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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

EUROPEAN UNION: NAVIGATING THE PATH TO UNITY AND RESILIENCE

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Abstract:

The European Union (EU) stands as one of the most ambitious and successful experiments in regional integration in modern history. Since its establishment, the EU has made remarkable progress in promoting peace, stability, and economic prosperity among its member states. The EU has a significant impact on the geopolitical dynamics of Europe, influencing trade, foreign policy, and governance. However, the EU faces a multitude of contemporary challenges that test its unity and resilience. Unity between the member states is a fundamental aspect of the EU and it plays a crucial role in various domains, including trade, security, research, and justice. The EU has been engaged in the Balkans to promote stability, democracy, and integration, but challenges remain, including unresolved territorial disputes and ethnic tensions since the Balkan region has a complex geopolitical landscape due to its history of ethnic and political tensions. The United Kingdom's decision to leave the EU, known as Brexit, has had significant geopolitical implications. It has impacted the EU's internal dynamics and raised questions about the future of the EU's relationship with the UK, as well as its impact on trade and security in Europe. In this article, we will explore some of the pressing issues confronting the EU, ranging from political fragmentation and populism to economic disparities and defense cooperation. Understanding and addressing these challenges is essential for ensuring the future success of regional integration and sustainability.

Keywords-

Europe Union, Economic disparity, defense cooperation.

Introduction:

The European Union (EU) stands as one of the most ambitious and successful experiments in regional integration in modern history¹. Since its establishment, the EU has made remarkable progress in promoting peace, stability, and economic prosperity among its member states. The EU's structure includes various institutions such as the European Commission, the European Parliament, and the Council of the European Union², which work together to shape and implement policies aligned with its objectives, such as to promote peace and stability, to create a single market and promote economic integration among its member states, and committed to upholding democratic principles, human rights, and the rule of law, further it aims to reduce disparities among its member states and promote social cohesion by providing financial support to less developed regions and implementing policies that address social inequalities and promote inclusivity and to enhance its collective influence on the global stage through a common foreign and security policy. This involves coordination of diplomatic efforts, conflict prevention, and crisis management³. Thus, EU seeks to foster cooperation with other regions and international organizations to address global challenges such as poverty, disease, terrorism, and migration. However, the EU faces a multitude of contemporary challenges that test its unity and resilience. In this article, we will explore some of the pressing issues confronting the EU, ranging from political fragmentation and populism to economic disparities and climate change. Understanding and addressing these challenges is essential for ensuring the future success and sustainability of the European Union.

Political Fragmentation and Populism:

One of the most significant challenges the EU faces today is political fragmentation and the rise of populist movements. Brexit, with the United Kingdom's departure from the Union, demonstrated the potential for disintegration. A significant driver of Brexit was the desire for greater national sovereignty and control over laws, regulations, and immigration policies. Many proponents argued that EU membership curtailed the UK's ability to make independent decisions. One of the most contentious issues has been the status of the Irish border. The Good Friday Agreement⁴, which helped bring peace to Northern Ireland, hinged on an open border.

¹ <https://www.imf.org/external/pubs/ft/fandd/2014/03/moghadam.htm>

² https://european-union.europa.eu/institutions-law-budget/institutions-and-bodies/types-institutions-and-bodies_en

³ https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values_en

⁴ https://www.thebritishacademy.ac.uk/documents/97/TheGoodFridayAgreementBrexitandRights_0.pdf

Brexit raised concerns about the potential reemergence of a hard border and its impact on peace and stability. Brexit has raised questions about the status and rights of EU citizens in the UK and UK citizens in the EU. Brexit has highlighted tensions within the UK's devolved nations. Scotland and Northern Ireland voted to remain in the EU, leading to discussions about their future relationship with the UK and the EU⁵. It has also triggered discussions about British identity and its relationship with Europe. Additionally, the migrant crisis, differing national interests, and skepticism towards EU institutions have fueled populist sentiments across member states. These movements often exploit public discontent with globalization, immigration, and the perceived loss of sovereignty, posing a threat to the EU's core principles and unity. The process of untangling the UK's economic relationship with the EU has been complex. Trade disruptions, regulatory changes, and uncertainty have impacted businesses, supply chains, and investment decisions⁶. On December 24, 2020, the UK and the EU reached a trade and cooperation agreement that governs their relationship post-Brexit. The agreement covers trade, fisheries, security, and various other aspects of the relationship. While the trade agreement provided clarity on several issues, challenges remain. Customs procedures, border checks, and regulatory divergence continue to impact trade flows between the UK and the EU. To counter this challenge, the EU must address the underlying concerns driving populist movements, promote inclusive governance, and strengthen cooperation among member states. political fragmentation by the rise of diverse and often conflicting political ideologies across member states, threatens the cohesiveness of the EU's decision-making processes and the realization of its common objectives.

Economic Differences and Social Structure:

Financial disparities among member states create challenges for cross-border collaboration within the EU. Economic gaps and different levels of development can affect the capacity of certain countries to actively participate in collaborative efforts or contribute to joint initiatives. Economic disparities among EU member states have widened in recent years, posing a significant challenge to social cohesion and solidarity. The financial crisis of 2008 and the subsequent Eurozone crisis exposed the vulnerabilities of the EU's economic governance framework. One of the most prominent economic differences within the EU is the North-South

⁵ Agust Arnorsson, Gylfi Zoega,(2018), On the causes of Brexit, *European Journal of Political Economy*, Volume 55, pp. 301-323.

⁶ Karen Jackson, Oleksandr Shepotylo,(2018), Post-Brexit trade survival: Looking beyond the European Union, *Economic Modelling*, Volume 73, pp. 317-328.

divide. Northern European countries, such as Germany and the Netherlands, generally boast stronger economies, higher income levels, and advanced industries. Southern European nations, including Greece, Spain, and Italy, have faced economic challenges and higher unemployment rates and social unrest. Economic differences also manifest in the East-West axis. Former Eastern Bloc countries that joined the EU in recent decades often have lower GDP per capita and struggle with economic development. The Central and Eastern European countries struggles with developmental gaps and income disparities compared to their Western counterparts. Example as per the data, the percentage of the people who were not able to keep their homes warm in Germany was 2.7% in 2018, however in Greece over the same year it was 22.7% of the people, according to Eurostat. Socio-economic inequality within Europe is inevitably present in the food people [can afford to eat](#). There is a difference of 59.8 between Kosovo and Sweden, In Kosovo 61.3% of the population could not afford a meal with [meat](#), chicken, fish ([or a vegetarian equivalent](#)) in 2018, and in Sweden, where the percentage is 1.5%⁷.

Addressing these economic disparities requires a comprehensive approach, including targeted investments, structural reforms, and improved coordination of economic policies to ensure sustainable growth and reduce inequality. Hence the object of the EU's single market aimed to facilitate economic integration. However, differing economic capacities and productivity levels have led to concerns about unfair competition and wage discrepancies, particularly in sectors with cross-border labor mobility. The EU's structural funds aim to reduce economic disparities among member states. Cohesion policies provide financial assistance to less-developed regions for infrastructure projects and investments to stimulate economic growth and employment. Though The EU comprises diverse cultures, languages, and social norms. This diversity enriches the EU's social fabric but also creates challenges in terms of communication, understanding, and integration, particularly in a context of increasing migration. The EU comprises diverse cultures, languages, and social norms. This diversity enriches the EU's social fabric but also creates challenges in terms of communication, understanding, and integration, particularly in a context of increasing migration. Variations in labor market regulations, minimum wages, and labor protection contribute to differences in income distribution and social inequality among member states. Some EU countries face aging populations and declining birth rates, which impact social security systems and future

⁷ <https://www.investmentmonitor.ai/features/inequality-within-europe-five-charts/?cf-view>

workforce availability. Others experience higher birth rates and younger populations, which can strain resources and social services.

Addressing financial disparities requires a combination of targeted investments, structural reforms, and cohesion policies that promote economic convergence. The EU's cohesion funds, regional development programs, and investment initiatives play a crucial role in reducing disparities and ensuring that all member states can actively engage in cross-border collaboration.

Migration and Refugee Crisis:

All citizens of the Member States of the European Union are entitled to the freedom of movement within the EU as well as the ability to visit and live in any EU Member State. Article 21 of the Treaty on the Functioning of the European Union (TFEU) guarantees the right to freedom of movement. The freedom of movement granted to EU citizens is subject to several requirements and limitations outlined in European Community law. Other than needing to have a valid identity card or passport, E.U. citizens are not subject to any restrictions or formalities when entering and remaining on the territory of other Member States for a maximum of three months. EU citizens who are employed, self-employed, or seeking employment in the host country for a set period of time, or who are unemployed and have adequate resources and comprehensive health insurance coverage, are permitted to stay in the country for a period longer than three months. They also have the right to permanent residence after five years of legal residence. Regardless of citizenship, family members who follow or join an EU citizen who meets these requirements are likewise entitled to stay for longer than three months. Prior to EU referendum and the Covid-19 pandemic in 2020, free movement from the European Union was a core source of labour migration to the UK. UK Principle 5 of the White Paper establishes the proposed changes that will be made to the UK's immigration system. It confirms at paragraph 5.3 that: 'We will design our immigration system to ensure that we are able to control the numbers of people who come here from the EU. In future, therefore, the Free Movement Directive will no longer apply, and the migration of EU nationals will be subject to UK law.' The Free Movement Directive referred to is Directive 2004/38/EC (the Directive), part of European legislation, which underpins European citizens' right to travel, work and live in member states of the EU. This position comes as no surprise and echoes the government's previously communicated intentions to reduce net migration.

This was a key factor for many members of electorate when voting in the referendum and the White Paper confirms this position.

In 2020, a projected 55% of foreign-born labor who said that they had originally relocated to the UK for work-related reasons were born in EU countries. This is fundamentally the result of 15 years of migration from EU countries following EU enlargement in 2004. A significant reason of free movement rules that were in place until 2021 was that EU migrants could work in any job, whereas non-EU citizens on work visas would often have to meet skills-based selection criteria in UK. EU workers have been more likely to be working in low-wage jobs and less likely to be in high skilled jobs than non-EU workers⁸. In 2020, an estimated 36% of non-EU born migrants were in jobs classified as highly skilled, for example, compared to 30% of the EU born. Among non-EU born workers, there are large differences depending on the reason for migration. Non-EU migrants who said that their main reason for coming to the UK was work were most likely to be in skilled jobs (45%), reflecting skill-based selection criteria for work visas. People who came to study, many of whom will subsequently have had to qualify for work visas to remain in the UK, also had high shares in skilled work. By contrast, EU-born workers who came for work were less likely to be in high-skilled job⁹. UK employers have relied particularly heavily on EU workers in some occupations in logistics, food manufacturing, and hospitality, as detailed in the Migration Observatory briefing and report on [low skilled work migration after Brexit](#). The migration and refugee crisis has tested the EU's capacity to manage external pressures and respond cohesively. The influx of refugees and migrants from conflict-ridden regions in the Middle East and North Africa strained the EU's migration policies and highlighted differences in member states' responses. Economic disparities within and between regions drive people to seek better opportunities. Countries with lower living standards may experience significant emigration, both legal and illegal. Climate change, environmental degradation, and natural disasters can exacerbate migration pressures, particularly in vulnerable regions where resources are strained. Rapid demographic changes can lead to social tensions in both host and destination countries, as cultural and religious differences may challenge social cohesion. While most migrants and refugees are seeking safety and a better life, security concerns arise due to potential infiltration by criminal

⁸ Helen Oosterom-Staples, (2018) The Triangular Relationship Between Nationality, EU Citizenship and Migration in EU Law: A Tale of Competing Competences, *Netherlands International Law Review* pp.431–461.

⁹Goedemé, T., Nolan, B., Paskov, M. *et al.* (2022) Occupational Social Class and Earnings Inequality in Europe: A Comparative Assessment. *Soc Indic Res*, pp.215–233.

elements or extremists. The influx of migrants and refugees can strain host countries' resources, including healthcare, housing, and education systems. Disagreements over burden-sharing, border controls, and integration policies exposed the limitations of the EU's common approach. The EU's principle of solidarity underscores the importance of member states sharing the responsibility of hosting refugees and migrants. Mechanisms like the Dublin Regulation aim to distribute responsibilities fairly. The Common European Asylum System was established to ensure fair and humane treatment of asylum seekers. The EU has also initiated refugee resettlement programs to alleviate the burden on frontline countries. The EU has negotiated agreements with countries of origin and transit to address irregular migration and enhance cooperation on border management and repatriation. At the same time EU has sought to prevent irregular migration by supporting countries outside the EU to strengthen their border controls and address the root causes of migration. since migration is a global phenomenon, effective solutions require international cooperation, including partnerships with countries of origin, transit, and destination.

In the case of *European Commission v Hungary*¹⁰ highlights the tensions between certain EU member states' immigration policies and EU law, particularly the principle of solidarity and the responsibility to provide protection to refugees and asylum seekers. The case focuses on Hungary's approach to asylum seekers and its compliance with EU laws and agreements related to migration and asylum. The European Commission alleged that Hungary's detention of asylum seekers violated EU law and human rights standards. The Commission claimed that Hungary's procedures for assessing asylum applications did not meet EU standards and did not provide proper guarantees for asylum seekers. Hungary was accused of failing to provide adequate reception conditions for asylum seekers, including housing, food, and medical care. The Commission argued that Hungary did not effectively implement the Dublin Regulation, leading to potential violations of the principle of solidarity among member states. In December 2020, the ECJ delivered its judgment in the case, finding that Hungary had violated EU law in several areas related to migration and asylum. The Court ruled that Hungary's practice of systematically detaining asylum seekers was in violation of EU law. The Court also found that Hungary's practices related to asylum procedures and reception conditions did not comply with EU law, leading to inadequate protection for asylum seekers. While the Court did not specifically address Hungary's compliance with the Dublin Regulation, its findings on other

¹⁰ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62019CJ0821>

aspects of the case suggested that Hungary's implementation of the Regulation may also be problematic. ECJ emphasizes the obligation of member states to provide proper protection and treatment for asylum seekers and refugees, in line with the EU's values of solidarity, human rights, and cooperation. The judgment underscores the EU's commitment to ensuring that its member states adhere to common standards in managing migration and asylum, contributing to a more consistent and fair approach across the Union. Achieving a comprehensive and sustainable migration policy requires enhanced cooperation, burden-sharing mechanisms, and addressing the root causes of migration through diplomatic efforts and development aid.

Climate Change and Environmental Sustainability:

Climate change poses an existential threat to the EU and the world at large. The EU has been at the forefront of global efforts to combat climate change, setting ambitious targets and leading the transition to a greener economy. EU by participating in Conferences such as United Nations Climate Change Conference of the Parties (COP26) in Glasgow on 31 October–12 November 2021 establish its involvement and endeavor to prevent climate change and help vulnerable nations. It pursues to promote low-carbon emission technologies and to conserve and recover the quality of the environment.¹¹ Article 191 of the Treaty on the Functioning of the European Union supports EU participation in United Nations climate negotiations and defines the EU's environmental objectives, principles, and policies¹². However, achieving the objectives of the Paris Agreement remains a significant challenge. There is the need for EU to strengthen its climate policies, promote renewable energy sources, accelerate the decarbonization of industries, and invest in sustainable infrastructure. Additionally, climate change impacts, such as extreme weather events and rising sea levels, require coordinated adaptation strategies and resilience-building efforts across member states.

Digital Transformation and Cybersecurity:

The rapid pace of digital transformation brings both opportunities and challenges for the EU. The EU foster innovation, digital infrastructure, and a skilled workforce to remain competitive in the global digital economy. However, ensuring data privacy, cybersecurity, and preventing disinformation campaigns are critical concerns. The EU introduced the General Data

¹¹ Cifuentes-Faura, J. (2022) European Union policies and their role in combating climate change over the years. *Air Qual Atmos Health*, pp.1333–1340.

¹² *Ibid*

Protection Regulation¹³ (GDPR) in 2018, which has had a significant impact on how organizations handle personal data. GDPR sets strict rules for data protection and privacy and has become a global standard for data protection. The new General Data Protection Regulation (GDPR) in the EU has carried enormous financial penalties in place, through which 4% of annual revenue of an enterprise will be made¹⁴. Hence, the protection of the unpredictable growth of data, created in today's digital transformation through its accessibility and connectivity of anything with everything at any time and any location is the most significant factor for the future advancement of public and private establishments and society today, to be cyber secure¹⁵. The EU implemented the Network and Information Systems (NIS2) Directive¹⁶, which sets cybersecurity standards for critical infrastructure operators, such as energy, transport, healthcare, and finance. Member states are required to establish national cybersecurity strategies and designate national competent authorities. Harmonizing digital regulations, investing in cybersecurity capabilities, and promoting digital literacy are essential for maintaining the EU's digital sovereignty and protecting citizens' rights in the digital age.

Legal status EU law over National Law:

One of the primary challenges of cross-border collaboration in the EU stems from the legal and institutional differences among member states. Each country has its own legal system, procedural rules, and administrative practices, which can create barriers to effective collaboration. Harmonizing these differences is an ongoing process that requires extensive dialogue, mutual understanding, and the development of common frameworks. Initiatives such as the European Judicial Network and the European Legal Database aim to facilitate information sharing and promote convergence of legal practices. Additionally, promoting judicial training programs and exchange programs for legal professionals can contribute to bridging the gap and fostering better cross-border collaboration. In *Costa v ENEL*¹⁷ (1964) is a landmark case in European Union (EU) law that established the principle of the supremacy of EU law over national law. It played a pivotal role in shaping the legal framework of the EU and reinforcing its unity by establishing the precedence of EU law over conflicting national

¹³ <https://gdpr.eu/tag/gdpr/>

¹⁴ Cusick, James. (2018). *The General Data Protection Regulation (GDPR): What Organizations Need to Know*. CT Corporation Resource Center. pp.2.

¹⁵ Möller, D.P.F. (2020). Introduction to Cybersecurity. In: *Cybersecurity in Digital Transformation*. SpringerBriefs on Cyber Security Systems and Networks. Springer, Cham. pp.11-27.

¹⁶ <https://www.enisa.europa.eu/topics/cybersecurity-policy/nis-directive-new>

¹⁷ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:61964CJ0006>

laws. In the late 1950s, the Italian government nationalized the electricity industry, including the previously privately-owned company ENEL. Costa, an Italian citizen, and shareholder in ENEL, challenged the nationalization in the Italian courts, arguing that it violated certain provisions of the Treaty of Rome, which established the European Economic Community (EEC). The primary legal issue in the case was whether the nationalization of ENEL by the Italian government could be challenged on the grounds that it violated provisions of the Treaty of Rome, even if it conflicted with Italian national law. The European Court of Justice (ECJ) ruled in favor of the supremacy of EU law over national law. It held that the Treaty of Rome had created a new legal order for the member states, and the provisions of the treaty were intended to have direct effect and be immediately applicable within national legal systems. The ECJ stated that member states had limited their sovereign rights by establishing the EEC, and they had created a new legal order that was independent of the laws of the member states. Therefore, national laws that conflicted with EU law could not prevail. The case established the principle that EU law takes precedence over conflicting national laws. This concept is known as the principle of supremacy. It means that if there is a conflict between EU law and national law, EU law prevails. The case also affirmed the principle of direct effect, which allows individuals to invoke certain provisions of EU law directly in national courts. This enables citizens to rely on EU law rights and provisions even in cases involving disputes with their own governments. By establishing the supremacy of EU law, the case contributed to the unity of the EU by ensuring a consistent legal framework across member states. This principle ensures that the interpretation and application of EU law are uniform throughout the Union. The case reinforced the concept of integration, as it recognized that the EU was not merely a cooperation of states but a legal order. It strengthened the legal basis of the EU's functioning and decision-making.

In the case of *In Re Maastricht Treaty*¹⁸ (1993), The German Constitutional Court's ruling on the Maastricht Treaty affirmed the primacy of EU law and upheld the concept of shared sovereignty. This case reinforced the unity of the EU by acknowledging the overarching authority of EU law within member states' legal systems. In the same way in *Agricultural Trade* (2002) The EU's successful defense of its Common Agricultural Policy¹⁹ against challenges at the World Trade Organization demonstrated the unity of member states in

¹⁸ <https://iow.eui.eu/wp-content/uploads/sites/18/2013/04/06-Von-Bogdandy-German-Federal-Constitutional-Court.pdf>

¹⁹ https://agriculture.ec.europa.eu/common-agricultural-policy/cap-overview/cap-glance_en

protecting their common interests on the global stage. In The Lisbon Treaty²⁰, also known as the Treaty of Lisbon, is a fundamental treaty that amends the two major treaties governing the European Union (EU): the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). The Lisbon Treaty entered into force on December 1, 2009. The German Constitutional Court upheld the Lisbon Treaty but emphasized the importance of national parliamentary involvement in EU decisions. It highlighted the balance between national sovereignty and EU integration, contributing to the EU's resilience. The Lisbon Treaty itself represents a significant legal and institutional reform within the EU. It introduced changes aimed at making the EU more efficient, democratic, and capable of addressing contemporary challenges. The Lisbon Treaty increased the powers of the European Parliament, granting it more say in legislative matters and budgetary decisions. The Lisbon Treaty enlarged Parliament's legislative authority to more than 40 new fields and made it a lawmaker at the similar level as the Council. The treaty created the position of the High Representative of the Union for Foreign Affairs and Security Policy, consolidating the EU's role in foreign affairs. The treaty introduced a solidarity clause that allows the EU and its member states to support one another in the event of a terrorist attack or natural or man-made disaster. Further it incorporated the Charter of Fundamental Rights into EU law, giving it legally binding status and introduced an exit clause allowing a member state to withdraw from the EU, which was later used by the United Kingdom during the Brexit process. Thus, there have been various legal and political developments, debates, and discussions related to its implementation and its impact on the functioning of the EU. The Lisbon Treaty represents a turning point in the EU's institutional structure and decision-making processes, and its provisions have been referenced and invoked in various legal contexts since its entry into force.

In case of R (Miller & anor) v Secretary of State for Exiting the European Union²¹ which dealt with the legal question of whether the government was entitled to initiate article 50 without both Houses of Parliament passing legislation enabling it to do so and royal assent being given by the Queen. This case has redefined the limits of the government's powers to act without parliamentary consent, and set a binding precedent for future governments, for those opposed to leaving the EU and opposition parties, this epitomized political success as it made the

²⁰ <https://www.europarl.europa.eu/about-parliament/en/powers-and-procedures/the-lisbon-treaty>

²¹ [2017] UKSC 5

Conservative government to be more open about its intentions entering into the Brexit negotiations, and has weakened its position in respect of the exit process. For those in favour of Brexit, it signifies interference by an unelected judiciary and a way to side-step dealing with a particularly divisive public vote. It has induced EU to confirm that the UK will not be able to negotiate a better deal than if it were to remain in the EU, because of the fear that other members of the bloc may also seek to leave if a hard line strategy was not seen to be taken. Thus, Miller judgment prompted the government to specify in broad terms what its approach will be to the UK's exit from the EU, and in February 2017 UK published a White Paper lay down its strategic plans for the negotiations to leave the EU. The White Paper establishes the UK government's twelve policy principles relating to its negotiation strategy.

In issues relating to Rule of Law which is a founding principle of the EU and has been a cornerstone in the development and integration of the Union since its foundation. It is enshrined under Article 2 of the Treaty of the European Union (TEU)²². The EU's responses to concerns about the rule of law in member states like Poland and Hungary underscored the Union's commitment to shared democratic values and demonstrated its efforts to maintain unity and uphold its principles. In the same way the European Court of justice rulings in cases related to migration, such as the one against Hungary for its asylum laws, highlighted the EU's role in enforcing common standards and policies to address shared challenges.

Strengthening Judicial Cooperation:

The Treaty on European Union (TEU) outlines the legal framework for the EU, providing the basis for its functioning and decision-making processes²³. Within the TEU, Article 44 holds particular significance as it focuses on strengthening judicial cooperation among EU member states. Article 44 of the TEU emphasizes the principle of mutual recognition, which forms the foundation for judicial cooperation among EU member states. It states that judgments rendered in one member state must be recognized and enforced in other member states without undergoing a formal exequatur procedure. This principle enables the free movement of judgments, facilitating the smooth functioning of the EU's internal market and ensuring that citizens and businesses can rely on judicial decisions across borders.

²² <https://europeanmovement.eu/policy/rule-of-law/>

²³ Hermann-Josef Blanke, Stelio Mangiameli, (2013) *The Treaty on European Union (TEU), A Commentary*, Springer Berlin, Heidelberg, pp.1253-1260.

The principle of mutual recognition embedded in Article 44 fosters mutual trust among EU member states' legal systems. By recognizing and enforcing judgments from other member states, countries demonstrate confidence in the fairness and effectiveness of their counterparts' judicial processes. This trust is crucial for promoting cross-border trade, investment, and cooperation, as it provides individuals and businesses with legal certainty when operating within the EU.

Further Article 44 also contributes to streamlining legal procedures within the European Union. By eliminating the need for a formal exequatur process, which involves seeking the recognition and enforcement of a judgment in another member state's court, unnecessary delays and administrative burdens are reduced. This expedites the resolution of legal disputes and allows individuals and businesses to have quicker access to justice. The streamlined procedures enhance efficiency, save costs, and contribute to the overall effectiveness of the EU's legal framework.

Thus the implementation of Article 44 facilitates effective cross-border collaboration among EU member states' judicial authorities. It encourages direct communication and cooperation between courts, promoting the exchange of information, evidence, and expertise. This collaboration is particularly relevant in cases involving complex cross-border issues, such as international trade, intellectual property, and criminal matters. By establishing mechanisms for effective cooperation, Article 44 strengthens the EU's ability to combat transnational crimes, ensure uniform interpretation of EU law, and address legal challenges that transcend national borders.

Speaking of challenges, While Article 44 has significantly contributed to judicial cooperation within the EU, it is not without its challenges. One of the key hurdles lies in differences among member states' legal systems and practices. Variances in legal traditions, procedural rules, and the interpretation of EU law can complicate the implementation of mutual recognition. Harmonizing these divergences remains an ongoing process, requiring continuous dialogue, capacity building, and the exchange of best practices among member states. Thus Article 44 of the TEU stands as a cornerstone of judicial cooperation within the European Union, promoting mutual trust, streamlined procedures, and effective cross-border collaboration. It enables the free movement of judgments, enhancing legal certainty and facilitating the EU's

internal market. Despite the challenges posed by legal system differences and digitalization.

Conclusion:

The European Union faces a multitude of contemporary challenges that demand collective action and forward-thinking solutions. Political fragmentation, economic disparities, migration and refugee crises, climate change, digital transformation and its legal status over the national laws pose significant hurdles to the EU's unity and resilience. EU comprehends that digital transformation and cybersecurity are vital for its economic competitiveness, security, and the protection of its citizens' data and privacy therefore it continues to adapt its policies and regulations to address the evolving challenges and opportunities in the digital age. However, the EU has a long history of overcoming challenges and adapting to new realities. By fostering dialogue, enhancing cooperation among member states, and engaging citizens in decision-making processes, the EU can navigate these challenges and emerge stronger. It is crucial for EU leaders and citizens alike to reaffirm the values of solidarity, inclusivity, and multilateralism, which lie at the heart of the European Union. By doing so, the EU can forge a path towards a more prosperous, sustainable, and united future.



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