

# briefing

## European Parliamentary Labour Party

### Reform Treaty

Effective cooperation with our European neighbours is vital in tackling today's cross-border challenges, and the European Union provides an essential framework for this.

The EU has now expanded to 27 countries; it stands to reason that it cannot continue to operate in the same way as when it was a union of 15. The Reform Treaty proposes a package of sensible measures to ensure that the European Union can deliver successfully despite its new size; and the EU is fit to meet the growing challenges of the 21st century.

**Q: Is the reform treaty the same as the Constitutional Treaty?**

A: All EU countries agreed explicitly that the constitutional concept is "abandoned".

The plan to repeal all existing EU treaties and replace them with a "Constitution" has been scrapped. Instead the already existing treaties will be amended. EU leaders also agreed that constitutional references, such as marking EU identity by flags and anthem, should be discarded.

The new Reform Treaty is a pragmatic and comparatively modest treaty, less significant than the Treaties of Maastricht or Amsterdam.

The UK government has also secured a specific deal to prevent any unnecessary transfer of powers to the EU. The Labour government negotiated four "Red Lines" they would not see crossed, which are:

- The UK has a right to opt in to or out of immigration and criminal law legislation, protecting our common law system and judicial processes
- The UK has a legally binding protocol on the Charter of Fundamental Rights, to clarify that it does not affect domestic law
- A clarification that foreign policy decisions will remain in the hands of the member states
- A string of safeguards protecting our social security system

**Q: Will there be a new "President of Europe"**

A: No. the President of the European Council is simply the existing role of Council president - but for thirty months instead of changing every six months. He or she will be chosen by, and responsible to, elected national leaders.

**Q: Will an EU Foreign Minister control Britain's foreign policy?**

A: No. The proposal for a "Foreign Minister" has been dropped. The current EU High Representative for the Common Foreign and Security Policy and the Commissioner for External Relations will be merged into a single job. This is intended to avoid wasteful duplication and enable the EU to act effectively at an international level.

The High Representative will report to the member states on foreign policy- that is the 27 national Foreign Ministers in the Foreign Affairs Council and the 27 national leaders at the European Council. Therefore, it will be the Member States, acting by unanimity that set the EU's common foreign policy objectives. And it will be the Member States that task the High Representatives to take forward agreed activity.

Where Members States do not agree, they can and will continue to act independently.

**Q: Will the Treaty reduce national parliaments to the level of regional assemblies?**

A: No. The Reform Treaty will increase the role and powers of national parliaments. For the first time, national parliaments will have a direct role in deciding whether EU legislation is necessary.

**Q: Will the European Council's role change?**

A: No. The Council consists of leaders of the 27 member states and will continue to define the political direction for the EU, acting by consensus. The President of the European Council will be selected by national leaders for a thirty month period and will be accountable to them.



**Socialist Group in the  
European Parliament**

**European Parliamentary  
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**Q: Will the UK lose control of its borders?**

A: No. The UK will retain its border controls. We will be able to choose whether or not to participate in measures on issues such as immigration, asylum and combating terrorism and organised crime.

**Q: Is the UK surrendering vital powers to Brussels over fundamental issues of sovereignty?**

A: No. The UK has maintained national control over key areas including justice and home affairs, social security, tax, foreign policy and defence (our Red Lines). The Reform treaty will not transfer power away from the UK on issues of fundamental importance to our sovereignty.

**Q: Has the UK opted out of the Charter of Fundamental Rights?**

A: No. Britain is already a party to the Charter, which was proclaimed with the 2001 Treaty of Nice. As part of Britain's Reform Treaty deal, the government negotiated a legally-binding UK specific protocol to put beyond any doubt that the Charter does not extend the powers of any court, whether in the UK or in Europe, to strike down British legislation.

What the charter does do is ensure that the EU institutions respect the same rights that member states already respect. These rights lie at the heart of the Labour Party's principles and at the core of the Government's policy agenda.

**Q: Will the Reform Treaty affect the Social Chapter?**

A: No. The UK ended its opt-out of the Social Chapter in 1997. The Reform Treaty does not alter this.

As long as we have a Labour government, the rights contained within the Social Chapter will be enshrined in UK law. These include statutory holiday entitlement, additional parental leave, rights for part-time workers, and greater protection from sex discrimination.

David Cameron has pledged that a Conservative government would withdraw the UK from the Social Chapter, putting existing workers' rights at risk.

**Q: Does the Reform Treaty warrant a referendum?**

A: No. The UK has never held a referendum on any international or European treaties. The only referendum was in 1975 on whether we should be a member of the EU or not. Britain's tradition is as a parliamentary democracy, and like with previous treaties, the Reform Treaty should be scrutinised, debated and voted on by our representatives in the Houses of Parliament.

The proposal to replace the treaties with a constitution might have warranted a referendum. This would have been a significant decision for Britain. However, all such controversial constitutional elements have been dropped from the Reform Treaty. The new Treaty proposes changes which are far less significant than the Maastricht or Amsterdam treaties.

The vast majority of those calling for a referendum are rightwing Euro-sceptics who see this as an opportunity to weaken the UK's position within the EU or even to leave it. In today's globalised world this is extremely damaging. Membership of the EU is essential to tackling cross-border issues such as climate change, terrorism and consumer rights.

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