



# GENERAL SECRETARIAT OF THE COUNCIL OF THE EU

## *~INFORMATION NOTE~*

### TREATY OF LISBON

December 2009

The Treaty of Lisbon entered into force on 1 December 2009. Here is a brief summary of the main changes:

#### **A single legal personality**

On 1 December 2009 the European Community was replaced by the European Union which succeeds it and takes over all its rights and obligations. The Treaty on European Union keeps the same name and the Treaty establishing the European Community becomes the Treaty on the Functioning of the European Union

#### **A President of the European Council**

A new political figure has come on the scene: the fixed full-time President of the European Council. The President's main task is to ensure the preparation and continuity of the work of the European Council – which becomes an institution in its own right – and to facilitate consensus. He will, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy. The role of President of the European Council is not compatible with other national offices. The European Council has elected Mr Van Rompuy to this post for a term of two and a half years, renewable once.

See the information note on [the President of the European Council](#).

# P R E S S E

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## **A High Representative of the Union for Foreign Affairs and Security Policy**

The High Representative combines three different functions: she will be at once the Council's representative for the CFSP (Common Foreign and Security Policy), the President of the Foreign Affairs Council and a Vice-President of the Commission. She is responsible for steering foreign policy and common defence policy. She also represents the Union on the international stage in the field of the CFSP. The post is designed to enhance the consistency and unity of the EU's external action. Ms Catherine Ashton has been appointed by the European Council with the agreement of the President of the Commission. She will receive the consent of the European Parliament (when it votes on the Commission as a body). Her term of office (five years) coincides with the Commission's term of office. In fulfilling her mandate, the High Representative will be assisted by the European External Action Service and will have authority over some 130 delegations of the Union in third countries and to international organisations.

See the information note on [the High Representative for Foreign Affairs and Security Policy](#).

## **A new European External Action Service**

The Treaty of Lisbon sets up a European External Action Service (EEAS). It will work in cooperation with the diplomatic services of the Member States and will comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services. The Treaty stipulates that the organisation and functioning of the EEAS will be established by a decision of the Council. The Council will act on a proposal from the High Representative after consulting the European Parliament and obtaining the consent of the Commission.

## **Double majority (qualified majority) in the Council**

Up to now, when the Council voted on the basis of a qualified majority, the number of votes attributed to each Member State was predetermined by the Treaty itself (applying a scale ranging from 29 votes each for the four largest Member States to 3 votes for the smallest). That system will continue until November 2014. From then on, the definition of the qualified majority by which the Council will adopt a large number of its acts (except where the Treaty expressly requires unanimity or a simple majority) will be different: it will then be a double majority so that, in order to be adopted, an act must have the support of at least 55 % of the EU Member States (i.e. 15 Member States in a Union of 27) and at least 65 % of the population of the EU. A blocking minority must include at least four Member States. However, between November 2014 and March 2017, any Member State may request that the current weighted voting system be applied instead of the new double majority system.

Note, too, that the Council is obliged to meet in public when it deliberates and votes on European legislation.

## **Codecision extended**

The "ordinary legislative procedure" will be codecision with the Parliament, with a qualified majority in the Council. This procedure has been extended to some forty fields, the most important of which relate to justice and home affairs. Areas such as tax matters, social security, foreign policy, defence, operational police cooperation, etc. will still require unanimity in the Council.

## **Setting the number of MEPs**

The number of MEPs cannot exceed 751 and the breakdown of parliamentary seats between Member States will be degressively proportional. The Treaty also stipulates that no Member State can have fewer than 6 or more than 96 seats.

## **A new role for national parliaments**

National parliaments will have eight weeks to examine draft European legislative acts. If a third of them (a quarter in the field of Justice and Home Affairs) oppose a draft, the Commission must review it. Moreover, if over half of all national parliaments oppose an act subject to codecision, the European legislator (a majority of the European Parliament or 55 % of the votes in the Council) must decide whether or not to proceed with the legislative process. National parliaments may also take a case to the European Court of Justice if they consider that a legislative act is contrary to the principle of subsidiarity.

## **Citizens' right of initiative**

A million citizens may sign a petition inviting the Commission to submit a proposal on any area of EU competence.

## **The Charter of Fundamental Rights**

The Treaty confers on the Charter the same legal value as the Treaties.

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