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The European Council Creating and Shaping the External Action of the EU: The Sovereignty Dilemma in a stress test

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1 INTRODUCTION: OVERVIEW AND ARGUMENTS

Irrespective of the inconclusive written words of the EU primary law the body of the Heads of State or Government is the dominant master of the real world game in the EU system. The European Council is placed at the apex of the institutional architecture (see Hayes-Renshaw/ Wallace 2006: 173) framing and constructing major dimensions of the EU polity, directing the EU politics and making decisions for major policies.

In contrast to this high relevance the European Council is the most under-researched institution of the Union (see Nugent/ Paterson 2010: 76).

One key to study the European Council is an analysis and assessment of the role it has claimed for system-making and for policy-making in what the Lisbon Treaty now calls 'external action' (Title V TEU and Part Five TFEU). According to its own formulations it aims to strengthen the European Union as 'an effective global actor, ready to share the responsibility for global security and to take the lead in the definition of joint responses to common challenges' (Brussels, September 2010).

The activities, agreements and acts of the European Council in this policy domain are one of the most interesting, relevant and also telling parts of the profile and performance of the European Council. For a more extended look we need to study several features and patterns of its work.

One major key to understand the impact of the European Council is its role as the 'constitutional architect' in framing, making and revising the formal provisions for the EU's 'external action'. Of specific importance are those for the Common Foreign and Security Policy (CFSP).

A highly visible part of the European Council's activities is its role as collective 'voice' and 'face' for the EU as a global player. It has developed a specific profile as an active dialogue partner in world affairs. In specific constellations it also offers a helpful 'hand': The European Council decided on concrete actions – especially in crises.

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It also regularly confirmed its position as a 'master of the procedure' for the EU's external action. Thus, it agreed on 'internal arrangements to improve the European Union's external policy' (Brussels, September 2010).

Overall, we observe a high external visibility of the European Council's activities, but the balance of its performance and impacts is mixed.

I argue that the members of the European Council are generally confronted with a fundamental dilemma between their problem-solving instinct and their sovereignty reflex leading to a hybrid and complex institutional set-up. This thesis can be especially exemplified and highlighted by the efforts to shape the EU as a global player. Hence, this case study, though with specific characteristics, offers a stimulating set of explanatory approaches for analysing the overall working of the European Council. Thus, it is a core area to study the key institution of the EU architecture (see Wessels 2012) and with it to explain the dynamics at work in the evolution of the EU system in the last decades.

2 A LOOK AT THE EMPIRICAL EVIDENCE

2.1 THE CONSTITUTIONAL ARCHITECT: FRAMING AND MAKING TREATY REVISIONS

One major motivation of the Heads of State or Government to create and develop the European Communities as early as in the fifties was to increase their national influence in the international system. In several provisions of the Rome Treaties member states transferred major competences and instruments of trade policy and of development policy to the European Economic Community.

However, in view of the failure of the European Defence Community in 1954 and confronted with major doctrinal controversies the Rome Treaties excluded any direct reference to the area of foreign and defence policy. In the sixties, these disputes were reinforced by the intergovernmental concepts proposed by de Gaulle in the Fouchet plans.

Though not solved, the controversies on a common foreign policy became less a blocking obstacle from the seventies onwards. Starting with the The Hague Summit 1969, Heads of State or Government launched major steps to frame and agree on what is now called the 'Common Foreign and Security Policy'. In the 1969 summit they 'instructed the Ministers for Foreign Affairs to study the best way of achieving progress in the matter of political unification […]. The ministers are to make proposals to this effect' (Communiqué, The Hague 1969).

After several steps they agreed in the Lisbon TEU on a set of new provisions including again institutional innovations. Major milestone decisions are summarized in figure 1.

Figure 1: Major agreements of the Heads of State or Government regarding EPC/CFSP
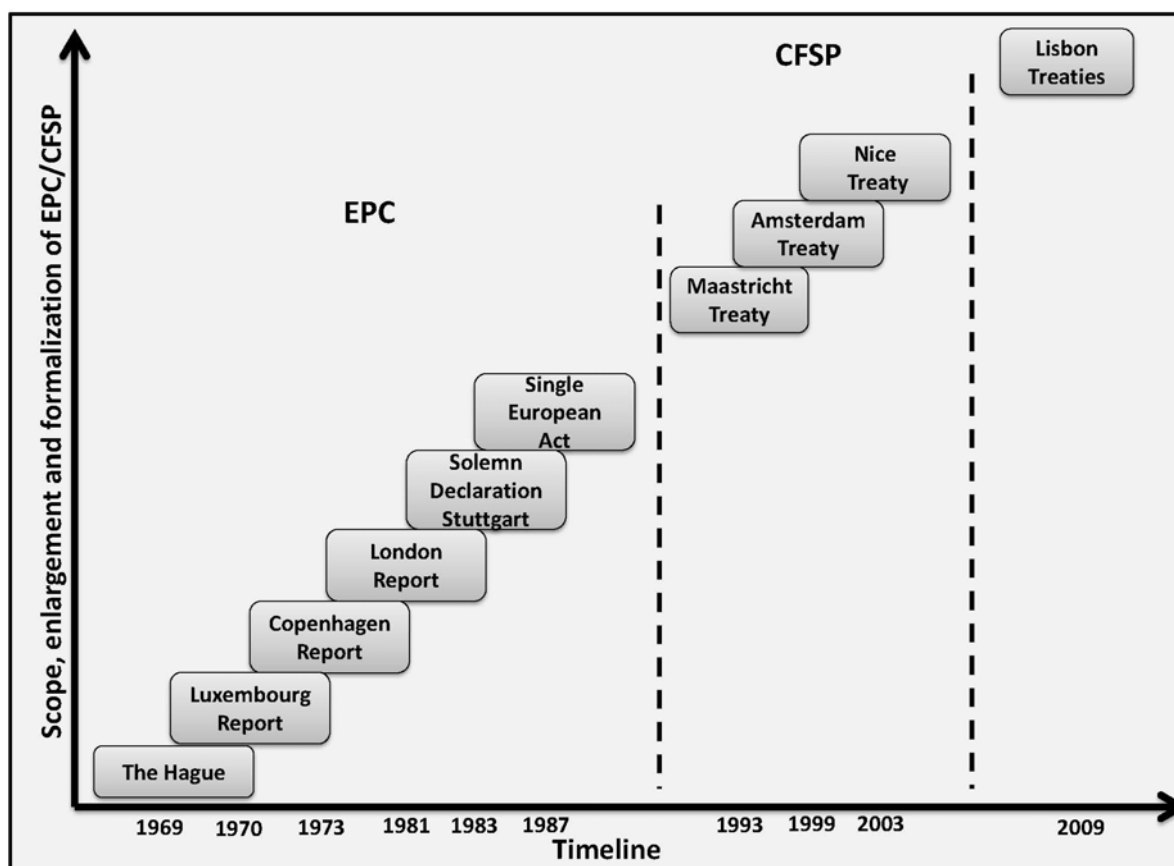
Source: Jean Monnet Chair Wolfgang Wessels 2011. See also Regelsberger/ Jopp 2010: 400.

Assessing the path towards the articles of the Lisbon TEU the highest representatives of the 'Masters of the Treaties' ((German) Federal Constitutional Court 2009: 150) regularly reformulated major procedural provisions on the foreign

policy dimension of external action. They also incrementally adapted the institutional set-up. In a medium term view their system-making efforts can be best characterized as extended and repetitive piecemeal engineering. In my analysis of this process the Masters of the Treaties did not overcome the fundamental cleavage between the two pillars of external action (see figure 2 below) though they aimed to 'ensure the consistency […] of its policies and actions' (Art. 13 (1) TEU). Repeatedly 'the European Council calls for a more integrated approach' and demands that 'the European Union should further enhance the coherence (Brussels, September 2010). Confronted with the dilemma between a problem-solving instinct and the sovereignty reflex, the members of the European Council increasingly pursued some kind of 'rationalized variation of intergovernmental method' in the CFSP provisions of the TEU (see Wessels 2001: 204). This pattern is different from the impact of the European Council as the constitutional architect in the area of Justice and Home Affairs: In this policy domain it shaped an 'Area for Freedom, Security and Justice' with an increasing supranational character. It also reinforced the supranational direction in the economic external relations provisions of the TFEU. Thus the Lisbon Treaties have confirmed the two pillar structure in external action (see figure 2 below).

2.2 A COLLECTIVE VOICE: DECLARATIONS AND STATEMENTS

Since its first meeting in Dublin 1975, the European Council ranked it as one of its 'primary tasks' (de Schoutheete 2006: 51) to 'solemnly express [the EU's] common position in external relations' (Stuttgart 1983). In roughly 90% of the (Presidency) Conclusions the Heads of State or Government used their institution to voice shared views on all major crises, events and developments on the international scene. To a large degree their published outputs mirror the history of events in the international system over the last four decades.

The list of headlines in the (Presidency) Conclusions and especially the various Declarations of the European Council (see figure 2) document a high degree of activities all over its life time with peaks in the 1990s and the early 2000s.

Figure 2: Overview: Statements and Declarations of the European Council in the pillars of 'external action'
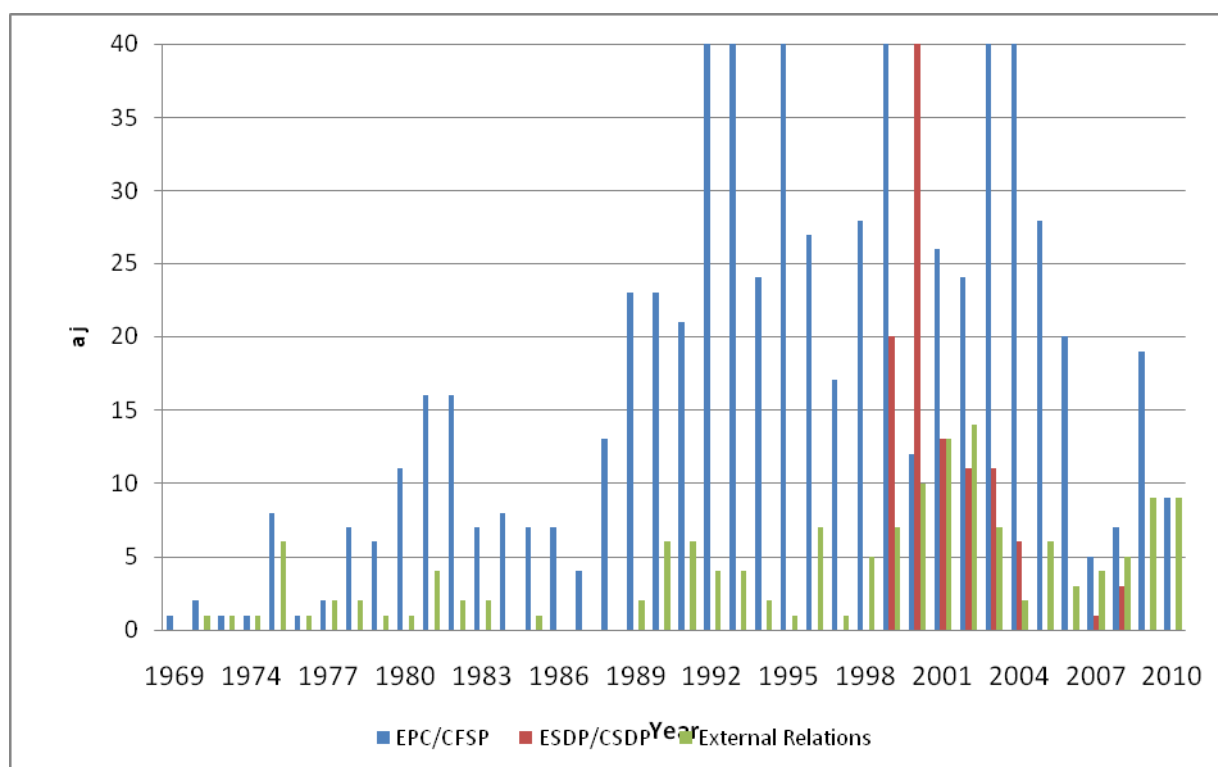
Source: Jean Monnet Chair Wolfgang Wessels 2011. The documents used in this graph comprise the summit Communiqués from 1969-1974 and the (Presidency) Conclusions of the regular European Council meetings from 1975 until December 2010. For the allocation of headlines/chapters the chapters of the Lisbon Treaties have been used. In a second step unallocated headlines/chapters have been matched with certain categories at the Jean Monnet Chair and then allocated coherently. This method proved to be necessary to allocate all headline/chapters and prevent distortions. The allocation has been cross checked regularly at the Jean Monnet Chair to minimise errors of allocation which are inherent to such an interpretive and subjective method. Status Quo 31.12.2010.

A closer look tells us that the European Council has dealt with almost all major issues on the international agenda. In the list of the published output we find a set of priorities concerning the regions which got specific attention. Some of them are permanent topics; some are related to specific periods in contemporary history.

From the first decade of its creation until the first year after the entry into force of the Lisbon Treaties the European Council frequently pronounced EU positions on the 'Middle East' (e.g. Venice 1980), the 'Middle East peace Process' (e.g. Santa Maria de Feira 2000; Brussels, September 2010), and 'Lebanon' (Luxembourg 1980). A standard formulation for example varied around statements such as 'the Ten are deeply disturbed by the continued lack of progress towards peace between Israel and its Arab neighbours' (Brussels 1983).

Important items during the last decade were declarations on 'Iran: nuclear issues' (Brussels, November 2004; Brussels, June 2010).

Until the early nineties, the European Council formulated views and demands on the 'East West relations' (e.g. Luxembourg 1980), the military coup in Poland (e.g. Maastricht 1981), the 'Conference for Security and Cooperation in Europe (CSCE)' (e.g. Dublin 1975), 'Central and Eastern Europe', or on Baltic States.

With the fundamental changes in the international and European system in 1989 the European Council initiated the process of accessions which led to the membership of the former GDR territory and ten countries of this region in 2004/2007. This 'big bang' enlargement is generally assessed as a major success of the EU's foreign policy leading to the 'unification' of Europe.

Also after the end of the East-West confrontation we find statements on Russia, Ukraine, Belarus, Chechnya. In view of the accession of the Central European countries the European Council issued plans on 'Wider Europe – New European Neighbourhood Initiative' (Brussels, October 2003) and on the 'Eastern Partnership' (Brussels, June 2008).

With the post Cold War developments in South Eastern Europe the governmental heads of the EU states were confronted with multiple conflicts in the Balkans. Thus, they set guidelines for dealing with 'Ex-Yugoslavia', Kosovo (e.g. Vienna 1998), Albania, the 'Western Balkans', the 'Stability Pact for South-Eastern Europe' (e.g. Cologne 1999), 'Serbia and Montenegro', and also opened the gate to a future membership (Thessaloniki 2003).

For a relevant period the European Council also dealt with the democratization processes in Latin America and with supporting peacekeeping and making in Central America. Mentioned are also Bolivia and Guatemala (Brussels, October 2003). Although we find statements on the 'EU – Latin America summit' (Cologne 1999) and on 'Relations with Latin America' (e.g. Brussels, June 2005) this region of the world is less prominent on the list of statements.

The European Council also adopted common views on conflicts in Africa, particularly on South Africa until the end of apartheid. In The Hague 1986 the European Council

agreed on sanctions against South Africa. It also expressed positions on developments in Somalia, Ethiopia, the Great Lake regions, the 'Lome convention', Zimbabwe, Sudan, Somalia Cote d'Ivoire, Congo and passed a 'Declaration on African Issues' (Brussels, December 2006).

The European Council also dealt with wars such as in Iraq, with the Soviet invasion in Afghanistan (e.g. Venice 1980) and later the NATO intervention (Brussels, March 2004).

With a view on Asia the governmental heads also adopted EU positions on 'East Timor', 'Hong Kong and Macau', 'the Democratic People's Republic of Korea', 'Burma and Myanmar', on 'Pakistan and Afghanistan' (Brussels, June 2009).

In relation with close partners the European Council agreed on 'the new transatlantic agenda' (Madrid 1995) and passed several statements on 'Transatlantic relations' (Cologne 1999), on 'EU – US relations' dealing e.g. with 'monetary relations' (Luxembourg 1981). We also find statements on trade relations with Japan and Mexico and on Turkey as well as on Switzerland (Vienna 1998).

In a specific formula the European Council passed common strategies of the European Union on Russia (Cologne 1999), the Ukraine (Helsinki 1999) the Mediterranean (Brussels, June 2000) as well as the 'EU Strategy on Central Asia' (Brussels, June 2007) and the 'EU Strategy for the Baltic Sea Region' (Brussels, October 2010).

Besides general declarations and statements the European Council also mandated positions for negotiations in international organization and conferences, e.g. for the WTO and its Uruguay round (e.g. Dublin 1990), in the North South Dialogue (Luxembourg 1981), in GATT negotiations (e.g. Brussels, December 1993), the Copenhagen and Cancun conferences on climate change (Brussels, March 2009; Brussels, October 2010), as well as for G8 and G 20 summits (e.g. Brussels, June 2010).

As major guidelines to define the EU's role in the international system the European Council initiated and pursued specific strategies for different regions of the world. To mention significant examples it launched the 'Barcelona Process' for Euro-

Mediterranean relations (Barcelona 1995), the 'Union for the Mediterranean' (Brussels, June 2008), the 'Eastern partnership' (Brussels, March 2009) and a 'Joint EU-Africa strategy' with the status of a strategic partnership (Brussels, June 2007). The European Council has also further promoted 'strategic partnerships' e.g. with the Mediterranean and the Middle East (e.g. Brussels, June 2004), and it defined a policy for 'the European Union's strategic partnerships with key players in the world' (Brussels, September 2010).

Also issues of a horizontal nature were taken up by the Heads of State or Government, such as 'Green Diplomacy' (Thessaloniki 2003), 'sustainable Development' (Barcelona 2002), and 'The Millennium Development Goals' (e.g. Brussels, October 2010). Also the 'fight against terrorism' (e.g. Ghent 2001) and 'the International Criminal Court' (Cardiff 1998) were on the agenda of the European Council.

A new dimension of its activities started with the 'European Council declaration on strengthening the (Common) European security and defence policy' (Cologne 1999). On the (C)ESDP we find 'presidency report(s)' (Nice 2000). The European Council also agreed on a 'Declaration on the operational capability' (of the (C)ESDP) (Laeken 2001) and on its relation with NATO and non-EU European allies (Brussels 2002).

On the long list of the European Council's activities, some declarations are considered to be of high importance: To be mentioned here are the declaration of Venice on the Middle East (1980), the creation of the (C)ESDP (Cologne 1999), the European Security Strategy (Brussels, June 2003; Brussels, December 2003) and its delimited actualization in the 'declaration of the European Council on the enhancement of the European Security and Defence Policy (ESDP)' (Brussels, December 2008).

Besides and beyond *ad hoc* statements the European Council framed and promoted the doctrine of 'effective multilateralism' for the EU's role in the international system. In the Europe Security Strategy (Brussels, June 2003; Brussels, December 2003) and later it repeatedly proclaimed: 'The Union can draw on its firmly-rooted belief in

effective multilateralism, especially the role of the UN, universal values, an open world economy and on its unique range of instruments' (Brussels, September 2010).

The impact of these positions issued by the highest authority of the EU cannot be assessed without analysing the specific cases. In general, there is a risk that the proliferations of foreign policy declarations might reduce their real world effect (de Schoutheete 2006: 52).

2.3 THE COLLECTIVE 'FACE' OF THE EU: EXTERNAL REPRESENTATION

The European Council has however not restricted its activities as the ultimate 'voice' for framing shared views, formulating common positions as well as for agreeing on strategies and formulating a foreign policy doctrine. The Heads of State or Government also engage themselves in giving the EU a common face in form of a direct personal presence in the external representation of the EU.

We can identify two forms of establishing and pursuing global dialogues: One major activity is a set of regular summits in which all members of the European Council meet with the governmental heads of other regional groups. In another form of summitry the European Council is represented by its President and the President of the European Commission.

Table 1: List of summit meetings with third countries in 2010

Date	Bilateral	Group
7 March	EU-Morocco	
28 April	EU-Japan	
5 May	EU-Canada	
16 May	EU-Mexico	
17 May		EU-Cariforum
17May	EU-Chile	
17 May		EU-Mercosur
18 May		EU-LAC
19 May	EU-Canada	
19 May		EU-Central America
31 May-1 June	EU-Russia	

4 June	EU-Pakistan	
25-26 June		G8
26-27 June		G20
14 July	EU-Brazil	
28 September	EU-South Africa	
4-5 October		ASEM
6 October	EU-Republic of Korea	
6 October	EU-China	
11-12 November		G20
20 November	EU-USA	
22 November	EU-Ukraine	
29-30 November		EU-Africa
1-2 December		OSCE
7 December	EU-Russia	
10 December	EU-India	

Source: http://www.european-council.europa.eu/the-president/summits-with-third-countries.aspx (20.02.2011), compiled by Jean Monnet Chair Wolfgang Wessels 2011.

With this common public appearance the European Council might have turned into a 'collective head of state' (de Schoutheete 2006: 52).

2.4 THE COLLECTIVE CRISIS MANAGER

Time and again, national leaders have used the European Council to jointly address unexpected external shocks in the international system. The top national representatives e.g. convened extraordinary meetings in such instances. In serious historic events, for example the fall of the Berlin Wall (Strasbourg, 1989), the terrorist attacks of September 11th 2001 (Brussels, September 2001), the Iraq conflict, the war in Georgia and the revolutions in Tunisia and Egypt, they also got together at short notice to, though not always successfully, establish a common approach for the EU.

2.5 AT THE APEX OF THE EU'S INSTITUTIONAL ARCHITECTURE

To understand the role of the European Council in external action we need to look at the position of the European Council in the institutional architecture (see figure 3).

Figure 3 The institutional architecture of the EU's external action
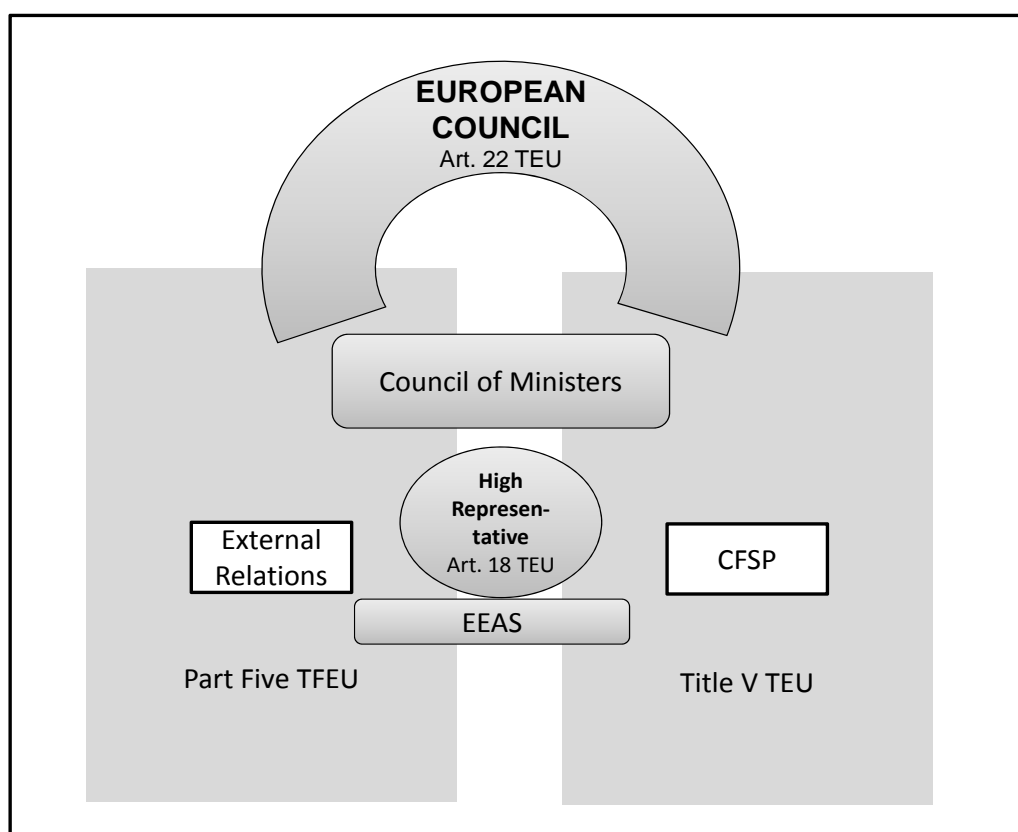
Source: Jean Monnet Chair Wolfgang Wessels 2011.

The Lisbon Treaties allocate a set of functions and responsibilities to the European Council. In the general task description the legal words of Art. 15 TEU do not mention any external role for the European Council except for the 'external representation on issues concerning (the Union's) common foreign and security policy' (Art. 15 (6) TEU) by its President. However, we need to look at other provisions which take up major trends of past developments in the living architecture.

In Article 22 TEU and again in Article 26 TEU (here specifically for the CFSP), the Lisbon TEU places the European Council both at the top and in the centre (see figure 3) of the EU's institutional architecture with regard to external action. Framing the Lisbon Treaties, the Heads of State or Government have given themselves the role to 'identify strategic interests and objectives' comprehensively for the whole range of the external action. This provision now extends the power of the European Council also in legal terms to traditional EC areas of external relations like the Common

Commercial Policy and development policy. The Nice Treaty provisions had granted this guiding role only in the area of the CFSP (Art. 13 TEU Nice). In the Lisbon TEU the European Council shall not only take decisions just on CFSP matters (Art. 26 TEU) but also on 'other areas of the external action' which are prepared and implemented in accordance with different procedures in the Treaties (Art. 22 (1) TEU). Following the Community orthodoxy this dominating location of the European Council is another sign indicating that the Lisbon Treaties reinforce intergovernmental trends in external action: In this view the body of national leaders 'invades' the supranational – former first – pillar.

Further articles underline the hierarchical position of the European Council. Thus Art. 16 (6) TEU states: 'The Foreign Affairs Council shall elaborate the Union's external action on the basis of the guidelines laid down by the European Council', and Art. 27 (1) TEU demands that the High Representative 'shall ensure implementation of the decisions adopted by the European Council'.

The European Council itself has repeatedly underlined this role as the master of the relevant procedures. Thus it took decisions on strategies and steps for action: In its sessions the European Council, devoted to deliberate about 'relations with strategic partners', decided 'to give new momentum to the Union's external relations, taking full advantage of the opportunities provided by the Lisbon Treaty' and agreed on 'internal arrangements to improve the European Union's external policy' (Brussels, September 2010). It also confirmed its own task to 'regularly discuss external relations in order to set strategic orientations'. This requires clear strategic guidance by the European Council on the basis of effective preparation by the High Representative and by the Council' (Brussels, September 2010). As another example for its role to set guidelines we find the following statement: 'The European Council discussed the key political messages which the President of the European Council and the President of the Commission will promote at the forthcoming summits with the United States, Russia, Ukraine, India and Africa' (Brussels, October 2010).

The Treaty provisions have also reconfirmed the role of the European Council as a crisis manager, e.g. with a view to potential terrorist attacks (Art. 222 (4) TFEU) and empowering its President to call emergency meetings (Art. 15 (3) TEU).

As a consequence of the active role of the European Council, its President has gained a specific role, too. In formal protocol terms this office holder is the highest representative of the European Union welcoming presidents and prime ministers of third countries.

Up to the Lisbon Treaties this task was executed by the rotating presidency sometimes supported by a troika formation of three consecutive presidencies. As one of the major institutional innovations the Lisbon TEU has installed a permanent, full-time President (Art. 15 (5) and 15 (6) TEU). With respect to the external action the relevant provisions of the Lisbon Treaties formulate that 'the President of the European Council shall, at his level and that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security policy' (Art. 15 (6) TEU). This text restricts the potential opportunities of this office: it refers only to CFSP issues – this means not on commercial and climate issues. Thus, the President has to find a modus operandi with the President of the European Commission. 'With exception of the common foreign and security policy' the Commission, represented at the highest level by its President, 'shall ensure the Union's external representation' (Art. 17 (1) TEU). The first permanent President of the European Council has been active in this role in an uneasy relationship with his colleague from the Commission (see CEPS/Egmont/EPC 2010).

The Lisbon TEU also created the new office of the 'High Representative of the Union for Foreign Affairs and Security Policy'. The office holder 'shall take part in its [the European Council's] work' (Art. 15 (2) TEU) and 'shall ensure the implementation of the decisions adopted by the European Council' (Art. 27 (1) TEU). During the first year the European Council has applied the relevant articles by using formulations like 'The High Representative is invited' or it 'asks the High Representative' (Brussels, September 2010). The European Council clearly acted as the principle mandating the High Representative as an agent. Following such an analysis the President of the European Council has established a hierarchical relationship with the newly established High Representative.

3 CONCLUSIONS: THE DILEMMA IN A STRESS TEST

The analysis of this part of the European Council's activities is illustrating most obviously the fundamental dilemma the Heads of State or Government are facing in framing and shaping the European Union.

In my analysis the international profile of the European Council is both obvious and difficult. On the one hand it belongs to the normal instincts that the national leaders want to express their common concerns on major issues of world affairs. They are well aware that a collective voice increases the weight of their own influence; not only small countries but also the larger ones realize that the backing of their EU partners is increasing the effectiveness of national positions as documented by the French President Sarkozy in dealing with the war in Georgia in 2008.

Looking at the list of their activities, it is obvious that the Heads of State or Government were and are eager to contribute *in persona* to develop the EU's role as a global player. They did not want to leave this task exclusively to their Foreign Ministers, who were active via the General Affairs and External Relations Council (GAERC) and, since the Lisbon TEU, via the Foreign Affairs Council. Irrespectively of their domestic division of competences and labour, the top national politicians were and are keen to demonstrate to their national public that they are part of the relevant peer group to decide on items with a high media visibility.

This trend towards publicity is a permanent feature, even though governmental heads might just approve formulations prepared by Foreign ministers and their diplomats. Indeed, many observers stress that the governmental heads adopt most of these statements and declarations often without any deliberations in their club.

On the other hand, foreign policy in a broad sense is in the centre of the sovereignty reflex. National politicians are subject to close scrutiny of not selling vital national interests for the sake of vague EU position. Thus in situations and constellations which governmental heads defined as 'vital interests' in terms of 'high politics' (see Hoffmann 1966) they were only able to come up with a shared declaration, their original national preferences being already rather similar or converging. The most obvious cases for conflicting positions were the initial reactions to the civil wars in Ex-

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Yugoslavia, the deep division within the European Council on the US led invasion of Iraq and the immediate reaction to the Egyptian revolution. At that occasion the five larger countries adopted a declaration just before the very meeting of the European Council which then passed a follow-up declaration (Brussels, February 2011). Thus, even after the Lisbon TEU has entered into force, the 'great powers' have continued old patterns of building a restricted *directoire*.

In view of the limits set for the European Council we also need to take into account another persistent evolution: In spite of the high degree of publicized activities at the level of the European Council, individual government heads, especially those of the larger member states, have continued to maintain and even further pursued a policy to strengthen their status and influence in foreign affairs. For safeguarding their national sovereignty a declaration in the Lisbon text 'underlines […] that provisions covering the Common Foreign and Security Policy will not affect the legal basis, responsibilities and powers of each member state' (Declaration 13, Lisbon Treaties 2009). The EU voice has thus not substituted national efforts to aim at a role as an active player on the international scene.

Following this line of argumentation, we also observe that the Heads of State or Government excluded some major issues from their agenda. For a considerable time – until the Maastricht Treaty – the word 'defence' was nearly a taboo. Major security issues, such as NATO strategies, remained outside the published outputs. Since the 1999 launch of the '(Common) European security and defence policy' by the European Council, we do not find traces of a real European defence policy in the traditional narrow sense. Also one year after the entry into force of the Lisbon 'Provisions on the Common Security and Defence Policy' (Art. 42-46 TEU) the European Council has not addressed core issues of the defence domain.

Facing this dilemma, the Heads of State or Government as constitutional architects have not reached any unambiguous decision about the direction the institutional architecture is to take. With the creation of the office of the High Representative and the European External Action Service they have again opted for a complex and confusing path between a rationalized form of intergovernmentalism and a

strengthened mode of supranationalism. In any case they have reinforced their own position at the apex and in the centre between the two areas.

4 BIBLIOGRAPHY

The references to the meetings of the European Council refer to the Presidency Conclusions and declarations and, from the December 1st 2009, to Conclusions of the European Council.

European Council (1969): Communiqué. The Hague Summit 1969, The Hague.

European Council (1975): Report presented by the Committee of Three to the European Council, October 1975, Dublin.

European Council (1980): Presidency Conclusions, Luxembourg.

European Council (1981): Presidency Conclusions, Maastricht.

European Council (1983): Presidency Conclusions, Stuttgart.

European Council (1989): Presidency Conclusions, Strasbourg.

European Council (1990): Presidency Conclusions, Dublin.

European Council (1993): Presidency Conclusions, December, Brussels.

European Council (1995): Presidency Conclusions, Barcelona.

European Council (1998): Presidency Conclusions, Vienna.

European Council (1998): Presidency Conclusions, June, Cardiff.

European Council (1999): Presidency Conclusions, Helsinki.

European Council (2000): Presidency Conclusions, Santa Maria de Feira.

European Council (2000): Presidency Conclusions, June, Brussels.

European Council (2001): Presidency Conclusions, Laeken.

European Council (2001): Declaration by the Heads of State or Government of the European Union and the President of the Commission. Follow-up to the September 11 Attacks and the Fight against Terrorism, Ghent.

European Council (2002): Presidency Conclusions, Brussels.

European Council (2002): Presidency Conclusions, March, Barcelona.

European Council (2003): Presidency Conclusions, December, Brussels.

European Council (2003): Presidency Conclusions, June, Thessaloniki.

European Council (2003): Presidency Conclusions, October, Brussels.

European Council (2004): Presidency Conclusions, June, Brussels.

European Council (2004): Presidency Conclusions, March, Brussels.

European Council (2004): Presidency Conclusions, November, Brussels.

European Council (2005): Presidency Conclusions, June, Brussels.

European Council (2006): Presidency Conclusions, December, Brussels.

European Council (2008): Presidency Conclusions, December, Brussels.

European Council (2008): Presidency Conclusions, June, Brussels.

European Council (2009): Declaration 13, Lisbon Treaties.

European Council (2009): Presidency Conclusions, June, Brussels.

European Council (2009): Presidency Conclusions, March, Brussels.

European Council (2010): Conclusions, October, Brussels.

European Council (2010): Conclusions, September, Brussels.

European Council (2010): Conclusions, June, Brussels.

European Council (2011): Conclusions, February, Brussels.

(German) Federal Constitutional Court (2009): 2 BvE 2/08, 30.6.2009 ('Lisbon Judgement'), available at: http://www.bundesverfassungsgericht.de/entscheidungen/es20090630_2bve0 00208en.html (last checked: 22.2.2011).

Hayes-Renshaw, Fiona/ Wallace, Helen (2006): The Council of Ministers, Houndmills/ New York: Palgrave Macmillan.

Hoffmann, Stanley (1966): Obstinate or Obsolete? The Fate of the National State and the Case of Western Europe, in: Daedalus, 95 (3), pp. 862-915.

Regelsberger, Elfriede/ Jopp, Mathias (2010): The Common Foreign and Security Policy of the EU – Fusion trends and future perspectives, in: Diedrichs, Udo et

al. (eds): Europe Reloaded. Differentiation or Fusion?, Baden-Baden: Nomos Verlagsgesellschaft, pp. 396-416.

CEPS/ Egmont/ EPC (2010): The Treaty of Lisbon. A Second Look at the Institutional Innovations, Joint Study, Brussels: CEPS/ Egmont/ EPC.

Nugent, Neill/ Paterson, William E. (2010): The European Union's Institutions, in: Egan, Michelle/ Paterson, William E./ Nugent, Neill (eds): Research Agendas in EU Studies. Stalking the Elephant, Houndmills/ New York: Palgrave Macmillan, pp. 60-91.

de Schoutheete, Philippe (2006): The European Council, in: Peterson, John/ Shackleton, Michael (eds): The Institutions of the European Union, 2nd edition, Oxford: Oxford University Press, pp. 37-59.

Wessels, Wolfgang (2001): Nice Results: The Millenium IGC and the EU's Evolution, in: Journal of Common Market Studies, 39 (2), pp. 197-219.

Wessels, Wolfgang (2012): The European Council, Houndmills: Palgrave Macmillan, forthcoming.