The European Union's international representation

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Europe as an actor on the international scene - foreign policy tools available to Europe are grouped both in terms of development and adoption of new policies. The Treaty of Lisbon gives Europe a clearer voice in relations with its partners around the world. It also uses the force of Europe in the economic, humanitarian, political and diplomatic support to promote European interests and values worldwide, while at the same time, the specific interests of the Member States in the field of Foreign Affairs.

The appointment of a high representative of the Union for Foreign Affairs and security policy, which is also one of the Vice-Presidents of the Commission, will increase the impact, coherence and visibility of the EU's external action. The new European external action Service will provide the necessary assistance to the High Representative.

The Union has a single legal personality, which enhances negotiating power, causing her to be more efficient in the world and a more visible partner for third countries and international organisations. The evolution of the European security and defence will be keeping some specific decision-making procedures, making it easy to ensuring a strengthened cooperation within a smaller group of Member States.

Keywords: Lisbon Treaty Foreign Affairs; High Representative of the Union for Foreign Affairs and security policy; European External Action Service.

THE LISBON TREATY AND THE IMPACT ON THE FOREIGN POLICY OF THE EU


Treaty of Lisbon amends the Treaty on European Union and the EC Treaties (without replacing them) and puts at the disposal of the Union the legal framework and the necessary legal instruments to deal with future challenges and to meet the expectations of citizens:

A more democratic and more transparent Europe, where the European Parliament and national parliaments shall enjoy an enhanced role, in which citizens are more likely to be listened and defining more clearly what is to be done at European and national level and by whom.

- A strengthened role for the European Parliament, directly elected by the citizens of the European Union, it has major new powers on the European Union budget, legislation and international agreements. By the fact that it is used more often to the codecision procedure in the development of European policies, the European Parliament is in a position of equality with the Council (representing the Member States) in relation to the adoption of the largest part of the legislation of the European Union.
• A greater involvement of national parliaments: national parliaments may participate in a greater extent in the activities of the European Union, in particular thanks to a new mechanism that allows them to ensure that this occurs only when you can get better results at Community level (principle of subsidiarity). Along with the role of the European Parliament, strengthened involvement of the national parliaments to reinforce the democratic nature of leads and increase the legitimacy of Union action.

• A stronger voice for citizens: thanks to the citizens” initiative, one million citizens from different Member States may request the Commission to submit new proposals.

• Who and what does: the relationship between Member States and the European Union is less clear, with the distribution of competences.

• Withdrawal from the Union: Lisbon Treaty explicitly recognizes for the first time, the possibility for a Member State to withdraw from the Union.

A more effective Europe, with working methods and simplified voting rules, with efficient and modern institutions for a European Union with 27 members, better able to act in areas of major priority.

• An efficient decision-making process: qualified majority voting in the Council is extended to new policy areas so that the decision-making process should be carried out faster and more efficiently. Starting from 2014, the calculation of the qualified majority will be based on the double majority system, Member States and the general public, thus reflecting the dual legitimacy of the Union. Double majority is obtained when a decision is taken by a vote of 55% of Member States representing at least 65% of the population of the Union.

• A more stable institutional framework and more efficient: the Treaty of Lisbon creates the function of President of the European Council (elected for a term of two and a half years), introduces a direct link between the election of the President of the European Commission and the election results, provides for new provisions concerning the future structure of the European Parliament and includes clear rules on enhanced cooperation and financial provisions.

• A better life for Europeans: the Lisbon Treaty improves the ability of the EU to act in various areas of major priority for today's Union and its citizens’ freedom, security, and justice (combating terrorism or tackling crime). To a certain extent, the Treaty refers to other areas including energy policy, public health, climate change, services of general interest, research, space, territorial cohesion, commercial policy, humanitarian aid, sport, tourism and administrative cooperation.

A Europe of values, rights, freedom, solidarity and security, which promotes the values of the Union, introduces the Charter of fundamental rights into European primary law, provides new mechanisms of solidarity and ensures better protection of European citizens.

• Democratic values: the Lisbon Treaty mentions and reinforces the values and specific objectives that underpin the Union. These values are intended to serve as a reference point for European citizens and to show what Europe has to offer its partners around the world.

• Citizens’ rights and the Charter of fundamental rights: the Lisbon Treaty maintains existing rights and introduces new ones. In particular, guarantees the freedoms and the principles enshrined in the Charter of fundamental rights and gives its provisions binding legal force. Relates to civil rights, political, economic and social.

• Freedom for European citizens: the Treaty of Lisbon reinforces and maintains the "four freedoms", as well as freedom of political, economic and social development of European citizens.
- Solidarity between Member States: the Lisbon Treaty stipulates that the Union and its Member States shall act jointly in a spirit of solidarity if a Member State is the target of a terrorist attack or the victim of natural or man-made disasters. It also highlights the solidarity in the field of energy.

- More safety for all: Union receives extensive capacity for action in the field of freedom, security and justice, which brings direct benefits in terms of its ability to fight crime and terrorism. The new provisions on civil protection, humanitarian aid and public health have also aim to strengthen the Union's capacity to respond to threats to the security of European citizens.

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- The appointment of a high representative of the Union for Foreign Affairs and security policy, which is also one of the Vice-Presidents of the Commission, will increase the impact, coherence and visibility of the EU's external action.

- The new European external action Service will provide the necessary assistance to the High Representative.

- The Union has a single legal personality, which enhances negotiating power, causing her to be more efficient in the world and a more visible partner for third countries and international organisations.

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**THE HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY [3]**

The Treaty of Lisbon creates the function of high representative of the Union for Foreign Affairs and security policy, whose role is to lead the foreign policy of the European Union (EU).

Previously, the powers of the High Representative of the Union were provided by two separate people within the EU:

- EU High Representative for foreign and security policy (CFSP);
- Commissioner responsible for external relations.

Therefore, the Treaty of Lisbon brings together powers relating to foreign policy and security in the hands of a single person. The objective is that the EU's external action to gain consistency, effectiveness and visibility.

However, the High Representative of the Union does not have a monopoly on the external representation of the EU. In addition, the Lisbon Treaty assigns the European Council’s President the task of ensuring at his level the external representation of the EU, without prejudice to the powers of the High Representative. However, the text does not specify in what way work should be divided between those two people, leaving the practice to determine which their respective roles are.
The High Representative participates actively in the foreign policy and security of the Union. First, it contributes to the development of this policy, proposals and submit them to the Council and the European Council's vote. Then implement the decisions taken as representative of the Council.

The High Representative of the Union has in addition a representation. It conducts political dialogue with third countries and has a responsibility to express EU positions in international organisations.

By replacing the High Representative for the CFSP and Commissioner for external relations and the High Representative of the Union also has inherited the duties attaching to them:

- within the Council, it should ensure the coherence and continuity of the work on the EU's foreign policy. For this purpose, he shall preside over the Foreign Affairs Council;
- within the Commission, is entrusted with the responsibilities incumbent on the latter in the area of external relations. In addition, you must ensure the coordination of foreign policy with other policies and activities of the Commission.

The High Representative shall be appointed by the European Council, acting by a qualified majority, with the agreement of the President of the Commission. The European Council may also to conclude the mandate according to the same procedure.

By his quality, the High Representative is one of the Vice-Presidents of the Commission. In this capacity, together with the President and other members of the Commission, it is subject to a vote of approval by the European Parliament. The Treaty on European Union States that, where a motion of censure against the Commission is voted by the Parliament, the High Representative should give up the functions that they perform within the Commission, but retains the responsibilities within the Council to form a new Committee.

In the exercise of its functions, the High Representative of the Union shall be assisted by a European External Action Service. This service has a legal foundation in article 27, paragraph 3, of the Treaty on European Union. Its organization and functioning are determined by a decision of the Council acting on a proposal from the High Representative. The Council approved in October 2009 the guidelines on the role and functioning of this service.

In accordance with these guidelines, the European External Action Service under the authority of the High Representative. The latter is based on the work of this service for the elaboration of proposals on the Union's foreign policy and for the implementation of the decisions adopted by the Council in this area.

The European External Action Service can also be put at the disposal of the President of the European Council, the President of the Commission and the other Commissioners for matters relating to EU foreign policy.

THE EUROPEAN EXTERNAL ACTION SERVICE [4] (EEAS)

The European External Action Service is a new institution of the European Union, whose establishment was provided for by the Treaty of Lisbon. The service officially launched on 1 December 2010, assists the EU High Representative for foreign policy and common security in the exercise of its mandate.

Reflecting on the structure of national foreign ministries, SEAE has a central body in Brussels and EU delegations in third countries. It deploy its activity working in cooperation with the diplomatic services of the Member States.
Role of the Department is to contribute to greater coherence and visibility of the EU's external action.

The establishment of the SEAE is laid down in article 27 (3) of the Treaty on European Union/Treaty of Lisbon.

“In the exercise of his mandate, the High Representative of the Union is supported by a European External Action Service. This service shall work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services...”

SEAE organization and functioning are governed by the EU Council Decision adopted on 26 July 2010. The document was prepared in consultation with the European Parliament and with the approval of the European Commission. The main elements of the decision concerns:

Term of Service: SEAE will support EU High Representative in the exercise of its mandate to conduct foreign policy and common security, including Union security and defence policy. At the same time, the Department will assist the President of the European Council, the President of the European Commission and other European Commissioners in the performance of their duties in the field of international relations.

Structure: the service will be composed of a central administration, based in Brussels, the European Union and the delegations in third countries and international organisations in addition.

The current operation of the service, including the administrative and budgetary aspects, will be ensured by a team consisting of four high-ranking officials: an Executive Secretary General assisted by two Deputy Secretaries General and director-general for Administration and budget.

SEAE personnel: the new European diplomatic corps will consist, on the one hand, of permanent officials of the European Union and, on the other hand, of diplomats posted in the diplomatic services of the Member States, for a specified period (between 4 and 10 years). It requires that at least 60% of the SEAE diplomats to be represented by permanent officials, and at least one-third, but not more than 40%, to be represented by diplomats of Member States. Regardless of the institution of origin, SEAE staff members will benefit from equal status and opportunities of career.

Calendar review: mid-2013, the High Representative will submit a report to the Member States on the operation of the service and proposals for improving its activity. On the basis of the report and proposals of the High Representative, the Foreign Ministers of the Member States, meeting within the Council of the EU, will decide whether to amend the decision on the organisation and functioning of the SEAE to ensure the best possible efficiency of its activity.

EU-wide, the service will contribute to greater coherence and increased impact and visibility of EU action in international political plan. Foreign policy and security of the EU more effectively, with an increased impact, will contribute to a better promotion of the values and interests of the Union and its Member States.

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