

euinsight

The European Union and the Treaty of Lisbon

In the past 51 years, the European Union has evolved from a six-country economic community to a unique partnership between 27 democratic European countries. Today, issues like globalization, demographic shifts, climate change and terrorism are increasingly managed across national borders.

To meet the challenges of a constantly evolving and globalized world, the leaders of the 27 Member States of the European Union signed the Treaty of Lisbon on December 13, 2007, with the goals of reinforcing the EU's capacity to take action, enhancing democratic processes within the EU, and giving the EU a single voice in external relations.

Responding to the EU's rapid enlargement—from 15 to 27 members between 2004 and the present—the treaty increases the operational efficiency of the EU and its institutions, gives EU citizens a greater say in European policies, and legally guarantees their fundamental rights. The treaty also designates a new high-level foreign policy official to strengthen coherence in external actions (diplomacy, security, trade, development and humanitarian aid) and boost the EU's global profile and presence. It improves the EU's ability to act as a reliable partner with others, including the U.S., to address global and regional concerns.

The Treaty of Lisbon amends the EU's two current core treaties—the Treaty on European Union and the Treaty Establishing the European Community. Currently, only the European Community has the legal ability to participate in international agreements and organizations relating to areas that fall specifically within its jurisdiction. The amendments end the current distinction between European Union and European Community, providing the EU with a single legal personality and enabling the Union to conclude international agreements and join international organizations.

The existing Treaty of Nice, in place since 2003, will remain in effect until ratification procedures are concluded by all 27 Member States. All Member States are encouraged to ratify the Treaty of Lisbon before January 1, 2009,

so that it can enter into force before the next European Parliament elections in mid-2009. Individual Member States determine whether ratification will be subject to a referendum or a parliamentary vote; a number of Member States have already successfully completed their ratification procedures.

“Who Do I Call if I Want to Call Europe?” Henry Kissinger

The Treaty of Lisbon creates a high-level position straddling the European Commission and the Council of the EU. The current functions of the Council's High Representative for Common Foreign and Security Policy (CFSP) will be combined with those of the European Commission Vice-President for External Relations, creating a new institutional player who wears “two hats.”

The post of High Representative/Vice-President neither creates new powers, nor replaces Member State foreign policy or diplomatic efforts, but instead streamlines functions and complements Member State actions. The High Representative/Vice-President will act in foreign and security policy matters on the basis of decisions made unanimously by the EU27, contribute proposals for the development of these policies, and oversee their implementation according to Council mandates. The post-holder will also chair meetings of the Foreign Affairs Council.

The High Representative/Vice-President will be assisted by a European External Action Service that includes officials from the European Commission, the Secretariat of the Council of the EU, and the diplomatic services of the 27 Member States.

A More Secure EU, Responding to Citizens' Concerns

The Lisbon treaty guarantees EU citizens a free and secure Europe governed by the rule of law. The treaty extends the Union's capacity to act in the areas of particular concern to

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“...the Treaty of Lisbon will reinforce the Union's cohesion, coherence, and effectiveness in external affairs. As such, it will improve the Union's capacity to pursue one of its central tasks: to shape globalization.”

European Commission President
José Manuel Barroso

“The High Representative shall represent the Union for matters relating to the common foreign and security policy. He shall conduct political dialogue with third parties on the Union's behalf and shall express the Union's position in international organizations and at international conferences.”

Treaty of Lisbon

its citizens, including freedom, security, and justice; energy policy; public health; civil protection; climate change; and development and humanitarian aid.

- Qualified Majority Voting (QMV) applies to almost all issues related to freedom, security, and justice, facilitating less complicated decision-making and better cooperation in such areas as combating terrorism and tackling cross-border crime;
- New legislation pertaining to freedom, security and justice is subject to scrutiny by the European Court of Justice, affording citizens added protection;
- Energy security, sustainable development, and combating climate change are policy priorities in the Lisbon treaty;
- The solidarity principle among Member States provides for mutual support in the event of terrorism, natural or man-made disasters, or an energy crisis.

Major EU Institutions and the Treaty of Lisbon: Modern, Streamlined and Efficient

European Commission (EC)

- Acts as “executive branch” of the EU;
- Represents the interests of the EU as a whole;
- Proposes legislation;
- Manages and implements EU policies and budget;
- Enforces EU law under the control of the European Court of Justice;
- Conducts international negotiations (except CFSP);
- Includes one Commissioner from each Member State (**beginning in 2014, Member States will be represented in the EC on a rotational basis, with 2/3 of the Member States serving at any given time**).

European Council

- Defines the EU’s general political directions and priorities;
- Does not exercise legislative functions;
- Comprises Heads of State/Government of Member States, the Commission President and **a full-time elected Council President; the High Representative/Vice-President will also participate**;
- **Defined by the Treaty of Lisbon for the first time as an institution distinct from Council of the EU;**

- **Elects its own President by qualified majority for a 2½ year term, renewable once;**
- **Appoints the High Representative/Vice-President, acting by a qualified majority, with the agreement of the EC.**

Council of the European Union

- Remains the key legislative decision-maker (along with the European Parliament), but **with a revised system of qualified majority voting (QMV) extended to policy areas including justice and home affairs, asylum, immigration, tourism, and civil protection**;
- Coordinates the broad economic policies of Member States;
- Concludes agreements with other nations and international organizations;
- Approves the EU budget jointly with European Parliament;
- Represents Member States through meetings attended by a minister from each Member State government;
- **Rotates the Presidency of Council configurations (other than Foreign Affairs) equally among Member States.**

European Parliament

- Represents EU citizens through directly elected members serving five-year terms;

- Shares legislative and budgetary responsibility with the Council of the EU;
- Co-legislates with the Council of the EU, **with the co-decision procedure becoming the normal procedure and extended to new areas, including freedom, security, and justice**;
- Continues democratic supervision of EU institutions and retains power to censure the Commission;
- Elects the President of the European Commission, based on Council nomination **that takes into account European Parliament election results**;
- **Comprises no more than 751 members (750 + President); no Member State will have fewer than six or more than 96 representatives**;
- Seats representatives by broad political groups, rather than by nationality or party.

European Court of Justice

- Enforces EU law;
- Ensures uniform interpretation and application of EU Treaties and law throughout the Member States; rules on same at the request of Member States’ national courts;
- **Hears cases against the EU’s regulatory action from businesses and members of public.**

**Text in bold is new with the Treaty of Lisbon.*



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More Democracy, More Accountability, Greater Transparency

The Lisbon treaty reinforces the EU’s democratic processes, promotes transparency and offers citizens a greater opportunity to have a say in the Union’s work.

- Thanks to the citizens’ initiative, a million or more citizens from different Member States can petition the European Commission to submit a proposal on any issue within its jurisdiction;
- National parliaments will become more involved in the decision-making process. They will also enforce the principle of subsidiarity: ensuring that decisions are made as closely as possible to the citizen unless they are in an area where the EU has exclusive powers or when results can be better achieved at EU level;
- Deliberations by the Council of the EU on legislative matters will be made public;
- Member State and EU jurisdictions are unambiguously defined, including a delineation of where the Union has exclusive, shared, or complementary competences;
- Beginning in 2014, voting in the Council of the EU, based on qualified majority voting (QMV), will take into account both how many Member States support a given measure, as well as the percent of the European population they represent, when taking action at the European level;
- The Charter of Fundamental Rights of the European Union becomes a legally binding part of the treaty;
- The possibility of Member State withdrawal from the EU is for the first time explicitly recognized.

For more information: www.eurunion.org/euinsight