Index

Abbott, Tony, Prime Minister of Australia 8, 293
acquis communautaire (body of EU law) 26–7, 29, 55, 60, 124
Afghanistan 239, 240
see also Taliban
Africa 7, 149–50, 182, 260
Agency for Fundamental Rights 106
Agreement on Scientific and Technical Cooperation (EU and Australia) 287
Agricultural Committee see European Parliament
agriculture see Common Agricultural Policy (CAP)
Air Quality Directive 162
Albania 151, 199, 202, 204, 212
Amministrazione delle Finanze dello Stato v Simmenthal SpA see primacy of EU law
Amsterdam Treaty (1997) see Treaties of the EC/EU
animal welfare standards 165
Anti-Ballistic Missile Treaty Bush II administration withdrawal 218, 220
Anti-Counterfeiting Trade Agreement 146–7
anti-dumping 153, 154
anti-terrorism strategies 229, 239 see also terrorism
Area of Freedom, Security and Justice (AFSJ) 104–5
Argentina 151
arms embargo see China
Asia
importance of EU to 237–53, 250
main trading partner of EU 237, 249–50
recognition of EU economic capacity 243
perceptions of EU
ASEAN political tension, human rights 107, 240
ASEAN recognition as international political leader 251
as global power 241, 243–5, 252–3
Indian negative perception 243–4
integration process 242–3
leader in international politics 246
as normative power 251–2
‘in shadow of USA’ 252
‘third force’ in international politics 231
Asia-Europe Meeting (ASEM) 7–8, 237, 297
Malaysian veto of Australia’s bid 287
political, economic, social/cultural 240
Asia-Pacific Economic Cooperation (APEC) 287
Asia-Pacific Perceptions (APP) project 7, 13, 293
Association Agreement (AA) of the EU with Central and Eastern European countries 1–3, 151–2, 208–12
Association of Southeast Asian Nations (ASEAN) 7, 237
Regional Forum (ARF) 235, 237
region-to-region partner with EU 240
USA importance over EU 248–9
asylum claimants seekers 108, 109, 114–15, 293 see also migrants
austerity policy measures 81–2, 122, 131–5
Australia

- attitudes towards EU 295
- asylum seeker policies 288, 293
- betrayal feelings 279, 297
- bridge between Asia-Pacific region and EU 8, 287, 297
- closeness to Europe 279, 297–8
- emissions trading scheme 292–3
- exports to EU 296
- National Strategy for Ecologically Sustainable Development 170–71
- need for Europe 297
- preference for EU over China, India, Japan, US 294
- shift away from Europe 287
- support for Iraq war 288
- withdrawal from Iraq 290

Australia and European Community/EU 7–8, 279–98

Agreement on Trade in Wine 287

almost trade war 285

common interests 296

impact on Australia-UK relations 281–3

lack of understanding about EU in Australia 293–4

treaty-level Framework Agreement stalling 8

unequal relationship 297

Austria 39, 67, 150, 188–9, 230

Azerbaijan 6, 152, 188, 199, 202, 205, 210

bailout mechanisms for financial crisis see also European Stability Mechanism (ESM)

balance of power between EU and Member States 38

Balkans 7, 151, 198–9, 201, 203–4, 209–11, 217

improvement of relations with EU 198, 201

ballistic missile defence systems

proposals for Poland, Czech Republic 216, 218

Baltic 182–4, 191, 197–202, 205, 207–8, 211, 228

see also East Central European States, Eastern Europe(’an)

Bangladesh 253

banking crisis, Europe 65–70, 73, 131

‘banking union’ 4, 15, 74, 76–8

fiscal union, economic union 15

Bank of England 75

Bank Recovery and Resolution Directive (BRRD) 75, 77

Barroso, José Manuel, President of European Commission

need for banking and fiscal unions 15

visit to Australia 292

wants federation of nation states, not superstate 15

Basel Committee on Banking Supervision 73–4

Belarus 6, 16, 152, 184, 199, 202, 205, 209–10

Belgium 14, 31, 39, 67–8, 71, 73, 111, 115, 227–8, 281, 288

Bilateral Investment Treaty (BIT), China and EU 272

bilateral strategic partnerships, Asia and EU 252

bilateral trade agreements, Latin America 151–2

biodiversity loss 162, 166

biotechnological inventions, legal protection of 94

Black Sea Synergy 185

Bosnia 116, 151, 199, 201–4, 212

Brazil 138, 148–9, 151, 154, 260, 290

complaint on EU sugar subsidies 290

importance to China 260

‘Brussels Convention’, common rules on jurisdiction 57

Bucharest summit, 2008 230

budget for agriculture 93–8

austerity and social welfare 127, 131–3

European Parliament powers 11

in Member States and the ‘European Semester’ 36–8, 79, 81

Buett v Ministère Public see primacy of EU law

Bulgaria 188–9, 198–200, 202
Index

‘late starter’ in reform 200
Burma/Myanmar 240, 253
Bush, George W., US President 219
arms and aids packages to coalition members 221
military engagements in Afghanistan, Iraq 218
NATO expansion 220
unilateral agenda on Iraq 229
Cambodia 253, 280
Capital Requirements (CRD IV) directive 74
carbon
emissions from transport and industry 176
emissions reduction in Australia 289
price 164
see also low-carbon technologies, renewable energy, climate change
Caspian Development Corporation, gas buying 189
Central and East(ern) European (CEE) states 182–3, 185, 189
Russian gas supply 182–3
see also Baltic countries, East Central European States, Eastern Europe(an)
Charter of Fundamental Rights of the European Union 42, 50, 52, 104, 106, 113–14, 132
Chile 151
access to EU market, importance of 252
‘Air Defense Identification Zone’ 272
arms embargo by EU on 248, 258, 263–4
breach of WTO rules 267
cancellation of summit with EU, (2008) 262
competitive advantage 266
largest source of EU imports 239
market economy, recognition, lack of 264
metal extraction for ICT 169
photovoltaic production growth 264
Policy Paper on the EU 258
political system, EU criticism of 257
relations with EU Member States 13–14, 261
Sino-US trade balance in PV products
SolarWorld’s complaint 266
‘strategic partnership’ with EU 259–60
China-EU relations 247, 257–9
bilateral investment treaty 153, 272
deepening of 258
dialogues 259, 273
differences of opinion 250–51
Chirac, Jacques, French President 219
Europe as a great power, if united 228
Climate and Energy Package 163
climate change 12, 159, 163, 176
Kyoto protocol and Australia 289–91, 293
Coalition for American Solar Manufacturing (CASM) 265–6
co-decision (EU legislative procedure) 89, 97
politicalization and publicity of 99–100
Cold War 6, 210, 216, 218–20, 223, 226–7
collective bargaining, social dialogue 133
see also Open Method of Coordination (OMC)
COMECON vs. EEC, NATO vs. Warsaw Pact 24
Committee of Permanent Representatives of the EU Council (COREPER) 34
‘Committee of Wise Men’ (for EU financial regulation), (2009) 74
Committee on Agriculture, see European Parliament
Committee on Environment, Public Health, Food Safety see European Parliament
‘Agenda 2000’ 165
changes under Lisbon Treaty 89–102
clashes between EC/EU and Australia 283, 295–6
compulsory EU budget expenditure in agriculture 94–5
concessions for Australian exports with UK in Europe 282
dairy overproduction by EU 164
‘direct payments’ 93
embedded governance 90–91
eras of governance 91
politization 90
‘price dumping’ 165
reform 165–6
standard legislative procedure 96
UK, Denmark, Sweden, Netherlands, dissatisfaction 92
Common Commercial Policy (CCP) 145–7
exclusive EU competence 139–40
Lisbon definition of scope 142–3
Common Customs Tariff (CCT) 140
‘Common European Sales Law’ (CESL)
optional regulation 59–60
Common Fisheries Policy, price fixing 95–6
Common Foreign and Security Policy (CFSP) 13, 26, 182, 191
‘Common Frame of Reference’ (CFR) 58–9
Common Security and Defence Policy (CSDP) 216, 224
Commonwealth of Independent States 183
Communication on Strengthening the European Neighbourhood Policy 207
competition in CAP 90
between EU and China 257, 263–4, 269–70, 273
in internal energy market 178–80, 189
and labour mobility 128–9
and single market harmonization 53, 56, 66
and trade 153
conditionality for EU accession 226
for IMF, EU, ECB loans 79
Constitutional Treaty 24, 37–8
consumer law and national law, difficult interaction 55
consumer protection laws 10, 52–3, 56, 59
Consumer Rights Directive, targeted harmonization 56
Convention on the Future of Europe 97, 143
convicted criminals, deportation of non-nationals 110
Copenhagen accession criteria 199, 203, 211
Corporate Social Responsibility (CSR) 128
Cotonou Convention, (2000) 150
Council for Foreign Relations (CFR) 217
Council of Europe 107, 197
Commissioner for Human Rights 114, 116
Council of Ministers 31, 144
supranational organization structure 33
Court of Justice of EU (CJEU) 35, 41, 45–51
Civil Service Tribunal 45
‘fair treatment of third-country nationals’ 114
jurisdiction of 45–6
see also European Court of Justice
Croatia 131, 151, 198–9, 201–4, 253
cross-border banks 73, 74, 186
cultural and audiovisual services, trade in 142
customs duties 47, 140
Cyprus 39, 65, 67, 69, 72, 79, 200, 212, 294
Czech Republic 80, 131, 197, 200, 202, 207–8, 212, 218, 221, 228, 230
dairy products see Common Agricultural Policy (CAP)
Dalai Lama 274
awards and Chinese criticism 259,
meeting with European leaders 262
Tibetan Youth Congress 263
debt crisis of EU, see European debt and
economic crises
Deep and Comprehensive Free Trade
Agreement 2
Eastern Partnership (EaP) 208
Morocco 151
deforestation in tropical areas 164
Delors, Jacques, President of European Commission
EC/EU as ‘unidentified political object’ 30
talks with Keating, (1994) 287
democracy and human rights in Europe 1, 50–51, 201–2
democracy building in post-communist Europe 199–206
democratic legitimation of the EU 33, 50–51
Denmark 39, 57, 92, 113, 135, 146, 150, 220
dependency on Russian energy, Baltic states 184
diplomas, recognition of 128
direct effect of EU law 46–8, 51, 60
Directive on European Work Councils, 2009 131
Directive on Temporary Agency Work 131
Directorate General (DG) for Trade 145
distance selling law 56
divorce regulation 57
Doha Development Round 148, 152
Draft Common Frame of Reference (DCFR) 59
Early Warning Mechanism (EWM) 187–8
Earth Summit, (1992) 171
East Central European States 197–211
Freedom House, ‘Nations in Transit’ 201
support for Eastern Dimension 207
support in NATO for Anglo-American position on Iraq 228
see also Baltic countries, Central and East(ern) European (CEE) states, Eastern Europe(an)
Eastern Europe(an) 5, 7, 109, 114, 151, 197, 208–9, 211–2, 232
see also Baltic countries, Central and East(ern) European (CEE) states, East Central European States
Eastern Partnership (EaP) (non-EU post-Soviet states) 152, 185, 199, 205, 207, 210
bilateral relations, five priority areas 208
departmentalism on EU law 102
‘deep and comprehensive free trade agreement’ (DCFTA) 2, 209
EU trade relations with 152
political interests of Russia 210
Summit in Vilnius, (2013) 152
Ecological modernisation, merits of 12
Economic and Monetary Union (EMU) 9, 64, 78–82
economic competition see competition Economic Partnership Agreements (EPAs) 150
ecosystem eutrophication 162
educational services, trade in 125, 142
Egypt 150–51, 221
Electricity Directive (1996) 179
embedded governance see Common Agricultural Policy (CAP)
emerging economies 138, 148, 237, 260
see also Brazil, China, India
employment norms, acquis communautaire 124
Energy Charter Treaty 185–7
energy efficiency target by 2020 168
energy exports from Australia to Europe 176, 283
energy market, EU internal 178–81
energy policy, EU external 181–5
‘Energy Policy for Europe’ 5, 176–91, 185–90
energy security 8, 182–3, 188–91, 208, 230, 296
EU vs. Moscow confrontation 230–31
interests of Central East European (CEE) states 183
enlargement policy of EU, political conditionality 206
Environment Committee of the European Parliament 100–101, 167
Environment Directorate General of the European Commission 162
environmental policy of EU 5, 12, 159–75
environmental policy integration (EPI) 159–61, 166–7, 169–71
sustainable development concept 162, 170
environmental side-effects of ICT 168–9
equal pay for equal work, men and women
Defrenne v Sabena 47
Estonia 39, 67–8, 71, 135, 183, 197, 200, 202, 207, 212
economic crisis 67, 68, 71
post-communist transition 197, 200, 202, 207
relocation of Soviet war memorial 183
ethnic and racial privilege 112
Eurasian Economic Community (EurAsEC) 1–2
euro see Eurozone
Euro-American alliance, marriage of convenience 224
Euro-Mediterranean Agreements 151
see also Association Agreements
Eurogroup 34, 37
Euromaidan 1–2
European Association of Craft, Small and Medium-sized Enterprises (UEAPME) 124
European Atomic Energy Community (Euratom) 16, 25–6, 28, 176
European Bank for Reconstruction and Development (EBRD)
ECE and Baltic states 201
European Central Bank 35, 37, 74–7, 79–81
European Centre of Enterprises 124
European Citizen’s ‘European citizenship’ 108, 117
European Coal and Steel Community (ECSC) 8, 26, 28, 45, 105, 176, 280, 297–8
European Commission 35
energy policy 176–91
negotiating powers at World Trade Organization 258
solar cell dumping dispute, China 264–71
Strategic Framework for Advanced Partnerships, Europe and Asia 7
European Commissioner for Climate Action 292
European Communities Act 1972 (UK) 49
European Communities (EC) 1, 5–6, 14–15, 23–8, 279, 298
European Union
European Consumer Law 51–60
European constitutional convention of (2002–3) see Convention on the Future of Europe
European contract law 58–9
European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) 50, 104–7
European Council 15, 26, 30–31, 34–6, 101
European Court of Human Rights 11, 104, 106, 116
European Court of Justice (ECJ) 26, 45–51, 129, 139, 180
Common Commercial Policy (CCP) 141–2
see also Court of Justice of the EU
European debt and economic crisis 66, 78–9, 82, 122
Index

China’s optimism about EU 256
in Eurozone 10, 65–6, 78–80
sovereign debt 9, 34, 64–73, 78–82, 242
European Defense Community Treaty, (1954) 14
European dependence on Russian energy 13
European Economic Area (EEA) 150, 172, 187
European Economic Community (EEC) 23, 25, 45
accession of UK, Ireland, Denmark 150
European elections 2014 67
European Environment Agency 162–3
European External Action Service (EEAS) 15, 32, 34–5, 261, 272, 296
EU involvement with ASEAN 237
strategic partners in Asia, Japan, China, India 239
European Financial Stability Facility (EFSF) 78, 134
European Free Trade Association (EFTA) 150
European Globalisation Adjustment Fund, (2008) 131
European integration 14
legal dimension 41–61
social and labour dimensions 122
European integration process 35
European legal integration 41–61
European model for growth, structural crisis 66
European Monetary Union 3, 64, 78
European Neighbourhood Policy (ENP) 6, 199, 205–6
additional finances to EaP 208
and Eastern partnership 205–10
European Parliament (EP) 2, 15, 26, 33
Agriculture Committee 95, 100–101, 166
decision-making process, regular 29–30
Environment Committee 100–101, 167
EU-wide universal suffrage 94
focus on environment, animal welfare, food regulation 99–100
lack of clear democratic legitimacy 33
voter turnout decline 9, 33, 51
European Photovoltaic Industry Association 267
European Political Community, (1950s) 105
European private law 51–60
European protectionism 285–7
European Security Strategy (ESS) 7, 20
strategic areas 238–9
‘European Semester process’ 36, 38
European Social Charter 106
European Social Fund 131
‘European Social Model’ 12, 124, 128, 133
European Stability Mechanism (ESM) 4, 37, 77, 131
European Systemic Risk Board (ESRB) 4, 74
European technology trading with Chinese labour 258
European Trade Union Confederation (ETUC) 124
European Union (EU) 4, 123–8
Asian views of see Asia/perceptions of assistance for social and economic development 206
Australia’s economic partner 279–80
bilateral agenda, reciprocal trade 152
citizenship for ‘failed’ asylum seekers 111
condemnation of China, arms embargo 258
Constitutional Treaty 30
crisis and incrementalism 9–14
dialogues with China, wide range of topics 259, 273
division over funding of joint missions 225
driver of democracy, peaceful, non-military actor 206
Eastern neighbourhood and enlargement 4, 197–212
economic integration 126
energy policy, external focus 182
environmental policy history 161–4
EU-Asia cooperation counter-piracy operations 239
EU-Australia Framework Agreement 288–9
EU-China strategic partnership 258, 271, 273
EU-IMF austerity devices 135
EU-level social dialogue 123, 131–2
foreign policy on Iraq war, criticism by Lech Walesa 222
human rights, see human rights
important world trading bloc 138
institutional structure after Lisbon Treaty 23–40
lack of unification for international leading 246
largest market for Chinese goods 248, 259
legal integration 41–60
legal personality 28
legal sources 42–4, 46, 49
legislation preparation, for autonomous trade policy 143–4
member state, discouragement of new members 203
peace and crisis 1–16
post-communist neighbours 197–212
refugees 107–18
social model 122–31
strong leadership, lack of 261
summit, November 2013 cooperation areas 271–2
supranational identity 279
trade policy after Lisbon Treaty 138–55
treaty-making politics 96
Washington’s junior partner 231
European Works Councils 130
Eurozone crisis 9, 31, 64–83, 131, 242, 296
‘Euro Plus Pact’ 2011, aims 126–7
membership 37, 39, 66
wage restraint, budgetary cuts, pension reforms 134
Excessive Debt Procedure (EDP) 79
export 7, 128, 140, 142, 149, 153, 164, 205, 226, 239, 266, 281, 283, 287
Australian diversification of markets for 283
Australian gold and coal to EU 296
external energy policy (EEP), limitation of 91, 176
family migration 114
family reunification rights for third-country nationals (TCNs) 113, 114
farmers, guaranteed prices for 92–3, 164
fertilizer use, eutrophication 166
financial crisis, Eurozone 3, 10, 35–6, 64–83, 292
financial markets 10, 81, 131
Finland 39, 67, 135, 147, 150
national policy safeguarding 146–7
First Environmental Action Programme 162
fiscal and monetary policies, imbalance in EU 11, 133
Fiscal Compact (TCSG) 80–81
Fischler CAP reform 95
Foreign Affairs Council of the EU 10, 32, 36
Foreign and Security Policy see Common Foreign and Security Policy
Foreign Direct Investment sources, European countries 259
foreign policy of Australia, reorientation 290
Founding Treaties of EC see Treaties of EC/EU
Framework Agreement, EU and Australia 287, 293
France 5, 14, 39, 58, 142, 212, 246, 272
arms deal (Mistral ships) with Russia 2–3
Australia relations 281, 284
bancassurance 77
China relations 261–2, 270
Index

Code Civil 58
cultural and linguistic policies, impact on EU trade 146–8
electricity market, nuclear-dominated and monopolistic 178, 182, 185
in eurozone (crisis) 66–7, 73, 133, 135
forces in Mali 216
Livre Blanc 2013, homeland security 231
reintegration into NATO 224–5
rejection on EU constitution and Lisbon treaty debates 24, 133
Roma people treatment 112
US relations 219–32, 258–9
withdrawal from NATO 217
Franco-American relations, Védrine doctrine 224
Franco-German relations 5, 24, 230
appeasement of Moscow 224
blocking minority in Eurozone matters 79
opposition to UNSC Resolution 1441 223
opposition to US invasion of Iraq 222–4
post-2003 agenda on Iraq 229
refusal Georgia and Ukraine admission to NATO’s Membership Action Plan 224
France
Franco-German relations 5, 24, 230
appeasement of Moscow 224
blocking minority in Eurozone matters 79
opposition to UNSC Resolution 1441 223
opposition to US invasion of Iraq 222–4
post-2003 agenda on Iraq 229
refusal Georgia and Ukraine admission to NATO’s Membership Action Plan 224

Francovich v Italy, see direct effect (EU law)
Fraser, Malcolm, Prime Minister of Australia 283–4
Free Trade Agreements 150, 206
EU with Canada and Singapore (2013) 153
EU with South Korea (2011) 153
Freedom House (FH), post-communist reforms 201
freedom of movement for EU citizens 111
resistance from Member States 109
Fundamental Rights Agency (FRA) (2011) 115, 116
General Agreement on Tariffs and Trade (GATT) 99, 147–8, 257
embedded governance 92
EU active participant 138
Multilateral Trade Negotiations 285
genetically-modified crops 98
diversion in EU Member States 166
transatlantic disputes 99
Germany 5–6, 16, 36, 39, 44, 58, 92, 135, 191, 212
Allfinanz 77
anti-euro party 67
Australia relations 281, 284
Bürgerliches Gesetzbuch 58
China relations 261, 265–6, 268–71
Constitutional Court and EU law primacy issues 30, 49–50, 53, 55–6
in Eurozone (crisis) 66–8, 71, 73, 77, 135
and EU disunity 246, 252
Iraq war, opposition to 223–4, 258
Libya resolution abstention 13
reunification 24
ties with Moscow and Eastern Europe 182–5, 191
US relations 216–31
Gillard, Julia, Prime Minister of Australia 8, 292–3
global challenges, 8, 238, 291
energy security, climate change, environmental protection and others 8
Global Financial Crisis (GFC) 3, 10, 66, 78, 292
European Union 64–83
globalization 11, 89–90, 92–3, 98, 122–4, 127–8, 133–4, 279
of European agricultural regime 90
governance through financial resources, modes of 125
Great Crash 1929 lesson on deflation 82
Greece 5, 37, 39, 65–7, 69, 72, 78–9, 115, 131, 134–5, 212, 227
accessions to European Communities 5–6

high unemployment, high debt 72–3

greenhouse gas emissions see carbon

Gross Domestic Product (GDP) 67, 68–70, 71, 227

EU’s larger than US 138

Gulf Cooperation Council members 221

Hague Convention, protection of children 57

Halifax Bank of Scotland (HBOS), UK government 73

Hallstein, Walter, President of the European Commission 41, 138

harassment and violence at work 125

harmonization, lack of, within the EU-28 189

Hawke, Bob, Prime Minister of Australia

new spirit of cooperation with EC 286

health and safety at work 124–5

Helsinki Accords, ‘peaceful coexistence’ 227

High Level Group on Energy, global energy policies 287

High Representative for Foreign Affairs

7, 15, 31, 34–6, 182, 205, 253, 259, 272, 274, 296–7

under Treaty of Amsterdam 31–2

Howard, John, Prime Minister of Australia

aggressive lobbying for Australian trade concessions 289

bilateral relations with EU Member States 289

EU-Australia relationship, no priority 287–8

Minister for Special Trade Representations, as 284

human rights 5, 11, 105–7, 247–8

China and 251, 258

competence of EU 112

democracy in EU 50–51

EU and 104–16

Framework agreement 288–9

Nazi atrocities 104

protection for migrants 106–7, 110, 115

resistance to implementation by Member States 117

Stauder, Internationale Handelsgesellschaft, Nold 105

Hungary 10, 39, 188–9, 197–8, 200–202, 207, 212, 221, 228

Hussein, Saddam, President of Iraq

US failure to link with Al-Qaeda 221

Iceland 65, 73, 150, 212

Immigration see migrants

Immigration Restriction Act 1901

‘White Australia Policy’ 279

Independent System Operator (energy) 179–80


and EU delegation in Delhi 14

European financial crisis, major for 3

‘world’s largest democracy’ 240

India-EU relations, economic and political value 248

ally against terrorism 252

importance of access to progressive technologies 252

indicators of EU economic crisis 68, 69, 70

Indonesia 8, 253, 287

industry federations, European 124

information and communication technologies (ICT) 164, 167–70

hazardous waste generation 168

information/consultation of employees

acquis communautaire (body of Union law) 124

intellectual property protection and rights 141–3, 271

inter-generational solidarity 127

Intergovernmental Conferences (IGC) of EU countries

for the Common Agricultural Policy (CAP) 92

for the Treaty of Nice 96–7

Intermediate Nuclear Forces (INF) Treaty, 1987 227
Index 315

Internal Energy Market (IEM) 179–80
internal security and stability of EU 109
International Commission for the
Protection of the Rhine against
Pollution 159, 162
International Covenant on Civil and
Political Rights 106, 108
International Covenant on Social and
Cultural Rights 106
international human rights law 104,
108, 111, 113
International Labour Organization
(ILO) 128
International Monetary Fund (IMF) 79,
134
international refugee law obligations
113
international security, transatlantic
divide 216–32
International Security Assistance Force
(ISAF) 216
international trade agreements 140
conclusion with non-EU countries
144
International Trade Committee 145
international trade negotiations,
authorization to start 144
Iraq Liberation Act, 1998, support for
regime change 220
Iraq war 2003
Berlin break with Washington,
(2002–3) 224
intra-European dispute about 216,
229
 nadir in transatlantic relations 217,
220–21
Ireland 24, 33, 37, 39, 65, 67–8, 72–3,
78–9, 97, 113, 135, 150, 180, 282
banking problems, Anglo-Irish Bank
72–3
financial crisis 65, 67, 68, 78–79
referendum on Lisbon Treaty 39
Iron Curtain breakdown 151
irregular migrants, exclusion 116
Israel 151
Italy 24, 39, 48, 112, 178, 182, 189, 212,
220, 223, 225, 230, 261, 281, 284
economic crisis, unemployment rise
66–7, 69, 71–2
Japan 7–8, 70, 82, 149, 152–3, 222–3,
247, 253, 256, 265, 272–3, 281,
294
freedom, democracy, rule of law 239
role vis-à-vis China 260
shared values with EU 206
Japanese-Chinese conflict 272
job-saving devices 131
Juncker, Jean-Claude, Prime Minister of
Luxembourg
opposition of UK and Hungarian
governments 10
President of European Commission
10, 36
reference to human rights without
legal obligations 289
Justice and Home Affairs (JHA) 26
Kashmir dispute, India and Pakistan
240
Keating, Paul, Prime Minister of
Australia 287
Kompetenz-Kompetenz 37–8
Korean Peninsula 239, 294
see also South Korea
Kyoto Protocol see climate change
labour standards, Member States’
powers 147
land use intensification 166
Latvia 65, 67, 69, 71, 135, 184, 197,
202, 207, 212
1998–9 government changes 200
Parex bank problems 73
law-making in the EU 42–5
laws, diverging or harmonization 43, 54
‘lead candidates’ (Spitzenkandidaten)
for President of European
Commission 9–10
legal integration within EU 5, 10, 42–5,
50–60
legal landscape in Europe, complexity
11–12, 28
legal terminology, differences in
Member States 54

Normann Witzleb, Alfonso Martínez Arranz and Pascaline Winand Winand - 9781783477593
Downloaded from Elgar Online at 02/15/2019 02:38:01AM
via free access
The EU and global engagement

legislative action, modes of governance 125
legislative measures, EU 29–30, 123
Lehman Brothers, collapse, 2008 73
Libya (operation Unified Protector) 225, 230
Lisbon Treaty see Treaties of the EC/EU
Lithuania 39, 135, 183–4, 191, 197, 200, 202, 207
Lomé Agreement
African, Caribbean, Pacific (ACP) countries 149
long-range radar deployments proposals for Poland, Czech Republic, (2022) 218
low-carbon technologies, 257, 264
Luxembourg 36–7, 39, 46, 70, 73, 79, 212, 281, 288
Maastricht Treaty see Treaties of the EC/EU
Macedonia 151, 199, 202–4, 212
Macmillan, Harold, Prime Minister of UK
seeking membership of EU (1961) 281
Malaysia 2–3, 7, 13, 153, 242–5, 249–51, 253, 287
loss of MH17 see Ukraine
perceptions of EU 236–45, 250–53
Mali 216, 272, 274
China’s support to EU forces 272
Malta 39, 200, 294
matrimonial property regimes 57
Marshall v Southampton and South West Hampshire Area Health Authority case see direct effect (EU law)
Medium Extended Air Defence System German opt out 218
Member States of the European Union
heavy sovereign debts 64–74, 78–83, 135
lending money to 65–6, 78
national budgets, control powers over 36, 79–82
non-participation in refugee law Denmark, Ireland, UK 113
representatives of Union’s citizens 33
weaker in financial crisis, refinancing 65–6
Menzies, Robert, Prime Minister of Australia 281
metal extraction, for ICT manufacture 169
Mexico 70, 151
MH17 see Ukraine, loss of …
migration, irregular/illegal 104, 108–9, 114
child migrants, human rights access 116
criminal law for migrants 114
economic migrants, from outside EU 114
excessive use of force by authorities 115–16
exploitation by employers and landlords 115
external-border Member States’ struggle to control 109
free movement rights by Roma migrants 112
high-skilled, versus low-skilled 109
human rights 104–18
non-EU nationals (third-country nationals) 108
person trafficking 108
persecution protection for genuine refugees 114
policies of Member States 114, 115
routes, policing of 110
workers’ rights, from EU Member States 110–11
milk quotas, phasing out 165
missile defence policy
political divergence in Atlantic alliance 218–19
Moldova, 2, 6, 152, 199, 202, 205, 207, 210
monetary union 66, 81, 129
Monnet, Jean 38
on ‘European unity’ 8–9
vision of equal partnerships, Europe and US 9
Montenegro 151, 199, 202, 204, 212 (and Serbia), EU accession negotiations 204
Morocco 150–51
multianual financial framework (MFF), Lisbon Treaty 95
multilateral trade deals 148
multilateralism and unilateralism 219, 220, 239, 288
US policy under Bush II 219
multi-level governance 126
multilingualism in Europe, legal problems 54–5
Myanmar/Burma 240

Nabucco gas pipeline
intergovernmental agreement 188
Turkmennistan to EU via Turkey 188–9
National Environmental Policy Act (NEPA), US (1969) 170
national governments of EU, representation in Council 33–4
national law in conflict with EU law, Costa v Enel 49
National Missile Defence 220
nationalism 8, 67, 123, 199, 282, 284, 288
natural gas pipelines
Nabucco 188–9, 191
Nord Stream 183–4
South Stream 188–91
Russia and Ukraine 2009 dispute 188
sources, Iraq, Turkmenistan, Azerbaijan 188
transmission networks 180
UK and Netherlands 182
Nazi atrocities 104
Negotiation Framework, for post-2007 EU accession 203–4
neoliberal capitalism crisis 66
Netherlands 14, 24–5, 39, 47, 67, 73, 92, 97, 135, 168, 182, 185, 220
‘New Europe’, support for US and Iraq war 221

see also ‘Old Europe’
New York 11 September 2001 attacks 109
New Zealand 7–8, 253, 282, 293–4
Nobel Committee 1, 262, 270
advancement of human rights 11
Nobel Peace Prize, 2012 1
non-compulsory expenditure (NCE) 94, 95
non-refoulement, M.S.S v Belgium and Greece 115, 117
non-tariff trade barriers 271
North Atlantic Treaty Organization (NATO) 6, 197, 216–7, 226–32
assimilation of Central East European states 228
expansion into former Soviet Union borders 220
membership Action Plan 224
significant growth 227–8
Treaty, reluctant pass by US Congress 227
Washington vs. Paris-Berlin axis 219
Washington’s view of 229
Northern Rock failure, UK 73
Norway 1, 70, 150, 187, 253, 262, 270, 274
nuclear material transfer from Australia to EC, (1982) 285–6
nuclear non-proliferation negotiations 7, 239, 259
Intermediate Nuclear Forces 227
nuclear power investment in France 182

Obama Administration
Asian pivot 272
greater attention to environmental issues 170
oil and gas imports from EU, 2009
Norway and Russia 187, 229
oil prices during Iraq war 221
oil refinery incident, Lithuania 183
‘Old Europe’ 223–4
‘open door policy’ of EU to the East supported by Poland, Czech Republic, Lithuania 207
Open Method of Coordination (OMC) 12, 123–6, 129–30, 132–4
Orange Revolution, 2004, Ukraine 209
Organization of the Petroleum Exporting Countries (OPEC) 221
Pakistan 8, 240, 253
parental responsibility 57
Partnership and Cooperation Agreement 271
'patent for life' directive 94
Patten, Chris, former member of European Commission 5
peace and reconciliation in Europe 1, 16
peacekeeping missions agenda for Asia 239
pensions and health care 125, 129–30, 133
see also Social Europe
Pershing II missiles in West Germany under Reagan Administration in US 227
PHARE Programme see East Central European States
Philippines, the 13, 242–5, 247–53
photovoltaic (PV) cells 264
trade dispute, cross-sectoral factors 267–8, 271
accession to EU 197–202
EU energy policy 183–5
policy cooperation devices 127, 132
political majorities in European Parliament 126
politics of EU, complexity, cooperation with Member States, easier 261
politics of reluctant interventionism, US and Europe 217
pollution from fertilizers, pesticides 166
Portugal 37, 39, 72, 135, 237–8, 261
accessions to European Communities 5–6
during financial crisis 57, 70, 72, 79
post-9/11 era 218
post-communist Europe, EU enlargement 13, 294
EU guidelines on reform 201
full integration and membership for 198
political and economic transition 202, 203
see also Baltic countries, East Central European States, Eastern Europe
post-Soviet states, non-baltic 199, 201, 205
preferential trade agreements, EU’s network of 149–53
President of European Council, supranational function 31
primacy of EU law 27, 30, 46, 48–51, 188, 190, 228
principle 49
national positions towards 50
private international law 51–60
private law in Europe, origins in Roman law 58–60
production surpluses 91
proportionality principle, in Article 5(4) of TEU 44–5, 60
ProSun (solar cell manufacturer alliance)
complaint on Chinese PV imports 266
protectionist policies of EC/EU 92, 154, 284–7
Qualified Majority Voting (QMV) 24, 129, 140, 146
and co-decision in the Council 97
quarantine laws, of Australia as discriminatory trade barriers to EC 286
EU challenge, April 2003 290
racism and xenophobia in Member States 112
refugees migrants
regime change in Afghanistan and Iraq 216
regulations and directives 43–4, 55
direct effect, Azienda Agricola Monte Arcosu 48
religious extremism 109
renewable energy 164, 176, 267–8, 270
see also low-carbon technology
resource and energy consumption, reduction of 168
Restriction of Hazardous Substances (RoHS) 168–9
rights, individual, increase of adversarialism 51
risks, banks' ability to run, European Commission 2014 77
Roma in Italy and France 109, 112, 114, 117
see also migrants
Romania 188, 198–200, 202, 205, 212, 221, 228
‘Rome Conventions’ on contractual and non-contractual obligations 57
Rudd, Kevin, Prime Minister of Australia 290
Russia 1–4, 6–8, 13, 16, 152, 177, 182–5, 187–9, 191, 209–12, 216, 218, 220, 225–6, 229–32, 247, 253, 260, 273
acquisition of Crimea 2, 152, 209, 218, 230–32
energy coercion 183–4
EurAsEc
financial crisis, 1988 229
set-up, against EU, Eurasian Customs Union 152
trade and energy ties with Europe 191, 216
cooperation with EU on energy issues 187
Russian-EU Technology Centre, Moscow 187
Schengen project 108

science and technology expertise shared by Australia and EU 296
securities regulation (Paris) 74
Security Council Resolution, 1973, German abstention
2011 Libyan crisis 216
Serbia 151, 199, 202–4, 212
(and Montenegro), accession negotiations 204
Singapore 7, 13, 153, 242–5, 253, 256
perceptions of EU 243–5, 247, 249, 250
Single European Act 24, 29, 32, 53, 82, 124, 128, 129
‘single financial market’ in EU 74
Single Resolution Fund (SRF) 4, 75
Single Resolution Mechanism (SRM) 4, 75, 77
Single Supervisory Mechanism (SSM) 4
responsibility under 76
Sino-European relations see China
Slovakia 39, 197, 202, 207, 212, 228
Slovenia 39, 197, 200, 202
smart-metering, introduction into electricity sector 169
Soc. Moteurs Leroy Somer v Société Dalkia France 54
social and human health services, trade in 142
social dialogue, in employment, social affairs, policies 124
social dumping issues 126
social-employment integration 12
Social Europe
history 122–36
Maastricht Treaty 129
Treaty of Rome 128
vocational training, equal pay 128
social policy agenda 5, 126–7
social protection systems in Member States 122, 130–32
socio-political stability of EU
motivation for change in new members 206
soft law mechanisms, ‘codes of conduct’ ‘guidelines’ 53, 125–6
‘soft power’, EU’s ‘over-reliance’ on 12
soil degradation 162, 166
soil erosion 166
solar cell dumping allegations against China (2012–2013) 13, 264–71
solar-grade silicon (SoG-Si) 265
Solar World 268
Somalia, Chinese cooperation in ‘world-policing’ 272
South Asian Association for Regional Cooperation (SAARC) 7, 237, 240
South-East Asia
Malaysia, Singapore, Philippines, Thailand 242–50
respect between different religions, civilizations 252
South Korea 8, 153, 157, 223, 253, 256, 266, 273
South Stream pipeline 188–9
South Sudan conflict 272
Southern Mediterranean countries 150–51
Soviet Union breakup 25
migration to EU 109
Spaak, Paul-Henri, Belgian Foreign Minister
‘empty chair crisis’ 14
Spain 5, 39, 65, 67, 69, 72, 77, 79, 135, 151, 182, 212, 220, 227, 261, 269
accession to European Communities 5–6
economic crisis 65, 67, 69, 72, 77, 79
financial assistance from European Stability Mechanism (ESM) 79
high unemployment 72
Stability and Growth Pact 36, 78–9, 131
Stabilisation and Association Agreements (SAAs) with Western Balkans 151
Strategic Defence and Security Review, UK 231
’strategic partnership’, EU and China aim 256–7
succession, law of 57
supranational institutions, strengthening of dynamic debate 38
Sustainable Development Strategy, EU 152, 163
Sweden 39, 92, 135, 146, 150, 183, 207
national policy safeguarding 146–7
Switzerland 70, 150, 230, 253
Syrian crisis 218, 225, 230, 232
Taliban, EU’s contribution in war against, 219, 222
telecommunications industry 167
see also ICT
terrorism 7, 109, 216, 219, 222–3, 229, 239, 248, 252
Thailand 13, 290, 294
perceptions of EU 243–5, 247, 249, 250, 252
Theatre Missile Defence (TMD) system, Europe 218
Poland, Czech Republic commitment 218
third-country nationals (TCNs) see migration
Third Energy Package (TEP) 176, 179
legal unbundling, March, (2012) 180
Tiananmen Square, Beijing, massacre (1989) 258
Tobacco Advertising case 53
Tokyo Round of Multilateral Trade Negotiations
EC and Australia improved relations 285
trade defence mechanisms of EU 144, 153–5
trade figures of EU-China relations 256
Trade Policy Committee 7, 12, 140–47, 145
Trans-Adriatic Pipeline (TAP) 189
Trans-Anatolian Pipeline (TANAP) 188–9
transatlantic crisis, Iraq War of (2003) 258
Transatlantic Trade and Investment Partnership 4, 272
Trans-European Energy Network (TEN-E) important role in Nord Stream project 184–5
transnational crime, smuggling, trafficking in persons 109
Trans-Pacific Partnership 272
Index

Transparency International, post-communist reforms 201
Treaties of the EC/EU 23–32
Amsterdam (1997) 129, 142, 163
judicial cooperation in civil matters 57
Establishing a Constitution for Europe (2004) 14
‘Founding Treaties’ 46, 104–5
and international law 46
on the Functioning of the European Union (TFEU, former TEC) 27–9, 38, 42–3, 57, 75, 139–40, 163–4, 177
agricultural matters 52–3, 95–6
immigration matters 108, 111, 113–4
Lisbon (2007), 4, 5, 10, 11, 14, 23, 27, 32–9
Chinese concern about powers conferred to Parliament 262
energy policy of EU, ambiguity of 177–8
European Parliament, co-legislator of EU with Council 29
improvements to EU structure 28
national parliaments as ‘guardians of subsidiarity’ 34
powers on asylum and immigration 108
significant changes for the CAP 95–6
termination of EC, succeeded by EU 25
Community Treaties, primacy over 27
criteria for entering euro area 78, 82
environmental objectives 162
Foreign Affairs Council 36
social partners’ rights on framework agreements 124
Nice (2001) 28, 96–7, 129, 142, 201
Paris (1951) 45, 283
Rome (1957) Establishing the European Community (TEC) 23, 41, 94, 162
Common Agricultural Policy (CAP) 89
Common Commercial Policy (CCP) 141
Stability, Coordination and Governance 80, 131
Turkey 70, 188, 204–5, 212, 221, 223, 227–8
Turkmenistan, 188–9, 210
Ukraine 3, 6, 154, 184–5, 189, 199, 201–2, 205, 207, 209–12, 218, 223–6, 273
civil war (2013/4) 1, 13, 37, 152, 188, 225, 230, 232
EU indecision future membership of EU 2
loss of MH17 2–3
pro-EU government 2
regression of democracy, (2012) 209
right to EU membership 226
Ukraine-EU Association Agreement 1–3
unemployment levels in EU 71, 122
Unfair Terms in Consumer Contracts Directive 52, 56
unilateralism
transatlantic division 219–23
of US 258
Union of Industrial and Employers’ Confederations of Europe, ‘Business Europe’ 124
United Kingdom (UK) 24, 39, 65, 67, 132, 142, 146, 178, 180, 182, 212, 246, 279
accession to European Communities 6, 282
consequences for Commonwealth and EFTA 14, 149–50, 281–97
primacy of EU law 49, 56
China relations 261
Common Agricultural Policy, pro-reform stance 92, 113, 129 and energy reform 178, 180 and the financial (and Eurozone) crisis 65, 67, 70–71, 73, 75, 77, 80, 131, 135 former colonies, Lomé Agreement 149
Index

Whitlam, Gough, Prime Minister of Australia 282–5
Workplace laws in EU 124–5
world trade and presence of EU 6–7
World Trade Organization (WTO) 28, 128, 139, 147, 164
China’s accession 256
culture of scientific rationality 98
dispute settlement 148, 149
EU and Asia interaction 239
EU formal membership 148
farm trade liberalization 98
rule against EU in sugar case 290
Xi Jinping, President of China
visit to EU institutions, March (2014) 257
Yaoundé Agreement, (1963) 149
Yemen 221
Yom Kippur War, (1973) 150
Yugoslav, Georgian, Ukrainian conflicts
no decisive European action 223