

Sheet 2

HOW WILL THE EUROPEAN UNION WORK WITH THE LISBON TREATY?

Thanks to its **institutional innovations** the Lisbon Treaty make it possible to:

- **Reform the institutions of the enlarged Union;**
- **Come out of the institutional stalemate** which the Union has been in for the last two years.

1) THE COMMISSION: ONE COMMISSIONNER PER MEMBER STATE

The European Commission maintains a central role.

The Lisbon treaty contains that as from 2014, the number of Commissioners should have corresponded to two-thirds of the Member States (ie 18 in a Union comprising 27 Member States).

Yet, the conclusions of the European Council (December 11-12 2008) state that the principle of one commissioner per member state will be maintained in response to the Irish worries expressed during the referendum in June 2008. This change should be added to the Croatian membership Treaty.

2) A STABILISED EUROPEAN COUNCIL

The European Council represents the Heads of State and Government of the Member States of the European Union. Its goal is to define the **major orientations adopted by Europe**.

BEFORE THE LISBON TREATY (WITH THE NICE TREATY – 2001)

Each Member State chairs the European Union on a six-monthly rotation.

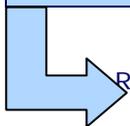
→ This situation **undermines the stability** of the work undertaken by the European Council.

WITH THE LISBON TREATY

The most important innovation lies in the **creation of a stable presidency**.

Like the European Parliament and the Commission, the European Council will have a **full time president** who will not be able to assume a national mandate.

He will be elected **by qualified majority** by the European Council **for two and a half years (renewable once)**.



The President of the European Council: position occupied by Herman van Rompuy

- gives a **voice** and a **face** to the European Union,
- **represents** the Union **in the international arena**,
- **chairs** and co-ordinates the European Council's work.

3) A NEW DECISION MAKING PROCESS IN THE COUNCIL OF MINISTERS

The main role of the Council of Ministers' of the Union's Member States (which includes the various configurations depending on the sectors involved such as the economy and finance, agriculture, etc.) is to **approve "European laws"**.

WITH THE LISBON TREATY

- **The Council of Ministers will meet in public** (which is not the case at present) when a "law" is debated and approved which **heralds a move towards in the democratisation of the European Union**.
 - ➔ Journalists will therefore be able to inform citizens about debates that are taking place within the Council.
- **The voting rule has been modified.**

Indeed, unlike in the European Parliament, where voting takes place via the simple majority, voting rules in the Council will take the respective weight of each State into account so that the "laws" approved **reflect both the will of the majority of European citizens and also the reality of the weight** enjoyed by Union Member States. This is what we call the **"double majority"** (see Sheet 3 - *How will decisions be taken in a Union with 27 members?*).

*Until now the qualified majority has been defined according to a complex weighting system of votes whereby each Member State enjoys a certain number of votes, mostly depending on their demographic weight. The Lisbon Treaty **will replace this with a more transparent, more democratic system based on the double majority of States and population; this means a "law" will be adopted within the Council if it wins the approval of 55% of Union Member States (i.e. 15 Member States in a Union comprising 27 Member States) representing at least 65% of the Union's population**. This new system is both more democratic and more effective in comparison with the present system applied via the Nice Treaty since it facilitates the formation of majorities and therefore the decision making, which is vital in a Union comprising 27 States.*

Weighting of votes according to the Nice treaty

Member State	Votes attributed	Member State	Votes attributed
Germany	29	Slovakia	7
UK	29	Denmark	7
France	29	Finland	7
Italy	29	Ireland	7
Spain	27	Lithuania	7
Poland	27	Latvia	4
Romania	14	Slovenia	4
The Netherlands	13	Estonia	4
Greece	12	Cyprus	4
Czech Republic	12	Luxembourg	4
Belgium	12	Malta	3
Hungary	12		
Portugal	12		
Sweden	10		
Austria	10		
Bulgaria	10		
		Total	345
		Qualified Majority	255

4) A HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY

The Lisbon Treaty institutes a **High Representative of the Union for Foreign Affairs and Security Policy**: position occupied by Catherine Ashton

- The present functions of the High Representative of the Union for Foreign Affairs and Security Policy and the European Commissioner for external relations will be merged together.



This provides **greater coherence and unity to the European Union's external action**.

- Appointed by the European Council and sworn in by the European Parliament he/she will be **Vice-President of the European Commission and will chair the Foreign Affairs Council at the Council of Ministers**.

5) THE EUROPEAN PARLIAMENT: A MORE INFLUENTIAL INSTITUTION

WITH THE LISBON TREATY

- **The powers of the Parliament are strengthened** in terms of legislation, budget and also political control



which comprises a real step forwards in terms of the **democratisation of the European Union** (see Sheet 4 – *The Lisbon Treaty and citizens' power in the European Union*).

- **The Parliament swears in the President of the Commission** on the proposal of the European Council, "taking the European Parliament elections into account."



which lends the President of the Commission greater **democratic legitimacy**, which is of major importance in an institution often seen as being "disconnected" from its citizens;



which makes it possible to **politicize the European elections** and undoubtedly raise **interest levels of European voters** whose vote will then have sway over European political life.

In real terms it will be more difficult to hand over Competition or the Internal Market to an over liberal Commissioner if the majority in Parliament after the European elections tends to the left; conversely it will be as difficult to hand over Employment and Social Affairs to a Commissioner who leans too far to the left if the parliamentary majority lies to the right.

6) THE COURT OF JUSTICE

This institution remains responsible for:

- the respect of the **interpretation of Union law** across its entire territory;
- settling **disagreements between Member States** and also between **the Union and the Member States** as well as between the **institutions** and between **citizens** of the European Union.

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