

17% 12% 0.8%

**LISBON=**  
LESS POWER IN EUROPE

VÓTÁIL  
**NO**

*Sinn Féin*

**LISBON=**  
LOWER WAGES

produced on internal market & competition

VÓTÁIL  
**NO**

*Sinn Féin*

**LISBON=**  
MORE MILITARY SPENDING

Article 100

VÓTÁIL  
**NO**

*Sinn Féin*

**LISBON=**  
CRUSHING FAMILY FARMS

Article 100

VÓTÁIL  
**NO**

*Sinn Féin*

# ALTERNATIVE GUIDE TO LISBON 2

An Conradh Céanna – An Freagra Céanna



*Sinn Féin*

[www.no2lisbon.ie](http://www.no2lisbon.ie)

## **CONTENTS**

**FOREWARD BY SINN FÉIN PRESIDENT GERRY ADAMS - PAGE 3**

**5 KEY REASONS TO VOTE NO TO THE LISBON TREATY - PAGE 3**

**LEGALLY BINDING GUARANTEES THAT GUARANTEE NOTHING - PAGE 4**

**WHAT IS THE ALTERNATIVE - PAGE 4**

**LISBON TREATY WILL MAKE THE ECONOMIC CRISIS WORSE - PAGE 5**

**IRELAND WILL LOSE POWER AND INFLUENCE - PAGE 7**

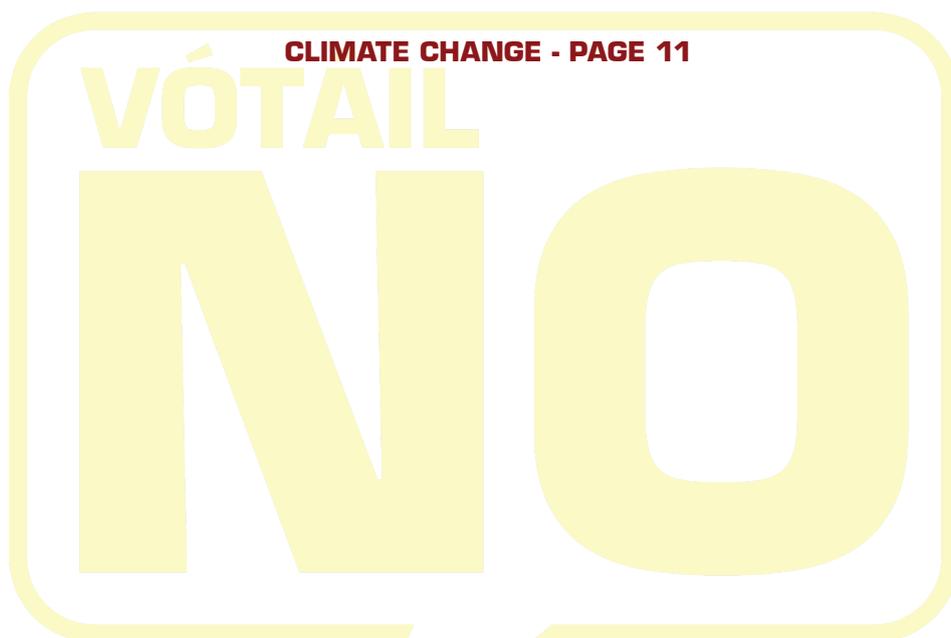
**EU MILITARISATION WILL SERIOUSLY IMPACT ON NEUTRALITY - PAGE 8**

**DEVELOPING WORLD AND TRADE JUSTICE - PAGE 10**

**CHARTER OF FUNDAMENTAL RIGHTS - PAGE 10**

**NUCLEAR POWER - PAGE 11**

**CLIMATE CHANGE - PAGE 11**



Published September 2009 by  
Sinn Féin, 44 Parnell Square, Dublin 1  
Tel: +353 1 8726100  
Email: [sfadmin@eircom.net](mailto:sfadmin@eircom.net)  
Web: [www.sinnfein.ie](http://www.sinnfein.ie)

# FOREWARD BY SINN FÉIN PRESIDENT GERRY ADAMS

A chara,

Ar 2 Deireadh Fómhair táthar ag iarraidh ort vóta a chaitheamh ar an Chonradh Liospóin céanna a dhiúltaigh 900,000 vótálaí i Meitheamh 2008.

Ba dhroch-mhargadh é Conradh Liospóin d'Éirinn agus d'Eoraip ag an am sin agus is droch-mhargadh go fóill é.

In ainneoin éilimh rialtas Fhianna Fáil chun tabhairt faoi imnithe vótálaithe níor chinntigh siad aon athrú i dtéacs an Chonartha.

Bainfidh Conradh Liospóin an bonn de ghuth na hÉireann san Eoraip. Caillimid ár gCoimisinéir ó 2014.

Almost 900,000 people rejected the Lisbon Treaty on June 12th 2008. People voted for a better deal for Ireland and Europe. The result presented the Irish government with a strong mandate to go to the European Council and negotiate a better Treaty for Ireland and Europe. The Government wasted that mandate.

The Government and the Yes side are claiming that the so called legally binding guarantees secured at the European Council meeting in June have addressed the concerns of the Irish people about this Treaty. These 'guarantees' are nothing more than a series of clarifications of some aspects of the Lisbon Treaty. They do not alter the text of the treaty in any way nor do they change the impact that the treaty will have on Ireland and the EU. On October 2nd we will be voting on exactly the same treaty, with exactly the same consequences for Ireland and the EU, as we did last year.

These consequences include the erosion of neutrality, the weakening of Ireland's position in Europe, the loss of the permanent Irish Commissioner, the erosion of workers' rights and public services, the loss of an automatic right to a referendum on future treaty changes, continued participation in the European Atomic Energy Community, the facilitation of future tax harmonisation, the promotion of common foreign and defence policies and the militarisation of Europe and much, much more.

Bainfidh an Conradh an bonn de chearta agus de leibhéil tuarastal lucht oibre agus déanfaidh sé damáiste d'fheirmeacha teaghlaigh.

Tabharfaidh an Conradh ar Éirinn bheith ceangailte do chomhbheartas cosanta agus eachtrach ag lagú ár neodrachta arís eile.

After the last referendum Sinn Féin presented the government with a detailed series of proposals for a better deal for Ireland and the EU. Our proposals aimed to create a more democratic, equal, just and peaceful EU with protocols on neutrality and tax sovereignty, a strengthened social clause, the retention of a permanent commissioner for all member states and the removal of the self amending clauses. The Government's guarantees do not address any of these issues.

The Lisbon Treaty was a bad deal for Ireland when it was presented to the people last year and it remains the very same bad deal. Sinn Féin will continue to campaign for a better deal for Ireland and for Europe. In order to get a better deal we must reject this treaty once again.

Tá a mhalairt de rogha indéanta ann. Is féidir margadh níos fearr a fháil go fóill. Vótáil NÍL do Chonradh Liospóin ar 2 Deireadh Fómhair.

Is mise,

**GERRY ADAMS**  
**SINN FÉIN PRESIDENT**

## 5 KEY REASONS TO VOTE NO TO THE LISBON TREATY

1. It is a bad deal for Ireland and has already been rejected by the Irish people.
2. It reduces Ireland's power in the EU – we will lose our permanent commissioner and our voting strength on the Council will be cut by half while the bigger states double their strength.
3. It will make the economic crisis even worse by forcing through policies that caused the recession, reducing the Irish government's ability to take essential decisions, driving down pay and conditions and further undermining our public services.
4. It erodes neutrality by drawing us into a common defence and obliging us to increase military spending.
5. It removes our automatic right to a referendum on future changes to existing treaties.

## **TÁ TÁBHACHT LEIS AN EORAIP**

Ar 2 Deireadh Fómhair táthar ag iarraidh ort vótáil ar thodhchaí na hEorpa.

Is droch-mhargadh d'Éirinn agus don Eoraip é Conradh Liospóin. Cruthaíonn an vóta NÍL do Chonradh Liospóin an fhéidearthacht d'idirbheartaíocht a dhéanamh do mhargadh níos fearr d'Éirinn agus do gach duine Eorpach.

## **Vótáil NÍL ar mhaithe le margadh níos fearr san Eoraip.**

## **TÁ TÁBHACHT LEIS AN GHEILLEAGAR**

Rinne cuid mhaith de na polaiteoirí a threoraigh sinn isteach sa ghéarchéim eacnamaíoch reatha an dréachtú ar Chonradh Liospóin.

Tá cuid mhaith de na polasaithe ón eite dheis ba bhun den chúlú istigh ann.

Tá athrú bealaigh abhus anseo agus sa Bhruiséil de dhíth orainn, le beartais nua le tabhairt faoi riachtanais brúnna sóisialta agus eacnamaíocha an ghnáthdhuine.

## **Le haghaidh dul chun cinn leis an gheilleagar, Vótáil NÍL le Liospóin.**

## **TÁ TÁBHACHT LE DAONLATHASS**

Dúirt 900,000 duine, arb é sin 53% de thoghthóirí, NÍL maidir le Conradh Liospóin i Meitheamh 2008. I 2005 dhiúltaigh muintir na Fraince agus na hÍsiltíre na moltaí céanna.

Laghdaíonn Conradh Liospóin neart vótála na hÉireann ag Comhairle na nAirí le níos mó ná 50% agus ag an am céanna ag méadú neart na Gearmáine agus na Breataine le níos mó ná 50%. Má ghlactar le Conradh Liospóin caillfidimid ár gceart buan do Choimisinéir ó 2014.

## **Coinnigh Éireann láidir ag croí na hEorpa, Vótáil NÍL do Liospóin.**

## **TÁ TÁBHACHT LE CEARTA OIBRITHE**

Bhain beartais le gairid ón Choimisiún Eorpach agus cinntí Chúirt Bhreithiúnais na hEorpa (Laval, Viking, Ruffert) an bonn de thuarastal agus de choinníollacha oibrithe.

Neartóidh Airteagal 16 de Chonradh Liospóin agus an Prótacal ar an Mhargadh Inmheánach

agus lomaíocht an Choimisiúin a thuilleadh ina iarracht chun tuarastal, coinníollacha agus téarmaí níos laige a thabhairt anuas.

## **Cosain Cearta Oibrithe - Vótáil NÍL le Conradh Liospóin**

## **TÁ TÁBHACHT LE CEANTAIR THUAITHE NA HÉIREANN**

Chuir beartas trádála idirnáisiúnta An Aontais Eorpaigh faoi Peter Mandelson agus a chomharba Catherine Ashton saorthrádail thar thrádáil chóir chun cinn go hionsaitheach beag beann ar na hiarmhairtí ar fheirmeacha teaghlaigh Éireannacha agus Eorpacha agus an domhan i mbéal forbartha.

Go praiticiúil baineann Airteagal 188C crosadh rialtas na hÉireann ar mhargaidh trádála measctha na hEagraíocht Dhomhanda Trádála amach anseo.

## **Cosain feirmeacha teaghlaigh, Vótáil NÍL do Chonradh Liospóin.**

## **TÁ TÁBHACHT LE NEODRACHT**

Tá bród ar mhuintir na hÉireann as ár gclú mar stát síochánta gan comhghuaillíocht. Baineann Conradh Liospóin dár neodracht trí sinne a tharraingt isteach i gcosaint choiteann agus tugann sé orainn caiteachas ar chúrsaí míleata a ardú.

## **TÁ TÁBHACHT LE MUINÍN**

Tá Brian Cowen ag iarraidh ort muinín a chur ann agus tacaíocht a thabhairt do Liospóin Conradh. Tá clú amuigh ar Fhianna Fáil maidir leis sin. Tá an rialtas seo freagrach as méadú dífhostaíochta, an ghéarchéim baincéireachta, ciorruithe ar sheirbhísí sláinte agus oideachais, agus ar Ghníomhaireacht Bainistíochta Sócmhainní Náisiúnta (GBSN). Tá siad freagrach as Conradh Liospóin chomh maith.

Mura mbíonn tú muinéach astu leis an gheilleagar, mura dtacaíonn tú leo le GBSN, mar sin de cad chuige a dtabharfá tacaíocht dóibh le Liospóin?

## **Abair níl le GBSN, NÍL le ciorruithe ar shláinte agus ar oideachas agus NÍL le Liospóin.**

## LEGALLY BINDING GUARANTEES THAT GUARANTEE NOTHING

Despite having argued that a better deal was not possible the government is now arguing that it has in fact secured a better deal. At the European Council meeting in June 2009 EU leaders agreed so-called legally binding guarantees for Ireland.

The form of the so-called guarantees is an international agreement on neutrality, taxation and ethical issues to be lodged at the United Nations on the day the Lisbon Treaty is ratified. There is a “promise” of a protocol on these same issues to be attached to a future accession treaty, for a country and on a date yet to be decided. There is also a “solemn declaration” on workers’ rights.

But are there any changes to the text of the Lisbon Treaty itself? Will any aspect of the Treaty’s implementation in Ireland or across the EU be altered? Have the substantial concerns of the electorate on issues such as Ireland’s loss of influence, militarisation and neutrality, workers’ rights and public services, international trade deals, nuclear power and the developing world been addressed?

The straight answer to all of these questions is “No”.

The so called guarantees do not alter the text of the treaty in any way. Nor do they change the impact that the treaty will have on Ireland.

So when we come to vote on the Lisbon Treaty in October we will be voting on exactly the same treaty, with exactly the same consequences for Ireland and the EU, as we did on June 12th, 2008.

**NEUTRALITY** – there is no change whatsoever to the impact of Lisbon, merely a re-stating of the Irish government’s position on neutrality and the commitment of Irish troops.

**TAXATION** – there is nothing new. It merely restates that any move to a common corporation tax system across the EU would require a

unanimous vote at the Council of Ministers. What it failed to address was Article 48 of the treaty. This article allows the Council of Ministers, by unanimous decision, to alter the text of existing EU treaties without automatic recourse to a referendum in Ireland. Today if the EU wanted to agree a common corporation tax system they would have to do so in a broader treaty revision. This would require both unanimity at council and ratification in each member state and a referendum in Ireland. If Lisbon is passed we would have to trust this government and all of its successors.

**COMMISSIONER** – the decision by the Council of Ministers is merely a promise of a commissioner for an unspecified period of time. Unless this issue is written into an EU treaty, the likely outcome is that the reduction in the size of the Commission envisioned in Lisbon will be delayed by five years until the next European Parliamentary elections in 2014.

### WORKERS RIGHTS AND PUBLIC SERVICES

– this has been dealt with in the form of a non-legally binding declaration and is worse than useless. It is akin to an election promise the week before polling day, laced with false sincerity and destined to be forgotten the moment the ballot boxes are closed. There is no intention to alter the current direction of EU policy and the European Court of Justice both of which fundamentally undermine the pay and conditions of workers.

### WHAT IS THE ALTERNATIVE?

The alternative is to respect the wishes of the electorate in Ireland, France and the Netherlands, all of whom rejected the proposals contained in this Treaty. They did so because it is a bad Treaty. They voted to reject it and in doing so set out key issues around democracy, the economy, workers rights and public services and EU militarisation that they wanted to see addressed.

The fact is that the Lisbon Treaty is now completely out of date. It was produced almost a decade ago in entirely different political and economic circumstances. Not only does it

not have the answers to the current economic recession it's failed policies would make the situation even worse.

Immediately after the referendum last year Sinn Féin presented the Taoiseach Brian Cowen with a detailed series of proposals which we believe would address the concerns of the Irish electorate. Our proposals aimed to create a more democratic, equal, just and peaceful EU and included:-

- The retention of a permanent commissioner for all member states;
- The removal of all eight self-amending articles including the simplified revision procedure in Article 48;
- The removal of Article 46a giving the EU a single legal personality;
- A new protocol on neutrality;
- A substantially revised protocol on vital public services;
- Amendments to articles dealing with public services and state aid;
- The inclusion of the European Trade Union Confederation Social Progress Clause to protect workers' rights;
- A protocol on Irish tax sovereignty;
- Substantial amendments on Article 188 dealing with international trade agreements including a cast-iron veto on mixed World Trade Organisation agreements;
- A new protocol ending Ireland's participation in the European Atomic Energy Community;
- A series of amendments to Articles 10 and 188 promoting the needs of the developing world in the context of international trade.

**The full document can be found online – [http://www.sinnfein.ie/files/SFsubmission\\_a\\_better\\_deal1.pdf](http://www.sinnfein.ie/files/SFsubmission_a_better_deal1.pdf)**

## **LISBON TREATY WILL MAKE THE ECONOMIC CRISIS WORSE**

Although the Lisbon Treaty has not changed, the context in which we are holding the second referendum is dramatically different. There is an economic crisis in Ireland, Europe and across the world. Unemployment is rising, public spending is being slashed, and millions of people are being pushed into economic insecurity and poverty.

The threat to our economy is not in a rejection of Lisbon. It is in the ongoing privatisation policies of the government and the failure to properly invest in education, health, childcare, research and development, and broadband. Rectifying these failure will be all the more difficult if the Lisbon Treaty is ratified.

The cause of this recession is the drive to deregulate, privatise and cut direct taxation, that have been the hallmarks of governments in this country and across the world in the last number of decades. They created an economy that was deeply unequal and incredibly vulnerable. Now that the bubble has burst the consequences of these inequalities and vulnerabilities are there for all to see. These right wing policies have been exposed and totally discredited.

The fact is that the Lisbon Treaty was drafted by the same politicians who led the European economy into recession. It contains many of the right wing economic policies that have caused the recession and that continue to prevent member state governments from responding effectively to the recession. It is the Treaty of Bertie Ahern and Charlie McCreevey, of Silvio Berlusconi, Jose Manuel Barroso and Nicolas Sarkozy.

Since 2004 the European Commission, under the stewardship of Portuguese conservative Jose Manuel Barosso, and ably supported by the European Court of Justice, has introduced proposal after proposal undermining sustainable economic growth, public services and workers' rights.

The Commission's singular focus on economic competitiveness has weakened the ability of member states to strategically intervene in the

economy to promote economic growth, protect jobs, enhance environmental sustainability and provide universal public services.

Directive after directive has promoted the deregulation of markets in goods and services while other measures such as the rules on state aid and the Growth and Stability Pact have limited the scope for state intervention to strengthen the economy.

The Lisbon Treaty increases the powers of the Commission to pursue its right wing economic agenda despite the fact that such policies have been widely discredited by recent events. Ratifying the Lisbon Treaty will make our present economic crisis worse. The Treaty is bad for both the Irish and the European economy.

## WORKERS RIGHTS

The Treaty Protocol on the Internal Market and Competition provides the EU with a mandate to remove “distortions” to service provision - which are likely to include important protective workers’ rights regulations

A series of judgements from the European Court of Justice have had serious consequences for pay and conditions. The Laval case upheld the right of a Latvian company operating in Sweden to pay Latvian workers to do the job at Latvian rates rather than compelling them to pay Swedish rates. The Rueffert ruling bans public authorities from putting conditions respecting collective agreements on the award of public contracts.

These ECJ judgements followed on from other negative developments such as the Services Directive and the Green Paper on “flexicurity”. They set out clearly the direction of current EU policy and how the new provisions in the Lisbon Treaty will be employed.

## PUBLIC SERVICES

Public services, defined as Services of General Economic Interests, will be subject under article 16 to new “economic and financial conditions”, meaning that services like health care and education, would be subject to the rules of competition. This will inevitably result in further privatisation and in turn greater levels of inequality.

## FARMING

During the last Lisbon referendum there were serious concerns raised by the farming community about the World Trade Organisation trade talks. Irish farmers and development NGOs were rightly concerned at the agenda being pursued by the then European Trade Commissioner Peter Mandelson, an agenda that was bad for Irish farmers and the developing world. The approach of that Trade Commissioner is part of a pattern that emerged under his predecessors Pascal Lamy and Leon Brittan and is continuing since he left. It is an agenda that aggressively promotes free trade irrespective of the costs to European family farms and rural communities, or the world poorest communities and countries.

Article 188C contains new provisions that will considerably strengthen the Commission in its pursuit of free trade over fair trade.

If the Lisbon Treaty is passed the EU Commission will have the power to initiate and conclude international trade agreements effectively ending the Irish government’s veto on WTO mixed trade deals at the European Council. This would allow them to do with the farming industry exactly what they have done with the fishing industry.

## IRISH BUSINESS

Moves towards EU tax harmonisation is a serious concern for Irish business. The European Commission is committed to bringing forward a proposal to bring in a common corporate tax base. A majority of member states including France are in favour. Fine Gael and Labour MEPs have also voted in support of measures on EU tax harmonisation.

Article 48’s new procedure for amending aspects of the Treaty (the self-amending article) will make tax harmonisation easier. At present the Government can’t drop the veto without a referendum. If Lisbon Treaty goes through a referendum on this issue would not be required. A citizen’s right to a vote on this matter will be removed. Why should any state ask its citizen’s to give up the right to vote? Why on earth would any Government or political party campaign to remove this right?

All Irish political parties say they are committed to maintaining tax sovereignty. The Treaty makes it easier to bring in tax harmonisation. Anybody who is serious about defending our ability to define our own tax policy must say NO to Lisbon.

## **IRELAND WILL LOSE POWER AND INFLUENCE**

The Lisbon Treaty was meant to address concerns about the lack of democracy within EU institutions but it actually makes the situation worse. It gives the EU institutions too much power and reduces our ability to stop decisions that are not in Ireland's interests offering only cosmetic changes in powers to Parliaments in member states. It also allows the EU to act in the international arena in the same way as a state, making it possible to secure a seat at the United Nations, to negotiate treaties and trade agreements directly with other states and to speak on the international stage on behalf of all 27 member states.

### **LOSS OF POWER**

The Lisbon Treaty further centralises decision making in the EU institutions:- It gives the EU more than 100 new powers across a wide range of policy areas. This figure includes more than 30 new legal competencies, the loss of more than 60 vetoes for individual member states. It includes a range of new roles and offices and self-amending articles including Article 48. This is a significant increase in the powers of the EU and to date no argument has been made to explain or justify such changes.

The Treaty also significantly undermines the role of small states within the EU's decision-making process.

- We will lose the right to a permanent Irish Commissioner –from 2014.
- Our voting strength on the Council of Ministers will be reduced by 50%. Larger states like Britain, France and Germany increase their voting strength at Council by 50%.
- Combined, these changes mean that Ireland will have less influence in the design of future proposals, less weight in key decisions, and a reduced capacity to block decisions that are not in Ireland's interests.

**ARTICLE 48** - This gives the EU powers to amend its own treaties, without recourse to an intergovernmental conference or a new Treaty. This is something, which would give the Commission and Council significant scope to acquire more powers in the future. Article 48 also provides for a shift from unanimity to Qualified Majority Voting in a broad range of areas. If we hand this power away, Irish citizens will have to trust the current government and all of their successors not to hand decision making over critical issues like taxation to the EU.

**Any application of Article 48 would be subject to ratification by member state parliaments but according to legal advice received by the Joint Oireachtas Committee on European Affairs in October 2008 would not have to be subject to referendum.** This could have serious consequences in relation to issues like taxation in the future.

**LEGAL OPINION** - "Article 48 expressly gives power to change the mechanism of voting and a ratification of this Article or the Treaty containing this Article by the Irish people in referendum gives authority in referendum for any subsequent change (Joint Committee on European Affairs, Sub Committee on Ireland's future in the European Union 2008)

### **EU PARLIAMENT**

While parliaments in member states are to be given some new powers these are very limited and are totally insignificant in comparison with the powers transferred to the European Council and Commission. While the European Parliament will have co-decision in a greater number of areas, it will not have the power to initiate legislation.

### **PARLIAMENTS IN MEMBER STATES**

Parliaments in member states are to be given two mechanisms for monitoring proposed EU laws. In what is known as the 'yellow card' procedure, if one third of parliaments in member states object to a proposal the Commission is obliged to reconsider it. However the Commission does not have to withdraw the proposal and parliaments in member states have no way to amend it.

The second procedure, known as the 'red card' requires a majority of parliaments in member states to object to a legislative proposal on the grounds that it contravenes the principles of subsidiarity. In such a case, the proposal will only be withdrawn if the European Parliament of the Council agree with the member states. These new powers for member state parliaments are minimal oversight powers, nothing more.

### **CITIZENS INITIATIVE**

If one million signatures are collected across a number of member states the European Commission is obliged to examine a proposal. However it is not legally bound to do anything other than consider the proposal making the citizens initiative a very weak tool. It is a gesture to participative democracy, nothing more.

### **IRISH GOVERNMENT'S GUARANTEE ON A COMMISSIONER IS MEANINGLESS**

The Irish government claims to have secured a permanent Irish Commissioner. This is not true. The agreement by the Council of Ministers is more like a stay of execution, promising a commissioner for an unspecified time. Unless this issue is written into an EU treaty, the likely outcome is that the reduction in the size of the Commission envisioned in Lisbon will be delayed by five years. That is until the next European parliamentary elections in 2014.

### **WHAT SINN FÉIN PROPOSED: COMMISSION AND COUNCIL OF MINISTERS**

The members of the Commission shall be elected by their respective member state parliaments.

The Commission shall consist of one national of each Member State, including its President.

The Council shall act by a qualified majority on the basis of the formulae as outlined in the Treaty of Nice except where the Treaties provide otherwise.

### **PARLIAMENTS IN MEMBER STATES**

There is currently an eight week period between a draft legislative act being made available to national Parliaments and the date when it is placed on the provisional agenda of the Council.

Sinn Féin has called for this to be extended to 16 weeks other than in an exceptional case and is agreed unanimously by the Council. We called for scrutiny not just in relation to subsidiarity but also in relation to whether a proposal is consistent with the aims and values of the EU – this would allow discussion on the substance of proposals. The threshold should be one fifth not one third of parliaments in member states. The Commission should be legally obliged to produce a White Paper outlining a response to the proposed initiative or the treaty basis for not taking action. If the Commission wishes it may invite those states expressing the reasoned opinion to submit agreed amendments where such amendments may address the failure of the initial proposal to comply with the aims and values of the European Union. If the Commission accepts the proposed amendments, then they may re-table the proposal as amended under the terms of the appropriate legislative procedure.

Under the Orange Card system –extend to aims and values of the EU and reduce from simple majority to 35%.

In terms of the Citizens Initiative it should be possible to impose a legally binding obligation on the Commission to produce a White Paper outlining a response to the proposed initiative or the legal basis for not taking action.

### **EU MILITARISATION WILL SERIOUSLY IMPACT ON NEUTRALITY**

Sinn Féin has long advocated a policy of active neutrality, rejecting participation in any military alliance and supporting an enhanced role for the United Nations in resolving conflicts around the world. Our own experience of conflict and conflict resolution has taught us that the path to peace is not to be found in increasing military capabilities but in dialogue, inclusivity and equality.

After Nice 1, the Irish government assured the people that there would be no erosion of neutrality or participation in a common defence without a referendum. However actions by this

Irish governments and the impact of the Nice Treaty continue to undermine neutrality. The use of Shannon airport by US troops on route to Iraq; financial contributions to the European Defence Agency; membership of Partnership for Peace and the new EU Battle groups are all in breach of clear international definitions of neutrality.

At the same time there is a growing desire among many of the more powerful Governments at the heart of the EU project, to see the Union develop its own military capability, independent of the United Nations and in concert with NATO.

This state is playing an increasingly significant role in both NATO and the evolving EU military structures. Irish troops serve at NATO HQ in Brussels under the NATO-led 'Partnership for Peace' initiative. Irish troops have served in NATO-led missions, including Afghanistan.

The Lisbon Treaty undermines neutrality further.

- It sets out common foreign and common defence policies and states that such a policy must be compatible with NATO.
- It allows for the emergence of mini military alliances of member states - While this state will retain the right to opt out of any future military interventions, a new procedure contained in Lisbon, called "structured cooperation" would allow a smaller number of member states to agree a foreign policy or military intervention to be carried out with the imprimatur, finance and logistical resources provided through the EU.
- It creates an EU Foreign Minister for the first time and allows the EU to act on the international stage in the same way as a state and to speak on our behalf;
- Article 28 of the Lisbon Treaty contains three separate clauses that will result in increased member state spending on domestic and EU military capabilities.
- It expands the list of approved military actions, known as the Petersberg Tasks which EU (including Irish) forces could perform. To date these tasks have been primarily focused on peace building and humanitarian intervention. However under Lisbon this list is expanded to include disarmament missions and provision of military assistance.

## **IRISH GOVERNMENT'S GUARANTEE ON NEUTRALITY IS MEANINGLESS**

The agreement on neutrality states "The Lisbon Treaty does not affect or prejudice Ireland's traditional policy of military neutrality." This tells us that Irish troops can only be sent abroad with the consent of the Irish government in the Council of Ministers and the Oireachtas. Sinn Féin has never disputed this fact. But neutrality is not only what you do with your troops. It is also about alliances that you form, what you do with your resources and what other member states do in your name.

## **WHAT SINN FÉIN PROPOSED: PROTOCOL ON THE NEUTRALITY OF IRELAND**

With regard to measures adopted by the Council in the area of Common Foreign and Security Policy and Common Security and Defence Policy, Ireland will not participate in the implementation of decisions and actions within these areas with the exception of UN authorised peace keeping missions subject to the domestic Triple Lock procedure. However, without prejudice to our neutral status, Ireland retains the right to fully participate in all areas of CFSP and CSDP decision-making since actions in these areas will take place under the auspices of the European Union and affect all member-states. Ireland is not obliged to contribute to the financing of the operational expenditure of the Common Security and Defence Policy other than to finance Irish defence force participation in UN-authorized peace-keeping missions. This principle applies to the European Defence Agency, the start-up fund and the mechanism for rapid access to appropriations established in Article 28 of the Lisbon Treaty or any other form of direct or indirect financial contributions. This situation may only change in accordance with the express consent of the people through referendum.

Nothing in this protocol shall prevent or limit Ireland's involvement in UN-authorized peacekeeping missions, civil or military assistance to third countries in response to humanitarian or natural disasters, so long as such missions are consistent with Ireland's constitutional requirements.

## DEVELOPING WORLD & TRADE JUSTICE

Article 2 (b) gives the EU exclusive competence over commercial policy, including the negotiating of international trade agreements. Article 188, as described above, gives the Commission power to initiate and conduct negotiations including international trade agreements before reporting back to the Council or Ministers, making it impossible for national governments or parliaments to object to the content of any such treaty. Article 10(a) mandates the “progressive abolition of restrictions on international trade” to be one of the EU’s guiding principles in its interaction with non-EU member states.

These changes would enable the EU to push through the kind of trade agreement that it is currently trying to negotiate, unsuccessfully, with the African, Caribbean and Pacific countries, 78 of the poorest countries in the world. The objective of current EU policy is the total opening up of developing countries markets, with no barriers to foreign direct investment and no barriers to government procurement. Since October 2006 the EU has been trying to force developing countries to remove what he calls ‘beyond borders barriers’ such as regulations concerning procurement and environmental, consumer and worker protections, irrespective of the consequences for the developing world economies or populations. The Lisbon Treaty will strengthen and accelerate these policies and reduce member state controls on such trade agreements.

Article 56 prohibits “all restrictions on the movement of capital between Member States and between Member States and third countries.” Sinn Féin strongly supports the idea of a Tobin Tax on international financial transactions the revenue from which would be directed into combating global poverty and inequality. Article 56. would make the introduction of a Tobin Tax illegal.

Taken together these elements of the Lisbon Treaty significantly undermine the EU’s declared objective of tackling global poverty and inequality and will further accelerate the every growing differential between the developing and overdeveloped world.

## CHARTER OF FUNDAMENTAL RIGHTS

Sinn Féin strongly supports any measures that enhance the protection and promotion of human rights and equality at home, in the EU and in the wider world. Insofar as the EU Charter of Fundamental Rights reflects pre-existing human rights standards, applies them to the EU institutions and Member States when implementing EU law, and thus potentially provides greater legal certainty, we support the EU Charter. We have called for its incorporation into EU law, and for its inclusion in a non-Constitutional Treaty.

However, the idea that the EU Charter is somehow a major step forward in human rights is an illusion. Even its advocates acknowledge that it is little more than a restatement of existing human rights law. Indeed, in its analysis of the Charter the Institute for European Affairs argues that it ‘does not create any new rights’ and moreover that the social and economic rights in the Charter ‘do not give rise to direct claims for positive action’.

Its potential additionality is severely curtailed by a number of features not least it’s numerous limitation clauses. Moreover we are not convinced that the Charter protections as framed will conclusively offset the human rights concerns raised by other provisions of the Treaty as regards public services, State aid, the Common Commercial Policy, the Foreign, Security and Defense Policies, Justice & Home Affairs, and the Developing World.

Therefore, while we generally support the content of this Charter, it is not enough to alter the balance of factors to favour the Lisbon Treaty when compared against all the ways in which the Treaty is anti-democratic.

We also question the EU’s real commitment to the Charter. If it is of real value to the protection and promotion of human rights in the EU its incorporation into law should not be contingent on acceptance of this Treaty. There is no reason for this. Effectively the Charter is being held hostage to the Treaty. The rights enshrined therein are treated as being of secondary importance at best, and this is wrong.

## **NUCLEAR POWER**

Protocol 2 of the Lisbon Treaty dealing with the European Atomic Energy Commission states that the Treaty "should continue to have full effect". One of the primary goals of this Treaty (known as EURATOM) is the promotion of nuclear energy. Irish people reject nuclear energy. The Lisbon Treaty like its predecessors mandates the EU to promote nuclear energy. At present Ireland contributed in the region of €8million of Irish taxpayers money into EURATOM every year.

## **CLIMATE CHANGE**

Supporters of the Lisbon Treaty claim that it will assist the EU in combating climate change. This is not true. Article 174 includes a cosmetic reference to climate change that does not give the EU any new powers with respect to this issue. The Lisbon Treaty has six times as many words on space exploration than it has on climate change demonstrating the 'seriousness' which this important issue is taken by the Treaty's authors.

