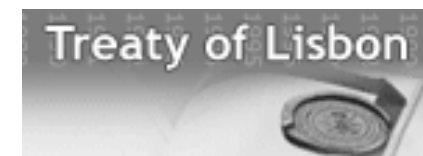


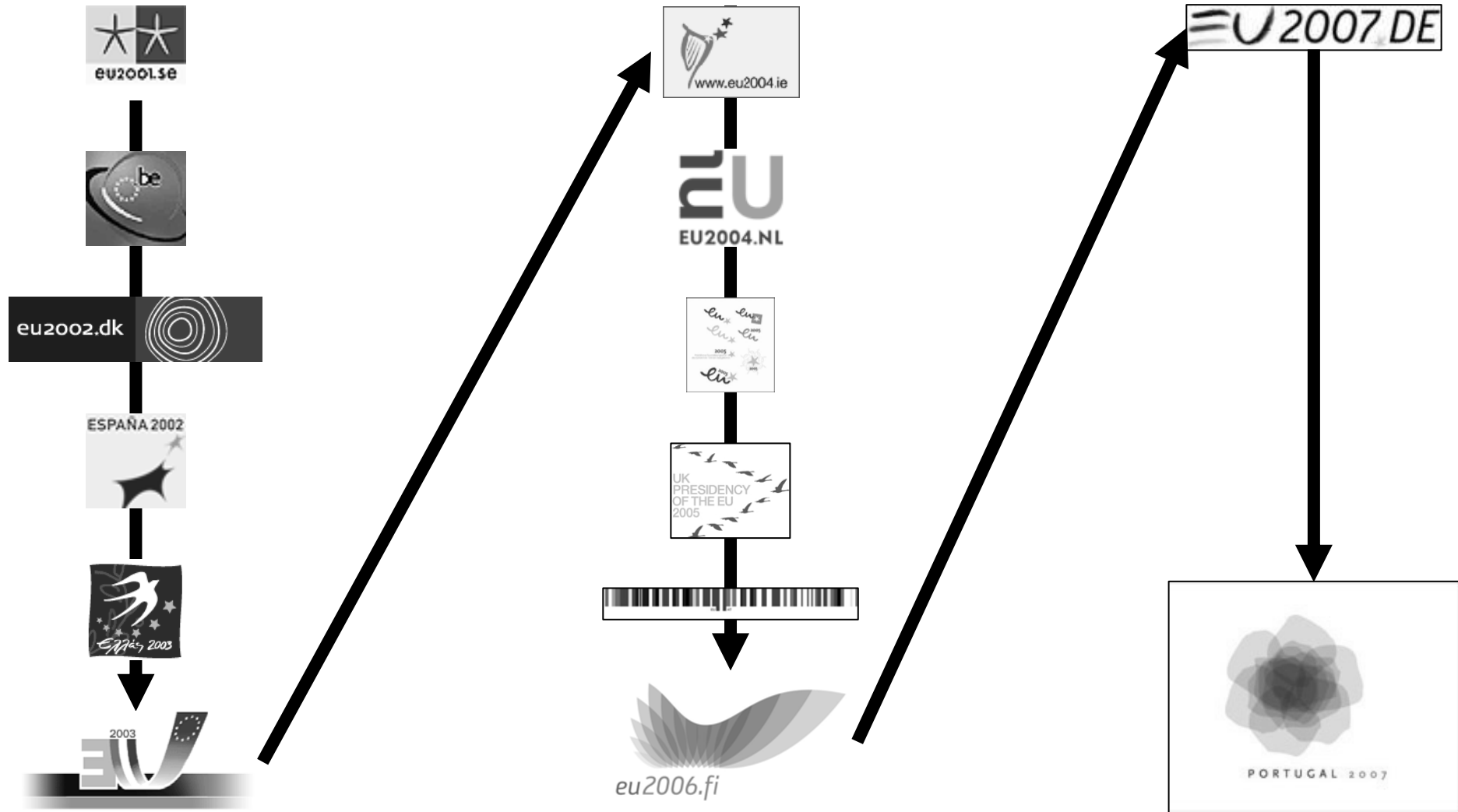
The Treaty of Lisbon

A new setting for the European Union (political and legal implications)

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From Nice to Lisbon



From the Treaty of Nice to the Treaty of Lisbon



Treaties of Rome
1957



Single European Act
1986



Treaty of Maastricht
1992



Treaty of Amsterdam
1997



Treaty of Nice
2000



Constitutional Treaty
2004



2007

**The Treaty of Lisbon – also known as Reform Treaty –
is a
General Agreement
on the change of the existing EU Primary Law.**

**It brings together elements of the EU Treaty,
the EC Treaty, the Constitutional Treaty, and the IGC 2007.**

**The Treaty on the European Union and the Treaty on the European Community
(= Treaty on the Functioning of the EU) will be adapted according
to the Treaty of Lisbon to introduce**

- ➔ more democracy**
- ➔ more transparency**
- ➔ more security**

These Adaptations will ensure that the European Union will be

- ➔ more democratic**
- ➔ more understandable**
- ➔ more efficient**

The European Union will be more democratic via

- ➔ Strengthening of Civil Rights**
- ➔ Strengthening of Democratic Rights**
- ➔ Dialogue with the European Citizens**
- ➔ Strengthening the European Parliament**
- ➔ Active Participation of the National Parliaments**
- ➔ Recognition of the Local and Regional Level**

Common Values and Objectives

The updated catalogue shall foster a common system of values and a distinctive European Way of Life. It comprises – inter alia – the following Common Objectives :

➔ **Promotion of**

- ➔ peace, values and the well-being of its peoples and combat against social exclusion and discrimination
- ➔ economic, social and territorial cohesion, and solidarity among Member States
- ➔ an economic and monetary union whose currency is the euro

➔ **Establishment of**

- ➔ an area of freedom, security and justice without internal frontiers
- ➔ an internal market
- ➔ a sustainable development of Europe
- ➔ a highly competitive social market economy
- ➔ a high level of protection and improvement of the quality of the environment

The Treaty of Lisbon introduces

➔ **simplified working methods and voting rules**

via the extension of the qualified majority voting in the Council to new policy areas to make 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.

➔ **streamlined and modern institutions for a EU of 27 members**

via creating the function of President of the European Council, introducing a direct link between the election of the Commission President and the results of the European elections, providing for new arrangements for the future composition of the European Parliament and for a smaller Commission.

➔ **an improved ability to act in areas of major priority for today's Union**

particularly in the policy areas of freedom, security and justice, and – inter alia – energy policy, public health, civil protection, climate change, services of general interest, research, space, and territorial cohesion.

The Treaty of Lisbon introduces the function of the High Representative for Foreign Affairs and Security Policy.

The High Representative

- will be Vice-President of the Commission and Chair of the Council Formation for Foreign Affairs
- and will be supported by a new European External Action Service

The new setting towards the international approach aims at drawing on the resources of the EU institutions and the Member States to ensure coherent external actions.

**All together, the Treaty of Lisbon results
in around 1,500 changes of the TEU and the TEC.**

The major changes of the EU primary law comprise:

- ⇒ Institutional Changes**
- ⇒ Changes in Relation to Democracy and Closeness to Citizens**
- ⇒ Changes in Priority EU Policies**

Institutional Changes

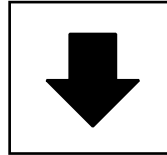
- ➔ **Introduction of Troika-Presidencies**
- ➔ **European Council** (EU Organ)
- ➔ **European Commission** (from 2014 on less Members in the College than Member States)
- ➔ **Introduction of a High Representative for Foreign Affairs and Security Policy**
- ➔ **Legal Personality for the European Union**
- ➔ **Security and Defence Policy** (new solidarity clause, mutual assistance guarantee, reinforced co-operation in ESDP)
- ➔ **Qualified majority** (double majority of people [65 %] and Member States [55 %], applicable to almost all treaty chapters)

Changes in Relation to Democracy and Closeness to Citizens

- ⇒ Better involvement of national parliaments
- ⇒ Legally binding Charta of Fundamental Rights
- ⇒ Introduction of participatory democracy elements (public petitions, open and transparent dialogue)
- ⇒ Division of competencies between the EU and its Member States
- ⇒ New horizontal clause on social policy

Changes in Priority EU Policies

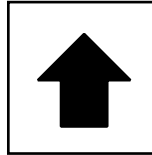
- ➔ **New and more solid legal basis for priority EU policies**
- ➔ **Energy** (solidarity clause)
- ➔ **Environment** (climate change)



The division of competencies in the field of external affairs between the President of the European Council, the President of the European Commission, and the High Representative should have been formulated more clearly.

The transitory period for the Council's voting system postpones the advantages of the double majority voting for around ten further years.

The Treaty of Lisbon contains – as its predecessors – a huge package of opt-outs, particularly in the field of Justice and Home Affairs.



The Treaty of Lisbon combines external elements of the traditional setting (two treaties – TEU and TFEU [former TEC]) with new internal elements (abandoning of the pillar structure [one supranational pillar, two intergovernmental pillars] in favour of a general supranational structure).

The new voting system is flexible vis-à-vis up-coming enlargements.

The new institutional setting will bring the idea of integration closer to the people and will enhance Europe's position in the world.

Contact & Literature

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Klemens H. Fischer: Der Vertrag von Lissabon (The Treaty of Lisbon)

**Text und Kommentar zum Europäischen Reformvertrag (Text and
Commentary to the European Reform Treaty)**

Geleitwort von Dr. Benita Ferrero-Waldner, Mitglied der EK

(Introduction by Dr. Benita Ferrero-Waldner, Member of the EC)

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