

Chapter 1 EU institutional structures involved in the field of CSDP

Short overview of the EU Institutions involved in policy shaping and decision-making in the field of CFSP/CSDP.

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The AKU3 content do not represent the official position of EU Institutions

The Treaty of Lisbon entered into force on 1 December 2009 when the European Community was replaced by the European Union which succeeds it and assumes all its rights and obligations. The Treaty on European Union keeps the same name and the Treaty establishing the European Community becomes the Treaty on the Functioning of the European Union.



Now you are invited to read a summary of the changes brought by the Treaty
(Click on the left image)

EU INSTITUTIONS

Article 13 of the TEU states that the Union's institutions (in the strict sense) in general will be:

**European Parliament,
European Council,
Council,
European Commission,
Court of Justice of the
European Union,
European Central Bank,
Court of Auditors.**

COMMON FOREIGN AND SECURITY POLICY (CFSP)/ COMMON SECURITY AND DEFENCE POLICY (CSDP)

Institutions involved in the field of CSDP

- European Council,
- Council,
- European Commission.
- European Parliament,

As Article 42 (1) TEU states, the CSDP is an integral part of the CFSP. It provides the Union with an operational capacity drawing on civilian and military assets. The Union may use those assets on missions outside the Union for peacekeeping, conflict prevention and strengthening international security in accordance with the principles of the UN Charter.

The institutions mentioned on the left are involved in shaping the CFSP/CSDP and will be discussed here:

EUROPEAN COUNCIL

Article 15 (1) TEU states that: "*The **European Council** shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof. It shall not exercise legislative functions.*"



The infographic features a yellow header with the text "WIR BILDEN ZUKUNFT" and "WE SHAPE FUTURE". Below this is the logo of the "LANDESVERTREIDIGUNGSAKADEMIE". The main title "European Council" is centered. To the left is a small image of a building. The main content consists of five bullet points. At the bottom, there is a red bar with the website "www.bundesheer.at" and a logo for "SCHUTZ & HILFE".

- Shall consist of the Heads of State or Government, together with its President and the President of the Commission.
- The High Representative takes part in its work.
- The European Council defines the general political directions and priorities;
- The European Council shall not exercise legislative functions.
- The President of the European Council: Elected by the European Council, by a qm, for a term of 2,5 years, renewable once.

Article 15 (2) TEU states that "*The European Council shall consist of the Heads of State or Government of the Member States, together with its President and the President of the Commission. The High Representative of the Union for Foreign Affairs and Security Policy shall take part in its work.*" Pursuant to Article 15 (3) TEU "*The European Council shall meet twice every six months, convened by its President. When the agenda so requires, the members of the European Council may decide each to be assisted by a minister and, in the case of the President of the Commission, by a member of the Commission. When the situation so requires, the President shall convene a special meeting of the European Council.*"



President of the European Council, Herman Van ROMPUY

Credit "The Council of the European Union"

Under the Treaty of Lisbon, the European Council became an institution. It will not exercise legislative functions in the sense of creating EU Law (e.g. directives and regulations) but will adopt recommendations and decisions that are politically binding on the EU Member States' governments. A new political figure has come onto the scene since the entry into force of the Treaty of Lisbon: the permanent **President of the European Council**.

Under Article 15 (5) TEU "*The European Council shall elect its President, by a qualified majority, for a term of two and a half years, renewable once. In the event of an impediment or serious misconduct, the European Council can end the President's term of office in accordance with the same procedure.*"

At their informal meeting in Brussels on 19 November 2009, ahead of the entry into force of the Treaty of Lisbon, EU Heads of State or Government agreed on the election of Mr Herman Van Rompuy as the President of the European Council. . He was subsequently formally elected on 1 December 2009.

Read more about the President of the European Council here
(Click on the left picture)

Pursuant to Article 15 (6) of the Treaty on European Union, the President of the European Council:

- chairs it and drives forward its work;
- ensures the preparation and continuity of the work of the European Council in cooperation with the President of the Commission, and on the basis of the work of the General Affairs Council;
- endeavours to facilitate cohesion and consensus within the European Council;
- presents a report to the European Parliament after each of the meetings of the European Council.

Also, he "*shall, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy.*"

The European Council is assisted by the General Secretariat of the Council. The staff of the General Secretariat is therefore at the President' disposal. The President has his own private office.

EU COUNCIL



There is only one **Council** (of the EU), which can meet in different configurations. The Council configurations can be extended or limited in numbers by the Heads of State or Government.

On Council configurations please explore the Council website section
(Click on the icon at left).

Article 16 (7) TEU states: "A **Committee of Permanent Representatives of the Governments of the Member States** shall be responsible for preparing the work of the Council." (see also Article 240 TFEU), thus re-affirming the role of COREPER (the abbreviation for this committee).

In the post-Lisbon TEU, the General Affairs Council (GAC) and the Foreign Affairs Council (FAC) are the only Council formations which are explicitly mentioned. The **Foreign Affairs Council** elaborates "the Union's external action on the basis of strategic guidelines laid down by the European Council and ensure that the Union's action is consistent." (Article 16 (6) TEU, 3rd sentence). "The General Affairs Council shall ensure consistency in the work of the different Council configurations. It shall prepare and ensure the follow-up to meetings of the European Council, in liaison with the President of the European Council and the Commission" (*id.*, 2nd sentence).

The Council and the Commission, assisted by the High Representative, shall ensure consistency between the different areas of its external action and between these and its other policies and shall cooperate to that effect (Article 21 (3) TEU).

The **High Representative of the Union for Foreign Affairs and Security Policy (HR)**, who is also one of the Vice-Presidents of the European Commission, chairs the Foreign Affairs Council, contributes through proposals towards the preparation of the CFSP and ensures implementation of the decisions adopted by the European Council and the Council. The HR will be assisted by the European External Action Service (EEAS), which is being established.

EUROPEAN COMMISSION



Relating to external affairs, the Commission manages and implements EU external relations policies other than the CFSP (e.g. development) and the budget (incl. the CFSP budget) and also represents the EU on the international stage, except on CFSP issues and where the Treaties provide otherwise, for example by negotiating agreements between the EU and other countries. The Commission services will cooperate with the European External Action Service (EEAS).

EUROPEAN PARLIAMENT



The **European Parliament generally** exercises functions of political control and consultation as laid down in the Treaties, and, jointly with the Council, exercises legislative and budgetary functions (Article 14 TEU). Its role in relation to the CFSP is laid down in Article 36 TEU. This provision also tasks the High Representative with working with the European Parliament: the HR will regularly consult the EP on the main aspects and the basic choices of the CFSP, incl. CSDP, will inform it on how this policy evolves, and will ensure that the views of the EP are duly taken into consideration.

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