

On the Ratification of the Lisbon Treaty - An Overview of the Main Developments



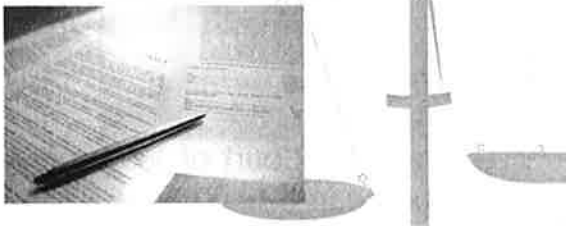
Entrance into force

- The Treaty of Lisbon enters into force today =
- on 1 December 2009
- according to article 6, para. 2).



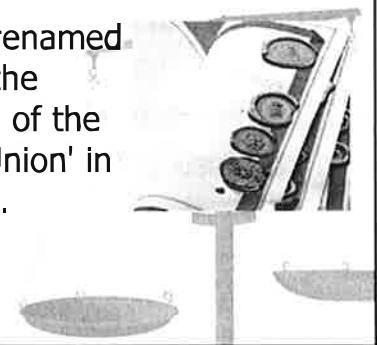
1. Functioning

- amending treaty
- consists of a number of amendments to the TEU and the TEC



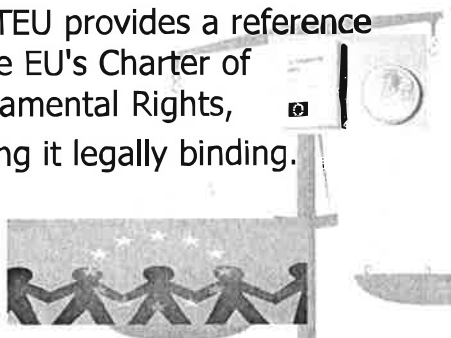
1. Functioning

- the TEC is renamed 'Treaty on the Functioning of the European Union' in the process.



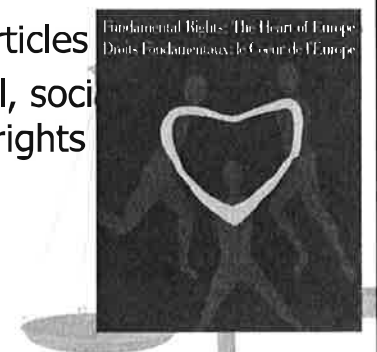
1. Functioning

- The TEU provides a reference to the EU's Charter of Fundamental Rights, making it legally binding.



2. Fundamental Rights Charter

- fifty-five articles
- list political, social, economic rights





2. Fundamental Rights Charter

opt-outs:

- Poland
- the Czech Republic
- the United Kingdom

3. Amendments

3.1 Central Bank

officially becomes an EU institution.

3.2 European Court of Justice

renamed the 'Court of Justice of the European Union'.

3.3 Court of First Instance

- Renamed the 'General Court'.

European Courts

- A new 'emergency' procedure will be introduced into the preliminary reference system, which will allow the Court of Justice to act "with the minimum of delay" when a case involves an individual in custody.
- The ECJ's jurisdiction will continue to be excluded from matters of foreign policy, though it will have new jurisdiction to review foreign policy sanction measures.
- It will also have jurisdiction over certain 'Area of Freedom, Security and Justice' (AFSJ) matters not concerning policing and criminal cooperation

3.4 Council of the EU

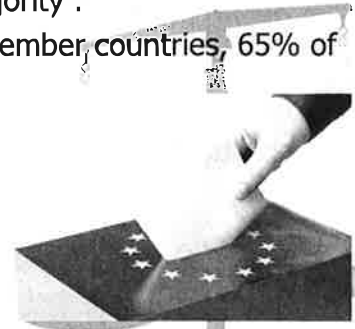
- the use of Qualified Majority Voting (QMV) in the Council of Ministers expanded



3.4 Council of the EU

A qualified majority :

- 55% of all member countries, 65% of EU citizens



3.4 Council of the EU

- an 18-month rotating Presidency
- shared by a trio of Member States



3.4 Council of the EU

newly created post :

- High Representative of the Union for Foreign Affairs and Security Policy



3.5 European Council

- officially gains the institution
- becomes separated Council of Ministers



3.5 European Council

- The then Belgian Prime Minister Herman van Rompuy was appointed the first permanent President of the European Council on 19 November 2009 .



3.5 European Council

- a greater say over
 - police and justice planning,
 - foreign policy,
 - constitutional matters



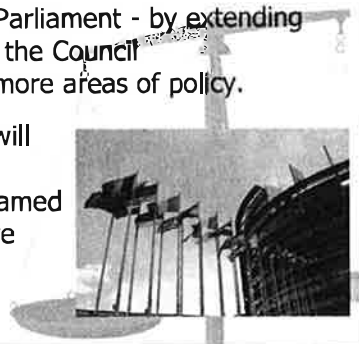
3.6 European Parliament

- The legislative power increases
- MEP seats apportionment changes



3.6 European Parliament

- More powerful Parliament - by extending codecision with the Council of Ministers to more areas of policy.
- This procedure will also be slightly modified and renamed ordinary legislative procedure.



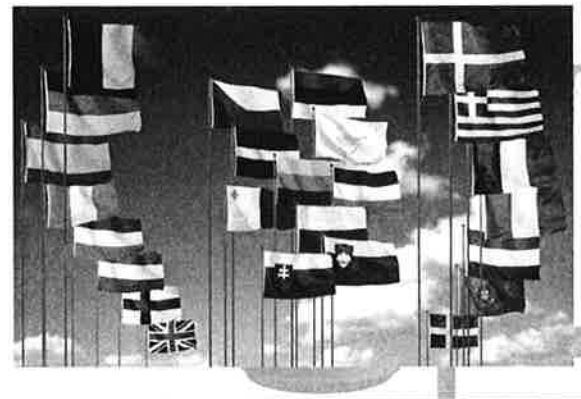
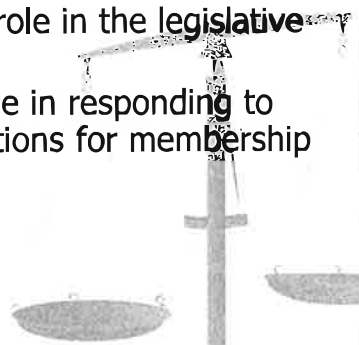
3.6 European Parliament

- The Commission will have to submit each proposed budget of the European Union directly to Parliament, which must approve the budget in its entirety.



3.7 National parliaments of the European Union

- expand the role in the legislative processes
- a greater role in responding to new applications for membership



3.7 National parliaments of the European Union

- national parliaments are to contribute to the good functioning of the Union through receiving draft EU legislation, seeing to it that the principle of subsidiarity is respected,
- taking part in the evaluation mechanisms for the implementation of the Union policies in the area of freedom, security and justice,
- being involved in the political monitoring of Europol and the evaluation of Eurojust's activities,
- being notified of applications for EU accession,
- taking part in the inter-parliamentary cooperation between national parliaments and with the European Parliament

3.8 European Commission

- officially renamed European Commission.



3.8 European Commission

- Initially, reduced from one per member state to one for two thirds of member states from 2014



3.8 European Commission

- However, the Treaty also provided that the European Council could unanimously decide to alter this number.
- Following the Irish referendum, the European Council decided in December 2008 to revert to one Commissioner per member state with effect from the date of entry into force of the Treaty.
- The person holding the new post of High Representative of the Union for Foreign Affairs and Security Policy will automatically also be a Vice-President of the Commission.

3.9 Foreign relations and security

- 3.9.1 High Representative for Foreign Affairs and Security Policy created.



3.9 Foreign relations and security

The High Representative will also become

- a Vice-President of the Commission
- the administrator of the European Defence Agency



3.9 Foreign relations and security

High Representative will

- Have a right to propose defence or security missions
- in charge of an External Action Service
- This will essentially be a common Foreign Office or Diplomatic Corps for the Union



3.9.2 Mutual solidarity

Member States should assist if a member state is

- subject to a terrorist attack
- the victim of a natural or man-made disaster



3.9.3 Prospects for a common defence

the European Security and Defence Policy will lead to a common defence agreement

- if and when the European Council resolves unanimously to do so and
- provided that all member states give their approval



3.10 Legal personality and pillar consolidation

- the pillar system is abolished
- the EU becomes a consolidated body with a legal personality



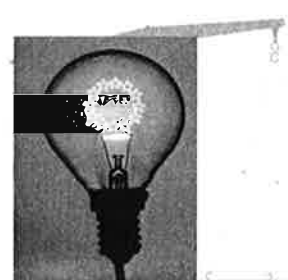
3.10 Legal personality and pillar consolidation

- *"The Union shall replace and succeed the European Community."*



3.11 Defined policy areas

- **Exclusive competence**
- **Shared competence**
- **Supporting competence**



Exclusive competence

- the customs union
- the competition rules necessary for the internal market
- monetary policy for euro states
- common commercial (trade) policy



Shared competence

- Member States can exercise competence in areas where the Union has done so



Shared competence

- the internal market
- social policy, defined in the Treaty
- economic, social and territorial cohesion
- environment



Supporting competence

- The Union can carry out actions to support, coordinate or supplement Member States' actions.



Supporting competence

- the protection and improvement of human health
- industry
- culture
- tourism
- education, youth, sport and vocational training.....



3.12 Enlargement and secession

- A proposal to enshrine the Copenhagen Criteria for enlargement in the Treaty was not fully accepted.



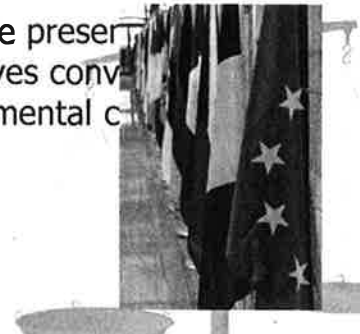
3.13 Revision procedures

- ordinary revision procedure
- simplified revision procedure



ordinary revision procedure

- similar to the present that it involves conventional intergovernmental c



simplified revision procedure

- on the Functioning of the European Union
- could be amended by a unanimous decision of the European Council subject to ratification by all member states



4. Opt-outs

United Kingdom and Poland

- The "Charter of Fundamental Rights of the European Union" is not to apply fully



4. Opt-outs

Czech Republic

- opt-out from the... so
extended to the... public



5. Opt-outs

The United Kingdom and Ireland

- opted out from the change from unanimous decisions to qualified majority voting
- in the sector of police and judicial affairs



4. Opt-outs

The Treaty will provide

- the option to opt out of EU policies
- in the area of police and law

