

21 June, 2016



Indian Council of World Affairs
Sapru House, Barakhamba Road
New Delhi

Report

on

**Conflict Prevention- The Impact of EU
Supranational EU Legal Institutions**

by

H. E. Mr. Demetrios Theophylactou
High Commissioner of the Republic of Cyprus to India

at

Sapru House, New Delhi
6 June, 2016

High Commissioner of the Republic of Cyprus, H. E. Mr. Demetrios A. Theophylactou gave a presentation on the subject “Conflict Prevention - The Impact of the EU Supranational EU Legal Institutions” at the Indian Council of World Affairs (ICWA), Sapru House, New Delhi on 6th June, 2016. H. E. Mr. Tomasz Kozlowski, Ambassador of the European Union (EU) to India, delivered the opening remarks. The event was chaired by Ambassador Nalin Surie, Director General, ICWA, New Delhi.

In his opening remarks, Ambassador Tomasz Kozlowski said that the EU is not a regular original intergovernmental organization. It is a regular regional integration organization. Second, he noted that the EU has evolved through legal treaties. Lisbon treaty is the last treaty, which has defined legal standard of the EU. Apart from national and international laws, the EU has a set of European laws. The EU *acquis communautaire* consists of legislation, legal acts and court decisions. Third, Ambassador Kozlowski said that the European Parliament is directly elected by eligible voters of EU member states. The parliament has legislative powers and is a gathering of all member states of the EU. The powers of EU have been given by member states. The member states have pooled a part of their powers in the EU. It is believed that the EU is a better place to solve certain issues acting as one entity. He stated that the EU faces multiple challenges, such as fiscal crisis, migrant and refugee crisis, international terrorism, etc. It was not prepared to deal with some of these challenges. Thus, it took around three-four years to prepare itself to effectively deal with these challenges. He sounded positive on future of the EU and opined that it would emerge better after each crisis.

Mr. Demetrios A. Theophylactou thoroughly explained various aspects of EU role in the conflict prevention and conflict resolution. His presentation was divided into significance of soft power of the EU, rule of law at EU level, Europeanization of conflict resolution and prevention and the EU’s soft and civilian power. He also discussed the reforms treaty and sustained people trust in the EU. The presentation was based on his research paper titled, “Conflict Prevention - The Impact of Supranational EU Legal Institutions,” published in *AALCO-Journal of International Law*, Volume 4, Issue 1 (2015). He argued that European integration was aimed at not only end the war, but also usher vigorous cooperation among the European countries. European peace architecture has further been strengthened through evolution of EU institutions. The EU has created the EEC,

EURATOM, the Custom Union, Common Agriculture Policy, etc. Despite some crises, the European integration project has gradually matured. Based on the soft/normative measures, the EU has played an important role in promoting peaceful resolution of conflict and addressing causes of conflicts.

Mr. Theophylactou noted that legal aspect of EU model has long-term impact. He discussed the positive perception of European and non European people about the EU legal institutions, and observed that soft power values of the EU attract European citizens. When the EU could not deliver welfare benefits or takes measures of cut social/public spending, such as subsidies cuts or austerity measures, people may be disillusioned from the EU. Soft power in terms of institutional capacity is important aspect of the EU. In his view, the EU is better positioned than national governments to deal with international terrorism, transnational crimes and other global and regional threats. Citizens' trust in the supranational legal institutions is higher than the respective national ones. Mr. Theophylactou substantiated his arguments with findings of surveys conducted by Eurobarometer and Pew Research Center.

On EU reforms and rise of Euroskepticism, he was of the view that the EU would implement the reform treaty - Lisbon treaty. Democratic deficit has become a crucial political issue in the European politics. There is a demand for greater role for the national parliaments. In recent times, the EU could not live up to expectation of its citizens. He noted that it is necessary to deal with new challenges and meet high expectations of European citizens. In this context, normative and utilitarian approaches are necessary. Mr. Theophylactou emphasized on the soft power of the EU. The normative approach and legal aspects of the EU attract citizens outside the Union.

He concluded that the EU is still perceived as a more effective entity than national governments. People have trust in the EU institutions. The EU model transcends a soft power mainly emanating from its legal structures and fundamental laws.

In the Q&A session, a wide range of issues were discussed. Rise of far right parties, fiscal and economic challenges, energy union, Brexit, EU role in maritime security and Asia Pacific, and democracy discussed during the Q&A. Mr. Theophylactou said that the EU is effectively dealing with all issues. Difference of opinion/views is an element of

democracy, but, as Mr. Theophylactou argued, the EU is able to maintain synergies among its member states on crucial policy issues. In his concluding remarks, Ambassador Tomasz said that the EU is still evolving, therefore, it is successful sometimes and it could not deliver up to the expectation in other cases. He discussed the legitimization of authority, conflict prevention not by force and the EU engagement in Balkans. He also noted that EU is successful in Central and Eastern Europe. He noted that Afghanistan was not the EU case.

*Report prepared by Dr. Dinoj K Upadhyay, Research Fellow at the Indian Council of World Affairs, Sapru House, New Delhi.

Disclaimer: The views expressed during the meeting is the personal views of the speakers.