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## [Daniel Hannan](#)

**Daniel Hannan is a writer and journalist, and has been Conservative MEP for South East England since 1999. He speaks French and Spanish and loves Europe, but believes that the EU is making its constituent nations poorer, less democratic and less free.**



# The EU turns its hideous strength against Václav Klaus

By [Daniel Hannan Politics](#) Last updated: October 12th, 2009

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Can [this](#) really be true? The French and German governments attempting to oust the head of state of a neighbouring democracy? Czech politicians being told to bring impeachment proceedings against their President – not on grounds of corruption or abuse of office, but because he is sticking to a position that he had very publicly adopted prior to becoming President?

Klaus himself has written of the intolerant, authoritarian nature of the doctrine he calls “Europeism”. Now he is all that stands in its way, and is sustaining its full force. I have written many times of what I call the EU’s “[hideous strength](#)”: the way in which, as well as being undemocratic in itself, it requires its member nations to sacrifice a measure of their *internal* democracy; the way in which it makes otherwise good people do bad things. I hope that Klaus’s stand will convince people – not just in Czech Republic or Britain, but across the EU – of the nature of what we are dealing with.

**Tags:** [Czech Republic](#), [eu](#), [hideous strength](#), [impeachment](#), [Lisbon Treaty](#), [Vaclav Klaus](#)

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## COMMENTS

- You’re preaching to the converted here, Danny.

But people won’t react, look at the widespread grass roots reaction to Lisbon and how it managed to stop it in its tracks after the Irish decision was over ruled by the Autocrats in Brussels.

That didn’t happen and nor will anything else.



Damocles on Oct 12th, 2009 at 1:08 pm

[Report comment](#)

- So will you now call on Dave to promise a referendum on continued EU membership?



mmaarrkk on Oct 12th, 2009 at 1:13 pm

[Report comment](#)

- The article plays down the involvement of Germany and France in this affair, so – fairly – your concerns here Dan need better illustration (Mitterand’s bloody hands after the Rwanda catastrophe in 1995 are rarely discussed in European Capitals after all... a President content to sit idle thru’ the massacre of hundreds of thousands of Africans on the basis of which side spoke French as a first language is a prime example of the kind of ‘Democracy’ EU Leaders seem happy to endorse). Doubtless the grubby hands of the EU are all over this one but on all notional qualities this is more an internal matter for the Czechs.

More important, I’d rather expect David Cameron to be in possession of an opinion, and be prepared to elicit that opinion quite publically.

Now, why on earth wouldn’t he....?



Pogles Woodsman on Oct 12th, 2009 at 1:16 pm

[Report comment](#)

- If klaus got such a good backing by the population in the Czech republic given his similar stance as ukip in this country why on earth did they want to join the EU in the first place?  
I also see that the Poles are renaging on the Treaty and or falling into line. Does that mean they will now desert your grouping in the EU parliment Daniel?



agaidagan on Oct 12th, 2009 at 1:16 pm

[Report comment](#)

- The UK needs to get out of the Euroclub. Now.



[daniel1979](#) on Oct 12th, 2009 at 1:28 pm

[Report comment](#)

- SO WHAT IS CAMERON GOING TO DO ABOUT IT?

Yes, yes, I know that he’s not the British Prime Minister; but he’s widely viewed as the British Prime Minister in waiting, only waiting for the day when Brown finally has to call a general election.

When is he going to make the measured, statesmanlike speech in which he says, for example:

“I have repeatedly made it clear that, in my view, it is in British interests to remain within the European Union.

But the kind of European Union I want is not a Union where large countries behave like playground bullies towards smaller countries.

It is not a Union which has a cavalier attitude to the rule of law, which disregards its own founding treaties and its own

laws when convenient.

It is not a European Union which will relentlessly pursue “ever closer union” at the expense of the national sovereignty of its member states, to the detriment of their national democracy, and by means which have no legal basis, let alone democratic legitimacy.”

Etc.

When, Daniel?

When?



Denis Cooper on Oct 12th, 2009 at 1:35 pm

[Report comment](#)

- **We saw it coming**

I've written my third letter to the brave Czech President – praising him on behalf of British democrats and asking that he stand firm until we can remove our own corrupt Labour regime.

If any proof were necessary of the evil and controlling nature of these EU thugs, this undemocratic bullying of Sovereign leaders exposes them for what they are.

What really baffles me is the EU's complete ignorance of the hatred that's building against their regime. I'll always despise living under the EU yoke, as will others, and it will only ever end one way.

There must surely one day come a time when we're able to hold to account our own treacherous 'politicians' who lied, bullied and cheated the British people out of their cherished democracy.

.



Phil Kean on Oct 12th, 2009 at 1:37 pm

[Report comment](#)

- You've been reading my blog! As has the EU commission (I expect a raid across the Swiss border from French Europlod at any moment).

I saw you on The Daily Politcs (no relation) earlier:

[Hannan defendes Kaminski on the Daily Politics, October 12th.](#)

And for those finding it difficult to locate given our massive productivity:

[Germans demand coup in Czechoslovakia .](#)



SwissBob on Oct 12th, 2009 at 1:39 pm

[Report comment](#)

- So, France and Germany are now actively promoting regime change.



matelot on Oct 12th, 2009 at 1:41 pm

[Report comment](#)

- Detailed legal opinions explaining why there was no reason to anticipate conflict between the Benes decrees and the EU treaties then in force, 2002, prior to accession of the Czech Republic to the EU:

<http://www.mpil.de/shared/data/pdf/lordkingsland.pdf>

<http://www.mpil.de/shared/data/pdf/frowein.pdf>

But they looked at the potential for conflict with the EU treaties then in force, not with the EU treaties as they would be amended by the Lisbon Treaty and therefore incorporating the Charter of Fundamental Rights.



Denis Cooper on Oct 12th, 2009 at 1:41 pm

[Report comment](#)

- Attention, freedom lovers! Some inspiration for these dark times:

[http://www.archives.gov/exhibits/charters/declaration\\_transcript.html](http://www.archives.gov/exhibits/charters/declaration_transcript.html)

Spread the message and, when the time comes, the people will be educated enough to know that the only way to freedom and prosperity is minimal government and subsidiarity.

Perhaps we're heading for a second 1776 – this time in Europe?



jamika on Oct 12th, 2009 at 1:56 pm

[Report comment](#)

- @adaidagan  
on Oct 10th, 2009 at 11:50 am  
on Daniel Hannan blog

“Well, well, now we know where vaclav claus is coming from, he's basically a gangster/mafia type”.

Surely it would be very unjust not to mention your excellent contribution to the huge support of our Prezident in the Czech Republic.



Stan on Oct 12th, 2009 at 2:00 pm

[Report comment](#)

- I know Blair has admitted to breaking international law by invading Iraq to affect regime change, but is this effort not also against international law, in which case both Merkel and the French dwarf should be hauled into court?



Sheumais on Oct 12th, 2009 at 2:06 pm

[Report comment](#)

- What is that tramp, tramp, tramp, tramp I hear in the distance getting nearer and nearer.



ajax on Oct 12th, 2009 at 2:19 pm

[Report comment](#)

- Don't feed the troll, Stan old chap.

He will keep on posting until he stops being paid.



ajax on Oct 12th, 2009 at 2:23 pm

[Report comment](#)

- ...and the EU's next target will be (drum roll) David Cameron and the Torys, if he is elected and presses for a Referendum (which I suspect he won't) or UKIP if they are elected and do the same.

The EU will not withdraw its claws easily.



Iwojeemi on Oct 12th, 2009 at 2:25 pm

[Report comment](#)

- Somehow I can't see the Czechs reacting in a tolerant way to any attempts by Germany to interfere in their national politics.  
Are we going to sell them out yet again, as at Munich?



JohnT on Oct 12th, 2009 at 2:48 pm

[Report comment](#)

- phil kean  
You say you hav written to Vaclav Klaus.  
May I ask where you found his address? i also wold like to encourage him in this fight against tyranny.



LADYMONEYPENNY on Oct 12th, 2009 at 2:56 pm

[Report comment](#)

- JohnT. The trouble is that there is a European political class in every country willing and eager to betray its own people.

Odd really.



ajax on Oct 12th, 2009 at 3:09 pm

[Report comment](#)

- **Phil Kean** on Oct 12th, 2009 at 1:37 pm  
*"What really baffles me is the EU's complete ignorance of the hatred that's building against their regime."*

They're not ignorant at all, any more than the Nazis were of the hatred in the countries they overran. They couldn't care less, as the mechanisms to deal with dissent are already in motion.

*"I'll always despise living under the EU yoke, as will others, and it will only ever end one way."*

Yes, when the EUSSR Thought Police wheel you off to the Re-Education Camp, the one with a big smoky chimney at the back and "*Arbeit Macht Frei*" written over the gate.

*"There must surely one day come a time when we're able to hold to account our own treacherous 'politicians' who lied, bullied and cheated the British people out of their cherished democracy."*

We'll just have to hope that our Cousins across the Atlantic haven't forgotten our 'Special Relationship' then won't we? Because we'll have no chance otherwise.



Catweazle on Oct 12th, 2009 at 3:14 pm

[Report comment](#)

- “The trouble is that there is a European political class in every country willing and eager to betray its own people. Odd really.”

Not really, people are weak, ineffectual and docile. There's always someone who'll take advantage of that, if you were in a position to do so wouldn't you? I would.



Damocles on Oct 12th, 2009 at 3:24 pm

[Report comment](#)

- Maybe someone recalls the website that was mentioned yesterday, I believe, on one of the blogs about the Russian dissident who was finally allowed to view some Soviet archives where he discovered that the Federalist EU was being discussed WITH RUSSIA as early as 1982. Which is why so much of the structure is like the Soviet one. I cannot recall on who's blog it was. Anyone help? I recall that Giscard D'estaing was present at the meetings-funny how he ended up writing the Constitution.



LADYMONEYPENNY on Oct 12th, 2009 at 3:28 pm

[Report comment](#)

- Have you read all the comments below the article telling the Czech people to get on with it? Funny how many non-Brits or Czechs have descended upon that article to tell the Czech people what to do. One other thing I noticed is that the Czech cabinet is now comprised of non-elected individuals.



Garrincha on Oct 12th, 2009 at 3:31 pm

[Report comment](#)

- The gentleman is Vladimir Bukovsky. He was imprisoned by the USSR for organising poetry readings. He is now a patron of UKIP.



Garrincha on Oct 12th, 2009 at 3:36 pm

[Report comment](#)

- ‘Hideous strength’ – if only Daniel!!

I think many Czech's might think that Klaus is the one who is exceeding his power and is now trying to change the rules of the game – once the game has started.



europarl-pse on Oct 12th, 2009 at 3:54 pm

[Report comment](#)

- Many Czechs may also think that Mr. Klaus is the only man that is standing between their nation and absorption into an imperialist mega-state.

Why don't we give them a referendum on it?

And to add a bit of spice to it.

Why don't the EU accept the peoples decision for once?



Garrincha on Oct 12th, 2009 at 4:03 pm

[Report comment](#)

- europarl-pse: Erm, no, not signing it is perfectly within Klaus' power. He is one man, up against the forces of an organisation that does not take no for an answer, and has the hideous strength of the minds of the political class of 27 nations who despite democracy for all the damage they incorrectly perceive it has done. He also hasn't changed the Czech constitution (the rules of the game for him) by even a tiny amount, you simply oppose his rationality and wish to do what is in the best interests of his country.

External pressure to overthrow a countries leader, is an act of War. It is the perfect example of our weakness today that no country will stand up for the Czech Republic and their democratically elected leader in the face of external pressures on the sovereignty of that nation. Of course, we know, because the entire point of the EU, UN and all similar organisations is to slowly increase their power and soak up national sovereignty in the name of truth, human rights and international legal standards.



James on Oct 12th, 2009 at 4:04 pm

[Report comment](#)

- Klaus is a highly intelligent politician and economist who thinks things through. His compatriots are just on the take. Klaus is brave and resolute. I wonder if Cameron has the spunk to do anything really dramatic.



ferdinand on Oct 12th, 2009 at 4:24 pm

[Report comment](#)

- Klaus is a highly intelligent politician and economist who thinks things through. His compatriots are just on the take. Klaus is brave and resolute. I wonder if Cameron has the spunk to do anything really dramatic.



ferdinand on Oct 12th, 2009 at 4:24 pm

[Report comment](#)

- Well, it looks as if Klaus has succeeded in delaying for a while:  
<http://www.timesonline.co.uk/tol/news/world/europe/article6871365.ece>



Ally on Oct 12th, 2009 at 5:14 pm

[Report comment](#)

- **LadyMoney penny**

I've been writing e-mail letters to the Czech Ambassador in London and asking him to pass my communications on to the the President.



Phil Kean on Oct 12th, 2009 at 5:20 pm

[Report comment](#)

- You can't go asking for changes to an international treaty ratified by 26 countries when things get tough and you throw a stop. If the Czech's wanted an opt-out to the Charter of Fundamental Rights they should have negotiated this back in 2007 when Poland and the UK did. Klaus is playing pure politics and bringing up references to WWII in this way is outrageous.



europarl-pse on Oct 12th, 2009 at 5:38 pm

[Report comment](#)

- Denis Cooper: "SO WHAT IS CAMERON GOING TO DO ABOUT IT?"

He is 'not letting matters rest' !!!!



David Dee on Oct 12th, 2009 at 5:39 pm

[Report comment](#)

- @LadyMonneypenny

Or, you can write to him directly at:-

**The Office of the President of the Czech Republic**  
**Prague Castle**  
**119 08 Prague 1**  
**Czech Republic**



Lance Grundy on Oct 12th, 2009 at 5:52 pm

[Report comment](#)

- Something should be done. The right to all freedom has to be fought for. For Britain and the Czech Republic. We need to stand together. We'll win.



lbonnie on Oct 12th, 2009 at 5:59 pm

[Report comment](#)

- The Eu is looking ever more like the Fourth Reich or the USSR. If we allow our politicians to keep us in this anti-democratic totalitarian state they will, as has been admitted, make it an offence to criticise the EU. I have little doubt that, when forming their own police force, it will be modelled on the Gestapo and the Stasi. Having seen the results of two previous totalitarian states within the last century, anybody wishing to live in similar circumstances must be certifiable.



Toboo on Oct 12th, 2009 at 5:59 pm

[Report comment](#)

- Adersity makes strange bedfellows Dan but I find myself as a traditional Liberal, (NB not a nasty, politically correct authoritarian illiberal "liberal – left" supporter) increasingly having to support your arguments from the right of

conservatism.

It is, as we have seen, too difficult to devise a policy that serves all the factions and regional requirements of even a geographically small nation like Britain. Further attempts to integrate the diverse nations and cultures of Europe can only end in disaster and Soviet Union style fragmentation.

[http://www.greenteethmm.com/dailystirrer.shtml#eu\\_bullies\\_gang\\_up](http://www.greenteethmm.com/dailystirrer.shtml#eu_bullies_gang_up)



boggart on Oct 12th, 2009 at 6:03 pm

[Report comment](#)

- Daniel

“That Hideous Strength” is nothing more than corruption on a grand scale.

The deal is this. Politicians hand over their nation’s sovereignty in return for the promise of more power over more people and the guarantee of a tax free salary, pension and perks.

For most politicians the guarantee of a tax free salary, pension and perks is sufficient to get them to agree to anything put in front of them.

That Hideous Strength can only exist in a climate where honesty, conviction and the memory of the cost of freedom is at a low ebb.

This is why Lib/Lab/Con are easily bought and sold – the EU has no intrinsic strength, rather it has derived strength, strength derived from the weakness of those it wishes to devour.

And as for Mr. Cameron – his weakness feeds That Hideous Strength as it attacks the Czechs.



Jonathan Wilson on Oct 12th, 2009 at 6:20 pm

[Report comment](#)

- For crying out loud, all this claptrap about the second coming of the nasty nazi’s is going to your pea brained heads. I will say it again, if the czech people have such a problem with the EU why did they join up, it dosen’t make sense. And I cannot understand what the hell Cameron is doing getting mixed up with that rabble over there, it could end up being the end of him.



agaidagan on Oct 12th, 2009 at 6:33 pm

[Report comment](#)

- europarl-pse on Oct 12th, 2009 at 5:38 pm

Operative,

“If the Czech’s wanted ....” Since when did the EU dare to ask the people, the missing demos ?

The EU is scared of democracy and has successfully circumvented its problem with democracy by buying failed national politicians.

Mr Klaus KNOWS this and that is why he wants to be as bloody-minded as possible, bless him!



Wilbur on Oct 12th, 2009 at 6:49 pm

## [Report comment](#)

- europarl-pse: Stop making arbitrary assertions with no reasoning. A country can do what is best for it, any time it likes. It doesn't have to flow your personally decided time table, and it can be as irritating to others as it wants, for it's own good. Good for them. Klaus is "playing politics", yes. Which is good, because it'd be silly to play Yahtzee with a political document. It's definitely not outrageous to bring up WWII in that way, do you have any reasoning to back this up? Or do you just seek to attack a better man than yourself for doing the right thing? Child.



James on Oct 12th, 2009 at 6:58 pm

## [Report comment](#)

- @ agaidagan

The "claptrap" is, as ever, emanating from your direction.

" .....if the czech people have such a problem with the EU why did they join up ....."

Possibly for the same reason the British joined up in 1973/75, thinking it was a good idea at the time and/or not knowing or suspecting enough about the true intentions or modus operandi.

But more likely, all those eastern European states recently liberated from the Soviet yoke, were/are between a rock and a hard place – either of rejecting the EU offer of showering them with tons of money to build up their infrastructures etc. or going it alone, or falling back into the clutches of Russia.



alexei on Oct 12th, 2009 at 7:52 pm

## [Report comment](#)

- I think Merkel will be satisfied with the Sudeteland, I don't believe she will make further demands.



John on Oct 12th, 2009 at 8:08 pm

## [Report comment](#)

- I think Merkel will be satisfied with the Sudetenland, I don't believe she will make further demands.



John on Oct 12th, 2009 at 8:08 pm

## [Report comment](#)

- agaidagan "And I cannot understand what the hell Cameron is doing getting mixed up with that rabble over there" ..

What, are you going to get the jackboots out again to teach them a lesson? Oh what a "pro-European" you must be.



Wilbur on Oct 12th, 2009 at 8:26 pm

## [Report comment](#)

- So having written this blog Dan, are you still under the opinion that Cameron would have the power to change the Mighty Hideous Strength of the Regime?

Pull the other one!!!



Hagar on Oct 12th, 2009 at 8:30 pm

[Report comment](#)

- Taken from today's article by Bruno Waterfield in the Telegraph: 'Any demand from the Mr Klaus for reopening of the Lisbon Treaty text to insert an "opt-out" would be refused by the other EU countries.'

So if Britain wanted to reclaim some of her national powers under the ratified Lisbon Treaty, what's the chance of our request being refused by the other EU countries?

Yep, you guessed right. Hope Cameron twigs soon.



Hagar on Oct 12th, 2009 at 8:36 pm

[Report comment](#)

- Hagar

Yes. "We won't let matters rest" sounds feebler by the minute. There has to be a national protest vote against the spivs-in-waiting: they continue insulting the electorate with their pathetic spin.



Wilbur on Oct 12th, 2009 at 8:43 pm

[Report comment](#)

- To show your support for Vaclav Klaus here are his office's contact details and Facebook page. BTW Daniel has his own "Amirers" page too.

<http://www.hrad.cz/en/contacts/office-of-the-president-of-the-republic.shtml>

<http://www.facebook.com/home.php?#/group.php?gid=144395234460&ref=ts>



davea on Oct 12th, 2009 at 8:51 pm

[Report comment](#)

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<http://www.hrad.cz/en/contacts/office-of-the-president-of-the-republic.shtml>

<http://www.facebook.com/home.php?#/group.php?gid=144395234460&ref=ts>



davea on Oct 12th, 2009 at 8:51 pm

[Report comment](#)

- "I think Merkel will be satisfied with the Sudetenland, I don't believe she will make further demands."

John, hilarious, amd Davea, joined.



SwissBob on Oct 12th, 2009 at 9:21 pm

[Report comment](#)

- Davea

Done severally. Let's make it viral. No time to lose (especially not on Cameron.)



Wilbur on Oct 12th, 2009 at 9:32 pm

[Report comment](#)

- Wilbur

” Let's make it viral. No time to lose (especially not on Cameron.)”

Don't you mean no time to waste on Cameron.



alhamilton18 on Oct 12th, 2009 at 9:46 pm

[Report comment](#)

- Since the Germans taxpayers are being bled dry for Europe, you can hardly blame them wanting something in return.  
The Sudetenland...  
Danzig...  
The Corridor...  
Lebensraum in the east...  
etc...



wallacer on Oct 12th, 2009 at 9:48 pm

[Report comment](#)

- Lance Grundy,

Thanks for the president's address.

President Klaus,

Sir, may I thank you on behalf of all democrats for your stand against the Lisbon Treaty. Whether you will be able to derail it, or delay it long enough for a new UK government to hold a referendum is not certain, but what is certain is that at this moment you stand alone for democracy. One day, we, the free peoples of Europe, must recover the right to sack those who exercise power over us. When that day comes, it will be in no small measure due to your efforts.

Thank you.

Yours sincerely,

Paul Giles.

I'll post it tomorrow.



paulgiles on Oct 12th, 2009 at 9:52 pm

[Report comment](#)

- Don't worry, folks it's just 'a quarrel in a faraway country, between people of whom we know nothing'.

Move along. Nothing to see here.



Catweazle on Oct 12th, 2009 at 10:12 pm

[Report comment](#)

- Comment of the day that one, John.

Worth repeating.



11263 on Oct 12th, 2009 at 10:30 pm

[Report comment](#)

- Thanks for the link, **Ally**. Though I've no hope of this being dragged out until the general election.

We might \*gasp\* actually require our own politicians to earn that hefty paycheque of theirs.



Stan J on Oct 12th, 2009 at 10:49 pm

[Report comment](#)

- What is so surprising is that of 27 national governments, only two have so far bothered to read the small print of the Lisbon Treaty and challenge it; the German Government and the Czech Republic.

Germany can hardly criticise the Czech Republic for holding back can it?

When German Courts were pontificating over the Lisbon Treaty, how much pressure did the EU put them under I wonder?



Hagar on Oct 12th, 2009 at 10:57 pm

[Report comment](#)

- Yes, John very good – you have a little piece of paper with her signature on it to back it up.



Jonathan Wilson on Oct 12th, 2009 at 10:57 pm

[Report comment](#)

- Where in the EU treaties does it say that MEPs can call for the removal of the President of a member state?

Where in the EU treaties does it say that MEPs can interfere in the process of ratification, or not, of a new treaty?

Nowhere, in both cases, as far as I'm aware; and is it not time that these people were firmly reminded of the limits of the authority delegated to them through the treaties?

Is there an internal procedure whereby other MEPs can move for these MEPs to be censured and possibly fined?

<http://www.ceskenoviny.cz/news/zpravy/meps-criticise-klaus-for-alleged-vanity-call-for-impeachment/402311>

“MEPs criticise Klaus for alleged vanity, call for impeachment”

“Vienna/Berlin – Some MEPs today criticised Czech President Vaclav Klaus in reaction to his refusal to sign the Lisbon treaty to complete the ratification process in the Czech Republic unless his demands are met.

German MEP Jo Leinen today called for launching the impeachment process of president Klaus if he did not sign the Lisbon treaty even if the Czech constitutional court did not find any shortcomings in it.

Austrian MEP Othmar Karas criticised Klaus for his “personal vanity and playing tactically” during the ratification of the Lisbon treaty.”



Denis Cooper on Oct 12th, 2009 at 11:06 pm

[Report comment](#)

- The EU have marketed the Lisbon Treaty as a ‘tidying up exercise which improves the decision making process’

Funny how merging 27 former sovereign nations into one centrally controlled totalitarian State, ‘improves the decision making process’ eh?



Hagar on Oct 12th, 2009 at 11:09 pm

[Report comment](#)

- Sorry for the clumsy reworking of this famous quote but:

They came for President Klaus and we did nothing because it didn’t affect us directly at the time.

They came for us and we had no one but ourselves to blame because we had stood by and let President Klaus be removed from Office.



Hagar on Oct 12th, 2009 at 11:15 pm

[Report comment](#)

- Denis Cooper raises a valid point. Surely you can raise something in the European Parliament condemning these MEPs who are calling for the removal of an elected head of state of a member country?



osamathenazarene on Oct 12th, 2009 at 11:57 pm

[Report comment](#)

- I strongly disagree with your statement that Germany and France are trying to “overthrow” the president of the Czech Republic, if there are people who want to get rid of him are inside the Parliament in Prague and most of the Czech intellectuals and intelligentsia are very much oppose to Vaclav Klaus, a very corrupted man who has to give thanks to the communists and the far right to continue as head of state elected not by the people but the Parliament. I found outrageous this defence of the populist and extremely demagogical President of the Czech Republic, Vaclav Klaus, we know hat Mr. Klaus rejects the Treaty of Lisbon due to his fear that millions of people or their families, who were expelled after WW2 from the then Czechoslovakia thanks to the racist and totalitarian Benes decrees will start right away legal proceedings to recover properties confiscated at the time (5 million ethnic Germans, Austrians, Hungarians and even Czechs and Moravians accused falsely in most cases of collaboration with the Nazis were persecuted, expelled from the country just with their clothes). But there are other arguments that I want to let know to all the Telegraph lectors about how Klaus is in power and what he represents.

Václav Klaus was re-elected in the last parliamentary elections in Prague in the third round of the re-run Czech presidential election with 141 parliamentary voters to Švejnár’s rather paltry 113. They vote in public – Klaus’s supporters were confident of winning and so didn’t make a fuss, but the whole process is still painfully slow and still takes all day. VK still managed to pick up the vote of now expelled Social Democrat deputy Evžen Snitilý, most Christian Democrats and a few independent right-wing Senators carefully ‘minded’ by ODS parliamentarians to make sure they didn’t change their minds, and at the end the Communist supported him as well.

In the lunch break Czech TV commentators more or less openly speculate about whether this long-serving Social Democrat has been tempted to ‘secure his family’s future’ or just had a nervous breakdown. České Nominee reported

most of the corruption allegations briefly here and also suggests that the going rate for a pro-Klaus vote is about 4 million crowns (around £150,000 sterling).

You almost believe the diagnosis of the Communists' presidential candidate, Jana Bobošíková, the independent populist Euro MP and ex-news reader, that the Czech Republic is one small step from a mafia state. There was admittedly a great deal of exaggeration as various parliamentarians melodramatically confided their fears about the threatening texts and emails they had received for voting the 'wrong' way in the previous election and but true some loon(s) did send some deputies and senators envelopes with bullets in. Moreover, the apparent hobbling of opposition MPs – an accusation that keeps surfacing in connection with the Civic Democrats in tight situations – did give Czech politics a distinct whiff of the post-Soviet. Perhaps, as the news magazine Respekt suggested, all we have is simply a shop window for Czech politics as it really is, although in truth it was probably the 2004 and 2006 Senate elections, whose majority system benefited the Civic Democrats hugely, that sealed Klaus's re-election more than the big bucks or shady deals that may have pushed him over the finishing line and saved us from a third or fourth set of presidential elections.

With the Christian Democrats won over to Klaus (expect a generous new restitution settlement with the Catholic Church) Švejnar never really had a chance. Various commentators suggest that his challenge was a kind of heroic failure – it was impressive that it materialized at all, a shrewd move by the Greens who first floated his candidacy, a clever play by the Social Democrats, who swallowed their dislike of Švejnar's economic liberalism and tried to use the election to derail the government (as Klaus's election derailed theirs in 2003)., and so on. I am rather sceptical about this, however. There are no second prizes in politics – the only and obvious winners are Klaus and ODS. Even the Communists, who seem to have not bothered to vote for Švejnar in the end, missed out on their previous role as kingmakers due to lack of parliamentary voters and a rather blatantly fielded set of public demands.

The Independent Democrats (very close to V. Klaus) are perhaps the closest the Czech politics has come to a populist, extremely corrupted and almost Fascist upsurge of the kind never seen elsewhere in the EU



Alexandre de Tourzel on Oct 13th, 2009 at 12:12 am

[Report comment](#)

- For me, two people have come out very well in this last-ditch affair: Klaus, obviously and heroically; and Cameron. I have never thought very much of him (as I've said more than once), and I've joined UKIP in dismay at the Tories' weakness over the EU.

That said, I feel he deserves better than we give him in our comments here, because so far he has done all he can to keep the treaty "alive", as he put it.



Peter on Oct 13th, 2009 at 1:33 am

[Report comment](#)

- @ Alexandre de Tourzel -

Is this corruption you refer to a new phenomenon, or endemic in the Czech Republic?

The same EU that you seem to support so enthusiastically is supposed to vet prospective members as to their suitable level of democratic development – which is why Bulgaria's membership is allegedly being delayed as a result of their unacceptable levels of corruption and crime. IF you believe in the competence of the EU (why would you be such a supporter otherwise ???), you must assume they assured themselves of this suitability before allowing the Czechs into the Club.

On the other hand, those of us more familiar with the shenanigans of the EU know that fraud and corruption are not traits they REALLY overly concern themselves with and wouldn't therefore be too fussed over your allegations (if true) about Mr. Klaus, if ONLY he had that "quality" they most revere in the leaders of member states – which is a readiness to acquiesce to every policy decision presented by the big guns.



alexei on Oct 13th, 2009 at 4:23 am

[Report comment](#)

- alexei on Oct 13th, 2009 at 4:23 am

The EU/4th Reich will try character assassination and use any useful idiots they can find in Klaus's own and neighbouring states. They have thus far been unsuccessful. They will continue to smear Klaus and try to isolate the Czech republic by all means – they do not want the contagion of self-determination.

In other words they are dealing with him rather like the USSR dealt with Dubcek!

Cameron is pathetic, because unlike with the military might of the USSR the feeble EUSSR relies on acquiescence – they sent the Swede Reinfeldt to check on him.



Wilbur on Oct 13th, 2009 at 8:02 am

[Report comment](#)

- Yes, the USSR had tanks, while the EU does not yet have tanks.

Although a French armoured brigade and the German 10th Armoured Division are among the units “earmarked” for Eurocorps, “A Force for the European Union and the Atlantic Alliance”:

[http://www.eurocorps.org/home\\_page/home.php?lang\\_default=ENG&id\\_video=12](http://www.eurocorps.org/home_page/home.php?lang_default=ENG&id_video=12)

Those details were previously available on its website, but that's now been re-vamped so you'll have to take my word for it.



Denis Cooper on Oct 13th, 2009 at 10:46 am

[Report comment](#)

- The computer translation from the Czech is of course very rough and ready, but this

“Communiqué of Czechoslovakia – Soviet negotiations in Moscow on 27 8th 1968”

[http://translate.google.co.uk/translate?hl=en&sl=cs&tl=en&u=http%3A%2F%2Fwww.totalita.cz%2Ftexty%2Fkomunike\\_mosk\\_1968\\_08\\_27.php](http://translate.google.co.uk/translate?hl=en&sl=cs&tl=en&u=http%3A%2F%2Fwww.totalita.cz%2Ftexty%2Fkomunike_mosk_1968_08_27.php)

could provide a model for some future communique from the European Council, a few decades down the line.

Just give it time:

[https://www.allianz.com/en/press/news/commitment\\_news/community/news\\_2007-01-15.html](https://www.allianz.com/en/press/news/commitment_news/community/news_2007-01-15.html)

“In his closing remarks, Steinmeier noted there is much work to be done, conceding that visions for Europe are projects that will take up the next 20 to 30 years and citing a future European army as an example.”

Oh, and “The era of small nation states has passed”, or so he said.



Denis Cooper on Oct 13th, 2009 at 10:47 am

[Report comment](#)

- alhamilton18 on Oct 12th, 2009 at 9:46 pm

Yes!



Wilbur on Oct 13th, 2009 at 11:24 am

[Report comment](#)

- In today's news:

‘A 37-year-old man has been arrested in Penwortham, Lancashire under the Terrorism Act, police have said.

The man was detained by officers at an address in Penwortham at around 7am.

Police said there was no immediate threat and the arrest was not linked to Islamic extremism. ‘

His crime? Probably spoke out against the EU.



Hagar on Oct 13th, 2009 at 12:14 pm

[Report comment](#)

- It almost certainly isn't true – don't believe me? Readd Flat Earth News by Alan(?) Davies – he writes for the Guardian – but he has a very serious point to make.

As a man who seems to want to bring about a complete revolution in Britain – you must read his book in order to completely stamp on the evils of this country.

R



Raffael on Oct 13th, 2009 at 12:16 pm

[Report comment](#)

- The EU is totally corrupt, financially and politically. They are not supposed to interfere in the internal politics of a country. But they ignore their own rules and regulations; just the same as any Marxist/Socialist dictatorship!

I too am awaiting arrest for vilifying this contemptible political disaster!



MikeC on Oct 13th, 2009 at 1:06 pm

[Report comment](#)

- alexei:

“...which is why Bulgaria's membership is allegedly being delayed as a result of their unacceptable levels of corruption and crime...”

Does somebody else want to tell him?



paulgiles on Oct 13th, 2009 at 3:35 pm

[Report comment](#)

- Nah, let him find out for himself.



Denis Cooper on Oct 13th, 2009 at 4:43 pm

[Report comment](#)

- Very well said!

Don't be discouraged by all the disparagers: you are telling the truth as you see it and it is much appreciated.



Hereward on Oct 13th, 2009 at 7:12 pm

[Report comment](#)

- After meeting Sarkozy in Paris, the Bulgarian Prime Minister opined on the Czech resistance: "It must not be allowed, it must not be tolerated. President Sarkozy is of the same opinion."

Quite what business it is of the Bulgarian Prime Minister is not clear. President Klaus ought to watch out for poison-tipped umbrellas!



David Hannah on Oct 13th, 2009 at 7:53 pm

[Report comment](#)

- I saw last week's 'This Week' where Portaloo gives his take on Cameron's stance over the Lisbon Treaty.

Portaloo repeated twice that Cameron wouldn't be able to do a thing about Lisbon if it had already been ratified by the time he came to power.

He also said that Britain under Cameron would no doubt stir up the wrath of the EU by going against any future treaties.

Er... what treaties exactly Michael? The whole point of the Lisbon 'tidying up exercise' is that it is SELF AMENDING and so obviates the need for any more treaties!

Politicians and former politicians should not placate our sleepy audience in that way, by giving them false hope.



Hagar on Oct 13th, 2009 at 11:12 pm

[Report comment](#)

- Being a 'drama queen' as usual

Vaclav Klaus is blocking the ratification by the Czech Parliament. As a parliamentary democracy, surely you Brits must find that a clear democratic mandate by the people? It's a bit like the late Belgian king Boudewijn, refusing to sign an abortion law in the 90's because it hurt his sensibilities. He was temporarily impeached using a legitimate process.

If the Czech constitution allows its Parliament to start impeachment process in this case, then it is their own responsibility and prerogative.

The fact that Germany and France, suggest they should, is merely that: a suggestion. Nobody is holding a gun to someone's head and nobody is suggesting anything illegal and therefor undemocratic.



maxm007 on Oct 14th, 2009 at 10:57 am

[Report comment](#)

- Just in case you are not clear on this : the president is OBLIGATED by the Czech constitution to sign the ratifications by parliament. His signature is a formality and he has no say in this. Much like a King. It is not clear however how the Czechs can deal with this. Impeachment might be their only option.



maxm007 on Oct 14th, 2009 at 11:19 am

[Report comment](#)

- Ah there you go, Mr Hannan. The New World Order nutters have arrived. Great company you reside in.



maxm007 on Oct 14th, 2009 at 12:21 pm

[Report comment](#)

- @ maxm007

As you are not clear on this : the president is NOT OBLIGATED by the Czech constitution to sign the ratifications by parliament.

At least, that's my reading of the Czech constitution.

Of course in the end how I read it doesn't matter in the slightest, because I'm not the Czech Constitutional Court – but nor are you.

[http://angl.concourt.cz/angl\\_verze/constitution.php](http://angl.concourt.cz/angl_verze/constitution.php)

“ARTICLE 63

(1) In addition, the President of the Republic:

a) represents the state externally;

b) negotiates and ratifies international treaties; she may delegate the negotiation of international treaties to the government or, with its consent, to individual members thereof;”

So under that Article, Klaus could not only decide that he wouldn't ratify the Lisbon Treaty as it stands, he could also decide to take any renewed negotiations back out of the hands of the government and into his own hands, and he even then he could still decide not to ratify an amended treaty if he considered the outcome of the re-negotiations to be unsatisfactory.

The role of the Parliament regarding the final ratification of a treaty is only to give or withhold its assent for the President to ratify:

“ARTICLE 49

The assent of both chambers of Parliament is required for the ratification of treaties:

a) affecting the rights or duties of persons ... ”

If you can find anything in the Czech constitution to support your claim that the President is obligated to ratify once Parliament has given its assent, please cite it.

You say “much like a King”, but a closer parallel is with the US President:

“He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur”

which places him under an obligation not to make a treaty without the concurrence of two thirds of the Senators, but does not place him under any obligation to make a treaty just because two thirds or more of the Senators want him to do so.

So suggestions that it would “undemocratic” for Klaus to refuse to ratify a treaty could in principle also apply to the US President – and apparently there have been a few instances where a treaty negotiated by the US President has come back to him after being approved by the Senate, but he has decided not to proceed with it.



Denis Cooper on Oct 14th, 2009 at 12:32 pm

[Report comment](#)

- There you go:

#### ARTICLE 50

*(1) With the exception of constitutional acts, the President of the Republic has the right to return adopted acts, with a statement of her reasons, within fifteen days of the day they were submitted to her.*

*(2) The Assembly of Deputies shall vote again on returned acts. Proposed amendments are not permitted. If the Assembly of Deputies reaffirms its approval of the act by an absolute majority of all Deputies, the act shall be promulgated. Otherwise the act shall be deemed not to have been adopted.*



maxm007 on Oct 14th, 2009 at 1:17 pm

[Report comment](#)

- So what exactly would you like to see promulgated?



Denis Cooper on Oct 14th, 2009 at 1:22 pm

[Report comment](#)

- So really, the Czech Presidency is more like a king than a US style president. It’s a ceremonial veto that doesn’t mean didly squat.



maxm007 on Oct 14th, 2009 at 1:23 pm

[Report comment](#)

- *So what exactly would you like to see promulgated?*

Why the ‘The Treaty Of Lisbon’ of course. It has been approved by parliament, then vetoed by President , which was then overruled by parliament with an absolute majority as Article 50 allows them to do.



maxm007 on Oct 14th, 2009 at 1:26 pm

[Report comment](#)

- I don’t see how either the Czech Parliament, or the Czech President, can “promulgate” the Treaty of Lisbon or any other international treaty, because it won’t be solely theirs to “promulgate”, being a contract between states.

Article 50 refers to the promulgation of “acts” of the Czech Parliament, so exactly which act do you wish to see promulgated, and to what end?



Denis Cooper on Oct 14th, 2009 at 1:56 pm

[Report comment](#)

- Denis, you're claspng at straws. An Act is any law that needs to be ratified. Like in any other country the ratification of the Lisbon Treaty follows the same process like any other law, because when ratified it becomes law in the nation it is ratified. That's the whole reason The Lisbon Treaty needs to be ratified by parliaments: it's **law**.

@nwo.eu:

Why is your site removing my comments on your articles? For someone worried about mind control and manipulation, you certainly like to control and manipulate yourself 😊



maxm007 on Oct 14th, 2009 at 2:16 pm

[Report comment](#)

- Then name the relevant Act, why won't you.

I can do so for the UK – it's the European Union (Amendment) Act 2008:

[http://www.opsi.gov.uk/acts/acts2008/ukpga\\_20080007\\_en\\_1](http://www.opsi.gov.uk/acts/acts2008/ukpga_20080007_en_1)

But even when the Bill had been passed by both Houses of Parliament, and then given Royal Assent to make it an Act, that didn't mean that the UK had ratified the Lisbon Treaty.

As the Explanatory Notes say:

[http://www.opsi.gov.uk/acts/acts2008/en/ukpgaen\\_20080007\\_en\\_1](http://www.opsi.gov.uk/acts/acts2008/en/ukpgaen_20080007_en_1)

“This Act is intended to enable the United Kingdom to ratify the Treaty of Lisbon”.

Only “enable” the UK to ratify it; not to actually ratify it, or to compel its ratification – which was a separate, subsequent, international act.

So what does the Czech act say?



Denis Cooper on Oct 14th, 2009 at 2:42 pm

[Report comment](#)

- To clarify, hopefully.

For the Lisbon Treaty to come into force, each of the 27 member states must have deposited its “instrument of ratification” with the Italian government.

“Ratification” meaning the international act whereby each state would establish on the international plane its consent to be bound by the treaty, as opposed to whatever internal legislative act was necessary in each state to enable it to proceed to ratification.

In an article today the Liberal Democrat MEP Andrew Duff has written that:

“... both houses of the Czech parliament endorsed the treaty in May this year.”

The internal act, necessary to allow the treaty to have effect in Czech national law if it is subsequently ratified by the Czech Republic, and then comes into legal force.

“Since then the ratification instrument has been awaiting the signature of the President of the Republic”

The external act, necessary for the Czech Republic to be bound by the treaty and (in this case) for the treaty to come into legal force, and clearly an act within the scope of Article 63 and therefore an act to be performed, or not, by the President.

Or are you saying that the act of the Czech Parliament is a kind of hybrid, which would simultaneously give internal effect to the treaty, and externally establish the consent of the Czech Republic to be bound by the treaty?

In which case, as the coming into force of that act would automatically ratify the treaty, allowing it to serve as the requisite “instrument of ratification” which has to be deposited in Rome, then clearly that would also fall within the scope of Article 63.

The inescapable fact is that under that article it is the President who “negotiates and ratifies international treaties”; not the Parliament, which only has the power to block a treaty by refusing its assent.



Denis Cooper on Oct 14th, 2009 at 5:30 pm

[Report comment](#)

- You all seem to be regurgitating the same old rubbish over and over again. If you want to make a point make it instead of all this mirky verbage.  
If you are a ukip pointy head then you want out of the EU so as not to be over run by the hun.  
If your against the Lisbon Treaty, your against it because you believe all the real power will be in the hands of the hun.  
There we are, no need for all that meaningless bilge, to the point and succinct is the way forward.



agaidagan on Oct 14th, 2009 at 6:32 pm

[Report comment](#)

- Václav Klaus was re-elected in the last parliamentary elections in Prague in the third round of the re-run Czech presidential election with 141 parliamentary voters to Švejnar’s rather paltry 123. They voted in public – Klaus’s supporters were confident of winning and so didn’t make a fuss, but the whole process was so painfully slow and still took all day. VK still managed to pick up the vote of a Social Democrat’s deputy, few Christian Democrats a few right-wing Senators carefully ‘minded’ by ODS parliamentarians to make sure they didn’t change their minds, and at the end the all the Communists supported him as well. This demagogue and populist is the champion of those who are against the European civilization, and had chose “isolation” for the UK, but we aren’t in those Victorian times of “Splendid Isolation”, which in some way caused WW1.



Alexandre de Tourzel on Oct 15th, 2009 at 7:04 am

[Report comment](#)

- I must remain some of you what the Vienna Convention about international treaties states, and it is law of the land in the UK and in the Czech Republic as well, so Klaus doesn’t have the power to block the Treaty of Lisbon already passed by the Parliament in Prague, if he does so, he will be removed from the presidency, the Convention says:

Vienna Convention and the Treaty of Lisbon approved by the Czech parliament.

1. For the purposes of the present Convention:

(a) ‘treaty’ means an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation;

(b) 'ratification', 'acceptance', 'approval' and 'accession' mean in each case the international act so named whereby a State establishes on

(f) 'contracting State' means a State which has consented to be bound by the treaty, whether or not the treaty has entered into force;

(g) 'party' means a State which has consented to be bound by the treaty and for which the treaty is in force;

#### Article 18

Obligation not to defeat the object and purpose of a treaty prior to its entry into force

A State is obliged to refrain from acts which would defeat the object and purpose of a treaty when:

(a) it has signed the treaty or has exchanged instruments constituting the treaty subject to ratification, acceptance or approval, until it shall have made its intention clear not to become a party to the treaty; or

(b) it has expressed its consent to be bound by the treaty, pending the entry into force of the treaty and provided that such entry into force is not unduly delayed.

### SECTION 1. OBSERVANCE OF TREATIES

#### Article 26

Pacta sunt servanda

Every treaty in force is binding upon the parties to it and must be performed by them in good faith.

#### Article 27

Internal law and observance of treaties

A party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.



Alexandre de Tourzel on Oct 15th, 2009 at 7:17 am

[Report comment](#)

- agaidagan on Oct 14th, 2009 at 6:32 pm

The say it is bad form to "feed the trolls" and each is entitled to their opinion. But with your level personal abuse you are identifying yourself with those posters who are paid by the EU to frequent such blogs as these. Careful or you'll paint yourself into the same corner as arch-troll and paedophile, Cohn-Bendit.



Wilbur on Oct 15th, 2009 at 9:03 am

[Report comment](#)

- Alexandre de Tourzel on Oct 15th, 2009 at 7:04

It looks as if VK is a defender of "European civilization", defending Europe from the next of a series of authoritarian attempts at European empire building.

You say he uses foul means. Perhaps this is necessary against a dictatorship – he has learned from hard experience of

them. Besides his means are by no means as foul as the tactics used by Brussels to eliminate democracy in Europe in order to create yet another political “union”.



Wilbur on Oct 15th, 2009 at 9:13 am

[Report comment](#)

- @ maxm007

This article today refers to the Irish ratification of the Lisbon Treaty:

<http://www.irishtimes.com/newspaper/ireland/2009/1015/1224256691515.html>

“President will sign Lisbon Treaty legal documents on return to Ireland”

“PRESIDENT MARY McAleese has said she will sign the instrument of ratification giving legal effect to the referendum vote in favour of the Lisbon Treaty following her return from a State visit to Luxembourg.”

“Pending the completion of certain legal formalities, it is understood she may sign the instrument of ratification before the weekend. The instrument will then be deposited in Rome\*, completing the ratification process in advance of an EU summit in Brussels at the end of the month.”

As I understand, President Klaus would have to sign a similar separate “instrument of ratification” and have it deposited with the Italian government\* before the Czech Republic was bound by the Lisbon Treaty. However if the Czech system works differently, and the internal act of the Parliament to approve a treaty can also serve as an external “instrument of ratification”, then I’d be interested to learn that.

\* It’s the Italian government in Rome only because Italy has always been given the role of “depository state” for EEC/EC/EU treaties, right back to the original Treaty of Rome in 1957 -

“FINAL PROVISIONS”

“ARTICLE 247

This Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification shall be deposited with the Government of the Italian Republic.”



Denis Cooper on Oct 15th, 2009 at 9:51 am

[Report comment](#)

- @ Alexandre

But we went through all this about the Vienna Convention a few days ago.

My reply to you was posted @ 10:45 am on Oct 12th, towards the end of the comments here:

<http://blogs.telegraph.co.uk/news/danielhannan/100013101/david-cameron-promises-to-repatriate-powers-from-the-eu/>

and I don’t want to repeat it all.

I’ll just highlight that we know from a relevant practical example that a state is NOT obliged to ratify a treaty signed by its representatives – because, as you will no doubt recall, the representatives of France and the Netherlands signed the Treaty establishing a Constitution for Europe, but neither France nor the Netherlands have ratified that treaty.



Denis Cooper on Oct 15th, 2009 at 10:28 am

[Report comment](#)

- Wilber. I don't live in a world of conspiracy theory's as its pointless, you should try and drag yourself out of that particular mindset unless its all you have to fill in the twilight years.



agaidagan on Oct 15th, 2009 at 11:05 am

[Report comment](#)

- @Denis Cooper:  
I understand what you are saying. It's a murky delaying tactic at most I'd say. I have been unsuccessful at finding the acts in question because of the language barrier. It would have made an interesting read. Also I'm not convinced their presidential system is similar enough to Irish and UK parliamentary system and therefor a basis for comparison. There are no issues of veto in parliamentary systems.

However it seems very clear to me that the Czech Republic is weak president system and in the end they can make VK do their bidding. Article 50 illustrates that by making his veto ceremonial. Article 62.h more importantly states he cannot veto constitutional changes i.e. the nature of his role.

I find it quite dubious that obviously patriotic conservative Brits, are wishing a defacto parliamentary system to be a strong presidential system when it suits them. Or will I hear "Vive La Republique" being shouted from conservative conferences soon?



maxm007 on Oct 15th, 2009 at 12:01 pm

[Report comment](#)

- Denis cooper : *I'll just highlight that we know from a relevant practical example that a state is NOT obliged to ratify a treaty signed by its representatives – because, as you will no doubt recall, the representatives of France and the Netherlands signed the Treaty establishing a Constitution for Europe, but neither France nor the Netherlands have ratified that treaty.*

That's not true. France and Netherlands parliament have ratified the treaty. My French is rusty, but my Dutch is still good:

[http://www.eerstekamer.nl/behandeling/20080725/publicatie\\_wet/f=/w31384st.pdf](http://www.eerstekamer.nl/behandeling/20080725/publicatie_wet/f=/w31384st.pdf)

“Act of 10 July 2008, about the approval of the treaty of Lisbon and the ammdments of the existing treaties.”



maxm007 on Oct 15th, 2009 at 12:11 pm

[Report comment](#)

- agaidagan on Oct 15th, 2009 at 11:05 am

Do you mean the twighlight years of democracy, or do you claim to know me?



Wilbur on Oct 15th, 2009 at 2:37 pm

[Report comment](#)

- maxm007 –

1. The Dutch document you mention relates to the present Treaty of Lisbon, NOT to the previous Treaty establishing a Constitution for Europe. Although their legal effects would be nearly identical, they are two distinct treaties.

2. The Dutch document is an internal document, addressed to the Dutch and published in their Gazette – it isn't the "instrument of ratification" that the Netherlands will have deposited with the Italian government, through which it has established on the international plane that it consents to be bound by the Treaty of Lisbon, if that comes into force.

I believe that in the end the Italian government received only 16 instruments of ratification for the Treaty establishing a Constitution for Europe.

<http://news.bbc.co.uk/1/hi/world/europe/3954327.stm>

In 2 countries, France and the Netherlands, rejection of the treaty in referendums meant that those states could not legally deposit instruments of ratification, even though they were signatories to the treaty.

In another 2 countries, Germany and Slovakia, the President was unable to complete the ratification process because of pending court cases; and certainly in the case of Germany no instrument of ratification was ever deposited with the Italian government, even though its representatives had signed the treaty and it had been approved by both chambers of the German parliament, because the court put the case on hold.

Finally, 7 countries which had signed the treaty put the process of ratification on hold after the French and Dutch referendums, and so they too never deposited instruments of ratification with the Italian government.

You say that it's "a murky delaying tactic", but this is the procedure laid down in the Treaty of Lisbon itself – that the treaty would not come into force on signature (some treaties do) but on subsequent ratification, and moreover only after instruments of ratification had been deposited by all of the member states.

In the case of the Czech Republic, under Article 63 of the constitution it's the President who finally ratifies a treaty; and even after Parliament has assented to a treaty being ratified, he can still decide not to proceed with it.

If the government or Parliament really believed that the President was breaking the constitution, it would be a simple matter to ask the Constitutional Court to order him to sign the necessary instrument of ratification. But apparently they don't believe that – hence, all the talk about removing him from office, or stripping him of his powers, or even changing the constitution.



Denis Cooper on Oct 15th, 2009 at 3:10 pm

[Report comment](#)

- @denis Cooper

1. Apologies, I assumed it was the Lisbon Treaty you meant.

2. Thank you for the explanation. If that is how the details of ratification goes, then I stand corrected : it would not be unconstitutional for VK not to sign.

I stand by that it is a bit quirky seeing that the Czech parliament can force their will by redefining his role and/or ousting him. In the end , they are in charge, and Germany/France are in their right to try to sideline him and lobby for the parliament to assert themselves.



maxm007 on Oct 16th, 2009 at 3:53 pm

[Report comment](#)

- Last summer the BBC described the British ratification process in detail:

[http://news.bbc.co.uk/1/hi/uk\\_politics/7465665.stm](http://news.bbc.co.uk/1/hi/uk_politics/7465665.stm)

“THE RATIFICATION PROCESS”

“Parliament approves bill to ratify treaty

The Queen gives Royal assent

The “instruments of ratification” are drawn up by the Foreign Office

These documents – three pages of goatskin parchment – are sent to the Queen

The Queen signs the front page and a warrant authorising them

The documents return to the Foreign Office and are signed by the foreign secretary

They are sent to the Crown Office in the House of Lords who affix the great seal

The documents return to the Foreign Office, are tied in a blue ribbon and bound in blue leather

They are sent to the British Embassy in Rome and then to the Italian Ministry of Foreign Affairs

Only then is ratification complete”

No doubt the Czech process for ratifying a treaty will be different in some respects, but it must still end up with an instrument or instruments of ratification being deposited somewhere – in the case of the Lisbon Treaty, it would be the Italian government, as above.

That is the Czech constitution, as the French and the Germans know, and as they knew before the accession of the Czech Republic to the EU; and they also know that the Lisbon Treaty can only come in to force “after being ratified by all the member states in accordance with their respective constitutional requirements”, and they have absolutely no right to interfere in Czech constitutional affairs.



Denis Cooper on Oct 16th, 2009 at 5:07 pm

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# 1 Rule To A Flat Stomach: (obey)



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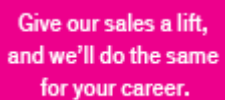
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