

After Lisbon book announced

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The IEL's Professor Martin Trybus and Dr Luca Rubini have signed a publication contract with Edward Elgar Publishers for an edited collection of 24 chapters based on a selection of papers given at the recent IEL 'After Lisbon' conference in Birmingham. The book will have the title 'The Future of European Law after Lisbon' and should be on the shelves by late 2011 or early 2012.

On 1 December 2009, after a second Irish referendum and the signature of the Czech and Polish presidents, the Treaty of Lisbon finally entered into force. The journey to this new version of Treaty on European Union and the new Treaty on the Functioning of the European Union had been a long one. Following the groundbreaking Treaty of Maastricht 1992 and the reforming Treaties of Amsterdam 1997 and Nice 2000, the European Union had embarked on an ambitious process towards a 'constitution'. However, the Constitutional Treaty, carefully prepared by the Constitutional Convention from 2001 to 2003, and signed by the Member States in 2004, was rejected in referenda in France and the Netherlands in 2005. This prompted the formal abandonment of the Constitutional Treaty, a period of reflection, and finally, in 2007 the Treaty of Lisbon, which successfully completed its ratification process in all 27 Member States in November 2009. In 2010 the impacts of the changes involved in the new Treaty are only beginning to be felt.

While abandoning its 'constitutional decorum', [\[1\] \(http://www.iel.bham.ac.uk/news/after-lisbon-book.shtml#n1\)](http://www.iel.bham.ac.uk/news/after-lisbon-book.shtml#n1) the new Treaty on European Union and the Treaty on the Functioning of the European Union contain most of the substantial changes envisaged in the Constitutional Treaty. The European Community ceases to exist and is replaced by the European Union, which has international legal personality. The three pillar structure of the Union is formally abolished, affecting especially the former third pillar on Cooperation in Justice and Criminal Matters. The Charter of Fundamental Rights becomes legally binding, although not as an integral part of the Treaty itself. The new permanent President of the European Council is the new figurehead of the Union, although without, it appears, at the same time really abolishing its rotating presidencies. A new External Action Service of the EU is to take responsibility for all external relations, even when its head has to accept the title of 'High Representative' rather than that of 'EU Foreign Minister'. The Common Security and Defence Policy introduced a collective defence commitment of the Member States. Qualified majority voting in the Council and co-decision with the European Parliament have become the default law making procedure of the Union. There are amendments concerning the powers of the European Court of Justice, the internal market regime, competition law, and other core areas. All these changes are to be subjected to a thorough legal analysis in the 24 chapters of this book.

Most substantial changes to what will now have to be called 'European Union law' require and will receive analysis with respect to both their content and likely impact. However, the possible shortcomings of these changes will also be highlighted. Even though the Treaty of Lisbon is likely to stay in force for a long time to come, the academic and political discussion about the 'next Treaty' already began shortly after 1st December 2009. This book also aims to make a contribution to this discussion, which has only just begun. Both with respect to the changes introduced by the Treaty of Lisbon and the emerging discussion on its contents, shortcomings, and impact on the one hand and the beginning discussion on the 'next Treaty', this is an early yet timely book on the current and the next chapter of European law and integration.

[\[1\]](#) Flag, anthem, motto, and parts of the terminology, including the name 'constitution'