Treaty amending the Treaty on the European Union and the Treaty establishing the European Community

2007/2286(INI) - 20/02/2008 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Iñigo **MENDEZ DE VIGO** (EPP-ED, ES) and Richard **CORBETT** (PES, UK) on the Lisbon Treaty. The resolution was adopted by 525 votes for, 115 against and 29 abstentions.

Parliament concludes that, taken as a whole, the Treaty of Lisbon is a substantial improvement on the existing Treaties, which will bring more democratic accountability to the Union (through a strengthening of the roles of the European Parliament and the national parliaments), enhance the rights of European citizens vis-à-vis the Union and improve the effective functioning of the Union's institutions.

More democratic accountability: Members welcome the fact that democratic accountability and decision-making powers will be enhanced will be enhanced, allowing citizens to have greater control over the Union's action, notably due to the following improvements: a) all European legislation will, with a few exceptions, be submitted to the dual approval, in equal terms, of the Council and of the European Parliament; b) the prior scrutiny by national parliaments of all legislation of the Union will be reinforced; c) a simpler and more democratic budgetary procedure with a single reading is established: the distinction between compulsory and non-compulsory expenditure is abolished, thus ensuring full parity between Parliament and Council as regards approval of the whole annual budget, while Parliament is also granted the right of consent to the legally binding Multiannual Financial Framework; d) the President of the Commission shall be elected by the European Parliament, on the proposal of the European Council, bearing in mind the elections to the European Parliament; e) the Council will meet in public when deliberating or voting on draft legislative acts, thus allowing citizens to see how their governments act in the Council; f) agencies, notably Europol and Eurojust, will be subject to greater parliamentary scrutiny.

Strengthening rights of citizens and improving clarity: Parliament welcomes the fact that the rights of citizens will be strengthened, as a result of the following improvements: a) the EU Charter of Fundamental Rights, setting out a complete list of up-to-date civil, political, economic and social rights, will become legally binding; b) the Union is to apply to accede to the European Convention on Human Rights; c) new provisions will facilitate participation by citizens and representative associations of civil society in the deliberations of the Union; d) the introduction of an EU citizens' initiative; e) judicial protection of citizens will be enhanced, since the jurisdiction of the Court of Justice will extend to matters relating to freedom, security and justice as well as to acts of the European Council, the European Central Bank and agencies of the Union, while provision will also be made to facilitate access for natural and legal persons to proceedings of the Court.

The confusion between the "European Community" and "European Union" will end as the EU becomes one single legal entity and structure, and a solidarity clause between Member States provides citizens with an expectation of receiving support from all parts of the Union in the event of a terrorist attack or a natural or man-made disaster.

Greater effectiveness: Members highlight: a) the increased use of qualified majority voting rather than unanimity; b) a new system of double majority voting, which will facilitate reaching decisions in the Council; c) that the six-month rotating presidency of the Council will be replaced by a President elected by its members for a two-and-a-half-year term; d) the enhanced visibility of the Union and its capacity as

a global actor, notably due to: i) the creation of a Vice President of the Commission/High Representative for Foreign Affairs and Security Policy who will chair the Foreign Affairs Council, and be able to speak for the Union on those subjects where the latter has a common position; ii) the reinforcement of the Union's capacity to develop common structures in the field of security and defence policy.

Parliament also highlights that action in the area of justice and home affairs will have more ambitious goals and more effective procedures, no longer using separate intergovernmental instruments and procedures, and will be subject to judicial review, thus promising tangible progress with regard to justice, security and immigration issues. Lastly, the Union’s objectives and competencies in the fields of climate change, children's rights, European Neighbourhood Policy, humanitarian aid, energy (including a reference in the Treaty to solidarity between Member States in this domain), space, research, tourism, sport, public health and civil protection are defined more clearly. Common commercial policy is recognised as an exclusive competence of the Union.

Concerns: Members are aware of the widespread regrets that, following the results of the referendums in France and the Netherlands, it was necessary, in order to secure a fresh agreement amongst the 27 Member States, to: a) abandon the constitutional approach and certain of its features, such as a single and structured text; b) postpone the entry into force of the new voting system in the Council; c) incorporate into the Treaty, measures specific to particular individual Member States, in relation to cooperation in police and criminal matters and the Charter of Fundamental Rights; d) modify the wording of several passages of the Treaty entailing an unjustified shift to a negative tone, which gives an impression of mistrust vis-à-vis the Union and its institutions and thus sends a wrong signal to the public.

Conclusions: Members endorse the Treaty and stress the need to achieve its ratification in good time for its entry into force on 1 January 2009. Parliament believes that the Treaty of Lisbon will provide a stable framework which will allow further development of the Union in future. It is aware that an amending treaty is inevitably less clear and readable than a codified treaty, and calls, therefore, for the immediate publication of the consolidated Treaties as revised by the Treaty of Lisbon, which would provide citizens with a clearer basic text of the Union.