



The Lisbon Treaty

The Treaty of Lisbon will enter into force on 1 December 2009.

Background:

Europe is not the same place it was 50 years ago, and nor is the rest of the world.

In a constantly changing, ever more interconnected world, Europe is grappling with new issues: globalisation, demographic shifts, climate change, the need for sustainable energy sources and new security threats. These are the challenges facing Europe in the 21st century.

Borders count for very little in the light of these challenges. The EU countries cannot meet them alone. But acting as one, Europe can deliver results and respond to the concerns of the public. For this, Europe needs to modernise.

The EU has recently expanded from 15 to 27 members; it needs effective, coherent tools so it can function properly and respond to the rapid changes in the world. That means rethinking some of the ground rules for working together.

The treaty signed in Lisbon on 13 December 2007 sets out to do just that. When European leaders reached agreement on the new rules, they were thinking of the political, economic and social changes going on, and the need to live up to the hopes and expectations of the European public. The Treaty of Lisbon defines what the EU can and cannot do, and what means it can use.

It alters the structure of the EU's institutions and how they work. As a result, the EU becomes more democratic and its core values are better served.

This new treaty is the result of negotiations between



EU member countries in an intergovernmental conference, in which the European Commission and European Parliament were also involved.

The Lisbon Treaty at a glance

The Treaty of Lisbon amends the current EU and EC treaties, without replacing them. It provides the Union with the legal framework and

tools necessary to meet future challenges and to respond to citizens' demands.

A more democratic and transparent Europe, with a strengthened role for the European Parliament and national parliaments, more opportunities for citizens to have their voices heard and a clearer sense of who does what at European and national level.

A strengthened role for the European Parliament: the European Parliament, directly elected by EU citizens, sees important new powers emerge over the EU legislation, the EU budget and international agreements. In particular, the increased use of co-decision procedure in policy-making ensures the European Parliament is placed on an equal footing with the Council of Ministers, representing Member States, for the vast bulk of EU legislation.

A greater involvement of national parliaments: national parliaments have greater opportunities to be involved in the work of the EU, in particular thanks to a new mechanism to monitor that the Union only acts where results can be better attained at EU level (the principle of subsidiarity). Together with the strengthened role for the European Parliament, it enhances democracy and increases legitimacy in the functioning of the Union.



A stronger voice for EU citizens: thanks to the Citizens' Initiative, where a petition signed by over one million citizens from a number of Member States can call on the Commission to bring forward new policy proposals.

Who does what?: the relationship between the Member States and the European Union becomes clearer with the categorisation of competences.

Withdrawal from the Union: the Treaty of Lisbon explicitly recognises, for the first time, the possibility for a Member State to withdraw from the Union.

A more efficient Europe, with simplified working methods and voting rules, streamlined and modern institutions for a EU of 27 members and an improved ability to act in areas of major priority for today's Union.

Effective and efficient decision-making: The Treaty sees an increase in the number of policy areas to be decided by a majority vote at the Council, rather than by unanimity. Qualified majority voting becomes the norm; however, there are some notable exceptions that still require unanimous decisions, including taxation and defence. This makes decision-making faster and more efficient. From 2014 on, the calculation of qualified majority will be based on the double majority of Member States and people, thus representing the dual legitimacy of the Union. A double majority will be achieved when a decision is taken by 55% of the Member States representing at least 65% of the Union's population.

A more stable and streamlined institutional framework: the Treaty creates the function of President of the European Council (*see page 3*) elected for two and a half years, introduces a direct link between the election of the Commission President and the results of the European elections, provides for new arrangements for the future composition of the European Parliament, and includes clearer rules on enhanced cooperation and financial provisions.

Improving the life of Europeans: the Treaty of Lisbon improves the EU's ability to act in several policy areas of major priority for today's Union and its citizens. This is the case in particular for the policy areas of freedom, security and justice, such as combating terrorism or tackling crime. All EU policies now have to factor in boosting employment, adequate social protection and the fight against social exclusion.

It also concerns to some extent other areas including energy policy, public health, civil protection, climate change, services of general interest, research, space, territorial cohesion, commercial policy, humanitarian aid, sport, tourism and administrative cooperation.

A Europe of rights and values, freedom, solidarity & security, promoting the Union's values, introducing the Charter of Fundamental Rights into European primary law, providing for new solidarity mechanisms & ensuring better protection of European citizens.

Democratic values: the Treaty of Lisbon details and reinforces the values and objectives on which the Union is built. These values aim to serve as a reference point for European citizens and to demonstrate what Europe has to offer its partners worldwide.

Citizens' rights & Charter of Fundamental Rights: the Treaty of Lisbon preserves existing rights while introducing new ones, such as data protection, bioethics and the right to good administration. In particular, it guarantees the freedoms and principles set out in the Charter of Fundamental Rights and gives its provisions a binding legal force. It concerns civil, political, economic and social rights.

Freedom of European citizens: the Treaty of Lisbon preserves and reinforces the "four freedoms" and the political, economic and social freedom of European citizens.

Solidarity between Member States: the Treaty of Lisbon provides that the Union and its Member States act jointly in a spirit of solidarity if a Member State is the subject of a terrorist attack or the victim of a natural or man-made disaster. Solidarity in the area of energy is also emphasised.

Increased security for all: the Union gets an extended capacity to act on freedom, security and justice, which brings direct benefits in terms of the Union's ability to fight crime and terrorism. New provisions on civil protection, humanitarian aid and public health also aim at boosting the Union's ability to respond to threats to the security of European citizens.

Europe as an actor on the global stage is strengthened by bringing together Europe's external policy tools, both when developing and deciding new policies. The Treaty of Lisbon gives Europe a clearer voice in relations with its partners worldwide.



It harnesses Europe's economic, humanitarian, political and diplomatic strengths to promote European interests and values worldwide, while respecting the particular interests of the Member States in Foreign Affairs.

The **Lisbon Treaty** provides the Union with a permanent President of the European Council and a High Representative for the Union for Foreign Affairs and Security Policy that enhances continuity and strengthen the Union's role in the international arena.

The President of the Commission, the High Representative and the other members of the Commission are subject as a body a vote of consent by the **European Parliament**.

A single legal personality for the Union strengthens the Union's negotiating power, making it more effective on the world stage and a more visible partner for third countries and international organisations.

Progress in European Security and Defence Policy preserves special decision-making arrangements but also pave the way towards reinforced co-operation amongst a smaller group of Member States.

A new **European External Action Service** is to provide back up and support to the High Representative. This includes the Commission's current external delegations throughout the world, which become Delegations of the European Union.



Herman Van Rompuy, President of the European Council

Prime Minister Herman Van Rompuy of Belgium has been chosen as the President of the European Council for the new term of two and

a half years, renewable once. He is expected to start work in full on 1 January 2010.

What are his duties?

According to Article 15 (6) of the Treaty on the European Union, the President of the European Council:

- chairs it and drives forward its work;
- ensures the preparation and continuity of the work of the European Council in cooperation

with the President of the Commission, and on the basis of the work of the General Affairs Council;

- endeavours to facilitate cohesion and consensus within the European Council;
- presents a report to the European Parliament after each of the meetings of the European Council.

He also ensures the external representation of the Union on issues concerning its Common Foreign and Security Policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy.

He may not hold a national office at the same time as being President.



Catherine Ashton, High Representative for Foreign Affairs & Security Policy

Baroness Catherine Ashton has been appointed as the first High Representative for Foreign Affairs & Security Policy.

Baroness Ashton, subject to the European Parliament's vote, takes over the portfolio of external relations from Commissioner Ferrero-Waldner when her new post becomes effective on 1 December. She also becomes a Vice-President of the European Commission.

What are her duties?

The High Representative exercises, in foreign affairs, the functions which, so far, were exercised by the six-monthly rotating Presidency, the High Representative for CFSP and the Commissioner for External Relations. According to Articles 18 and 27 of the Treaty on the European Union, the High Representative:

- conducts the Union's common foreign and security policy;
- contributes by her proposals to the development of that policy, which she will carry out as mandated by the Council, and ensures implementation of the decisions adopted in this field;
- presides over the Foreign Affairs Council;
- is one of the Vice-Presidents of the



Commission. She ensures the consistency of the Union's external action. She is responsible within the Commission for responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external action.

- represents the Union for matters relating to the Common Foreign and Security Policy, conduct political dialogue with third parties on the Union's behalf and expresses the Union's position in international organisations and at international conferences.
- exercises authority over the European External Action Service and over the Union delegations in third countries and at international organisations.

On 30 October 2009, the European Council agreed on guidelines for the **European External Action Service (EEAS)**. Catherine Ashton was invited to present a proposal for the organisation and functioning of the EEAS as soon as possible after the entry into force of the Lisbon Treaty, with a view to its adoption by the Council by the end of April 2010.

What is the EEAS?

The EEAS will be a single service under the authority of the High Representative. The EEAS will have an organisational status reflecting and supporting the High Representative's unique role and functions in the EU system.

What will it do?

The EEAS will help the High Representative ensure the consistency and coordination of the Union's external action as well as prepare policy proposals and implement them after their approval by Council. It will also assist the President of the European Council and the President as well as the Members of the Commission in their respective functions in the area of external relations and will ensure close cooperation with the Member States.

How will it be staffed?

EEAS staff will be appointed by the High Representative and drawn from three sources: relevant departments of the General Secretariat of the Council, of the Commission and of national diplomatic services of the Member States.

What will be its legal status?

The EEAS should be a service of a *sui generis* nature, separate from the Commission and the Council Secretariat. It should have autonomy in terms of administrative budget and management of staff. The EEAS will have its own section in the EU budget, to which the usual budgetary and control rules will apply. The High Representative will propose and implement the EEAS budget.

How will it be financed?

The establishment of the EEAS will be guided by the principle of cost efficiency and aimed towards budget neutrality. A limited number of additional posts for Member States' temporary agents will probably be necessary, to be financed within the framework of the current financial perspectives.

EU Delegations

The Commission's delegations become Union delegations under the authority of the High Representative and are part of the EEAS structure. Delegations will contain both regular EEAS staff (including Heads of Delegation) and staff from relevant Commission services. All staff work under the authority of the Head of Delegation. EU delegations work in close cooperation with diplomatic services of the Member States, and play a supporting role as regards diplomatic and consular protection of Union citizens in third countries.

For more information visit: http://europa.eu/lisbon_treaty/index_en.htm

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