

EU MATTERS **project**

Chapter 1. About the European Union - Brief history of the EU

Part 1

1. Formation of the European Union
2. Expansion and development of the European Union

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1. Formation of the European Union

The idea of a United Europe was born in a historical context, the 20th century marked by totalitarianism and two world wars, an ideal of democratic response, a "peace bet."

- World War I (1914 - 1918).
- World War II (1939- 1945).

World War I (1914- 1918)

Triggered by **nationalistic pressures** and **imperialistic tendencies** cultivated by the European powers since the second half of the 19th century, it involved 28 countries and pitted the Entente forces (France, Britain, Russia, Italy and their allies) against the Central Empires (Austria-Hungary, Germany and their allies).

It also took on a **worldwide dimension** in terms of the theaters of the clashes: it was fought, in addition to Europe, in the Ottoman Empire, in the German colonies in Asia, and on all seas.

The decisive battles took place in Europe, on **5 fronts**: the Western, between France and Germany, along the Marne and the Somme; the Eastern, or Russian, extended and without natural barriers; the Southern, or Serbian; the Austro-Italian, in the Eastern Alps and in Carnia; and the Greek, north of Salonika.



Europe as a whole emerged from the first conflict weakened by casualties (some 8 million dead and 20 million wounded), destruction, and debt.

Peace treaties did not overcome the **national rivalries** that had been at the root of the war, setting the stage for further conflicts : the dissolution of Austria-Hungary and the conditions of surrender imposed on Germany poured national tensions on many of the new states.

It was especially **World War II (1939 - 1945)** that was characterized as a conflict in which almost every country in the world was involved.

The main contenders were the Allies (Britain, France, the United States of America and the Soviet Union) on the one hand and, the "Axis" on the other (Germany, Italy and Japan).

It was a **full-scale war** in several respects:

- geographical, because it affected all continents;
- economic, because it forced the countries involved to an unprecedented productive effort;
- ideological, because it was fought for radically opposed ideals;
- demographic, because it involved civilian populations in equal proportion to military forces.



There were 55 million dead out of 110million participants, 3 million missing, 35 million wounded, between 25 and 30 million casualties among racial exterminations, air and naval attacks, partisan fighters, other types of deportations. There were also more casualties among civilians than among the military.

This was mainly the result of the **carpet bombing** of vast inhabited areas (just think of Coventry in '40 or Dresden in '45, which were totally destroyed), regardless of the existence of war installations or strategic military points; even the use of the two atomic bombs, decided by the Americans in Japan (which razed to the ground the two cities of Hiroshima and Nagasaki, causing more than one hundred and fifty thousand deaths), served to outline the picture of an unprecedented "total war."

RESOURCE

<https://www.rainews.it/archivio-rainews/media/enola-gay-aereo-che-sgancio-bomba-atomica-su-hiroshima-d448016d-2c22-40d5-8d59-604414bd83a8.html#foto-1>

Articles published between 1918 and 1919, suggesting, to avoid new wars, the establishment of a European Federation; Reflections after World War I by **Luigi Einaudi**

Ventotene Manifesto informed by the federalist movement and elaborated by Altiero **Spinelli**, Eugenio Colorni and Ernesto Rossi (1941)

Speech delivered on July 29, 1947 by Luigi Einaudi to the **Constituent Assembly**.



Resource

Constituent Assembly, afternoon session of Tuesday, July 29, 1947

https://documenti.camera.it/_dati/Costituente/Lavori/Assemblea/sed208/sed208.pdf



INSPIRING IDEA :

The recognition that the fate of European peoples was united and threatened by the limits of **nation-state** sovereignty as reconfirmed with World War II entailed a "definitive abolition of the division of Europe into sovereign nation-states."

The **socialization*** of the citizen to the concept of the **nation-state** grafted the germ of hatred of the other and the value of supremacy.

INSPIRING IDEA :

*Explanation of the process of socialization
with reference to the sociological perspective of symbolic interactionism
on the **construction of identity**, the
identification and differentiation process, in-group -out-group,
stereotype, stigma.

Exposition of theory. Research.

RESOURCE

Life is Beautiful (1997) scene: Forbid The Spiders and Visigoths to Enter.

https://www.youtube.com/watch?v=sxyB-RIHY_U



ORIGINS OF THE COMMUNITY MODEL

Declaration by the French Foreign Minister, **Robert Schuman** (made public on May 9, 1950 in Paris), which aims to promote the construction of an organized and viable Europe, as an indispensable condition for the maintenance of peaceful relations based on the creation of a de facto solidarity between states, inspired by a logic of union rather than mere cooperation.

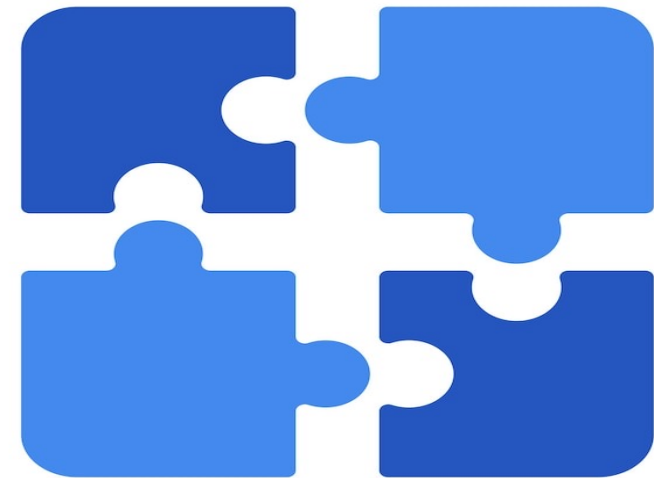
The declaration is drafted by **Jean Monnet**, then commissioner of the "French plan for modernization," which moves from the observation of the failure of attempts at integration based on the intergovernmental method, highlighting its weaknesses:

Jean Monnet, inspiring principles:

1) a true method reported in his memoirs

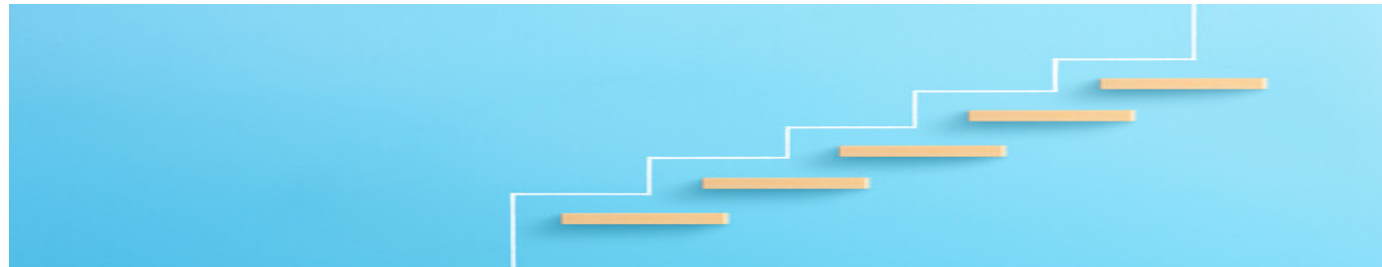
" I know how to wait for a long time for favorable circumstances. In Cognac one knows how to wait: this is the only way to make a good product."

2) the second, of great democratic and programmatic depth, a working method based on the common interest by elaborating what he called the balance sheet, a document that was substantiated in three points: goals, means to achieve, difficulties and to be built in a logic inspired not by a negotiation but a joint work among the states to arrive at the identification of the common interest through reasoning.



In fact, the unification process will begin in small steps with a **gradual economic and political integration of Europe beginning in 1949** with the establishment of the **Economic Community in 1957** until the establishment of the **European Union in 1993**.

The integration process will be and is still long.



It will begin on the principle of (economic) cooperation among states and then arrive, amidst ups and downs, at even political integration. through economic cooperation and the birth of the **OECE** (European Organization for Economic Cooperation) in **1948**.

The input to the initiation of cooperation among European countries, in fact, was **post-war reconstruction** and the subordination of economic aid for the implementation of the **Marshall Plan**. In quantitative terms, the plan involved an allocation of \$17 billion, which was disbursed over a four-year period.



TAPPE 1/2



- **1949** by the **Treaty of London** on May 5, the **Council of Europe** was established with the purpose of safeguarding and promoting the common heritage of ideals and the economic and social development of European countries. The states: Belgium, Denmark, France, Ireland, Italy, Luxembourg, Norway, the Netherlands, the United Kingdom and Sweden.

The headquarters was set in Strasbourg, a symbol of the Franco-German divisions.

- **1950** West Germany, France, De Gasperi's (pro-European) Italy, Belgium, the Netherlands and Luxembourg created the **Community of Six** creating an initial unitary core based on economic understandings and constituted informed by the principles of the *European Convention on Human Rights*.

TAPPE 2/2

- **1951** from the Community of Six came the **ECSC** (Coal and Steel Community) joined by Belgium, France, Italy, the Federal Republic of Germany, Luxembourg and the Netherlands.

1957, Treaties of Rome, regarded as the birth act of the great European family.

The first establishes a European Economic Community (**EEC**), while the second establishes a European Atomic Energy Community, better known as the European Atomic Energy Community (**EURATOM** or **EAEC**).

CEE

It was undoubtedly, due to the broader purposes of the founding treaty, the Community within the framework of which the greatest developments in the process of integration among the member states took place, creating the **common market**.

The principles underpinning the European Single Market are:

- (a) the free movement of goods;
- (b) the free movement of workers and the right of establishment;
- (c) the free movement of services;
- (d) the free movement of capital.

Title 2, on the other hand, was devoted to the common agricultural policy (**CAP**)



CEE

The Founding Treaty in **brief**:

- **abolishes customs duties** between states, introducing a common external customs tariff that replaces the previous tariffs of the various states, a kind of external border vis-à-vis the products of third states.
- provides for the development of **common policies** such as agricultural policy (the famous CAP), trade policy and transport policy.
- the **European Social Fund** is also created, with the aim of improving workers' employment opportunities and living standards, and a European Investment Bank is established to facilitate the Community's economic expansion by creating new resources.
- Also new on the **institutional front** with the creation of the **Commission** (later the European Commission), a **Council of Ministers** (later the European Council), and a **Parliamentary Assembly** (later the European Parliament), three institutions are required to cooperate with each other: the Commission issues the rules, the Council prepares the proposals, and the Parliament has an advisory role. The treaty also provides for the establishment of a **Court of Justice**.

MONETARY SNAKE

In **1970** a further step toward integration was the Council's deliberation of the transition from the system of financial contributions by member states to the Community's own resources system by introducing a **financial mechanism** called the "**monetary snake**."

The mechanism, aimed at limiting the margin of fluctuation between national currencies, sought to prevent currency barriers to the free movement of goods from arising.

It was later replaced by the European Monetary System (**EMS**) by the European Council resolution of December 5, **1978**.

FROM ECONOMIC COOPERATION TO POLITICAL INTEGRATION

- **1984**, the **Preliminary Draft Treaty for the Establishment of the European Union** whose major originator was Altiero Spinelli
The work will be continued by **Jacques Delors** :
- July 1, **1987 The Single European Act** enters into force:
 - Legislative cooperation between the Council and the European Parliament;
 - qualified majority voting in the Council is introduced;
 - feasibility of a large internal market is born on the basis of the White Paper with provision for the reforms necessary to enable the full realization of the single market by December 31, 1992;
 - foreign policy cooperation is introduced.

The European Union Project was two years later followed by the **Madrid Summit** in June **1989** at which it was decided to start the first phase of Economic Monetary Union from July 1, 1990, but in the meantime the **fall of the Berlin Wall** on October 3, **1989**, brought German reunification and a change in Eastern Europe to the fore.

These very concerns, to ward off fears or possible hegemonic temptations, led Chancellor **Kohl** and French President **Mitterand** to invite, the member states of the European Community to prepare an intergovernmental conference.



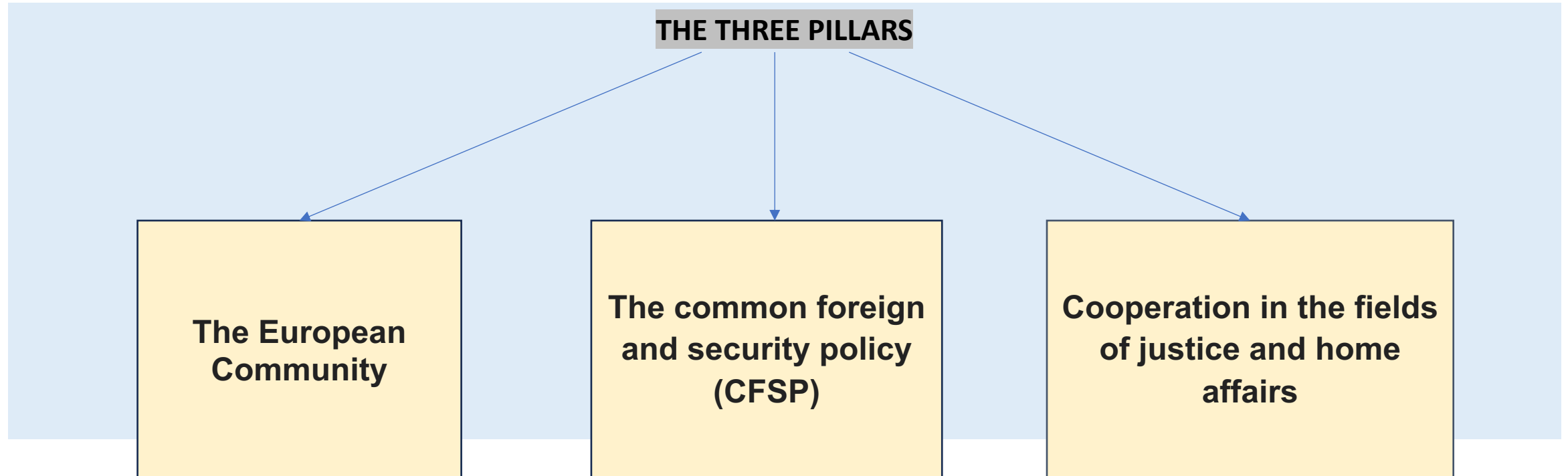
BIRTH OF THE EUROPEAN UNION



A second intergovernmental conference was established, and the results were endorsed by the **Maastricht** European Council, and the final **Treaty on European Union** (TEU), signed on Feb. 7, 1992, came into force on Nov. 1, **1993**-the **European Union** was born.

BIRTH OF THE EUROPEAN UNION

- **European citizenship** was established
- -The role of the European Parliament is redesigned, which, through the **introduction of the co-decision procedure**, was fully associated with the Council in the process of forming EU legislative acts : the Council of the Union and the Parliament are placed on the same footing, so that a legislative act can be approved only if both institutions agree on the text to be approved. dictating timeframes and modalities for achieving, among member states, an Economic and Monetary Union (EMU).
- It is dictated **when and how** to achieve, among member states, an **Economic and Monetary Union** (EMU).
- The areas/**pillars** of intervention are dictated.



PILLAR I - THE EUROPEAN COMMUNITY

*The Community's mission was to ensure the proper functioning of the single market and, in particular, the harmonious, balanced and sustainable development of economic activities, a high level of employment and social protection, and equality between men and women. The Community pursued these objectives, **within the limits of the powers conferred on it**, through the introduction of the common market and the related measures provided for in Article 3 of the EC Treaty and by implementing the single economic policy and the single monetary policy provided for in Article 4. The Community's activities were to respect the **principle of proportionality** and, in areas that were not within its exclusive competence, the **principle of subsidiarity** (Article 5 of the EC Treaty).*

PILLAR II - THE COMMON FOREIGN AND SECURITY POLICY

The Union had the task of establishing and implementing, by intergovernmental methods, a common foreign and security policy. Member states were required to support this policy actively and unreservedly in a spirit of loyalty and mutual solidarity. Its objectives were: the defense of the Union's common values, fundamental interests, independence and integrity in accordance with the principles of the United Nations Charter; the strengthening of the Union's security in all its forms; the promotion of international cooperation; the development and consolidation of democracy and the rule of law; and respect for human rights and fundamental freedoms.

III PILASTRO cooperation in the fields of justice and home affairs

The Union was tasked with developing joint action in these areas on the basis of intergovernmental methods in order to achieve the goal of providing citizens with a high level of security in an area of freedom, security and justice. It covered the following areas:

- rules on the crossing of the Community's external borders and strengthening of controls;*
- fight against terrorism, serious crime, drug trafficking and international fraud;*
- judicial cooperation in criminal and civil matters;*
- creation of a European Police Office (Europol) equipped with a system of information exchange between national police forces;*
- Combating illegal immigration;*
- Common asylum policy.*

2. Espansione e sviluppo dell'UE

RAFFORZAMENTO DEI POTERI DELLE ISTITUZIONI COMUNITARIE

- ❖ Treaty of Amsterdam (1997)
- ❖ Treaty of Nice (2001)



TREATY OF AMSTERDAM – 1997

- ✓ Increased powers by objectives and mechanism for policy coordination among member states.
- ✓ The Agreement on Social Policy is incorporated into the EC Treaty with some improvements
- ✓ Cooperation between member states in the areas of police and criminal judicial cooperation is strengthened by defining precise objectives and tasks and creating a new legal instrument similar to a directive.
- ✓ The importance of common foreign and security policy instruments is raised, which will later be developed by establishing a new instrument, the Common Strategy, a new function, the "Secretary-General of the Council High Representative for the CFSP," and a new structure, the "Policy Planning and Early Warning Unit."
- ✓ Strengthening of the European Parliament. With the exceptions of agricultural and competition policy, the co-decision procedure applied to all areas where the Council could make decisions by qualified majority. Other legislative areas subject to unanimity did not fall under co-decision.

- ✓ Power of control. In addition to the vote of approval of the Commission as a college, the European Parliament also held a preliminary vote of approval of the president-designate of the future Commission (Article 214).
- ✓ Election and Statute of Members. With regard to the procedure for election to the European Parliament by direct universal suffrage (Article 190 of the EC Treaty), the power of the Community to adopt common principles was added to the existing power to adopt a uniform procedure. A legal basis for adopting a single statute for Members was included in the same article. However, there continued to be a lack of a provision allowing for the adoption of measures with a view to the development of political parties at the European level (Article 191).
- ✓ . Enhanced cooperation. For the first time, the treaties contained general provisions allowing some member states, subject to certain conditions, to have recourse to common institutions in order to organize enhanced cooperation among themselves.

NICE TREATY (2001) in force in 2003

OBJECTIVE: Was to make the EU institutions more legitimate and efficient in view of the enlargement of EU membership through changes:

- The composition of the Commission changed progressively to a maximum of 27 commissioners,.
- The Commission president and commissioners henceforth are appointed by qualified majority vote within the Council;
- The president of the Commission is given greater powers over the college of commissioners, particularly in distributing and reorganizing the responsibilities of commissioners and, with approval of the college by a simple majority, in removing commissioners.

- The voting system within the Council of the European Union is redefined: the weighting of votes is rebalanced to better reflect the relative populations of member states; the conditions for a qualified majority are strengthened to 73.9 percent of votes required (instead of 71.3 percent), and a majority of member states must represent (if this verification is requested by a member state) at least 62 percent of the European population; the use of qualified majority voting is extended to new areas.
- The composition of the European Parliament is revised and its powers are strengthened: the number of seats is increased to 732 in the 27-member European Union; the co-decision procedure (now ordinary legislative procedure) is expanded to almost all areas where the Council decides by qualified majority;

- Parliament can bring actions before the Court of Justice of the European Union in the same way as a member state or the Commission.
- The Court of Justice of the European Union is radically reformed: it sits in different formations: in chambers of three or five judges, in a grand chamber (11 judges) or in a plenary session (one judge from each member state); The jurisdiction of the first-instance court (today, the General Court) is expanded, particularly to certain categories of reference for preliminary ruling;
- The Council acting unanimously may create subsidiary courts to deal with special areas of law in the first instance, such as patents.

- New rules on enhanced cooperation: affects only a minimum number of eight member states (not a majority as was previously the case); in the "pillar" of the European Community, a member state no longer has the right of veto on the launch of enhanced cooperation. Along with the approval of the Commission (always required), the assent (or, today, consent) of Parliament is now required if the area of cooperation involves co-decision; the possibility of enhanced cooperation is extended to the Common Foreign and Security Policy, with the exclusion of defense where the veto power of member states applies in cooperation relating to justice and home affairs, enhanced cooperation is made particularly flexible: there is no veto power of member states and no Commission or Parliamentary approval is required.
- Possibility of sanctions against a member state for violation of fundamental rights by a member state (introduced by the Treaty of Amsterdam), a preventive mechanism is added in Article 7 TEU.
- The role of Eurojust in the development of judicial cooperation in criminal law matters is recognized.
- Brussels is designated as the venue for formal meetings of the European Council.

Charter of Fundamental Rights of the European Union (1999)

Initially conceived to be included in the failed Project for a European Constitution, in **December 2009**, with the entry into force of the Lisbon Treaty, the **Charter was given the same binding legal effect as the treaties**

TEXT

RESOURCE: https://www.europarl.europa.eu/charter/pdf/text_it.pdf

The Charter of Fundamental Rights includes an introductory preamble and 54 articles, divided into **seven chapters**:

- Chapter I: **dignity** (human dignity, right to life, right to the integrity of the person, prohibition of torture and inhuman or degrading treatment or punishment, prohibition of slavery and forced labor)
- Chapter II: **freedom** (right to liberty and security, respect for private and family life, protection of personal data, right to marry and to found a family, freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association, freedom of the arts and sciences, right to education, professional freedom and right to work, freedom to conduct business, right to property, right to asylum, protection in the event of removal, deportation and extradition)
- Chapter III: **equality** (equality before the law, non-discrimination, cultural, religious and linguistic diversity, equality between men and women, rights of the child, rights of the elderly, inclusion of the disabled);

- Chapter IV: **solidarity** (workers' right to information and consultation within the enterprise, right to bargaining and collective action, right of access to employment services, protection in case of unjustified dismissal, fair and just working conditions, prohibition of child labor and protection of young people at work, family and professional life, social security and social assistance, health protection, access to services of general economic interest, environmental protection, consumer protection)
- Chapter V: **citizenship** (right to vote and stand as a candidate in elections to the European Parliament and municipal elections, right to good administration, right of access to documents, European Ombudsman, right to petition, freedom of movement and residence, diplomatic and consular protection);
- Chapter VI: **Justice** (right to an effective remedy and to an impartial judge, presumption of innocence and rights of defense, principles of legality and proportionality of crimes and punishments, right not to be tried or punished twice for the same offense);

- Chapter VII: **general provisions** governing the interpretation and application of the Charter (scope, scope and interpretation of rights and principles, level of protection, prohibition of abuse of rights).

Regarding the application of the EU Charter of Fundamental Rights, in October **2010** the Commission adopted a strategy to ensure effective compliance with the Charter (COM (2010)573) and developed a "fundamental rights checklist " to facilitate the assessment of their impact on all legislative proposals.

The Commission also pledged to publish an **annual report** on the application of the Charter in order to monitor progress.

TRATTATO DI LISBONA – 2009

Represents the culmination of a long **process of European treaty revision** that began in the mid-1980s with the Single European Act. Highlights:

- The division of tasks between states and the EU is clarified on the basis of the principle of subsidiarity by indicating the exclusive competencies of the Union in the areas of customs union and competition rules, common trade policy and conservation of marine biological resources under the common fisheries policy.
- The federal nature of monetary policy for states that have adopted the euro as their single currency.
- In a non-exhaustive list and subject to a Flexibility clause that may allow the European Council, by unanimous decision, to give the EU new tasks.



- The Treaty takes verbatim from the European Constitution the list of powers shared with member states, within the limits set by the principles of subsidiarity and proportionality, compliance with which is reinforced by the political control exercised by national parliaments.
- Faced with a possible conflict of powers between the Union and the states, the Treaty opens up for each member country the controversial possibility of exercising as a last resort the right to withdraw from the European Union.
- In principle, the Union's exercise of shared powers could progressively empty the role of nation-states, which cannot adopt legislative acts contrary to Union law even if, in the case of research and technological development or space policy or development cooperation and humanitarian aid, the Union's action will not be able to prevent that of member states

- The EU's **major policies**, which complement the original goal of the internal market, are taken up in the list of **competing competencies**, authorizing the Union not only to develop actions with a strong financial impact but also to adopt measures to harmonize the legislation of member states: social policy, economic, social and territorial cohesion, agriculture and fisheries, environmental policy, consumer protection, transport and trans-European networks, energy, the area of freedom, security and justice with the sole exception of judicial cooperation in criminal matters, security in the field of health, research and technological development, development cooperation and humanitarian aid.
- In the distribution of competencies, national governments decided to leave the Union with a task limited to facilitating the **coordination** of action by member states in areas considered sensitive to national sovereignty, such as health protection and improvement, industrial policy, culture, tourism, education, vocational training, youth and sports, civil protection and administrative cooperation.

- Under the new institutional balances, the **European Parliament** now has, with a few notable exceptions, the role of co-legislator on an equal footing with the Council - within which the majority voting method is widely extended - and elects the president of the Commission on the proposal of the European Council, which becomes a full-fledged institution of the Union, like the European Central Bank, and is headed by a full-time president for two and a half years, renewable once.
- The continuity of the Union's external action is strengthened with the appointment of a **High Representative for Foreign Affairs and Security Policy**, who presides over meetings of foreign and defense ministers and is the first vice-president of the European Commission. Finally, the functions of the Court of Justice are consolidated.
- An important space is given to active citizenship and participatory democracy with the introduction of a **right of citizens' initiative** and the obligation to consult representative civil society organizations, as well as the right to transparency.

- The rights of citizens and the human person more generally are considerably strengthened with the legally binding value of the Charter of Fundamental Rights (Charter of Fundamental Rights of the European Union) and the Union's accession to the European Convention on Human Rights and Fundamental Freedoms (European Convention for the Protection of Human Rights and Fundamental Freedoms).

RESOURCE ECI (European Citizens' Initiative) a participatory democracy tool available to European citizens to have a greater say in shaping EU policies that affect their lives.

<https://www.europarl.europa.eu/at-your-service/it/be-heard/citizen-s-initiative>

