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EU Commission faces legal challenge over improper interference in Irish referendum

The EU Commission is facing a legal challenge from leading Anti-Lisbon campaigner Patricia McKenna over what she claims is blatant interference in the Irish political process in order to secure a Yes vote. The former Green Party MEP and Chair of the People's Movement said she was "extremely disturbed that the EU Commission, which under EU law is precluded from attempting to influence member states internal politics, is funding a number of very one-sided events around the country."

The commission held a special public meeting in the centre of Dublin last week entitled "The Future for Ireland and the European Union". McKenna said "This title is calculated to deceive the public and avoid legitimate claims that these meetings are for the purpose of influencing voters to say Yes to Lisbon. Even the most neutral observer would have to accept that this event, with a panel of four in favour and one against, was specifically designed to promote the Yes side of the Lisbon Treaty debate." A similar meeting with the same balance was held in Cork a week earlier and two more are planned for Limerick and Dublin with all speakers from the Yes side. While the Commission will say that the topic is the future of Europe not Lisbon, every speaker at both the Dublin and Cork meetings devoted his or her entire time to the Lisbon treaty.

Ms McKenna said; "It's quite clear that these events are aimed at promoting a certain view of the Lisbon Treaty. I phoned the Q4 PR, who are organising these events and they said that several had been organised. When I asked the time frame I was told 'obviously all before the referendum on the 12 of June'".

"Not only is this a breach of the principles of the McKenna judgement but it flies in the face of the assurances given by the head of their Dublin office, Martin Territt, in the *Irish Times*

on January 16th when he said that the Commission would not be taking part in the campaign. The EU Commission is in effect a body of Civil Servants and it should have no role in the sovereign decision of Irish people.”

“While Mr. Territt has rejected claims by opponents of the Lisbon Treaty that neither he or the EU Commission as a whole would be interfering in the Irish debate it would appear that this is exactly what they are doing.”

The former Green MEP said she has been seeking legal advice on the matter as she believes the EU Commission has no right to interfere in this matter. She said “the EU Commission will benefit substantially at the expense of Irish voters if this treaty gets the go ahead. Under Lisbon the Commission will be given greater powers to put its own decision into effect and will be given greater legislative powers in the form of ‘delegated acts’. Considering the massive funds and resources at its disposal there is no doubt that the EU Commission can influence Irish opinion prior to the vote if they get away with it.”

Q4 PR’s Damien Garvey said “we do have 14 events organised to take place prior to June. However this is part a year long information campaign with other seminars organised for the autumn.”

He was backed by EU Commission in Ireland. Spokeswoman Ruth Deasy said “The EU Commission is not campaigning in Ireland and doesn’t campaign anywhere it is precluded really. We are not campaigning but we run events all year and every year since 1972 and they often involve public discussions seminars, briefings or seeking public opinion on various things. There are a series of seminars going on at the moment which Q4 have set up and involving MEPs each time because that is their role they have their own personal opinions on all aspects of the Treaty and they are free to speak about that proselytise in whatever way they want. We don’t campaign but that is not to say that we don’t have an opinion that this is good for the EU but after that it is out of our hands and up to the member states and the political parties in the member states to do the campaigning.”

However, McKenna said that the Commission’s position was untenable and she challenged them to prove their events were unrelated to the vote on Lisbon by postponing them a few weeks until the referendum is over.

McKenna said “the EU Commission cannot be trusted on this and she pointed out that the Commission has breached Irish law before under the exact same guise of a so-called information campaign tactic. In 2005, together with Anthony Coughlan of the National Platform, McKenna successfully challenged the legality of a massive advertising campaign

costing €360,000 by the Dublin office on local Irish radio stations. Coughlan and McKenna argued that the advertisements financed by the Commission were, in effect, political propaganda geared towards influencing public opinion on the EU in the run up to the referendum and were in breach of the Broadcasting Acts. The Broadcasting Complaints Commission upheld their complaint.

“There is no doubt that, unless challenged, powerful bodies, like the EU Commission, will with the help of public monies, will try to interfere in this referendum. If this is allowed to happen it will make a complete mockery of the McKenna judgement and will deny the Irish people the right to a free, fair and balanced debate” concluded McKenna.

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