

The Rt Hon the Baroness Ashton of Upholland



The Leader of the House of Lords

The Lord Blackwell
House of Lords
London
SW1A 0PW

30 May 2008

Dear Lord Blackwell,

Thank you for your letter of 8 May, which you raised during Committee on 20 May. As I said in Committee, you have overlooked the key point in my letter of 25 April - and the one that has been made repeatedly both by Ministers and by others, and that is that the nature and effect of the Lisbon Treaty is fundamentally different from that of the Treaty Establishing the Constitution for Europe.

The Constitutional Treaty, as a consolidating Treaty, was unprecedented as it repealed the EU and EC Treaties in their entirety and replaced them with a single text. The Treaty of Lisbon, by contrast, amends the existing Treaties - just as the Single European Act, Maastricht, Nice and Amsterdam did.

I believe that Parliament is the appropriate place for debating and deciding on the Treaty of Lisbon, as it was for all previous EU amending Treaties

In addition to this, your letter also overlooks significant differences between the Treaties such as the securing of a watertight opt-out for criminal justice matters. To ignore this is to ignore a difference of fundamental significance for the UK and our legal system.

I look forward to discussing these issues further at Report Stage.

I am placing a copy of this letter, and my original letter, in the Library of the House

Yours sincerely,

Catherine Ashton

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