



Procedure file

| Basic information | | |
|---|--------------------------------|---------------------|
| INI - Own-initiative procedure | 2007/2286(INI) | Procedure completed |
| Treaty amending the Treaty on the European Union and the Treaty establishing the European Community | | |
| Subject 8.10 Revision of the Treaties, intergovernmental conferences | | |

| Key players | | | |
|--|---|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | AFCO Constitutional Affairs | | 12/11/2007 |
| | | PPE-DE MÉNDEZ DE VIGO Íñigo | 12/11/2007 |
| | | PSE CORBETT Richard | |
| | Committee for opinion | Rapporteur for opinion | Appointed |
| | DEVE Development | | 05/11/2007 |
| | | PSE BERMAN Thijs | |
| | AFET Foreign Affairs | | 27/11/2007 |
| | | ALDE DUFF Andrew | |
| | ENVI Environment, Public Health and Food Safety | The committee decided not to give an opinion. | |
| | REGI Regional Development | The committee decided not to give an opinion. | |
| | ITRE Industry, Research and Energy | | 17/07/2007 |
| | | PPE-DE HUDACKÝ Ján | |
| | CONT Budgetary Control | The committee decided not to give an opinion. | |
| LIBE Civil Liberties, Justice and Home Affairs | | 20/11/2007 | |
| | ALDE CAVADA Jean-Marie | | |
| INTA International Trade | | 03/12/2007 | |
| | PSE CARNERO GONZÁLEZ Carlos | | |
| BUDG Budgets | | 18/12/2007 | |
| | PSE BOTOPOULOS Costas | | |
| European Commission | Commission DG Secretariat-General | Commissioner BARROSO José Manuel | |

| Key events | | | |
|------------|--|--|---------|
| 13/12/2007 | Committee referral announced in Parliament | | |
| 23/01/2008 | Vote in committee | | Summary |

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|------------|-------------------------------------|---|---------|
| 29/01/2008 | Committee report tabled for plenary | A6-0013/2008 | |
| 20/02/2008 | Results of vote in Parliament |  | |
| 20/02/2008 | Debate in Parliament |  | |
| 20/02/2008 | Decision by Parliament | T6-0055/2008 | Summary |
| 20/02/2008 | End of procedure in Parliament | | |

Technical information

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|----------------------------|--------------------------------|
| Procedure reference | 2007/2286(INI) |
| Procedure type | INI - Own-initiative procedure |
| Procedure subtype | Initiative |
| Legal basis | Rules of Procedure EP 54 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | AFCO/6/55735 |

Documentation gateway

| | | | | | |
|---|-------------|------------------------------|------------|----|---------|
| Committee draft report | | PE398.367 | 03/12/2007 | EP | |
| Committee opinion | LIBE | PE398.443 | 18/12/2007 | EP | |
| Committee opinion | ITRE | PE398.298 | 19/12/2007 | EP | |
| Amendments tabled in committee | | PE400.320 | 09/01/2008 | EP | |
| Committee opinion | INTA | PE398.481 | 11/01/2008 | EP | |
| Committee opinion | DEVE | PE398.683 | 15/01/2008 | EP | |
| Committee opinion | AFET | PE398.493 | 22/01/2008 | EP | |
| Committee opinion | BUDG | PE398.706 | 23/01/2008 | EP | |
| Committee report tabled for plenary, single reading | | A6-0013/2008 | 29/01/2008 | EP | |
| Text adopted by Parliament, single reading | | T6-0055/2008 | 20/02/2008 | EP | Summary |
| Commission response to text adopted in plenary | | SP(2008)1767 | 31/03/2008 | EC | |

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

The Committee on Constitutional Affairs adopted, by 20 votes in favour, 6 against and no abstentions, the own-initiative report by M. Iñigo MENDEZ DE VIGO (EPP-ED, ES) and Richard CORBETT (PES, UK) on the Lisbon Treaty.

The parliamentary committee's report 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 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) the new budgetary procedure will require the approval of both the Council and the European Parliament for all Community expenses; 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.

Strengthening rights of citizens and improving clarity: The report welcomes the fact that the rights of citizens will be strengthened, as a result of the following improvements: a) recognition of the compulsory adherence to the EU Charter of Fundamental Rights; b) the introduction of an EU citizens' initiative; c) a clear delimitation of the competences of the Union vis-à-vis Member States; d) the increase of legal protection of citizens; e) new provisions of general application concerning the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, a high level of education, training and health, the elimination of all kinds of discrimination and the promotion of equality between women and men; f) new provisions, which enhance the promotion of sustainable development and protection of the environment, including fighting climate change, and the respect of services of general interest.

The Lisbon Treaty also offers sufficient guarantees that the Union will not become a centralised 'superstate'. Certain procedures confirm the specificity of the Union, to which Member States entrust some of their competences and reaffirm the obligation to respect national identities. Finally, 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.

The report 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, energy, space, tourism, sport, public health and civil protection are defined in a clearer way.

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.

Informing citizens: Members endorse the Treaty and stress the need for all Member States of the Union to achieve its ratification by 1 January 2009. They request that all possible efforts be deployed, both by EU institutions and national authorities, in order to inform European citizens clearly and objectively about the content of the Treaty. With this in mind, MEPs call for a consolidated version of the Treaties to be published as soon as possible.

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

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.