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BA – Seminar: EU-Turkey Relations in Energy Cooperation

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Background knowledge: Solidarity in the European Union

Solidarity has been a cornerstone of European integration. Already the Schuman Declaration underlines its importance for the development of the European project. In the course of time solidarity has been applied in different aspects as regards the European Union.

“L’Europe ne se fera pas d’un coup, ni dans une construction d’ensemble: elle se fera par des réalisations concrètes – **créant d’abord une solidarité de fait**. Le rassemblement des nations européennes exige que l’opposition séculaire de la France et de l’Allemagne soit éliminée: l’action entreprise doit toucher au premier chef la France et l’Allemagne” (Schuman, Robert: Déclaration du 9 mai 1950).

The European Court of Justice describes solidarity as foundation of European membership, as kind of obligation in order to guarantee a functioning community. This understanding of solidarity can be found in several judgments as early as 1973 in case of the Commission vs. Italy.

One of the policies with the biggest contributions to solidarity is European Regional Policy. Different funds have the aim to equal out regional differences and to enable Europeans to live on equal standards. However, within this policy field, solidarity has not been spelled out directly – it is rather a functional understanding.

However, the Treaties prove that solidarity has been updated as legal norm on the EU level. The Lisbon Treaty speaks in several chapters about solidarity, political solidarity and a spirit of solidarity. Hereby, solidarity is not only a fundamental value of the Union, but it is also envisaged as aim within different policy fields. Simultaneously, solidarity seems in some political fields only to be a rhetorical tool, while other policy fields transform solidarity in concrete actions, probably due to the higher integration of those fields. Additionally, solidarity is mentioned in the Treaties between different groups. Most of the time the term is used to underline solidarity between Member States. Next to this there is also solidarity between generations, solidarity between European peoples and solidarity between Member States and the European Union. An additional dimension of solidarity refers to solidarity as international norm in order to influence the EU’s external policy.

Treaty of Lisbon

Treaty on the European Union

Article 1

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Art. 3

It shall promote economic, social and territorial cohesion, and solidarity among Member States.

Art. 24(3)

The Member States shall support the Union’s external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and shall comply with the Union’s action in this area.

Treaty on the Functioning of the European Union

SOLIDARITY CLAUSE

Article 222

The Union and its Member States shall act jointly in a spirit of solidarity if a Member State is the object of a terrorist attack or the victim of a natural or man-made disaster.

Solidarity has gained attention, not only in the political but obviously also in the public sphere. Speeches and policy papers as well as legal acts evoke European solidarity. And similar as in the Treaty of Lisbon, sometimes the term is used to show what holds Europe together, i.e. as cement of the European Union; in the same speech solidarity can be used as aim and as something to establish. It seems also that solidarity is particularly often called upon, when it is missing. Therefore, the concept of solidarity remains difficult to grasp.

Academically, the conceptualization of solidarity is thus of importance in order to clarify, what we talk about in general, and in order to measure and compare. The literature provides us with a wide range of concepts, however, a deeper conceptualisation of European solidarity is still missing.

In the recent years, it has been lacking solidarity which was underlined mainly during the refugee management crisis. Solidarity between member states is hardly visible due to different preferences in this policy field. Member states even preferred to externalize the migratory pressure to neighbouring countries around the Mediterranean, in order to evade further confrontation within the Union. Especially the EU-Turkey migration deal has been criticized since Turkey gained with help of the deal additional power over the EU. But even the constant fear that deteriorating relations with Turkey could wreck the deal, is not pushing the EU for further solidarity movements.

The question remains, in how far solidarity will be – as kind of last resort – put through by the European Court of Justice. The treaties provide the opportunity to underline the importance of searching for joint European interests, which are more than the sum of single interests.

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