



# EUROPEAN UNION FUNDAMENTALS



HANDOUT  
PREPARED BY  
THE EUROPEAN STUDIES PROGRAM  
ATENEODEMANILA UNIVERSITY

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# EUROPEAN UNION FUNDAMENTALS

## WHAT IS THE EU?

It is the most important non-state actor in the international community today with substantial diplomatic, economic and regulatory power. It is not a state/superstate in the Westphalian sense of the word, though it has acquired limited competences similar to that of the state as conferred by EU treaty law.

## POSTWAR ORIGINS

It initially began as a response to political and economic dilemmas at the end of the second world war and when the Cold War was just beginning to materialize. It is rooted in the Franco-German decision to turn back from age-old enmity to work together. The two plus Benelux and Italy set up the ECSC, EEC and Euratom, becoming the EU in 1992. ASEAN is similarly founded on security and economic prosperity though the modes of integration is different.

## TREATIES AND LAW

More than an international organization, it is a bloc whose members are legally bound to observe the treaties and EU body of law they sign up to upon membership. EU law both establishes and delimits the powers of its institutions and bodies, and lays down processes upon which actors operate at a community level to pursue community interests.

## VALUES

Principles of democracy, human rights and rule of law are enshrined in the EU treaties and govern the bloc's behaviour internally and externally. It champions multilateralism and free markets in the international stage.

## CONSTANTLY EVOLVING

The bloc is constantly changing, and not just in the increase in the number of members. Treaties have gone through "revision" for the sake of improving administrative efficiencies but also to address and respond to the most compelling issues and events of the time, such as on climate action today.

## LEGAL PERSONALITY

It can join international organizations and it can sign agreements on behalf of its members.





# EUROPEAN UNION FUNDAMENTALS

## REGIONAL INTEGRATION

For economists and political scientists, it is an interesting case study of regional integration at a political, economic and social level. Its development and processes are very relevant to countries undergoing regional integration such as Asean.

## VALUES

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## PATTERNS OF COOPERATION

**Traditional:** member states still engage in bilateral relations with other states, in and outside of the EU, for specific national or bilateral interests.

**Multilateral:** EU member states coordinate with other EU member states to manage or settle matters that a.) the EU has no jurisdiction over, b.) do not involve the whole of the EU and its institutions, or c.) the EU could not reach consensus on how to address.

**Community or “European-level”:** policy areas and prerogatives that member states have collectively decided to address and implement through the EU institutions.

## PRIMARY ACTORS

Its main institutions are unique in the sense that they are supranational in scope. But its member states remain powerful. Competence of Policy areas that are exclusively on the hands of the EU (trade), the member states (most foreign policy and taxation) or both (development assistance)



# EU INSTITUTIONS

## EUROPEAN COMMISSION

General role: promotion of the EU's general interests, enforcement of EU-level policies and legislation, implementation of the EU budget

## MEMBERSHIP

1 Commissioner per member state, led by the Commission President, who assigns policy areas to each commissioner. Commissioners, once appointed, do not represent MS interests.

- 1 President
- 8 VPs under VDL commission
- 18 portfolio commissioners
- (27 members of the college in total)

## TASKS

- The Commission has the sole right to initiate the legislative process (CDP/OLP) on matters managed at a supranational scale.
- Determines EU fiscal priorities, through CDP/OLP
- Supervises EU spending based on bi-annual budget
- Enforcement of EU policy prerogatives based on the Lisbon competence scheme
  - Any policy about the common market, community policies and Eurozone are exclusively in the competence of the Commission.
- Provides the EU its international legal character (cf. Lisbon) and represents the EU, through the EEAS, in all international bodies allowed by the CFSP (trade, humanitarian aid, Schengen open skies).
- The Commission functions as a collegial body, usually deciding by unanimity. In certain cases wherein a majority is preferred, simple majority is used.

## CHARACTERISTICS

- The origins of the Commission form the supranational wing of the European Union
- The Commission is politically independent and functions as the EU's executive body tasked to implement legislation and monitor compliance.





# EU INSTITUTIONS

## EUROPEAN COUNCIL

Determines the general direction and priorities of the EU

## MEMBERSHIP

Heads of state/government of EU MS, Commissioner President, High Rep for CFSP

## TASKS

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- Decides on general direction of the EU but does not have executive and decision-making powers.
  - Prioritizes high-level IG-competence policy areas that could not be settled in lower-level diplomacy channels.
  - Determines the priorities and preferences of the EU in light of the CFSP
  - Sole right of appointing top-level EU positions (Commission President, ECB)
  - The European Council can request the Commission to initiate the CDP process with the Council of the EU handling the continuing negotiations in the conciliation process.

## CHARACTERISTICS

- In all matters pertaining to the CFSP, treaty ratification, accession and suspension of member states, the European Council votes unanimously.
- In certain policy areas (usually those covered by CDP/OLP), the European Council could opt to vote using “double majority” (16/28 MS and 65% of EU population)





# EU INSTITUTIONS

## COUNCIL OF THE EU

Represents EU member governments (ministerial portfolios) in the decision-making of the EU, intergovernmental wing of the EU

## MEMBERSHIP

Member state ministers, depending on the policy issue; each MS has a 6-month rotating presidency (significant for agenda-setting)



## TASKS

- Conducts key negotiations for EU law ratification under CDP
- Coordinates policies to increase coherence across MS
- Tasked to handle the specifics of the CFSP, based on guidelines passed by the European Council
- Conciliates with the EP for the EU budget.

## CHARACTERISTICS

- The Council of the EU is generally not regarded as an EU institution as it takes credence from the agenda set by the European Council.
- Consistency remains an issue because representatives who sit in the council are parliamentary ministers who are subject to elections.
- QMV is needed to pass any decision: 55% of EU MS, 65% of EU population/ to block: 4 MS and 35% of EU population





# EU INSTITUTIONS

## EUROPEAN PARLIAMENT

Directly-elected EU representative body, participates in legislation and budget development

## MEMBERSHIP

705 members, elected by European Citizens directly into the European Parliament.

## TASKS

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- Participates in the Ordinary Legislative Procedure
  - Democratic scrutiny of all matters in the EU
  - Elects Commission President and approves (gives legitimacy) to the Commission
  - Censure
  - Consultative role with ECB on Eurozone
  - Send questions/queries to Council and Commission

## CHARACTERISTICS

- Expansion initially resisted by French government up until the Budget Treaties of the 1970s, when budgetary power was shared with EP
- Not until the Single European Act did the Parliament have an actual decision-making role
- Historically, EP tended to favor spillover sectoral integration as the mode for integration through selective budget appropriations.





# EU INSTITUTIONS

## EUROPEAN COURT OF JUSTICE

Interprets EU law and ensures coherent interpretation across municipal levels

## MEMBERSHIP

COJ: 1 judge per MS and 11 AG; GC- 2 judges per MS starting 2019

## TASKS

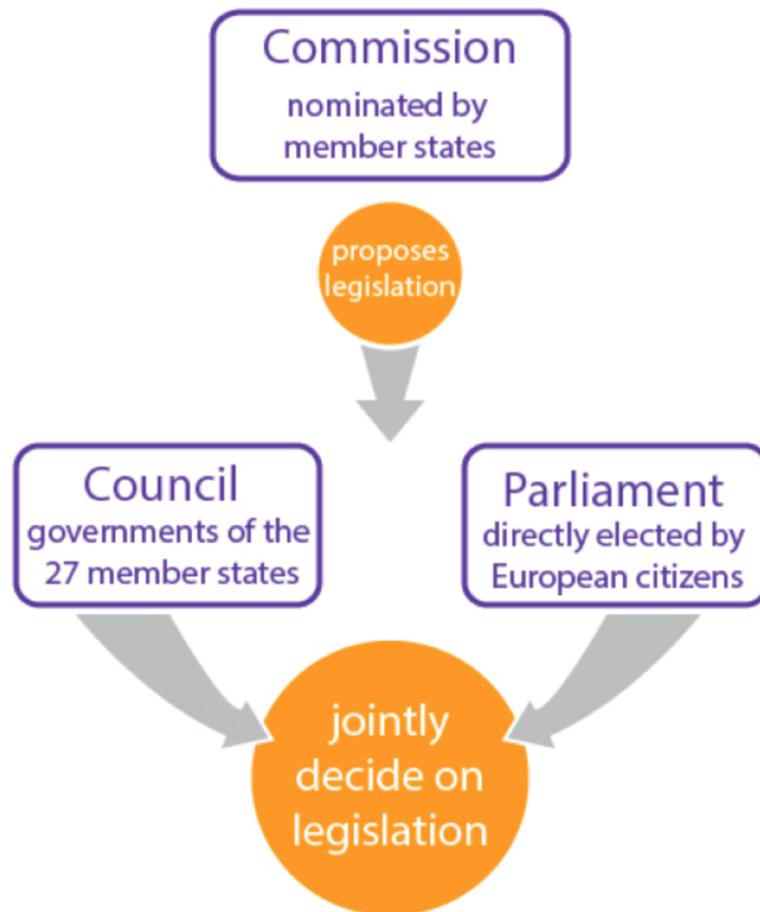
- Interpretation of EU law in light of EU law supremacy
- Enforce compliance
- Annul, based on EU treaties, any illegal act passed by CDP/OLP

## CHARACTERISTICS

- Jurisdiction is only within the treaties of the European Union.
- In matters that are beyond the jurisdiction of ECJ, member state courts take precedence.
- Is only authorized to impose fines.



# ORDINARY LEGISLATIVE PROCEDURE



## SUMMARY OF THE OLP

Step 1: The Commission initiates a policy proposal and sends it to both the Council and Parliament

Step 2: The Council deliberates; the European Parliament may opt to recommend changes.

Step 3: Conciliation- Council and Parliament representatives reconcile possible differences in amendment preferences. If the Council and Parliament fail to reach a consensus, the policy proposal fails.

Step 4: If positive results come out of the conciliation process and consensus is reached, the Commission is informed and tasked to implement.

NOTE: IMAGE IS SOURCED FROM THE UNIVERSITY OF PORTSMOUTH'S EUROPEAN STUDIES HUB.

[HTTP://HUM.PORT.AC.UK/EUROPEANSTUDIESHUB/LEARNING/MODULE-1-UNDERSTANDING-EU-INSTITUTIONS/INTRODUCTION-TO-STUDY-OF-THE-EUROPEAN-UNION-INSTITUTIONS/THE-INSTITUTIONAL-TRIANGLE/](http://hum.port.ac.uk/europeanstudieshub/learning/module-1-understanding-eu-institutions/introduction-to-study-of-the-european-union-institutions/the-institutional-triangle/)



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# SECURITY ISSUES

## EU-ASIA SECURITY COOPERATION

- European prosperity and Asian peace and security are closely connected.
- Europe and Asia share a fundamental interest in upholding the rules-based international system. It is recognized that the challenges confronted by states globally at present go beyond national borders and cannot be tackled alone.

## EU-ASEAN STRATEGIC PARTNERSHIP

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- Both the EU-ASEAN decided to upgrade their relations from Dialogue Partnership to Strategic Partnership, and strengthen cooperation in a range of security fields in 2020.
  - During the 27th Meeting of the ASEAN-EU Joint Cooperation Committee on 19 March 2020, both sides underlined the importance to further develop the ASEAN-EU dialogue on security and defense issues and crisis management and noted to EU's ambition to adhere to all relevant ASEAN-led security mechanisms including the ADMM-Plus.
  - The EU has, for example, provided EUR 26 million for mitigating chemical, biological radiological, and nuclear risks; cooperation with the ASEAN Regional Forum to promote multilateral confidence-building measures and preventive diplomacy; EUR 10 million to support cooperation between the ASEAN Centre for Humanitarian Assistance and EU Civil protection agencies; and counterterrorism and military advisors in EU Delegations in the region, among others.

## SECURITY AND DEFENSE

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- The EU's active role in the ASEAN region's security architecture is illustrated by the regular involvement of the EU HR/VP in ARF Ministerial Meetings. These include the Inter-Sessional Meeting (ISM); the Inter-Sessional Support Group on Confidence Building Measures and Preventive Diplomacy; the ARF SOM; the ARF Security Policy Conference; the Defense Officials Dialogue; and disaster relief exercises.
  - The EU also participates in the Shangri-La Dialogue every year, an annual inter-governmental defense meeting. In June 2019, the EU HR/VP participated, emphasizing the EU's increasing role as a global security player and its willingness to contribute to security and peace in Asia.
  - The partnership between the EU-ASEAN in security affairs has expanded to non-traditional security matters. In 2020, maritime security, disaster management, and crisis response, along with transnational crime and crisis management, have been identified as priority areas.





# SECURITY ISSUES

## MARITIME SECURITY

- The EU promotes international cooperation, maritime multilateralism, and the rule of law at sea.
- Maritime security is a shared concern for EU-ASEAN. Especially since threats are complex and interconnected, no nation acting alone can succeed in responding to smuggling, piracy, illegal immigration, and other forms of transnational crime.
- The EU-ASEAN Plan of Action 2018-22 on enhancing Maritime Security Cooperation includes: sharing knowledge and expertise in the sustainable joint management of marine resources, combatting sea piracy, armed robbery against ships, hijacking and arms smuggling maritime safety, and search and rescue.



## TRANSNATIONAL CRIME AND CYBERSECURITY

- In August 2019, the EU-ASEAN reaffirmed their joint commitment to fight transnational crime, particularly cybercrime, and enhance efforts towards improving cybersecurity. Work is now underway to develop EU-ASEAN dialogue and cooperation aimed at securing an open, secure, stable, and accessible information and communication technology (ICT) environment, consistent with international and domestic laws; reaffirmed during the 23rd ASEAN-EU Ministerial Meeting held on 1 December 2020.

## EU IN THE PHILIPPINES

- The EU-Philippines Partnership and Cooperation Agreement (PCA) was signed in 2012.
- The PCA intensify EU-Philippine relations covering political, security, economic and social affairs. In doing so the EU also brings to the table proven expertise in the provision of non-traditional security assistance including disaster preparedness, conflict prevention, emergency aid, post-crisis reconstruction, policing assistance, energy, climate change, product safety, and maritime security.
- The EU is a partner for peace, security, and development in Mindanao. Since 2007, the EU promotes and supports the Mindanao Peace Process for the settlement of the longstanding conflict in Mindanao.
- The EU's support for the implementation of the agreements is ensured through the provision of technical expertise, material support to brokers to implement the politically-negotiated agreements, and confidence-building measures to help deliver peace dividends. The EU is the largest contributor to the Mindanao Trust Fund Reconstruction and Development Programme and remains committed to supporting the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) through its different instruments.





# TRADE

## TRADE AND ITS BENEFITS

- Trade promotes livelihoods, jobs, and thus material prosperity so that an extensive trading relationship among countries will discourage any form of political or military aggression.
- The international market is seen as having more buyers and sellers than a country's domestic market.
- The international market can also be unpredictable and could cause some instability for many firms.



## ORIGINS OF THE COMMON MARKET

The EU formed regional trade association (RTA) at the beginning. The idea was to realize the larger market that trade allows, so that individual firms in the association can have a market larger than their own domestic market to cater to. But at the same time, since it still is an association among member-countries, any unfair trade can be dealt with through rules and regulations, and information on market changes can more easily be spread, to allow firms to adapt more easily.

## THE U.S.A. AS A COMPARATIVE CASE

- A model of a successful free trade grouping is the United States of America. Upon independence in 1776, the original thirteen states were actually independent of each other, and had individual policies and restrictions on the movement of goods and people across their borders.
- When they adopted a federal constitution in 1789, among the issues the fundamental law decreed was for trade and movement of peoples and capital to be free across the borders of the states.
- With free trade among the member states being realized, in time it created the largest, most productive, highest income economies in world history.



## ASEAN AND THE EU

- The creation of the EU single market would thus be in the process of replicating the success of the US economy in guaranteeing a high standard of living and a productive economy for the majority of its citizens.
- This process is also being emulated by other regional associations like the ASEAN, mindful of the benefits that can be realized through the free movement of goods, people and capital across borders.



# DEVELOPMENT

## DEVELOPMENT AND THE EU

- This experience of economic development through free trade among member countries is what the European Union has aimed at replicating, and they have succeeded in many ways.
- European Union has extended this to a single market, to allow for free movement across the entire association of not just goods, but also capital and people, so that a resident of any one member country can now seek employment and residence or set up a business anywhere in the Union. This much larger market has indeed raised employment and incomes among the member countries.

## DEVELOPMENT ASSISTANCE

- The EU has attained the highest levels of output and income throughout the world and enjoys a material standard of living that is the aspiration for most developing countries.
- The EU and its individual member countries are thus among the major donors for official development assistance and have provided financing and technical exchanges for developing countries in public health, environmental renewal, human rights, arts and culture, capability building, among others.

## ENVIRONMENTAL ISSUES

- The EU also recognizes, like most scientists throughout the world, that the attainment of improved living standards has also meant increasing utilization of natural resources so that the long-term existence of humanity on the resources of this planet has become a major issue.
- The attainment of improved standards of living would be towards the use of renewable energy sources and the judicious reuse of waste products to maintain the integrity of environmental resources, the Green New Deal and the circular economy

## PEACEBUILDING

- Conflict is normal in society but what differentiates modern developed societies from the conflict-ridden ones of the past and present is that developed societies have created mechanisms for the impartial and nonviolent resolution of conflicts, whether personal or on issues of property and businesses.
- Essential is the support for the judicial and legal systems and the rule of law, and the promotion of dialogue and interaction among groups traditionally in conflict to attain general peace in their communities, so that the cycle of investment, employment and consumption activities can continue

