



The Lisbon Reform Treaty

A Labour Perspective





THE LISBON REFORM TREATY: A LABOUR PERSPECTIVE

CONTENTS

Introduction Eamon Gilmore TD, Labour Party Leader	3
Lisbon - A Citizen's Treaty Eamon Gilmore TD, Labour Party Leader	5
Europe and the World Michael D. Higgins TD President of The Labour Party, Spokesperson on Foreign Affairs	15
Ireland and The European Union Joe Costello TD, Spokesperson on Europe	20
A Renewed Future for Europe's Social Model Proinsias De Rossa, MEP	26
Explanatory Information	
The Lisbon Treaty at a Glance	31
The Lisbon Reform Treaty - Your Questions Answered	34
Ten Reasons to Vote Yes to The Lisbon Reform Treaty	37

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INTRODUCTION

Fifty years ago a new project was embarked upon to give peace, stability and prosperity to a war-torn Europe. It started with six countries signing the Treaty of Rome in 1957. Ireland, Britain and Denmark joined in 1973 making it nine countries. Today that number of countries has trebled to 27 and will continue to grow in future years.

Over the decades the European Union has changed. It has faced new challenges and accommodated new Member States. It has done so through new Treaties which have amended the Treaty of Rome. These are The Single European Act (1986), the Treaties of Maastricht (1992), Amsterdam (1997) and Nice (2002).

On each occasion the Irish people have voted to approve the changes through Referenda.

The Lisbon Reform Treaty is similarly being put before the Irish people for ratification. The Referendum will take place on the 12th of June 2008.

The Labour Party has studied the Treaty and is convinced that it merits ratification.

In brief the Lisbon Treaty reforms the EU institutions, making them more efficient and more transparent in their operation; it gives legal status to the Charter of Fundamental Rights and makes the Charter the reference point for existing and future EU legislation; it gives recognition to the social partners; it gives National Parliaments new rights in law-making at EU level; and gives citizens of the Member States rights to initiate legislative proposals.

Finally it creates new challenges for the EU in combatting climate change and in the eradication of global poverty.

This booklet reflects the Labour Party's scrutiny and analysis of the Lisbon Reform Treaty. We believe that the Treaty contains much of the values and ethos of the Labour Party and is well worth supporting.

A handwritten signature in black ink, which appears to read 'Eamon Gilmore'.

Eamon Gilmore TD
Leader of the Labour Party

April, 2008



LISBON - A CITIZEN'S TREATY

The European Union and the Lisbon Reform Treaty

Address to the National Forum on Europe on 7th February 2008

EAMON GILMORE TD

LEADER OF THE LABOUR PARTY

I welcome this opportunity to speak to the National Forum on Europe. The Forum has made an important contribution to the national debate on Ireland's place in the European Union and on the future of the EU itself.

I should also pay tribute to the leadership which you, Chairman, have given to the Forum and to your widely appreciated ability to ensure fairness and balance in the Forum's discussions, debates and publications.

The establishment of this Forum was a good Labour Party idea and you have turned it into a reality of which we can all be proud.

I want in this address to set out clearly why I and the Labour Party support the Lisbon Reform Treaty, why we will be campaigning for a Yes vote in this year's referendum and why we believe all members of the Irish Labour Movement and the broader Irish Left should do the same.

I should say at the outset that the Labour Party has a particular set of values and principles that we bring to bear when we judge the success or failure of these Treaty negotiations.

My party was founded to strive for equality, social and economic justice, community solidarity and freedom. It seeks to have these values reflected in the laws and institutions of Ireland and in Ireland's relationship with the wider world.

We believe in the right of all citizens to participate fully in society and to develop their personal and social identity in an Ireland and a Europe that are truly democratic, fair and inclusive.

Through our membership of the Party of European Socialists and Socialist International, we are part of the international socialist movement working for equality and to empower citizens, consumers and workers in a world in which global economic forces tend to dominate over the individual and the local community.

Labour believes in a democracy in which all people can participate in decision-making on an equal basis wherever their interests are affected. And we stand for a dynamic, positive role for the State working through responsive and accountable public institutions at local, national, and international levels.



For Labour and for our colleagues in sister parties throughout Europe, the purpose and practice of the European Union must relate to the fundamental needs of its peoples and citizens in terms of jobs, security and balanced overall development, within a democratic and participative framework. It must also relate to and respond effectively to the great world challenges of peace, justice, sustainable development and combating climate change, hunger and poverty.

It is clear to us that the Market does not of itself deliver either justice or efficiency. In order to serve society the Market requires to be governed by rules and standards which respect citizens' wider concerns and rights, such as workers' rights, environmental protection, consumers' rights, access to essential public services, solidarity between the regions of the Union and between the Union and the world.

The kind of Europe for which we strive is clear:

- A Europe based on democratic principles and respect for human rights and the rule of law.
- A Europe strong enough to overcome common problems, in particular those related to the phenomenon of globalisation.
- A Europe which respects and protects national, cultural and language diversity.
- A Europe committed to economic progress, social justice, full employment and progressive environmental policies.
- A Europe of solidarity between its peoples, regions and nations and of solidarity with the peoples of the developing world.
- A Europe at peace with the rest of the world.

We have assessed the Lisbon Reform Treaty against these criteria and we believe it passes with flying colours. That is why we are committed to a strong and focused Labour Party campaign for a Yes vote in the referendum on the Lisbon Reform Treaty and we do so on the firm foundation of the decision of Labour's most recent National Conference in Wexford.

Our campaign will be a positive one - we will not seek to scare people about the consequences of a No vote, though those consequences would be significant. We will campaign for a Yes vote because the Lisbon Reform Treaty is a major step forward in building the kind of Europe that Labour espouses.

A Yes vote is a vote for a better European Union and that is in Ireland's deepest long-term national interest, in terms of what matters to people - opportunity, prosperity, basic rights, social cohesion, stability, international security, addressing the great environmental and energy challenges, combating international crime and working to end global poverty.

I believe that ratification of the Lisbon Reform Treaty is not alone in Ireland's clear national interest but that, taken as a whole, it takes the European Union forward on a path which is very much in line with Labour's longstanding principles and aspirations.



The Convention text emerged from a process which involved not just the participants in the formal membership - in Ireland's case members were drawn from Fianna Fail, Fine Gael, Labour and the Green Party - but also the social partners and wider civil society through extensive consultation.

The Labour Party, working as part of Ireland's national delegation - and with our sister parties in the Party of European Socialists - played a significant and positive role in the European Convention which drafted the Constitutional Treaty. This reflects our firm support for Ireland's full participation in the European Union and our recognition that EU membership has been crucial in the modernisation and transformation of Ireland's economy and society.

What Ireland today needs within the European Union may be summed up in four propositions:

- The EU must have absolute clarity on its values and objectives, with particular emphasis on the social, environmental and developmental aspects of policy;
- The EU must, for the foreseeable future, have genuine institutional stability and an end to the sterile years of introspection;
- The EU must have competences, capabilities and resources appropriate to the extraordinary nature of its 21st Century agenda;
- The EU must concentrate on bringing effective joint actions to bear on that agenda which is of critical concern to every Member State, not least to Ireland.

Let us be clear about what the Treaty provides - what it really means.

Under the terms of the opening articles, the progressive values upon which the Union will be based are close to Labour's most cherished values: respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights including those of minorities, pluralism, non-discrimination, tolerance, justice, equality between women and men, and solidarity.

The goals of the EU are set down clearly, in line with Labour's aims: promoting peace and well-being; offering citizens an area of freedom, security and justice; working for sustainable development; a social market economy, full employment and social progress.

The Union will promote environmental protection, the combating of social exclusion and discrimination, social justice and protection, gender equality, inter-generational solidarity, and the rights of the child. It will further promote balanced development and cohesion, respect cultural and linguistic diversity and protect Europe's cultural heritage.

And, in its relations with the wider world, the objectives are peace, security, sustainable development, solidarity and mutual respect among people, free and fair trade, the eradication of poverty, the promotion of human rights, the strict observance and the development of the rule of law and respect for the United Nations Charter.



Those are no mere rhetorical expressions. Throughout the text of the Treaty there is a chain or logical sequence connecting all its elements so that values are translated into objectives; objectives are realised by the conferral of competences, which are then given operational effect in agreed joint policies, implemented by a range of instruments and programmes involving the allocation of resources.

The Treaty re-asserts the principle of conferral, which provides that the Union shall act "only within the limits of the competences conferred upon it by the Member States".

And the use of Union competences is governed by the important principles of subsidiarity and proportionality. Individual national identity and essential state functions are fully respected. Those who fear a European superstate, or the groundwork for incremental growth towards a superstate, should have their fears put to rest. Europe can act only within the competences conferred on it by this Treaty; there can be no "creeping federalism".

I want to concentrate on four major issues close to Labour's heart and on the extent to which the Lisbon Reform Treaty has advanced our agenda. Those issues are: a more democratic Europe; a social Europe; sustainable development; and engagement with the world. And, in doing so, I want to take issue with one assertion made to this Forum last week by the Taoiseach, when he said -

"Let me stress at the outset, however, that the Reform Treaty is not a revolutionary document. It contains no great innovation of the stature of the Single Market that was introduced by the Single European Act, or the Euro provided for by the Maastricht Treaty".

This is not a forum for party political point-scoring but I want to disagree with that analysis - an analysis that seems to me to be based on a reductionist view of the European project purely in terms of its economic benefits and implications.

I believe that the major and significant progress achieved under each of the headings I have outlined gives the Lisbon Reform Treaty a status equal in importance to any of its predecessors. It has the potential significantly to improve the lives of ordinary people throughout both Europe and the world.

While it may be in the necessary interests of governments in other member States to downplay the significance of this Treaty, in order to refuse the calls for referendums in those states, we have no such need in this country and we can rightly celebrate the achievements of the Lisbon Reform Treaty.

This is not an economist's treaty or a central banker's treaty or a Eurocrat's treaty. It is a citizen's treaty. More than any previous one, this is the European Treaty which advances the rights of citizens in the European Union and which progresses the social agenda in Europe.



A More Democratic Europe

The Treaty includes a range of provisions which enhance democratic accountability, move the Union's institutions closer to the citizen and make them more accessible.

There are new proposals establishing permanent structures to involve civil society and the churches in dialogue.

There is the Citizens' Initiative whereby one million citizens from 15 or more states can initiate policies.

There is the extension of co-decision, giving the European Parliament more say in the decision-making and budgetary system.

But most importantly there is a new role for National Parliaments in the legislative process. All EU legislative proposals must be forwarded to National Parliaments at the same time as they are sent to the EU Parliament and to the Council of Ministers from the Commission.

National Parliaments may offer their own considered opinions to the Commission on whether an individual proposal complies with the principle of subsidiarity and proportionality. If one-third of National Parliaments are dissatisfied with a legislative measure it must be reviewed by the Commission. If one half are dissatisfied the measure is referred to the European Parliament and Council for a final decision on compatibility with the principles of subsidiarity and proportionality. Finally, those national parliaments which still dissent from the Commission's proposals can appeal to the European Court of Justice.

The election of the Commission President by the European Parliament will take into account the results of the European Parliament elections. The European Commission will be reduced in size in the interests of efficiency but its membership will rotate on the basis of strict equality between Member States irrespective of size; its task is to ensure that the interests of all states are taken into account.

The voting system for the Council will continue to favour smaller countries. The system will continue in practice to be based on a consensus approach. Key policy areas, such as those relating to taxation and defence will remain subject to unanimity.

It is obvious that a major challenge still exists in bridging the gap between Europe and its citizens. But the reality is that the European Union is, in any Member State, as transparent, as responsive and as accountable as the institutions of that Member State require it to be. Insofar as there is a democratic deficit it is as much - in fact, much more - at the national as at the European level.

My essential point is this: it is all very well for an EU treaty to confer enhanced powers on National Parliaments but it will only make a real difference if we, in our National Parliament, do things differently. It is for us members of the National Parliament to reform our ways of working in order to accommodate and make best use of the additional competences being given us.



The Oireachtas EU Scrutiny Committee was another Labour Party proposal and it is working well, on a genuinely non-confrontational, cross-party basis. It needs to be better resourced but those resources will, I understand, be forthcoming.

But what we need is a way of getting the work of this and the sectoral committees out of the committee rooms and onto the floor of the Dáil and Seanad. That is the only place where decisions can be taken on foot of committee recommendations.

Specifically, we need to abandon the division of parliamentary business between Government and Opposition. If these new proposals are to make any effective difference, then we need Dáil and Seanad time to be divided in future between Government time, Opposition time and Committee time, so that the reports and recommendations of Committees can be moved, debated and voted on in a structured and timely way.

And, if the powers given to National Parliaments working together are to have any real meaning, then we need effective channels of communication between Parliaments and their committees throughout the Union.

It is all too easy to blame 'Brussels' or 'faceless bureaucrats' for situations which are the responsibility of national politicians and national parliaments. Too much EU legislation is adopted at national level with minimum public awareness and minimum scrutiny. Too much EU legislation is criticised by national politicians who have themselves taken part in the negotiation and adoption of these provisions. In effect, they are prepared to disown their own role, and their own word, within the EU in order to gain short-term advantage.

A Social Europe

The Treaty embodies provisions of real importance to Labour in the field of social policy.

It contains a "social clause" whereby the social issues (promotion of a high level of employment, adequate social protection, fight against social exclusion, and so on) must be taken into account when defining and implementing all policies.

The Treaty makes legal provision for social dialogue and recognition of the social partners. The Charter of Fundamental Rights also contains a section on solidarity.

That Charter is given binding legal status, which means that all decisions by EU institutions and agencies and by national administrations when implementing EU policies must respect the standards enshrined in the Charter.

The social rights listed in the Charter represent an important step forward for European workers and this has been acknowledged by the European trade union movement. Those rights are listed under the headings of dignity, freedom equality, solidarity, citizens' rights, including workers' rights, and justice. It is probably the most extensive and succinct international statement of human rights and citizens' entitlements ever to be given legal form.

And it is worth remembering that the EU as a body will also accede to the European Convention on Human Rights.



In addition to the Charter, the Treaty also provides a clear legal basis for European laws to protect public services. A detailed and binding Protocol deals with this critical issue, covering the nature of such services, the importance of quality, affordability, equal treatment and universal access and the competence of national governments in this connection.

The European Trade Union Congress insisted that seven key social issues originally covered by the Constitutional Treaty would have to be retained in the new Treaty:

- the values and principles set out in the Constitutional Treaty;
- references to full employment and the social market economy;
- recognition of the role of the social partners;
- the Charter of Fundamental Rights, with legal force;
- the citizens' initiative;
the legal base for services of general interest; and
- the 'Social Clause' providing that key social issues, including the commitment to combat social exclusion, must be taken into account in all EU policies.
- The European labour movement is happy that all of these key issues are preserved in the text of the Lisbon Reform Treaty.

A Sustainable Europe

The environment is central to a true sense of community, locally and globally. Without clean water, air and safe food there is no life. All human interaction with the environment must be sustainable, so that we can meet the needs of today without compromising the rights of future generations.

There is now widespread agreement that the European Union in 2008 faces an urgent, historic agenda of environmental policy challenges requiring focused political attention and a genuine effort to engage public opinion and will. That agenda includes the escalating Climate Change crisis, the Energy Supply and Energy Security challenge and the related environmental challenges of water and natural resources.

The Lisbon Reform Treaty provides a framework within which the Union can address this agenda with some hope of progress and success. For example, a specific reference to the need to combat Climate Change in measures at international level has been inserted in the existing Environment section. A new Title on Energy is included which specifies the need for solidarity between Member States in implementing policy in this area. And the new institutional provisions should permit more efficient decision-making and policy implementation with full involvement of the European Parliament.

The Treaty states that one of the Union's objectives is to work for the sustainable development of Europe based, in particular, on a high level of protection and improvement of the quality of the environment. This will ensure the proper functioning of



the energy market, in particular energy supply and the promotion of energy efficiency and energy saving, and the development of new and renewable forms of energy.

Europe and the World

The major issues which emerged over the years since its foundation come together in the extraordinary agenda facing today's European Union as a world player. The end of the Cold War, the emergence of the US as the one superpower, the unending Middle East crisis, the changing shape of the globalised world economy, the recognition of the development needs of much of humankind and, above all the environmental and energy crises - all of these add up to the reality of 2008.

We must recognise that reality and the fundamental truth that its individual elements can only be confronted and dealt with by nations and peoples working together. A reformed EU must be equipped to deal with:

- globalisation of the economic system with its social implications;
- the World Development agenda:
- global poverty;
- trade, aid and regional development;
- the worldwide phenomenon of Migration with its associated economic, social and legal ramifications;
- continuing, and emerging security issues in the Middle East and elsewhere; United Nations reform;
- further enlargement;
- neighbourhood policy;
- trans-national crime and trafficking; and
- the international promotion of human rights.

The Treaty recognises the importance of this agenda and the need for a joined-up and effective approach.

On aid, to take just one example, the Treaty provides the necessary basis for EU action on world development issues with a firm commitment to work for the eradication of global poverty. The Treaty introduces for the first time a specific legal basis for humanitarian aid. The Treaty clearly states that the reduction and the eradication of poverty is the primary objective of the Union's development cooperation policy. This goal must be respected when the Union implements policies likely to affect developing countries. This implies also that development policy is a policy in its own right, and not simply an adjunct of the common foreign and security policy.

The Treaty makes provision for a more effective implementation of the Common Foreign and Security Policy and a new European Security and Defence Policy. This means that the



Union's role in international crisis prevention and management will be significantly enhanced. But it is important to stress that the key decisions on CFSP and Security and Defence matters will continue to be taken by unanimity, while Ireland's status of military neutrality is specifically protected and our domestic 'triple lock' guarantee is fully maintained.

The specific policy stance of the EU neutrals - Ireland, Sweden, Finland, Austria, Cyprus and Malta - is covered by wording introduced into the 1992 Maastricht Treaty at Ireland's insistence and repeated in each Treaty revision since then.

There is much misleading and ill-informed comment in circulation in relation to the Union's policies and practices in the Security and Defence field. The factual Treaty situation is clear.

European Union operations under CFSP and ESDP are delimited by the Treaty statements of objectives and by the terms of the Petersburg Tasks which are closely aligned to the relevant chapters of the UN Charter. Nothing in this Treaty provides for conscription or for Ireland being forced into wars or imperialist adventures.

The present position, where the EU is involved in essential peace-keeping in Bosnia and is about to commit a major force of peace-keepers to Chad in support of the UN/African Union missions in Darfur, represents the reality. The parallel civilian and humanitarian missions in several European and world trouble spots from the Balkans and Caucasus to Gaza and East Timor demonstrate the Union's continuing commitment to peace, security and stability.

Our concentration should be on the responsibilities which we share with our EU partners in contributing to the search for peaceful solutions to conflicts around the world and especially in our own continent. Ireland's history of peace-keeping and of constant, professional input to multilateral diplomatic efforts for peace and stability will be maintained and expanded by our involvement in the EU's policies and programmes.

Moving back from the particular to the general, I believe we should have no doubt but that the decision of the Irish people in this referendum is a serious matter. Failure to ratify would thrust the EU as a whole back into the introspection of the so-called "period of reflection", when what is clearly needed is an end, for the foreseeable future, to the institutional debates which have dragged on for almost a decade, confusing and alienating public opinion.

In the forthcoming referendum debate there will be a vigorous exchange of views and much divergence of opinion. I will lead the Labour Party campaign on the basis of what the Lisbon Reform Treaty actually says and on its manifestly beneficial implications for this country and for the EU as a whole. We will insist that the debate here in Ireland is about Ireland's response to the Treaty text and about Ireland's future place in, and contribution to, the European Union. We will reject any suggestion that the Irish referendum is about what happened three years ago in France or the Netherlands, or about the constitutional arrangements of any other Member State.



There is a great responsibility on the shoulders of all the political parties - in and out of government - to make the European debate truly relevant and thus to challenge national media to give deeper, balanced and more accessible coverage. And it must be accepted that mature debate on Europe requires a genuine demystification of much of the language which we use in our discussion of EU issues.

I regret that the lengthy process which has given us the present Treaty has got rid of the Convention's elegant and accessible single text and much of its clearer terminology, which would have contributed significantly to the accessibility of the debate.

Nonetheless I must conclude by stating firmly my conviction that what we have before us is the best outcome that is possible in today's circumstances. It sums up the collective political will of the leadership of 27 European democracies which share an understanding of the demands of early 21st Century political, economic, social and cultural life.

With our sister parties in the PES we believe that the Lisbon Reform Treaty contains the significant democratic and social policy gains which we achieved in the European Convention and which enjoy the support of the European trade union movement. To reject it would leave us with the existing treaties which we regard as inadequate for the progressive policy agenda we wish to pursue for Ireland and for Europe.

In conclusion, from the beginning, Labour was clear that the policy priorities of the enlarged Union must take account of major questions such as -

- Incorporating the Charter of Fundamental Rights in a constitutionalised Treaty to underpin essential rights of workers and citizens;
- Consolidating the European Social Model, including the social principles of universal public services and social security which are intrinsic to the notion of European citizenship;
- Ensuring that economic, social and employment policies are treated as an integrated whole, ensuring that they have an equality of status with monetary union and treated as inter-dependant aspects of a truly human society.
- Guaranteeing equality between men and women in all areas covered by the Union;
- Strengthening the role of the social partners and civil society in the Union's decision-making processes.

I believe the Lisbon Reform Treaty provides the improvements that are needed to ensure that an EU of 27, and eventually more, democracies works more effectively, with greater legitimacy and with a stronger social engagement. It brings to an end a long, frustrating period of institutional navel-gazing. It will mean a Europe that is better able to meet the challenges facing us in today's globalising world.

We are dealing with the realities of the 21st Century and of the European project which Irish voters overwhelmingly chose to join in 1972. We must approach those realities with determination and courage. By voting Yes in the coming referendum Ireland will reaffirm its place at the heart of the European Union and its belief in its own future and that of all its people.

EUROPE AND THE WORLD

The European Union and the Lisbon Reform Treaty

MICHAEL D HIGGINS TD

PRESIDENT OF THE LABOUR PARTY

Spokesperson on Foreign Affairs

The challenges facing the global community at the present time are immense and require a global response.

It is obvious that a new discourse that accepts global responsibility and that has the capacity to recast, even replace, existing structures of economics, society and culture at global level is needed. It is needed in order to take on the challenges of climate change and the quest for sustainability, new threats to world peace and the need to recognise diversity, tackling an obdurate poverty that affects ever more people, or the need for inclusive models of development. The crisis in international institutions that have lost support and that urgently need reform cannot be ignored. It is clear that a common response from Europe is required.

This challenge has existed for some time, and it goes beyond the terms of the Lisbon Treaty. It is, however, a context that cannot be ignored. The issue that has to be decided immediately in the forthcoming referendum is as to whether this necessary response from Europe is assisted by a yes vote or a no vote.

Labour at our most recent Conference voted to support the adoption of the Lisbon Treaty. In adopting this position Labour is affirming its belief that the Treaty will deliver a structure that can address the administrative challenges of an enlarged, and enlarging, Union in a democratic way. Labour also recognises the challenges that remain in terms of the existing and future policy of the Union.

The kind of Europe towards which democratic socialist and Labour Parties have always aspired is one that envisaged an international community built on our common shared humanity characterised by such values as solidarity, equality, rights, justice, peace, and recognition of the value of work in all its aspects. This thinking has yet to be achieved at a general level within the Union and among member states.

Indeed Labour, while recognising and welcoming the leadership in such areas as climate change, including insistence on global targets, must remain concerned that the value of solidarity is reflected in association agreements with developing regions. In relation to these international agreements, the Lisbon Treaty simply continues the capacity, and the need, to define such relationships.

The debate on the European Union's relationship with the developing world has to be won among the citizens of Europe who in turn must ensure that their political will is



delivered into the Council by the member states. The existing mechanisms for transparency in the European Parliament and national Parliaments, irrespective of the Lisbon Treaty, need to be deepened and developed.

The project which Labour espouses as a member of the Party of European Socialists and the Socialist International, that includes the values of solidarity, equality, rights, justice, peace and recognition of the value of work in all its aspects, requires us to pursue our policies at both a national and transnational level. Labour has always been an international Party.

In a Report for the party of European Socialists, *'Europe and a new Global Order'*, Poul Nyrup Rasmussen, President of the Party of European Socialists, wrote:

"We need global progressive alliances for change. Such alliances will have to bring progressive political forces together around shared political aims. They will go beyond the borders of social democracy and include progressive civil society institutions, NGOs, trade unions and businesses devoted to building a sustainable world of democracy, peace, security and social justice."

That is the scale of the project with which we must engage. The Lisbon Reform Treaty is not established to achieve all of this, but some of its key elements will assist in creating a space for the project. For example, the establishment of the European Charter on Fundamental Rights as legally binding beyond national borders at European level is an advance, extending as it does the concept of democratic freedom beyond the civil and political area into the social and economic area.

Similarly, the incorporation of the European Convention on Human Rights into the Treaty represents an important step towards the universality of human rights. Such an explicit reference can be a valuable platform for departure towards acceptance on a general scale of the United Nations Charter with its aspiration for a universally accepted code of human rights. The proposals in relation to climate change and environmental responsibility, including the need for change in economic policies, is necessary, progressive and worthy of support.

The discourse that is necessary to address the current global challenges has to include civil, political, social, economic and cultural dimensions. For example, the imposition of a single model of economic growth cannot be allowed to defeat the important principles of cohesion. Hence the general emphasis in the Lisbon Treaty on a social economy has been welcomed by the European Trade Union conference.

The Treaty simply provides a space for a discourse that, while unavoidable and necessary, has not reached a conclusion on a number of fundamental issues of balance between, for example, cohesion and competitiveness. There is need for a wider, more inclusive debate beyond the decision on the Treaty that addresses all of these issues, issues that will decide the future direction of Europe.



Citizens of Europe must also participate in the debate on the efficacy of decision making and the achievement of a fuller transparency in decision making at every level of the European Union. The addressing of the democratic deficit poses challenges for the citizens of member states at the level of member states' institutions themselves. The democratic deficit is not simply European. It is also national and local.

The Treaty does not purport to solve all of the issues of democratic deficit currently in the European Union which are of concern to citizens. It recognises, however, the importance of citizen participation and goes some way towards reducing that deficit by, for example, increasing the powers of the European Parliament, allowing for transnational combinations of citizens' initiatives, and facilitating better scrutiny of national Parliaments. Much of the responsibility, however, of reducing the democratic deficit, we must accept, lies with member states, their Parliaments and their citizens.

A shared European view, reflecting a discourse that includes the values that Labour shares with other sister Parties in Europe, offers a better prospect of a new and more ethical global order than projects of the economically powerful, whether acting alone or in combination in such groups as the G8. This kind of shared European view offers the best prospect for addressing the global issues that now face us, whether in terms of climate change, world poverty, the achievement of the Millennium Development Goals, or the building of sustainable peace based on security, freedom from poverty, and the necessities of life.

Through our membership of the Party of European Socialists and Socialist International, the Labour Party is part of the international socialist movement working for equality and to empower citizens, consumers and workers in a world in which global economic forces tend to dominate over the individual and the local community.

For Labour and for our colleagues in sister parties throughout Europe, the purpose and practice of the European Union must relate to the fundamental needs of its peoples and citizens in terms of jobs, security and balanced overall development, within a democratic and participative framework. It must also relate, and respond effectively, to the great world challenges of peace, justice, sustainable development as well as combating climate change, hunger and poverty. The Lisbon Treaty does not guarantee that this will be the immediate European project. It does, however, make it possible for European citizens to seek and achieve these goals.

It is clear that an ideology of the market in economic policy does not of itself deliver either justice or efficiency. In order to serve society the market as economic mechanism requires to be governed by rules and standards which respect citizens' wider concerns and rights, such as workers' rights, environmental protection, consumers' rights and access to essential public services. It must also respect solidarity between the regions of the Union and between the Union and the world.



As the world's leading donor in Development Aid, the character and assumptions of the policy and practices of the European Union can give a lead. The opportunity of achieving a convergence on a rights-based Development policy is contained as a possibility within the Treaty. Again, it will be a matter for achievement, but the opportunity exists, as it does for structuring trade policy with the developing world in such a way that is both fair, globally responsible, and sustainable.

The possibility of achieving a common European Union position on an ethically driven foreign policy will remain a project of the member Parties of the Party of European Socialists. It is Labour's belief that the Lisbon Treaty offers an accessible space for such a discourse as will advance this policy.

The Treaty envisages a Europe of equality in all of its forms. As Rasmussen wrote:

"The old Europe was a Europe in which people were excluded, persecuted and oppressed because of ethnic origin. Over the last few decades, the EU has fixed common principles for combating discrimination, taken the lead in the fight against xenophobia and social exclusion and maintained high labour and social standards. Our vision of the new Europe is an inclusive society based on solidarity. Common principles will be translated into national and local policies, giving new opportunities to people who are marginalised or in danger of becoming so."

The history of Ireland's participation in the European Union is a positive one. Be it on issues of labour protection, of environmental responsibility, of equality, or the vindication of human rights, the experience has been one of being able to accelerate the movement towards deeper democracy and justice. This is an experience that a Europe with shared values can advance in a global sense.

The Lisbon Treaty is not an end point. Rather it is an opportunity, a platform from which new policies and thinking, which recognise our global interdependency, our intergenerational responsibility and our ethical obligations to each other, can evolve.

When the Treaty is accepted it should not be seen as the establishment of a single version of Europe. There will remain a need for a plurality of economic models of development. There will still be the need for new forms of connection between economy and society that would make economic policy accountable, and there will also be a need for new structures of decision making to achieve inclusion, transparency and accountability.

The necessity of establishing a dialogue between cultures and belief systems is one that is best shared by the member states of the European Union. Countries like Ireland that do not carry the burden of old empires or of a colonising history should seize the opportunity of contributing to a new version of Europe and the world.



Of its nature, the Lisbon Treaty represents a balance of both the aspirations and the reservations of the member states. In having to choose between a minimal approach which would encounter few reservations among the members states and their varying demands, or seeking to forge something of greater merit, it is creditable that the Treaty has chosen the latter.

The European Union will have a major role to play in what is now urgent: reform of the United Nations and its derived institutions such as the World Bank and the IMF. A European Union position committed to this reform can be a powerful voice. The kinds of reforms which are necessary at the level of the UN cannot come from the self-interest of nations who have acquired a strong position within the United Nations based purely upon being victors in World War Two, or on economic power alone.

A shared European view that represents all of the member states can be qualitatively different in its influence. Furthermore, it can help achieve the reforms that are appropriate for a body to which authority must be restored- the UN- that is genuinely global.

It can reflect a political will on behalf of the people of Europe that represents the best prospects for peace, security and sustainable development. The debate on the future of Europe requires all of our participation during and beyond the debate on the Lisbon Treaty.



IRELAND & THE EUROPEAN UNION

The European Union and the Lisbon Reform Treaty

JOE COSTELLO TD

Spokesperson on European Affairs

Fifty-one years ago, the European Union was born. Following two world wars which started in Europe in the space of a single generation and which killed tens of millions of people and destroyed dozens of countries worldwide, Jean Monnet and Robert Schumann had a vision for a European project which would put an end to war by eschewing national differences, pooling sovereignty and uniting people through their common interests.

"World peace cannot be safeguarded without the making of creative efforts proportionate to the dangers which threaten it.", wrote Schumann in the famous Schuman Declaration.

"Make men work together, show them that beyond their differences and geographical boundaries there lies a common interest" Monnet wrote. Thus the European Community came into being.

The European Community certainly helped build an unbroken peace in Europe for the next half century and it helped raise the living standards of the countries involved in the project.

The EU helped guide Greece, Portugal and Spain on the road from dictatorship to democratic government in the 1970's and 1980's.

It was the EU which processed the peaceful transition of twelve central and Eastern European countries to democracy in the 1990's and to membership in 2004 and 2007.

It is the EU which is peacefully engaged on the one hand, with the Balkan States an area of great potential conflict and, on the other, with Turkey, the bridge between Europe and the Middle East.

Closer to home, the EU provided Ireland and the UK with an important context with which to address the Northern Ireland conflict. John Hume has said that the EU has been the greatest peace process the world has ever seen.

In 1972 the Irish people voted overwhelmingly to join the EU, then the European Economic Community (EEC), in the hope of a better future.

It is difficult to avoid the conclusion that more has been achieved towards implementing the aims and ideals of the 1916 Proclamation and the 1918 Democratic Programme over the last 35 years of EU membership than had been achieved in the previous 50 years of isolated national independence. For a small country in the European Union on the periphery of Europe in an increasingly globalised world the old Irish adage rings true: - "Ní neart go gur le ceile!"



Much of the Equality legislation on our statute books comes from European directives and decisions in the European Court of Human Rights because of the failure of our own governments to vindicate the rights of our citizens.

Irish workers have benefited from a raft of social legislation such as working time, health and safety, protection of young workers, parental leave, equal pay and equality matters within the workplace.

The Common Agricultural Policy transformed Irish Agriculture providing farmers with a huge transfer of EU funds and with incomes no longer dependent on Britain's cheap food policy and price monopoly.

The EU structural funds and cohesion funds made a major contribution to the development of regional infrastructure. The education and training of our young people was hugely supported by the European Social Fund. Community Training Projects, Social Employment Schemes (now CE Schemes) were established by Ruairi Quinn, Minister for Labour in the 1980's, with European money.

A countrywide necklace of Institutes of Technology was established in the 1970s and 1980s with European money. They produced the young graduates with the high tech expertise that made Ireland the European hub for so many multinational companies at the cutting edge of the new technologies. Thus the Celtic tiger was born. It could not have happened without the European Social, Structural and Regional Funds.

Ireland, a country which exports 90% of its products has now a single market of 500 million people on its doorstep. At the time of membership Ireland was by far the poorest of the then 12 Member States. Ireland's Gross Domestic Product (GDP) was only 58% of the EU average in 1972. Today it is a huge 130% of the EU average and Ireland is the second wealthiest of the 27 Member States.

Clearly membership of the EU has had a significant and positive impact on who we are, what we are and where we are at this stage in our history.

The founding fathers of the Labour Party, James Connolly and James Larkin were internationalists. They rejected the imperialist world in which they lived. They believed that the progressive way forward was to build solidarity and equality between neighbouring countries and fellow workers in those countries

Neither they at the beginning of the 20th Century nor the Labour Party at the beginning of the 21st Century would have ever supported the narrow concept of sovereignty which suffocated Ireland for 50 years after the foundation of the State.

The European Project unites the countries and peoples of Europe by democratic consent on the basis of shared values and in so doing the participating countries agree to pool and share sovereignty in the pursuit of peace, prosperity and solidarity. At the same time the principle of subsidiarity and proportionality ensures that matters that can best be dealt with by the individual Member States are left to the individual States.



The Lisbon Reform Treaty

The Lisbon Reform Treaty is the latest in a long line of treaties on which the European Project has been constructed. The earlier treaties are: The Treaty of Rome 1957; The Single European Act 1986; The Maastricht Treaty 1992; The Treaty of Amsterdam 1997; The Treaty of Nice 2001. The main purpose of the Lisbon Treaty is to enable the enlarged European Union which consists of 27 Member States since 2007 to function more effectively, more efficiently and more democratically.

The text of the Reform Treaty is not for the faint hearted. It consists of a combination of new material, amendments of earlier treaties, declarations and protocols.

Main Provisions

- The Lisbon Reform Treaty restates the original values of freedom, democracy, equality and pluralism and the rule of law which underpinned the earlier Treaties.
- It states the objectives of the EU to be peace, free movement of people and goods, an internal market and a common currency, the combating of social exclusion and the sustainable development of the planet.
- From Labour's viewpoint one of the most significant sections of the Treaty is that dealing with fundamental rights. The Charter of Fundamental Rights will be legally binding on Member States once the Treaty is ratified.
- The comprehensive list of rights in the Charter fall under the headings of dignity, freedom, equality, solidarity, citizens' rights, including workers' rights, and justice.
- It is probably the most extensive and succinct statement of human rights and citizens' entitlements ever to be given legal form. Unfortunately, the UK has decided to opt out of the Charter's provisions.
- In addition the European Trade Union Congress succeeded in having a new article 136a inserted which makes legal provision for social dialogue and for recognition of the social partners.
- The Treaty contains new proposals for dealing with worldwide environmental problems particularly climate change and for development co-operation with third world countries to tackle global poverty. These were issues championed by the Labour Party to make the EU the leading world player in the area of climate change and global poverty and to give it a new international focus.

Democratic Deficit

The Treaty contains some important measures to bring the workings of the EU closer to the Member States and to make them more accessible.

There are new proposals establishing permanent structures to involve civil society and the churches in dialogue. There is the Citizens' Initiative whereby one million citizens from 15 or more States can initiate policies.



But most importantly there is a new role for National Parliaments in the legislative process. All EU legislative proposals must be forwarded to National Parliaments at the same time as they are sent to the EU Parliament and to the Council of Ministers from the Commission

National Parliaments may offer their own considered opinions to the Commission on whether an individual proposal complies with the principle of subsidiarity and proportionality. If one third of National Parliaments are dissatisfied with a legislative measure it must be reviewed by the Commission. If one half are dissatisfied the measure is referred to the European Parliament and Council for a final decision on compatibility with the principles of subsidiarity and proportionality. Finally those national parliaments which still dissent from the Commission's proposals can appeal to the European Court of Justice.

EU Institutions

The provisions of the Reform Treaty relating to the EU Institutions contain significant innovations. The purpose of these innovations is to streamline the institutions to enable them to work effectively in the enlarged European Union and to make the institutions more democratic and accountable.

1. EU Parliament:

Its role is strengthened in the following ways:

- a) The Parliament will have co-decision making powers with the Council of Ministers in most areas
- b) Qualified Majority Voting is expanded, giving the Parliament increased legislative voting rights
- c) The Parliament will have a new key role in approving the EU budget
- d) The Parliament has the new power to elect the president of the Commission

2. European Council

- a) The European Council becomes a formal institution of the EU for the first time
- a) A new office of President is created to chair and drive forward the Council's work.

3. Council of Ministers

The Council of Ministers will make decisions through a new more democratic double majority voting system. This requires 55% of Member States and 65% of population to support a legislative proposal before it can be carried. For greater transparency all Council deliberations will be in public. These changes will apply from 2014.



4. European Commission

- a) From 2014 membership of the Commission will be reduced to two-thirds of the number of member states. Rotation of membership will be on the basis of strict equality between the Member States irrespective of size. The entitlement of the large Member States two Commissioners has been abolished.
- b) The Commission President will be elected by the EU Parliament on the proposal of the EU Council.
- c) A new Vice-President of the Commission will hold the office of High Representative of the Union for Foreign Affairs and Security policy. The High Representative will represent the Union on foreign policy matters on the basis of decisions taken unanimously by the 27 Member States.

5. European Court of Justice

The membership of the European Court of Justice will be expanded to include one judge from each Member State. The Court will be the final arbitrator for legislative issues of subsidiarity and proportionality affecting Member States.

Conclusion

Past experience of the EU Treaty has been largely beneficial for Ireland. The EU has contributed enormously to the modernisation and industrialisation of Ireland. A country of endemic emigration and unemployment has become a country of high employment attracting large-scale migration from the new member states of Eastern Europe.

The new Treaty contains a strong social dimension with a legally binding commitment to the entire range of citizens' rights. In this respect, it reflects the Labour Party's ethos more than that of any other political party in Ireland.

The provisions on climate change, social inclusion and world poverty are core Labour issues. Their specific inclusion in the Lisbon Reform Treaty will have a major impact on the future direction and focus of the EU.

The section on institutional reform is necessary to make provision for the enlargement of the Union from the initial six countries to the present 27 and to ensure that the existing institutions can work effectively and with greater accountability.

To protect the principle of subsidiarity the Lisbon Reform Treaty confers important new powers on National Parliaments.



The traditional two areas of concern for Ireland remain unchanged.

- i. All decisions in relation to taxation must be by unanimity: Ireland can veto any proposal for a change in its tax regime.
- ii. Secondly any decisions on a common foreign and security policy are also taken by unanimity. Ireland cannot be coerced into a EU defence or military alliance. Our status as a neutral country is specifically protected in the Treaty. At the same time our proud role in military peacekeeping missions under the UN mandate and the Triple Lock guarantee will continue as before.

The Lisbon Reform Treaty consolidates the earlier treaties underpinning the European Union. It advances the European Project created of by Schumann and Monnet which has provided peace and prosperity on the continent of Europe for 51 years. It commits the EU to take up the challenge of giving world leadership to tackling urgent environmental issues and to the eradication of world poverty.

The Lisbon Reform Treaty contains much of the values and ethos of the Labour Party and is fully deserving of our support.



THE LISBON REFORM TREATY

A Renewed Future for Europe's Social Model

Proinsias De Rossa, MEP

In December 2001, the Laeken Declaration, made by the Prime Ministers of the 15 EU member states, clearly recognised the imperative for a “relaunch” of Europe in the context of the new global order. In that Declaration the social dimension of Europe was not only seen as fundamental to citizens’ support for the European Union project, but also as fundamental to what the European Union was about - the welfare and quality of life of Europe’s citizens and the contribution we could make as a united continent to the wellbeing of the world.

While the groundbreaking Constitution which emerged from the Convention set in motion by ‘Laeken’ was ratified in 18 Member States including by referenda in Spain and Luxembourg, it was rejected by referenda in two, in France and the Netherlands. The rejections were clearly not related to the social provisions as all opinion polls show that European citizens want more of social Europe, not less. Consequently the new social provisions have been carried forward virtually unchanged in the reform treaty. With this treaty we are on the point of completing the relaunch of Europe after 7 long years of debate, as a more democratic and socially engaged project with the citizen at its heart.

At the core of the European construction of a Common Market has been its social model. That model is first and foremost about values. Whichever Member State social system we examine we find the common values of equality and solidarity and redistribution as fundamentals, with universal, free or cheap access to education and health care, and a variety of other public services as the right of a citizen and held to be essential to creating the basis for a successful modern economy and a fair society. It is in this respect that our European model differs dramatically from the US model.

While academics distinguish 4 different social model types, the Nordic, Anglo-Saxon, Continental, Mediterranean systems, all with significant differences they also identify strong common features. All 27 Member States share the same objective of combining social justice with economic performance and competitiveness, using different instruments to reach the same goals. These national models are the result of long and complex historical processes in which the labour movement has played in the Member States, and continues to play, a significant role.

Developing the European Union Social Model

The EU is clearly a “work in progress”. Its boundaries and responsibilities are still the subject of constant renegotiation. The debate about the Lisbon Treaty in Ireland is part and parcel of that process as we seek to develop Europe’s democratic procedures and to broaden its responsibilities to cope with a world where nation states acting alone cannot hope to solve all their citizens’ problems. This is very evident in the area of climate



change and energy security. It is also evident in the tensions that are arising in many parts of Europe, including in Ireland, with regard to fears about a race to the bottom in working standards, due to inadequate national and European legislation to prevent exploitation of vulnerable workers.

The answer to these concerns is to ensure the application of the principle of equality for all workers regardless of their origin, so that companies are forced to compete on quality rather than the employment of cheap unregulated labour. The unacceptable face of Europe today is this kind of exploitation coupled with the fact that there are still in excess of 16 million people of working age who are jobless and over 72 million men, women and children who are at risk of poverty.

The new provisions for democracy and accountability, which Lisbon Treaty provides, will help us fight the battle to bring an end to such injustices. The stated values and objectives provide a better balance between economic and social Europe than exists in current Treaties. The new rights for citizens will help protect all from exploitation. The new transparency rules, which will apply to Ministers deciding on European regulations, will ensure that they cannot say one thing in Europe and say something else at home. The Labour Party in Ireland is determined use all the potential that the Treaty provides to pursue its social and economic agenda for a fair society.

Challenges

The Laeken Declaration recognised that the rationale for the creation and development of the EU was in need of restatement in terms that reflect today's political, economic and social realities. It recognised that the technological revolution was having a massive impact on the restructuring of work and the social relationships that it gives rise to; it recognised that the demographic evolution Europe faces confronts us with unprecedented problems. According to current trends, in 2050 there will be 60 million fewer inhabitants than today. By 2030 the number of people above 65 years of age will rise by 40 million, whereas the number of people between 15 and 64 years will decrease by 21 million.

These developments are the result of two factors. The first one is the rise in life expectancy. The second is the decreasing birth rate. These developments will have major consequences for prosperity and for the relations between the generations.

Further challenges to the European system are various facets of globalisation and the technological revolution, which make it easier and more financially attractive for companies to relocate to low wage countries which may be less developed with regard to labour, consumer and environmental protections.

On the other hand Globalization, for some Member States, including Ireland, has driven economic growth. However, some others countries have been experiencing difficulties in adapting themselves to this new reality, which has deepened the citizens' sense of disorientation, particularly in those Member States whose jobless levels are very high, and where integration of migrant workers and their families has not been successfully achieved. For these and many other reasons the reform of the European social model is, today, at the heart of the debate in Europe.





Strengthening Europe's Social Dimension

The Lisbon Treaty seeks to address all these issues and provides more democratic and effective procedures for doing so. The Labour Party has ensured by our engagement with the negotiations that the Lisbon Treaty says in the Preamble on page 10 for example: that Europe '(Draws) inspiration from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law'.

The Treaty also commits the Union in the new article 1a on page 11: the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice solidarity and equality between women and men prevail.

Article 2 on page 11 sets out the Union's commitment to: 'promote peace, its values, and the well being of its peoples'. These objectives also include: '...a highly competitive social market economy, full employment, the promotion of social justice, the combating of social exclusion, equality between women and men, protection of the rights of the child, solidarity among member states, respect for cultural diversity, sustainable development of the earth, fair trade, eradication of world poverty, the rights of the child, strict observance of international law, and respect for the principles of the UN charter'.

Article 3 on pages 12 and 13 sets out the limitations on the power of the Union and the enhanced role of the national parliaments in policing the implementation of the subsidiarity principle. That means that nothing may be done at a EU level that can be better done at the national or local level.

Virtually all European policies have a social dimension and therefore articles 5a and 5b on page 49 are extremely important horizontal clauses. That means they commit the European Union, in defining and implementing all its policies and activities, to take into account: '...requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health'. - and that it shall aim: '... to combat discrimination based on sex, racial or ethnic origin, religion, or belief, disability, age or sexual orientation'.

Article 6 on page 13 makes the citizens' European Charter of Fundamental Rights legally binding. That Charter incorporates social as well as human and civic rights, as and makes it clear that this does not extend the power of the Union, rather it imposes new obligations upon it. It also provides for the Union to join up to the European Convention for the Protection of Human and Fundamental Freedoms. Article 16b on page 51 lays down that '....everyone has the right to the protection of personal data concerning them'.



Public services and Semi-State Companies

Another important advance achieved by the Labour Party is the inclusion of a legal base for the development of a Framework Directive to defend public services in Article 16 on page 50. With this new provision we will be better able to ensure that public services are not undercut by the EU policy on competition. There is also a legally binding protocol on pages 158/159 which clearly establishes that the provision, commissioning and organisation of social services such as health services and education are matters for the Member State and may not be interfered with by the EU.

The traditional neutrality of the EU reflected in Article 295 of the existing treaties, with regard to who may own what is maintained. This guarantees that no member state can be obliged to privatise social services or semi-state companies. Such decisions continue to be a matter for the national governments. Aer Lingus, which is sometimes mistakenly cited as an example of forced privatisation, was in fact privatised by a decision of the Irish government. The EU had no hand-act-or-part in it, as confirmed publicly by the European Commission. Under Articles 87 and 88 on page 70 Member States are also free to continue to provide state aids to enterprises.

Ireland at present gives financial assistance to companies to tune of €1bn annually. Europe-wide state aids amount to €50bn annually. Europe has in fact, during the past year, introduced a new Globalisation Fund to assist employees where job losses have occurred as a result of globalisation under Article 159 of the existing treaties. Up to €500m can be spent in any one year on this fund.

Equality And Workers' Rights

The Charter of Fundamental Rights already referred to (article 6, page 13) includes many social rights that are not recognised in other rights' charters. For instance, it includes the right to fair and just working conditions, collective bargaining, and collective action, including the right to strike, equal pay for men and women, the right to social security and freedom from discrimination. Article 27 of the Charter, according to which information and consultation are a fundamental social right, means that workers in companies with less than 1,000 employees cannot any longer be excluded from this right. As a result the current threshold, which is fixed at 1,000 in current EU law, must be significantly reduced. The new treaty also reaffirms the existing obligation on the Commission to promote the consultation of management and labour at EU level and to consult the social partners before introducing proposals on social policy.

Migration And Asylum

The Treaty for the first time seeks to ensure that the EU can more easily put in place a common policy to properly manage migration into the EU, and to put in place a Europe wide asylum procedure that will ensure that people genuinely seeking to escape from brutal regimes can find a safe haven in Europe. Introducing majority voting and giving the European Parliament the right to amend proposals will make it more likely we can achieve this. It will enable us to ensure that a fair migration policy is put in place, which





will assist us in maintaining our economic dynamism while ensuring that economic migrants will not seek to avail of asylum.

As indicated above Europe needs to encourage people to come to Europe if we are to guarantee our economic survival. But this must not be done at the expense of the development of poorer regions of the world. It is also in our interests, as well as being the right thing to do, to ensure that our development and trade policies are fair and help bring an end to poverty, particularly to child labour and other human rights abuses.

Binding Commitments

These values and objectives and rights are not just a wish list. The Union under this Treaty will be legally obliged to pursue and to respect them. No European decision may be made contrary to them. If such a decision were contemplated, both national parliaments and the European parliament can shout stop. If such a decision was made it could be rendered null and void by the European Court of Justice in Luxembourg.

Conclusion

It is the firmly held conviction of the Labour Party, having participated fully in all the negotiations leading up to this Treaty, both directly and in association with our sister parties in the Party of European Socialists, that the European social model is advanced by this Lisbon Reform Treaty. It will help us to realise the ambitions of Europeans for our continent as an area of peace, prosperity and social justice, while contributing to world justice in the 21st century. As we said earlier, Europe is a work in progress. Much remains to be done. But we are confident that the Treaty gives us a firm foundation for advancing our social and economic and political agenda. We urge all who support a society based on the values which have evolved in Europe over centuries of democratic struggle, and who want them to be reinforced and developed, to support the Treaty in the referendum by voting yes.

(Page and article numbers are those in the Official Treaty Document C306.)



EXPLANATORY INFORMATION

THE LISBON REFORM TREATY AT A GLANCE

The main purpose of the Lisbon Reform Treaty is to enable the enlarged European Union (EU) consisting of 27 Member States to function more effectively and more democratically. The current structures of the EU were designed for 12 or 15 Member States. They now need to be adapted to take account of the large increase in the number of Member States. The proposed reforms are framed to ensure that the EU will better serve the interests of the people of Europe and will be better able to respond to the needs and challenges of today's European Union

Main Provisions

The Treaty restates the original values of freedom, democracy, equality and pluralism and the rule of law which underpinned the earlier Treaties. It further states the objectives of the EU to be peace, free movement of people and goods, an internal market and a common currency, the combating of poverty and social exclusion and the sustainable development of the planet.

Charter of Fundamental Rights

From Labour's viewpoint one of the most significant sections of the Treaty is that dealing with fundamental rights. The Charter of Fundamental Rights will be legally binding on Member States if the Treaty is ratified. The comprehensive list of rights in the Charter fall under the headings of dignity, freedom, equality, solidarity, citizens' rights, including workers' rights, and justice. It is probably the most extensive and succinct statement of human rights and citizens' entitlements ever to be given legal form.

In addition the European Trade Union Congress succeeded in having a new Article 136a inserted in the Treaty which makes legal provision for social dialogue and for recognition of the social partners.

The Treaty contains a new commitment to tackle worldwide environmental problems and contains new proposals for the eradication of world poverty. These were issues championed by the Labour Party so as to make the EU the leading world player in the area of climate change and global poverty and to give it a new international focus.

Addressing the Democratic Deficit

The Treaty contains some important measures to bring the workings of the EU closer to the Member States and to make them more accessible. There are new proposals establishing permanent structures to involve civil society and the churches in dialogue. There is the Citizen's Initiative whereby one million citizens from a significant number of Member States can initiate policies.



But most importantly there is a new role for National Parliaments in the legislative process. Under the Lisbon Treaty all EU legislative proposals must be forwarded to national parliaments at the same time as they are sent to the EU Parliament and to the Council from the Commission. Each National Parliament can offer its own considered opinion to the Commission on whether an individual proposal complies with the principle of subsidiarity.. One third of National Parliaments can cause a legislative proposal to be reviewed (the yellow card); one half of National Parliaments can cause a legislative proposal to be amended or withdrawn; and as a last resort each National Parliament can appeal against a legislative proposal to the European Court of Justice.

EU Institutional Reform:

The institutional provisions of the Lisbon Reform Treaty contain significant innovations. The purpose of these innovations is to streamline the EU institutions to enable them to work more effectively in the enlarged European Union and to make them more democratic and accountable.

1. European Parliament:

Under the Reform Treaty the role of the European Parliament is strengthened in the following ways: Areas of co-decision with the Council of Ministers have been expanded giving the European Parliament increased legislative voting rights. The Parliament will have a key role in the approval of the EU budget. It also has the powers to elect the president of the Commission on the proposal of the European Council.

2. European Council

The Council becomes a formal institution of the EU for the first time. There will be a new office of President elected for a renewable term of two and a half years to chair and drive forward the Council's work. The President will not have decision-making powers, but will co-ordinate the work of the European Council, chair its meetings, and provide continuity.

3. Council of Ministers

At present the Council of Ministers meets in camera. Under the Lisbon Reform Treaty proposals all its deliberations will be in public.

Under a new double Qualified Majority Voting (QMV) system the Council of Ministers will make decisions based on 55% of Member States and 65% of population. Thus, only those measures that genuinely command majority support can be adopted at EU level. The new QMV system will apply from 2014.

4. European Commission

From 2014 membership of the Commission will be reduced to two thirds of the number of member states. Rotation of membership will be on the basis of strict equality between the Member States irrespective of size. The Commission President will be elected by the EU parliament on the EU Council proposal. Two existing posts will be combined into a



new post of High Representative of the Union for Foreign Affairs and Security policy. The holder will be a Vice-President of the Commission.

5. European Court of Justice

The membership of the European Court of Justice will be expanded to include one judge from each Member State. The Court will be the final arbitrator for legislative issues of subsidiarity affecting Member States.

Taxation

All decisions in relation to taxation must be by unanimity: Ireland can veto any proposal for a change in its tax regime.

Protecting Ireland's Neutrality

All decisions on a **common foreign and security policy** are also by unanimity. Ireland's status as a neutral country is specifically protected in the Treaty. At the same time our proud role in military peacekeeping missions under the UN mandate and the Triple Lock guarantee is retained.

Conclusion

Ireland's experience of the European Union has been largely beneficial. Indeed on close examination It is difficult to avoid the conclusion that more has been achieved towards implementing the aims and ideals of the 1916 Proclamation and the 1918 Democratic Programme over the last 35 years of EU membership than had been achieved in the previous 50 years of isolated national independence.

The proposals on climate change and world poverty which reflect Labour Party policy will see Europe take a leading role in helping to resolve these issues. Moreover, the new Treaty contains a strong social dimension with a legally binding commitment to the entire range of citizens' rights. In this respect, the Lisbon Reform Treaty reflects the Labour Party's ethos more than that of any other Party.





THE LISBON REFORM TREATY YOUR QUESTIONS ANSWERED

Why does Europe need a new Treaty

The European Union of 27 members is operating with rules designed for an EU of 15. It needs to modernise and update its working arrangements to allow it work more efficiently and also more democratically. It makes sense to update the way in which it works.

What are the main institutional changes introduced by the Treaty?

a) European Parliament

Areas of co-decision with the European Council have been expanded giving parliaments increased legislative voting rights. It will have a key role in the approval of budget. It also has the powers to elect the president of the Commission on the Council proposal

b) European Commission

From 2014 membership of the Commission will be reduced to two thirds of the number of member states. Rotation of membership will be on the basis of strict equality between the Member States irrespective of size. A new position, Vice President of the Commission and High Representative of the Union for Foreign Affairs and Security Policy, will be created.

c) European Council

There is a new office of President elected for a renewable term of two and a half years to chair and drive forward the Council's work. The President will not have decision-making powers, but will coordinate the work of the European Council and chair its meetings.

d) Voting Procedures for Qualified Majority Voting (QMV)

There is a new double majority voting system. It requires 55% of Member States and 65% of population. This will apply from 2014. This means that only those measures that genuinely command majority support can be adopted at EU level.

Does the Treaty involve giving up national vetoes in many areas?

The Treaty does not involve changes in areas of sensitivity to Ireland such as taxation and defence. Unanimity is preserved for all decisions in these areas. This means that all Member States must agree to any new proposals in these areas.



What are the new policy areas covered by Qualified Majority Voting (QMV)

There will be an increase in the number of areas in which decisions can be taken by Qualified Majority Voting (QMV). Most of these are of a technical character or relate to areas where the union has only limited competence e.g. administrative cooperation; internal EU financial regulations; humanitarian aid operations.

Will national parliaments have a greater say in European affairs?

National Parliaments have been given special recognition in the Treaty. National Parliaments will have the power to have a say at a very early stage, before a proposal is considered in detail by the European Parliament and the Council of Ministers. If enough national parliaments object to a proposal, it can either be amended or withdrawn.

What is the Charter of Fundamental Rights and will it improve the rights of European citizens?

The Charter of Fundamental Rights provides for a comprehensive list of rights under the headings of dignity, freedom equality, solidarity, citizens' rights, including workers' rights, and justice. The Charter will be legally binding on Member States if the Treaty is ratified. It is probably the most extensive and succinct statement of human rights and citizens' entitlements ever to be given legal form.

How does the Treaty advance the cause of "Social Europe"

The Treaty of Lisbon contains a "social clause" whereby the social issues (promotion of a high level of employment, adequate social protection, fight against social exclusion, etc) must be taken into account when defining and implementing all policies. The Treaty makes legal provision for social dialogue and recognition of the social partners. The Charter of Fundamental Rights also contains a section on solidarity.

How does the Treaty address environmental issues such as climate change?

The Treaty of Lisbon states that one of the Union's objectives is to work for the sustainable development of Europe based, in particular, on a high level of protection and improvement of the quality of the environment. This will ensure the proper functioning of the energy market, in particular energy supply and the promotion of energy efficiency and energy saving, and the development of new and renewable forms of energy.

What will the Treaty do for countries needing development or humanitarian aid?

The Treaty of Lisbon introduces for the first time a specific legal basis for humanitarian aid. The Treaty clearly states that the reduction and the eradication of poverty is the primary objective of the Union's development cooperation policy. This goal must be respected when the Union implements policies likely to affect developing countries. This implies also that development policy is a policy in its own right, and not an accessory of common foreign and security policy.





Does the Treaty weaken Member States' ability to have an independent foreign policy?

No. The post of High Representative does not create new powers but streamlines EU external action avoiding duplication and confusion. He or she will act in foreign policy matters on the basis of decisions taken **unanimously** by the EU 27. He or she will complement not replace the foreign policy or diplomatic efforts of Member States.

Will the Treaty create a European army?

No. Military capabilities remain in national hands. The Treaty foresees that Member States can make available civilian and military resources to the Union for the implementation of its Common Security and Defence operations. However, any Member State has the right to oppose such operations and all contributions to them will be always on a voluntary basis. A group of Member States who are willing and have the necessary capability will be able to undertake humanitarian and rescue tasks, military advice and peace-keeping tasks. No Member State can be forced to participate in such operations. Ireland's neutrality is maintained as is its proud record of military service abroad on missions approved by the United Nations

How and when will the Treaty of Lisbon enter into force?

To come into force, the Treaty of Lisbon has to be ratified by all twenty-seven Member States. It is hoped that the Treaty will come into force by 1 January 2009, to allow its provisions to apply before the European Parliament elections in June 2009.





TEN REASONS TO VOTE YES TO LISBON REFORM TREATY

The EU Institutions

The main purpose of the Lisbon Reform Treaty is to streamline the Institutions of the EU and make them more transparent. The European Council will have an elected President to ensure continuity and chair meetings. The Council of Ministers will meet in public when adopting legislation. The voting system for the Council will be simplified and will continue to favour smaller countries. Decision-making will be based on a consensus approach. The European Commission will be reduced in size but membership will rotate on the basis of strict equality. The election of the Commission President will take into account the results of the European Parliament elections. The democratically elected European Parliament will gain influence through co-decision with the Council and control of the EU budget.

2. Values:

Article 2 of the Lisbon Reform Treaty states: "The EU is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a Society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail."

Article 3 (5) of the Lisbon Reform Treaty states: "In its relations with the wider world the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular, the rights of the child as well as the strict observance and the development of international law, including respect for the principles of the United Nations Charter".

These two statements of values constitute a magnificent foundation for creating a European Union of equal Member States and for determining that Union's relationship with the rest of the world.

3. The Charter of Fundamental Rights

The Charter of Fundamental Rights contains the body of civil, political, social and economic rights agreed by the EU in 2000. The emphasis on economic and social rights, including workers' rights, is unique. At present the Charter has the status only of a declaration of rights. When the Lisbon Reform Treaty is ratified it will be binding in Law. Then the Charter will inform all new EU laws and will become the European Citizens' Charter of Fundamental Rights.





4. EU Citizenship and The Citizens' Initiative

Under Article 8 of the Lisbon Reform Treaty "every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to national citizenship and shall not replace it". Article 8(b)4 states: "Not less than one million citizens who are nationals of a significant number of Member States may table the initiative of inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties".

Thus the Lisbon Treaty provides any citizen or group of citizens with an independent mechanism for placing an issue that they are deeply concerned about on the EU Agenda.

5. The Role of National Parliaments

For the first time National Parliaments of the Member States will have a direct role in framing EU legislation. At present the EU Commission proposes legislation and the Council of Ministers and the European Parliament frame the legislation.

Under the Lisbon Reform Treaty the Dáil and Seanad will play a key role in determining new EU laws. The EU will henceforth be directly accountable to our TDs and Senators.

6. Ireland's Neutrality

The Lisbon Reform Treaty does not alter Ireland's neutral status in any way. Under the Common Foreign and Security Policy all civil and military missions to be embarked on by the EU must be first agreed by all Member States and must be in accordance with the United Nations Charter. Ireland's proud record of participation in missions abroad under the UN mandate in places of conflict such as Kosovo, the Lebanon and, most recently, Chad will continue as before.

7. The Social Agenda

The European Trade Union Confederation succeeded in having a new article (Article 136a) included into the Lisbon Reform Treaty which makes legal provision for social dialogue and for recognition of the Social Partners. Social issues must be taken into account when defining and implementing all policies. For the first time there is a clear legal basis for EU laws to protect public services.

What this means in practice is that all EU laws will be "socially proofed" to ensure that they do not impact adversely on people's rights, on employment or on the wider community.



8. Global Poverty and Humanitarian Aid.

Under Article 188 (d) the Lisbon Reform Treaty states that “Union development co-operation policy shall have as its primary objective the reduction and, in the long-term, the eradication of poverty”.

In Article 188j a strong commitment is given to Humanitarian Aid “for the purpose of third countries which are victims of natural and man-made disasters”.

To encourage young Europeans to get involved in “humanitarian aid operations of the Union, a European Voluntary Humanitarian Aid Corps shall be set up” (Article 188j).

The eradication of poverty and the provision of humanitarian aid are important and idealistic new challenges for the European Union.

9. The Environment and Climate Change

The Lisbon Reform Treaty gives a strong commitment to environmental protection.

Article 37 of the Charter of Fundamental Rights states: “A high level of environmental protection and the improvement of the quality of the Environment must be integrated into the policies of the Union and ensured in accordance with the principle of sustainable development.”

Article 174 of the Treaty is amended to commit the EU to “Promoting measures at international level to deal with regional or worldwide environmental problems and, in particular, combating climate change”.

The Lisbon Reform Treaty gives a legal basis for combating climate change. This is the first time that this issue is included in an EU Treaty. Thus the EU is taking on a leadership role in tackling the most serious environmental problem facing the world, namely, climate change.

10. Taxation

The Treaty retains the critical provision that decisions on taxation are subject to unanimity. Vital Corporation Tax rates remain a matter for national sovereign decision.



