

WORKERS

A LEAFLET FROM THE COMMUNIST PARTY

EU CONSTITUTION: REFERENDUM NOW!

PUBLIC MEETING

TUESDAY 26 FEBRUARY, 7.30PM

**CONWAY HALL, RED LION SQUARE, LONDON WC1
(nearest tube Holborn)**

Worried about the way the government plans to push through the new EU treaty/constitution? Want to discuss what we can do about it? Come to the meeting. Join the resistance. All welcome.

Throughout 2004 and 2005 Blair promised a referendum on the Constitution. In May 2005, he said, "Even if the French voted No, we would have a referendum. This is a government promise." Just three weeks later, the French voted No and the Labour government broke that promise. Brown even declared that the TUC would not try to hold the government to their word – but that's just what Congress did when it voted overwhelmingly in Brighton in September 2007 for a referendum. Labour under Brown is still trying to refuse us the promised referendum.

Loss of sovereignty

In December the European Court of Justice upheld the right of a Finnish shipping company to replace Finnish crew with cheaper Estonian crew. Union action to fight this was termed "restriction on the freedom of establishment" under EU law. This is a taste of dangerous loss of sovereignty to come under the Constitution.

Now the ball is in our court. We must make it impossible for Labour to deny us a say.

YES to Britain and independence

NO to the EU and rule by Brussels.

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What would the constitutional treaties mean?

● Single legal personality

A single legal personality will give the EU a corporate existence overriding the sovereignties of its member states. This is to set up a new state legally. "The two Treaties constitute the Treaties on which the Union is founded and the Union replaces and succeeds the Community." This would transfer all legitimacy and all power to the EU. The EU, not national governments, would decide everything.

● Institutional changes

Instead of the present six-monthly presidency of the European Council, there would be a President, whose term of office would be two and a half years, renewable once, with extra powers, including control of the 3,500 civil servants in the Council Secretariat.

The government says there would be no European Foreign Minister. That's not true. The new "EU High Representative of the Union for Foreign Affairs and Security Policy" would be a member of the European Commission. He would have the power to appoint EU envoys. He would chair the meetings of EU Foreign Ministers.

● The Charter and the European Court of Justice

The new treaty confirms and strengthens the overriding rule of EU law. The article on fundamental rights will contain a cross-reference to the Charter of Fundamental Rights – which will extend the European Court of Justice's powers to challenge and

overrule national laws. The Court's Advocate-General says, "It is difficult now to find a field of national law which is not affected in any way within Union law, and that will increase with the Constitution."

● Foreign policy

Jack Straw told the House of Commons on 1 December 2003, "any move to Qualified Majority Voting on foreign policy would be simply unacceptable". But in reality the government has accepted the introduction of majority voting in seven areas of foreign policy, most importantly on proposals made by the new Foreign Minister.

Blair got a "declaration" asserting that national governments would keep control over foreign policy, but as a Foreign Office aide explained, "There is a massive difference between a declaration and a protocol. Everything else in the treaty is a protocol, but this is just a declaration. It is a worthless promise and not legally binding. Brussels will gradually expand its role in security, defence and foreign policy."

● Justice and home affairs

The European Court of Justice would for the first time get full jurisdiction over justice, home affairs and policing. The government said it would not accept the EU extending its jurisdiction on law and order, policing and the criminal justice process. But it has accepted all these things.

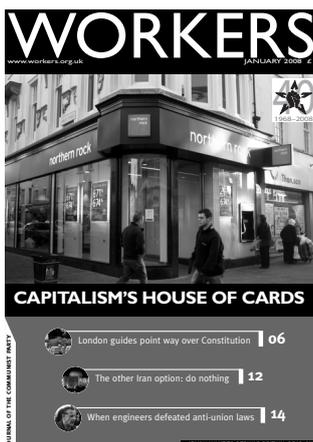
BADGE OFFER – Referendum now. No to the EU superstate!

DESPITE ALL THE promises, Labour is trying to take us into a European superstate without giving the people of Britain a chance to say what they think.

The so-called Constitutional Treaty is just the despised Constitution in another form, as even Giscard d'Estaing, author of the first attempt, has admitted. In backtracking on the referendum promise Gordon Brown is trying to wipe out a thousand years of independence and sovereignty using his tame party in Parliament.

The will of the British people has been clearly expressed in opinion poll after opinion poll. Now it is time for a poll of a different kind, a referendum. The TUC is already trying to renege on its September vote for a referendum. Don't let power slide over to Brussels.

FIGHT BACK with a Referendum Now badge (actual size, 25mm), available from Bellman Books, 78 Seymour Avenue, London N17 8EB, price 50p each, or £4 for 10. Please make cheques payable to "WORKERS".



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