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German legal challenge threatens Lisbon Treaty – Germany not Ireland may slow down or stop ratification

The Lisbon Treaty has received yet another setback as a second legal challenge is lodged with Germany's constitutional court. The country's highest court is already dealing with a separate complaint on the Lisbon Treaty, which argues that the treaty undermines freedoms guaranteed in the German constitution. The case is due to be heard in early February but it is now believed that this new legal action could delay Germany's ratification for many months.

Patricia McKenna, chairperson of the People's Movement, has called on the Government to abandon plans for a second referendum on the Lisbon Treaty in Ireland, the only country to allow people a vote on the controversial treaty. She said: 'This second legal challenge within the EU's most powerful member state demonstrates that the treaty is indeed fundamentally flawed and poses many uncertainties. It is extremely arrogant of Germany to be putting pressure on Ireland to accept a treaty that they have not ratified themselves yet. Chancellor Merkel would be well advised to study the genuine concerns of her own citizens instead of trying to browbeat Ireland into voting again on something they have already rejected.'

This new legal challenge in Germany focuses on not just political issues but on economics as well and argues that the prognosis on European integration given in 1993 by the German court on the Maastricht Treaty has turned out to be false. The complainants argue that the court cannot approve Lisbon because it 'strengthens the current practice of dismembering the division of powers and mixing of competences'.

A commercial lawyer, an economist and a former MEP are taking the case.

McKenna, a former Green Party MEP, said: 'This treaty enshrines in law economic policies that have contributed to the current economic crisis and when put under any serious independent scrutiny the flaws and problems it poses become evident. The time has come for EU leaders to be honest and brave enough to accept that they got it wrong.'

'Ireland is being condemned by all EU leaders, including our own, for failure to accept the

Lisbon Treaty but we are not alone. It would be ironic if Germany, one of the main proponents of this Treaty, was the country responsible for its eventual downfall' concluded McKenna.

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For further information:
Patricia McKenna (chairperson) – 087 2427049