

## SEMINAR 1. HISTORY OF THE EU; CREATION AND EVOLUTION

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# HISTORY OF THE EU; CREATION AND EVOLUTION CONTENT

- I. Historical background
- II. From the "Schuman Plan" to the E.C.S.C.
- III. Treaties constituting the E.C. and the .E.A.E.C (Eutatom)
- IV. The Single European Act.
- v. The Treaty of the European Union.
- vi. The Amsterdam Treaty.
- VII. The Treaty of Nice.
- VIII. Attempt of Treaty establishing a Constitution for Europe.
- IX. The Lisbon Treaty.
- x. Enlargement and Withdrawal

# I. HISTORICAL BACKGROUND MILESTONES; FROM XVI CENTURY TO THE WWII

#### I. HISTORICAL BACKGROUND; MILESTONES FROM XVI CENTURY TO THE WWII

• Common / similar trends in Europe: artistic, literary, philosophical and...



#### I. HISTORICAL BACKGROUND; FROM XVI CENTURY TO THE WWII

• ...religion



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### Until the Reformation (1517)

#### I. HISTORICAL BACKGROUND; FROM XVI CENTURY TO THE WWII

## The 30 Years War Peace of Westphalia 1648



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## **THE PEACE OF WESTPHALIA 1648**

The peace was negotiated, from 1644 until 1648 when two Treaties were signed:

### The Spanish-Dutch on January 30, 1648

The treaty of October 24, 1648, comprehended the Holy Roman emperor Ferdinand III, the other German princes, France, and Sweden.

## **THE PEACE OF WESTPHALIA 1648**

The Peace of Westphalia was a seminal event in the development of the state and of international law.

Foundation of the modern state system articulating the concept of territorial sovereignty.

Articulated the concept of territorial sovereignty. (State-nation) The principles remain in effect and decisively shaped the order of today's Europe.

## IDEAS OF EUROPEAN UNITY FROM XVI CENTURY TO THE WWII

1795 : E. Kant "Perpetual Peace"

- Napoleonic Wars Congress of Viena (1814-1815)
- •Kant's argumentation for perpetual peace is based on: peace through law and peace through institution.
- Idea of a United Europe:
  Saint- Simon: De la réorganisation de la société européenne (1814)
   Idea of parliamentary European federation

#### XIX Century Nacionalisms

• Victor Hugo used the term United States of Europe during a speech at the International Peace Congress, (Paris, 1849).

World War I (1914 – 1918)

#### Inter-war period

World War II (1939 - 1945)

- European movements:
  - Count Richard von Coudenhove-Kalergi founded the Pan-Europa movement in 1923 - Conservative vision of Europe
  - In 1929 Aristide Briand gave a speech at the League of Nations Assembly in which he proposed the idea of a federation of European nations based on solidarity and in the pursuit of economic prosperity and political and social co-operation. In 1930, presented a <u>Memorandum on the</u> organisation of a system of European Federal Union
- BENELUX : plan of a <u>customs union</u> of were made in 1944 and became operative in 1948

## HENRI DE SAINT-SIMON'S IDEA OF A UNITED EUROPE

There will no doubt come a time when all the peoples of Europe will feel that they must regulate matters of general interest before descending to matters of national interest. Then evils will decrease, troubles abate, and wars die out. That is the ultimate direction in which we are steadily moving! This is where the current of the human spirit is

\*Quotation of Henri de Saint-Simon, De la réorganisation de la société européenne, p. 247 in vol. 1 of Claude-Henri de Saint-Simon, Œuvres(Geneva: Slatkine Reprints, 1977).

## EUROPE AFTER SECOND WORLD WAR

#### THE COST OF THE SECOND WORLD WAR IN HUMAN LIVES



Note: Pre-1945 borders

## EUROPE AFTER SECOND WORLD WAR







#### THE **MARSHALL PLAN** (EUROPEAN RECOVERY PROGRAM)



## THE MARSHALL PLAN

# 16 countries signed up to the Marshall Plan:

Austria, Belgium, Denmark, France, Greece, Iceland, Ireland, Italy and San Marino), Luxembourg, the Netherlands, Norway, Portugal, Sweden, Switzerland, Liechtenstein, Turkey and the United Kingdom.

## FROM THE MARSHALL PLAN TO THE OECD

The 16 countries set up a Committee of European Economic Cooperation (CEEC)

• The CEEC set up a permanent agency for the management and distribution of the funds.

On 16 April 1948, in Paris, the 16 countries signed a Convention to establish the Organisation for European Economic Cooperation (OEEC).

 West Germany and the territory of Trieste joined in 1949.

In 1960, when the United States and Canada joined, it became the Organisation for Economic Cooperation and Development (OECD).

## THE IDEA THAT LED TO THE EUROPEAN UNION



## 'EUROPE UNITE' SAYS CHURCHILL (1948)



## **EU PIONEERS**



Konrad Adenauer



Joseph Bech



Johan Willem Beyen



Winston Churchill



Alcide De Gasperi



Walter Hallstein



Sicco Mansholt



Jean Monnet

Altiero

Spinelli



Paul-Henri Spaak





https://europa.eu/european-union/about-eu/history/eu-pioneers en

### JEAN MONNET; THE INSPIRATION BEHIND THE 'SCHUMAN PLAN'

Jean Monnet, Commissioner-General of the French National Planning Board, considered that prosperity and social progress depended absolutely upon closer economic ties between European States

#### Franco-German tension!

## JEAN MONNET; THE INSPIRATION BEHIND THE 'SCHUMAN PLAN'

Jean Monnet began to consider the establishment of a common market based on the coal and steel sectors

Why coal and steel??

They were vital for both civil and military industries

## SCHUMAN DECLARATION

On 9 May 1950 the French Foreign Minister, Robert Schuman, proposed the pooling of the coal and steel resources of France and the Federal Republic of Germany (FRG) within an organisation that would be open for membership to other European countries.

Robert Schuman and Jean Monnet sought to use this almost revolutionary declaration to generate a shock wave that would launch the process of European unification.

Drafted in conditions of utmost secrecy, the Schuman Declaration aimed to bring about a profound change in mentalities that would help win over the people of Europe.

## SCHUMAN DECLARATION

- "World peace cannot be safeguarded without the making of creative efforts proportionate to the dangers which threaten it."
- "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."
- "The pooling of coal and steel production... 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."

Robert Schuman, 9 th May 1950

## SCHUMAN DECLARATION AND THE BEGINING OF THE ECCS



## THE EUROPEAN COAL AND STEEL COMMUNITY 1951

Treaty that set up the **European Coal and Steel Community** (ECSC) on 18<sup>th</sup> April 1951 in Paris. (in force on 10<sup>th</sup> August 1952)

#### This first treaty was signed by France, Germany, Italy, the Netherlands, Belgium and Luxembourg for a 50 years term. United Kingdom signed its accession on 1954

#### The ECSC set up:

a common market on a specific sector. (coal and steel)

Common objectives

**Empowered Institutions** 

# THE ECSC INSTITUTIONS - 1951

The High Authority: consisted of nine Members, one of whom was co-opted – selected by common accord by the governments for a period of six years.

 Jean Monnet was appointed the 1st president of the High Authority

The Assembly, which exercised supervisory powers, was made up of 78 delegates from the national parliaments,

The Council of Ministers: each Member State had a representative

The Court of Justice: consisted of 7 judges appointed by the governments to ensure the compliance with and application of the Treaty.

## **RELAUNCHED EUROPEAN PROCESS**

Messina Conference 1955: the Foreign Ministers of Belgium, France, Germany, Italy, Luxembourg and the Netherlands agree upon economic integration.

The aim of their work in the field of economic policy was to set up a common European market, free from all customs duties and all quantitative restrictions.

At the Intergovernmental Conference for the Common Market and Euratom, in Val Duchesse in June 1956, the 6 agreed on establishing a European Economic Community and the European Atomic Energy Community (EAEC or Euratom).

# SIGNING AND RATIFICATION OF THE ROME TREATIES 1957

On 25 March 1957, the representatives of the "six" (namely the Federal Republic of Germany (FRG), Belgium, France, Italy, Luxembourg and the Netherlands, signed:

The Treaty establishing the European Economic Community (EEC) and

The European Atomic Energy Community (EAEC),

## THE EEC INSTITUTIONS

The Assembly: had deliberative and supervisory powers The Council: administered the Member States' common economic policy and had decision-making power in most cases The Commission: collegiate body of nine members appointed by the governments for a period of four years and selected for their ability and independence

The Court of Justice: ensured that the law was observed in the interpretation and application of the Treaty

made up of representatives of the six Member States, appointed in their respective parliaments according to their own procedures.

was made up of government representatives, presented proposals,

ensured the Treaty

own decisionmaking power

powers conferred on it by the Councilc consisted of seven judges, and assisted by advocates general, who were also appointed for six years by their governments.

# EUROPEAN CONSTRUCTION; INTEGRATION PROCESS

## European construction is based on an Integration process

The former Treaties are modified by new ones, new versions

Accesion Treaties: The enlargement process

## **MERGER TREATY - BRUSSELS TREATY**

Signed: 8 April 1965 Entered into force: 1 July 1967

**Purpose**: to streamline the European institutions.

Main changes: creation of a single Commission and a single Council to serve the then three European Communities (EEC, Euratom, ECSC).

## **1<sup>ST</sup> ACCESSION TREATY**



On 1<sup>st</sup> Jan. 1973 Denmark, Ireland and the United Kingdom join the European Union

## **MEDITERRANEAN ACCESSION TREATIES**





On 1<sup>st</sup> Jan. 1981 Greece joined the EU On 1<sup>st</sup> Jan. 1986 Spain and Protugal became EU members

## SINGLE EUROPEAN ACT

Signed: 17 February 1986 (Luxembourg) / 28 February 1986 (The Hague) Entered into force: 1 July 1987

**Purpose**: to reform the institutions in preparation for Portugal and Spain's membership and speed up decision -making in preparation for the single market.

Main changes: extension of qualified majority voting in the Council (making it harder for a single country to veto proposed legislation), creation of the cooperation and assent procedures, giving Parliament more influence.

# IV.- ELS'80: ACTA ÚNICA EUROPEA I 2ª AMPLIACIÓ

#### • Europa dels 12:

- Tr. d'Adhesió de Grècia 1979- en vigor 1981
- Tr. d'Adhesió de Espanya y Portugal, 1985 en vigor 1986
- Projecte Spinelli: Intent Crear UE, no prospera, però estableix bases .
- Acta Única Europea (1986):. en vigor el 1 de jul. de 1987.
  - Jacques Delors, President de la Comissió, objectius de l' AUE: "(...)realitzar simultàniament el gran mercat sense fronteres, més la cohesió econòmica i social, una política europea d'investigació i tecnologia, el reforç del sistema monetari europeu, l'inici d'un espai social europeu i d'accions significatives en matèria de medi ambient".
  - Garantir el mercat interior i la lliure circulació de mercaderies, persones, serveis i capitals.
  - S'amplia competències comunitàries: medi ambient, investigació, desenvolupament tecnològic
  - Possibilitat de majoria qualificada al Consell
  - PE reforçat : procediments de dictamen conforme i de cooperació. Inici colegislador.
  - disposicions sobre cooperació política europea en matèria de política exterior:

### TREATY ON EUROPEAN UNION MAASTRICHT TREATY

Signed: 7 February 1992 Entered into force: 1 November 1993

**Purpose**: to prepare for European Monetary Union and introduce elements of a political union (citizenship, common foreign and internal affairs policy).

**Main changes**: establishment of the European Union and introduction of the co-decision procedure, giving Parliament more say in decision-making. New EU Competences (Enviroment), New forms of cooperation between EU governments – for example on defence and justice and home affairs.
### 3 PILARS OF THE EU – MAASTRICHT TREATY



First pillar: Second and third pillar:

Supranational Intergovernmental in principle

### **4TH ENLARGEMENT**



Austria, Finland and Sweden join the EU. The 15 members cover almost the whole of western Europe.

## **TREATY OF AMSTERDAM**

Signed: 2 October 1997 Entered into force: 1 May 1999

**Purpose**: To reform the EU institutions in preparation for the arrival of future member countries.

Main changes: amendment, renumbering and consolidation of EU and EEC treaties. More transparent decision-making (increased use of the Codesicion legislative procedure).

## EU AFTER AMSTERDAM TREATY



# TREATY OF NICE

Signed: 26 February 2001 Entered into force: 1 February 2003

**Purpose**: to reform the institutions so that the EU could function efficiently after reaching 25 member countries.

Main changes: methods for changing the composition of the Commission and redefining the voting system in the Council.

The presidents of Parliament, the European Council and the Commission formally proclaim the **Charter** of Fundamental Rights of the European Union.

# THE LARGEST ENLARGEMENT



- Ten new countries join the EU on 2004:
  - Czech Republic,
  - Estonia,
  - Cyprus,
  - Latvia,
  - Lithuania,
  - Hungary,
  - Malta,
  - Poland,
  - Slovakia
  - Slovenia.

# ATTEMPT : TREATY ESTABLISHING A CONSTITUTION FOR EUROPE

2001 European Council of Laeken: Convention on the Future of Europe idea of "Constitutional text The Convention, elaborates the proposal for a Treaty establishing a Constitution for Europe.

Oct.



# Its main pourpose was to the replaces them with a single

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rreaty and the TEU and

nal nature.

Negative referendu

and the

NEVER ENTERED INTO FORCE

## THE EAST ENLARGEMENT



 Eastern Europe countries, Bulgaria and Romania, join the EU in 2007,

### THE EAST ENLARGEMENT



 Croatia joined the EU in 2013, bringing the number of member states to 28 countries.

# IX.- EL TRACTAT DE LISBOA.

- 2007 noves negociacions; 13.12. 2007, Tractat de Lisboa, en vigor, 1.12.2009.
- Es basa en 2 Tractats:
  - Tractat de la Unió Europea (TUE; modifica)
  - Tractat de Funcionament de la Unió Europea (TCE->TFUE)
- Dota la UE de personalitat jurídica; CE -> UE
- Crea 2 noves institucions:
  - el Banco Central Europeo (BCE)
  - el Consello Europeo, president s'escull cada dos anys i mig.
- Desapareix l'estructura en 3 pilars.
- Reforç del caràcter democràtic; Codecisió com a procediment legislatiu ordinari, implica Parlaments Ncls., Iniciativa popular
- Doble majoria a la votació del Consell,
- Reconeix a la CDFUE valor jurídic igual als Tractats.
- Contempla la possibilitat de retirada d'un EM de la UE.

# TREATY OF LISBON

Signed: 13 December 2007 Entered into force: 1 December 2009

**Purpose**: to make the EU more democratic, more efficient and better able to address global problems, such as climate change, with one voice.

**Main changes**: more power for the European Parliament, change of voting procedures in the Council, <u>citizens' initiative</u>, a permanent president of the European Council, a new High Representative for Foreign Affairs, a new EU diplomatic service.

The Lisbon treaty clarifies which powers:

- belong to the EU
- belong to EU member countries
- are shared.

The <u>goals and values of the EU</u> and are laid out in the <u>Lisbon Treaty</u> and the <u>EU Charter</u> <u>of fundamental rights</u>.

# TREATY OF LISBON

In reality, the Treaty of Lisbon can be divided into two separate parts:

- Treaty on European Union (TEU).
- Treaty on the Functioning of the European Union (TFEU).

The TEU also gives the <u>Charter of Fundamental Rights</u> the same legal value as the Treaties

It gave greater powers to the European Parliament through the <u>Ordinary Legislative Procedure</u>

It placed the <u>European External Action Service (EEAS)</u> at the service of the HRUFASP

It gave the countries that wanted it the possibility to go further in the process of European construction through <u>enhanced cooperation</u> and introduced the possibility to leave the EU (art. 50)

### LISBON TREATY AND THE EU PILLARS ESTRUCTURE



The EU before the Lisbon Treaty:

Three Treaties (Nice versions): The EU Treaty (overall structure);

- The EC Treaty (first pillar);
  The Euratom Treaty (first pillar).

The Lisbon Treaty (Reform Treaty) contains the changes to the present Treaties.

The Lisbon Treaty does away with the EU's traditional pillar structure. The Union is no longer based on the European Communities. The EC is replaced and succeeded by the EU. Euratom exists outside the framework of the EU Treaty.

The EU and Euratom following the Lisbon Treaty:

Three treaties (Lisbon versions):

- Two treaties on the EU: the EU
- Treaty and the Treaty on the Functioning of the European Union (former EC Treaty);
- One treaty on the Atomic Energy Community: the Euratom Treaty.

See Chart 2/22, Chart 2/23

### TREATIES AFTER LISBON



Founding Treaties		
ECSC Treaty	Signed 1951, entry into force 24 July 1952 (expired in 2002)	
Euratom Treaty	Signed 1957, entry into force 1 January 1958	
EEC Treaty	Signed 1957, entry into force 1 January 1958 (now: TFEU)	
Important Treaty revisions		
Name of treaty	Year of signature / entry into force	Main issues
Merger Treaty	1965 / 1 July 1967	Introduction of a single institutional framework for the three Communities. Note: the Communities as such were not merged.
Act concerning the direct election of representatives of the European Parliament	1976 / first applied in 1979	Establishment of direct elections to the European Parliament
Single European Act	1986 / 1 July 1987	A new timetable for the internal (common) market, institutional reform
		4.7
Maastricht Treaty	1992 / 1 November 1993	Revision of the three Communities, setting up of the EU; see <i>Chart 2/7</i>
Amsterdam Treaty	1997 / 1 May 1999	Revision of the EU and of the Communities; see <i>Chart 2/11</i>
Nice Treaty	2001 / 1 February 2003	Revision of the EU and of the Communities, Amsterdam "left- overs", enlargement
Constitutional Treaty	2004 (not entered into force)	Abolition of the EC, reform of the EU; see <i>Chart 2/15</i>
Lisbon Treaty	2007 / 1 December 2009	Saving parts of the Constitutional Treaty; incorporation of the EC into the EU; see <b>Chart 2/16</b>



# EU ACCESSION AND DISCONNECTION





### **European Union**

- 500 mill.inhabitants
- 28 Member States

Estats membres de la UE



Països candidats i candidats potencials

# ENLARGEMENT FROM 6 TO 28



- 1952: Founders: France, Germany, Italy, Belgium, Luxembourg, Netherlands
- 1973: Great Britain, Denmark and Ireland
- 1981: Greece
- 1986: Spain and Portugal
- 1995: Austria, Sweden and Finland
- 2004: Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Slovenia, Malta and Cyprus
- 2007: Bulgaria and Romania
- 2013: Croatia

#### **Candidate countries**

Still negotiating - or waiting to start.

Country	Membership negotiations started?
<u>Albania</u>	
North Macedonia	
Montenegro	Negotiations status
<u>Serbia</u>	Negotiations status
<u>Turkey</u>	Negotiations status

#### **Potential candidates**

They were promised the prospect of joining when they are ready.

#### Country

Bosnia and Herzegovina

#### <u>Kosovo\*</u>

Source: https://ec.europa.eu/neighbourhood-enlargement/countries/check-current-status\_en





# WHO CAN JOIN THE EU?

- Article 49 TEU
- Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.
- The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.

- Article 2 TEU
- 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.

# CRITERIS D ADHESIÓ

Cimera de Copenhague 1993 i decisions posteriors

• Criteris de Copenhague 3 tipus:

 <u>polítics</u>: institucions estables que garanteixin la democràcia, l'Estat de Dret, els DDHH i el respecte i la protecció de les minories;
 <u>econòmics</u>: una economia de mercat en funcionament i la capacitat de fer front a la competència i a les forces del mercat en la UE;
 <u>capacitat d'assumir les obligacions de l'adhesió</u>, inclòs el suport als objectius de la unió política, econòmica i monetària

# **MEMBERSHIP CRITERIA**

The Treaty on the European Union states that any European country may apply for membership if it respects the democratic values of the EU and is committed to promoting them.

The first step is for the country to meet the key criteria for accession.

These were mainly defined at the European Council in Copenhagen in 1993 and are hence referred to as 'Copenhagen criteria.

# 'COPENHAGEN CRITERIA'.

# Countries wishing to join need to have:

stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;

a functioning market economy and the capacity to cope with competition and market forces in the EU;

the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union.

## ACCESION PROCESS: APPLICATION





# THE ACQUIS OF THE EU

- C. 1: Free movement of goods
- C. 2: Freedom of movement for workers
- C. 3: Right of establishment and freedom to provide services
- C. 4: Free movement of capital
- C. 5: Public procurement
- C. 6: Company law
- C. 7: Intellectual property law
- C. 8: Competition policy
- C. 9: Financial services
- C. 10: Information society and media
- C. 11: Agriculture and rural development
- C. 12: Food safety, veterinary and phytosanitary
- C. 13: Fisheries

- C. 18: Statistics
- C. 19: Social policy and employment
- C. 20: Enterprise and industrial policy
- C. 21: Trans-European networks
- C. 22: Regional policy & coord.of structural instruments
- C. 23: Judiciary and fundamental rights
- C. 24: Justice, freedom and security
- C. 25: Science and research
- C. 26: Education and culture
- C. 27: Environment
- C. 28: Consumer and health protection
- C. 29: Customs union
- C. 30: External relations
  - C 21: Foreign apprint, and defense policy

# 2.- NEGOCIATION OF EACH CHAPTER



# **3.- SIGNATURE AND RATIFICATION**



# WITHDRAWAL: ARTICLE 50 TEU

#### • Article 50

- 1. Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements.
- 2. A Member State which decides to withdraw shall notify the European Council of its intention. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be negotiated in accordance with Article 218(3) of the Treaty on the Functioning of the European Union. It shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament.
- 3. The Treaties shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period.
- 4. For the purposes of paragraphs 2 and 3, the member of the European Council or of the Council representing the withdrawing Member State shall not participate in the discussions of the European Council or Council or in decisions concerning it.
- A qualified majority shall be defined in accordance with Article 238(3)(b) of the Treaty on the Functioning of the European Union.
- 5. If a State which has withdrawn from the Union asks to rejoin, its request shall be subject to the procedure referred to in Article 49.

#### RETIRADA: ART. 50 TUE • 4. Als efectes dels apartats 2 i 3, el membre del Consell Europeu i del

 Als efectes dels apartats 2 i 3, el membre del Consell Europeu i del Consell que representa l'estat member que es retira no participa ni en les deliberacions ni en les decisions del Consell Europeu o del Consell que l'afecten.

La majoria qualificada es defineix d'acord amb

l'article 238, apartat 3, lletra b), del TFUE

 5. Si l'estat membre que s'ha retirat de la Unió sol·licita novament l'adhesió, la sol·licitud està subjecta al procediment que estableix l'article 49.

### Britain to leave the EU: what happens next?

The official British divorce from Europe would take at least two years



THANKS FOR YOUR ATENTION