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European Parliament's analysis of the Lisbon Treaty

A comprehensive review of the European Union's new institutional structure, should the Lisbon Treaty be ratified in 2009, as foreseen by the December 2008 European Council, was approved by the European Parliament on Thursday. The report, drafted by Jo Leinen (PES, DE) on the "New tasks and responsibilities of the EP for the implementation of the Lisbon Treaty" was approved by 441 votes in favour, 77 against and 18 abstentions.

More powers for the European Parliament in justice and home affairs

MEPs welcome the fact that, with a few exceptions, the new Treaty would place the European Parliament on an equal footing with the Council as a lawmaker in areas where this has not been case so far, notably in setting the EU budget (the EP would enjoy full parity), agriculture policy and justice and home affairs.

The Parliament welcomes new EU policies and the binding character that the Treaty gives to the Charter of Fundamental Rights, thus requiring EU institutions to respect citizens' civil, political, economic or social rights.

Among several reforms, judged as positive, MEPs also welcome the inclusion of new objectives for the EU, e.g. the equality between women and men, the fight against climate change and the achievement of territorial cohesion.

Call for agreement among the EU institutions on foreign policy and "work programme"

MEPs stress that the new provisions affecting foreign policy would need a new inter-institutional balance, to ensure Parliament's right of scrutiny.

The Parliament also calls on the other EU institutions to reach an inter-institutional agreement on the key objectives to be achieved by the European Union after 2009, forming a kind of "work programme" for the EU.

Lisbon Treaty: European Parliament welcomes increased powers for national parliaments

The European Parliament welcomes the new rights national parliaments would gain if the Lisbon Treaty is ratified by all Member States.

Press release

MEPs approved a report by Elmar **Brok** (EPP-ED, DE) on the "Development of the relations between the EP and national parliaments in the frame of the Lisbon Treaty" by 379 votes in favour, 65 against and 16 abstentions, expressing their support for the new procedure to enhance national parliament's role in the EU decision-making system that would come into force if the ratification procedure of the Lisbon Treaty is successfully concluded.

A greater role for national parliaments

National parliaments would, first of all, gain a new right to be informed on, inter alia, the evaluation of policies conducted in the area of freedom, security and justice, proposals to amend the treaties and new candidate countries' applications to join the Union.

Members of national parliaments would also acquire rights to control Europol and Eurojust, together with the European Parliament, and be involved in the conventions dealing with Treaty changes.

Orange card: the right to object

National parliaments would gain the right to object to a proposal, by using so-called "orange cards", if they felt the subsidiarity principle had been breached (e.g. that a given result could be better attained by action at national rather than EU level).

In addition, a national parliament could seek to remedy an infringement of the subsidiarity principle by bringing an action before the Court of Justice, if allowed by national law.

Further improvements needed

Finally, MEPs call for further improvements of the working relations between the EU institutions and national legislatures. In fact, new forms of pre- and post-legislative dialogue between the EP and national parliaments should be developed, according to Members.

The European Parliament also urges national parliamentarians to strengthen their scrutiny over national governments, particularly for their management of the spending of EU funds and generally to scrutinise the implementation of EU law into domestic law.

Lisbon Treaty: balancing the EU institutional framework

The 4-7 June European election results must be taken into account and political leaders consulted when nominating the President of the new Commission, says the Parliament.

The legal implications and the changes to the institutional balance of the Lisbon Treaty, if and when it enters into force, are addressed in the report by Jean-Luc **DEHAENE** (EPP-ED, BE), approved on Thursday by 363 votes in favour, 93 against and 19 abstentions.

Among the many topics discussed, MEPs propose solutions on the composition of the new Parliament, the nomination of the Commission President and the Union's representation in foreign policy.

Nomination of the Commission President: election results must be taken into account

The European Council, when choosing its President, the President of the Commission and the High Representative for foreign policy, must take into account the relevant competence of the candidates and respect a gender and a political balance and the geographical and demographic diversity of the Member States, say MEPs.

If Lisbon were into force, the Commission President would be elected by the EP on a proposal by the European Council, which would need to take into account the results of the European elections and to conduct consultations with Parliament's representatives.

MEPs ask the European Council to informally follow this procedure for the next Commission and to allow enough time for the consultation procedure to be completed before put forward the candidate.

Press release

Members therefore propose a new timeframe. The newly-elected EP would need two weeks to establish itself, according to the proposed schedule, so consultations between the presidents of the European Council and the European Parliament could take place in the third week following the elections. Then, separate meetings would have to be organised between the President of the European Council and the chairs of the political groups. In the following week, the European Council could propose its candidate for Commission President, taking into account the results of the consultations.

Parliament's composition

EU leaders agreed in December 2008 on transitional arrangements concerning the composition of the Parliament, should the Lisbon Treaty enter into force and thus change the configuration of EP seats by temporarily increasing the overall number of Members so as to respect a demographic and representative balance.

MEPs therefore call on Member States to make all the national legal provisions necessary to allow the pre-election in June of the 18 supplementary MEPs, so that they can sit in Parliament as observers from the date when the Lisbon Treaty eventually enters into force.

Balance and representation in foreign policy

The new Treaty, if ratified, will create new posts at the top of the EU, namely the President of the European Council and the High Representative for Foreign Policy, who will also be Commission Vice-President.

To ensure that this complex system, designed to enhance the EU's political coherence, does not hamper its efficiency, the Parliament proposes that in the foreign policy sphere, the President of the European Council should represent the Union only at the level of Heads of State or Government. Political negotiations on behalf of the Union, at ministerial level or in international organisations, should instead be carried out only by of the High Representative/Vice-President.

European Council

Parliament considers also that, as the European Council is now incorporated into the EU institutional architecture, there is a need for a clearer and more specific definition of its obligations, including the possible judicial scrutiny of its actions.

European Citizens Initiative: guidelines for implementation

In case the Lisbon Treaty enters into force, the Commission should put forward proposal to adopt the European citizens' initiative with no delay, says the European Parliament.

The Treaty of Lisbon would introduce the European Citizens' Initiative (ECI), whereby EU citizens can collect one million signatures, from a significant number of Member States, to ask the Commission to submit a proposal on any matters of competence of the Union.

On Thursday, MEPs approved the report by Sylvia-Yvonne **Kaufmann** (GUE-NGL, DE), by 380 votes in favour, 41 against and 29 abstentions which provides details guidelines for the implementation of the European Citizens' Initiative.

No rejection on political grounds

According to MEPs, A citizens' initiative should be admissible if concerns an EU competence and it is not contrary to the general principles of the EU.

MEPs also agree that it should not take more than two months since the submission of the ECI for the Commission to decide on its admissibility. Registrations could be rejected only on legal grounds and not on grounds of political expediency, says the approved text.

Press release

To be accepted, the request must be supported by at least one million Union citizens, who are nationals of at least one quarter of the Member States, with the number of nationals of each Member State concerned amounting to at least 1/500 of that Member State's population, say MEPs.

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