



STUDY GUIDE

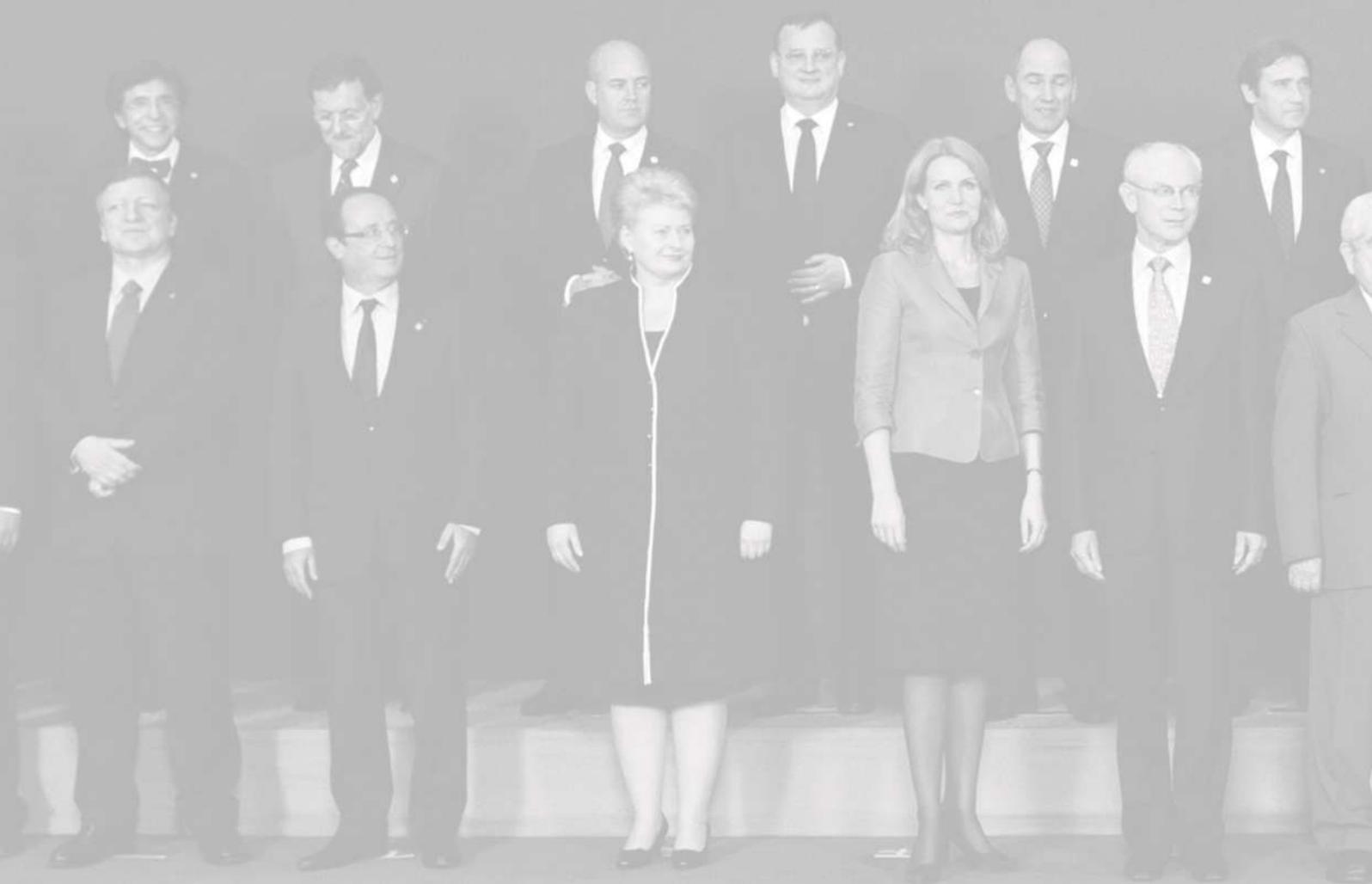
THE EUROPEAN COUNCIL

- ★ The Integrity of the European Union
- ★ Combatting Illicit Drug Trade

EUROPEJSKA KUNŠILL EWROPEW EVROPSKÁ RAĀDA
EUROPESE RAAD EUROPOS VADOVŲ TARYBA
EUROPEAN COUNCIL
BRUSSELS
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28-29.0



The European Council Study Guide

European Union Simulation in Ankara (EUROsimA) 2017

www.eurosim.org

Organised by

Foreign Policy and International Relations Club

Middle East Technical University

Üniversiteler Mah. Dumlupınar Bulvarı No: 1

İktisadi ve İdari Bilimler Fakültesi B Binası Zemin Kat

06800 Çankaya, Ankara, TURKEY

EUROsimA 2017

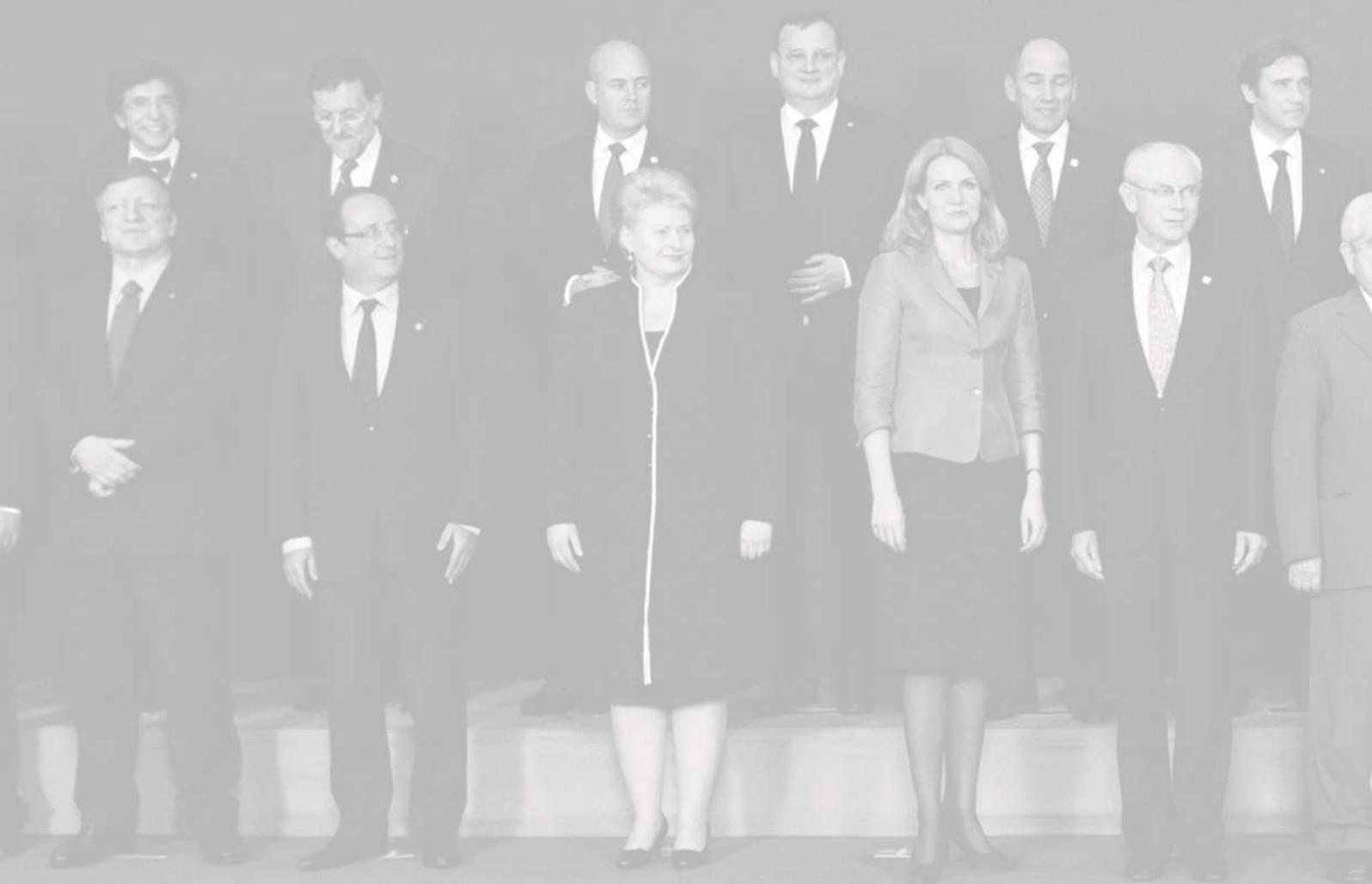
Ankara - Turkey, 2017

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Letter from the Secretary-General

Esteemed Participants,

It is my greatest honour to welcome you all to EUROsimA 2017. This year marks the 13th anniversary of our conference and with an experience of over ten years, the European Council is one of our oldest and most important committees. I had the privilege of serving as an under-secretary general for the European Council in the previous two sessions of EUROsimA and therefore it is needless to say that this committee has an essential importance for me.

The European Council is a body of the EU where every general guideline is established by the heads of the states thus the agenda items of the EC are usually broad yet extremely important. This year's agenda items are no exceptions for that matter. Integrity of the European Union and illicit drug trafficking will be discussed throughout the sessions and I hope many efficient solutions will be found to the problems at hand. EU institutions have tried to implement specific solutions to both of the issues however it seems Europe is in need of a general guidance which can be provided only by the European Council.

The study guide you are holding in your hands is prepared for you to comprehensively study the agenda items and be ready for every single possibility that these topics could evolve into. Moreover, this academic work would not have been achieved without Ms. Ecem Ersözlü's tireless efforts and invaluable contributions. I feel myself obliged to thank her for everything that she has done for this committee.

I once again welcome you all to EUROsimA and wish you an amazing experience here in the European Council.

Kind Regards,

Ali Berk İdil

Secretary-General

Letter from the Under Secretary-General

Highly Esteemed Participants,

It is my pleasure to welcome you all to the 13th annual session of EUROsimA. I am Ecem Ersözlü, a second-year Political Science and Public Administration student in Middle East Technical University; and I have the honour of serving as the under-secretary general responsible for the European Council.

EUROsimA 2017 is sure to be a unique experience for its participants, who will find themselves either in the rapidly shifting landscape of contemporary Europe or in the pages of its history. This year's theme overarching all committees is "Integrity with Harmony", a feat that has proven itself difficult even for the European Union. As the guiding body comprised of the EU's distinguished political leaders, the European Council is the perfect committee to take on the challenges of this theme. Each delegate, as the head of state or government of their respective country, has the chance to lead the European Union to a new future.

Suitably, the first topic of the European Council this year is "Integrity of the European Union." The EU is a political entity both separate from and comprised of its 28 Member States, and its nature has been the subject of many debates. On every issue imaginable, the Union goes through discussions about what the extent of cooperation should be and if any of its actions infringe the national sovereignty of states. Some countries are eager to form a unified front on most issues, while others are discontented with the power the EU institutions have over their individual policies. Meanwhile, the leaders are struggling with the responsibility of balancing between the rising anti-EU sentiment and the need to unite against the instability plaguing the world. The first topic is relatively lenient since it allows for delegates to prioritise whichever issues are the most important for their states in the name of deciding upon the fate of the integrity of the European Union.

The second topic, "Combating Illicit Drug Trade", brings attention to a prominent security matter which also has many legal, economic, social and health-related ramifications. The illicit drug trade going on in the EU becomes more dangerous with each new drug production technique, selling platform, concealment method and trafficking route. The European Council's task is to tackle the issue at its roots and find ways to generally reduce drug-related underground activities, while also addressing the circumstances that amplify the EU's illicit drug problem.

To conclude, I would like to express my sincerest gratitude to the EUROsimA 2017 academic team for their hard work and support during the preparation of this conference; particularly to our Secretary General Ali Berk İdil for his guidance and endless patience, and to the Assistant to Secretary General Ali Demir for his invaluable contributions to this study guide.

Should you have questions about any academic matter regarding the committee, please do not hesitate to contact me as I would be glad to help you out.

Kind regards,

Ecem ERSÖZLÜ

Under-Secretary General

ersozlu@eurosima.org

I. Introduction to the European Union and the European Council

a. History and Structure of the European Union

In order to shape the future of the European Union, we must first take a look at its roots and why its formation has occurred. Europe has been the epicentre of many historical conflicts; and it experienced an unprecedented destruction caused by the Second World War which urged the continent to unite its nations. The situation was bleak in 1945: almost 40 million victims, 20 million displaced persons, the rising superpowers of the USA and the Soviet Union, and the leftover racial, political and religious tensions threatened the continent.¹ European states had to revive their economies, prevent the return of extreme nationalism and preserve their sovereignty in a world divided by the Cold War.² The ideal of an autonomous unity of European states therefore grew, with some people supporting a full-blown federation while others favoured a simple association of independent states.³ These schemes were voiced in the highly influential Hague Congress in the spring of 1948, which led to the creation of the European Movement to heighten public opinion about integration.⁴ In 1949, the Council of Europe – called a “kind of United States of Europe” by Winston Churchill – was formed with ten states (Belgium, Denmark, France, Ireland, Italy, Luxembourg, Norway, the Netherlands, the United Kingdom and Sweden) as a pioneering international parliamentary assembly. Continuing their efforts of unification, European leaders declared the need for pooling their coal and steel resources together under a “High Authority”, which would require reconciliation between the age-old enemies France and Germany. As a result, Treaty of Paris was signed in 1951, establishing the continent’s first supranational⁵ organization European Coal and Steel Community (ECSC), which was the first major step towards a European Union. The signing states (Belgium, France, West Germany, Italy, the Netherlands and Luxembourg) are also called the Inner Six. With this economical and political success, the federalisation efforts were heightened and many other cooperative projects were proposed in the fields of defence, agriculture, health and science. In 1957, the Inner Six signed the Treaty of Rome (renamed Treaty on the Functioning of the European Union in 2007) in order to establish the European Economic Community (EEC), effectively introducing a

¹ “Historical Events in the European Integration Process (1945–2014).” *Centre Virtuel De La Connaissance Sur L’Europe*. University of Luxembourg. Accessed November 2016. <http://www.cvce.eu/en/collections/unit-content/-/unit/02bb76df-d066-4c08-a58a-d4686a3e68ff>.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ “Going beyond national boundaries or authority” (<https://www.merriam-webster.com/dictionary/supranational>)

Common Market.⁶ Another significant outcome was the creation of European Atomic Energy Community (Euratom) for collaboration in developing nuclear power. Boosted by the unification efforts, European economy grew throughout the 1960s.⁷ The Merger Treaty of 1967 combined ECSC, EEC and Euratom under one single structure called the European Communities with a shared Commission, Council, Parliamentary Assembly and Court of Justice – resembling the modern EU. After many disputes, the first enlargement of the union happened in 1973 when Denmark, Ireland and the United Kingdom joined the Member States.⁸ The 1980s saw the membership of Greece, Spain and Portugal; which highlighted the need for a common regional policy due to imbalances between the states.⁹ The Schengen Agreement was signed in 1985, and internal borders were gradually abolished to allow citizens' free movement.¹⁰ In 1993, the European Union was finally established with the Maastricht Treaty – also called the Treaty on European Union. This treaty based the union upon three pillars: European Communities, Common Foreign and Security Policy, Police and Judicial Co-operation in Criminal Matters.¹¹ It also set the criteria for Economic and Monetary Union, thus leading all member states to adopt euro as their currency and completing the Single Market with the four freedoms of movement of goods, services, people and money.¹² Expansions continued in the following years, reaching the current 28 members by 2013.¹³ The European Union as it functions today is mostly based on the Treaty of Lisbon ratified in 2009, whose most important amendment was unifying the three pillars into one legal entity.¹⁴ It can be seen that the EU had set out as separate bodies with the purpose of creating European collaboration in different areas and eventually formed the hybrid intergovernmental and supranational union that it is today, on the “ever closer union” principle.

⁶ «Chronologie Interactive De La Construction Européenne (1945-2015).» *Centre Virtuel De La Connaissance Sur L'Europe*. University of Luxembourg. Accessed November 2016. http://www.cvce.eu/obj/chronologie_interactive_de_la_construction_europeenne_1945_2015-fr-944540bf-f5b2-44ed-aa4b-a618ed32d971.html

⁷ Communication Department of the European Commission. “The History of the European Union.” European Union website. Accessed November 2016. https://europa.eu/european-union/about-eu/history_en.

⁸ «Chronologie Interactive De La Construction Européenne (1945-2015).» *Centre Virtuel De La Connaissance Sur L'Europe*. University of Luxembourg. Accessed November 2016. http://www.cvce.eu/obj/chronologie_interactive_de_la_construction_europeenne_1945_2015-fr-944540bf-f5b2-44ed-aa4b-a618ed32d971.html

⁹ Ibid.

¹⁰ Ibid.

¹¹ European Union, *Treaty on European Union (Consolidated Version), Treaty of Maastricht*, 7 February 1992, Official Journal of the European Communities C 325/5; 24 December 2002, available at: <http://www.refworld.org/docid/3ae6b39218.html> [accessed 1 December 2016]

¹² Ibid.

¹³ Communication Department of the European Commission. “The History of the European Union.” European Union website. Accessed November 2016. https://europa.eu/european-union/about-eu/history_en.

¹⁴ European Union. “Consolidated version of the Treaty on European Union.” 13 December 2007. 2008/C 115/01. Accessed November 2016. <http://www.refworld.org/docid/4b179f222.html>



(<https://ahousewithnochild.wordpress.com/2015/03/10/the-european-unions-barely-veiled-secret/>)

The current 28 Member States of the European Union are: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.¹⁵

The European Union has a complex political structure with regards to its bodies and decision-making process. Mainly, there are seven institutions of the European Union that serve as the principle decision-making bodies. The European Council sets the political agenda and priorities of the union, which are then discussed in the three institutions involved in the ordinary legislative procedure.¹⁶ The first is the executive European Commission with one member from each state representing the interests of the whole EU.¹⁷ The Commission proposes new laws for the European Parliament and the Council of the European Union to decide on together.¹⁸ The Parliament is comprised of political parties whose members are directly elected by European citizens and thus represent the interests of the whole public, while the Council of European Union has representatives from each member state fighting for their national interests.¹⁹

¹⁵ "Countries." European Union website - European Commission. 2016. Accessed December 2016. https://europa.eu/european-union/about-eu/countries_en.

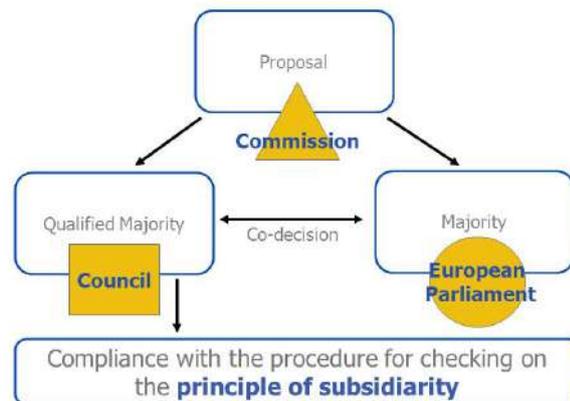
¹⁶ Communication Department of the European Commission. "EU Institutions and Other Bodies." European Union website. Accessed November 2016. https://europa.eu/european-union/about-eu/history_en.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

Ordinary Legislative Procedure



(Role of National Parliaments presented by European Parliament DG Internal Policies Directorate for Relations with National Parliaments <http://slideplayer.com/slide/742622/>)

Other institutions are Court of Justice of the European Union, the Court of Auditors and the European Central Bank. The European Union also has over 40 agencies with the purpose of accomplishing specific tasks.

b. The European Council

The European Council acts as a collective presidency for the European Union; it sets the political agenda, provides impetus, defines priorities and deadlines, and adopts conclusions outlining actions to be taken.²⁰ It has been a summit for the heads of state or government of the member states since 1961, even though it was realised as a formal institution as late as 2009 with the Lisbon Treaty. The European Council convenes at least four times in different European cities each year, as well as holding added summits to address special issues.²¹ The Council adopts conclusions as resolutions during each summit. The conclusions identify specific matters that the EU should focus on, providing solutions to tackle problems and setting goals and deadlines.²² The conclusions' main aim is to advise Member States, other EU institutions and bodies.

The European Council could be seen as the “face” of the EU. It has no legislative power, yet carries immense political influence since all its conclusions are put forward with the full consensus of the 28 heads of Member States. This is why it is imperative for each member to voice their country's policies and issues. At its meeting on June 2014, the European Council has agreed on five priority areas to guide the EU's work until 2019; one of which is ensuring the EU's strong engagement in world affairs while

²⁰ European Union. “Consolidated version of the Treaty on European Union.” 13 December 2007. 2008/C 115/01. Accessed November 2016. <http://www.refworld.org/docid/4b179f222.html>

²¹ “The European Council” Consilium - European Union. Accessed December 2016. <http://www.consilium.europa.eu/en/european-council/>.

²² “European Council conclusions” Consilium - European Union. Accessed December 2016. <http://www.consilium.europa.eu/en/european-council/conclusions/>.

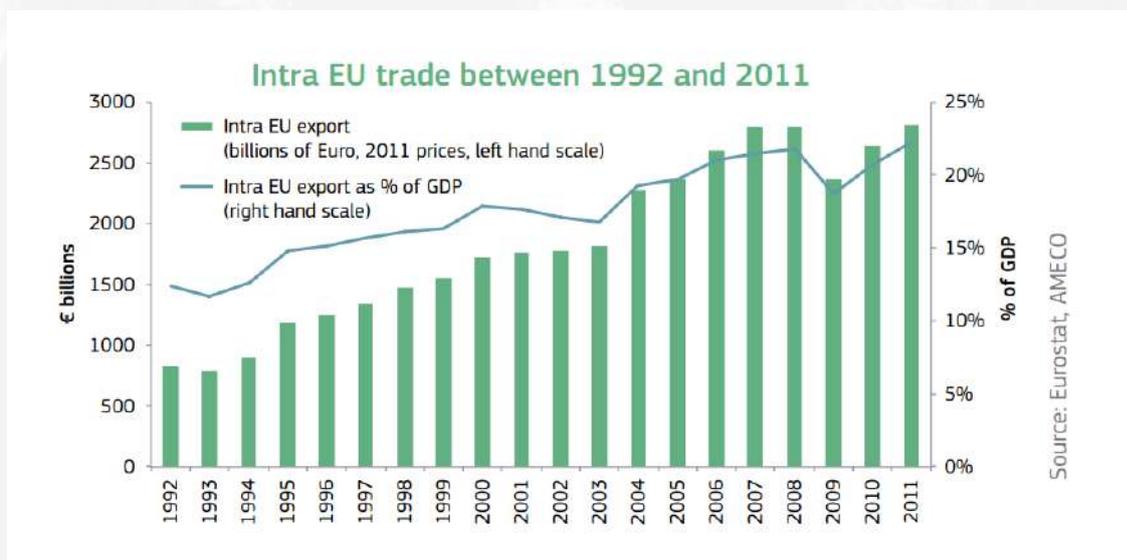
staying harmonious in itself.²³ However, in the rapidly tensing political climate, it is unsure whether the European Union will stand together against rising threats or disband to let each state realise its own will.

II. Functions of the European Union

a. Economy and Finance

i. Single Market and Customs Union

The free movement of goods, people, services and money is one of the cornerstones that the EU was founded on, as detailed by the Treaty on the Functioning of the European Union. The single market (also called the internal market) spans 500 million consumers and 21 million small and medium-sized enterprises in all 28 member states as well as the non-member states Iceland, Norway, Liechtenstein and Switzerland.²⁴



The single market for goods basically removes certain legal, technical and bureaucratic barriers between participant countries in order to provide easy access, higher safety standards and lower costs/prices. This is mainly done through the Customs Union of all the Member States, Monaco, and – through bilateral agreements that exclude agricultural products – Turkey, Andorra, and San Marino.²⁵ Within its borders, the states do not charge any customs duties for each other. Furthermore, they have a

²³ "Setting the EU's political agenda." Consilium - European Union. EU. Accessed December 2016. <http://www.consilium.europa.eu/en/european-council/role-setting-eu-political-agenda/>.

²⁴ European Commission. Luxembourg Publications Office of the European Union. *20 years of the European single market - together for new growth: main achievements*. Luxembourg: EUR-OP, 2012. doi: 10.2780/66906

²⁵ Communication Department of the European Commission. "Customs." European Union website. Accessed November 2016. https://europa.eu/european-union/about-eu/history_en.

common customs policy on imports from outside the EU.²⁶

The freedom of movement of persons denotes that all EU citizens are allowed to live, study, work or retire in any of the Member States.²⁷ Mutual recognition of official documents from different Member States therefore plays a key role in this part of European integration. Under the principle of free movement of workers, it is illegal for employers to engage in any kind of discrimination based on the nationality of the worker, as long as they are an economically active resident.²⁸

Freedom of establishment and freedom to provide services further support the economy through allowing professionals, companies and self-employed persons who are legally working one Member State to be economically active in any other EU state.²⁹ The only exceptions to this law are the professions that exercise political authority.

The most recent among the four freedoms, free movement of capital aims to increase integration and competitiveness of the EU economy. It abolishes all restrictions on capital movements between any Member State and another member or a non-EU country.³⁰ This liberalisation also promotes the use of euro in the international arena, therefore reinforcing EU's role in global economy.³¹

ii. Economic and Monetary Union (EMU)

Before the EMU, the Union had the European Exchange Rate Mechanism and each Member State used its own currency. It was a complex system which essentially weighed Member States according to their contributions to the EU economy and kept currencies' values close to each other.³²

The EMU aims to integrate the European market in order to provide economic stability, growth and optimum employment. The Economic and Monetary Union includes all the Member States, though there are some countries who have not adopted it to full extent.³³

The essence of the EMU is the coordination of economic policies between Member States. The basics of macroeconomics rest on two types of policy-making: fiscal and monetary. Fiscal policies are the ways governments decide to spend their money and adjust taxes; while monetary policies are enacted by a central bank in order to affect the money supply. Throughout the European Union, fiscal policies are coordinated through The Stability and Growth Pact's limits on government debts (less than

²⁶ Ibid.

²⁷ "Free movement of persons." *The Internal Market*. Fact Sheets on the European Union. European Parliament. Accessed December 2016. <http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuid=theme3.html>

²⁸ Ibid.

²⁹ "Free movement of service." *The Internal Market*. Fact Sheets on the European Union. European Parliament. Accessed December 2016. <http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuid=theme3.html>

³⁰ "Free movement of capital." *The Internal Market*. Fact Sheets on the European Union. European Parliament. Accessed December 2016. <http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuid=theme3.html>

³¹ Ibid.

³² "European Currency Unit Definition." *Financial Times Lexicon*. Accessed February 2017. <http://lexicon.ft.com/Term?term=European-Currency-Unit>.

³³ "Economic and Monetary Union." European Commission. Accessed December 2016. http://ec.europa.eu/economy_finance/euro/emu/index_en.htm.

60% of the state's Gross Domestic Product) and deficits (less than 3% of the GDP) so that all Member States can uphold the standards for the internal market.³⁴ The monetary policies are implemented in the eurozone, which consists of the 19 Member States (Austria, Belgium, Cyprus, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Slovakia, Slovenia, Spain) who have adopted the euro as their currency.³⁵ The European Central Bank independently issues monetary policies in the eurozone, which are then coordinated with other members' policies through the collective European System of Central Banks in order to ensure price stability.³⁶

In the wake of the global financial crisis of 2008 and the subsequent European debt crisis involving Greece, Portugal, Spain, Ireland and Cyprus not being able to pay their national debts, the union created a plan to deepen the EMU.³⁷ This plan, explained by the Five Presidents Report, sets the first stage "Deepening by Doing" between 1 July 2015 and 30 June 2017, detailing ways to "make the best possible use of the existing Treaties" in order to boost the Union's capabilities within the current legal frameworks.³⁸ Stage two is "completing EMU" by 2025, implementing new frameworks and making euro more durable to financial shocks.³⁹ The five presidents of their respective EU institutions hope to expand the eurozone to involve all Member States, establish a euro area treasury and have specialised fiscal policies for members' cases.

iii. Regional Policy

One of the major problems of the European Union with regards to economy is the disparity between regions. The Regional Policy aims to facilitate economic growth, support job creation, increase competitiveness, and increase the quality of life of citizens.⁴⁰ It addresses all European regions but has designated less developed regions to be focused on which are mainly within Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovenia.⁴¹

In line with the EU's aims to complete market integration and expand the eurozone to all eligible Member States, almost a third of the EU budget has been dedicated to solving this problem until 2020. Regional Policy is delivered through three main funds: the European Regional Development Fund (ERDF), European Social Fund (ESF) and the Cohesion Fund.⁴²

³⁴ *Economic and Monetary Union*. Fact Sheets on the European Union. European Parliament. Accessed December 2016. <http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=theme4.html>

³⁵ Ibid.

³⁶ Ibid.

³⁷ Jean-Claude Juncker, Donald Tusk, Jeroen Dijsselbloem, Mario Draghi, Martin Schulz. *The Five Presidents Report: Completing Europe's Economic and Monetary Union*. European Commission. 22 June, 2015.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ "The EU's main investment policy." Regional Policy - European Commission. Accessed December 2016. http://ec.europa.eu/regional_policy/en/policy/what/investment-policy/.

⁴¹ Ibid.

⁴² Ibid.

iv. Antitrust

The amount of freedom the EU provides within the single market brings the need for certain protections from unfair conditions. The EU aims for the companies to act independently from each other, motivated by the market competition to keep prices low and quality high.⁴³ Article 101 of the Treaty on the Functioning of the European Union sets the prohibition of agreements between two or more actors in the market which would restrict competition – preventing the companies from establishing monopoly over a product and setting the prices.⁴⁴ Article 102 prohibits firms that are dominant over a market from abusing their position, namely by limiting production or setting unfair prices.⁴⁵

b. Military

The European Union has undertaken many operations in Europe, Africa and Asia; with several operations currently ongoing.⁴⁶ These operations are decided on by Member States during the Foreign Affairs Council, and they work in coordination with the EU delegation in the mission area, using civilian and military instruments.⁴⁷

Military force is an area in which European integration has been kept at a relatively low degree, and there is currently no “EU Army.” The Common Security and Defence Policy is a framework for the cooperation of Member States’ armed forces both within and out of the EU’s institutional structure. However, Article 42 of Treaty on the European Union states that the union “shall not prejudice the specific character of the security and defence policy of certain Member States”,⁴⁸ prioritising autonomous action over common policy. The article also prioritises obligations to the North Atlantic Treaty, which 22 of the Member States are a part of. However, it also calls for a far more unified system of military forces, possibly with a permanent structured cooperation. Many calls to realise this within the European Council has been made by Belgium, Germany, Italy and particularly France in the wake of November 2015 Paris attacks; but consensus could not be reached with the United Kingdom’s strong opposition.

A realised common initiative is the EU Battlegroups, with each of the 18 Battlegroups comprising of approximately 1500 soldiers drawn from Member States except for Denmark and Malta; with the contributions of Norway, Turkey, Macedonia and Ukraine.⁴⁹ They are under the direct command of the Council of the European Union,

⁴³ “Antitrust.” Antitrust: Overview – Competition – European Commission. Accessed December 2016. http://ec.europa.eu/competition/antitrust/overview_en.html.

⁴⁴ European Union. “Consolidated version of the Treaty on European Union.” 13 December 2007. 2008/C 115/01. Accessed December 2016. <http://www.refworld.org/docid/4b179f222.html>

⁴⁵ Ibid.

⁴⁶ “Military and civilian missions and operations.” European Union External Action. Accessed December 2016. https://eeas.europa.eu/topics/military-and-civilian-missions-and-operations/430/military-and-civilian-missions-and-operations_en.

⁴⁷ Ibid.

⁴⁸ European Union. “Consolidated version of the Treaty on European Union.” 13 December 2007. 2008/C 115/01. Accessed December 2016. <http://www.refworld.org/docid/4b179f222.html>

⁴⁹ Major, Claudia, and Christian Mölling. “EU Battlegroups: What Contribution to European Defence?” *Stiftung Wissenschaft und Politik*, 2011. Accessed December 2016.

and aim to undertake rapid deployment.

c. Legal Action and Foreign Affairs

As an entity that neither can be classified as a supranational nor as an international one⁵⁰, the European Union has its unique sets of law that are accepted unanimously to be binding for every member state.⁵¹ The question regarding its organizational basis has been a matter of debate in recent years, with two possible outcomes on the horizon: becoming a federation or a confederation. Though the consequences of this gradual change within EU are unpredictable, certain Member States are observed to be supporting different sides. A federal administration, which represents “a system of government in which significant governmental powers are divided and shared between the central government and small sub-national units”⁵², is especially idealised by Germany. This can easily be associated with Germany’s own system of governance, where the central government and sub-national governments are separately functioning with distinctive jurisdictions, but the central government holds the responsibility in the matters of foreign and economic policies. A confederal alliance, though, which represents “a system of government or administration in which two or more distinct political units keep their separate identity but transfer specified powers to a higher authority for reasons of convenience, mutual security, or efficiency”⁵³ is apparently preferred by the United Kingdom. This clearly shows UK’s intentions of minimum control and exercise of power of the EU over Member States and maximum national sovereignty, parallel to the its decision of exiting the Union.

Turning the attention to the domestic law of the organization, there are nine distinct legal acts of the EU treaties, regulations, directives, decisions, recommendations, opinions, delegated acts and implementing acts.⁵⁴ Of these nine, the treaties serve as the constitutional basis of the EU, specifying the decision making process and the direct influence and area of jurisdiction EU has over its member states.⁵⁵ Regulations and decisions are to be abode by every member and their implementation within the countries are to be detected by the national authorities.⁵⁶ Incorporation of the directives to the national legislations of the states is a highly prominent condition that is checked by the European Commission. Along with the rest of the components, EU law

⁵⁰ Carleton University Centre for European Studies, (CES). “Extension: Is the EU a federation or a confederation?” Carleton University EU Learning. Accessed March 2017. <http://carleton.ca/ces/eulearning/introduction/what-is-the-eu/extension-is-the-eu-a-federation-or-a-confederation/>.

⁵¹ “Applying EU law.” European Commission, Your Guide to Policies, Information and Services. February 22, 2017. Accessed March 2017. https://ec.europa.eu/info/law/law-making-process/overview-law-making-process/applying-eu-law_en.

⁵² Carleton University Centre for European Studies, (CES). “Extension: Is the EU a federation or a confederation?” Carleton University EU Learning. Accessed March 2017. <http://carleton.ca/ces/eulearning/introduction/what-is-the-eu/extension-is-the-eu-a-federation-or-a-confederation/>.

⁵³ Ibid.

⁵⁴ “Types of EU law.” European Commission, Your Guide to Policies, Information and Services. November 23, 2016. Accessed March 2017. https://ec.europa.eu/info/law/law-making-process/types-eu-law_en.

⁵⁵ Ibid.

⁵⁶ Ibid.

is binding for all and every member is expected to be following the law at all times. Setting aside the inter-governmental affairs, the EU law also covers the specification of all the rights attributed to the citizens of the organizations, with the EU Charter of Fundamental Rights.⁵⁷ If the law is breached by any means, the European Commission has the authorization to proceed with formal infringement proceedings of theirs and can address the European Court of Justice upon the case if seen necessary.⁵⁸

d. Agriculture, Fisheries and Food

The European Union has spent around 40% of its budget on “producing safe and secure food supplies, innovative farming and efficient and sustainable use of land and forests” in recent years.⁵⁹ The members follow a common agricultural policy, which aims to produce safe and environmentally conscious food that is in sufficient quantities for Europe.⁶⁰ The common policy is meant to protect farmers from market crises and too much change in prices; but it has also been criticised for setting minimum prices too high which harms consumers.⁶¹

The EU also follows a common fisheries policy with the intention to sustain the profitable market while protecting the environment by preventing overfishing, and monitoring oil and gas extraction’s effects on the marine environment.⁶² Furthermore, bilateral agreements with non-EU countries allow EU suppliers to fish in distant waters.⁶³ While fisheries may seem like a trivial matter, it should be remembered that Greenland exited the European Union in 1985 over a fishing rights dispute. Moreover, it may be argued that the common fisheries policy is the reason Norway, Greenland and Iceland do not want to be a part of the EU.

e. Development and Humanitarian Aid

Since its establishment, the European Union puts the utmost importance on human rights and the value of human lives which is an indicator of it being the world’s largest aid contributor, sending humanitarian aids to over 140 countries since 1992.⁶⁴ The organization reaches out to an average of 120 million people for help annually and has set its purpose on such humanitarian missions to be helping people in

⁵⁷ “Justice and home affairs.” European Union website. November 11, 2016. Accessed March 2017. http://europa.eu/european-union/topics/justice-home-affairs_en.

⁵⁸ “Applying EU law.” European Commission, Your Guide to Policies, Information and Services. February 22, 2017. Accessed March 2017. https://ec.europa.eu/info/law/law-making-process/overview-law-making-process/applying-eu-law_en.

⁵⁹ “Budget.” European Union website. Accessed December 2016. https://europa.eu/european-union/topics/budget_en.

⁶⁰ “Agriculture.” European Union website. Accessed December 2016. https://europa.eu/european-union/topics/agriculture_en.

⁶¹ Tran, Mark. “EU agriculture policy ‘still hurting farmers in developing countries’” Poverty matters blog. October 11, 2011. Accessed December 2015. <https://www.theguardian.com/global-development/poverty-matters/2011/oct/11/eu-agriculture-hurts-developing-countries>.

⁶² “The Common Fisheries Policy (CFP).” Fisheries - European Commission. October 07, 2016. Accessed December 2016. https://ec.europa.eu/fisheries/cfp_en.

⁶³ Ibid.

⁶⁴ “Humanitarian aid & civil protection.” European Union website. March 09, 2017. Accessed March 2017. http://europa.eu/european-union/topics/humanitarian-aid-civil-protection_en.

need throughout the world regardless of their nationality, religion, gender or ethnicity, based on the Treaty of Lisbon.⁶⁵ EU helps the states both during and after the crises, trying to protect the lives and rights of the beings and stabilize the region in means of security. Almost all of the current crisis zones, namely Syria, South Sudan, Ukraine, Central African Republic, are included in the list of the states receiving help from the organization.⁶⁶ The aid supplied to the areas is sent with the direct cooperation of the non-governmental organizations, international organizations, Red Cross societies and UN agencies. The EU also includes the Civil Protection Mechanism under the roof of the European Commission, established to take immediate action against the emergencies both within Europe and worldwide.⁶⁷ The mechanism boasts of having given direct responses to the triple disaster in Japan, ongoing civil war in Syria, forest fires and floods in the Balkans along with the ebola epidemic in West Africa.⁶⁸

European Union is also involved with taking measures for increasing the level of development within low-income and least developed countries. In 2013 alone, the budget allocated for developmental expenses peaked at 56.2 billion euros.⁶⁹ Taking United Nations' Millennium Development Goals to the core, the EU centralized its concentration on mainly eradicating poverty along with the rest of the goals and thus spared an additional 1 billion euros to make sure that they are planned and implemented further in 79 African, Caribbean and Pacific countries.⁷⁰ EU has started its projects on providing safe drinking water to 5.000 households in Timor Leste and eradicating female genital mutilation in Senegal and has reached tremendous success including expansion of toilet access from %35 to %65 in the former country and 5.300 communities giving up on mutilation in the latter.⁷¹

III. Membership and Accession

a. Copenhagen Criteria

The European Union stresses regional development in order to reach parity between Member States, but it is also meticulous about the members it decides to accept in the first place. The conditions of eligibility in order to become a Member State have been set out in Copenhagen European Council in 1993.⁷² The Copenhagen Criteria

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ "Development and cooperation." European Union website. January 20, 2017. Accessed March 2017. http://europa.eu/european-union/topics/development-cooperation_en.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² European Union. European Council. *Presidency Conclusions Copenhagen European Council 21-22 June 1993*. Brussels: EC, 1993. www.europarl.europa.eu/enlargement/ec/pdf/cop_en.pdf.

for admission to the EU may be summed up as:

1. The rule of law ensuring democracy, the stability of governmental institutions, human rights and the protection of minorities;
2. A functioning market economy that would be able to manage the competitive pressure and other market forces within the EU;
3. The capacity to implement all the policies, rules and standards of the EU law; and dedication to the aims of political, economic and monetary union.⁷³

Non-member countries must satisfy the first criterion to even start the accession talks to become a candidate and eventually a member state.⁷⁴ EU is quite strict about enlargement; and it can be said that it only seeks countries that can add to the success of the union without requiring constant support from the rest of the members.

The rising pressures on the European Union are partly to blame on the “ineffectiveness” of the Copenhagen Criteria.⁷⁵ The main criticism stems from their vagueness, especially concerning concepts such as democracy or free market.⁷⁶ This vagueness leaves room for discretion as well as failures in the implementation of the criteria, particularly on the Eastern European members’ part. According to the reports of some EU agencies, the specific definitions of certain terms within the criteria are made on a case-by-case basis – which means that they are inconsistent.⁷⁷ Consequently, the criteria can be interpreted in any way by a country’s government officials reviewing the EU process and so are applied inconsistently throughout Member States. Another problem that the Union faces is the disagreements over which criterion should have priority.⁷⁸ It is apparent that a stable economy is not the first concern since Greece, Ireland, Italy, Portugal and Spain – who have suffered significantly from the European Debt Crisis⁷⁹ – are still active members.

b. Candidate States

Even with doubts and the possibility of disintegration looming, the European Union always has the option to reach out to new members for a larger market and an area of coordinated development. However, each Member State carries the responsibility of completely adopting the EU standards and contributing to the Union. The European Union has candidate states that are in the process of fulfilling the Copenhagen Criteria. The candidates who are in the process of negotiating membership are:⁸⁰

⁷³ “Accession criteria (Copenhagen criteria).” EUR-Lex Access to European Union law. Accessed December 14, 2016. http://eur-lex.europa.eu/summary/glossary/accession_criteria_copenhagen.html.

⁷⁴ Ibid.

⁷⁵ Rezler, Paulina. “The Copenhagen Criteria: Is it Helping or Hurting the European Union?” *Touro International Law Review* 14, no. 2 (May 2011): 390-411. May 2011. http://www.tourolaw.edu/ILR/uploads/articles/V14_2/5.pdf.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹

⁸⁰ “Check current status - European Neighbourhood Policy And Enlargement Negotiations.” European Commission. Accessed

- ★ Albania
- ★ Montenegro
- ★ Serbia
- ★ The former Yugoslav Republic of Macedonia
- ★ Turkey

Kosovo and Bosnia and Herzegovina are potential candidate states who have been promised accession talks once they are stable enough.⁸¹

It should be kept in mind that while a new Member State would enlarge the single market and gain new possibilities, accession is a risky process. In a union with this few members, failure of any single Member State becomes a burden on the whole EU. Furthermore, a significant part of the EU budget goes to regional development and decreasing disparities between states.⁸² A new member who is not up to EU standards by the time of initiation would force the Union to funnel an indispensable amount of resources into the region. Another issue to consider is the need for public consent by the candidate state, as well as the effect of the accession on European citizens. It is no secret that conservatism and even “intolerance and acts of hatred around Europe” are on the rise,⁸³ so it is not clear how other members would react. With Brexit on the horizon and scepticism rising, a new member state could either make up for losses or push the Union over the edge.

IV. Disintegration and the Rise of Euroscepticism

a. Doubts about the European Union

The EU has been facing criticism for many years on the account that being a union halts the progress of individual countries. These critics are called “Eurosceptic”, aiming to slow down or reverse the integration of Europe. The degree of doubts vary, with Soft Eurosceptic groups only objecting to EU policies that conflict with their state policies, while Hard Euroscepticism calls for the country in question to withdraw from the Union.⁸⁴ Some political scientists point out that the European Union’s image is suffering because the union cannot fulfil the high expectations it has created in the first place.⁸⁵ The “Standard Eurobarometer” surveys show that EU citizens’ trust in the

December 14, 2016. http://ec.europa.eu/neighbourhood-enlargement/countries/check-current-status_en.

⁸¹ Ibid.

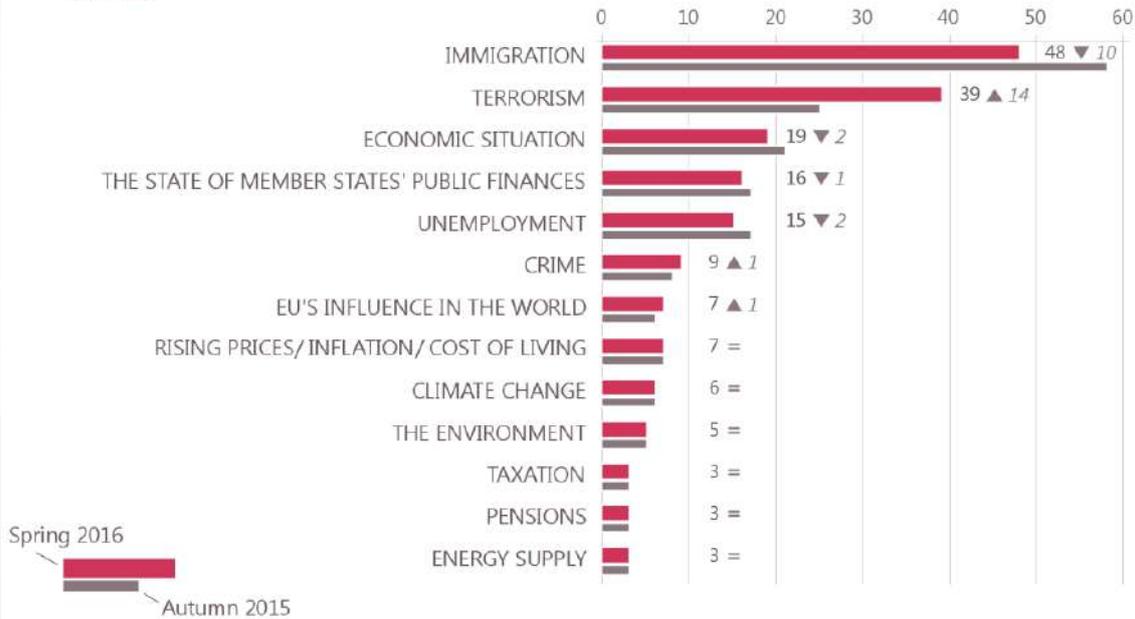
⁸² “Budget.” European Union website. January 28, 2016. Accessed December 15, 2016. https://europa.eu/european-union/topics/budget_en.

⁸³ O’Flaherty, Michael. “Educating for the future through learning from the past.” European Union Agency for Fundamental Rights. January 26, 2017. Accessed January 2017. <http://fra.europa.eu/en/news/2017/educating-future-through-learning-past>.

⁸⁴ Arató, Krisztina, and Petr Kaniok. *Euroscepticism and European integration*. Zagreb: Political Science Research Centre, 2009.

⁸⁵ Schmidt, Paul. “Austrian Euroscepticism has grown markedly, but voters still show little support for leaving the EU.” London

Q45 What do you think are the two most important issues facing the EU at the moment?
(% - EU)



Union and its institutions has been declining since 2007.⁸⁶ According to Standard Eurobarometer 85⁸⁷ published in 2016, only 33% of the Europeans trust the EU, while 55% distrust it and 12% did not express an opinion.

The survey also reveals the issues that EU citizens are concerned about the most: Half of its citizens do not trust the European Union, parties such as European United Left & Nordic Green Left, and The Europe of Freedom and Direct Democracy in the European Parliament reject integration policies regularly, and anti-EU parties are soaring within countries.⁸⁸ Their criticisms need to be reviewed in order to reach the core of the problem and decide in which ways the European Union should develop itself.

i. Problems with Democracy

48% of Europeans are dissatisfied with the way democracy operates in the EU.⁸⁹ Furthermore, half of Europeans think that their country's interests are not really taken into account in decision-making.⁹⁰ Many Eurosceptic critics view the EU as a "technocratic superstate" that aims to bypass national decisions at the expense of democracy.⁹¹ They have been claiming that the European Union has a "democratic deficit",

School of Economics and Political Science European Politics and Policy. October 28, 2016. Accessed January 06, 2017. <http://blogs.lse.ac.uk/europpblog/2016/10/24/austria-euroscepticism/>.

⁸⁶ Ibid.

⁸⁷ "Standard Eurobarometer 85 survey (EB85), was carried out between 21 and 31 May 2016 in 34 countries or territories: the 28 European Union (EU) Member States, five candidate countries (the Former Yugoslav Republic of Macedonia, Turkey, Montenegro, Serbia and Albania) and the Turkish Cypriot Community in the part of the country that is not controlled by the government of the Republic of Cyprus." ("Standard Eurobarometer 85." European Union Open Data Portal. Accessed December 15, 2016. http://data.europa.eu/euodp/en/data/dataset/S2130_85_2_STD85_ENG.)

⁸⁸ "Euroscepticism on rise in Europe, poll suggests." *BBC News*, June 8, 2016. <http://www.bbc.com/news/uk-politics-eu-referendum-36471989>.

⁸⁹ TNS opinion & social. Requested and coordinated by the European Commission. *Standard Eurobarometer 85*. "Public Opinion in The European Union." Brussels: European Commission, 2016. European Union Open Data Portal.

⁹⁰ Ibid.

⁹¹ Moravcsik, Andrew, "The Myth of Europe's 'Democratic Deficit'" *Intereconomics:Journal of European Public Policy*. pp. 311-40.

which means that ordinary citizens cannot access the legislative procedure, and that EU institutions lack accountability.⁹² While there have been reforms in order to fix this issue, Eurosceptic arguments still stand. The integration of the European states is undesirable to some, who say that the decisions on many national issues are being transferred to this international body instead. However, studies show that overall, only 10-20% of the national laws of Member States originate in the EU decisions.⁹³ Other critics say that EU officials are subject to inadequate controls in terms of transparency, and that EU has created unneeded layers of bureaucracy to take the decision-making process away from individual nations.

Aside from Eurosceptic criticisms, there are also some fundamental problems regarding democracy within the EU. One concern, which decreases democratic accountability, is the low participation in democracy: only 42.5% of EU citizens turned out in the last European Parliament elections of 2014.⁹⁴ The European Parliament is the only directly public-chosen institution that can affect the law making process of the EU; therefore, low voter turnout means that the majority of the public voices are not heard while making decisions which affect the whole Union. This may be a problem of the complicated bureaucracy that comes with these institutions. According to the surveys, only 54% of Europeans have said that they understand how EU works,⁹⁵ which may be a problem since decisions such as leaving the European Union are submitted to referendum for the public to vote on.

ii. Economic Situation

The Economic and Monetary Union and the single market of EU have been criticised from a variety of issues ranging from illegitimacy to inefficiency.⁹⁶ In general, the problem for them stems from 28 members using the same economic and monetary policies even though each state has its own problems and needs. For example, Brexit supporters in the UK have pointed out that a large sum (40%) of EU spending goes the Common Agricultural Policy, which puts minimum prices on products and increases the price of food throughout Europe as well as only rewarding large land-owners.⁹⁷

The euro area is the main issue that comes under fire from not just Eurosceptic fronts but also some leading economists. Within the eurozone, just 56% of Europeans believe that having euro as their currency is a good thing for their country.⁹⁸ Some be-

Princeton University. DOI: 10.1007/s10272-008-0266-7

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Voter turnout in national and EU parliamentary elections. August 11, 2016. Raw data.

Eurostat - IDEA Voter turnout database (IDEA: International institute for democracy and electoral assistance)

⁹⁵ TNS opinion & social. Requested and coordinated by the European Commission. *Standard Eurobarometer 85*. "Public Opinion in The European Union." Brussels: European Commission, 2016. European Union Open Data Portal.

⁹⁶ «La légitimité démocratique de l'UEM.» *Centre Virtuel De La Connaissance Sur L'Europe*. University of Luxembourg. Accessed November 2016. <http://www.cvce.eu/en/education/unit-content/-/unit/fr/7124614a-42f3-4ced-add8-a5fb3428f21c/7e60f711-c3e5-4491-a4de-d862a47e4333>

⁹⁷ Monbiot, George. "Farming subsidies: this is the most blatant transfer of cash to the rich." *The Guardian*, July 1, 2013. Accessed December 2016. <https://www.theguardian.com/commentisfree/2013/jul/01/farm-subsidies-blatant-transfer-of-cash-to-rich>.

⁹⁸ TNS opinion & social. Requested and coordinated by the European Commission. *Flash Eurobarometer 446*. "The euro area."

lieve that the euro was “flawed at birth, with economic integration outpacing political integration.”⁹⁹ Its effects are never limited to the eurozone, every single problem of the euro affects the whole European Union and eventually the world.

The main criticism to the European single currency is rooted in the imbalance between the common monetary policy and nations’ financial situations. The European sovereign debt crisis (also called the Eurozone crisis) is the best example of this. When Greece, Portugal, Spain, Ireland and Cyprus were unable to pay their national debts, their national central banks could not respond since the policies about euro were under the control of the European Central Bank (ECB).¹⁰⁰ The ECB and indebted countries’ creditors called for austerity (decreasing spending in order to meet budget deficit targets), which caused an economic recession throughout the EU.¹⁰¹ The crisis has pushed many countries into economic depression.¹⁰² It has also contributed to political power shifts in 10 of the 19 eurozone countries – Belgium, France, Greece, Italy, Ireland, the Netherlands, Portugal, Slovakia, Slovenia and Spain – as well as the United Kingdom.¹⁰³ It can be inferred that the ECB’s monetary policies are not always suitable for the whole eurozone. For example, raising the interest rates in 2011 curbed inflation in Germany, but it also contributed to recession and unemployment in countries such as Greece, Portugal and Spain.¹⁰⁴

Another argument claims that Europe is not an area where a monetary union can be efficient, because its Member States are too diverse.¹⁰⁵ Language and cultural barriers limit the “free movement of labour”; for instance, an unemployed Greek worker could technically get a job in France but it is not so easy to relocate to a completely different country. Many believe that EU’s current economical problems come from this fundamental issue.

iii. Migration and the Refugee Crisis

Concerns over migration are one of the primary driving forces behind Euroscepticism and public fear. This issue may be divided into two: internal movement of European citizens and the incoming surge of refugees.

As it was stated before, EU citizens are allowed to live, study, work or retire in any of the Member States. This means that a person who is unemployed in their own country may migrate to and work in another Member State. Especially during the economic crisis, this right causes a flow of migrants from countries with high unemployment

Brussels: European Commission, 2016. European Union Open Data Portal.

⁹⁹ Stiglitz, Joseph E. *The Euro: How A Common Currency Threatens the Future of Europe*. New York: W. W. Norton & Company, 2016.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Kirk, Ashley. “European debt crisis: It’s not just Greece that’s drowning in debt.” *The Telegraph*, June 29, 2015. <http://www.telegraph.co.uk/news/worldnews/europe/greece/11705720/European-debt-crisis-its-not-just-greece-thats-drowning-in-debt.html>

¹⁰³ Alcaro, Riccardo, John Peterson, and Ettore Greco. *The West And The Global Power Shift: Transatlantic Relations And Global Governance*. London: Palgrave Macmillan, 2016.

¹⁰⁴ Stiglitz, Joseph E. *The Euro: How A Common Currency Threatens the Future of Europe*. New York: W. W. Norton & Company, 2016.

¹⁰⁵ Ibid.

rates to the ones with more opportunities. This flow usually happens from Eastern Europe to Western.¹⁰⁶ Much opposition is voiced by United Kingdom especially, where housing prices are rising and some cities are becoming “overcrowded.”¹⁰⁷ Furthermore, this causes a brain drain from Eastern member states since qualified workers are migrating to other countries; which may cause problems in their national economies in the long run.

The refugee crisis, since 2015, has been putting massive strain on EU funds and politics. According to the Dublin III Regulation, asylum-seekers must remain in the first EU country they have entered.¹⁰⁸ This has caused refugees to amass in the already volatile Greece, Italy and Hungary.¹⁰⁹ The redistribution of refugees is the topic of many discussions, and Greece, France and Austria in particular have been strongly criticised for their treatment of asylum-seekers. Countries such as Hungary, Croatia and Bulgaria established protection among their borders in order to keep refugees out.¹¹⁰ In the refugee crisis, it is hard to say that the European Union has done enough to justify their claims on championing human rights. This is one of the issues where conflict of national interests and Union’s interests can be seen the clearest.

iv. Changing Global Politics

Power shifts in the world affect not only individual countries, but also the European Union as a political entity on its own. In the multi-polar political world, changing tides point to the need for reforms in order to keep the EU intact.

An issue of concern for the EU is the new administration in its ally United States of America, the country changing the direction of the last 70 years of its foreign policy.¹¹¹ It is unclear how cooperative USA will be with the EU for the next four years. Furthermore, the new administration’s negative attitude towards migrants is sure to put more strain on the EU to take refugees. President of the European Council Donald Tusk, in a press release about the future of the EU, called Trump’s declarations “worrying” and finished his statement with the motto “United we stand, divided we fall.”¹¹²

Donald Tusk has also drawn attention to “an increasingly assertive China, (...) Russia’s aggressive policy towards Ukraine and its neighbours, wars, terror and anarchy in the Middle East and in Africa, with radical Islam playing a major role.”¹¹³ All these

¹⁰⁶ “Immigration and the UK Labour Market: The latest evidence from economic research.” *Centre for Economic Performance, London School of Economics & Political Science*. June, 2012.

¹⁰⁷ Ibid.

¹⁰⁸ European Union: Council of the European Union, *Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)*, 29 June 2013, OJ L 180/31-180/59; 29.6.2013, (EU)No 604/2013

¹⁰⁹ Tasch, Barbara, and Mike Nudelman. “This map shows how much the refugee crisis is dividing Europe.” *Business Insider UK*. March 01, 2016. Accessed December 2016. <http://uk.businessinsider.com/map-refugees-europe-migrants-2016-2>.

¹¹⁰ Ibid.

¹¹¹ European Union. European Council. ““United we stand, divided we fall”: letter by President Donald Tusk to the 27 EU heads of state or government on the future of the EU before the Malta summit.” Press release, January 31, 2017. European Council. Accessed February 01, 2017. <http://www.consilium.europa.eu/en/press/press-releases/2017/01/31-tusk-letter-future-europe/>.

¹¹² Ibid.

¹¹³ Ibid.

factors lead to the global scene becoming more and more unpredictable, which is why the European Union needs some semblance of stability and security for the future.

v. Internal Situation

The European Union was built on the principle of “ever closer union”, putting aside differences and committing to the interests of the Union as a whole. However, as doubts about the EU rise, so do nationalism and xenophobia.¹¹⁴

Europe is facing the largest crowd of migrants since World War II; mostly Syrian, Iraqi and Afghan nationals.¹¹⁵ UN High Commissioner for Refugees Grandi has stated that within this climate, there is a rise of prejudice and intolerance against migrants and especially Muslims.¹¹⁶ Furthermore, “national egoism” is overcoming principles of EU integration.¹¹⁷ This is clear in how Brexit campaigners won over voters with promises of cutting down the budget UK spends on the EU, and becoming a world leader on its own.¹¹⁸



(Excerpt from a Brexit leaflet. LSE Library)

The former President of the European Parliament Martin Schulz has advised against this type of nationalism: “What we all do in Brussels can only become a success if everybody takes proper ownership. Stop pretending that all success is national and all failure European.”¹¹⁹

b. Leaving the European Union

The Treaty on European Union does not dictate any circumstances or substantive conditions for a member to leave the EU; it only includes procedural requirements.¹²⁰ Article 50 of TEU states that first, “A Member State which decides to withdraw shall notify the European Council of its intention.” After the European Council provides guidelines for the withdrawal, EU and the State negotiate the arrangements and decide how involved they should stay in the future. The Treaties of the European Union stop applying to the State when an agreement is reached; if not, two years after the State has notified the EC of its intention to leave. The EC may agree to extend these

¹¹⁴ Xenophobia: “fear and hatred of strangers or foreigners or of anything that is strange or foreign” (Merriam-Webster)

¹¹⁵ “UN refugee chief: Worrying ‘climate of xenophobia’ in Europe.” EurActiv.com. June 20, 2016. Accessed July 2016. <https://www.euractiv.com/section/global-europe/news/un-refugee-chief-worrying-climate-of-xenophobia-in-europe/>.

¹¹⁶ Ibid.

¹¹⁷ European Union. European Council. ““United we stand, divided we fall”: letter by President Donald Tusk to the 27 EU heads of state or government on the future of the EU before the Malta summit.” Press release, January 31, 2017. European Council. Accessed February 01, 2017. <http://www.consilium.europa.eu/en/press/press-releases/2017/01/31-tusk-letter-future-europe/>.

¹¹⁸ Nakatudde, Nambassa. “Un sourced and incomplete: how referendum campaign leaflets misused statistics.” London School of Economics and Political Science BREXIT. January 18, 2017. Accessed January 2017. <http://blogs.lse.ac.uk/brexit/2017/01/18/un-sourced-and-incomplete-how-referendum-campaign-leaflets-misused-statistics/>.

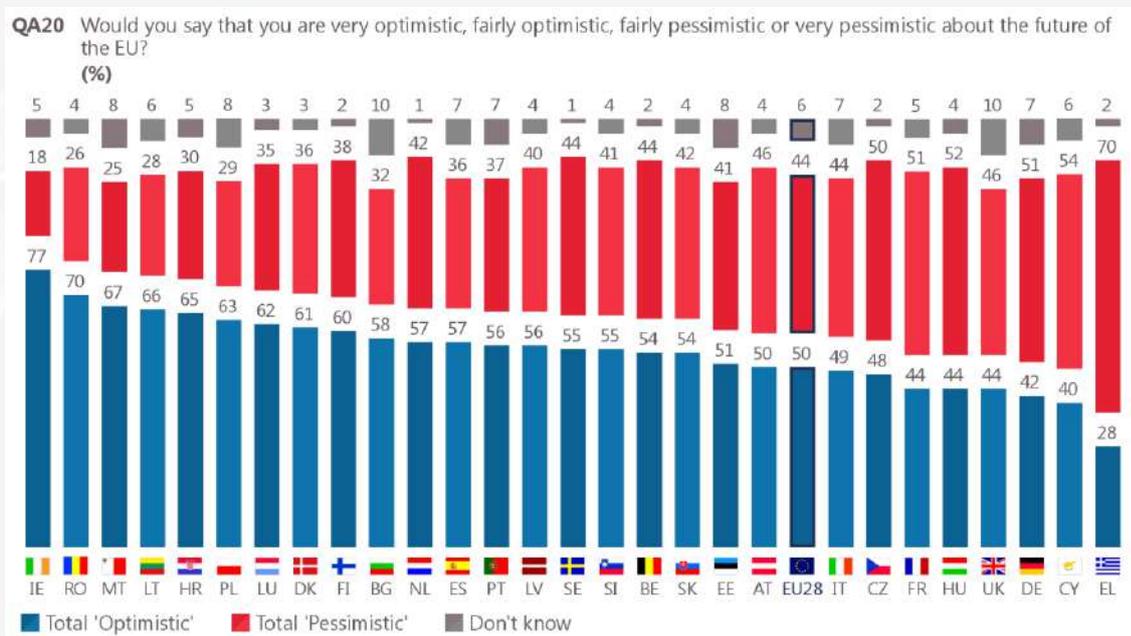
¹¹⁹ “Schulz: “Let us have the courage to fight for the EU.”” European Parliament - News. December 15, 2016. Accessed February 2017. <http://www.europarl.europa.eu/news/en/news-room/20161209STO55359/schulz-%E2%80%99Clet-us-have-the-courage-to-fight-for-the-eu%E2%80%9D>.

¹²⁰ European Union. “Consolidated version of the Treaty on European Union.” 13 December 2007. 2008/C 115/01. Accessed December 2016. <http://www.refworld.org/docid/4b179f222.html>

two years.¹²¹

Withdrawing from the Union is more than a few meetings, however. A leaving member would need to disentangle itself from years of integration and common policies in almost every aspect. Furthermore, it would need to re-establish most of its foreign relations and agreements. Taking away the right of free movement from national capital, labour, goods and citizens is a process that needs to be planned very carefully. If the State would like to rejoin the European Union, it would be subject to the same rules, stated by TEU Article 49, as other candidate states.¹²²

c. Euroscepticism in Member States



Austria had joined the EU in 1995 with 66.6% of the citizens' approval, yet there is still some degree of aversion to the union's policies and institutions.¹²³ The state's current Chancellor and representative in the European Council, Christian Kern, speaks on behalf of his political party that is pro-EU integration. There are still many Eurosceptic parties active in the country, opposing globalisation, the euro and the power of the EU over nations.¹²⁴ However, public opinion seems to have shifted to support staying in the union ever since the UK referendum, even though the public has an overall soft Eurosceptic outlook, opposing certain EU policies.¹²⁵

Belgium is part of the Inner Six and shares Brussels as the de facto capital of

¹²¹ Ibid.

¹²² Ibid.

¹²³ Schmidt, Paul. "Austrian Euroscepticism has grown markedly, but voters still show little support for leaving the EU." London School of Economics and Political Science, *European Politics and Policy*. October 28, 2016. Accessed January 06, 2017. <http://blogs.lse.ac.uk/europpblog/2016/10/24/austria-euroscepticism/>.

¹²⁴ Ibid.

¹²⁵ Ibid.

the European Union.¹²⁶ The parties with Eurosceptic views have relatively little power within the state and the Prime Minister Charles Michel is an avid supporter of “unity to deal with Russia, with terrorism and the terrible situation in Syria, and with the potential changes in the US.”¹²⁷

Bulgaria presents a mostly pro-EU stance among both citizens and politicians, and Eurosceptic political parties get a small percentage of the parliamentary positions.¹²⁸ Following its parliament’s early dissolution in January 2017, the new government continues its support of EU policies. The interim Prime Minister Ognyan Gerdzhikov has also voiced his plans to join the eurozone.¹²⁹

Croatia, as the most recent member of the EU, shows a generally positive public opinion of it.¹³⁰ The Prime Minister Andrej Plenković, who represents the state in the European Council, supports European integration.

Cyprus presents a delicate situation for the European Union. The republic lead by Nicos Anastasiades officially has sovereignty over the whole island according to international law; but in practice, the northern part of the territory is governed by the independent Turkish Republic of Northern Cyprus.¹³¹ Some view the existence of Turkish troops within TRNC as an illegal occupation of EU territory.¹³² Possibly due to these inner tensions, the Cypriot government is eager to support European integration at every aspect, regardless of citizens’ negative opinions, even advising other Member States to stay within the EU.¹³³

Czech Republic has a history of Euroscepticism, with initial refusal to ratify certain articles of the Lisbon Treaty (amending the Treaty on the European Union)¹³⁴ and purposely staying out of the eurozone.¹³⁵ The prime minister Bohuslav Sobotka seems indefinite about the issue; first asserting that debates to leave the EU may happen after Brexit,¹³⁶ then speaking against both British and Czech potential withdrawals from the

¹²⁶ Communication Department of the European Commission. “The History of the European Union.” European Union website. Accessed November 2016. https://europa.eu/european-union/about-eu/history_en.

¹²⁷ Silvera, Ian. “Belgium PM urges ‘smart Brexit’ from Theresa May at Number 10 summit.” International Business Times UK. November 23, 2016. Accessed January 2017. <http://www.ibtimes.co.uk/belgium-pm-urges-smart-brexith-theresa-may-number-10-summit-1592861>.

¹²⁸ Dandolo, Philip. “The sinking fortunes of Euroscepticism in Bulgaria.” Portal on Central Eastern and Balkan Europe - University of Bologna. 2014. Accessed January 2017. <http://www.pecob.eu/sinking-fortunes-Euroscepticism-Bulgaria>.

¹²⁹ “Caretaker PM Ognyan Gerdzhikov Wants a Plan to Enter the Antechamber of the Eurozone.” Novinite.com - Sofia News Agency. Accessed March 2017. <http://www.novinite.com/articles/179264/Caretaker-PM-Ognyan-Gerdzhikov-Wants-a-Plan-to-Enter-the-Antechamber-of-the-Eurozone>.

¹³⁰ TNS opinion & social. Requested and coordinated by the European Commission. *Standard Eurobarometer 85*. “Public Opinion in The European Union.” Brussels: European Commission, 2016. European Union Open Data Portal.

¹³¹ Ker-Lindsay, James, Hubert Faustmann, and Fiona Mullen. *An island in Europe: the EU and the transformation of Cyprus*. London: I.B. Tauris, 2011.

¹³² Ibid.

¹³³ Evriadias, Euripides L. “High Commissioner for the Republic of Cyprus to the UK: A Brexit would not be in the interests of the Commonwealth.” London School of Economics and Political Science, European Politics and Policy. June 12, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2016/06/07/cyprus-a-brexith-would-not-be-in-the-interests-of-the-commonwealth/>.

¹³⁴ Traynor, Ian. “Lisbon treaty turmoil as Czechs demand opt-out.” The Guardian. October 09, 2009. Accessed January 2017. <https://www.theguardian.com/world/2009/oct/09/eu-lisbon-treaty-czech-republic>.

¹³⁵ Kolyako, Nina. “Czech Republic is in no rush to implement euro.” The Baltic Course. May 11, 2010. Accessed January 2017. http://www.baltic-course.com/eng/baltic_states/?doc=27159.

¹³⁶ Holehouse, Matthew. “Czech Republic ‘will follow Britain out of EU’” The Telegraph. February 23, 2016. Accessed January 2017. <http://www.telegraph.co.uk/news/worldnews/europe/czechrepublic/12170994/Czechs-will-follow-Britain-out-of-EU.html>.

Union.¹³⁷

Denmark is notorious for refusing to accept the Treaty on the EU at first as a result of its public referendum, and demanding to be exempt from certain common policies.¹³⁸ Despite efforts of various pro-EU political parties' efforts throughout history – including that of the current Prime Minister Lars Løkke Rasmussen – Danish public has refused to let the government abolish these exemptions and fully integrate into the EU.¹³⁹ Citizens also favoured hard Eurosceptic parties in the most recent European Parliament elections.¹⁴⁰

Estonia is represented in the European Council by its PM Jüri Ratas, who is the leader of the pro-Russian, Eurosceptic political party. The country is nevertheless a politically stable one and “no seismic policy shifts are in sight.”¹⁴¹

Finland demonstrates a mostly positive attitude towards European integration, but there is some opposition to EU policies. The government of Prime Minister Juha Sipilä wants to limit work and social security benefits of EU citizens from other Member States and also opposes common defence.¹⁴²

France, facing a critical election on 23 April 2017, has an increasingly hard Eurosceptic streak. Most of the public has a negative view of the EU,¹⁴³ and it is apparent that nationalism and xenophobia are on the rise within the country.¹⁴⁴ It is important to note that the strongest of the three presidential candidates, Marine Le Pen, has proposed a “Frexit” referendum and promised to immediately start undoing France-EU relations if she is elected.¹⁴⁵ She is also known for her enthusiastic support of the Trump administration and refusal to pay back the hundreds of thousands of euros she has taken from the European Parliament and wrongly used.¹⁴⁶ Meanwhile, pro-EU François Hollande has become the most unpopular president in French history and his hands are tied by the fact that neither the citizens nor any of the presidential can-

¹³⁷ Bednářová, Lucie . “Sobotka speaks out against Brexit and Czexit.” EurActiv.com. November 10, 2016. Accessed January 2017. <http://www.euractiv.com/section/uk-europe/news/sobotka-speaks-out-against-brexit-and-czexit/>.

¹³⁸ Nissen, Christine . “Denmark.” EU-28 Watch. October 2015. Accessed January 2017. <http://eu-28watch.org/issues/issue-no-11/denmark/>.

¹³⁹ Larsen, Henrik. “What the Danish ‘no’ vote on Justice and Home Affairs means for Denmark and the EU.” London School of Economics and Political Science, European Politics and Policy. December 15, 2015. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2015/12/10/what-the-danish-no-vote-on-justice-and-home-affairs-means-for-denmark-and-the-eu/>.

¹⁴⁰ Ibid.

¹⁴¹ Sikk, Allan. “Estonia’s 2015 election result ensures the Reform Party will continue to dominate the country’s politics.” London School of Economics and Political Science, European Politics and Policy. March 07, 2015. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2015/03/04/estonias-2015-election-result-ensures-the-reform-party-will-continue-to-dominate-the-countrys-politics/>.

¹⁴² Jokela, Juho. “European views on the UK’s renegotiation: Spain, Finland, Estonia and Cyprus.” London School of Economics and Political Science, European Politics and Policy. November 14, 2015. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2015/10/29/european-views-on-the-uks-renegotiation-spain-finland-estonia-and-cyprus/#Two>.

¹⁴³ TNS opinion & social. Requested and coordinated by the European Commission. *Standard Eurobarometer 85*. “Public Opinion in The European Union.” Brussels: European Commission, 2016. European Union Open Data Portal.

¹⁴⁴ Styrdom, Martin. “Get ready for Frexit and Nexit in damaged Europe, says Soros.” The Times. June 27, 2016. Accessed January 2017. <http://www.thetimes.co.uk/article/get-ready-for-frexit-and-nexit-in-damaged-europe-says-soros-km3dsnzz5>.

¹⁴⁵ Hirst, Nicholas. “President Le Pen: First stop, Brussels.” POLITICO. January 08, 2017. Accessed January 2017. <http://www.politico.eu/article/president-marine-le-pen-first-stop-brussels-frexit-eu/>.

¹⁴⁶ Boni, Marc De. «Marine Le Pen refuse de rembourser 300.000 euros à Bruxelles.» Le Figaro. January 27, 2017. Accessed January 2017. <http://www.lefigaro.fr/elections/presidentielles/2017/01/27/35003-20170127ARTFIG00190-assistants-parlementaires-marine-le-pen-somme-de-payer-340000-euros.php>.

didates will endorse his personal ideas anymore.¹⁴⁷

Germany is currently at the heart of the EU and is leading its foreign policy.¹⁴⁸ The Chancellor Angela Merkel is on the forefront of many recent international negotiations. She has faced pressure from her citizens due to paying other Member States' debts during the economical crisis and choosing to provide asylum and humanitarian aid to refugees.¹⁴⁹ Furthermore, even though the public has doubts about the EU, the foreseeable future of Germany shows that the country will keep its position as a champion of the Union since the most likely September 2017 election candidates are firmly pro-EU.

Greece is one of the most Eurosceptic Member States within the EU,¹⁵⁰ and the country's withdrawal from the Union has been debated many times over the past few years. After the 2008 global financial crisis, Greece's "extreme violation of the euro's fiscal rules" and huge budget deficits were exposed.¹⁵¹ In the following year, the European debt crisis hit the eurozone; Greece has borrowed €366 billion from the International Monetary Fund and other EU Member States – particularly Germany and France – to cover its debts so far.¹⁵² In exchange, the country implemented "austerity" measures that cut down government spending and arguably made the economic situation and living standards even worse.¹⁵³ The public protested violently and mostly blamed other EU countries; the former Minister of Finance even called the loans "predatory", stating that 97% of the total loans went to private German and French banks.¹⁵⁴ The current Prime Minister (PM) Alexis Tsipras, leader of a soft Eurosceptic party, was elected with promises of lowering austerity measures. In a referendum in 2015, the Greeks voted against getting another loan.¹⁵⁵ Overall, the country's most prominent concern is whether they should maintain their membership to the eurozone.

Hungary is represented by its PM Viktor Orbán whose harsh anti-refugee policies create hardship for the rest of the Member States.¹⁵⁶ The migrant crisis is a controversial issue for the Eurosceptic government, and the PM is at odds with the EU because he is against the Union's interference with his decisions to increase his political pow-

¹⁴⁷ Absalon, Julien. «C'est une première, aucun candidat ne défendra le bilan du pouvoir en place.» RTL.fr. January 29, 2017. Accessed January 2017. <http://www.rtl.fr/actu/politique/presidentielle-2017-pour-la-premiere-fois-aucun-candidat-ne-defendra-le-bilan-du-pouvoir-en-place-7786984746>.

¹⁴⁸ Siddi, Marco. "Germany: The EU's new foreign policy engine." London School of Economics and Political Science, European Politics and Policy. May 04, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2016/04/25/germany-the-eus-new-foreign-policy-engine/>.

¹⁴⁹ Ibid.

¹⁵⁰ TNS opinion & social. Requested and coordinated by the European Commission. *Standard Eurobarometer 85*. "Public Opinion in The European Union." Brussels: European Commission, 2016. European Union Open Data Portal.

¹⁵¹ Meyer, Bruce D., and James X. Sullivan. "Identifying the Disadvantaged: Official Poverty, Consumption Poverty, and the New Supplemental Poverty Measure." *Journal of Economic Perspectives* 26, no. 3 (2012): 111-36. doi:10.1257/jep.26.3.111.

¹⁵² "The Greek debt crisis story in numbers." BBC News. July 10, 2015. Accessed January 2017. <http://www.bbc.com/news/world-europe-33407742>.

¹⁵³ Ibid.

¹⁵⁴ "Yanis Varoufakis: Bailouts of Greece are Pretense for Massive Payout for German and French Banks." Democracy Now. April 28, 2016. Accessed January 2017. https://www.democracynow.org/2016/4/28/yanis_varoufakis_bailouts_of_greece_are.

¹⁵⁵ "The Greek debt crisis story in numbers." BBC News. July 10, 2015. Accessed January 2017. <http://www.bbc.com/news/world-europe-33407742>.

¹⁵⁶ Adler, Katya. "Hungary PM claims EU migrant quota referendum victory." BBC News. October 03, 2016. Accessed January 2017. <http://www.bbc.com/news/world-europe-37528325>.

er.¹⁵⁷

Ireland is a “success story” for the EU, going from a bankrupt state of the 2009 European sovereign debt crisis to having the strongest economic growth rate in the eurozone within six years.¹⁵⁸ The country, led by PM Enda Kenny, has the highest public approval rate of the European Union among Member States, with 80% of the citizens supporting membership.¹⁵⁹

Italy is another member of the Inner Six that led European integration. The country has received over half a million asylum seekers during the refugee crisis, its government initially straining under the Dublin Regulation that required the refugees to stay there.¹⁶⁰ Not only did Italy under the PM Paolo Gentiloni call for mass deportation of refugees, it also went through a recent referendum where the public refused to increase integration with the eurozone.¹⁶¹

Latvia, represented in the Council by PM Māris Kučinskis, has no plans to exit the EU or make fundamental changes to it – mostly due to the fact that it is a neighbouring country to Russia.¹⁶² The state has even installed a fence on its Russian border against illegal immigrants.¹⁶³

Lithuania is currently dealing with the issue of qualified citizens leaving to settle in other Member States,¹⁶⁴ and may be interested in reviewing the free movement within the single market. Its head of state is the President Dalia Grybauskaitė.

Luxembourg is another member of the Inner Six and both a defender and an exemplar of European integration.¹⁶⁵ The pro-EU country, represented by PM Xavier Bettel, has found the balance between globalisation and national identity.

Malta, over the years, has also been concerned about the large numbers of African migrants it has been receiving.¹⁶⁶ However, no radical decisions about the EU seem to

¹⁵⁷ “EU could freeze Polish voting rights over rule of law: Katainen.” Reuters. February 06, 2017. Accessed February 06, 2017. <http://www.reuters.com/article/us-europe-poland-idUSKBN15L23D>.

¹⁵⁸ Regan, Aidan. “Debunking myths: Why austerity and structural reforms have had little to do with Ireland’s economic recovery.” London School of Economics and Political Science, European Politics and Policy. February 06, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2016/02/02/debunking-myths-why-austerity-and-structural-reforms-have-had-little-to-do-with-irelands-economic-recovery/>.

¹⁵⁹ Ibid.

¹⁶⁰ O’Brien, Zoie. “Time to act’ Italy calls for mass migrant deportations as half a million refugees arrive.” Express.co.uk. January 02, 2017. Accessed January 2017. <http://www.express.co.uk/news/world/749273/Italy-EU-Matteo-Renzi-Police-migrants-Libya-deport-terror>.

¹⁶¹ Fraccaroli, Nicolò. “Italy’s ‘trilemma’: How to balance integration, sovereignty and democracy following the constitutional referendum.” London School of Economics and Political Science, European Politics and Policy. January 24, 2017. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2017/01/19/italy-trilemma/>.

¹⁶² Hiršs, Mārtinš. “European views on the UK’s renegotiation: France, the Netherlands, Slovenia and Latvia.” London School of Economics and Political Science. November 12, 2015. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2015/10/07/european-views-on-the-uks-renegotiation-france-the-netherlands-slovenia-and-latvia/#Four>.

¹⁶³ “Latvia completes 23km of ‘anti-migrant wall’ on Russian border.” RT International. February 5, 2017. Accessed February 5, 2017. <https://www.rt.com/news/376347-latvia-migrant-fence-russia/>.

¹⁶⁴ Jakuntavičienė, Ingrida Unikaitė. “Lithuania’s new parliament: Tackling emigration will be a key priority for the country’s new MPs.” London School of Economics and Political Science, European Politics and Policy. November 17, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2016/11/14/lithuanias-new-parliament-tackling-emigration-will-be-a-key-priority-for-the-countrys-new-mps/>.

¹⁶⁵ Thomas, Adrien. “Luxembourg illustrates how trade unions have responded to the challenges posed by free movement in the EU.” London School of Economics and Political Science, European Politics and Policy. October 23, 2015. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2015/10/16/luxembourg-illustrates-how-trade-unions-have-responded-to-the-challenges-posed-by-free-movement-in-the-eu/>.

¹⁶⁶ Freeman, Colin. “EU immigration: ‘Malta is the smallest state, and we are carrying a burden that is much bigger than any other country’” The Telegraph. July 21, 2016. Accessed February 2017. <http://www.telegraph.co.uk/news/worldnews/europe/>

be on the way for the head of government Joseph Muscat.

Netherlands is symbolic in its position as both a founder of the EU and one of the most Eurosceptic Member States. The “Nexit” supporter hard-Eurosceptic party PVV has immense support among citizens, even though other soft-Eurosceptic and pro-EU political parties have refused to form a coalition with them.¹⁶⁷ Furthermore, Dutch people have rejected an EU-Ukraine trade deal in a referendum in protest of the European Union itself.¹⁶⁸ A referendum to leave the EU may not be possible for the country soon,¹⁶⁹ but in the European Council, pro-EU Prime Minister Mark Rutte has to mediate between the Dutch public and the Union.

Poland is another country that has chosen to opt out of the Charter of Fundamental Rights of the European Union before signing the Treaty of Lisbon amending the Treaty on European Union. The current ruling party, whose vice-chair is the Prime Minister Beata Szydło, is soft-Eurosceptic and made some authoritarian changes in the country.¹⁷⁰ EU has threatened to freeze their voting rights if they do not follow “the rule of law.”¹⁷¹ Poland has also protested certain fishing policies of the EU and would like them to be changed.¹⁷²

Portugal was also affected by the European debt crisis and experienced a Great Recession between the years 2010-2014, borrowing €79 billion from the IMF and EU.¹⁷³ The country, represented by PM António Costa, supports integration deepening the EU single market as well as making other international trade deals; but it would also like to give national parliaments bigger roles in decision-making.¹⁷⁴

Romania supports European integration and most of the citizens have a positive outlook on the future of the EU.¹⁷⁵ Its parliament, headed by President Klaus Iohannis, is mostly composed of pro-European parties.¹⁷⁶

Slovakia has repeatedly defended the Single Market and the free movement of

malta/10192458/EU-immigration-Malta-is-the-smallest-state-and-we-are-carrying-a-burden-that-is-much-bigger-than-any-other-country.html.

¹⁶⁷ “VVD leader rules out post-election coalition with the PVV.” DutchNews.nl. December 27, 2016. Accessed January 2017. <http://www.dutchnews.nl/news/archives/2016/12/vvd-leader-rules-out-post-election-coalition-with-the-pvv/>.

¹⁶⁸ “Dutch referendum a difficult result for EU and Ukraine.” BBC News. April 07, 2016. Accessed January 2017. <http://www.bbc.com/news/world-europe-35984821>.

¹⁶⁹ Otjes, Simon. “Is a Nexit now on the cards? What the UK’s referendum means for the Netherlands.” London School of Economics and Political Science, European Politics and Policy. June 28, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europ-pblog/2016/06/28/nexit-on-the-cards-netherlands/>.

¹⁷⁰ “EU could freeze Polish voting rights over rule of law: Katainen.” Reuters. February 06, 2017. Accessed February 06, 2017. <http://www.reuters.com/article/us-europe-poland-idUSKBN15L23D>.

¹⁷¹ Ibid.

¹⁷² Rakowiec, Malgorzata. “Polish cod fishermen protest against EU ban.” Reuters. September 17, 2007. Accessed January 2016. <http://www.reuters.com/article/environment-poland-cod-dc-idUSL1728381720070917>.

¹⁷³ Portugal, Pedro. *The Portuguese Economic Crisis: Policies and Outcomes*. Publication. Economic Research Department, Bank of Portugal. Policy Brief. Gütersloh: Bertelsmann Stiftung, 2015. Accessed January 2017. http://www.social-inclusion-monitor.eu/uploads/tx_itao_download/policy_brief_The_Portuguese_Economic_Crisis_2015.pdf.

¹⁷⁴ Raimundo, Antonio Project. June 07, 2016. Accessed January 2017. <http://www.pewglobal.org/2016/06/07/euroskepticism-beyond-brexits/>. “European views on the UK’s renegotiation: Ireland, Portugal, Austria and Croatia.” London School of Economics and Political Science, European Politics and Policy. October 26, 2015. Accessed January 2017. <http://blogs.lse.ac.uk/europ-pblog/2015/10/21/european-views-on-the-uks-renegotiation-ireland-portugal-austria-and-croatia/>.

¹⁷⁵ TNS opinion & social. Requested and coordinated by the European Commission. *Standard Eurobarometer 85*. “Public Opinion in The European Union.” Brussels: European Commission, 2016. European Union Open Data Portal.

¹⁷⁶ Stefan, George. “Social roots: How Romania’s Social Democrats won the 2016 election.” London School of Economics and Political Science, European Politics and Policy. December 28, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europ-pblog/2016/12/21/social-roots-romania-2016-election/>.

workers which its citizens benefit a lot from.¹⁷⁷ The PM Robert Fico champions the state's policy of keeping the EU's political cohesion intact against rising problems.

Slovenia is another country with a pro-EU streak; promoting solidarity and political cooperation against rising problems.¹⁷⁸ The Prime Minister Miro Cerar, though from a soft Eurosceptic party, supports integration.

Spain has experienced a 16% drop in the public's support for EU, but still almost half of the Spaniards still have a favourable opinion of the Union.¹⁷⁹ The Prime Minister Mariano Rajoy is part of a Europeanist party that supports integration.

Sweden has had a generally problematic relationship with the EU throughout its membership, and usually had UK as an ally in negotiations.¹⁸⁰ Neither the public nor its PM Stefan Löfven would support the Economic and Monetary Union or further integration of the EU.¹⁸¹ However, Sweden would back reformations to make the EU more efficient.

United Kingdom, upon a "Brexit" referendum held on 23 June 2016, is designated to leave the European Union by the summer of 2019, with 52% of the public vote.¹⁸² Brexit has led to a Eurosceptic uproar throughout the Member States, empowering populist¹⁸³ fronts and shedding doubt on the future of the whole Union. Theresa May became the new Prime Minister that is to lead the UK out of the EU as well as its single market.¹⁸⁴ According to an economic analysis issued by the European Parliament, European economy will not recover from the Brexit shock for at least another two years, and the UK needs to clarify its relationship with the EU as soon as possible.¹⁸⁵ The withdrawal from EU means completely reforming the country's foreign relations and trade deals as well as taking away certain rights from both EU and UK citizens.

V. Conclusion and Issues to be Addressed

The European Union may be comprised of sovereign Member States, but it is also a political entity on its own. It has power, influence, weaknesses and mistakes. No matter what the point of view on it is, it is undeniable that the EU has immense effect

¹⁷⁷ Bilčík, Vladimír. "European views on the UK's renegotiation: Germany, Greece, Slovakia and the EU's institutions." EUROP. November 17, 2015. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2015/11/11/european-views-on-the-uks-renegotiation-germany-greece-slovakia-and-the-eus-institutions/#Three>.

¹⁷⁸ Rupel, Tadej. "Brexit Ambassador series: The view from Slovenia." London School of Economics and Political Science, European Politics and Policy. June 19, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2016/06/19/brexit-ambassador-series-slovenia/>.

¹⁷⁹ Stokes, Bruce. "Euroscepticism Beyond Brexit." Pew Research Center's Global Attitudes Project. June 07, 2016. Accessed January 2017. <http://www.pewglobal.org/2016/06/07/euroscepticism-beyond-brexit/>.

¹⁸⁰ Fägersten, Björn. "Sweden and the UK's deal: For Swedes, the real drama is yet to come." EUROP. March 01, 2016. Accessed January 2017. <http://blogs.lse.ac.uk/europpblog/2016/02/23/sweden-and-the-uks-deal-for-swedes-the-real-drama-is-yet-to-come/>.

¹⁸¹ Ibid.

¹⁸² Hunt, Alex, and Brian Wheeler. "Brexit: All you need to know about the UK leaving the EU." BBC News. February 01, 2017. Accessed February 01, 2017. <http://www.bbc.com/news/uk-politics-32810887>.

¹⁸³ "claiming to represent the common people" (Merriam-Webster)

¹⁸⁴ Ibid.

¹⁸⁵ Haclua, Michael, Rosa Lastra, Michele Piffer, and Malte Rieth. *Uncertainty after the Brexit vote: Economic effects and legal aspects*. April 2016. In-depth analysis requested by the European Parliament's Committee on Economic and Monetary Affairs., Brussels.

on both global politics and its citizens' daily lives. The cracks in the Union become increasingly visible as time passes, however.

It is up to the European Council as the collective presidency of the EU to steer the Union in whichever direction. Some Member States wish to fulfil the vision of "ever closer union", while others think that the EU has too much power over individual nations. The main concern is just how unified the Member States should be. The committee's responsibility is to propose reforms in order to make the European Union more efficient and agreeable for all members – after all, conclusions have to be put forward in consensus. The Integrity of the European Union is a topic which encompasses all policy areas of the Union as well as individual complaints and arguments of Member States. Therefore, a formidable conclusion should include logical roadmaps on how to fix as many of these issues as possible, and which EU institutions should charge on these solutions.

Some topics to consider are:

- ★ Brexit – How will UK's withdrawal affect the Union and its common policies? How should the country go about its separation? Are there any other Member States to follow?
- ★ Euroscepticism – How should the EC address public concerns? What can be done to overcome xenophobia? Can the EU withstand nationalist fronts? Is there imbalance between Member States, any countries too effective in decision-making? Is the EU worth protecting? Is it more beneficial to completely disband?
- ★ Future of the single market – Should the four freedoms be modified? How could we restrain the brain drain from the East to the West? Is there any way to improve the single market further?
- ★ Economic and Monetary Union, and eurozone – Is EMU actually beneficial? Should common fiscal and monetary policies be abandoned? Is there any alternative to complete integration or abandonment? Are there any Member States that should leave the eurozone?
- ★ Common Security and Defence Policy and the possibility for an EU Army
- ★ Expansion of the EU – Are the Copenhagen Criteria sufficient? Should any candidate states be reconsidered? Is it worth compromising the common fisheries policy and take steps to renegotiate membership with Norway, Greenland and Iceland? Should the EU work on expanding or is it too risky?
- ★ Procedural issues – Should we make EU more accessible to public? How to increase voter participation? Any ways to increase accountability?

EUROPEAN COUNCIL
BRUSSELS



28-29.0

Agenda Item II:

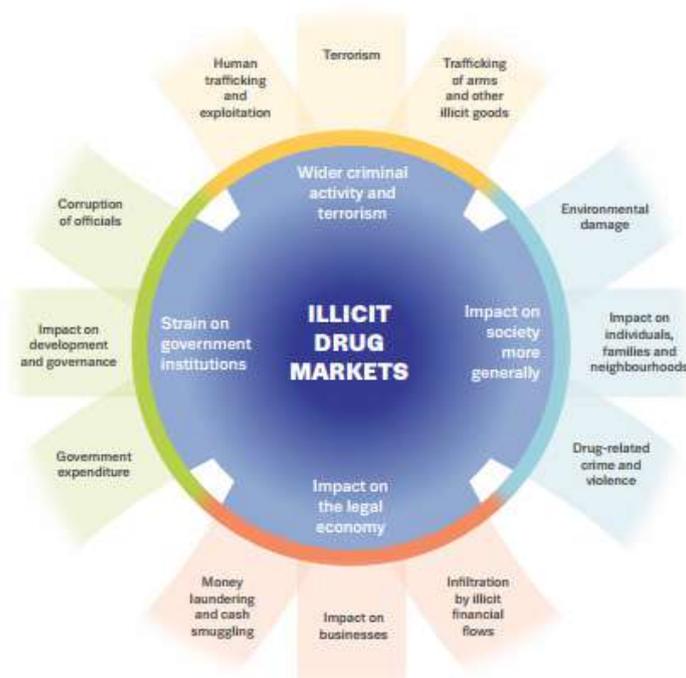
COMBATING ILLICIT DRUG TRADE



VI. Introduction

The drug market in the European Union, as with any other organised crime, is a massively profitable presence that is constantly evolving, slipping through legal cracks and escaping authorities. Drugs represent a multi-faceted issue which has repercussions for many areas of life. Primarily, they may affect the health and life conditions of individuals and therefore the whole society; resulting in legal issues, diseases, psychological problems and even death. On a larger scale, the criminal activity and dirty money involved in illicit drug trade has the power to shift countries' economies and politics; not to mention the security threats posed by organised crime groups and local gangs. Drug trafficking feeds off of citizens to finance not only crime groups but also terrorist organizations like Taliban and ISIS, which is also why it is an urgent security matter.

FIGURE 1.2
The widespread ramifications of illicit drug markets on society



Source: European Monitoring Centre for Drugs and Drug Addiction

As the European Union develops responses and new mechanisms to deal with the illicit drug market, the market becomes increasingly complex, advanced and unpredictable. New reports show the rise of illicit drug use and trade in the EU in 2016-2017, and the time has come for the European leaders to direct their Union to better ways of fighting against this problem. The European Council has the priority of “preventing and combating organised crime” in its long-term agenda.¹⁸⁶ Therefore, the Council

¹⁸⁶ “Setting the EU’s political agenda.” European Council - Council of the European Union. Accessed February 2017. <http://www.>

should find both long-term and short-term solutions; so even though the focus is on combating illicit drug trafficking, addressing legal issues and preventing drug use would also be useful.

A market has two sides: supply and demand. In order to cut off the illegal drug supply, we must first understand the demand.

VII. Illicit Drug Use in the European Union

a. General Definitions

First of all, the distinction between “illegal” and “illicit” drug use should be made clear. Illegal substances are explicitly forbidden by the laws of a country, and the punishment for their possession, use and trade is specified. However, something illicit does not have to be illegal; it could be outlawed but it could also just be condemned or disapproved by a society.

In the context of entities such as the European Union and the United Nations, which consist of many countries with their own laws and differing societies, “illicit drug use” is the non-medical use of internationally tracked and prohibited substances.¹⁸⁷ There are different legal processes applied to the possession, sale, transport and making of variable drugs across the EU. Overall, any drug - such as cannabis (marijuana, hashish) - being tolerated in a country does not make its use any more licit in the European Union. It is in every country’s benefit to shut down underground activities related to drugs and come up with common policies, if possible.

The illicit drug market is a dynamic and complex organism to tackle. Taking a look at the chain of events involved in this trade also reveals the points to focus in order to provide security to European citizens. The process of drug trafficking first requires farming the necessary plants, and acquiring the needed chemicals and special equipment. With these the drug is produced; then trafficked through certain routes while also being meticulously concealed. The drug is then mixed with other substances to make it less potent, and distributed that way. The distribution is made wholesale to large-scale crime groups, filtering all the way down to street-level dealers and finally meeting its consumer. From the chemists to the corrupt officials turning a blind eye, every person involved in the process is complicit in this crime.

consilium.europa.eu/en/european-council/role-setting-eu-political-agenda/.

¹⁸⁷ Degenhardt, Louisa, Wayne Hall, Matthew Warner-Smith, and Michael Lynskey. “Illicit Drug Use.” In *Addictive Substances: Comparative Qualification of Health*, 1109-176. 2000. Accessed February 2017. World Health Organization.

b. Drug Use in the European Union

According to the 2016 European Drug Report, the illicit drug market is not harmed by the Union's policies to subdue it, and there is a recent rise in the use of some substances.¹⁸⁸ Furthermore, the strength and purity of certain drugs are higher than ever and still increasing. Exact values are hard to come by due to the secrecy of criminal activity, but the European drug market is estimated to be worth between 24-31 billion euros.¹⁸⁹

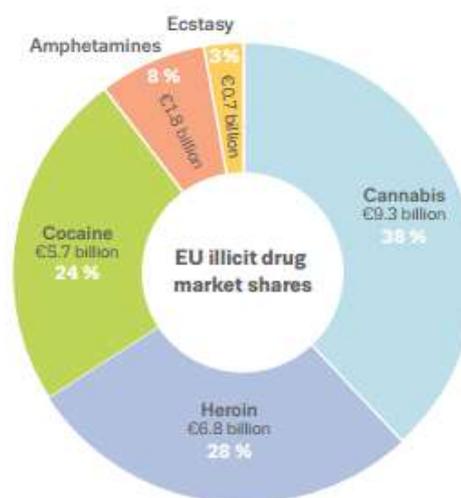
Drugs have varying percentages of market share, addictiveness and possible harm. Therefore, knowing about specific substances will enable delegates to decide which policies to prioritize.

i. Cannabis

Cannabis is a psychoactive drug that is derived from its relatively easily grown plant; it is consumed for its mildly euphoric and relaxing effects.¹⁹⁰ With 38% of the illicit drug market share and more than 22 million users yearly, it is the most popular substance in the market.¹⁹¹ Furthermore, data shows that there is a rise in cannabis produced domestically in the EU instead of imported product from West Africa.¹⁹² There are two types of cannabis: herbal (marijuana) and resin (hashish). According to the analysis of seized product, the average potency of cannabis has doubled in within the last decade and the prices have barely changed. The ways of consuming cannabis are also getting more and more innovative, with new edible products, vaporisers and oils joining better-known smoking and waterpipes. This means that there are more ways to slip cannabis through unknowing authorities.

Cannabis is the subject of many debates because there no known cases of death by overdose and it has relatively few health risks in the long term: increased risk of respiratory diseases, decreased learning ability and memory, decreased concentration.¹⁹³

FIGURE 1.1
Estimated minimum retail value of the illicit market for the main drugs in the EU



Note: Percentages do not add up to 100% due to rounding.
Source: EMCDDA.

¹⁸⁸ European Monitoring Centre for Drugs and Drug Addiction (2016), *European Drug Report 2016: Trends and Developments*, Publications Office of the European Union, Luxembourg.

¹⁸⁹ Ibid.

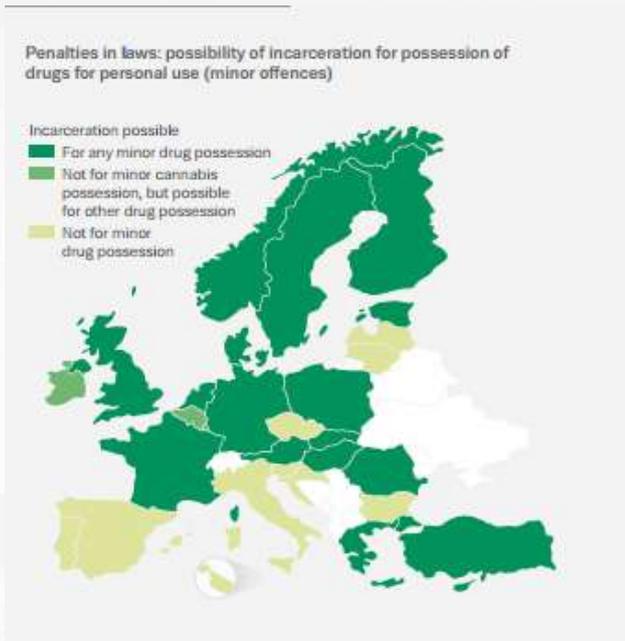
¹⁹⁰ "Learn About Marijuana: Factsheets: What is Cannabis?" University of Washington, Alcohol & Drug Abuse Institute. June 2013. Accessed February 2017. <http://learnaboutmarijuanawa.org/factsheets/whatiscannabis.htm>.

¹⁹¹ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA-Europol Joint publications, Publications Office of the European Union, Luxembourg.

¹⁹² Ibid.

¹⁹³ "How Does Marijuana Affect You?" WebMD. Accessed February 2017. <http://www.webmd.com/mental-health/addiction/marijuana-use-and-its-effects#1>.

Cannabis is legal in Spain, and is illegal but certain amounts of possession is practically not a crime in Austria, Belgium, Croatia, Czech Republic, Estonia, Germany, Italy, Malta, the Netherlands, Portugal and Slovenia - there is still control and sometimes fines involved. There are firmly opposing Member States too, such as Hungary, Denmark, Cyprus, France and the UK. It is hard to generalise international attitudes towards cannabis since each country has its own specific laws.



Cannabis is usually seen as the “gateway drug”, which presents little risk on its own but eventually leads to the use of other, more dangerous drugs. Aside from health concerns, cannabis may prove problematic because of its large role in the activities and funding of organised crime in Europe, which will be specified later.

ii. Heroin and Opioids

Europe has a well-known history with opium, the drug used as a painkiller when it wasn't supporting the decadence of high society since the Roman times. Opium and related drugs were made from the plant of opium poppy; but modern technology has enabled the production of the semi-synthetic heroin and completely synthetic drugs called opioids.¹⁹⁴ These drugs are collectively called opiates.

Heroin is a potent and dangerous drug, with a high possibility of addiction from the first try and an extremely distressing withdrawal period that drives people to take the drug again to get rid of the effects. It is the second-largest drug in the EU market, and also causes a significant expenditure on health and social issues.¹⁹⁵ The majority of known overdose deaths in Europe are because of heroin, and its addicts form one-third of the patients entering drug rehabilitation.¹⁹⁶ Furthermore, the drug is usually injected and addicts may be in unhygienic conditions or share needles; which lead to getting and spreading HIV/AIDS and hepatitis.

Due to the rise of synthetic opioids in addition to heroin, there are now more substances available consumers. Due to exceptionally large amounts of opiates caught entering or within the EU in 2015 and 2016, it would be safe to assume that both the

¹⁹⁴ Luciana.Viegas. “United Nations Office on Drugs and Crime.” UNODC - Illicit Drugs - Drug Definitions. Accessed February 2017. <https://www.unodc.org/unodc/en/illicit-drugs/definitions/>.

¹⁹⁵ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

¹⁹⁶ Ibid.

demand and supply are active.¹⁹⁷

iii. Cocaine

Cocaine is a stimulant drug, increasing the activity of the body and generally giving pleasure to the user.¹⁹⁸ It is made from the coca plant, which is now exclusively grown in Colombia, Peru and Bolivia; and is mostly consumed in south and west of Europe.¹⁹⁹ Cocaine is highly addictive, and can cause many adverse effects like depression, paranoia, asthma and in high doses, sudden stopping of heart. It could also cause teeth loss or the loss of septum inside the nose depending on the way it is used.²⁰⁰



(<http://drugsdetails.com/cocaine-facts-how-long-does-cocaine-stay-in-your-system/>)

The demand for cocaine seems to have slightly declined, but the drug is particularly hard to predict because there are many gaps in official knowledge.²⁰¹ Cocaine production is another major money-maker for organised crime groups (OCG), though its harm is not limited to that. The agriculture of coca plant has caused a lot of deforestation and erosion especially in Colombia where producers cut down trees to plant coca.²⁰² More relevantly, it is possible that the chemicals used to process the plant produce hazardous waste which is dumped on the soil or the sea.

iv. Amphetamine, Methamphetamine and MDMA

These synthetic stimulants are primarily made in laboratories by increasingly efficient chemical procedures. These drugs are reviewed together because they are often substituted for each other, often without the user knowing what drug they have been sold. What sets them apart from other illicit drugs is that the production mainly takes place in Europe.²⁰³ There are two types of users for them: the first kind is recreational and performance-enhancing users while the second kind is the high-risk addicts in possible need of treatment.

Amphetamine is mainly used as hyperactivity medicine, with a moderate possibility of addiction. In controlled doses, it causes euphoric feelings, a more wakeful body and higher muscle strength. These effects are similar to that of methamphetamines

¹⁹⁷ Ibid.

¹⁹⁸ Manschrek, Theo. "Cocaine Psychosis." *The Cocaine Crisis*, 1987, 139-44. Accessed February 2017. doi:10.1007/978-1-4613-1837-8_13.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

²⁰¹ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²⁰² Ibid.

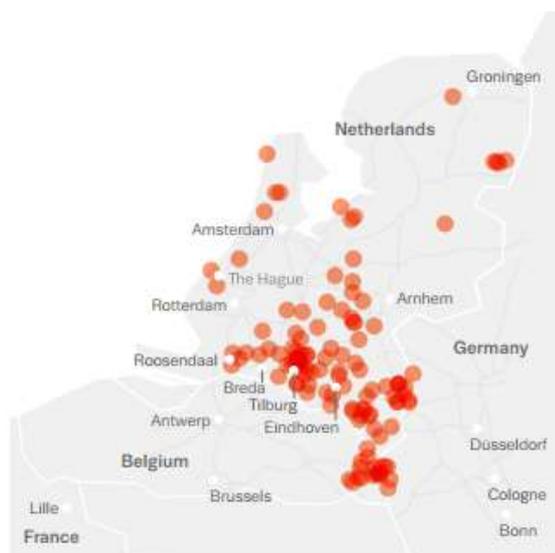
²⁰³ Ibid.

(better known as “crystal meth”). Meth cancels out inhibitions and the need to sleep or eat. Indeed, due to those short-term effects, both drugs were used to enhance the performance of soldiers and even housewives in Nazi Germany during World War 2.²⁰⁴

MDMA - better-known as ecstasy or molly – is a drug with low to moderate risk of addiction and it causes euphoria, increases confidence and empathy with others, and changes perception of time.²⁰⁵ The withdrawal period usually comes with effects of depression and high doses in the long term may lead to brain damage.²⁰⁶ Ecstasy is closely associated with the dance parties and raves of 1980s, but it calls for attention because it has been observed that the drug is making a comeback in Europe.²⁰⁷ With increased quality and more sophisticated marketing towards young people, MDMA presents a renewed risk.

In addition to health and security concerns, these synthetic drugs also pose environmental risks. While producing them, hazardous chemicals such as acetone, ether and acids are also generated.²⁰⁸ To illustrate; the production of 1 kg of amphetamine creates 20-30 kg of toxic waste, which would mean that just the 6.7 tonnes of amphetamine seized in 2013 would have created 134-201 tonnes of toxic waste within the European Union’s borders.²⁰⁹ The hazardous waste is poured down the toilet, left in abandoned cars or apartments, dumped or buried in forests or fields within containers, set on fire, or mixed with industrial waste and dumped at the sea.²¹⁰ Dump sites are a serious environmental problem especially in Belgium and the Netherlands, where production is the highest.

Dump sites of waste from synthetic drugs production in the Netherlands and Belgium, 2013–14



Note: Data reported to Europol by national authorities using the ERISSP (European Reporting Instrument on Sites related to Synthetic Production) tool. Source: Europol.

v. New Psychoactive Substances

The European Union often faces new challenges to the legal barriers it has put for the drug market; and chemical innovations are among the threats. Designer drugs - recognized by The Council of the European Union as “new psychoactive substanc-

²⁰⁴ Ohler, Norman, and Shaun Whiteside. *Blitzed: Drugs in the Third Reich*. Boston: Houghton Mifflin Harcourt, 2017.

²⁰⁵ Parrott, Andrew C. “Human psychobiology of MDMA or ‘Ecstasy’: an overview of 25 years of empirical research.” *Human Psychopharmacology: Clinical and Experimental* 28, no. 4 (2013): 289-307. doi:10.1002/hup.2318.

²⁰⁶ Ibid.

²⁰⁷ European Monitoring Centre for Drugs and Drug Addiction (2016), *European Drug Report 2016: Trends and Developments*, Publications Office of the European Union, Luxembourg.

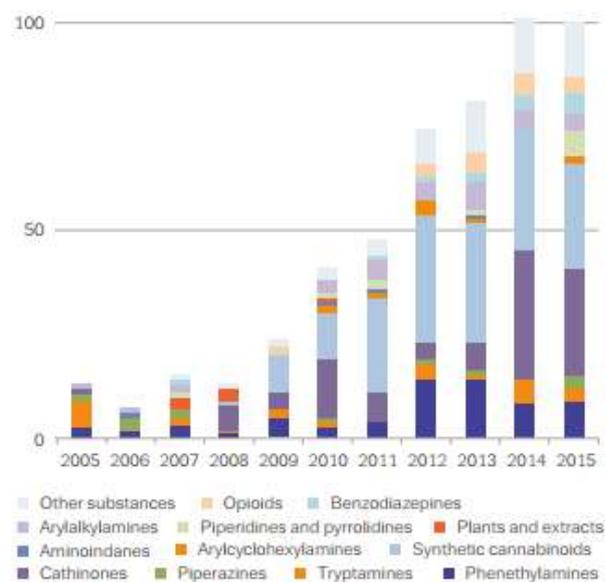
²⁰⁸ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²⁰⁹ Ibid.

²¹⁰ Ibid.

es”²¹¹ (NPS) - are discovered every week, often sold openly in shops or online as legal substitutes for other popular drugs. They have been defined as “new substances that imitate the effects of illicit drugs”, and could sold under terms such as “legal highs” or “food supplements.”²¹² NPS pose a threat since they are in a legally grey area, where their distribution is not strictly controlled and their potential harm is understood only after they have caused poisonings, outbreaks or death.²¹³ They are used not only by people who want to recreationally experiment, but also long-time addicts, prisoners, self-medicating patients and people trying to enhance their performance or appearance.

Number of new psychoactive substances reported to the EU Early Warning System for the first time, 2005–15



Source: EMCDDA.

The exact number of NPS users is hard to determine, and public surveys reveal an estimated minimum of 8% of EU young adults aged 15-24; with the highest percentages of users found in Ireland, France, Spain and Slovenia.²¹⁴ The number of new psychoactive substances reported is getting higher each year, with most of them imitating the effects of cannabis. Another example is “bath salts” that are used instead of amphetamines or MDMA, and have caused thousands of cases of poisonings.²¹⁵

VIII. Trade of Illicit Drugs in the European Union

a. Production of Illicit Substances

The supply of drugs within the European Union is rapidly advancing, with producers managing to escape detection. Production processes differ greatly among drugs, but the base procedure could be either cultivating or manufacturing the product. *Cultivation*, as the act of preparing and growing crops, is the first step of producing plant-

²¹¹ Council (Decision (EC) No 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances, OJEU L 127, 20.05.2005, p. 32.

²¹² TNS opinion & social. Requested and coordinated by the European Commission. *Flash Eurobarometer 401*. “Young People and Drugs.” Brussels: European Commission, 08/2014. European Union Open Data Portal.

²¹³ European Monitoring Centre for Drugs and Drug Addiction (2016), *European Drug Report 2016: Trends and Developments*, Publications Office of the European Union, Luxembourg.

²¹⁴ Ibid.

²¹⁵ Abuse, National Institute on Drug. “Synthetic Cathinones (“Bath Salts”).” NIDA. Accessed March 2017. <https://www.drugabuse.gov/publications/drugfacts/synthetic-cathinones-bath-salts>.

based drugs such as cannabis, heroin and cocaine.²¹⁶ The production could take place in anywhere from a flowerpot to whole fields; and cannabis is usually only dried while heroin (and other opiates) and cocaine are made with complex chemical procedures that are applied to opium poppy plants or coca plant leaves, respectively. *Manufacturing*, on the other hand, refers to chemically processing those plants or creating synthetic drugs such as amphetamines, methamphetamines, MDMA and new psychoactive substances.²¹⁷ Illicit drugs are produced both within and out of the European Union's borders. Due to international law, the EU could only intervene with the production happening within its Member States; but it is also crucial to understand Europe's international drug suppliers to intercept the trade routes.

Production within Europe mainly happens in the cases of cannabis and synthetic drugs. Although a portion of the consumed cannabis is smuggled from other countries, a good half of the seized product – mostly herbal – in the EU seems to have been grown internally.²¹⁸ Moreover, the plant is mostly grown indoors in controlled environments, ranging from home-grown product for personal use to industrial-scale cultivation in warehouses by organised crime groups. When grown outdoors, cannabis plant is usually hidden among other crops to avoid being caught. Most detections of large-scale cannabis production in the EU have been in the Netherlands, Belgium, Spain and the United Kingdom.²¹⁹ Production in these countries is done by Dutch crime groups mainly for export, because of the countries' deep-rooted links to organised crime.



© BPM Media Wales
Cannabis grown indoors, found in the UK (<http://www.daily-mail.co.uk/news/article-2671945/Marijuana-dance-floor-Police-1MILLION-cannabis-plants-growing-inside-former-night-club.html>)

Synthetic drugs have several different procedures and chemicals involved in their production. United Nations Office on Drugs and Crime estimates that the amphetamines, methamphetamines and MDMA(ecstasy) consumed in the EU are almost exclusively manufactured internally.²²⁰ Production is variable and flexible; “cooks” can manufacture these drugs on any scale ranging from kitchen labs to industrial amounts in factories. Europe is the main global producer of MDMA; its manufacture mostly takes place in the Netherlands and Belgium. Amphetamines are also largely manufactured in these two countries, in addition to Poland, Estonia, Latvia, Lithuania and

²¹⁶ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²¹⁷ Ibid.

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ Ibid.

Bulgaria – with smaller quantities also reported from Germany. Methamphetamines, though composed of similar chemicals, are produced mainly in the Czech Republic, Estonia, Latvia, Lithuania and sometimes Netherlands.²²¹ European producers manufacture and transport synthetic drugs around the European Union, while also exporting them overseas.

Illicit drugs imported from regions outside the EU present another case, since different routes and actors are involved in their trafficking. Cannabis shows up again in the list of illicit drugs bought from foreign countries, mostly in the form of resin(hashish) this time. The imported drug has lower quality and potency than the domestic product; Europe's main foreign cannabis supplier is Morocco, followed by Afghanistan.²²²

There also seems to be a large amount of heroin and other opium poppy-based drugs brought into the EU. Opium poppies are cultivated in South-West Asia (Afghanistan, Pakistan, India), South-East Asia (Laos, Myanmar) and the Americas (Colombia, Guatemala, Mexico).²²³ As the world's largest illicit producer of opium, Afghanistan is Europe's main supplier of heroin and other opiates; accounting for most of the 121-162 tonnes of heroin yearly consumed in the EU. While it is presumed that the chemical processing of opium to make it into heroin generally takes place in Afghanistan as well, there is not much evidence to prove or deny it.²²⁴

Cocaine is also brought in majorly from outside the European Union, namely from Bolivia, Colombia and Peru. The processing of the cultivated coca leaves is also believed to happen primarily in these countries; although some manufacturing labora-

Amphetamine, methamphetamine and MDMA production sites in the EU, 2013–15



²²¹ Ibid.

²²² Adam, Christian, and Andreas Raschzok. "Cannabis policy and the uptake of treatment for cannabis-related problems." *Drug and Alcohol Review*, 2016. doi:10.1111/dar.12401.

²²³ Malleck, Dan. *When Good Drugs Go Bad: Opium*. Vancouver: UBC Press, 2015.

²²⁴ Trautmann, F., B. Kilmer, and P. Turnbull, *Further insights into aspects of the EU illicit drugs market*, Luxembourg: Publications Office of the European Union, 2013. http://ec.europa.eu/justice/anti-drugs/files/eu_market_full.pdf

tories have been recently found in Spain, Portugal, the Netherlands and Poland.²²⁵

b. Drug Traffickers

At this stage, it is crucial to define the main actors of the global drug trade: organised crime groups (OCG). They could be described as associations of criminals acting entirely or partially outside the law; usually for economic gain but sometimes for political ends – as in the case of terrorist groups.²²⁶ OCGs could be structured in different ways depending on whether they are transnational, national or local. Depending on their origin and organization style, they could have specific names such as mafia, yakuza or triad. What separates organised crime groups from regular street gangs is that OCGs are typically systematic; they have established methods, territories and member relations. Drug trafficking is one of the most common activities for OCGs, although this activity may go hand in hand with other crimes like human trafficking, organ trade, weapon smuggling, contract killing and political corruption.²²⁷

Many transnational and national OCGs are involved in the European drug market from production to retail, though only some of these groups are based within the European Union's jurisdiction. Balkan transnational organised crime groups are involved in heroin trafficking and have Croatia, Bulgaria, Greece, and Romania among their bases. They are a unique example because their structure is shaped around ethnic associations and clan-like friendly ties, rather than traditional hierarchy.²²⁸ Among prominent national groups are Dutch OCGs, also called *Penose*, the criminal network based in the Netherlands; they are largely involved in cannabis, cocaine and synthetic drug trade in the EU.²²⁹ The historically infamous Italian mafia is highly structured with well-established hierarchy and code of conduct; and it deals with the cocaine trade within Europe.²³⁰ The British, as the pioneers of organised crime, have a very large network of gangs and they are also associated with cocaine, heroin and synthetic drug trade.²³¹

Drug trafficking is not an isolated crime. Aside from the violent behaviour of consumers and street-level dealers, transnational organised crime brings criminal activity into new proportions. Other criminal activities which are necessary to carry out drug trafficking include illegal possession and smuggling of firearms for protection,

²²⁵ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²²⁶ "Organized Crime." Federal Bureau of Investigation. May 03, 2016. Accessed March 2017. <https://www.fbi.gov/investigate/organized-crime>.

²²⁷ Ibid.

²²⁸ "Organized Crime." Federal Bureau of Investigation. May 03, 2016. Accessed March 2017. <https://www.fbi.gov/investigate/organized-crime>.

²²⁹ Gruter, Paul, and Dike Van De Mheen. "Dutch cocaine trade: The perspective of Rotterdam cocaine retail dealers." *Crime, Law and Social Change* 44, no. 1 (2006): 19-33. doi:10.1007/s10611-005-9001-5.

²³⁰ Holmes, Leslie. "Dealing with Terrorism, Corruption and Organised Crime: The EU and Asia." *The Palgrave Handbook of EU-Asia Relations*, 2013, 143-61. doi:10.1057/9780230378704_10.

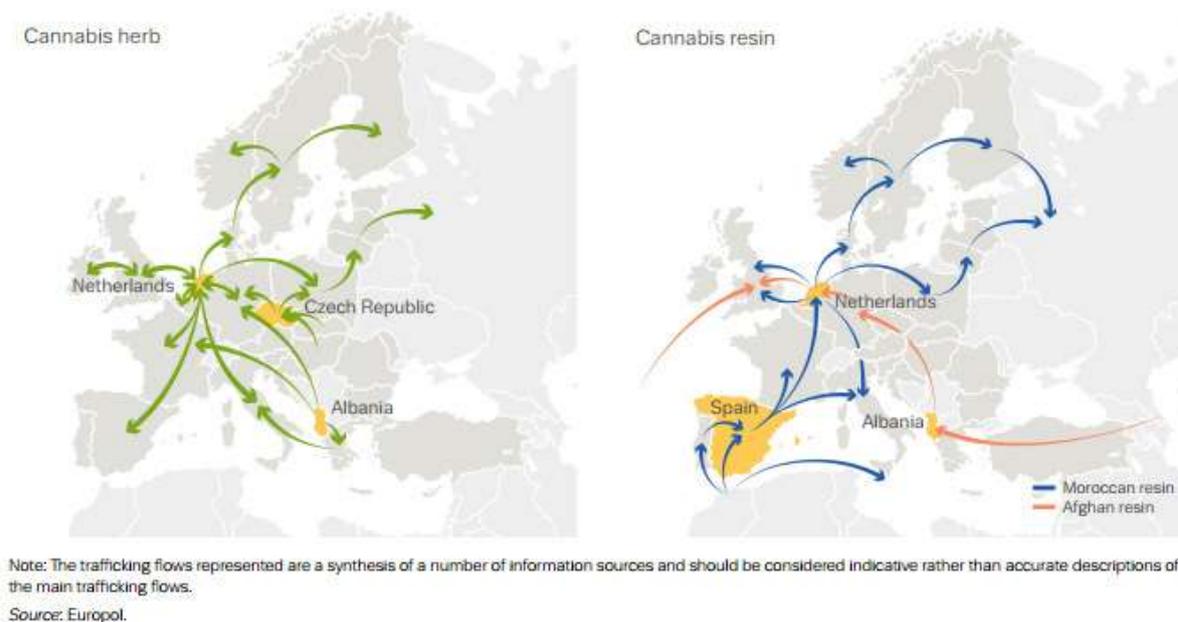
²³¹ Burbank, Jeff. "Organized crime in Europe: A country-by-country breakdown." The Mob Museum. October 06, 2016. Accessed March 2017. <http://themobmuseum.org/blog/organized-crime-in-europe-a-country-by-country-breakdown/>.

setting up fake businesses for money laundering, bribing corrupt officials, coercing smuggled individuals into partaking in drug production and using violence to keep a group's market position.²³² Furthermore, the immense supply of money gained from drug trade creates a chain of chaos; it perpetuates drug trade, finances terrorist organisations that trade with OCGs and puts immense strain on government funds for both security and health concerns.

c. International Trade Routes

i. Cannabis

Main trafficking flows of cannabis in Europe



The EU cannabis market, yearly valued at €9 billion, is an attractive opportunity both for OCGs and for street gangs, causing violent inter-gang conflicts. As the EU's largest established foreign supplier, Moroccan cannabis resin enters the European Union primarily through Spain.²³³ From there, most of it is moved to the Netherlands and Belgium to be distributed to the rest of the Member States. For the Afghan cannabis resin, Albania seems to be the main arrival and distribution point for the EU; although UK receives a considerable amount through its ports, too. The largest markets for Moroccan and Afghan cannabis are Belgium, Denmark, Finland, France, Germany, Italy, Norway, Spain, Sweden and the United Kingdom.²³⁴ Belgium is also reported to have received cannabis herb shipments from Senegal and Ghana through its har-

²³² European Monitoring Centre for Drugs and Drug Addiction and Europol, *EU Drug Markets Report: Strategic Overview*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg, 2016

²³³ Ibid.

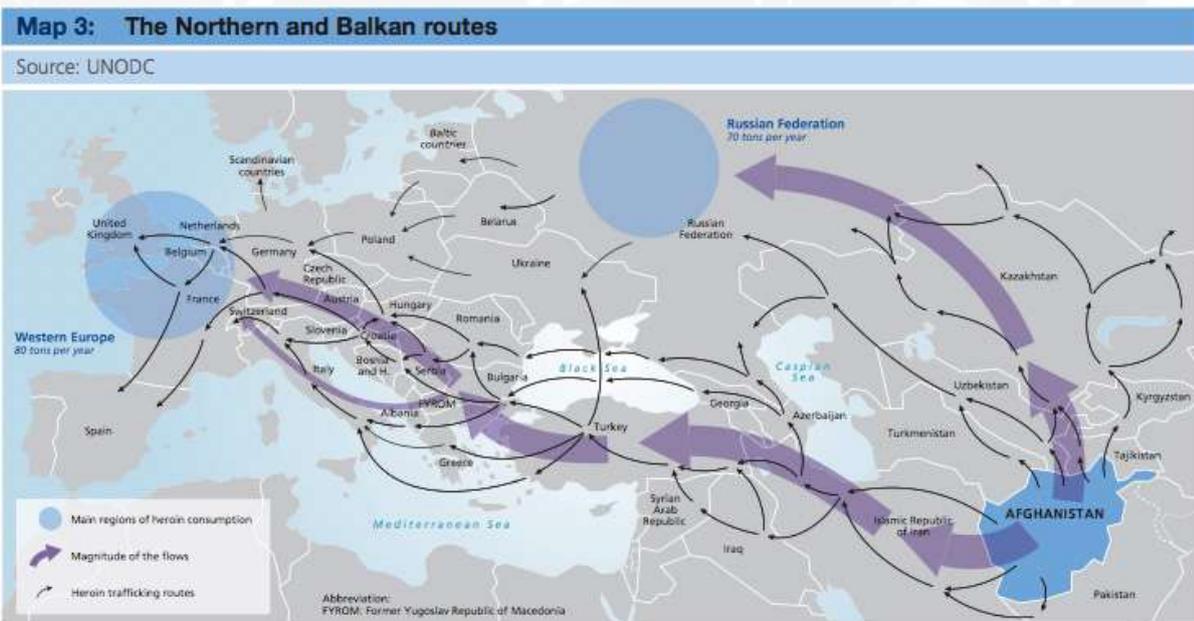
²³⁴ Ibid.

bour.²³⁵

Cannabis herb grown within the EU is trafficked to all Member States from the Netherlands, with main buyers being Denmark, France, Germany, Italy, Spain, Sweden and the United Kingdom. Czech Republic is also an important distributor for Central Europe.²³⁶ One rising concern is the rising seizures of cannabis herb in Italy and Greece, signalling production and trade being carried out in these countries. Turkey is also a potential risk for cannabis inflow to the EU, since the country has recently seized 180 tonnes of cannabis herb (more than all of the EU Member States combined).²³⁷

Although many criminal groups are involved in intra-EU trafficking, Dutch and Vietnamese OCGs have an established reputation and play the biggest roles in the distribution of cannabis. They are known to collaborate with Moroccan OCGs through the ethnic Moroccan groups living in France, Belgium and the Netherlands. Albanian criminal gangs and the Italian mafia also take part in the illicit cannabis trade.²³⁸

ii. Heroin and Other Opioids



<http://medcraveonline.com/FRCIJ/FRCIJ-01-00021.php>

Opium cultivation and subsequent heroin production in Afghanistan requires a long supply chain to get to the European Union borders because of the distance. The main heroin trafficking course into the EU is the “traditional” Balkan route, from Afghanistan to Iran then to Turkey. From Istanbul, wherein heroin transports to the EU are managed, the Balkan route branches into three. The first is the sea route running through Greece, Albania and Italy; second is a land road over Bulgaria, Croatia

²³⁵ Plettinckx, Antoine, Blanckaert, De Ridder, Vander Laenen, Laudens, Casero & Gremeaux. *Belgian National Report on drugs 2014: New Developments and Trends*. WIV-ISP, Brussels, 2014.

²³⁶ European Monitoring Centre for Drugs and Drug Addiction and Europol, *EU Drug Markets Report: Strategic Overview*, EMCD-DA–Europol Joint publications, Publications Office of the European Union, Luxembourg, 2016

²³⁷ Ibid.

²³⁸ Ibid.

and Slovenia going into Austria or Italy; and the last branch runs on land through Bulgaria and Romania to Hungary, Austria, the Czech Republic, Poland or Germany.²³⁹ The product is hidden within lorries or cars on land routes, while it is put in sea containers when being transported through ports. Heroin also shipped into the EU from Turkey by air. A newer route goes into Turkey from Iraq and Syria instead, which is a highly serious threat due to the issue of this route financing terrorist organisations, such as providing up to 1 billion dollars annually for ISIS.²⁴⁰ In addition, relatively lower amounts are shipped over Armenia, Azerbaijan and Georgia, then through the Black Sea.²⁴¹



<https://www.shutterstock.com/video/clip-2745209-stock-footage-istanbul-may-container-ship-king-by-ron-imo-marshall-is-with-full-of-cargo>

Since 2013, the increase in heroin shipment detections has led analysts to believe that there is a “supply-side” push in the market.²⁴² This means that even though there had not been previous demand, the availability of wholesale amounts of heroin and easy access to the drug has increased the consumption of heroin. Reports also point to a fall in street prices on the drug and an increase in purity; which point to higher availability of heroin in Europe.²⁴³

Due to the geographical circumstances, Turkish OCGs are the essential traffickers and distributors of heroin in Europe. Reinforced by key groups among the many Turkish migrant communities living in the EU, they have a rooted presence in the underground trade. Albanian and Pakistani OCGs also control some of the trade; helping link Turkish heroin suppliers with the local markets.²⁴⁴

iii. Cocaine

Cocaine is brought into Europe from Latin America mainly through air and sea routes. Over two-thirds of recent seizures of cocaine in Europe indicate that the sea route was preferred, since it allows for large shipments and hiding cocaine in the containers of commercial ships is relatively easier.²⁴⁵ Brazil is a major port of departure for the European market, as Bolivian and Peruvian cocaine is shipped by sea from there. OCGs move Colombian cocaine over land to Venezuela and use the busy sea traffic in the Caribbean to their advantage in order to ship the drug overseas. Aside from those

²³⁹ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²⁴⁰ “High finance: ISIS generates up to \$1bn annually from trafficking Afghan heroin.” RT International. Accessed March 2017. <https://www.rt.com/news/238369-isis-drug-money-trafficking/>.

²⁴¹ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²⁴² Ibid.

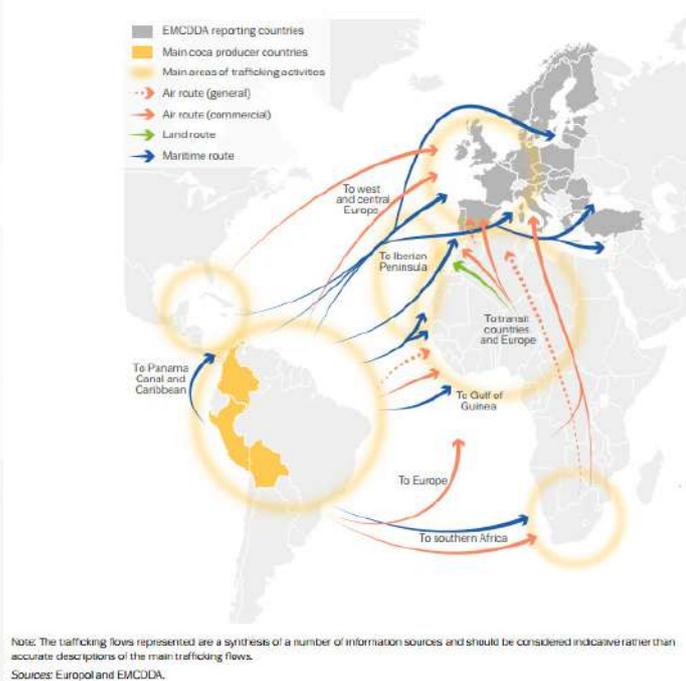
²⁴³ Ibid.

²⁴⁴ Ibid.

²⁴⁵ Yoon, Sangwon. “These Three Maps Show How Drugs Move Around the World.” Bloomberg.com. June 26, 2015. Accessed March 2017. <https://www.bloomberg.com/news/articles/2015-06-26/these-three-maps-show-how-drugs-move-around-the-world>.

main hubs, cocaine is also shipped directly from Colombia, though that way is becoming increasingly secure.²⁴⁶ After cocaine leaves Brazil or Venezuela, there are two main routes that could be taken. The first is the Caribbean route, using the Dominican Republic and Jamaica as centres for distribution. This way, cocaine enters the European Union borders either by sea through the Azores (an autonomous region of Portugal), or by mostly unknown air routes. The second route is going through West Africa and nearby islands and then reaching Europe.

Main trafficking flows of cocaine to Europe



Most critical sea-access points of cocaine into the EU are Spain and Portugal in the south, and the Netherlands and Belgium in the north.²⁴⁷ OCGs who use the air route favour the Netherlands and Spain as well, followed by France and Portugal; also using the United Kingdom, Italy, Germany and Belgium.²⁴⁸ A point of concern includes the increasing use of other established drug trafficking routes for smuggling cocaine, such as the cannabis routes in the Balkans or Morocco, and East African heroin routes.²⁴⁹ Overall, Spain and the Netherlands are key areas of distribution of cocaine after the drug arrives in Europe.

Importing cocaine into the European Union borders includes increasingly complex concealment procedures for the drug. Known methods range from forcing humans to swallow packages of cocaine before getting on planes, to chemically incorporating cocaine into legally imported materials like plastics and shipping them off the be extracted in criminal laboratories.²⁵⁰ Furthermore, OCGs are known to regularly recruit corrupt workers into major harbours and airports in order to make trafficking easier.

In terms of economic actors, Colombian cartels and the Italian mafia dominate mass cocaine trafficking into Europe. Italian, Dutch, Spanish and British OCGs play the major roles in intra-EU distribution into Member States. Those national OCGs sometimes even work directly with Colombian cartels in a “franchise” model, resembling an actual company with smaller distributors.²⁵¹

²⁴⁶ Ibid.

²⁴⁷ Ibid.

²⁴⁸ European Monitoring Centre for Drugs and Drug Addiction and Europol, *EU Drug Markets Report: Strategic Overview*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg, 2016

²⁴⁹ Ibid.

²⁵⁰ Ibid.

²⁵¹ Ibid.

iv. Amphetamine, Methamphetamine and MDMA

Synthetic drugs are mainly produced within the European Union borders, and are usually trafficked within the continent, though there is some exportation too. Dutch, Belgian, British and German OCGs are the main players in smuggling illicit synthetic drug supplies into Western Europe.²⁵² Lithuanian and Polish OCGs, alongside outlaw motorcycle gangs, are dominant in trafficking synthetic drugs into Nordic countries (Denmark, Finland, Iceland, Norway, Sweden). The trade of these drugs usually goes hand in hand with other illicit substances. As such, cannabis-producing Vietnamese OCGs in the Czech Republic are also active in the trafficking of synthetic drugs.²⁵³ Dutch OCGs are also known to engage in exporting MDMA and crystal meth to Australia and New Zealand.



Ecstasy tablet made for the Tomorrowland electronic music festival (Belgium). This tablet was analysed in Switzerland in 2015 and found to contain a dangerously high level of MDMA (more than 200 mg).

Photo © Pharmaceutical Control Laboratory, Office of the Cantonal Pharmacist, Bern, Switzerland

Aggressive marketing and product branding is a unique characteristic of this market, particularly with MDMA. The ecstasy pills come with different logos, in many shapes and colours. This indicates a competitive market and subsequently the high popularity of synthetic drugs

v. New Psychoactive Substances

With over 560 types of known drugs, the market for “legal highs” is low-risk and high-profit. As an innovative market, new psychoactive substances’ trade mainly operates through the internet. While there are prominent European sources in the market, globalisation has allowed Chinese companies to spread their legitimately produced substances. Indian companies also profit from NPS trade.²⁵⁴ These foreign companies synthesise NPS and ship them in bulk to Europe by sea or air. Some of these substances are sold directly on the black market. The rest is processed in EU into “legal highs”, chemical research materials or food supplements, then sold openly online.²⁵⁵ The legally grey substances and their trafficking is hard to track since previously unknown and untracked chemicals keep coming out; and much of the trade activity is done on legal grounds.

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Campbell, Charlie. “With Labs Pumping Out Legal Highs, China Is the New Front in the Global Drug War.” *Time*. September 02, 2013. Accessed March 2017. <http://world.time.com/2013/09/02/with-labs-pumping-out-legal-highs-china-is-the-new-front-in-the-global-drugs-war/>.

²⁵⁵ Ibid.

d. Digital Market for Illicit Drugs

The internet has transformed the illicit drug trade, opening up new opportunities to connect with customers and suppliers, as well as providing ways to increase the efficiency of drug production. It is possible to separate the internet into layers. The surface layer or the “visible web” is the part that is accessible to search engines like Google or Bing; it encompasses approximately 4% of the whole online content.²⁵⁶ Deep web, which has become some sort of an urban legend, is the rest of the content inaccessible to search engines. Blocked or private sites, limited access networks could be parts of the deep web; and they are typically accessible through searching particular sites. While most of the deep web is not intentionally hidden, a small portion called the “dark net” is encrypted on purpose, only accessible through special web browsers.²⁵⁷ Due to its anonymity, most of the illicit activities happen on the dark net. Still, trade of new psychoactive substances happens openly on the surface web too.

The internet allows for completing certain stages of the drug trade (like cargo tracking) without personal interaction with humans, lowering the chances of detection. Deep web provides a platform to form drug trade networks, from producers, wholesalers and financial experts to consumers. With enough technical skills to use the dark net, anyone can access information on illicit substance production skills and certain drug supplies; and make worldwide trades using the postal system and electronic funds transfer. Furthermore, this way of drug trafficking allows for more direct contact between the supplier and the consumer, cutting out some of the middle level people and therefore enabling more profit gain.²⁵⁸

For all its conveniences for criminals, dark net markets are still highly unstable and may appear and disappear at any given time. There have been some official operations against illicit digital drug markets, most famous of which is the FBI takedown of “Silk Road”, a large dark net drug market worth millions of dollars (Silk Road 3.0 is currently operational, however).²⁵⁹ When Silk Road was examined, it was seen that the European Union represented 6% of the consumers. For supply, The United Kingdom(10%) and the Netherlands(6.5%) had the largest amount of European drug exporters. On Silk Road 2.0, Germany was the second most popular country of origin for drugs on the dark market with 14%, followed by the UK with 13.8%.²⁶⁰ This may point to the rising prevalence of European deep web drug trade.

Official analysis of the dark net has not yielded any information on traditional organised crime groups engaging in large-scale drug trade.²⁶¹ However, it is not clear

²⁵⁶ Ciancaglini, Balduzzi, McArdle, and Rösler, “Below the surface: exploring the deep web”, London, Trend Micro, Inc. 2015.

²⁵⁷ Ibid.

²⁵⁸ Ibid.

²⁵⁹ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²⁶⁰ Ibid.

²⁶¹ Compton, Ryan. “Darknet Market Basket Analysis.” March 24, 2015. Accessed March 2017. <http://ryancompton.net/2015/03/24/darknet-market-basket-analysis/>.

whether this means that there are no drug-trafficking OCGs on the dark net, or that there exists a new type of OCG successful enough to hide all their digital tracks. In addition, analysts suggest that in the future there might be a sort of “dark cloud” comprised of entirely decentralised digital marketplaces.²⁶²

IX. Current Actions of the European Union Against Illicit Drug Trade

Countering organised crime is one of the European Union’s main objectives, and combating illicit drug trade is a major offshoot of that policy. Targeting production and reducing the drug supply is addressed by various EU policy areas. The main plan in action is currently The EU Drugs Strategy 2013-2020 (made operational by the EU Action Plan on Drugs). The objectives of the Strategy call for:

- ★ a tangible decrease in the demand for drugs, drug addiction and drug-related health and social problems;
- ★ obstruction of the illicit drugs market and decreased availability of illicit drugs;
- ★ heightened coordination through communication for countering drug trafficking at the EU and international levels;
- ★ progressive sharing of monitoring, research and evaluation of intelligence and a better understanding of the effects of EU interventions in order to come up with a reliable and comprehensive base of evidence for actions.²⁶³

The international nature of drug trade and the challenges rising due to globalised criminal activity necessitate several EU institutions, agencies, groups and Member States to work in collaboration with each other while planning and implementing drug policies. A list of involved bodies can be seen in the figure:

Aside from the four main deciding bodies of the EU, European External Ac-

Main EU structures addressing drug supply reduction issues



Source: EMCDDA.

²⁶² Ibid.

²⁶³ European Union. European Commission. “Background document for the Public Consultation for the 2016 evaluation of the EU Drugs Strategy and Action Plan on Drugs.” News release, July 28, 2016. Accessed March 2017. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/public-consultation/2016/docs/consultation_032/160118-background-document_en.pdf.

tion Service (EEAS) help make diplomatic relations with non-EU countries. European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) is a remarkable agency for the dissemination of reliable information. The European Police Office (Europol) handles internal security and criminal intelligence, while The European Border and Coast Guard Agency (Frontex) monitors and regulates external borders.²⁶⁴ Additionally, when a new psychoactive substance is detected, The EU Early Warning System is activated and the related Member State informs the EMCDDA and Europol.²⁶⁵

The activities of the European Union against the illicit drug phenomenon could be divided into three parts: directly targeting drug markets and producers, trying to eliminate the factors helping drug trade (like dirty money or corrupt officials), and addressing conditions that lead people into partaking in the drug market (such as poverty or instability).²⁶⁶ Europol, for example, carries out international operations to arrest drug dealers and bring down criminal networks affecting the EU.

X. Conclusion and Issues to be Addressed

The illicit drug market is driven by the purpose of achieving profit and power. It is among the most profitable fields for organised crime groups, and the European Union citizens spend 21 to 31 billion euros on this market each year. The ramifications of the drug market are vast: both the drugs themselves and their administration methods carry serious health risks, drug production creates environmental harm, drug trafficking financially feeds other types of criminal activities and terrorist groups, public workers and politicians are corrupted, and society becomes more violent and unstable. Huge government and Union investments go into abolishing illicit drug trade, but the fact remains that this criminal activity is not showing any signs of disappearing.

As time passes, the drug market evolves alongside globalisation and technology. Criminal groups quickly detect and exploit any weaknesses in security caused by the busy nature of international trade or the accessibility of internet. Organised crime groups themselves are evolving; expanding to different types of drugs and criminal activities, and forming alliances. New production techniques and trade routes arise, but even though the market takes advantage of them, well-established actors and hubs remain vital for illicit drug trafficking.

The European Council's role is to set general guidelines on how to proceed with tackling the illicit drug trade. EC can advise other institutions, agencies or countries to implement certain policies or ask for them to take certain matters in their hands.

²⁶⁴ European Monitoring Centre for Drugs and Drug Addiction and Europol (2016), *EU Drug Markets Report: In-Depth Analysis*, EMCDDA–Europol Joint publications, Publications Office of the European Union, Luxembourg.

²⁶⁵ Ibid.

²⁶⁶ Ibid.

Reviewing existing strategies, for advising related authorities on ways to develop or revoke them is also an option. Issues to address while working on combating illicit drug trade include but are not limited to:

- ★ Reducing the drug supply in the EU – Where are the key areas to focus? What is to be done against the unpredictability of the market? How to respond to rising purity and potency? Anything missing from existing strategies?
- ★ Trade routes – How to address the air and sea shipments coming into the EU? Is there any need for reinforcement in known transport spots? How do recent global crises play into the drug trade? Should the EU prioritize preventing the financing of terrorism?
- ★ Organised crime groups – Is it possible to fill the gaps on our knowledge of their business models? How to address transnational criminal activity? Are Member States' legal disparities exploited too much? Any way to keep OCGs from collaborating? Any way to keep foreign OCGs out of Europe?
- ★ The internet as a new facilitator of the drug market
- ★ Possible cooperation – Are any more collaborative efforts between Member States needed? Any further foreign cooperation (Turkey, Albania, etc)? Does the network of anti-drug agencies need any additions? How to make them function better?
- ★ New psychoactive substances – How will authorities keep track of them? Is it possible to stop their importation?

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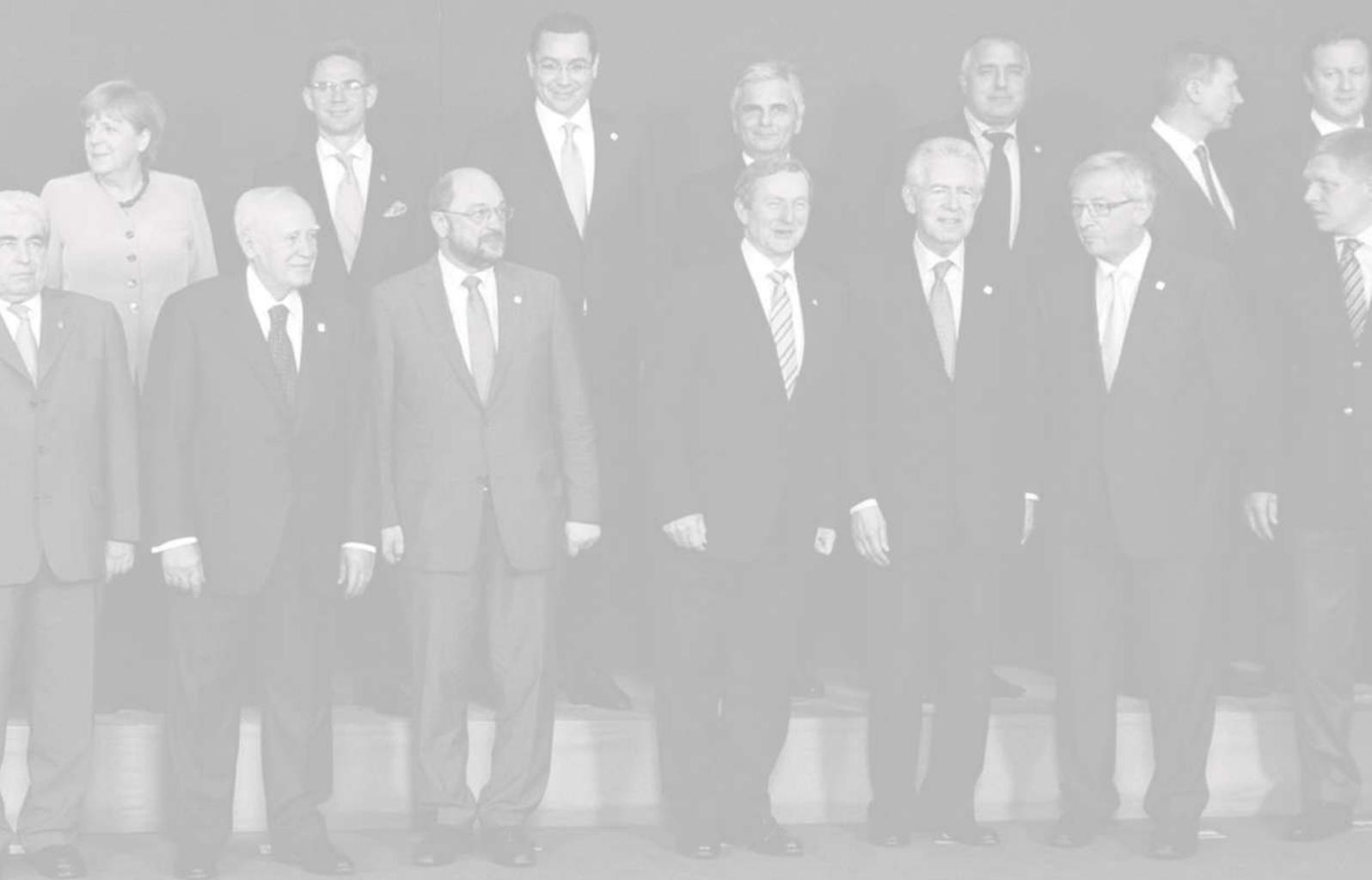
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