

What's in this Treaty.

The Lisbon Treaty aims to deliver on the priorities that the leaders of the EU countries set out in 2001; to give the EU a stronger voice on the international stage, to tackle the problems that we face in the new century, and above all to make sure that the EU is more open and democratic by bridging the gap between Brussels and the people of Europe.

The Treaty introduces several new measures aimed at improving the way in which EU works which we have divided into four areas;

- **The face:** how the EU will be seen and recognised, both inside and outside the Union.
- **The table:** how sitting at the EU decision-making table is made simpler and more effective.
- **The list:** quite literally, a list of areas where the EU does and does not have power.
- **The stronger role for us:** exactly what it says on the tin. How national parliaments and European citizens will have more power and influence in EU decisions.

The face

A President of the Council

By the end of Obama's first term, he will have met eight heads of the European Union. With the President of the Council changing every 6 months, as is the case under the current system, it is difficult for the President of the Council to build up a relationship with other world leaders as head of the EU.

The Lisbon Treaty introduces a President of the European Council who would be elected for a term of two and a half years, with the possibility of serving a second term.

This new President would not hold a national office, so in other words, unlike in the current situation, the President would not have to run his or her own country at the same time.

This measure aims to improve the work of the EU by having a President dedicated to the strategic work of the Council, but it also gives European citizens a visible figure as head of the European Union.

High Representative for Foreign Affairs and Security Policy

Currently there are two key people in charge of Foreign Affairs – the Commissioner for External Relations who drafts the law in this area and the High Representative for Common Foreign and Security Policy who is tasked with implementing it. Splitting this important role has proved troublesome, as it has resulted in a large portion of work being taken up with institutional bureaucracy. This is why the Lisbon Treaty will merge both positions to create the High Representative for Foreign Affairs and Security Policy.

The idea behind creating this role of High Representative is to "put a face" on the Union as well as better representing our interests abroad. In other words, the Treaty provides the answer to Kissinger's famous question: "Who do I call to talk to Europe?"

External Action Service

The Lisbon Treaty provides for an External Action Service to back up the work of the High Representative. This service is to be made up of civil servants and officials from both the EU countries and its institutions and will staff European diplomatic missions and embassies abroad.

In Ireland, we currently have 76 embassies around the world. As the UN recognises over 200 countries, an External Action Service will now enable us to get help faster if anything happens to us in foreign country where there is no Irish embassy.



This European Movement Ireland fact sheet is part of a series of research conducted to clarify the issues in the Lisbon Treaty debate. European Movement Ireland is a pro-European non-profit organisation which does not advocate either side of the Lisbon Treaty Referendum, we advocate the facts.



The table

Changes in the voting system

Depending on what piece of law it is, the Council is made up of one of our Government Ministers and their 26 other European counterparts. For example, if it is a law dealing with agriculture, it will be Brendan Smith who goes to Brussels and meets his fellow Agricultural Ministers from the other EU countries. Their role is to approve or reject the proposed law. Treaty law states whether a law is decided by a unanimous vote or the specialised voting system called QMV.

Now that the Union has 27 countries, the Lisbon Treaty makes this voting system in the Council simpler with the introduction of the double majority system. Simply put, the double majority system means that for a piece of legislation to pass it needs the approval of at least 15 of the 27 Council members representing at least 65% of the EU population.

This new voting system includes measures that prevent countries with large populations from dominating decisions one way or another. In order to ensure that the three largest countries (France, Germany and the UK) cannot group together to block proposals, the Lisbon Treaty states that a blocking minority must be made up

of at least 4 countries.

It is important to note that consensus is the way that the EU usually decides matters. It's really not best practice to bully one country into doing something, large or small. It's just not the EU way.

This new system makes decision-making at an EU level easier. Furthermore, it ensures that small countries like Ireland cannot be railroaded by the larger countries. Under the Lisbon Treaty voting rules, Ireland has a disproportionately large amount of influence in Europe given its small population.

Ireland's Commissioner

Further to the Irish 'No' vote in June 2008, the Council agreed that every EU country would retain a Commissioner. This means that there will always be an Irish Commissioner at the table if Lisbon is passed.

If we choose not to pass Lisbon, this guarantee will be lost. This means that the size of the Commission must be less than the current number of EU member countries, which is 27.

The list

The powers of the EU

For the first time, the Lisbon Treaty sets out in a clear list all the areas that the EU works in and the levels of involvement in each area.

There are eight policy areas for which specific articles have been included for the first time. These are: tourism; energy; civil protection; humanitarian assistance; intellectual property rights; space policy; sport; and administrative co-operation. Interestingly, five of these areas – tourism, energy, civil protection, humanitarian and intellectual property – were already mentioned in Treaty law as "part of the EU's tasks" but now have their own separate Articles.

The full list is detailed below with the bolded areas indicating the fields that now have their own specific Articles.

<p>Exclusive competence</p> <p>These are areas where EU makes the decisions and legislation. EU countries do not interfere with these competences, for it has granted the EU the power to decide in these areas.</p>	<ul style="list-style-type: none"> Customs union Competition law Monetary policy for those in the Eurozone A common position in international trade negotiations where relevant Concluding of some international agreements Conservation of marine biological resources
<p>Shared competence</p> <p>The majority of policy areas that the EU is involved in come under this heading. In these areas, both the member countries and the EU have the power to make laws but if the countries have agreed a law at the EU level then they don't draft conflicting national legislation.</p>	<ul style="list-style-type: none"> The internal market Social policies (certain aspects, mostly to do with employment rights) Economic, territorial and social cohesion Agriculture & fisheries Environment Energy Consumer protection Transport & trans-European networks Area of freedom, security & justice Common safety concerns in public health matters

<p>Coordinating competence</p> <p>These are areas where the countries completely lead, where the Union's role is more than just supporting the countries – hence the 'co-ordinating' title – but it does not legislate in these areas.</p>	<p>Economic and employment policies Research & technological development & space Common Foreign & Security Policy Development co-operation & humanitarian aid</p>
<p>Supporting competence</p> <p>These are areas mainly for the EU countries. The Union can take some actions to support the countries but there cannot be any harmonization of laws in these areas.</p>	<p>Protection & improvement of human health Industry & culture Tourism Education, vocational training, sport & youth Civil protection, such as against natural disasters Administrative co-operation between national authorities</p>

It's important to note that any areas that are not mentioned in this list are the exclusive responsibility of each country.

More powers for the European Parliament

The Lisbon Treaty places more policy areas under the co-decision procedure. This means that the Parliament decides alongside the Council whether or not to implement a piece of legislation. In other words, the EU becomes more democratic because our Parliamentary representatives have a bigger say in what laws are passed in the EU.

Policy areas moved to co-decision under the Lisbon Treaty include, but are not limited to:

- energy
- tourism
- civil protection
- judicial co-operation in criminal matters
- structure, operation and tasks of Europol
- crime prevention

The Charter of Fundamental Rights

The Charter is essentially a list of rights that EU citizens enjoy in a consolidated form. These rights include the right to life, liberty, security, education, religion property and asylum, as well as freedom of assembly and association, equality before the law, equality between men and women, consumer protection, health care and protection in the event of unjustified dismissal.

The Lisbon Treaty gives the Charter of Fundamental Rights, which was originally adopted on 7 December 2000 by all European countries, the same legal value as the Treaties. This Charter guarantees the rights and freedoms of EU citizens and must be taken into account by the EU when it is making laws.

With this Charter having the same legal value as the Treaties, our rights are absolutely guaranteed and must be respected by the EU.

The stronger role for us

New role for our parliament in drafting European law

The Lisbon Treaty gives national parliaments a much more active role in drafting European law. It gives the Dáil and the Seanad the opportunity to vet EU proposals before their application, and, if a third of national parliaments object to the proposal, it must be revised. With this concept, the Lisbon Treaty actually decentralises the power of the EU, and brings EU affairs much closer to home.

Interestingly the German Constitutional Court stated that the German parliament needed to make sure it was ready to take on such an important role. We at European Movement Ireland wondering if we in Ireland are ready for this role and if our Oireachtas is equipped for new role in drafting EU law.

Citizens' Initiative

As part of the effort to make the EU more inclusive, the Lisbon Treaty introduces a new "Citizens' Initiative" whereby one million EU citizens (1/490 of the total EU population) can come together to submit a proposal to the Commission on an area they feel needs to be addressed by the EU.

This is the first time that a European treaty has provided for direct involvement of the European citizens in European law making.