

Treaty on the Functioning of the European Union

SUMMARY OF:

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INTRODUCTION

The Treaty on the Functioning of the European Union (TFEU), as a result of the Lisbon Treaty, was developed from the Treaty establishing the **European Community** (TEC or EC Treaty), as put in place by the [Treaty of Maastricht](#). The EC Treaty itself was based on the Treaty establishing the [European Economic Community](#) (TEEC), signed in Rome on 25 March 1957. The creation of the European Union by means of the Treaty of Maastricht (7 February 1992) marked a further step along the path to the political unification of Europe.

However, the European Union did not replace the European Communities but instead placed it under the same umbrella based on the '3-pillar' structure:

- **The 1st pillar** consisted of the European Communities (the EC, the [European Coal and Steel Community](#) (ECSC) until 2002, and [Euratom](#)).
- **The 2nd pillar** consisted of the cooperation between the EU countries under the [common foreign and security policy](#).
- **The 3rd pillar** covered cooperation between the EU countries in the field of [justice](#) and home affairs.

Every new treaty leads to the renumbering of the articles. The [Treaty of Lisbon](#), signed on 13.12.2007 and entered into force on 1.12.2009, in turn renamed the TEC as the TFEU which merged the 3 pillars into the reformed EU and was once again renumbered.

The TFEU is one of 2 primary treaties of the EU, alongside the [Treaty on European Union](#) (TEU). It forms the detailed basis of EU law by defining the principles and objectives of the EU and the scope for action within its policy areas. It also sets out organisational and functional details of the EU institutions.

WHAT IS THE AIM OF THE TREATY?

As stated already in its former preamble, the aim of the TEC was to 'lay the foundations of an ever closer union among the peoples of Europe'. That wording is still present in the preamble of the current TFEU as well as of the TEU. These treaties have in fact

brought a more political and democratic dimension to European integration beyond the original economic objective of creating a single market.

KEY POINTS OF THE CONSOLIDATED TREATY

- **Part 1 — Principles:**
 - describes the scope of the treaty and its link to the TEU (Article 1);
 - outlines the EU competences according to the level of EU powers in each area (Articles 2, 3, 4, 5 and 6);
 - sets out general principles governing the action of the EU (Articles 7 to 17).
- **Part 2 — Non-discrimination and citizenship of the EU:**
 - outlaws nationality-based discrimination (Article 18);
 - states the EU will 'combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation' (Article 19);
 - establishes and defines citizenship of the EU and the related rights (Articles 20 to 24).
- **Part 3 — the largest (Articles 26 to 197), it brings the legal basis for the EU policies and internal actions in the following areas:**
 - the **internal market** (Title I);
 - the **free movement of goods** (Title II), including the **customs union**;
 - the **common agricultural policy** and the **common fisheries policy** (Title III);
 - the free movement of workers (and **people** in general), **services** and **capital** (Title IV);
 - the **area of freedom, justice and security** (Title V), including **police and justice cooperation**;
 - **transport** (Title VI);
 - **competition**, **taxation** and the **harmonisation of legislation** (Title VII);
 - **economic and monetary policy** (Title VIII), including articles on the euro;
 - **employment policy** (Title IX);
 - **social policy** (Title X), with reference to the **European Social Charter** (1961) and the **Community Charter of the Fundamental Social Rights of Workers** (1989) — Title XI establishes the **European Social Fund**;
 - **education**, **vocational training**, **youth** and **sport** policies (Title XII);
 - **culture** (Title XIII);
 - **public health** (Title XIV);
 - **consumer protection** (Title XV);
 - **trans-European networks** (Title XVI);
 - **industrial policy** (Title XVII);
 - **economic, social and territorial cohesion** — in other words, reducing disparities in development (Title XVIII);
 - **research and development** and **space policy** (Title XIX);

- [environmental policy](#) (Title XX);
- [energy policy](#) (Title XXI);
- [tourism](#) (Title XXII);
- [civil protection](#) (Title XXIII);
- [administrative cooperation](#) (Title XXIV).
- Part 4 — **Association of the overseas countries and territories** (Articles 198 to 204) describes the special relations between the EU and the overseas territories of some EU countries which, contrary to outermost regions, are not part of the EU.
- Part 5 — **EU external action** (Articles 205 to 222) describes:
 - the common commercial ([external trade](#)) policy;
 - [cooperation on development and humanitarian aid](#) for non-EU countries;
 - relations with non-EU countries (international treaties, [sanctions](#) and [solidarity](#) between EU countries) and international bodies;
 - the establishment of EU delegations;
 - that external actions must be in accordance with the principles laid out in Chapter 1, Title 5 of the TEU regarding the common foreign and security policy (Article 205).
- Part 6 — **Institutional and financial provisions** elaborates on:
 - [EU institutions](#) (Articles 223 to 227);
 - EU consultative bodies (Articles 300 to 307);
 - the European Investment Bank (Articles 308 and 309);
 - legislative [acts](#) (regulations, directives, etc.) and [procedures](#) of the EU (Articles 288 to 299);
 - the EU [budget](#) (Articles 310 to 325);
 - [enhanced cooperation](#) between EU countries (Articles 326 to 334).
- Part 7 — **General and final provisions** (Articles 335 to 358) deals with specific legal points such as the legal capacity of the EU, territorial and temporal application, the seat of institutions, immunities and the effect on treaties signed before 1958 or the date of accession.

FROM WHEN DOES THE TREATY APPLY?

Signed by 27 EU countries (Croatia did not join the EU until 2013) on 13 December 2007, the TFEU entered into force on 1 December 2009.

BACKGROUND

For further information, see:

- [The first treaties](#) (*European Parliament*)
- [EU history](#) (*Council of the EU*)
- [EU treaties](#) (*European Commission*)
- [Treaties overview](#) (*EUR-Lex*).

MAIN DOCUMENT

[Treaty](#) on the Functioning of the European Union of 13 December 2007 — consolidated version (OJ C 202, 7.6.2016, pp. 47-360)

RELATED DOCUMENTS

[Treaty](#) establishing the European Economic Community (not published in the Official Journal)

Successive amendments to the treaty have been incorporated into the basic text. This [consolidated version](#) is for reference only.

[Treaty of Maastricht](#) of 7 February 1992 (OJ C 191, 29.7.1992, pp. 1-112)

[Treaty of Lisbon](#) of 13 December 2007 (OJ C 306, 17.12.2007, pp. 1-271)