

EU Draft Reform Treaty (Part 2): a Detailed Analysis of the New EC/EU Treaties

Following swiftly on from our previous post on the amendments provided by the Draft Reform Treaty to the provisions dealing with judicial cooperation in civil matters, we would like to point out **a very detailed analysis of the entire text of the Treaties, prepared by Prof. Steve Peers** (University of Essex) **and published on the statewatch.org website**. The analysis is divided in several parts, each consisting of an article by article comparison, with comments, of the text resulting from the Draft Reform Treaty, the current version of the TEC/TEU and the 2004 Constitutional Treaty. The new Title IV of the future Treaty on the Functioning of the European Union, on the “Area of Freedom, Security and Justice”, is the subject of the Analysis no. 1 (Justice and Home Affairs issues).

Here’s a presentation by the author, including a list of the various parts of the analysis (the .pdf files can be downloaded from the home page of the project):

In order to further public understanding of and debate upon the draft Reform Treaty, the following Statewatch analyses make the text of the draft Treaty comprehensible, by setting out the entire texts of the existing TEU and TEC and showing precisely how those texts would be amended by the draft Treaty. There are explanatory notes on the impact of each substantive amendment to the Treaties, and each analysis includes general comments, giving an overview of the changes and pointing out exactly which provisions of the draft Reform Treaty were taken from the Constitutional Treaty, and which provisions are different from the Constitutional Treaty.

There are 3 analyses, divided into ten parts.

Analysis no. 1

- *focusses on the issue of Justice and Home Affairs*

Analysis no. 2 is the amended text of the TEU, and is divided into 2 parts:

- *the non-foreign policy part of the Treaty (basic principles and key institutional rules of the EU) and*
- *the foreign policy part of that Treaty*

Analysis no. 3 is the amended text of the TEC, and is divided into seven parts more or less following the structure of the Treaty:

- *Part One of the Treaty on general provisions*
- *Part Two on non-discrimination and citizenship*
- *half of Part Three on the internal market and competition (except for the JHA clauses, which are the subject of analysis no. 1)*
- *the second half of Part Three, on other internal EU policies (such as social policy, monetary union and environment policy)*
- *Parts Four and Five, on the associated territories and external relations (including trade and development policy)*
- *Part Six, on the institutional rules (including the rules on the political institutions, the Court of Justice and the 'flexibility' rules)*
- *Part Seven, the final provisions*

(Thanks to Allard Knook, of the ECJBlog, for the tip off)