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**European Union law in the Jurisprudence of the**

**Constitutional Council (France)**

The Constitutional Council is the highest constitutional authority in France. It is a court vested with various powers, including in particular the review of the constitutionality of legislation.

The primacy of European Union law is an European Union law principle that when there is conflict between European law and the law of Member States, European law prevails (this principle was developed by the Court of Justice of the European Union).

Due to the Article 55 of the Constitution of France treaties or agreements duly ratified or approved shall, upon publication, prevail over Acts of Parliament, subject, with respect to each agreement or treaty, to its application by the other party.

In accordance to the Constitution of France in 2004 the Constitutional Council has held that there exists a constitutional obligation to transpose European Union directives into French law.

At the same time, it should be noted, that in 2006 the Constitutional Council stated that the obligation of transposition is limited: transposed legislation must not violate principles of French constitutional identity without the consent of the constituent power.

Consequently, we can conclude that the Constitutional Council considers that Article 55 of the Constitution of France should be applied in compliance with the principles of French constitutional identity.