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# THE EU BETWEEN NORMATIVE POWER AND ECONOMIC PARTNER

## **Abstract**

The ongoing debate on the European Union identity leads necessarily to answer the question if the EU is a normative power or a mere economic partner. Answering this question we will underline the main consequences of the entry into force of the Lisbon Treaty for the EU external action.

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# Introduction

The ongoing debate on the European Union identity leads necessarily to answer the question if the EU is a normative power or a mere economic partner<sup>1</sup>. Answering this question we will underline the main consequences of the entry into force of the Lisbon Treaty for the EU external action.

In the first paragraph we will argue that the Lisbon Treaty has strengthened the normative power of the EU, on the other hand we will explain the reason why it is still perceived as an economic partner rather than a political power. In second paragraph we will analyse how the new role of the High Representative and the birth of the European External Action Service are shaping the European foreign policy, while in the third paragraph we will report the current Russian perception on the role and the nature of the EU. As a result, the Ukraine crisis shows how the trade policy can play a significative role in the European foreign policy and also influence its perception as international actor.

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## The EU external nature between normative power and economic partner

The Lisbon Treaty helps to define the nature of the European Union (EU) as international actor. The so-called “normative power” of the EU can be explained looking at the article 21.1 of the Treaty of the European Union (TEU) (Keukeleire and Delreux, 2014, 25). Basically, the principles guiding the EU in the international scenario are “democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principle of equality and solidarity” (article 21.1 of the TFEU). Their importance for the EU external action is accounted for the fact that they are also present in the Association Agreements<sup>2</sup> (AAs) provisions. For instance, the same principles are mentioned in the first page of the agreement between EU and Ukraine signed in 2014.

Moreover, the project of the European integration is driven by an ideological and constitutional debate according to Manners (2002, 240-242). This is to say that the formation of the European foreign policy is a process that evolves in parallel with the increase of the supranational character of the EU polity. Thus, the international identity of the EU is influenced

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<sup>1</sup> “The EU is a unique economic and political partnership between 28 European countries that together cover much of the continent” (From: [http://europa.eu/about-eu/basic-information/about/index\\_en.htm](http://europa.eu/about-eu/basic-information/about/index_en.htm)).

<sup>2</sup> The Association Agreements are tools of the European Neighbourhood policy (Schumacher, 2015).

by the nature of the EU and by the development of the European integration process. Democracy, respect for human rights and fundamental freedoms and the rule of law are not only founding principles of the EU, but also fundamental characteristics of the EU action abroad.

Nevertheless, the lack of hierarchy among the principles listed in the article 21.1 of the TEU leads mainly to a natural domination of some EU's exclusive competences as tools for the foreign policy over other competences which require more inter-institutional efforts to be managed such as the ones linked to the Common Foreign and Security Policy (Keukeleire and Delreux, 2014, 26). This lack of hierarchy can explain the reason why trade influences so much the foreign policy nowadays. In this regard we will argue later that pursuing the objectives of a normative power such as the respect of the fundamental human rights in the relations with Russia as case study it is not always compatible with trading goals.

Additionally, the EU matters to certain countries such as the Russian Federation mostly in terms of trade policies due to the dimension of the exchanges that occur between them (Russia is the third trading partner of the EU). In 2014 the EU exported for € 102.1 bn to Russia and imported for € 180.5 bn from Russia<sup>3</sup>. Considering that the European commercial policy is an exclusive competence of the European institutions, the Lisbon Treaty puts the European Commission (EC) in charge of conducting negotiations with third parties. As a result, the EC acting on the behalf of the EU uses its autonomy from the Member States to advance upon its interests. Therefore, considering that the EC represents the general interest of the European people abroad, its leadership in conducting commercial policies is recognized *de facto* on the international stage.

In consequence, the perception of the EU as an international actor continues to be different from its nature of political system. In other words, the European Union is still recognized on the ground as an important economic partner, although the Lisbon treaty empowers its normative nature. As a matter of facts also the media continue to present the EU as an economic partner after the entry into force of the Lisbon Treaty. For instance, in 2010 Holland and Chaban studied the message transmitted by the main Asian television channels and newspapers (this analysis does not cover the Russian media) and discovered that the EU was represented as an economic partner rather than a political power. Fortunately the European foreign policy is not only commercial policy, but also neighbourhood and enlargement policies

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<sup>3</sup> The data are taken from the slides on the Common Commercial Policy by Winand.

according to O’Sullivan (2012). At present, the efforts of the High Representative Federica Mogherini are addressed to the international community in order to show that at the end of the day the European Union is an international and political actor.

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*“...please, please don’t look at us just as a big free trade area: the European Union is also a foreign policy community, a security and defence provider.”*  
*(From the speech by High Representative/Vice-President Federica Mogherini at the ISS Shangri-La Dialogue, 2015).*

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## **The birth of the European External Action Service**

The European foreign policy is entirely changed after the entry into force of the Lisbon Treaty. This is to say that both actors and tools of the European foreign policy are changed. The articles 18, 24, 26, and 27 of the TEU define the new institutional framework and the decision-making process. Basically, a European External Action Service (EEAS) born, the figure of the High Representative gained more responsibilities, the EC Delegations became EU Delegations, the European Parliament (EP) obtained more control power over the foreign policy and the General Affairs and External Relations Council split into two different bodies. Considering the limit of words we can use for this paper, we focus on two of the above mentioned changes such as the new role of the High Representative and the increase of the influence of the EP on the EEAS activity. Their analysis is necessary for evaluating if the EU has gained leadership and legitimacy thanks to the Treaty.

First of all, the High Representative of the Union for Foreign Affairs and Security Policy plays a new role in the relations with the other EU institutions. In fact, the High Representative is at the same time Vice-President of the European Commission, Chair of the Foreign Affairs Council and head of EEAS<sup>4</sup>. In other words, before the Lisbon Treaty the High Representative was also Secretary General of the Council of the EU, while now he or she is Vice-President of the Commission. This fact allows the High Representative to be more independent from the Members States’ interests. On the other hand, the intergovernmental nature of the European Council and the Council of the European Union,

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<sup>4</sup> “The decision was that we are not an institution, but we are functional independent” (Transcription of the O’Sullivan’s speech: “Setting up the European External Action Service”, 2012, 12<sup>th</sup> minutes).

consolidated in the Lisbon Treaty, still does not lead to the formation of a common vision concerning the foreign policy priorities.

Secondly, the EP acquires more control capacity on the implementation of the European foreign policy mainly due to its veto power on the adoption of the EU budget and the association agreements (Wisniewski, 2013, 84). Moreover, despite of the fact that both the national parliaments and the European parliament do not have decision-making powers regarding the foreign policy, the latter can reach significant outputs by playing its role in the “inter-institutional dynamics”<sup>5</sup> (Wisniewski, 2013, 82). To put it simply, the EP can deliver opinions to the Council and because of the routine to follow the ordinary legislative procedure the latter is forced to take them into consideration. Yet, the European deputies can threaten to use the veto power in order to force the Council to modify its decisions<sup>6</sup>. To make clear in 2010 during the process of creation of the EEAS the Parliament used its influence aimed at modifying the draft concerning the institutional shape of this new organization. The EP appointed as rapporteur in charge of the establishment of the EEAS Elmar Brok, now Chair of the Foreign Affairs Committee and President of the Union of European Federalists, and Guy Verhofstadt, now member of the Constitutional Affairs Committee and leader of the ALDE Group. During the time period between the first Aston’s draft of March 2010 and the Council decision of July 2010, the Parliament delivered the following two documents: the “Parliament’s First Position” and the “Parliament’s Final Position” (Wisniewski, 91). At the end of the process, a relevant part of the texts of both the mentioned EP documents have been included in the Council decision on the institutional shape of the EEAS.

In summary, the Lisbon Treaty has developed the international “actress” of the EU (Furness, 119) and the legitimacy of the European foreign policy (Wisniewski) by empowering the figure of the High Representative and the role of the European Parliament, but the EU is still not able to speak with one voice.

## **The Russian perception of the EU**

Gulyaeva studies the Russian perception of the EU adopting two concepts: the “near abroad” and the “far abroad”. First, these two concepts help to define how the Russian public consider the international identity of the EU. Second, this distinction supports our argument

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<sup>5</sup> A Wisniewski’s hypothesis used to explain how the European Parliament is acting after the entry into force of the Lisbon Treaty.

<sup>6</sup> Wisniewski uses the concept of “hard power” to define the veto power of the Parliament (2013, 88).

with regards to the external perception of the EU as economic partner rather than a political superpower. In the Russia “near abroad” the EU is its biggest economic partner with whom it has an ongoing competition regarding the fate of the former countries of the Soviet Union. It is obvious that for the Russian public these countries have to remain within the influence of the Russia Federation. Therefore the EU is an important actor for the trade policies, on the other hand a competitor in the “near abroad”. On the contrary, in the Russia “far abroad” the EU is a weak normative power. It tries to promote democracy and human rights the same as the United States of America with a preference for the employment of civilians rather than soldiers.

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*“While trade was a good degree of confidence in the EU, there was a low respect towards the EU’s desire to be an international leader” (Gulyaeva, 2015, 185).*

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The Ukraine crisis points to the ineffectiveness of the European foreign policy with regards to its inability to coordinate 28 Foreign Ministers expressing a single voice. Also the Russian media “pictured the EU’s External actions as dysfunctional, irrational, unsustainable and rather ineffective” (Gulyaeva, 186). During the negotiation phase of the Association Agreement between the EU and Ukraine, the former asked the latter to choice between the EU and Russia. According to Sakwa (2015) Ukraine had to choose if to remain under the Russian political influence or to switch in favour of a Europeanization process. Thus, in Sakwa’s opinion (2015, 575) the escalation of violence in Ukraine has been the EEAS first failure since its birth.

## **Conclusion**

The Lisbon Treaty has empowered the normative nature of the EU as global actor, on the other hand it has consolidated the intergovernmental characteristics of European foreign policy. The supranational nature of the European Commission facilitates the use of the common commercial policy, which is an exclusive competence of the EU, for foreign policy purposes. Moreover, on the international scenario the EU still matters more for its economic dimension rather than its political one and both the Asian and the Russian media seem to confirm the domination of the economic nature over the normative one.

Coming to an end, the current Ukraine crisis has confirmed the Russian perception of the EU as an important actor in the trade sector. The process of consolidation of a real European foreign policy started with Catherine Ashton’s mandate is facing the

intergovernmental character of the Lisbon Treaty and the stagnation of the political debate concerning the nature of the EU polity. Being the Lisbon Treaty a compromise between a constitutionalization of the EU and a nationalistic answer to both the Dutch and the French referendum, the output has been the creation of a hybrid European Foreign Affairs Ministry with some degree of autonomy from the Member States and some degree of legitimacy before the Parliament but without the real power of shaping the priorities of the European foreign policy.

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