

Lisbon, 19 October 2007

The Reform Treaty will enhance the Union's capacity to act, especially in view of new global challenges - and issues which matter to citizens - such as climate change, energy security international terrorism, organised cross-border crime, immigration, further enlargement.

The Reform Treaty will also increase the efficiency and effectiveness of the decision-making mechanisms, improve the democratic accountability and rule of law.

Even if it no longer presents constitutional characteristics, it preserves the most important successes of the Constitution (with some substantial exceptions for the UK and some other MS):

- The substantial extension of the codecision made by the Constitution has been maintained completely in the Reform Treaty with the result that codecision will become the ordinary legislative procedure. Generalisation of codecision will assure democratic legitimisation of European legislation.
- Qualified majority voting becomes the general rule in the Council. Its definition as a double majority of 55% of the States representing 65% of the population is kept, although it will not come into force until 2014 . It will also be subject to a 3-year transitional period until 2017 during which a decision could be blocked in accordance with the voting rules set out in the Nice Treaty.
- On the new composition of the Parliament the IGC agreed on the proposal made by the Parliament with the addition of one seat. This seat will be attributed to Italy. So the Parliament will be composed by 750 members plus its President.
- Institutional progress is consolidated, in particular with the creation of a permanent President of the European Council.
- A 'double-hatted' High Representative for Foreign Policy will chair the Foreign Affairs Council and be assisted by a European External Action Service. The High Representative appointment will be done on an interim basis until after the European election and in accordance with the Parliament. After the European elections, the High Representative will be treated like the other Commissioners. (the Commission as a body will be subject to a vote of consent by the European Parliament).
- The progress made in the sphere of Common foreign and security policy has been kept completely. The same applies to the complete communitarisation of the area of Freedom, Security and Justice, even though exceptions for United Kingdom and Ireland are laid down.
- The COM-president will be elected by the European Parliament by a majority of its component members. The candidate is proposed to the European Parliament, by the European Council, who nominates the candidate by qualified majority, taking into account the elections to the European Parliament and after having held the appropriate consultations.

- The single legal personality of the Union is kept and the pillar structure disappears.
- The Charter of Fundamental Rights is legally binding and has the same legal rank as the Treaties although its text will not be in the Treaty. The Charter will be formally proclaimed by the Presidents of the three institutions in the European Parliament on the 12th of December. A Protocol, to which Poland has also adhered, introduces specific measures for the United Kingdom establishing exceptions with regard to the jurisdiction of the European Court of Justice and national courts for the protection of the rights recognized by the Charter.
- The new legal bases for energy, tourism, sport, space, administrative cooperation are kept and furthermore environment policy has been supplemented by a reference to climate change.
- Simplification of procedures, including the budgetary procedure, and the equality of the Parliament and the Council in codecision are safeguarded.
- A new mechanism that permits national parliaments to control subsidiarity has been introduced: If 55% of national parliaments adopt a reasoned opinion stating that a legislative proposal does not respect the principle of subsidiarity, the Council and the Parliament will have themselves to vote as to whether the proposal can go forwards. If either the Parliament or the Council agrees with the national parliaments to not move the legislation forward, the proposal is rejected.
- A clear and precise division of competences is maintained, accompanied by a flexibility clause.
- The hierarchy of norms is preserved through the distinction to be made between legislative acts, delegated acts and implementing acts, although the terms "law" and "framework law" have been abandoned in favour of keeping the present terminology (directives, regulations and decisions).
- The simplified procedures for amending the Treaties with regard to policies and procedures are maintained.
- It will continue to be easier than at present to have recourse to enhanced cooperation.