

Sheet 9

THE LISBON TREATY AND THE ENLARGEMENT POLICY

The enlargement of the European Union by ten new member States in 2004 plus two more (Bulgaria and Romania) on 1st January 2007 was the focus of debate during the referenda in France and the Netherlands. It became clear that the enlargement policy had to be examined. The Lisbon Treaty has taken the results of this reflexion on board. For the first time in a community treaty reference is made to the Union's accession criteria.

1) THE CONDITIONS FOR ACCESSION TO THE EUROPEAN UNION

- To join the European Union, three conditions have to be fulfilled:
 - **political criteria**: stability of institutions guaranteeing democracy, the rule of law, Human Rights and respect for and protection of minorities;
 - **economic criteria**: existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union;
 - **"community acquis" criteria**: ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.
- ➔ These conditions are generally known as the "**Copenhagen Criteria**" after the place where the European Council took place in 1993 and where they were defined.
- The European Council of Copenhagen also included a condition which the European Union was responsible for, the so-called "**integration capacity**" and was defined as "the Union's ability to assimilate new Member States and yet maintain the impetus of European integration."

WITH THE LISBON TREATY

- The **membership criteria are not quoted explicitly but reference is made to them** in article 49 TUE: "the criteria of eligibility approved by the European Council are taken into account."
- Candidate States must respect the "**values**" of the European Union (respect of human dignity, freedom, democracy, equality, rule of law, Human Rights and minorities).
- **The candidate State addresses its request to the Council**, which decides unanimously. The candidate State now **also has to inform the European Parliament and the National Parliaments**, but which play no role in the accession procedure however. The Council decides unanimously.

2) THE MODALITIES OF WITHDRAWAL FROM THE EUROPEAN UNION

For the first time ever a **withdrawal clause** from the European Union is included.



The agreement establishing the modalities of withdrawal is negotiated with the State in question. **The Council decides by qualified majority after the European Parliament's approval.**



If the State which has left the European Union wants to join it again it has to **make a new membership request and satisfy accession conditions.**

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