

FICHE AMENDEMENT 5

Proposition d'amendement à l'Article : Artículo 19

Déposée par Messieurs : Borrell (miembro), Carnero y López Garrido (suplentes)

Artículo 19: El Ministro de Asuntos Exteriores

Añadir al punto 1

1. El Consejo Europeo, con la aprobación del presidente de la Comisión y *la ratificación del Parlamento Europeo por mayoría de sus miembros*, nombrará por mayoría cualificada al Ministro de Asuntos Exteriores de la Unión, que conducirá la política exterior y de seguridad común de la Unión.

Explication éventuelle :

FICHE D'AMENDEMENT

Proposition d'amendement à l'article: 19, Partie I, Titre IV du projet de Traité constitutionnel (CONV 691/03)

Déposée par: Monsieur le Professeur Jürgen Meyer, délégué du Bundestag allemand

Qualité: - Membre -

Objectif: Spécification de la légitimation démocratique, de la durée du mandat et du soutien administratif du ministre des Affaires étrangères

Article 19 : Le ministre des Affaires étrangères

1. Le Conseil européen, statuant à la majorité qualifiée, avec l'accord du Président de la Commission, nomme le ministre des Affaires étrangères de l'Union. Celui-ci conduit la politique étrangère et de sécurité commune de l'Union.
 2. Le ministre des Affaires étrangères contribue par ses propositions à l'élaboration de la politique étrangère commune, et l'exécute en tant que mandataire du Conseil. Il agit de même pour la politique de sécurité et de défense commune.
 3. Le ministre des Affaires étrangères est un des Vice-Présidents de la Commission européenne **et il est soumis avec le collègue au vote d'approbation du Parlement européen, conformément à l'article 18 bis, paragraphe 2, pour une durée de mandat de 5 ans.** Il y est chargé des relations extérieures et de la coordination des autres aspects de l'action extérieure de l'Union. Dans l'exercice de ces responsabilités au sein de la Commission et pour ces seules responsabilités, il est soumis aux procédures qui régissent le fonctionnement de la Commission.
 - 4. Le ministre des Affaires étrangères est assisté dans l'exercice de ses fonctions par un service diplomatique européen auprès de la Commission.**
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Explication:

Le vote d'approbation du Parlement européen est la base de la légitimation démocratique du ministre des Affaires étrangères, laquelle doit être la même que celle des autres membres du collège, ainsi que se sa responsabilité devant le Parlement. Une indication équivalente devrait également figurer à l'article 18 bis, paragraphe 2. La création d'un service diplomatique européen unique auprès de la Commission, lequel implique les services RELEX et les délégation de l'Union européenne, doit permettre d'éviter des doubles structures, inutiles et inefficaces, au sein de la Commission et du Secrétariat du Conseil.

AMENDMENT FORM

Suggestion for amendment of: Article 19, Part I, Title IV of the draft Constitution (CONV 691/03)

By: Professor Jürgen Meyer, delegate of the German Bundestag

Status : - Member -

Aim: To clarify the Foreign Minister's democratic legitimacy, term of office and administrative support.

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy.
 2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
 3. The Foreign Minister shall be one of the Vice-Presidents of the Commission and, **in accordance with Article 18a(2), shall be appointed, with the College, by assent of the European Parliament for a five-year term.** He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.
 4. **By the performance of his/her responsibilities, the Foreign Minister shall be supported by a European diplomatic service in the Commission.**
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Explanation :

The European Parliament's assent is the basis both of the Foreign Minister's democratic legitimacy, which must accord with that of the other members of the College, and of his accountability to Parliament. A corresponding reference should also be included in Article 18a(2). The establishment of a single European diplomatic service in the Commission, to include the RELEX services and the EU delegations, is intended to avoid unnecessary and inefficient duplication of structures in the Commission and in the Council's Secretariat.

AMENDMENT FORM

Vorschlag für die Änderung von: Artikel 19, Teil I, Titel IV des Verfassungsentwurfs (CONV 691/03)

von Herrn: Prof. Dr. Jürgen Meyer, Delegierter des Deutschen Bundestages

Status: - Mitglied -

Ziel: Klarstellung der demokratischen Legitimation, Amtszeit und administrativen Unterstützung des Ministers für auswärtige Angelegenheiten

Artikel 19: Der Minister für auswärtige Angelegenheiten

(1) Der Europäische Rat ernannt mit qualifizierter Mehrheit mit Zustimmung des Präsidenten der Kommission den Minister für auswärtige Angelegenheiten der Union. Dieser leitet die Gemeinsame Außen- und Sicherheitspolitik der Union.

(2) Der Minister für auswärtige Angelegenheiten trägt durch seine Vorschläge zur Festlegung der gemeinsamen Außenpolitik bei und führt sie im Auftrag des Rates durch. Er handelt ebenso im Bereich der Gemeinsamen Sicherheits- und Verteidigungspolitik.

(3) Der Minister für auswärtige Angelegenheiten ist einer der stellvertretenden Präsidenten der Europäischen Kommission **und stellt sich gemäß Artikel 18 a Abs. 2 mit dem Kollegium dem Zustimmungsvotum des Europäischen Parlaments für eine Amtszeit von 5 Jahren.** Er ist mit den Außenbeziehungen und der Koordinierung der anderen Aspekte des außenpolitischen Handelns der Union betraut. Bei der Wahrnehmung dieser Zuständigkeiten in der Kommission und ausschließlich im Hinblick auf diese Zuständigkeiten unterliegt er den Verfahren, die für die Arbeitsweise der Kommission gelten.

(4) Bei der Wahrnehmung seiner Aufgaben wird der Minister für auswärtige Angelegenheiten durch einen europäischen diplomatischen Dienst bei der Kommission unterstützt.

Begründung:

Das Zustimmungsvotum des Europäischen Parlaments ist die Grundlage sowohl für die demokratische Legitimation des Außenministers, die derjenigen der anderen Kollegiumsmitglieder entsprechen muss, als auch für seine Verantwortlichkeit gegenüber dem Parlament. Ein entsprechender Hinweis sollte auch in Art. 18 a Abs. 2 aufgenommen werden. Die Schaffung eines einheitlichen europäischen diplomatischen Dienstes bei der Kommission unter Einbeziehung der RELEX-Dienste und der EU-Delegationen soll unnötige und ineffiziente Doppelstrukturen in der Kommission und im Ratssekretariat vermeiden.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 19

Déposée par Madame : Cristiana MUSCARDINI

Qualité : Membre

Articolo 19: Il ministro degli affari esteri

Par. 1

Il Consiglio europeo, deliberando a maggioranza qualificata con l'accordo del presidente della Commissione **e del Parlamento europeo**, nomina il ministro degli Affari Esteri dell'Unione. Questi guida la politica estera e di sicurezza comune dell'Unione.

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of Article : Article 19 (Title IV)

Suggestion for protocol :

By Ms / Mr : David Heathcoat-Amory

Status : X - Member - Alternate

Delete whole article

Explanation (if any) : The establishment of an EU Foreign Minister is a major step away from intergovernmentalism and democratic accountability

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Mr : Josef ZIELENIEC

Status : - Member

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission *and after consultations with the President of the Union*, shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy.
2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.

AMENDMENT FORM

Title IV

Suggestion for amendment of Article 19

By Mr. Adrian Severin

Status : Alternate Member

Add a new sentence to the paragraph 1 as follows:

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. **This appointment becomes effective after its ratification by the European Parliament.** He shall conduct the Union's common foreign and security policy

Delete the second part of the first sentence of the paragraph 2

2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy [**Delete**]. The same shall apply to the common security and defence policy
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Explanation:

The European Parliament must have a role in respect of such an important appointment. In this way both the relevance of the Parliament and the legitimacy of the Foreign Minister will be consolidated. Otherwise the Foreign Minister will be the only member of the Commission who will not be confirmed by the European Parliament.

AMENDMENT FORM

Suggestion for amendment of Article 19 : The European Union Minister for Foreign Affairs Foreign Minister

By : Mr Dick Roche, Member ; Mr Pat Carey and Mr Bobby McDonagh, Alternates

Article 19: The Union Minister for Foreign Affairs ~~Foreign Minister~~

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union ~~Foreign~~ **Minister for Foreign Affairs**. He shall conduct the Union's common foreign and security policy, **as mandated by the Council and under its authority**.
2. The **Union Minister for Foreign Affairs** shall contribute by his proposals to the development of the common foreign policy, ~~which he shall carry out as mandated by the Council. The same shall apply to~~ **including** the common security and defence policy.
3. The ~~Foreign~~ **Union Minister for Foreign Affairs** shall be **a Member of the Commission and one of the its** Vice-Presidents ~~of the Commission~~. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.
4. **The Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint not more than five Deputy Ministers for Foreign Affairs on the basis of nominations by the Union's Minister for Foreign Affairs. The Council shall decide the responsibilities of the Deputy Ministers for Foreign Affairs on the basis of a proposal from the Union Minister for Foreign Affairs.**

Deputy Ministers for Foreign Affairs shall act under the authority of the Minister for Foreign Affairs. They shall not be members of the Commission. They may represent the Minister for Foreign Affairs in the Council and may attend relevant meetings of the Commission. In addition, they may attend meetings of the Political and Security Committee.

Explanation (if any) :

The preferred title is Union Minister for Foreign Affairs and this should be used consistently throughout the Treaty's Articles.

Consideration will need to be given to dismissal mechanisms for the Union Minister for Foreign Affairs and for Deputy Ministers for Foreign Affairs.

AMENDMENT FORM

Suggestion for amendment of Article : IV 19
Suggestion for protocol :

By: **Mr Caspar EINEM**

Status : **Member**

Artikel 19: Der *Minister für auswärtige Angelegenheiten*

(1) **Der Präsident der Europäischen Kommission schlägt dem Europäischen Rat eine Persönlichkeit aus dem Kreis der ihm nominierten Kandidaten bzw. Kandidatinnen als Vizepräsidenten der Kommission und *Minister für auswärtige Angelegenheiten* vor. Der Europäische Rat ~~ernennt~~ **entscheidet** mit qualifizierter Mehrheit ~~mit Zustimmung des Präsidenten der Kommission den Minister für auswärtige Angelegenheiten der Union. Dieser~~ **Der vom Europäischen Rat angenommene *Minister für auswärtige Angelegenheiten* leitet die Gemeinsame Außen- und Sicherheitspolitik der Union.****

(2) Der *Minister für auswärtige Angelegenheiten* trägt durch seine Vorschläge zur Festlegung der gemeinsamen Außenpolitik bei und führt sie im Auftrag des Rates **und im Rahmen eines vom Rat erstellten Mandates** durch. Er handelt ebenso im Bereich der Gemeinsamen Sicherheits- und Verteidigungspolitik.

(3) Der *Minister für auswärtige Angelegenheiten* ist einer der stellvertretenden Präsidenten der Europäischen Kommission. Er ist mit den Außenbeziehungen und der Koordinierung der anderen Aspekte des außenpolitischen Handelns der Union betraut. Bei der Wahrnehmung dieser Zuständigkeiten in der Kommission und ausschließlich im Hinblick auf diese Zuständigkeiten unterliegt er den Verfahren, die für die Arbeitsweise der Kommission gelten.

Explanation (if any) :

Im Sinne der Balance der Institutionen wird vorgeschlagen, die Entscheidung über die Person des europäischen *Außenministers* zwar dem Europäischen Rat zu überlassen, jedoch soll er auf Vorschlag des Kommissionspräsidenten entscheiden.

Wichtiger, als die Personalentscheidung, ist die Klarstellung, dass der künftige *Außenminister* im Rahmen von klaren Mandatsverhältnissen zu operieren hat – für Außen-, Sicherheits- und Verteidigungspolitik auf Basis eines Mandats durch den Rat, im übrigen Bereich im Rahmen seiner Kommissionsmitgliedschaft.

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Mr : M. Attalides

Status : - Member

Art19attalides.doc

Article 19 : The Foreign Minister

Modify para 1 as follows :

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. ~~He shall conduct the Union's common foreign and security policy.~~ *who shall have overall responsibility for the Unions external action in accordance with the provisions of Part Two of the Constitution.*

Modify para. 3 as follows :

3. The Foreign Minister shall be *a member of the Commission and* one of its Vice-Presidents. ~~of the Commission.~~ He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 19bis

Déposée par : Pervenche Berès, Olivier Duhamel

Qualité : - Membres et Suppléants

Article 19 bis (nouveau) : Le ministre des Affaires économiques et sociales

1. Les membres du Conseil européen appartenant à la zone euro, statuant à la majorité qualifiée, avec l'accord du Président de la Commission, proposent au Conseil européen un candidat à la fonction de ministre des Affaires économiques et sociales de l'Union. Le Conseil européen, statuant à la majorité qualifiée, nomme le ministre des Affaires étrangères de l'Union avec l'accord du Parlement européen. Si le candidat ne recueille pas la majorité, les membres du Conseil européen appartenant à la zone euro proposent, dans un délai d'un mois, un nouveau candidat au Conseil européen en suivant la même procédure que précédemment.
2. Le ministre des Affaires économiques et sociales contribue par ses propositions à l'élaboration de la politique économique et sociale de l'Union et à la coordination des politiques économiques et sociales des Etats membres. Il assure l'exécution de ces actions en tant que mandataire du Conseil. Il agit de même pour les politiques communes propres à la zone euro.
3. Le ministre des Affaires économiques et sociales est un des Vice-Présidents de la Commission européenne. Il y est chargé de la représentation extérieure de la zone euro. Dans l'exercice de ces responsabilités au sein de la Commission et pour ces seules responsabilités, il est soumis aux procédures qui régissent le fonctionnement de la Commission.

Explication

AMENDMENT FORM

Suggestion for amendment of Article 19

By Mr Barnier, Mr Vitorino, Mr O'Sullivan and Mr Ponzano:

Status : Members and Alternates

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister, **a full member of the Commission, Vice-President of the Commission responsible for external relations and for co-ordinating other aspects of the Union's external action.**

The Foreign Minister shall resign if the European Council so requests. ~~He shall conduct the Union's common foreign and security policy.~~

2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy **and shall be responsible for implementing the decisions taken by the European Council and the Council. In exercising these functions, the Foreign Minister shall take his decisions in conformity with the decisions of the European Council and the Council, without being subject to the procedures governing the working of the Commission, in agreement with the President of the Commission.**

The Foreign Minister shall represent the Union on issues concerning the common foreign and security policy in the framework of such directives as the Council shall issue to him. ~~, which he shall carry out as mandated by the Council.~~ The same shall apply to the common security and defence policy.

3. ~~The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures. (moved to paragraphs 1 and 2)~~

- 3. The Foreign Minister is supported by an administration, which comprises the delegations of the Union in third countries and to international organisations and which forms part of the services of the Commission.**
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Explanation :

Paragraph 1

The expression according to which the Foreign Minister shall "conduct" the Common foreign and security policy can be misleading, since it is the Council which decides, in the framework of the Union's strategic interests and objectives as decided by the European Council. The role of the Minister is to propose and to execute the Council's decisions, and to express the positions of the Union. It is in this capacity that he, in particular, "conducts" political dialogue with third countries (cf. draft Article 5 of the Articles on External Action).

The Foreign Minister is moreover a full Member of the Commission, which means that he shall have the same rights as the other members of the Commission with regard to all matters which do not relate to CFSP and that he is member of the College which is subject to a vote of approval by the Parliament (Article 18a). In the Commission, he will be Vice-President, responsible for external relations.

The text should provide that the European Council could request the Foreign Minister to resign. The President of the Commission has the same right under Article 18.

Paragraph 2

The amendments seek to align the text with the other institutional provisions, and those concerning external action. However, in order to maintain coherence in the action of the Union, a right of veto for the President of the Commission should accompany the decision-making power of the Foreign Minister. In any event, the Member States keep the right of initiative in common foreign and security policy, so that the President of the Commission cannot block decision-making in the Council.

Paragraph 4

It is important to indicate that the Foreign Minister shall have his own administration. This would form part of the services of the Commission, in order to enhance the coherence of the action of the

Union. This single administration will have to be created drawing on the resources of the General Secretariat of the Council, the Commission and the Member States.

This provision must be read together with Article 36 of the articles relating to the External Action of the Union.

FICHE AMENDEMENT

Proposition d'amendement à l'Article 19

Déposée par M. Barnier, M. Vitorino, M. O'Sullivan et M. Ponzano

Qualité : Membres et Suppléants

Article 19 : Le ministre des Affaires étrangères

1. Le Conseil européen, statuant à la majorité qualifiée, avec l'accord du Président de la Commission, nomme le ministre des Affaires étrangères de l'Union, **membre de plein droit de la Commission, vice-président de la Commission européenne chargé des relations extérieures et de la coordination des autres aspects de l'action extérieure de l'Union.**

Le ministre des Affaires étrangères présente sa démission si le Conseil européen le lui demande. ~~Celui-ci conduit la politique étrangère et de sécurité commune de l'Union.~~

2. Le ministre des Affaires étrangères contribue par ses propositions à l'élaboration de la politique étrangère commune **et a la responsabilité de la mise en œuvre des décisions prises par le Conseil européen et le Conseil. Dans ces fonctions, le Ministre des Affaires étrangères prend ses décisions dans le respect des décisions du Conseil européen et du Conseil, sans être soumis aux procédures qui régissent le fonctionnement de la Commission, en accord avec le Président de la Commission.**

Le Ministre des Affaires étrangères représente l'Union pour les matières relevant de la politique étrangère et de sécurité commune, dans le cadre des directives que lui donne le Conseil. ~~, et l'exécute en tant que mandataire du Conseil.~~ Il agit de même pour la politique de sécurité et de défense commune.

~~3. Le ministre des Affaires étrangères est un des vice-présidents de la Commission européenne. Il y est chargé des relations extérieures et de la coordination des autres aspects de l'action extérieure de l'Union. Dans l'exercice de ces responsabilités au sein de la Commission et pour ces seules responsabilités, il est soumis aux procédures qui régissent le fonctionnement de la Commission. (déplacé respectivement aux paragraphes 1 et 2)~~

3. Le Ministre des affaires étrangères s'appuie sur une administration qui comprend les délégations de l'Union dans les pays tiers et auprès des organisations internationales et qui fait partie des services de la Commission.

Explication :

Paragraphe 1

L'expression selon laquelle le Ministre des Affaires étrangères "conduit" la politique étrangère et de sécurité commune peut induire en erreur, puisque c'est le Conseil qui décide, dans le cadre des intérêts stratégiques et objectifs de l'Union décidés par le Conseil européen. Le rôle du Ministre est de proposer et d'exécuter les décisions du Conseil, et d'exprimer les positions de l'Union. C'est à ce titre que, notamment, il conduit le dialogue politique avec les pays tiers (cf. projet d'article 5 des articles sur l'action extérieure de l'Union).

Le Ministre des Affaires étrangères est en outre membre de plein droit de la Commission, ce qui veut dire qu'il a les mêmes droits que les autres membres de la Commission pour toutes les matières autres que la PESC et qu'il fait partie du Collège qui est soumis à l'approbation du Parlement européen (article 18 bis). A la Commission, il sera vice-président, chargé des relations extérieures.

Le texte devrait prévoir que le Conseil européen peut demander au Ministre des affaires étrangères de donner sa démission. Le Président de la Commission dispose du même droit en vertu de l'article 18.

Paragraphe 2

Les amendements visent à aligner le texte sur les autres dispositions institutionnelles et sur celles relatives à l'action extérieure. Toutefois, afin de maintenir la cohérence dans l'action de l'Union, le pouvoir de décision du Ministre des affaires étrangères doit s'accompagner par un droit de veto du Président de la Commission. En tout état de cause, les Etats membres gardent le droit d'initiative en matière de politique étrangère et de sécurité commune, donc la prise de décision du Conseil ne peut pas être bloquée par le Président de la Commission.

Paragraphe 4

Il est important de préciser que le Ministre des affaires étrangères dispose de sa propre administration, qui, afin de renforcer la cohérence dans l'action de l'Union, fait partie des services

de la Commission. Cette administration unique devra être créée à partir des moyens du secrétariat général du Conseil, de la Commission et des Etats membres.

Cette disposition va de pair avec l'article 36 qui fait partie des articles relatifs à l'action extérieure de l'Union.

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Mr : Joschka Fischer

Status : - Member

Artikel 19: Der Minister für auswärtige Angelegenheiten

(1) Der Europäische Rat ernennt mit qualifizierter Mehrheit mit Zustimmung des Präsidenten der Kommission den Minister für auswärtige Angelegenheiten der Union. Dieser leitet die Gemeinsame Außen- und Sicherheitspolitik der Union.

(2) Der Minister für auswärtige Angelegenheiten trägt durch seine Vorschläge zur Festlegung der gemeinsamen Außenpolitik bei und führt sie im Auftrag des Rates durch. Er handelt ebenso im Bereich der Gemeinsamen Sicherheits- und Verteidigungspolitik.

(3) Der Minister für auswärtige Angelegenheiten ist einer der stellvertretenden Präsidenten der Europäischen Kommission. Er ist mit den Außenbeziehungen und der Koordinierung der anderen Aspekte des außenpolitischen Handelns der Union betraut. Er verfügt über einen besonderen Status, der in Teil II der Verfassung geregelt ist. ~~Bei der Wahrnehmung dieser Zuständigkeiten in der Kommission und ausschließlich im Hinblick auf diese Zuständigkeiten unterliegt er den Verfahren, die für die Arbeitsweise der Kommission gelten.~~

(4) Der Minister für auswärtige Angelegenheiten wird von einem Europäischen Diplomatischen Dienst unterstützt. Dazu gehören die Delegationen der Europäischen Union in Drittstaaten. Der Europäische Diplomatische Dienst arbeitet eng mit den diplomatischen Diensten der Mitgliedstaaten zusammen.

Explanation (if any) :

Absatz 3: Die Regelungen zum besonderen Status des Außenministers in der Kommission sollten im Teil II der Verfassung erfolgen.

Neuer Absatz 4: Die Handlungsfähigkeit des Europäischen Außenministers wird durch die Schaffung eines Europäischen Diplomatischen Dienstes gestärkt. Die bisherigen Delegationen der Kommissionen sollten in Delegationen der Union umgewandelt und dem Europäischen Außenminister unterstellt werden.

AMENDMENT FORM

Suggestion for amendment of Article : 19, Title IV, Part I

Suggestion for protocol :

By Ms / Mr : Hain

Status : - Member

Article 19 : The ~~Foreign Minister~~ European External Representative

1,2 OK.

3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling those external relations issues and for co-ordinating other aspects of the Union's external action, for which the Commission has responsibility. In exercising these responsibilities within the Commission, ~~and only for these responsibilities, he shall be bound by Commission procedures~~ he shall enjoy special status and not be bound by the Commission's duty to act collectively.

Explanation (if any) :

The title "European Foreign Minister" could be misleading as to the content of the job. References to it should therefore throughout be replaced by the European External Representative, as suggested in the report of the External Action Working Group.

Article 19.3 It is important to clarify the exact status of the "Foreign Minister" in the Commission. We assume that development and trade matters will be handled, as now, by Commissioners with specific responsibilities in those areas and therefore subject to Commission procedures. The "Foreign Minister" should however, NOT be bound by those procedures as this would compromise his need both to present the Commission view and to speak for the Council on an external issue.

AMENDMENT FORM

Suggestion for amendment of Article 19

By : TIMOTHY KIRKHOPE MEP

Status : MEMBER

PRAESIDIUM	TIMOTHY KIRKHOPE MEP
<p>Article 19 : The Foreign Minister</p> <p>1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy.</p> <p>2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.</p> <p>3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.</p>	<p><i>DELETE</i></p>

FICHE AMENDEMENT

Proposition d'amendement à l'Article 19

**Déposée par Olivier Duhamel, titulaire
Anne Van Lancker, titulaire0
Pervenche Berès, suppléante**

Article 19 - Le ministre des Affaires étrangères

Paragraphe 4 nouveau

4. Le ministre des Affaires étrangères rend régulièrement compte de la politique de l'Union devant le Parlement européen.

Justification

L'exercice par le Parlement européen de sa fonction de contrôle exige qu'il débattenne régulièrement de tous les aspects de la politique étrangère et de sécurité commune.

AMENDMENT FORM

Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, Article 19 : The Foreign Minister

By Ms / Mr : BROK; SANTER; TAJANI; TEUFEL; VAN DER LINDEN; ALTMAIER; AZEVEDO; BASILE; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES; FOGLER; FRENO; KARINS; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LAMASSOURE; LENNMARKER; LEQUILLER; LIEPINA; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMEILING; ZIELENIEC; ZILE
Status : - Member - Alternate

Suggestion

TITLE IV: The Union's Institutions

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission *and after consulting the European Parliament*, shall appoint the Union's Foreign Minister. ~~He shall conduct the Union's common foreign and security policy.~~
 2. *The Foreign Minister shall conduct and develop the Union's common foreign and security policy*, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
 3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for ~~handling~~ external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.
 4. *The Foreign Minister will also be the Head of the Delegations of the Commission which will be called Delegations of the European Union. He shall be supported by a single administration within the Commission including officials from the relevant units from the General Secretariat of the Council and foreign ministries of the Member States. The administration shall work as mandated by the Council as far as it does not interfere in the competences of the Commission.*
-

Explanation (if any) :

The rights of the European Parliament in the inauguration of the Commission should be expanded. The role of the future Foreign Minister of the EU may be of a significance that it appears to be impossible that his appointment will take place without any deeper involvement of the European Parliament.

The whole Art. 19 on the Foreign Minister of the European Union is rather vague. His responsibilities should be made clearer. It should not be open to discussion whether he has a grip on the traditional External Relations DG of the Commission or the respective units dealing with foreign and security policy and external relations in the Secretariat General. It should also be mentioned here that he is the Head of the future worldwide delegations of the Union.

AMENDMENT FORM

Suggestion for amendment of Article : 19

Suggestion for Part I

By Mr : Vytenis Povilas Andriukaitis, Algirdas Gričius, Gintautas Šivickas, Eugenijus Maldeikis

Status : Member, member, alternate, alternate

Article 19 18: The Foreign Minister of the European Union

1. ~~The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Foreign Minister~~ **The Foreign Minister of the European Union shall conduct the Union's common foreign and security policy, common security and defence policy, shall handle Union's external relations and co-ordinate other aspects of the Union's external action.**
 2. The Foreign Minister shall contribute by his **or her** proposals to the development of the common foreign policy, which he **or she** shall carry out as mandated by the **European Council**. The same shall apply to the common security and defence policy. **The Foreign Minister shall chair the Foreign Affairs Council.**
 3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. ~~He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action.~~ **In exercising these responsibilities handling external relations of the Union and co-ordinating other aspects of the its external action** within the Commission, and only for these responsibilities, he **or she** shall be bound by Commission procedures. **The office of the Foreign Minister shall be in the Commission.**
-

Explanation (if any) :

AMENDMENT FORM

Title IV

Suggestion for amendment of Article : 19

By Members: Voggenhuber, Wagener, MacCormick,

Status : Members and alternate members.

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission **and the assent of the European Parliament by the majority of its members** shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy and contribute by his proposals to the development of the common foreign, **security and defence** policy. **In exercising these responsibilities, he shall be subjected to a censure motion, according to article X, Part II of the Constitution, by the European Council.**

~~2. The Foreign Minister shall contribute by his proposals to the development of the common foreign, policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.~~

3. The Foreign Minister shall be **a full member of the Commission, and** one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, ~~and only for these responsibilities,~~ he shall be bound by Commission procedures.

Explanation:

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Mr. Esko HELLE

Status : - Alternate

Article 19 : ~~The Foreign Minister~~

1. ~~The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He~~ **The Member of the Commission to who is responsible for handling external action in the Commission shall conduct also have some competence in** the Union's common foreign and security policy.
 2. ~~The Foreign Minister~~ **Member of the Commission mentioned in Paragraph 1** shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
 3. ~~The Foreign Minister~~ **Member of the Commission mentioned in Paragraph 1** shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.
-

Explanation (if any):

A Member of the Commission cannot really conduct the Union's common foreign and security policy. He shouldn't either be named Foreign Minister.

AMENDMENT FORM

Suggestion for amendment of Article :

Suggestion for protocol :

By Ms / Mr :

Status : - Member - Alternate

PART I OF THE CONSTITUTION

TITLE IV: The Union's Institutions

[DELETE: Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy.

2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.

3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.]

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article: 19

Déposée par Messieurs:

Alberto Costa - membre

Guilherme d'Oliveira Martins – suppléant

Article 19

Le ministre des Affaires étrangères

1. Le Conseil européen, statuant à la majorité qualifiée, **sur proposition** du Président de la Commission, nomme, **parmi les membres de cette institution**, le ministre des Affaires étrangères de l'Union.
- 2....
- 3....

FICHA DE ALTERAÇÃO

Proposta de alteração ao Artigo : 19

Apresentada por :

Alberto Costa - membro

Guilherme d'Oliveira Martins - suplente

Artigo 19º

Ministro dos Negócios Estrangeiros

1. O Conselho Europeu, deliberando por maioria qualificada, sob proposta do Presidente da Comissão, nomeia **de entre os membros desta**, o Ministro dos Negócios Estrangeiros da União.
- 2....
- 3....

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 19 de la Partie I

Déposée par Messieurs Santer, Michel, de Vries et Di Rupo

Qualité : - Membres

Article ~~19~~¹⁹²¹ : Le ministre des Affaires étrangères

- ~~Le Conseil européen, statuant à la majorité qualifiée, avec l'accord du Président de la Commission, nomme le ministre des Affaires étrangères de l'Union. Celui-ci conduit la politique étrangère et de sécurité commune de l'Union.~~
Le ministre des Affaires étrangères est un des Vice-Présidents de la Commission européenne. Il y est chargé des relations extérieures et de la cohérence de l'action extérieure de l'Union. Dans l'exercice de ses responsabilités, il est soumis aux principes qui régissent le fonctionnement de la Commission, sauf pour la Politique étrangère et de sécurité commune et la Politique européenne de sécurité et de défense.
- Le ministre des Affaires étrangères conduit la politique étrangère et de sécurité commune de l'Union. Il contribue par ses propositions à l'élaboration de la politique étrangère commune, et l'exécute en tant que mandataire du Conseil. Il agit de même pour la politique de sécurité et de défense commune.
- ~~Le ministre des Affaires étrangères est un des Vice-Présidents de la Commission européenne. Il y est chargé des relations extérieures et de la coordination des autres aspects de l'action extérieure de l'Union. Dans l'exercice de ces responsabilités au sein de la Commission et pour ses seules responsabilités, il est soumis aux procédures qui régissent le fonctionnement de la Commission.~~
Le Conseil européen, statuant à la majorité qualifiée, avec l'accord du Président de la Commission, nomme le ministre des Affaires étrangères de l'Union.

AMENDMENT FORM

Suggestion for amendement of Article : 19

Suggestion for Part I

By Ms/ Mr : Georgios Papandreou and Mr Georgios Katiforis

Status : - Member Alternate

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister, **who shall be a member and one of the Vice-Presidents of the European Commission. The Foreign Minister shall resign, if the European Council or the President of the Commission so requests.** ~~He shall conduct the Union's common foreign and security policy.~~
2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he/**she** shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
3. ~~The Foreign Minister shall be one of the Vice Presidents of the Commission. He~~ **Within the Commission, the Foreign Minister** shall be responsible ~~there~~ for handling ~~external relations~~ and for co-ordinating the ~~other aspects of the~~ Union's external action. In exercising these responsibilities within the Commission, ~~and for these aspects alone,~~ he shall be bound by Commission procedures.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article : Art. 19

Suggestion for protocol :

By: Ernâni Lopes, Maria Eduarda Azevedo, António Nazaré Pereira, Manuel Lobo Antunes.

Status : - Members and Alternates

Article 19 : The Foreign Minister

***NB:** For purposes of systematic organisation of the Constitutional Treaty, the description of the functions and the designation of the Foreign Minister could be placed under the chapter related to the CFSP (and the detailed provisions in Part II of the Treaty).*

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister **among the members of the Commission**. ~~He shall conduct the Union's common foreign and security policy.~~
2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article 19

By: Danuta Hübner

Status: Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p>Article 19 : The Foreign Minister</p> <ol style="list-style-type: none">1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy.2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.	<p>Article 19 : The Foreign Minister Representative</p> <ol style="list-style-type: none">1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Representative Minister. He shall conduct the Union's common foreign and security policy. The Foreign Representative shall resign upon a request of the European Council deciding by qualified majority.2. The Foreign Representative Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.3. The Foreign Representative Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.4. The Foreign Representative shall be assisted by two deputies. One of them shall be designated to this function by the Foreign Representative in common accord with the President of the Commission from the Members of the Commission. His tasks would be

	<p>confined by the mandate of the Commission. The second deputy shall be elected by the European Council following the same procedure as in case of the Foreign Representative. He shall assist the Foreign Representative in the function of the chairman of the Council of Foreign Ministers, chair the Political and Security Committee.</p> <p>5. The Foreign Representative shall have at his disposal a joint administrative service drawing upon officials of the European Commission, the General Secretariat of the Council and the Member States administrations.</p> <p>6. The Foreign Representative shall have at his disposal the Union's external relations budget.</p>
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Explanation:
The description "Foreign Minister" may cause a confusion between this function and that of national ministers. Therefore, I propose the label of Union's Foreign Representative. He should enjoy a special status within the Commission. Faced with a significant workload he should be assisted by two deputies. One of them would be elected form the Commissioners' body.

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann

Status : - Member ~~Alternate~~

Artikel 19: Der ~~Minister für auswärtige Angelegenheiten~~ Außenminister der Europäischen Union

- (1) Der Europäische Rat ernennt mit qualifizierter Mehrheit mit Zustimmung des Präsidenten der Kommission den ~~Minister für auswärtige Angelegenheiten~~ **Außenminister der Union**. Dieser leitet die Gemeinsame Außen- und Sicherheitspolitik der Union.
 - (2) Der ~~Minister für auswärtige Angelegenheiten~~ **Außenminister** trägt durch seine Vorschläge zur Festlegung der gemeinsamen Außenpolitik bei und führt sie im Auftrag des Rates durch. Er handelt ebenso im Bereich der Gemeinsamen Sicherheits- und Verteidigungspolitik.
 - (3) Der ~~Minister für auswärtige Angelegenheiten~~ **Außenminister** ist einer der stellvertretenden Präsidenten der Europäischen Kommission. Er ist mit den Außenbeziehungen und der Koordinierung der anderen Aspekte des außenpolitischen Handelns der Union betraut. Bei der Wahrnehmung dieser Zuständigkeiten ~~in der Kommission und ausschließlich im Hinblick auf diese Zuständigkeiten~~ unterliegt er den Verfahren, die für die Arbeitsweise der Kommission gelten.
-

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 19

Déposée par : Dominique de Villepin

Qualité : - Membre ~~– Suppléant~~

Article 19 : Le ministre des Affaires étrangères

1. Le Conseil européen, statuant à la majorité qualifiée, **sur proposition du Président du Conseil européen** avec l'accord du Président de la Commission, nomme le ministre des Affaires étrangères de l'Union. **Il le révoque dans les mêmes formes.** Le ministre des affaires étrangères de l'Union conduit la politique étrangère et de sécurité commune de l'Union.
 2. Le ministre des Affaires étrangères contribue par ses propositions à l'élaboration de la politique étrangère commune, et l'exécute en tant que mandataire du Conseil. Il agit de même pour la politique de sécurité et de défense commune.
 3. Le ministre des Affaires étrangères est un des Vice-Présidents de la Commission européenne. Il y est chargé des relations extérieures et de la coordination des autres aspects de l'action extérieure de l'Union. ~~Dans l'exercice de ces responsabilités au sein de la Commission et pour ees seules responsabilités, il est soumis aux procédures qui régissent le fonctionnement de la Commission.~~ **Il dispose d'un statut spécial défini dans la partie II.**
-

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Mr. Kimmo Kiljunen, Mr Matti Vanhanen, Ms Riitta Korhonen and Mr Antti Peltomäki

Status : - Kiljunen and Vanhanen – Members
- Korhonen and Peltomäki - Alternates

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister, ~~He who shall conduct the Union's common foreign and security policy.~~ **have overall responsibility for the Union's external action in accordance with the provisions of [...Part II of the Constitution]. The Foreign Minister shall be member of the Commission and one of its Vice-Presidents.**
 2. The Foreign Minister shall **conduct the Union's common foreign, security and defence policy. He shall contribute by his make proposals to regarding** the development of the common foreign, **security and defence** policy, which he shall carry out as mandated by the Council. ~~The same shall apply to the common security and defence policy.~~
 3. **Within the Commission,** ~~t~~The Foreign Minister shall be ~~one of the Vice Presidents of the Commission. He shall be responsible there~~ for handling external relations and for co-ordinating other aspects of the Union's external action. ~~It~~ **When** exercising these ~~responsibilities~~ **functions** within the Commission, ~~and only for these responsibilities,~~ he shall be bound by **the rules applying to the Commission procedures as laid down in this Constitution.**
-

FICHE AMENDEMENT

Titre IV

Proposition d'amendement à l'Article : Artigo 19.º - Representante Europeu para as Relações Externas ((4 palavras suprimidas)

Déposée par Monsieur Luís Queiró

Qualité: Suppléant

1. (novo) O Representante Europeu para as Relações Externas, executa a Política Externa, de Segurança e Defesa da União, de acordo com as instruções da Presidência e do Conselho e seguindo as orientações políticas do Conselho Europeu. Exprime ainda, salvo deliberação em contrário do Conselho Europeu ou do Conselho, a posição da União nas organizações e conferências internacionais.

2. (redacção do n.º1 do presente Artigo) O Conselho Europeu, deliberando por unanimidade (9 palavras suprimidas), nomeia o Representante Europeu para as Relações Externas (17 palavras suprimidas).

3. (redacção do n.º 2 do presente Artigo) O Representante Europeu para as Relações Externas contribui (4 palavras suprimidas) para a formulação, elaboração e execução da Política Externa, de Segurança e Defesa Comum e, quando necessário, actuando em nome do Conselho, a pedido da Presidência, conduz o diálogo político com terceiros (23 palavras suprimidas).

4. (redacção do n.º 3 do presente Artigo) O Representante Europeu para as Relações Externas é um dos Vice-Presidentes da Comissão Europeia. É responsável, neste âmbito, pelas relações externas e pela coordenação dos demais aspectos da acção externa da União. No exercício das suas responsabilidades a nível da Comissão, e apenas em relação a essas responsabilidades, está submetido aos processos que regem o funcionamento da Comissão.

Explication éventuelle :

Segue-se o esquema sistemático previsto para as anteriores Instituições. A designação foi a que resultou do relatório apresentado pelo Grupo VII. Sendo uma figura que agrupa o actual Alto Representante PESC e o Comissário RELEX, esta figura é já referida no artigo relativo à Comissão e aqui é desenvolvida, em moldes próximos do Alto Representante PESC, mas já mais autonomizado do que este face ao Conselho. Não é, como agora, o Secretário-Geral do Conselho (cfr. artigo 26.º UE).

AMENDMENT FORM

Suggestion for amendment of Article : 19

Suggestion for protocol :

By Mr : John Gormley

Status : Alternate

Article 19 Delete

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article 19: The Foreign Minister

By Mr Ivan Korčok and Juraj Migaš (Slovakia)

Status: I. Korčok is a member, J. Migaš is an alternate.

Article 19: The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. ~~He~~The Union's Foreign Minister shall conduct the Union's common foreign and security policy.
2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
3. The Foreign Minister shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.

Explanation (if any):

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Mr. Péter Balázs, Mr. Hannes Farnleitner, Ms. Sandra Kalniete, Mr. Jan Kohout, Mr. Ivan Korčok, Mr. Rytis Martikonis, Mr. Lennart Meri, Mr. Dimitrij Rupel, Ms. Teija Tiilikainen

Status : - Members

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister, ~~He who shall conduct the Union's common foreign and security policy.~~ **have overall responsibility for the Union's external action in accordance with the provisions of [...Part II of the Constitution]. The Foreign Minister shall be member of the Commission and one of its Vice-Presidents.**
 2. The Foreign Minister shall **conduct the Union's common foreign, security and defence policy.** ~~He shall contribute by his~~ **make proposals to regarding** the development of the common foreign, **security and defence** policy, which he shall carry out as mandated by the Council. ~~The same shall apply to the common security and defence policy.~~
 3. **Within the Commission,** ~~t~~The Foreign Minister shall be ~~one of the Vice-Presidents of the Commission.~~ ~~He shall be responsible there~~ for handling external relations and for co-ordinating other aspects of the Union's external action. ~~In~~ **When** exercising these ~~responsibilities~~ **functions** within the Commission, ~~and only for these responsibilities,~~ he shall be bound by **the rules applying to the Commission procedures as laid down in this Constitution.**
-

AMENDMENT FORM

Suggestion for amendment of Article : 19

Suggestion for protocol :

By Mr : Ingvar SVENSSON

Status : - Alternate

~~Article 19 : The Foreign Minister~~

- ~~1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He shall conduct the Union's common foreign and security policy.~~

- ~~2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.~~

- ~~3. The Foreign Minister shall be one of the Vice Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.¹~~

¹ Delete. No Foreign Minister shall be appointed. If you want simplifying and clarifying you shall not mix the institutions. A "double-hatted" position bringing together *ad personam* the functions of the High Representative and those of the Commissioner for External Relations is in conflict with article 18.4 saying : « In carrying out its responsibilities, the Commission shall be completely independent. In the discharge of their duties members of the Commission shall neither seek nor take instructions from any government or other body. »

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 19 (Titre IV de la Partie I)

Déposée par Madame Palacio

Qualité : - Membre - Suppléant

Article 19 : Le ministre des Affaires étrangères

1. Le Conseil européen, statuant à la majorité qualifiée, avec l'accord du Président de la Commission, nomme le ministre des Affaires étrangères de l'Union. Celui-ci conduit la politique étrangère et de sécurité commune de l'Union.
2. Le ministre des Affaires étrangères contribue par ses propositions à l'élaboration de la politique étrangère commune, et l'exécute en tant que mandataire du Conseil. Il agit de même pour la politique de sécurité et de défense commune.
3. Le ministre des Affaires étrangères est un des Vice-Présidents de la Commission européenne. Il y est chargé des relations extérieures et de la coordination des autres aspects de l'action extérieure de l'Union. Dans l'exercice de ces responsabilités au sein de la Commission et pour ces seules responsabilités, il est soumis aux procédures qui régissent le fonctionnement de la Commission.

Une majorité de deux tiers de membres de la Commission sera nécessaire pour approuver au sein du collège une proposition dans le domaine de l'action extérieure contre l'avis du Ministre ou pour prévenir l'adoption d'une proposition dans ce même domaine qui soit appuyée par lui.

Explication:

L'amendement au paragraphe 3 vise à renforcer la cohérence de l'action extérieure de l'Union.

AMENDMENT FORM

Suggestion for amendment of Article : Title IV

By Ms / Mr : Jan Kohout

Status : - Member

19. The European Commission

1. *Art 211 of TEC to be repeated here, esp. third and fourth indent*
 2. The Commission should wield the exclusive right of legislative initiative except where the Constitutional Treaty stipulates otherwise.
 3. Until the Union will consist of 27 Member States, the Commission shall include one national of each of Member State. The number of the members of the Commission will not be less than the number of Member States until after the date on which the first Commission following the date of accession of the 27th Member State of the Union takes up its duties.
 4. The number of the members of the Commission will be decided by the Council, acting by superqualified majority (unanimity?).
 5. *Art 4/3a, b/ and art 4/4/ of the Protocol on Enlargement attached to the Treaty of Nice should be replicated here.*
 6. President of the European Commission will be elected in line with the procedure of art. 15.6 (*see above*).
 7. Every Member State will propose to the president of the Commission at least two nominees for the members of the Commission. The commissioners selected by the president of the Commission will be subsequently approved in its entirety the European Parliament, acting by three-fifths of all MEPs.
 8. *Art 213/2/ of the TEC should be replicated here.*
 9. Censure of the Commission corresponds to the procedure of art. 15.7 (*see above*). Individual commissioners may be censured by the European Parliament, only on a proposal by the Commission President, in line with the procedure of art. 19.7.
-

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article 19, partie I de la Constitution:

Déposée par M. Olivier DUHAMEL, Mme Anne VAN LANCKER, Mme Linda McAVAN, M. Luis MARINHO, Mme Pervenche BERÈS, Mme Maria BERGER, M. Carlos CARNERO, Mme Elena PACIOTTI, Mme Helle THORNING-SCHMIDT

Qualité: - Membres et Suppléants

ARTICLE 19 – Le ministre des Affaires étrangères

1. Le Conseil européen, statuant à la majorité qualifiée, avec l'accord du Président de la Commission **et l'approbation du Parlement européen**, nomme le ministre des Affaires étrangères de l'Union. Celui-ci conduit la politique étrangère et de sécurité commune de l'Union.

 - 4 (nouveau) Le ministre des Affaires étrangères rend régulièrement compte de la politique de l'Union devant le Parlement européen.**
-

Explication éventuelle:

AMENDMENT FORM

Title IV

Suggestion for amendment of Article : 19

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mrs Lone Dybkjaer, Lord Maclellan, Mr Adrian Severin.

Status :Members and alternate members.

Article 19 : The Minister of Foreign Affairs/Secretary of the Union

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall *nominate the [Minister of Foreign Affairs/Secretary of the Union]*. *The [Minister of Foreign Affairs/Secretary of the Union] shall be one of the Vice-Presidents of the Commission and a full member of the college.*

Ibis. The [Minister of Foreign Affairs/Secretary of the Union] may be dismissed on the proposal of either the European Council or the European Parliament if confirmed by the other, according to the provisions in Part Two.

2. The *[Minister of Foreign Affairs/Secretary of the Union]* shall be responsible *to the Commission* for handling external relations and for co-ordinating *all* aspects of the Union's external actions. *The [Minister/Secretary] shall contribute proposals to develop the Union's common foreign, security and defence policy, which he or she shall conduct as mandated by the Council.*

Explanation:

We have already stated our wish for a further discussion about the term 'Secretary of the Union' over 'Foreign Minister'.

The Praesidium's proposal for the double-hatted job is more ambiguous than it needs to be. Proper accountability will be assured if and when the Secretary is both grounded in the Commission, sharing responsibility for the decisions of the college, and also working to a clear mandate obtained from the Foreign Affairs Council.

We re-formulate the draft in paragraph 1 with the intended effect that the candidate for the post is chosen by the European Council but then submitted to the approval of the European Parliament as a member of the Commission in the normal way.

In paragraph 1 bis we repeat the procedure for the sacking of the President of the Commission in order to increase the Secretary's accountability.

In paragraph 2 we try a clearer and more succinct formulation of his (or her) job. We substitute 'all' for 'other' in respect of coordination.

And we offer a less convoluted - and more assured - draft which establishes, in our view, the desired dynamic.

AMENDMENT FORM

Suggestion for amendment of Article: 19, Part I

By Ms Liene Liepina, Mr Rihards Piks, Mr Arturs Krisjanis Karins, Mr Guntars Krasts.

Status: - Member: L.Liepina; R.Piks
- Alternate: A.K.Karins; G.Krasts

Article 19 : The External Representative of the European Union ~~Foreign Minister~~

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint **the External Representative of the European Union** ~~Foreign Minister~~. He shall conduct the Union's common foreign and security policy, **as mandated by the Council and under its authority**.
2. The ~~Foreign Minister~~ **External Representative of the European Union** shall contribute by his proposals to the development of the common foreign policy, ~~which he shall carry out as mandated by the Council. The same shall apply to~~ **including** the common security and defence policy.
3. The ~~Foreign Minister~~ **External Representative of the European Union** shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.
4. **The External Representative of the European Union shall be assisted by Alternate External Representatives.**

Explanation (if any):

The proposed wording reflects more precisely the nature of the post established. The wording of the current draft could create misinterpretation, as there do exist the posts bearing the same name in the member states of the European Union.

AMENDMENT FORM

Suggestion for amendment of Article 19

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

Status : - Member: Hjelm-Wallén and Lekberg
 - Alternate: Petersson and Kvist

Article 19 : The Foreign Minister

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's Foreign Minister. He/**she**¹ shall conduct the Union's common foreign and security policy.
2. The Foreign Minister shall contribute by his proposals to the development of the common foreign policy, which he/**she**¹ shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
3. ~~The Foreign Minister shall be one of the Vice Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he/**she** shall be bound by Commission procedures.~~ **The Foreign Minister shall co-operate closely with the Commission with the aim to achieving full coherence of the Union's external action.**²

¹ The Constitution must be gender neutral.

² I recognise the merits of the proposed "doublehatting" in terms of coherent representation and improved co-ordination. Nonetheless, the proposal to make the Foreign Minister a member of the Commission raises a number of concerns. As proposed the reform would blur the division of responsibilities between the Council and the Commission and could weaken the integrity and authority of both institutions. It is, however, important to ensure better co-ordination between the institutions. The Foreign Minister should therefore, when external action is discussed, participate in the meetings of the Commission.

AMENDMENT FORM

Suggestion for amendment of Article : 19

**By: Mr Tunne Kelam
Mr Rein Lang
Mr Urmas Reinsalu
Mrs Liina Tõnisson**

Article 19 : The European Union Minister for Foreign Affairs ~~Foreign Minister~~

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the **European Union Foreign Minister for Foreign Affairs**. He shall conduct the Union's common foreign and security policy, **as mandated by the Council and under its authority**.
 2. The ~~Foreign~~ **European Union Minister for Foreign Affairs** shall contribute by his proposals to the development of the common foreign policy, ~~which he shall carry out as mandated by the Council. The same shall apply to~~ **including** the common security and defence policy.
 3. The ~~Foreign~~ **European Union Minister for Foreign Affairs** shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.
-

Explanation

The preferred title is the European Union Minister for Foreign Affairs and this should be used consistently throughout the Treaty's Articles.

AMENDMENT FORM

Suggestion for amendment of Article : Organe
Entwurf von Artikeln für Titel IV des Teils I der Verfassung

Suggestion for protocol :

By Mr : Joachim Wuermeling

Status : - Alternate

Artikel 19: Der Minister für auswärtige Angelegenheiten

(1) Der Europäische Rat ernennt mit qualifizierter Mehrheit mit Zustimmung des Präsidenten der Kommission und des Europäischen Parlaments den Minister für auswärtige Angelegenheiten der Union. Dieser leitet die Gemeinsame Außen- und Sicherheitspolitik der Union.

Explanation (if any) :

Verbesserung der parlamentarischen Kontrolle des außenpolitischen Handelns.

FICHE AMENDEMENT

Proposition d'amendement à l'Article 19- Partie I - Architecture constitutionnelle Titre IV Des institutions de l'Union

Déposée par Monsieur William ABITBOL

Qualité : - Suppléant

Article 19 : le Congrès des Parlements d'Europe

Conv 691/03

1. Le Congrès des Parlements d'Europe est formé des députés au Parlement européen et, en nombre équivalent par Etat membre, des délégués des Parlements nationaux. Il se réunit au moins une fois par an, sur convocation du Conseil européen qui en fixe l'ordre du jour. Il est présidé par le Président du Parlement européen. La COSAC est la Commission permanente du Congrès des Parlements d'Europe.

2. Une fois par an, le Président de l'Union présente au Congrès son rapport sur l'état de l'Union qui fait l'objet d'un débat.
 - Sur proposition du Conseil européen, le Congrès des Parlements d'Europe peut entendre également le Président de la Commission, le Ministre des affaires étrangères et le Président de la Banque Centrale européenne.
 - Sur proposition du Conseil européen, le Congrès des Parlements d'Europe élit le Président de l'Union européenne.

Le Congrès des Parlements d'Europe a son siège à Strasbourg.

AMENDMENT FORM

Suggestion for amendment of Article : 19

By Ms / Mr : Mr. Ján Figel' (Member, Slovak Parliament)

Status : - Member

change as follows:

Article 19 : **The Union's External Representative**

1. The European Council, deciding by qualified majority, with the agreement of the President of the Commission, shall appoint the Union's **External Representative**. **The appointment shall be approved by the European Parliament** **The Union's External Representative** shall conduct the Union's common foreign and security policy.
2. The **Union's External Representative** shall contribute by his proposals to the development of the common foreign policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
3. The **Union's External Representative** shall be one of the Vice-Presidents of the Commission. He shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, he shall be bound by Commission procedures.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article : I-27

By Mr : Hain

Status : - Member

Article I-27 : The ~~Foreign Minister~~External Representative

1. Okay.
 2. Okay.
 3. The Foreign Minister shall be [one of the Vice-Presidents of the Commission. He shall be] responsible ~~there~~ for handling external relations and for coordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, he shall enjoy special status and not be bound by the Commission's duty to act collectively and only for these responsibilities, the Foreign Minister shall be bound by Commission procedures.
-

Explanation (if any) :

We do not accept the title 'Foreign Minister' as it is misleading (he/she will have no Ministry; this term was carefully avoided for current Commissioners). We suggest EU External Representative.

I.27.3 : This is unacceptable as it stands. We must clarify the exact status of the "Foreign Minister" in the Commission. We assume that development and trade matters will be handled, as now, by Commissioners with specific responsibilities in those areas and therefore subject to Commission procedures. The "Foreign Minister" should however, NOT be bound by those procedures as this would compromise his need both to present the Commission view and to speak for the Council on an external issue.

AMENDMENT FORM

Suggestion for amendment of Article : 27

By Mr. Poul Schlüter

Status : Alternate

Article 27: Delegated regulations

1. European laws and European framework laws may delegate to the Commission the power to enact delegated regulations in order to supplement or amend certain non-essential elements of the law or framework law.

The objectives, content and scope of the delegation shall be explicitly defined in the laws and framework laws. A delegation may not cover the essential elements of an area. These shall be reserved for the law or framework law.

2. The conditions of application to which the delegation is subject shall be explicitly determined in the law or framework law; they shall consist of one or more of the following possibilities:
 - the European Parliament ~~and~~ or the Council may decide to revoke the delegation in the cases laid down by the law or framework law
 - the delegated regulation may enter into force only if no objection has been expressed by the European Parliament or the Council within a period set by the law or framework law; except on imperative grounds of urgency this period shall be no less than two months.
 - the provisions of the delegated regulation are to lapse after a period set by the law or framework law. They may be extended, on a proposal from the Commission, by decision of the European Parliament and of the Council.

For the purposes of the preceding paragraph, the European Parliament shall act by an absolute-majority-of the votes cast of its members., and the-Council shall act by a qualified

majority of its members.

When drafting delegated acts, the Commission shall consult representatives of Member States, the European Parliament as well as civil society. On request of [X] Member States such consultation shall take place in the framework of an advisory committee within a certain period of time.

Explanation:

Delegation to the Commission will only take place as intended if the legislator has sufficient trust in the new system. The system must therefore be transparent and offer good opportunities for the Council and the European Parliament to control the exercise of the powers delegated to the Commission. The amendments proposed above are intended to ensure this.

The proposed amendment to the first indent allows both of the two branches of the legislature to revoke the delegation irrespective of the position of the other branch.

The proposed indicative time limit should make it possible for both the European Parliament and the Council to have sufficient time to examine the delegated regulations.

The proposed voting rules would make it easier for the Council and the European Parliament to exercise control.

The proposed wording on consultation aims to ensure sufficient transparency in the drafting of delegated regulations to allow the Commission to take all relevant information and views into account.

On the consultation of Member States, it should be noted that Member States are responsible for adopting all measures of national law necessary to implement the Union's legally binding acts, cf. Art. 28, Par. 1 of the draft Constitutional Treaty. National authorities possess knowledge of national and local conditions on which basis they may provide valuable advice to the Commission with a view to promoting the effective implementation of delegated regulations.

Let me add that these issues are complicated and may require more analysis, including in the area covered by the so called Lamfalussy procedure. Other ways to achieve the same objectives may be found. I therefore reserve my right to return to these issues.