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International Governance: Multilateral Institutions and the European Union

With reference to the political framework of international security, this chapter is structured along two main axes: global governance and the European Union as a structure of regional supranational governance. In the first part, the chapter discusses the multilevel structure of global governance, multilateralism and its expression in the United Nations system, and briefly introduces the global agenda. In the second part, the text addresses the European Union, focusing on its institutional system and on competences and policies. The chapter ends with the proposal of an exercise on European active citizenship, an up-to-date topic of European governance.

Keywords: global governance, international organisations, multilateralism, United Nations system, European Union

Acronyms

CEU	Council of the European Union
CFSP	Common Foreign and Security Policy
ECOSOC	Economic and Social Council
EC	European Commission
ECA	European Court of Auditors
ECB	European Central Bank
ECSC	European Coal and Steel Community
EEC	European Economic Community
EMU	Economic and Monetary Union
EP	European Parliament
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FDI	foreign direct investment
GA	General Assembly
GATT	General Agreement on Tariffs and Trade
ICJ	International Court of Justice
IMF	International Monetary Fund
IO	international organisation
MEP	Member of the European Parliament
MLG	multilevel governance
NATO	North Atlantic Treaty Organisation
SC	Security Council
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization

WHO	World Health Organization
WTO	World Trade Organization
WW II	World War Two (Second World War)

Global governance and world security

The structure of international politics has substantially changed since the Second World War, which marked also a major change in geopolitics. Simply put, the world moved from state-centrism and fierce political-military competition into a progressive opening to multilateralism and international cooperation. This did not mean, of course, the immediate end of competition or war, but paved the way towards the acceptance of multilateralism as the way out of the many conundrums the world had fallen into in the wars and interwar period of the first half of the twentieth century (Baylis et al. 2020).

The creation of the United Nations (UN), back in 1945, was the institutional landmark of this process. The fact that it carried two major goals in its mission – peace and development – also inaugurated a worldwide political agenda, despite the fragility and the shortcomings that can be identified in its history. The gradual development of the United Nations system with its constellation of agencies, programmes and funds created a global institutional setting never seen before. This is complemented by organisations of regional dimension and different scopes of action, notably the European Union (EU) (Karns et al. 2015; Weiss–Daws 2018; Weiss–Wilkinson 2018).

The whole structure, however, does not build into absolute coherence and integration, in its overall functioning, nor does the entire world share the same values, nor did the states become 'equal' entities in balance of power terms. Right after the Second World War, the new world order emerged under bipolarism, which was both an ideological and power politics structure. At the time, international security had to be balanced within that framework. Regional organisations for military cooperation were created – the North Atlantic Treaty Organisation (NATO) and the Warsaw Pact – conceived as 'defence alliances' and not as 'collective security structures' as the United Nations. After 1989, with the fall of the Berlin Wall, unipolarism and then multipolarism emerged, along with a new typology of threats to security, from terrorism to environmental hazards, which remain without full solution so far, in spite of 'global governance' and multilateral cooperation efforts (Baylis et al. 2020).

The structure of global governance

What is global governance? It is a concept coined by International Relations theorists to explain a post-state-centric world order, overcoming the classical but now anachronic idea of the anarchic international system. It is, in Rosenaus's words, "governance without government" (Rosenau 2008), i.e. a multiple institutional structure relying on several different types of actors (both governmental and non-governmental), some shared values and some joint capacity for normative action; but not a constitutionalised, hierarchical,

all-encompassing polity. International governmental organisations (IO) are one of its more formally established agents, but informal networks, ad hoc arrangements, global conferences, non-governmental organisations, the private sector and the transnational civil society are also considered part of the setting. International law is quite obviously one of its fundamental pillars (Levi-Faur 2012).

The model of multilevel governance (MLG) applied to global governance describes the extant nested levels of governance in the world, from the sub-national to the national, to the regional supranational and to the global level. Although theoretically developed for the European Union level first (Hooghe–Marks 2001), the model has also been considered relevant for the broader global scenario (Zürn 2018). The definition of the levels relies firstly on territorial boundaries associated with layers of political authority and is therefore a model of authority dispersion. There are also horizontal relations within the layers, and there is a cut-across civil society level that can neither be territorially framed nor politically bounded.

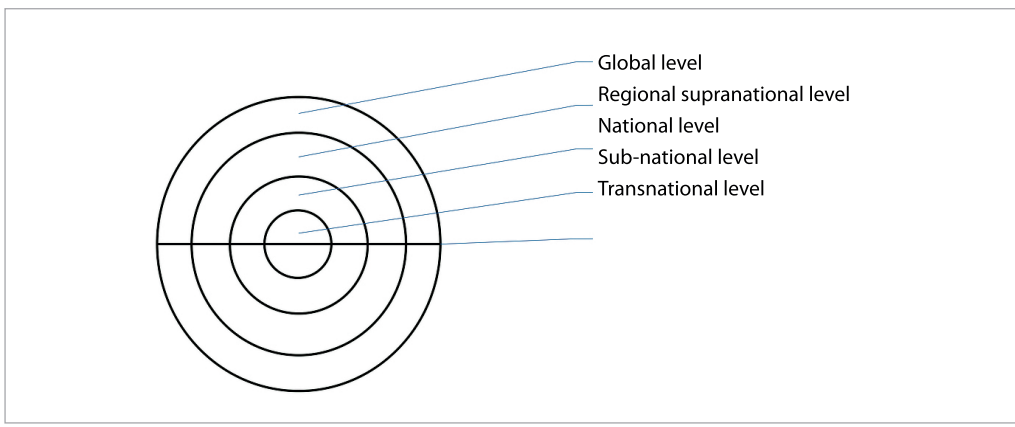

Figure 1: Global governance layout
Source: Compiled by the authors

The model must, however, be adopted with caution, because a layout of concentric circles may actually not portray the not-strictly hierarchical nature, may oversimplify the diverse realities within each level, may be at odds with the increasingly transnational dimension of civil society, and will ignore the void areas. MLG does indeed pose the problem of the articulation between the levels and of the associated political power resources (Piattoni 2010; Zürn 2018).

Unlike federal models, where the distribution of authority is expected to be clear along a constitutionalised structure of mutually exclusive jurisdictions, lack of clarity and overlapping instances will occur in global MLG. Under democratic theory, the pattern would normally be that of subsidiarity (i.e. decentralisation), but democracy is far from a universal value and thus cannot organise the whole system.

Furthermore the 'system' is not hierarchical, meaning that the structure of political authority is uneven inside and across the levels. Neither can hard and soft power bounda-

ries be ignored. In many cases, hard power largely remains with the states, while IO and other international actors need to adopt means other than binding rules and constraining power, and thus often rely on persuasion, socialisation, peer reviewing and horizontal cooperation (Hurd 2020; Nye 2005). In practical terms, this means that the broader territorial levels (IO, for instance) are endowed with 'weaker' political authority than some of their member states. This paves the way to debates on hegemony, and conflicts with a flat conception of international cooperation, thus giving arguments to neorealist approaches to post-state-centrism.

Horizontally, the levels encompass a diversity of members also. Even in the EU the sub-national level cannot be fully compared; but for the global scale, this truly means an exercise in political-cultural framing of the concept of 'regional' or 'local' authorities. Power unevenness in between states is self-evident, as according to evidence provided by indexes on state fragility (e.g. the Fragile States Index published by the Fund for Peace in 2021). The regional supranational dimension encompasses both intergovernmental and supranational organisations. International (intergovernmental) means between or among nations: an international organisation is a system where states cooperate to common goals. The will of the organisation is the result of internal procedures aimed at putting together the will of the largest number of states, as expressed by representatives of states. Supranational, instead, means over the nations: a supranational organisation is over and beyond the authority of states. It expresses its own will: the decisions are adopted through majority vote; they are binding; bodies made up by individuals interact with bodies representing states, the rule of law and the respect for the decisions are guaranteed by courts – such is the case of the EU. The global level encompasses major intergovernmental organisations (the UN system), which aim at universal membership, but it refers by no means to a 'world government'.

The transnational dimension of private sector and civil society actors denies by definition the geometry of territorial boundaries and is characterised by its cross-border activities. Looser but also lighter than conventional political authority, it has been brought into the pattern of global governance under what is normally presented as a liberal approach to 'governance'. Transnational corporations, non-governmental organisations and social movements are often visible in international politics: negotiating FDI regulations, striving for humanitarian causes, implementing policies in partnership with IGO, protesting… the array of activities is vast.

Void areas are those areas where there is a lack of legitimate political authority, be them territories or policy issue areas. A state undergoing collapse, any 'pariah' state, states opting out from an international Convention or giving up membership of a certain IO, all create 'void' areas, discontinuities in the global political order. Furthermore, the dynamics of globalisation introduced rapid change and quite often new realities emerge in a normative void.

Despite all the problems, MLG describes reasonably well the framework in which multilateralism unfolded, a way of overcoming state-centrism in international relations, one that largely relies on peace, mediation and negotiation, and trade and cooperation among sovereign states.

The role of IGOs: The UN system and multilateralism

The UN provides a unique forum for international dialogue and multilateralism, since it is the only universal international organisation that has clear political objectives. The fundamental purposes of the UN cover broad areas: to maintain peace and security; to bring about by peaceful means the settlement of international disputes and situations which might lead to a breach of the peace; to develop friendly relations among nations based on the respect for the principle of equal rights and self-determination of peoples; to foster economic and social cooperation and to promote respect for human rights and fundamental freedoms for all persons (Article 1 UN Charter).

In the immediate aftermath of the Second World War, the maintenance of peace and security was a crucial issue for international cooperation, as the experiences of the war proved that unless serious restraints were put on violence, the world would face serious catastrophes. The organisational structure of the UN was designed in a way to reflect that primary goal, offering an open forum for discussion for all states, while reserving the most important decisions for the great powers: the structure and procedures of the Security Council (SC) guarantee a decisive role to them. The UN was founded by 51 states, the winners of the Second World War and their allies. Later, the former defeated states and with the increasing number of former colonies that gained independence also joined the UN during the past decades, reaching 193 member states in 2011. Based on the UN Charter, membership is open to all "peace-loving states" which accept the obligations contained in the Charter and are "able and willing to carry out these obligations" (Article 4). The procedural requirement for joining the organisation is to obtain the favourable recommendation of the SC and the confirming vote of the General Assembly (GA).

The Security Council and the General Assembly are the two principle bodies of the UN. All member states are represented in the GA, each having one vote. The GA has a very broad competence, as it may discuss any matter that is in any way relevant to the UN. The nature and limits of this wide competence are often debated; what is sure, whenever an issue relating to peace and security is being handled by the Security Council, the GA's competence is subject to procedural restraints (under Article 12). The GA takes decision on "important questions" (listed in Article 18.2) by two-third majority of the member states, while other matters are decided by a majority of members. We shall make a distinction between matters on "internal affairs" (such as adopting rules of procedure, apportioning UN expenses among member states, appointing the Secretary General, electing members of various other bodies, like the SC, etc.) and "external affairs" that do not relate to the organisational life of the UN. The resolutions, recommendations, declarations adopted by the GA are not legally binding *per se,* except for decisions concerning "internal affairs".

The SC is composed of 15 members, five permanent (the post-WWII Great Powers: China, France, Russia, the U.K. and the USA), and 10 others elected every two years by the GA. The SC holds primary responsibility for maintaining international peace and security. Its decisions, except for those on procedural questions (and on the election of members of the ICJ), may only be taken with an affirmative vote (or at least

the abstention) of the five permanent members (the so-called veto power) and by a vote of nine members. They may be either recommendatory in nature or legally binding. The SC has special competencies under Chapter VI (peaceful settlement of international disputes) and Chapter VII (threat to the peace, breaches of the peace, acts of aggression), but rule decisions under Chapter VI usually cannot be legally binding, while decisions under Chapter VII are legally binding. However, in most cases the SC does neither specify the legal basis nor the obligatory nature of its decision, leaving a large margin for political interpretations. According to the UN Charter, the SC was to be assisted by the Military Staff Committee that was to be responsible "under the Security Council" for the strategic direction of the military contingents that member states were expected to put at the disposal of the SC for enforcement actions. In practice such 'UN army' was never realised, and military actions based on the decision of the Security Council are executed by the voluntary contribution of member states. During the Cold War it was extremely rare that a consensus was reached in the SC (both the Soviet Union and the USA used their veto rights for their strategic goals), and a more co-operative atmosphere emerged only after 1990, resulting in an increasing number of obligatory SC decisions on sanctions and military actions.

Besides the two most important bodies, the Secretariat, headed by the Secretary General (appointed by the GA) was set up to provide instrumental help to the UN bodies. Three other main bodies were to fulfil specialised functions: the Economic and Social Council (ECOSOC) was established to enhance cooperation in economic and social matters, the International Court of Justice (ICJ) was created to take decisions or offer advisory opinions in legal disputes, and in some colonial questions the Trusteeship Council was entrusted to take decisions. ECOSOC consists of 54 member states elected by the GA for three years, its main responsibility is to discuss, propose, recommend studies, co-ordinate the actions of specialised agencies (like the UNESCO, FAO, WHO, etc.) and set up subsidiary bodies in the fields within its competence. In 2006 – without modifying the UN Charter – the GA established the Human Rights Council (composed of 47 member states elected by the GA) strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them.

The UN system was a revolutionary innovation in 1945: forcible self-help, traditionally a characteristic feature of the international community was restricted; the legal possibility of collective action by the five Great Powers to maintain peace and stability could be seen as a stabilising element in international relations. For the first time it made possible – at least in theory – to decide whether a specific instance of use of force was lawful or not, and the SC was vested with the necessary competencies to effectively intervene in violent conflicts to restore peace. However, since a "UN army" has never been set up, the operationalisation of the execution of SC decisions is difficult – even if the Great Powers reach a consensus. Another problem is that the UN Charter only banned the use of force in "international relations", so it was consequently allowed in "internal affairs" (e.g. against rebels, etc.) leading to an increasing number of situations where the use of force may be at the discretion of individual states even if they lead to open armed

conflicts. On the other hand, however, the institutional design of the UN and the participation of almost all states in the work of the UN helped to create a constructive forum for promoting human rights, economic and social cooperation, the codification and progressive development of international law. Assessing the successes and failures of the UN system it needs to be underlined that the UN's organisational structure is rather based on a "Kantian model" of international relations, focusing on cooperation and promotion of common values, while the prevailing paradigm of the "Grotian model" (anarchical society consisting of self-centred actors, pursuing short term interests) characterises the international community at large.

The global political agenda: Contents, mechanisms and controversies

The concept of international regime, defined as "a set of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations" (Krasner 1983: 2), has been the subject of much academic debate and some controversy (Hasenclever et al. 2008). Regimes are therefore conceived as a consequence of regular cooperation among states for issue-specific policy areas (hence the connection with the topic of the agenda) which may even evolve into the formation of new IOs, i.e. formal governmental structures of international governance. There has been reasonable consensus on the adoption of the terms, for instance, for "human rights", "free trade" and, increasingly, for "environment". The human rights regime largely draws on international law instruments adopted in the framework of the UN and creates a universal normative framework on the rights of the individual. Problems emerge not so much from the definition of rights as from their implementation by the states. The international trade regime stemmed from the market-oriented perspective underlying the General Agreement on Tariffs and Trade (GATT), first, and then the role of the World Trade Organisation (WTO) in world trade regulation. Furthermore, its grounding principles extend into political options on cooperation, notably in the action of the International Monetary Fund (IMF) and the World Bank. Reaching consensus on environment has been a longer and tougher process than for the abovementioned regimes, and very much remains to be regulated. In this case, international networking relies mostly on global conferences and, for the time being, less on formal organisations (O'Brien–Williams 2020; Stone–Moloney 2019).

At present, the world's political agenda is dominated by the "consensus" reached in the United Nations around the sustainable development goals, a set of seventeen all-encompassing policy goals that were adopted for the period 2015–2030 and which aim at merging the world agenda by tying together the developed and the developing countries under the broad umbrella of sustainability, a concept deeply entrenched in the idea of mutual dependency (cf. the ninth chapter of this volume, 149–166). Their implementation heavily relies on the multilayered structure of international politics and indeed their definition, subsequent establishment of specific goals and indicators have already meant an unparalleled process of global negotiation. It is an ambitious project,

grounded on the assumption of shared worldwide policy goals and mutual involvement in their implementation (UN 2017; UN 2020). However, the reach of the agenda is limited by the capacity of implementation of each of the levels involved; moreover, by the scepticism towards the UN approach to sustainable development by some of the UN members.

Last but not least, the normative framework under which the global agenda is conceived is often subject to criticism, based on the bias towards "western" liberal values. This is also a major question of debate: from the political point of view, because it reintroduces the topic of hegemony; and from the cultural and philosophical point of view, because it reposits debates on universalism and cultural relativism (Zürn 2018). However, recent political changes have proven that the "West" is not a static category either, and have brought about mounting criticism to and even opting-outs from multilateralism, in some "western" countries.

The European Union as regional supranational governance

Historical background

After the end of Second World War political leaders of a group of Western European countries realised that a peaceful setting for the incoming years required a different approach to politics and to the relationship between European nations. The creation of the European Coal and Steel Community (ECSC) in 1952 followed this rationale. The management of member states' resources of coal and steel was transferred to the ECSC. The likelihood of wars between the founding member states of the ECSC (France, Germany, Italy, the Netherlands, Belgium and Luxembourg) vanished. The ECSC was a promising experience of enduring peace for Europe (Dinan 2014).

The successful experience of the ECSC motivated the founding member states to create two additional European Communities six years later: the European Atomic Energy Community (also known as Euratom) and the European Economic Community (EEC). From sectoral integration, the experience moved into overarching economic integration when the customs union was launched with the EEC. Free mobility of commodities among the member states was the hallmark of European integration in the early 1960s. The outcome of the gradual development of European integration was other freedoms of mobility (persons, capital, services and companies). Step after step, the European Communities/European Union were transformed into a single market (1 January 1993) and an Economic and Monetary Union (EMU) (1 January 1999) (Gillingham 2003).

Enlargement is also important to grasp the history of European integration. More countries applied to the European Communities/European Union. Before the United Kingdom left the European Union (EU) in 2020, the number of member states rose to twenty-eight. This might be considered the evidence of how successful European integration is (Sedelmeier 2020).

Theoretical aspects

European integration is a multidimensional undertaking. It addresses the several stages of economic integration on the one hand. On the other hand, it covers the nature of the EU as a polity. The literature widens the possibilities, as many theories of European integration surfaced and widespread discussion among scholars prevents a consensual definition of what the EU is. Liberal intergovernmentalism and neo-functionalism are two leading and contrasting theories (Moravcsik–Schimmelfennig 2009). While the former emphasises how European integration is instrumental to member states' interests, the latter points out how the EU emerged as an autonomous polity, thereby isolating from member states' influences (Niemann–Schmitter 2004). Liberal intergovernmentalism includes the EU within the array of conventional international organisations. Neo-functionalism envisages the EU as a supranational organisation.

Despite the fact that analytical tools will be provided so that students become aware of the different theories and theoretical approaches, we argue that the EU is (largely, but not 100%) a supranational organisation. Autonomy vis-à-vis member states is a cornerstone of European integration: the institutional system, clear-cut competence assignment between the EU and member states, the decision-making process involving the EU institutions, and the legal system of the EU are the manifestations of this autonomy.

The institutional system of the European Union: From autonomy to path-dependency

An overview of the institutional system

When the three European Communities were created, a rather paradoxical institutional system existed. A single European Parliament (EP) and a single European Court of Justice (ECJ) existed alongside three European Commissions (EC) and three Councils of Ministers (CM). This anomaly was soon corrected. The 1965 Merger Treaty established a single institutional framework for the three European Communities: the EP, the ECJ, the EC and the CM.

The institutional system of the European Union (EU) is prone to evolution. Throughout the years, not only the membership of EU institutions changed (notably after the accession of new member states) but also the number of institutions increased. The European Council was legally recognised after heads of state or government decided to meet on summits on a non-regular basis to discuss fundamental political issues concerning European integration. The Single European Act (enacted in July 1987) provided the legal recognition of this institution.

Other EU treaty amendments modified the institutional system of the EU. The Maastricht Treaty (November 1993) promoted the European Court of Auditors (ECA) to institution. The ECA was created in 1977 as a consultative body. Similarly, the Lisbon Treaty (December 2009) recognised the European Central Bank (ECB) as the 7th institution of the EU, whereas before the ECB acted only as a consultative body (Dehousse–Magnette 2017).

A very important aspect of the evolution of the institutional system was the 1977 inter-institutional agreement that made the direct election of the EP possible. In 1979, European citizens were able to choose their representatives in the EP through elections. Hence, the democratic legitimacy of the EP was considerably strengthened, which in turn had a positive impact on the democratic legitimacy of the European Communities (and later the EU) as well.

How do institutions play? Competences and interests represented

EU institutions are assigned different roles so that no institution is given the possibility to concentrate a single power. The ECB is the exception (see below). The institutions play different roles. The EP, the CM (later renamed Council of the European Union – CEU) and the ECB are decision-making institutions. Yet, their input to the decision-making process is different. While the ECB is limited to the monetary policy of the ECB (Hodson 2017), the EP and the CEU have broad decision-making powers that cover all other policy areas assigned to the EU (Shackleton 2017; Hayes-Renshaw 2017).

The EC and the European Council act as institutions of oversight. They nevertheless perform different roles. The EC is responsible for legislative oversight. It submits legislative proposals to the EP and the CEU (and to national parliaments after the Lisbon Treaty, although they only monitor whether the legislative proposal complies with the subsidiarity principle). The EC has a very important power of agenda-setting, since negotiations between the EP and the CEU are conditioned by the legislative proposal of the EC. Three cases are excluded from the EC's legislative initiative: a) the monetary policy of the Eurozone relies on the ECB's decisions only, given that this institution is politically independent; b) Common Foreign and Security Policy and Justice and Home Affairs (in the latter, only when decisions require unanimous voting) have a specific nature, as they are politically sensitive and therefore are crucial for national interests; c) legislative initiative is triggered by the CEU when the subsidiarity principle assigns the decision to the national (or sub-national) level (Peterson 2017). Political oversight is assigned to the European Council. The institution delivers a sense of political leadership in the EU, which is consistent with high-profile membership: heads of state or government are among the most relevant actors. Major issues with sensitive political ramifications are discussed by the European Council. Also, political guidelines about the future of European integration require an input from this institution (De Schoutheete 2017).

The ECJ and the ECA are non-political institutions of the EU. They act as institutions of control. The ECJ's role is to take care of legal control. The court issues rulings on cases where the application of EU law is at stake. In addition, the ECJ plays a role similar to member states' Constitutional Courts: its jurisprudence is a very important source of interpretation of the EU law; also, it has been the source of important developments of European integration (Schuibhne 2017). The ECA is responsible for budgetary control. It monitors the legal compliance of spending and revenues of the EU budget (Laffan 2017).

Another way of looking to the EU institutions is to recognise the interests they represent based on their membership. Most institutions represent supranational interests (or the interests of the EU as a whole). That is the case of the EP, the ECB, the EC, the ECJ and the ECA. Apart from the EP (MEPs are elected by European citizens), national governments have the final say on the appointment of other institutions' members. Nevertheless, they are not accountable to national authorities. They are expected to act with impartiality as it regards influences exerted by member states. Differently, members of the European Council and the CM represent national interests. Indeed, they are, first and foremost, members of national governments.

The interplay between the institutions involved in decision-making: An example of mutual coordination

Different standards, as far as interests represented are concerned, is the evidence of how the functioning of the EU requires cooperation between institutions. The dynamics of decision-making is paradigmatic. The three institutions involved interact at different moments of the decision-making process. The legislative proposal emanates from the EC. It is a reasonable solution: the EC represents supranational interests, and it encapsulates the broad perspective of what is reasonable for the legislative action of the EU.

Two other institutions interact on the legislative proposal of the EU: the EP and the CEU. Both institutions have several possibilities of providing their input to the legislative proposal. The decision is approved if the EP and the CEU agree on the final version of the legislative proposal. Since the EP represents supranational interests and the CEU national interests, the decision-making system of the EU deliberately seeks a compromise between two institutions that encompass different approaches not only to European integration in general, but also to a specific legislative proposal. Compromise is the keyword for the development of European integration, and of how a balanced outcome for the interests of the EP and the CEU is the precondition for the approval of legal acts (Best 2019).

Competences and policies of the union: Principles and catalogues

The competences of the Union are defined in Articles 2–6 of the Treaty on the Functioning of the European Union (TFEU).

The EU has only the competences conferred on it by the Treaties (principle of conferral). Under this principle, the EU may only act within the limits of the competences conferred upon it by the EU countries in the Treaties to attain the objectives provided therein. Competences not conferred upon the EU in the Treaties remain with the EU countries. The Lisbon Treaty clarifies the division of competences between the EU and EU countries. These competences are divided into 3 main categories: exclusive competences; shared competences; and supporting competences.

Competences are exclusive, if only the Union may adopt binding acts and States are allowed to adopt only enforcement provisions or exercise delegated power. They may be shared if both the Union and its member states may adopt legislative powers. They can also be intended to support, coordinate or supplement the action of the member states.

The first category of competences is foreseen by Article 3 TFEU, it includes a customs union; competition rules necessary for the functioning of the internal market; monetary policy for the member states whose currency is the euro; the conservation of marine biological resources under the common fisheries policy; common commercial policy; the conclusion of international agreements when their conclusion is required by a legislative act of the EU or their conclusion is necessary to enable the EU to exercise its internal competence or if their conclusion may affect common rules or alter their scope.

The shared competences are listed in Article 4 TFEU; the list comprises most of the Union's policies: the internal market; social policy (as defined in the TFEU), economic, social and territorial cohesion; agriculture; environment; consumer protection; transport and trans-European networks; energy; an area of freedom, security and justice; common safety concerns in public health matters, limited to the aspects defined in the TFEU; research, technological development and space; development cooperation and humanitarian aid.

When competences are shared, both the EU and its member states may adopt legally binding acts in the area concerned, yet the member states can do so only where the EU has not exercised its competence or has explicitly ceased to do so.

Furthermore, the initiative of the Union is limited by two fundamental principles laid down in Article 5 of the Treaty on European Union:

- proportionality: the content and scope of EU action may not go beyond what is necessary to achieve the objectives of the Treaties
- subsidiarity: in the area of non-exclusive competences, the EU may act only if – and in so far as – the objective of a proposed action cannot be sufficiently achieved by the EU countries but could be better achieved at EU level

In accordance with the procedure laid down in the Protocol on the application of the principles of subsidiarity and proportionality (no. 2), national Parliaments may send to the EP, the CEU and the Commission a reasoned opinion on whether a draft legislative act complies with the principle of subsidiarity. If a significant number of them express a position of non-compliance, the draft must be reviewed.

A third category comprises the competences to support, coordinate or supplement actions of the member states listed in Article 6 TFEU. These are: the protection and improvement of human health; industry; culture; tourism; education, vocational training, youth and sport; civil protection and administrative cooperation. Legally binding EU acts in these areas cannot imply the harmonisation of national laws or regulations.

According to Article 5 TFEU, the EU can take measures to ensure that EU countries coordinate their economic, social and employment policies at EU level. So these are national competences, but specific procedures for coordination are set up by the TFEU.

The EU's common foreign and security policy (CFSP) is characterised by specific institutional features, and it is regulated by the Treaty establishing the European Union (TEU), in its title V CFSP is an intergovernmental policy, as this is made evident by the limited participation of the European Commission and the EP in the decision-making procedure and the exclusion of any legislation activity. This policy is defined and implemented by the European Council (consisting of the Heads of States or Governments of the EU countries) and by the CEU (consisting of a representative of each EU country at ministerial level). The President of the European Council and the High Representative of the Union for Foreign and Security Policy represent the EU in matters of common foreign and security policy.

Citizens' Europe: Active citizenship

In debating regional supranational governance in the EU, the role of the citizens in the European integration path is a necessary discussion. The multilevel system of governance implies the contribution of many national and supranational actors in the EU decision-making power. Besides, a supranational organisation enjoys its own legitimacy, derived directly from citizens, as stated in Article 10 TEU:

1. The functioning of the Union shall be founded on representative democracy.
2. Citizens are directly represented at Union level in the European Parliament. Member States are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national Parliaments, or to their citizens.

As aforementioned, the EU has evolved from the initial pattern of IO into a sophisticated supranational polity, at the level of which the debate on democratic legitimacy, i.e. the input of the citizens, has to be considered. The debate also runs on the democratic legitimacy of IO in general, but the depth reached by European integration makes it all the more important. There has been a long dispute over an alleged 'democratic deficit' of the Union. Although meanwhile various measures were introduced to allow an effective participation of EU citizens, namely direct elections to the EP, a right to petition the EP, a right to complain to the European Ombudsman and the legislative initiative of citizens, the citizens seem to still keep afar from the increasingly complex political process of the EU.

The Conference on the Future of Europe (2021) takes place from 2021 to 2022 and the practical activity here proposed is inspired on it. It is an invitation and a challenge for the students to develop both critical thinking and team work on such an up-to-date topic. Students are therefore invited to participate in a discussion on the role of citizens as active participants in the future model of EU governance. The forum will consider the following contents:

- trust in the EU institutions
- participation and democracy in the EU

- the Conference on the Future of Europe: why it matters
- perspectives and proposals for the future of Europe

Conclusions

With reference to the political framework underlying international security, this chapter and the related module of the course are structured according to the multilevel theory of governance. Two main levels have been highlighted: global governance, with particular reference to the United Nations and the United Nations system; and the European Union as a structure of regional supranational governance within which European security has to be explained (cf. the first chapter of this volume, 9–31). Therefore, in the first part, the chapter discussed the multilevel structure of global governance, the United Nations system, and briefly mentioned the global agenda (cf. the ninth chapter of this volume, 149–166). In the second part, the text addressed the European Union, focusing on its institutional system and on competences and policies. The chapter ends with the proposal of an exercise on European active citizenship, an up-to-date topic of European governance.

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