policy Guidelines**

1148

1149 (1) After consulting the Social and Employment Legislative Committee and the
1150 Economic and Financial Legislative Committee, the Commission shall propose a draft
1151 for the Broad Economic and Employment Policy Guidelines to the Executive Council.

1152

1153 (2) On the basis of this proposal, the Executive Council shall adopt a
1154 recommendation setting out these broad guidelines. Incentive measures can be

1155 adopted by the European Parliament and the Council to promote the implementation
1156 of the Broad Economic and Employment Policy Guidelines by the Member States.

1157
1158
1159

Title V FINAL PROVISIONS

1161
1162

Article 69 : Legal personality

1164
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1166

(1) The Union shall have legal personality.

1167 (2) In each of the Member States, the Union shall enjoy the most extensive legal
1168 capacity accorded to legal persons under their laws; it may, in particular, acquire or
1169 dispose of movable and immovable property and may be party to legal proceedings.
1170 To this end, the Union shall be represented by the Commission.

1171
1172
1173

(3) In international relations, the Union shall enjoy legal capacity to the extent
1173 necessary for the exercise of its functions and the fulfilment of its purposes.

1174
1175

Article 70 : Revision procedure

1176
1177
1178

(1) The government of any Member State, the European Parliament or the
1178 Commission may submit to the European Council proposals for the amendment of
1179 this Constitution or the annexed Treaty.

1180
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1182

(2) If the European Council, after consulting, where appropriate, the European
1182 Parliament and the Commission, delivers an opinion in favour of a revision of this
1183 Constitution, the proposals will be transmitted to the Congress of Parliaments. It
1184 shall, on a proposal from the Commission, prepare the amendments to be made to
1185 this Constitution.

1186
1187
1188

This preparatory work shall be examined by the European Council, which shall
1188 decide on the amendments of this Constitution by a majority of 75% of its Member
1189 States, representing 75% of the population. The amendments shall enter into force
1190 after being ratified by 75 % of the Member States representing 75% of the
1191 population, according to their own constitutional rules.

1192
1193
1194

(3) If the European Council, after consulting, where appropriate, the European
1194 Parliament and the Commission, delivers an opinion in favour of a revision of the
1195 annexed Treaty, the Congress of Parliaments shall be convened.

1196
1197
1198

The Congress of Parliaments shall, on a proposal from the Commission, prepare the
1198 amendments to be made to the annexed Treaty. This preparatory work shall be taken
1199 duly into account by the European Council, which shall decide on the amendments of
1200 the annexed Treaty by a majority of 75% of its Member States, representing 75% of
1201 the population. After the decision of the European Council, the amendments shall
1202 enter directly into force.

1203

1204 **Article 71 : Accession to the Union**

1205
1206 (1) Any European State which respects the principles set out in Article 1(1) may
1207 apply to become a member of the Union. It shall address its application to the
1208 Council, which shall act after consulting the Commission and in codecision with the
1209 European Parliament, which shall act by an absolute majority of its component
1210 members.

1211
1212 (2) The conditions of admission and the adjustments to the Treaties on which the
1213 Union is founded which such admission entails shall be the subject of an agreement
1214 between the Member States and the applicant state. This agreement shall be
1215 submitted for ratification by all the contracting states in accordance with their
1216 respective constitutional requirements.

1217
1218 **Article 72 : Secession from the Union**

1219
1220 (1) Any Member State may leave the Union at any time. Any national decision of
1221 denunciation will be first submitted by the national authorities to a referendum
1222 procedure, explaining the objectives and the impact of the decision, and indicating
1223 the reforms required by the withdrawal.

1224
1225 (2) The Member State in question shall cease to be a Member of the Union one
1226 year after its written notice of denunciation has been presented to the President of
1227 the European Council, which will inform the governments of the other Member States
1228 of the deposit of notice of denunciation.

1229
1230 (3) After its presentation, the withdrawal of the denunciation will require unanimity
1231 in the European Council.

1232
1233 **Article 73 : Association**

1234
1235 The Union may conclude with one or more states or international organisations
1236 agreements establishing an association involving reciprocal rights and obligations,
1237 common action and special procedure.

1238
1239 **Article 74 : Primacy of the Constitution**

1240
1241 This Constitution shall enjoy primacy over all other texts of the European Union.

1242
1243 **Article 75 : Primacy of EU legal instruments**

1244
1245 Legal instruments of the EU will have primacy over the law of the Member States.

1246
1247 **Article 76 : Entry into force of the Constitution**

1248
1249 (1) This Constitution shall enter into force once it has been submitted for ratification
1250 by the European Council and if supported thereafter by three quarters of the Member
1251 States of the Union representing 75% of the population according to their own
1252 constitutional requirements.

1253

1254 (2) Any existing Member State of the Union deciding not to adopt this Constitution
1255 may seek associate membership.

1256
1257 (3) This Constitution shall enter into force at the start of the second month after the
1258 fulfillment of paragraph (1).

1259

1260 **Article 77 : Transitory provision**

1261

1262 The Treaty on the EU, the Treaty establishing the European Community and the
1263 Treaty establishing the European Atomic Energy Community are herewith repealed.
1264 They are replaced by this Constitution and by the annexed Consolidated Treaty of
1265 the European Union.

1266