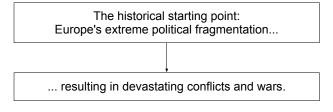
The historical background

Chart 2 | 1

Topic:

European integration needs to be seen against its historical background: devastating wars and the ensuing need for peace and stability.

Need for integration as a consequence of armed conflicts





Early on: idea for European integration

E.g. William Penn's idea of a European Parliament (1693).



Conflicts culminating in World Wars I and II

"The shadow of war factor"

Prompts integration attempts in three fields in particular, on both the global and regional (i.e. European) levels; see *Chart 2/2, Chart 2/28*.

Politics Defence / security Economics

International cooperation and plans for European integration

Chart 2 | 2

Topic:

After World War II, tangible cooperation happened first on the global level. While suggestions and plans were also made on the European level, what was in mind here was more than mere cooperation.

International cooperation on the global level

Various international organisations and fora for international cooperation in different fields, including in particular:

Politics

1945: United Nations (UN).

Defence / security

- 1949: North Atlantic Treaty Organization (NATO).
- Subsequently, 1973:
 Conference for Security and Co-operation in Europe (CSCE), since 1995 the broader Organization for Security and Co-operation in Europe (OSCE), including non-European countries. The OSCE is not an international organisation but merely an international forum.

Economics

- 1945: International Monetary Fund (IMF).
- 1947: General Agreement on Tariffs and Trade (GATT); since 1995 part of the World Trade Organization (WTO).
- 1948: Organisation for European Economic Cooperation (OEEC); since 1960 the broader Organisation for Economic Co-operation and Development (OECD).

Europe: Suggestions and plans for integration in three fields

Politics

- 1946: Proposal by Winston Churchill (former UK Prime Minister), Zurich University, Switzerland: "A kind of United States of Europe".
 NB: proposal excluded the UK.
- 1948: Hague Conference (Congress of Europe): promotion of "the European idea", presided over by Winston Churchill.

Defence

1950: Pleven Plan for a European army.

Economics

- 1950: Schuman Plan for the pooling of coal and steel resources in Europe (industries necessary for traditional warfare).
- 1956: Spaak Report for broader economic integration in Europe.

Attempts to create European Communities in different fields

Chart 2 | 3

Topic:

In the 1940/1950s, concrete plans for European integration were made in the fields of defence, politics and economics. At the time, only the third succeeded.

Attempts for European integration through supranational Communities

- · Aim: to achieve peace, stability and welfare in Europe.
- · Participating European States: France, Germany, Italy, Belgium, the Netherlands, and Luxembourg.

Politics

1949: Draft Treaty on a European Political Community - shelved after France's refusal to ratify the Defence Treaty.

Defence

1952: Signing of the Treaty on a European Defence Community - but not ratified by France in 1954.

Economics

Signing of three European Community Treaties:

- 1951: Coal and Steel Community (ECSC);
- 1957: Atomic Energy Community (Euratom);
- 1957: European Economic Community (EEC).

Did not succeed.

Did not succeed.

Did succeed: see Chart 2/4.

Instead in the fields of politics and defence: Traditional intergovernmental cooperation

- As of the 1960s: informal meetings of Heads of State and Government, eventually called "European Political Cooperation". Subsequently to become the European Council, a political institution of the EU, Art. 13 TEU; see Chart 3/1.
- 1949: Council of Europe, with the European Convention on Human Rights (the latter is mentioned in Art. 6 TEU; see Chart 7/11).

1953: Western European Union

Later to become important due to the so-called "Petersberg tasks", which were incorporated into Art. 43 TEU.

Three European Communities

Chart 2 | 4

Topic:

In the 1950s, three European Communities were set up. Two of these concerned economic integration in specific fields, while one was general in nature. The lifetime of one Community was limited to a specific term of years.

1950s: three European Communities

European Coal and Steel Community (ECSC)

European Atomic Energy Community (Euratom)

European Economic Community (EEC)

Signature and entry into force

- Signed in 1951 in Paris("Paris Treaty");
- Entry into force on 24 July 1952.
- Signed in 1957 in Rome ("Rome Treaty");
- Entry into force on 1 January 1958.
- Signed in 1957 in Rome ("Rome Treaty");
- Entry into force on 1 January 1958.

Content

Common rules on coal and steel

Common rules on atomic energy

Originally: Common rules on economic matters other than those covered by the two specific Treaties.

Since the expiry of the ECSC Treaty also coal and steel matters.

Nature

Detailed treaty (so-called "traité-loi", i.e. "law treaty")

Detailed treaty ("traité-loi", i.e. "law treaty")

Due to its broad scope a mere framework treaty ("traité-cadre", i.e. "framework treaty"). Basic rules only, to be fleshed out/complemented by secondary law.

Duration

Concluded for 50 years

Expired 23 July 2002

Matters formerly covered by this Treaty were then covered by the EC Treaty and are now covered by the TEU and the TFEU. Concluded for an unlimited period

Still in existence

Concluded for an unlimited period

As of 1 December 2009 integrated into the EU

See Chart 2/16

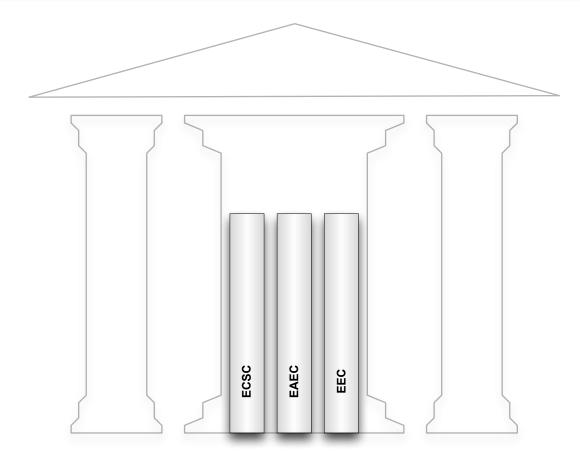
Groundwork for the subsequent European Union

Chart 2 | 5

Topic:

The three European Communities represented the beginning of what would subsequently become the European Union in its original form.

The European Communities: the beginning of an important edifice



ECSC: European Coal and Steel Community
EAEC ("Euratom"): European Atomic Energy Community
EEC: European Economic Community

Treaties:

Individual treaties for the individual Communities: ECSC Treaty, Euratom Treaty, EEC Treaty respectively.

Different approaches to European integration

Chart 2 | 6

Topic:

Upon their creation, the three European Communities represented a particularly strong and at the time original form of integration. Countries that did not agree with this supranational approach opted for less far-reaching alternatives.

Different approaches to integration and cooperation

Approaches in the European Communities, EEA and EFTA

The European Communities (ECSC, Euratom, EEC)

The European Economic Area (EEA)

The European Free Trade Association (EFTA)

Signed in 1951 in Paris (ECSC) and in 1957 in Rome (Euratom, EEC); see *Chart 2/4*

Signed in 1992 in Oporto

Signed in 1960 in Stockholm ("Stockholm Convention")

Revised 2001 in Vaduz ("Vaduz Convention"), adding some new areas of cooperation (including e.g. free movement of persons)

Supranational approach:

Strong international law, as expressed in e.g.:

- The powers given by the Member States to the Communities; see Chapter 4;
- The legal personality of the Communities;
- A sophisticated enforcement system based on cooperation between national courts and the European Court of Justice; see Chapter 12;
- The effect of EC law in the legal orders of the Member States; see *Chapter 6*.

Mixed approach:

Weaker than the EC but stronger than the EFTA

As far as goods are concerned, "a fundamentally improved free trade area"; EFTA Court in *Maglite* (1997)

Intergovernmental approach:

Comparatively weak public international law; mere cooperation

From the Communities to the Union

Chart 2 | 7

Topic:

In 1992 the Member States revised the existing Community Treaties and concluded a new Treaty on European Union. The EU was created as an overarching structure over the three Communities and included two new areas of cooperation.

The Maastricht Treaty (1992/1993)

1992: Signing of the **Treaty on European Union** in Maastricht, the Netherlands ("Maastricht Treaty")

Art. A of the EU Treaty: "The Union shall be founded on the European Communities, supplemented by the policies and forms of cooperation established by this Treaty."

New policies and forms of cooperation:

- · Common Foreign and Security Policy (CFSP);
- Cooperation in the Fields of Justice and Home Affairs (JHA; name subsequently changed; see Chart 2/11).

Renaming of the EEC into the more general EC; see Chart 2/8.

Thus

- 1 European Union including, among other parts, 3 European Communities;
- 4 Treaties (1 x EU, 3 x EC);
- · ECs with, but EU without explicit legal personality.

Challenges to the EU Treaty in some Member States, e.g.:

- Initially negative popular vote in Denmark (led to renegotiations and special deals);
- The Maastricht Judgment (1993) of the German Constitutional Court.

Entry into force on 1 November 1993

What's in a name? From the "EEC" to the "EC"

Chart 2 | 8

Topic:

Through the Maastricht Treaty, the *European Economic Community* (EEC) was renamed *European Community* (EC) in order to reflect the corresponding broadening of the aims of the Community.

1957/1958: The "European Economic Community" (EEC)

1957/1958: Focus on economic integration

Market-oriented approach: integration through the establishment of a common market and the progressive approximation of the economic policies of the Member States (Art. 2 of the EEC Treaty).

Though early on it contained certain social side aspects; e.g.:

- The right of migrant workers and the selfemployed to bring family members to the host Member State;
- Rights of family members of migrant workers;
- The right to remain in the host Member State after retirement;
- The development of social law at a time when the EEC had no explicit competence in this field.

See Chart 7/20, Chart 7/21, Chart 10/3

Later no longer purely economic in nature

Development through treaty revisions (see *Chart 2/26*), secondary law and case law; e.g.:

- Residence rights for persons independent of their status as economic agents; see Chart 7/20;
- Environmental law;
- Much stronger social law; see Chapter 10;
- Human rights; see Chart 1/11.

1992/1993 new name: The "European Community" (EC)

Maastricht Treaty (1992/1993); see Chart 2/7

The metaphor of a temple with three pillars

Chart 2 | 9

All rights reserved.

Topic:

The original EU was often compared to a temple whose roof rested on three pillars.

The "temple" according to the Maastricht Treaty (1992/1993)



CFSP: Common Foreign and Security Policy
ECSC: European Coal and Steel Community
EAEC ("Euratom"): European Atomic Energy Community
EC: European Community (formerly "European

Economic Community")

JHA: Justice and Home Affairs (name later changed)

Treaties:

For the EU as a whole: The EU Treaty
Specifically for the ECs: The three EC Treaties

Nature:

First pillar: Supranational

Second and third pillar: Intergovernmental in principle

Structure of the original EU Treaty

Chart 2 | 10

Topic:

The original EU Treaty contained: 1) provisions amending the three pre-existing Community Treaties, 2) provisions on the new areas of cooperation and 3) common provisions for the entire EU structure.

Structure of the original EU Treaty (1992/1993)

The temple's roof

Titles I and VII	Provisions common to all three pillars	

The temple's pillars

Pillar 1	Titles II, III, IV	Amendments to the pre-existing Community Treaties	
Pillar 2	Title V	Common Foreign and Security Policy	
Pillar 3	Title VI	Cooperation in the fields of Justice and Home Affairs	

The Amsterdam revision

Chart 2 | 11

Topic:

Through the Amsterdam revision, parts of the third pillar of the EU were moved into the first pillar and thereby given a stronger legal footing ("communitarisation").

Structural changes through the Amsterdam revision

The Amsterdam Treaty (1997/1999)

Brings about important structural changes

Action

Moving part of Title VI (third pillar) into Title II (first pillar); so-called "communitarisation".

Result:

- New name for the now smaller third pillar: "Provisions on Police and Judicial Cooperation in Criminal Matters" (PJCCM);
- Enlarged first pillar: new Title IV in Part Three of the EC Treaty concerning visa, asylum and immigration ("an area of freedom, security and justice").

Further:

New title on "Closer cooperation", allowing for variable geometry/specific law for (groups of) Member States instead of uniform law for all; see *Chart 1/7*. Provides a formal mechanism for introducing specific law. This title allows (groups of) Member States to introduce further harmonising law amongst themselves but within the framework of the EU.

Note:

Not used so far in practice. In fact, Member States have actively sought to avoid using this procedure; e.g. the Prüm Convention (building on the Schengen law) was concluded outside the EU Treaty framework as an ordinary treaty under public international law.

Entry into force on 1 May 1999

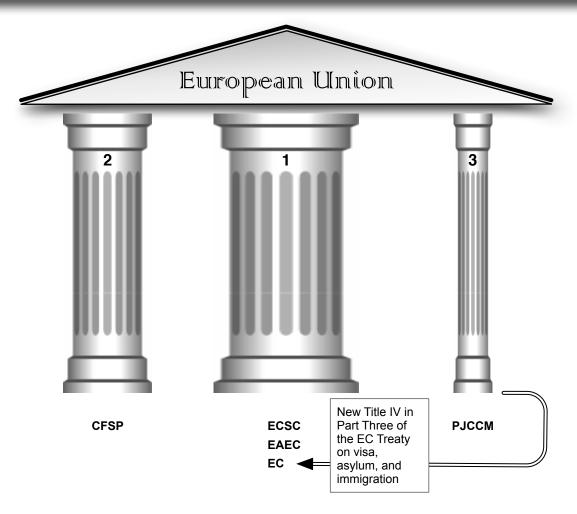
The temple after the Amsterdam revision

Chart 2 | 12

Topic:

The Amsterdam revision resulted in an enlarged first pillar and in a smaller third pillar. The latter was given a new name.

The temple after the Amsterdam revision (1997/1999)



CFSP: Common Foreign and Security Policy ECSC: European Coal and Steel Community EAEC ("Euratom"): European Atomic Energy Community

EC: European Community

PJCCM: Police and Judicial Cooperation in Criminal Matters

Note:

No structural changes came about as a result of the Nice Treaty (signed in 2001, entry into force on 1 February 2003); see *Chart 2/26*.

Structure of the EU Treaty after the Amsterdam revision

Chart 2 | 13

Topic:

The updated version of the EU Treaty after the Amsterdam revision contained: 1) provisions amending the three preexisting Community Treaties, 2) new provisions on the two areas of cooperation, 3) provisions on closer cooperation and 4) common provisions on the entire EU structure.

Structure of the EU Treaty after the Amsterdam revision (1997/1999)

The temple's roof

Titles I and VIII	Provisions common to all three pillars
Title VII	Provisions on closer cooperation

The temple's pillars

Pillar 1	Titles II, III, IV	Amendments to the pre-existing Community Treaties	
Pillar 2	Title V	Common Foreign and Security Policy	
Pillar 3	Title VI	Police and Judicial Cooperation in Criminal Matters	

Amsterdam renumbering

Chart 2 | 14

Topic:

In the course of the Amsterdam revision, the Member States decided to create consolidated versions of the Treaties, containing only the valid articles and using consecutive numbers for these provisions. Consequently, different numberings may be distinguished according to the time at which they became valid as Treaty provisions.

"Cleaning up" and renumbering the Treaties in the course of the Amsterdam revision

Substance:
Deletion of provisions that were no
longer relevant (e.g. provisions valid only
during the transitional period at the

beginning, such as Art. 13 of the EEC Treaty).

Form:

Renumbering of the remaining provisions.

Changes in the numbers of the Treaty Articles

Citing Articles of the EU Treaty

Originally letters, now figures; e.g.:

- Art. A of the EU Treaty = Art. 1 EU;
- Art. J.17 of the EU Treaty = Art. 27 EU.

Citing Articles of the EC Treaty; e.g.:

- Art. 7a of the EC Treaty = Art. 14 EC.
- Art. 13 of the EEC Treaty = (provision now deleted).

Guidelines on the citation used by the ECJ following the Amsterdam renumbering: OJ 1999 C 246/1.

The Constitutional Treaty

Chart 2 | 15

Topic:

The Constitutional Treaty was meant to modify the structure of the EU and the content of the existing Treaties. While the Constitutional Treaty was signed by all of the Member States, it did not in fact enter into force.

The Constitutional Treaty (2004/not entered into force)

Signed on 29 October 2004 in Rome

Most important aspects

Modified structure:

- One EU, with explicit legal personality, based on one Treaty (merging the EU and the EC Treaties);
- · Euratom remains.

Institutional reform:

- New formula for qualified majority voting by the Council (of Ministers) (no weighting of votes);
- · New formula for representation in the European Parliament;
- New formula for the composition of the Commission (after a transitional period there would no longer be one Commissioner per Member State);
- · Fixed European Council Presidency for 2.5 years;
- · New Foreign Policy Ministry.

Content:

- · Codification of important principles (e.g. primacy);
- Explicit provisions on the division of competence and on different kinds of competences;
- · Making the Charter of Fundamental Rights a binding instrument;
- Policing of the principle of subsidiarity by the national parliaments.

But: not entered into force (and therefore a dead letter)

- 2005: ratification refused by France (56% "non") and the Netherlands (61.6% "nee") in (consultative) popular votes.
- · Subsequently a "period of reflection".
- · State of ratification in April 2007: ratification by 18 Member States.
- 25 April 2007: Berlin declaration, on a new foundation for the EU by 2009.
- 21/22 June 2007, Brussels European Council: "The constitutional concept [...] is abandoned."

The Lisbon revision Chart 2 | 16

Topic:

In October 2007, the Intergovernmental Conference (IGC 2007) agreed on a Reform Treaty, which was formally signed on 13 December 2007 in Lisbon ("Lisbon Treaty"). In terms of content, the Lisbon Treaty is largely based on the Constitutional Treaty.

The Lisbon Treaty (2007/2009)

Background:

- In its meeting of 21 and 22 June 2007 in Brussels, the European Council gave the Portuguese Presidency
 of the European Union the mandate to convene an Intergovernmental Conference (IGC) before the end of
 July 2007, with the task of drafting a so-called "Reform Treaty".
- The IGC 2007 discussed a draft Reform Treaty drawn up by the Portuguese Council Presidency. Political agreement was reached on 18 October 2007.
- The Reform Treaty was signed on 13 December 2007 in Lisbon (hence: "Lisbon Treaty").

Most important aspects

Modified structure of the EU:

- The EU is based on two treaties: the Treaty on European Union and the "Treaty on the Functioning of the European Union" (new name for the EC Treaty). The EU replaces and succeeds the EC (see *Chart 2/21*);
- · Euratom remains.

Institutional reform:

Based on the Constitutional Treaty (see *Chart 2/15*), with certain modifications, including in particular:

- Qualified majority voting within the Council (of Ministers): no weighting of votes in principle as of 1 November 2014; see Chart 5/7;
- New High Representative for Foreign Affairs and Security Policy (rather than a "Minister"); see Chart 3/3.

Content:

Based on the Constitutional Treaty (see *Chart 2/15*), with the modifications specified in the Draft Mandate for the IGC 2007. Important: there are no references to "Constitution".

Challenges to the revision in some Member States; e.g.:

- Initially negative popular vote in Ireland (which led to concessions);
- The "Lisbon Judgment" of the German Constitutional Court; Dr. G. and Others (2009);
- The "Lisbon Judgments" of the Czech Constitutional Court (2008 and 2009).

Entry into force on 1 December 2009

Content of the Lisbon Treaty

Chart 2 | 17

Topic:

The Lisbon Treaty contains changes to the pre-existing Treaties as well as a number of Protocols and Declarations.

Content of the Lisbon Treaty

Articles 1 and 2	Amendments to the Treaty on European Union and to the Treaty establishing the European Community "This Treaty is concluded for an unlimited period." Content of the Protocols annexed to the Lisbon Treaty: • Protocol No 1: amendments to the pre-existing protocols; • Protocol No 2: amendments to the Treaty establishing the European Atomic Energy Community. Renumbering of the Treaties; see <i>Chart 2/24</i>	
Article 3		
Article 4		
Article 5		
Article 6	Ratification and entry into force	
Article 7	23 Languages of the Lisbon Treaty; see <i>Chart 1/13</i> ; deposition of the Treaty in the archives of the Government of the Italian Republic	

Protocols to be annexed to the TEU, to the TFEU and, where applicable, to the Treaty establishing the European Atomic Energy Community

Protocols to be annexed to the Treaty of Lisbon (see above, Article 4)

Annex: tables of equivalences referred to in Article 5 of the Lisbon Treaty

Final act by the Intergovernmental Conference;

Annex to the Final act: Declarations adopted by the Intergovernmental Conference

Note:

The "Treaty of Lisbon" as well as the "Final Act of the Intergovernmental Conference" are officially published in the Official Journal (OJ 2007 C 306/01 and OJ 2007 C 306/231, respectively; consolidated versions: OJ 2008 C 115).

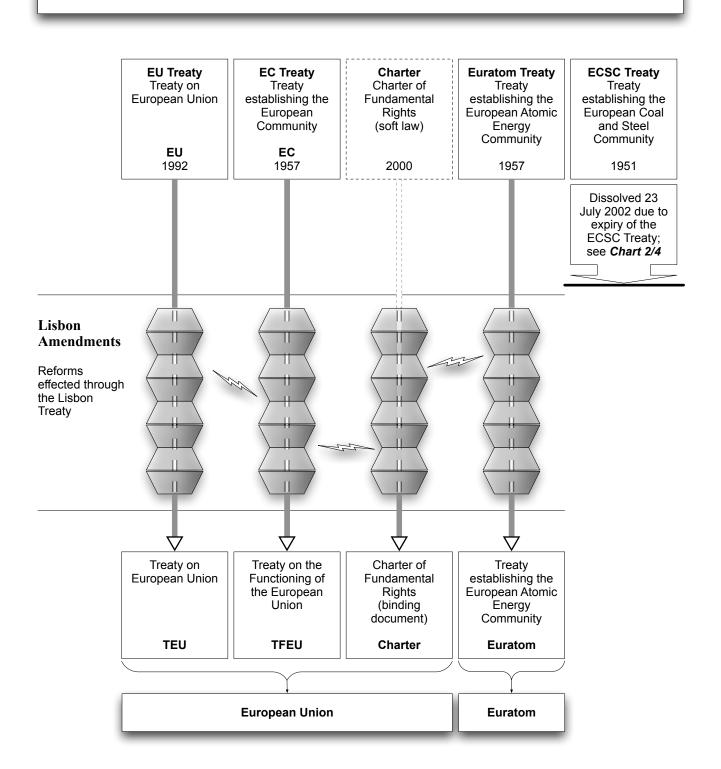
The Treaties before and after the Lisbon revision

Chart 2 | 18

Topic:

The Lisbon Treaty transforms the pre-existing Treaties as well as the Charter of Fundamental Rights. It also changes the name of the "EC Treaty" into the "Treaty on the Functioning of the European Union".

The effect of the Lisbon Treaty on the pre-existing Treaties and the Charter of Fundamental Rights



Structure of the EU Treaty following the Lisbon revision

Chart 2 | 19

Topic:

The Lisbon Treaty radically alters the structure of the EU Treaty. The revised TEU contains the constitutional law of the Union, plus provisions on the Common Foreign and Security Policy (former second pillar). The law on the former third pillar has been moved out of the TEU and into the TFEU.

Structure of the EU Treaty after the Lisbon revision

Title I	Common provisions
Title II	Provisions on democratic principles
Title III	Provisions on the institutions
Title IV	Provisions on enhanced cooperation
Title V	General provisions on the Union's external action and specific provisions on the Common Foreign and Security Policy (i.e. the former second pillar of the EU; see Chart 2/12).
Title VI	Final provisions

Structure of the Treaty on the Functioning of the EU following the Lisbon revision

Chart 2 | 20

Topic:

The Lisbon Treaty also alters the structure of what used to be the EC Treaty, now called the Treaty on the Functioning of the European Union. Among others, the revised TFEU contains provisions on judicial cooperation in criminal matters and on police cooperation (former third pillar).

Structure of the Treaty on the Functioning of the European Union (former EC Treaty) after the Lisbon revision

Part One	Principles	
Part Two	Non-discrimination and citizenship of the Union	
Part Three	Union policies and internal actions (see <i>Chapter 7</i>) In particular now includes provisions on judicial cooperation in criminal matters and police cooperation (i.e. the former third pillar of the EU; see <i>Chart 2/12</i>).	
Part Four	Association of the overseas countries and territories	
Part Five	External action by the Union	
Part Six	Institutional and budgetary provisions	
Part Seven	Final provisions	

Note

According to Art. 1(11) of the Lisbon Treaty, the provisions of Title II of the original EU Treaty (previous changes to the EC Treaty, *i.e. the former first pillar of the EU*; see *Chart 2/12*) are incorporated into the Treaty on the Functioning of the European Union.

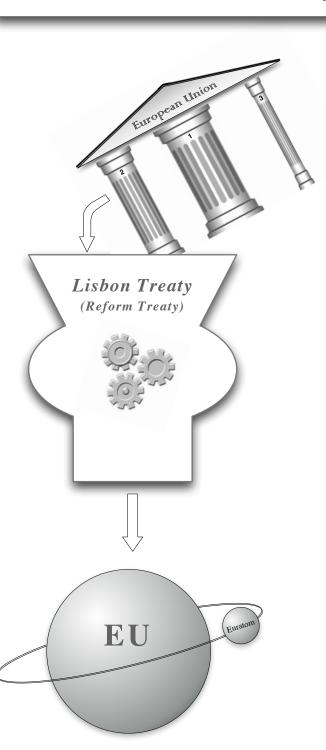
The European Union before and after the Lisbon revision

Chart 2 | 21

Topic:

The Lisbon Treaty does away with the European Union's traditional pillar structure.

The effect of the Lisbon Treaty on the structure of the EU



The EU before the Lisbon Treaty:

Three Treaties (Nice versions):

- The EU Treaty (overall structure);
- The EC Treaty (first pillar);
- The Euratom Treaty (first pillar).

The Lisbon Treaty (Reform Treaty) contains the changes to the present Treaties.

The Lisbon Treaty does away with the EU's traditional pillar structure. The Union is no longer based on the European Communities. The EC is replaced and succeeded by the EU. Euratom exists outside the framework of the EU Treaty.

The EU and Euratom following the Lisbon Treaty:

Three Treaties (Lisbon versions):

- Two Treaties on the EU: the EU
 Treaty and the Treaty on the
 Functioning of the European Union
 (former EC Treaty);
- One Treaty on the Atomic Energy Community: the Euratom Treaty.

See Chart 2/22, Chart 2/23

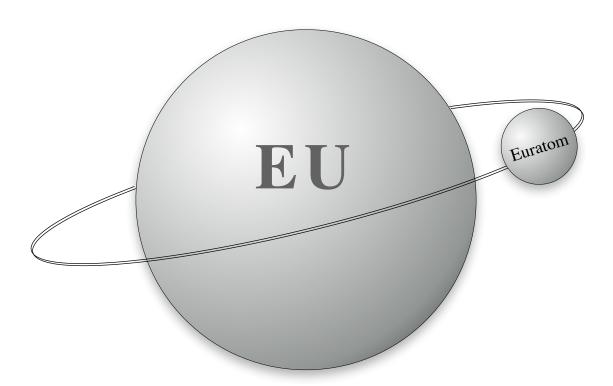
The EU following the Lisbon revision

Chart 2 | 22

Topic:

In the future, the EU may perhaps be compared to a large planet around which Euratom circulates like a satellite.

Structure of the EU following the Lisbon revision



The European Union (as amended)

Based on two Treaties of equal value:

- The Treaty on European Union (TEU);
- The Treaty on the Functioning of the European Union (TFEU, i.e. the former EC Treaty, as amended through the Lisbon Treaty).

Euratom (as amended)

Based on the Euratom Treaty. Changes to the present Euratom Treaty can be found in Protocol No 2 attached to the Lisbon Treaty.

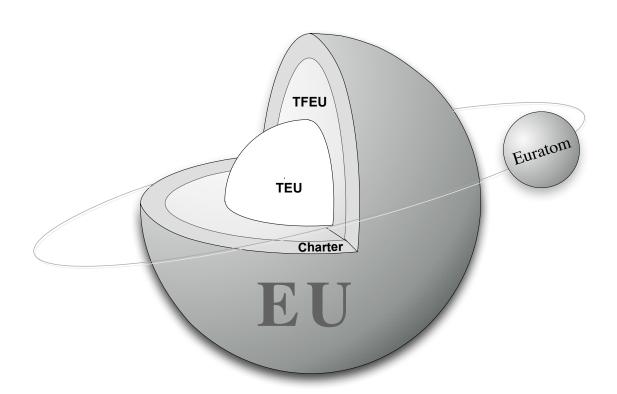
Three fundamental texts of equal value

Chart 2 | 23

Topic:

Following the Lisbon revison, there are three fundamental EU texts of equal value, namely two Treaties (the Treaty on European Union and the Treaty on the Functioning of the European Union) and one Charter (the Charter of Fundamental Rights). In the picture of a planet, they represent the core, the mantle and the crust of the planet.

Three texts of equal value: the core, the mantle and the crust of the planet



TEUTreaty on European Union

TFEUTreaty on the Functioning of the European Union

CharterCharter of Fundamental Rights

Art. 1(3) TEU:

"The Union shall be founded on the present Treaty and on the Treaty on the Functioning of the European Union [...]. Those two Treaties shall have the same legal value."

Art. 6(1) TEU:

The Charter of Fundamental Rights of 7 December 2000, as adapted on 12 December 2007, "shall have the same legal value as the Treaties".

Note:

The Charter itself is not a Treaty, as it needed no ratification.

Lisbon renumbering

Chart 2 | 24

Topic:

The Lisbon Treaty provides for the renumbering of the articles, sections, chapters and parts of the Treaties. After the Amsterdam renumbering, this is the second comprehensive renumbering of the Treaty provisions.

Renumbering the Treaties

Art. 5 of the Lisbon Treaty:

"The articles, sections, chapters, titles and parts of the Treaty on European Union and of the Treaty establishing the European Community, as amended by this Treaty, shall be renumbered in accordance with the tables of equivalence set out in the Annex to this Treaty, and which form an integral part of this Treaty."

Note

Through the Lisbon Treaty, the "Treaty establishing the European Community" is renamed "Treaty on the Functioning of the European Union".

Changes to particularly important articles

Subject matter	Before Lisbon	After Lisbon
Important general provision:	4 / 40 50	A TELL
Solidarity clause	Art. 10 EC	Art. 4 TEU
Secondary acts; important legal basis provisions:		
Secondary acts of the EC/EU	Art. 249 EC	Art. 288 TFEU
Legal basis for combating discrimination	Art. 13 EC	Art. 19 TFEU
General legal basis provision	Art. 94 EC	Art. 115 TFEU
General legal basis provision	Art. 95 EC	Art. 114 TFEU
General legal basis provision	Art. 308 EC	Art. 352 TFEU
Important substantive provisions:		
Prohibition of discrimination on grounds of nationality	Art. 12 EC	Art. 18 TFEU
Movement and residence for EU citizens	Art. 18 EC	Art. 21 TFEU
Free movement of goods: customs duties	Art. 25 EC	Art. 30 TFEU
Prohibition of discriminatory and protective taxation of goods	Art. 90 EC	Art. 110 TFEU
Free movement of goods: quantitative restrictions	Arts. 28-30 EC	Arts. 34-36 TFEU
Free movement for workers	Art. 39 EC	Art. 45 TFEU
Freedom of establishment	Art. 43 EC	Art. 49 TFEU
Free movement of services	Arts. 49 and 50 EC	Arts. 56 and 57 TFEU
Free movement of capital Competition law: collusive conduct of undertakings	Art. 56 EC Art. 81 EC	Art. 63 TFEU Art. 101 TFEU
Competition law: abuse of a dominant position	Art. 82 EC	Art. 102 TFEU
Competition law: state aid	Art. 87 EC	Art. 102 TFEU
Undertakings with a special position	Art. 86 EC	Art. 106 TFEU
Sex equality: equal pay, legal basis, positive action	Art. 141 EC	Art. 157 TFEU

Chart 2 | 25 Membership

Topic:

The original number of six EEC Member States has grown to the present 27 EU Member States. Further enlargement rounds are planned though none are scheduled. # check: new status??? Albania??? Ask Christophe!!!

Member States of the European Communities and of the EU

Founding members	of the European	Communities
------------------	-----------------	-------------

1951/1957 ECSC, Euratom, EEC France, Germany, Italy, three Benelux States (Belgium, the Netherlands, Luxembourg)

Enlargement

(in the case of some countries: moving from the EFTA to the E(E)C/EU)

1973	ECSC, Euratom, EEC	UK, Ireland, Denmark (negative popular vote in Norway)	
1981	ECSC, Euratom, EEC	Greece	
1986	ECSC, Euratom, EEC	Spain, Portugal	
1995	EU (incl. ECSC, Euratom, EEC)	Austria, Sweden, Finland (negative popular vote in Norway)	
2004	EU (incl. the two remaining Communities: Euratom and EC)	Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia	
2007	EU (incl. Euratom and EC)	Bulgaria, Romania	
Candidate States and applicants			

EU (incl. Euratom and EC) Candidate States: Turkey, Croatia, Macedonia

> Applicant States: Albania, Montenegro, Iceland, Serbia (plus: a non-active application for

membership by Switzerland)

Rejected as "non-European"

Morocco (1987)

Outside the EU: EFTA and EEA States

- Remaining EFTA States: Iceland, Liechtenstein, Norway, Switzerland ...
- ... of whom some are also EEA States ("EEA EFTA States"): Iceland, Liechtenstein, Norway.
- Switzerland: negative popular vote on EEA membership in 1992.

Important Treaty revisions

Chart 2 | 26

Treaty; incorporation of the EC into the EU; see *Chart 2/16*

Topic:

Over the decades, the Community Treaties and subsequently also the EU Treaty were repeatedly revised. The most recent revision dates from 2007/2009 (Lisbon revision).

Important revisions of the Community and EU Treaties

Founding Treaties			
ECSC Treaty	Signed 1951, entry into force 24 July 1952 (expired in 2002)		
Euratom Treaty	Signed 1957, entry into force 1 January 1958		
EEC Treaty	Signed 1957, entry into force 1 January 1958 (now: TFEU)		
Important Treaty revisions			
Name of Treaty	Year of signature / entry into force	Main issues	
Merger Treaty	1965 / 1 July 1967	Introduction of a single institutional framework for the three Communities. Note: the Communities as such were not merged.	
Act concerning the direct election of representatives of the European Parliament	1976 / first applied in 1979	Establishment of direct elections to the European Parliament	
Single European Act	1986 / 1 July 1987	A new timetable for the internal (common) market, institutional reform	
Maastricht Treaty	1992 / 1 November 1993	Revision of the three Communities, setting up of the EU; see <i>Chart 2/</i> 7	
Amsterdam Treaty	1997 / 1 May 1999	Revision of the EU and of the Communities; see <i>Chart 2/11</i>	
Nice Treaty	2001 / 1 February 2003	Revision of the EU and of the Communities, Amsterdam "left- overs", enlargement	
Constitutional Treaty	2004 (not entered into force)	Abolition of the EC, reform of the EU; see <i>Chart 2/15</i>	
Lisbon Treaty	2007 / 1 December 2009	Saving parts of the Constitutional	

Treaty revision procedures

Chart 2 | 27

Topic:

Following the Lisbon revision, the TEU and the TFEU can be revised either through an ordinary revision procedure or through simplified revision procedures.

Treaty revision procedures, Art. 48 TEU

Ordinary revision procedure

Art. 48(2)-(5) TEU

Simplified revision procedures

Art. 48(6) and (7) TEU

Subject of revision

"Amendment of the Treaties", including increases or reductions in the competences conferred on the Union.

 a) Revision of all or part of the provisions of Part Three of the TFEU (internal policies and action of the Union); no increase of competences.

b) Revision of:

- The voting requirements in the Council of Ministers (from unanimity to qualified majority) under the TFEU or under Title V of the TEU (external action of the Union), to the exclusion of decisions with military implications and decisions in the area of defence;
- The procedure for the adoption of secondary acts (from the special legislative procedure to the ordinary legislative procedure).

Procedure

(regarding the EU institutions involved, see *Chapter 3*)

- Proposal from a government of a Member State, the European Parliament (EP) or the Commission to the Council (of Ministers).
- The Council notifies the national Parliaments and submits the proposals to the European Council.
- The European Council consults the EP and the Commission.
- Following a decision in favour of the proposed amendments, the European Council in principle convenes a Convention.
- An intergovernmental Conference decides unanimously on the amendments.
- · Ratification in the Member States.

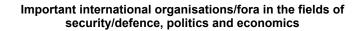
- a) On Part Three of the TFEU:
- Proposal from a government of a Member State, the EP or the Commission to the European Council.
- The European Council consults the EP and the Commission and, in certain cases, the ECB.
- The European Council decides unanimously.
- · Approval in the Member States.
- b) On voting and procedures:
- · Initiative by the European Council.
- Notification to the national parliaments, which may oppose the amendments.
- The European Council asks for the consent of the EP, which may refuse.
- The EP decides by a majority of its component members.
- In the case of consent by the EP, the European Council decides unanimously on the amendments.

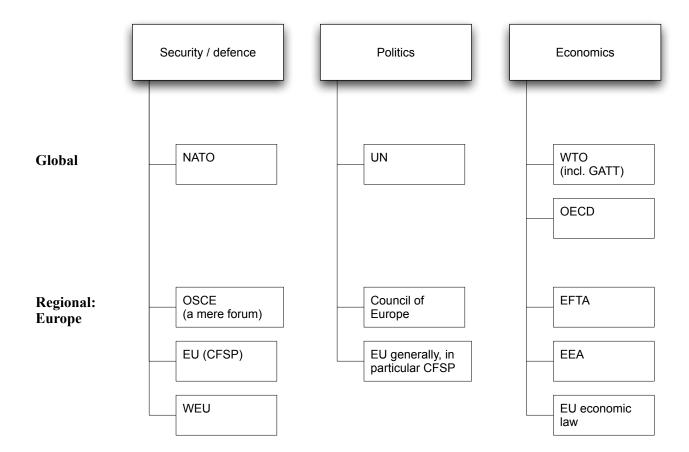
International cooperation and European integration: an overview

Chart 2 | 28

Topic:

As a result of their historical development, the global as well as the European "legal landscapes" are rather complex, with different levels of cooperation and integration within the various levels of activities. The relevant treaty that applies in a given case will depend on the subject matter and on the countries involved.





Examples:

Relevant multilateral European treaty regarding *trade* issues when the following countries are involved:

- · Malta and Ireland: TFEU;
- · Finland and Norway: EEA Agreement;
- Switzerland and Iceland: EFTA Agreement.

Note:

There are also bilateral Treaties; e.g.:

- Customs Union between Switzerland and Liechtenstein (1923 relevant for the EEA);
- · Customs Union between France and Monaco (1963 relevant for the EU);
- Free Trade Agreement between the EEC and Switzerland (1972 relevant for the EU);
- · Customs Union between the EC and Turkey (1995 relevant for the EU).