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# The Foreign Policy of the European Union

## Jean Monnet Module

# **The Foreign Policy of the European Union**

## **The Actors and Procedures of EU Foreign Policy**



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# **The Actors and Procedures of EU Foreign Policy**

- 1. Understanding the Foreign Policy of the EU**
- 2. Institutional Framework (The European Council; The Council; The Commission;**



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# Whom should I call to speak to Europe?!



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# The Actors and Procedures of EU Foreign Policy

the High Representative \ Vice-President; the EU's Diplomatic Service (European External Action Service); the European Parliament; the European Court of Justice)

## 3. The policy-making process

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# Why to study the EU FP?

- 1) EU is an influential actor of international relations
- 2) EU is a major economic actor, the world's largest trading bloc

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Member States of the European Union (2020)

Candidate countries and potential candidates



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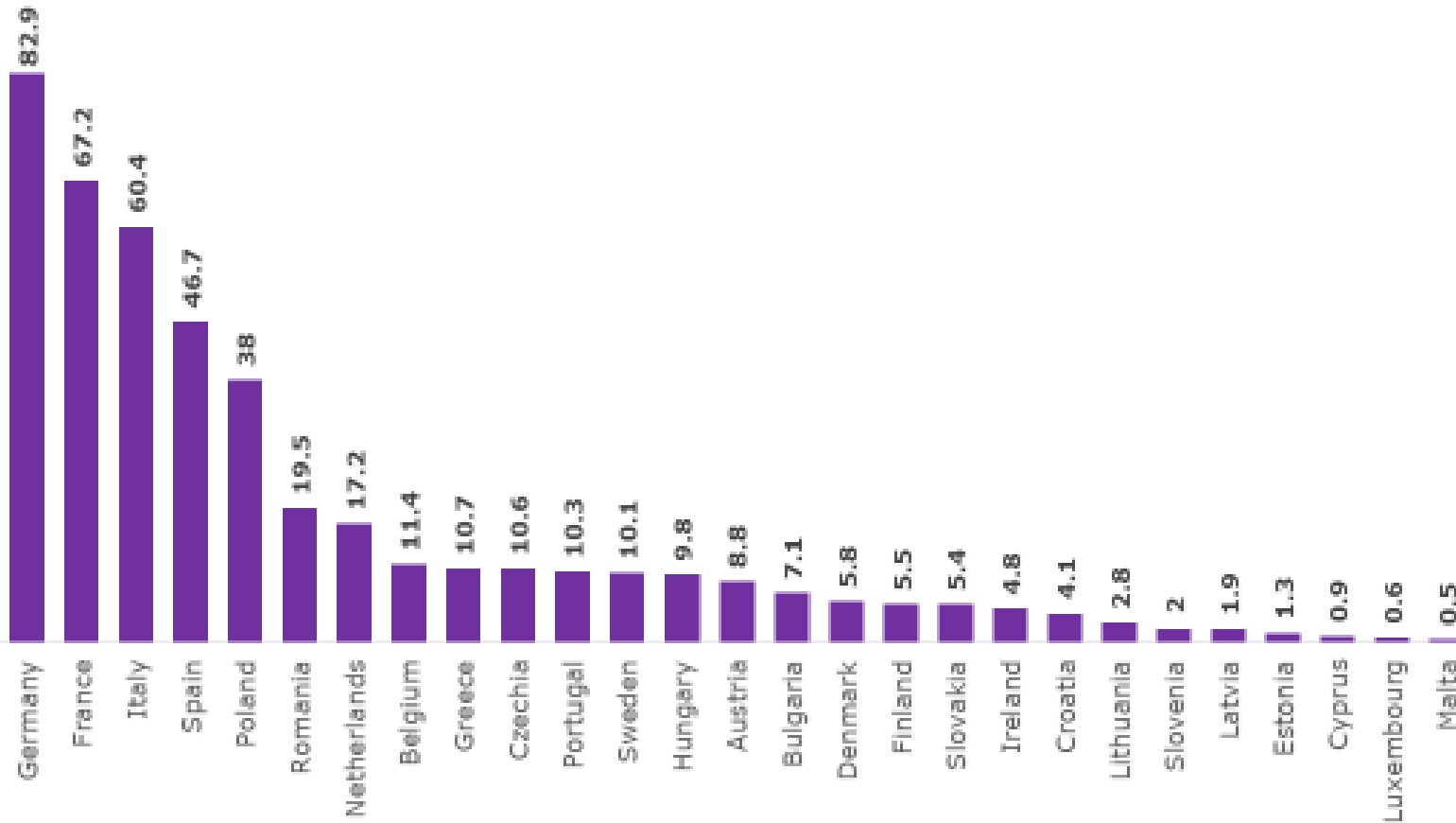
# How many people live in the EU?



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Population in millions (2019)

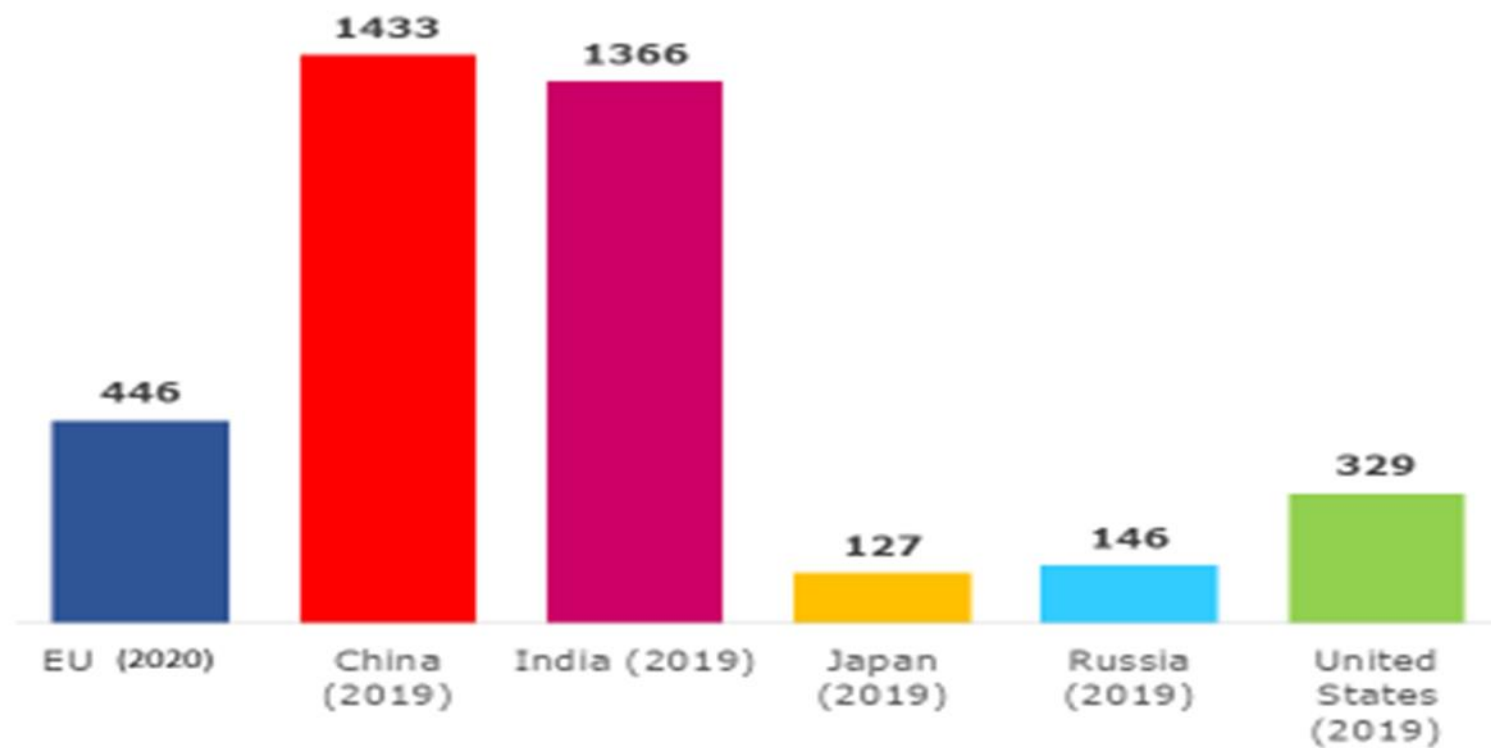
446 million in total







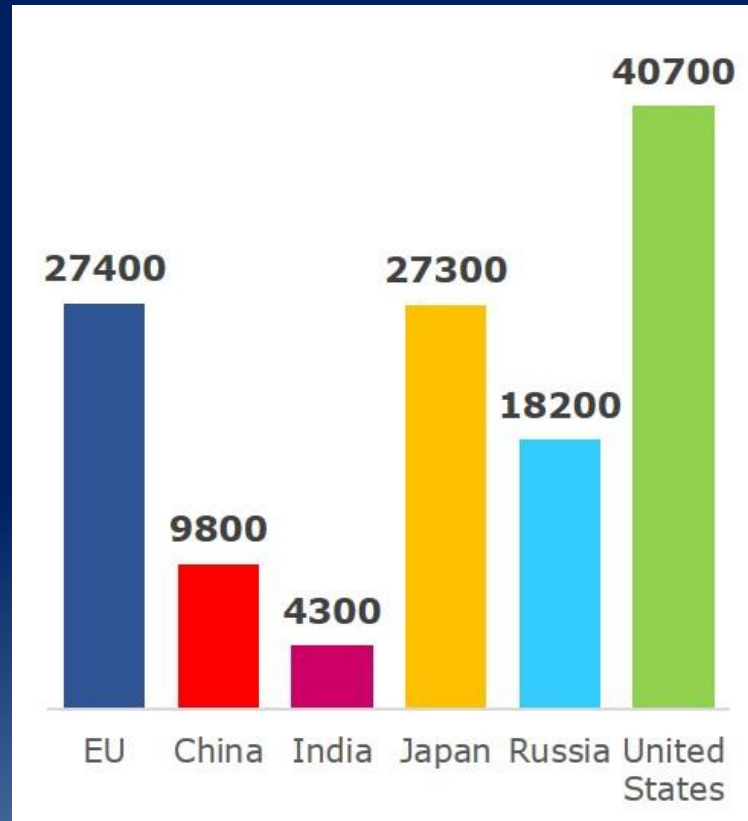
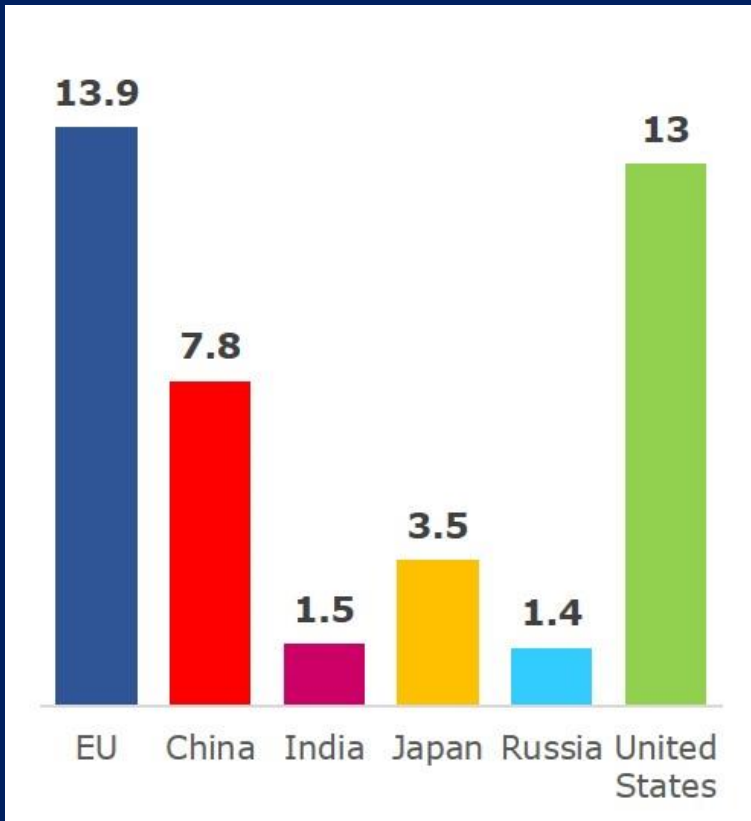
## Population in millions



# How rich is the EU compared to the rest of the world?

Size of economy:  
GDP in trillions of euro (2014)

Wealth per person:  
GDP per person (2014)



# How does the EU spend its money?



Areas financed by the EU budget (2014-2020) in billion EUR

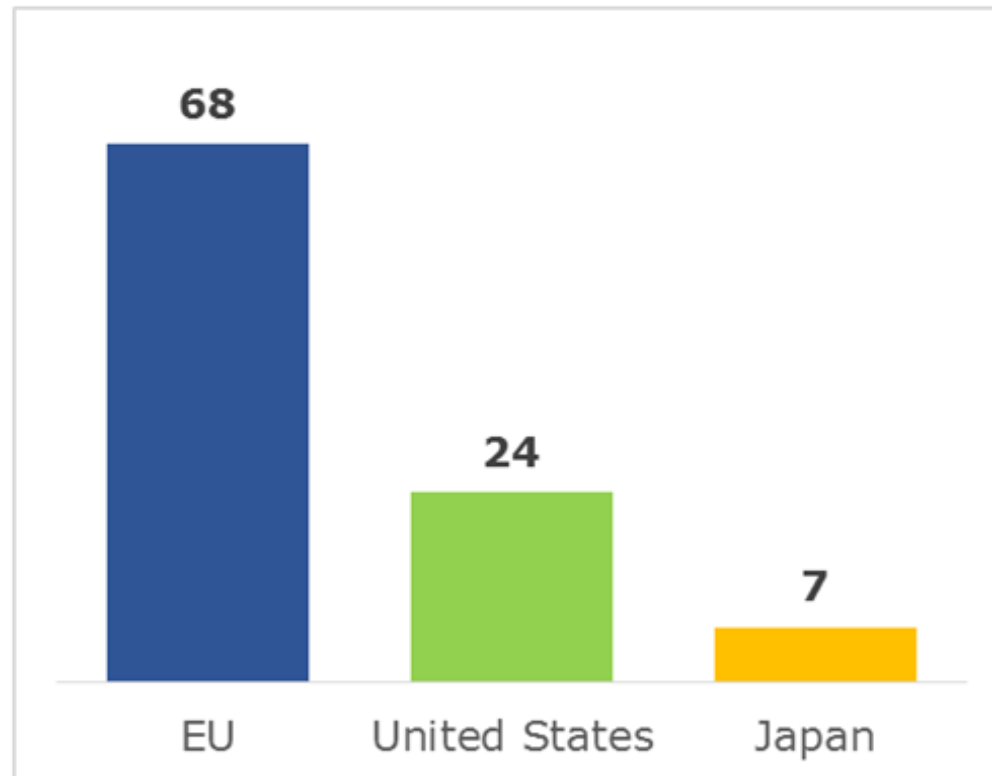


The annual EU budget in 2019 was around €165.8 billion – a large sum in absolute terms, but only about 1% of the wealth generated by the economies of the Member States every year.

# The EU is the biggest provider of development aid in the world



The EU provides over half of all development aid



Official development aid, billion € (2015)



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# Introductory Remarks

- **EU is a work in progress**
- **Special legal nature of the EU**
- **Sources of the EU**

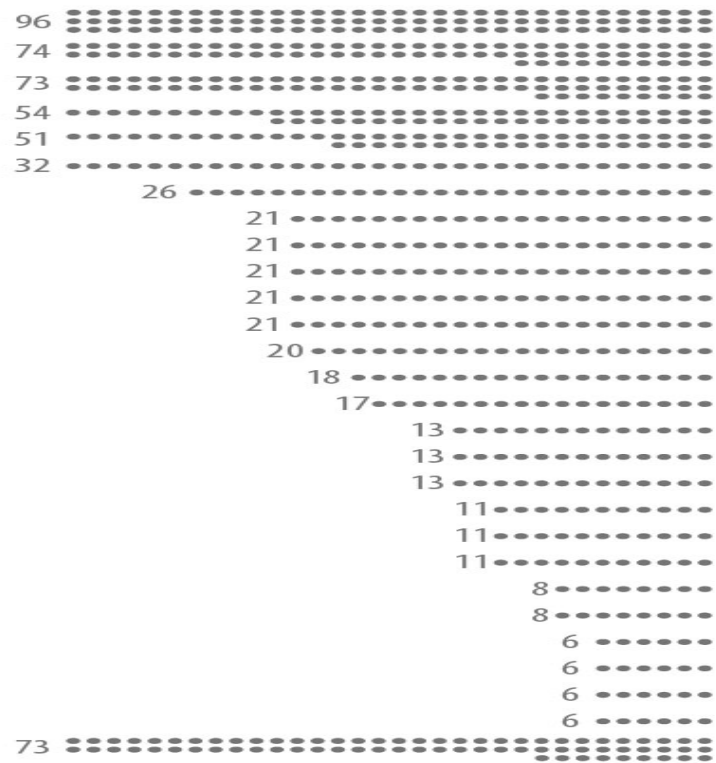


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# Distribution of seats in the European Parliament

The number of MEPs per country has been modified following the UK's departure from the EU at the end of January 2020.

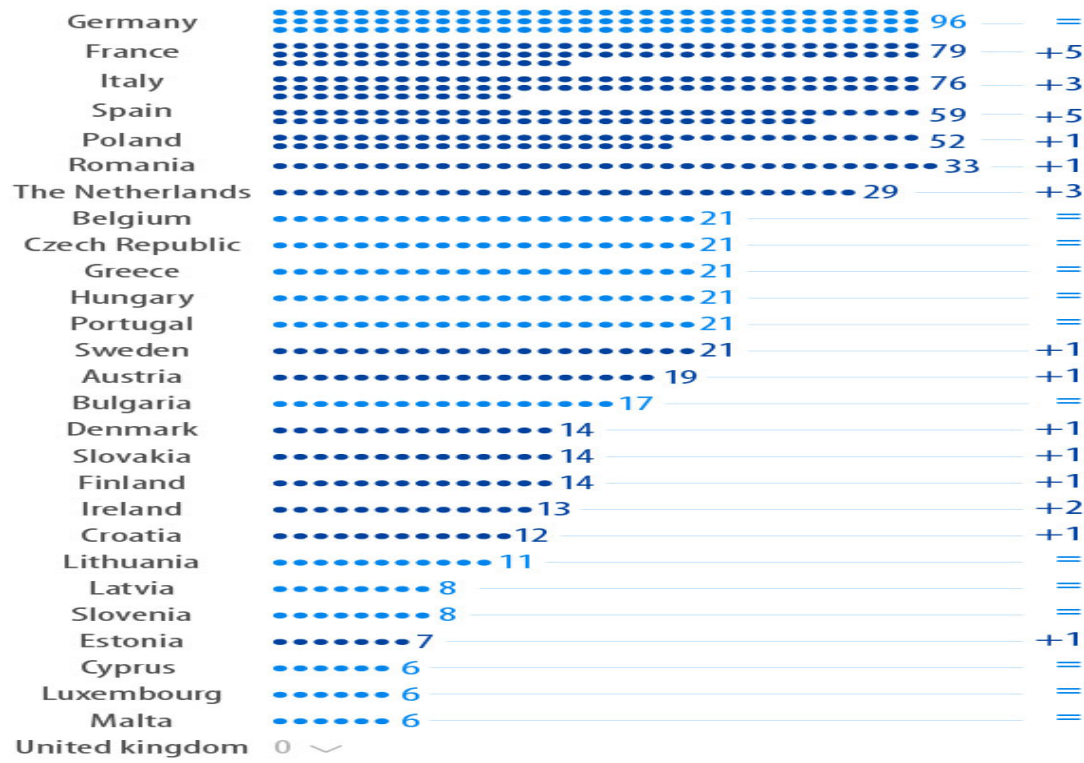
Number of seats until end of January 2020



751

Total

Number of seats from February 2020



705



# BREXIT



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# Federal States vs Unitary States

## FEDERAL STATE

“A federal State is a union of States in which both the federation and the Member States embody the constitutive elements of a State: **LEGISLATIVE, EXECUTIVE AND JUDICIAL POWER** over territory and citizens. State authority is divided between the federation (...) and the Member States (..), both of which possess certain assigned competences and functions.”

*Rudolf, Walter 2011. Federal States. In Max Planck Encyclopedia of Public International Law*

# Federal States, Unitary States & Confederations

## Confederation of States

“A confederation is a governmental entity created by independent sovereign State[s] that join together to perform **some governmental functions** under common authority (...).A confederation is a stronger form of association than an alliance, but is weaker than a federation. The individual member units retain their status as sovereign States, and are separately recognized as members of the international community.”

*Morrison, Fred L. 2007. Confederations of States. In Max Planck Encyclopedia of Public International Law [MPEPIL].*

# **SUPRANATIONAL LEGAL ORDER**

## **THE VAN GEND EN LOOS CASE**

“The conclusion to be drawn from this is that the Community constitutes a **new legal order of international law** for the benefit of which the states have limited their sovereign rights” (1963)

# Treaty on EU

**Title I Common provisions**

**Title II Provisions on democratic principles**

**Title III Provisions on institutions**

**Title IV Provisions on enhanced cooperation**

**Title V General provisions on the Unions external action and specific provisions on the Common Foreign and Security Policy (CFSP)**

**Chapter 1; Chapter 2 (Section 1 Common provisions**

**Section 2 Provisions on the Common security and defence policy)**

**Title VI Final provisions**

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# **Treaty on the Functioning of the EU**

**Part one Principles**

**Part two Non discrimination and citizenship of the Union**

**Part three Union policies and internal actions**

**Title I The internal market**

**Title III Agriculture and fisheries**

**Title V Area of freedom, security and justice**

**Title VIII Economic and monetary policy**

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# Treaty on the Functioning of the EU

- Title XIX**      **Research and technological development and space**
- Title XX**        **Environment**
- Title XXI**       **Energy**
- Part four**      **Association of the oversee countries and territories**
- Part five**       **The Union's external actions**
- Title I**        **General provisions on the Union's external actions**
- Title II**       **Common commercial policy**
- Title III**      **Cooperation with third countries and humanitarian aid**

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# **Treaty on the Functioning of the EU**

**Title IV Restrictive measures**

**Title V International agreements**

**Title VI The Union's relations with international organizations**

**Title VII Solidarity clause**

**Part six Institutional and financial provisions**

**Part seven General and final provisions**

**Declarations**

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# Understanding the Foreign Policy of the EU

***EU FP* is the area of European policies that is directed at the external environment with the aim of influencing that environment and the behavior of other actors within it, in order to pursue interests, values and goals.**

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# Understanding the Foreign Policy of the EU

*sensu stricto (CFSP; CSDP)*

*sensu lato (CFSP; CSDP + external actions,  
external dimensions of internal policies (trade,  
energy, development, enlargement, HR)*

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# The Changing Context of the EU Foreign Policy

- 1) The peace project for Europe
- 2) The end of the Cold War, the EU enlargement to the East;
- 3) The financial and sovereign debt crises, the European migrants\refugees crises
- 4) COVID-19?

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# The (Monnet)-Schuman Declaration

9 May 1950

*The peace project for Europe:*

**"World peace cannot be safeguarded without the making of creative efforts proportionate to the dangers which threaten it."**

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# The (Monnet)-Schuman Declaration

## 9 May 1950

**"Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a de facto solidarity."**

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# **The (Monnet)-Schuman Declaration**

**9 May 1950**

**‘The French Gov. proposes that Franco-German production of coal and steel as a whole be placed under a common High Authority, within the framework of an organization open to the participation of the other countries of Europe’.**

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# **The (Monnet)-Schuman Declaration**

## **9 May 1950**

**‘The pooling of coal and steel production should immediately provide for the setting up of common foundations for economic development as a first step in the federation of Europe, and will change the destinies of those regions which have long been devoted to the manufacture of munitions of war, of which they have been the most constant victims.’**

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# The (Monnet)-Schuman Declaration

9 May 1950

**‘The solidarity in production thus established will make it plain that any war between France and Germany becomes not merely unthinkable, but materially impossible. The setting up of this powerful productive unit, open to all countries willing to take part and bound ultimately to provide all the member countries with the basic elements of industrial production on the same terms, will lay a true foundation for their economic unification.’**

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# The End of the Cold War

## The big enlargement: uniting east and west



- 1989 **Fall of Berlin Wall; EU economic help begins to the post-socialist countries: Phare programme**
- 1992 **Criteria set for a country to join the EU: • democracy and rule of law; • functioning market economy; • ability to implement EU laws**
- 1998 **Formal negotiations on enlargement begin**
- 2002 **Copenhagen summit agrees to a big enlargement of 10 new countries**
- 2004 **Ten new EU members: Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia**
- 2007 **Bulgaria and Romania**
- 2013 **Croatia joins on 1 July**

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# Enlargement: from six to 28 countries



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# Candidate countries and potential candidates

Country	Population (millions) in 2018
Bosnia and Herzegovina	3.5
Montenegro	0.6
Kosovo under UN Security Resolution 1244	1.8
North Macedonia	2.1
Albania	2.9
Serbia	7.0
Turkey	79.8

# **The European migrants \ refugees crises**

**Tensions inside the MS**

**Tensions between the MS**



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# Political tensions inside the member states

10/20/2015

War of words escalates as German migration tensions intensify - FT.com

## FINANCIAL TIMES

Last updated: October 20, 2015 2:23 pm

### War of words escalates as German migration tensions intensify

Stefan Wagstyl in Dresden

Share

Author alerts

Print

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Comment



Tensions over migration in Germany have reached fever-pitch as a speaker at a rightwing rally expressed regret at the closure of Nazi-era concentration camps, drawing a forceful condemnation from political leaders increasingly worried about extremist violence.



October 16, 2015 8:00 pm

# Hungary closes border with Croatia

Neil Buckley in London and Kester Eddy in Budapest

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**Political tensions between the member states**



Migrants at the border near Zakany, Hungary, on October 16

Hungary sealed most of its border with Croatia on Friday night — the second time in a month it has cut off the main route for migrants into the EU.

Peter Szijjarto, foreign minister, said the decision followed EU leaders' failure at a Brussels summit to agree on a joint task force to protect the external borders of the EU's Schengen



# The Euro zone crisis



**COVID 19?**



# Understanding the Foreign Policy of the EU

*multifaceted;*

*multi-method;*

*multi-level*



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# Understanding the Foreign Policy of the EU

*Multifaceted foreign policy but not  
all-encompassing*

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# Understanding the Foreign Policy of the EU

... competences not conferred upon the Union in the Treaties remain with the Member States. (Art.4)



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# Understanding the Foreign Policy of the EU

**The limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principles of subsidiarity and proportionality.**

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# Understanding the Foreign Policy of the EU

**Under the principle of conferral, the Union shall act only within the limits of the competences conferred upon it by the Member States in the Treaties to attain the objectives set out therein. Competences not conferred upon the Union in the Treaties remain with the Member States.**

**Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.**

# Understanding the Foreign Policy of the EU

- 1) The EU's competence varies depending on the foreign policy dimension at stake.
- 2) MS retain control over the FP

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# Understanding the Foreign Policy of the EU

**Multi-method foreign policy:**

**treaty settings (the Treaty on EU and the Treaty on the  
Functioning of the EU)**

**Intergovernmental and community methods**

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# Treaty on the Functioning of the EU

## Declarations

13. Declaration concerning the common foreign and security policy
14. Declaration concerning the common foreign and security policy

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# Understanding the Foreign Policy of the EU

**Multi-level foreign policy**

**interaction between the national and EU levels**

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# Whom should I call to speak to Europe?!



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# **Institutional Framework of the EU Foreign Policy**

**1. The Union shall have an institutional framework which shall aim to promote its values, advance its objectives, serve its interests, those of its citizens and those of the Member States, and ensure the consistency, effectiveness and continuity of its policies and actions.**

**The Union's institutions shall be:**

- the European Parliament,**
- the European Council,**
- the Council,**
- the European Commission,**
- the Court of Justice of the European Union,**
- the European Central Bank,**
- the Court of Auditors.**

**2. Each institution shall act within the limits of the powers conferred on it in the Treaties, and in conformity with the procedures, conditions and objectives set out in them. The institutions shall practice mutual sincere cooperation.**

**(Art.13 TEU)**

# Institutional Framework of the EU Foreign Policy

Three key players



## **The European Parliament**

- **voice of the people**

David Sassoli, President of the European Parliament



## **The European Council and the Council**

- **voice of the Member States**

Charles Michel, President of the European Council



## **The European Commission**

- **promoting the common interest**

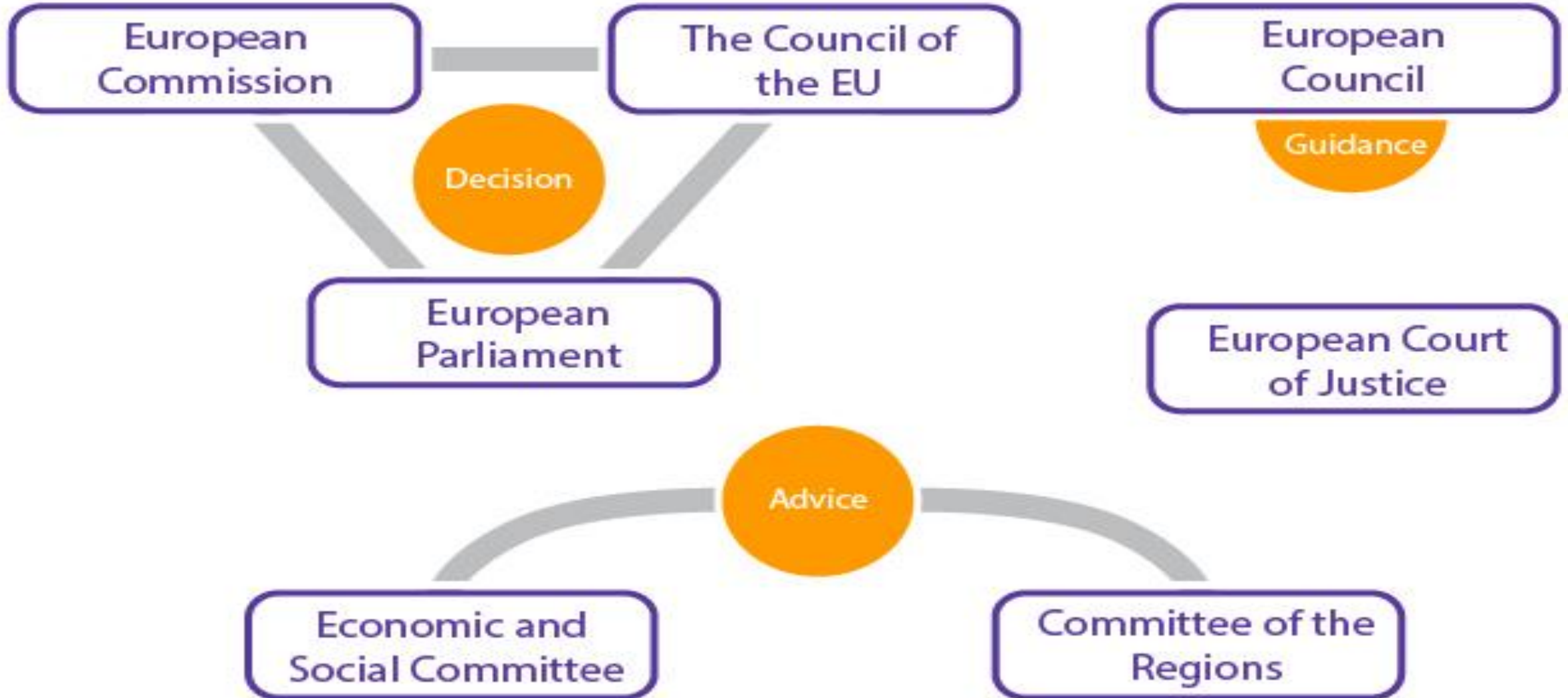
Ursula von der Leyen,  
President of the European Commission



# Institutional Framework of the EU Foreign Policy



# Institutional Framework of the EU Foreign Policy



# **European Parliament**

**Role: Directly-elected EU body with legislative, supervisory, and budgetary responsibilities**

**Members: 705 MEPs (Members of the European Parliament)**

**President: David-Maria Sassoli**

**Established in: 1952 as Common Assembly of the European Coal and Steel Community, 1962 as European Parliament, first direct elections in 1979**

**Location: Strasbourg (France), Brussels (Belgium), Luxembourg**

# European Parliament

**The European Parliament is the EU's law-making body. It is directly elected by EU voters every 5 years.**

**The last elections were in May 2019.**



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# European Parliament





# European Council

**Role: Defines the general political direction and priorities of the European Union**

**Members: Heads of state or government of EU countries, European Council President, European Commission President**

**President: Charles Michel**

**Established in: 1974 (informal forum), 1992 (formal status), 2009 (official EU institution)**

**Location: Brussels (Belgium)**



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# **European Council**

**The European Council brings together EU leaders to set the EU's political agenda. It represents the highest level of political cooperation between EU countries.**

**One of the EU's 7 official institutions, the Council takes the form of (usually quarterly) summit meetings between EU leaders, chaired by a permanent president.**

# Composition

**The European Council is made up of the heads of state or government of all EU countries, the European Council President, and the European Commission President.**

**It is convened and chaired by its President, who is elected by the European Council itself for a once-renewable two-and-a-half-year term.**

**The President represents the EU to the outside world.**

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# **Council of the European Union**

**Role: Voice of EU member governments, adopting EU laws and coordinating EU policies**

**Members: Government ministers from each EU country, according to the policy area to be discussed**

**President: Each EU country holds the presidency on a 6-month rotating basis**

**Established in: 1958 (as Council of the European Economic Community)**

**Location: Brussels (Belgium)**



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# **Council of the European Union**

**In the Council, government ministers from each EU country meet to discuss, amend and adopt laws, and coordinate policies. The ministers have the authority to commit their governments to the actions agreed on in the meetings.**

**Together with the European Parliament, the Council is the main decision-making body of the EU.**

# Council of the European Union

Not to be confused with:

**European Council** - quarterly summits, where EU leaders meet to set the broad direction of EU policy making

**Council of Europe** - not an EU body at all

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# **European Commission**

**In the Council, government ministers from each EU country meet to discuss, amend and adopt laws, and coordinate policies. The ministers have the authority to commit their governments to the actions agreed on in the meetings.**

**Together with the European Parliament, the Council is the main decision-making body of the EU.**

# Principle and Values of the EU Foreign Policy

**The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.**

**(Art.2)**

**The Union's aim is to promote peace, its values and the well-being of its peoples.**

**The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.**

**(Art.3)**



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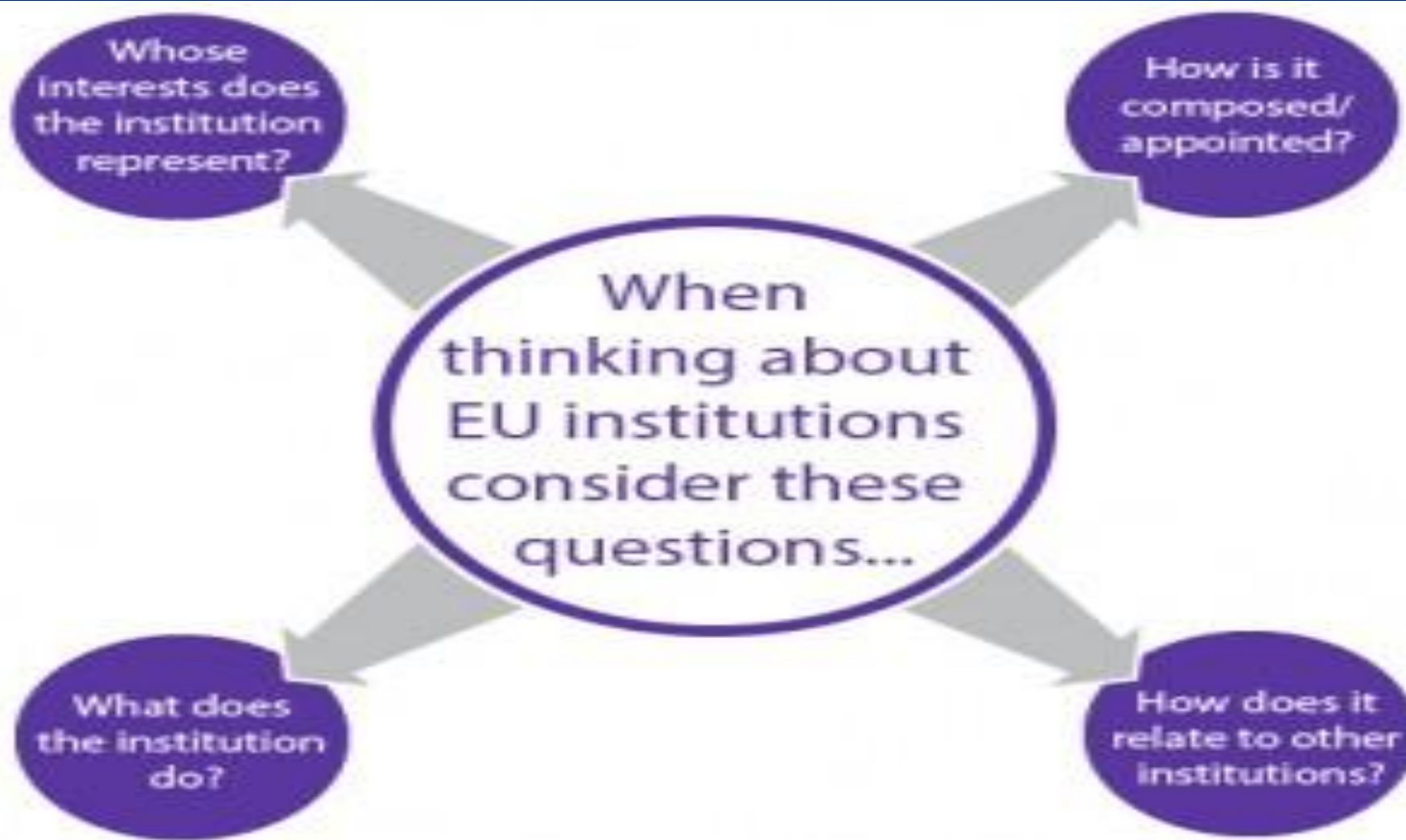
# Institutional Framework of the EU

## Foreign Policy

- **The functioning of the Union shall be founded on representative democracy.**
- **Citizens are directly represented at Union level in the European Parliament.**
- **Member States are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national Parliaments, or to their citizens.**
- **Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen.**
- **(Art 10 of TEU)**



# Institutional Framework of the EU Foreign Policy

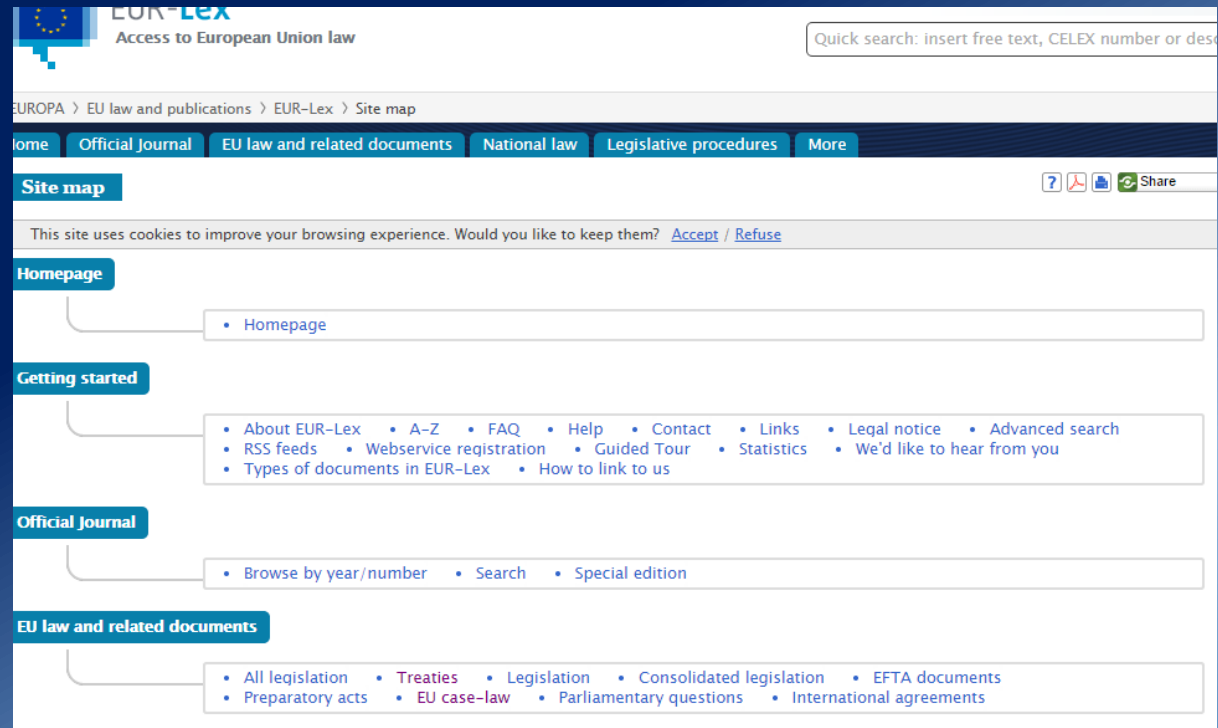


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# Sources to Follow

## <http://eur-lex.europa.eu/>



The screenshot displays the EUR-Lex website interface. At the top left is the EUR-Lex logo with the tagline "Access to European Union law". A search bar on the top right contains the placeholder text "Quick search: insert free text, CELEX number or desc". Below the logo is a breadcrumb trail: "EUROPA > EU law and publications > EUR-Lex > Site map". A horizontal navigation menu includes links for "Home", "Official Journal", "EU law and related documents", "National law", "Legislative procedures", and "More".

The "Site map" section is active, showing a list of links under several categories:

- Homepage**
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At the bottom right of the site map section, there are icons for help, print, and share, along with a "Share" button.



http://eur-lex.europa.eu/

#### Title and reference

Judgment of the Court of 15 July 1964.

Flaminio Costa v E.N.E.L.

Reference for a preliminary ruling: Giudice conciliatore di Milano – Italy.

Case 6-64.

*English special edition 1964 00585*

- ECLI identifier: ECLI:EU:C:1964:66

#### Languages and formats available

	BG	ES	CS	DA	DE	ET	EL	EN	FR	GA	HR	IT	LV	LT	HU	MT	NL	PL	PT	RO	SK	SL	FI	SV
HTML																								
PDF																								

EUR-Lex contains the **founding, amending and accession treaties**, as well as some **protocols**.

## **Treaties currently in force**

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- Treaty of Lisbon (2007)
- Treaty on the Functioning of the European Union (Consolidated version 2012)
- Treaty on European Union (Consolidated version 2012)



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