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The European Union's common commercial policy: tenets and contemporary developments

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Research Article

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Abstract
The development of the Common Commercial Policy (CCP) from its beginnings in the European Economic Community (EEC) to its current function within the European Union (EU) is covered in the article *"Common Commercial Policy of the European Union: Principles and Development in the Modern Times"*. The report emphasises how the CCP promotes international collaboration and removes obstacles to free trade among member nations. The Maastricht Treaty's creation, the European Court of Justice's legal interpretations, and the CCP's enlargement to include intellectual property rights and foreign direct investment are just a few of the significant changes it tracks. The author argues that the CCP is essential to the political and economic stability of the EU while addressing critics of the policy, especially with respect to trade limitations and national sovereignty. The paper emphasises how the CCP provides a compromise between nationalism and internationalism for EU member states.

Keywords: Common commercial policy (CCP), the European Union (EU), the Maastricht Treaty, the European Economic Community (EEC), international commerce, the European Court of Justice (ECJ), trade liberalisation, and foreign direct investment (FDI)

Introduction

Since the EU operates in a highly efficient and advantageous manner for all of its members, almost all of them have stayed faithful to it. Because it oversees and collectively controls a variety of economic activities, the EU has a substantial impact on the financial and economic standing of its members. The integration of the economies of all European nations and clubs—the European Coal and Steel Community and the European Atomic Energy Community—was the sole major goal of the Treaty of Rome, which gave rise to the European Economic Community. This organization was known as the European Community (also known as the common market), which eventually became the European Union. When the EU was established, it was believed that smaller countries who had been badly impacted by the world wars would gain the most from joining it after ceding a significant portion of their sovereignty to it. The EEC originated with the Common Commercial Policy. creation of a unified external trade strategy and the elimination of all trade obstacles to establish a common market system among the members This idea was developing with the EEC, but with the creation of the EU, the idea of Common Commercial Policy was fully formed and went on to achieve great success because of its more comprehensive approach and strict legal framework.

Concept of common commercial policy and its working in the modern times

In addition to being advantageous for a small number of countries, a trading market free from trade restrictions and high tariffs also contributes significantly to the advancement of internationalism. It causes the countries to become more interdependent, which boosts collaboration and ultimately results in the members' collective wealth.

However, the member countries were able to grow not just their markets and economies but also the rapidly expanding service sector, which overtook the industrial production sector as the largest employer in the EU. Because it was not only

leading but also indirectly managing and commanding the majority of the resources available on the European continent, the European Union inevitably rose to prominence in the global market throughout the 1900s. The EU was compelled to formally regulate the common commercial policy along with other trade policies because it was so important on a global scale, both politically and economically. This led to the EU becoming a very strong and influential leader in international trade.

According to the Court of Justice under Article 113, the list in 1978 under Article 113(1) (which primarily discusses changes in tariff rates, trade agreements, uniformity in liberalisation measures, and measures to support and protect trade) was liberal rather than restrictive and emphasised that, in light of changing demands and times, it was crucial to develop commercial policy by abandoning the traditional machinery and adopting new methods, or else it would lose its relevance. However, the court stated in one of its interpretations in 1994 that trade negotiations and intellectual property are not covered by article 113. It also emphasised the urgent need for the code of conduct to be adopted and diligently practiced in order to foster close cooperation between the commission and the member nations so that smooth and problem-free working can occur. Since January 1st, 1970, the council has only used a qualified majority to make decisions about common commercial policy.

Article 113 of the original treaty initially granted the European Council the authority to direct and mandate the commission to negotiate on behalf of the EU on any trade-related issues with non-member countries. Without engaging the European parliament, the council would immediately sign the accord after all discussions were completed. The list of topics covered by CCP was originally created at a time when Europe's service industry was flourishing and at its height, making it impractical. As shown by the historic decision of Commission of the European Communities v. Council of European Communities, often known as the ERTA case, the ECJ's interpretation of CCP has been so liberal and comprehensive that it has a very broad reach. After much discussion at the Maastricht IGC, Amsterdam IGC, Uruguay round, and several other conferences, article 133 was finally changed to allow the European Council to add various other elements, such as services and intellectual property rights, without the need or use of the IGC. This addition was formally accepted and adopted in the 2000 NICE IGC. Following the adoption of the Lisbon Treaty in December 2009, which included Foreign Direct Investment (FDI) in the CCP, the Community was able to establish policies regarding foreign investments made by the EU and within the EU. These policies were then made legally binding on the member states, leaving them with no choice but to abide by them. In Commission v. Finland, the court determined that Finland violated the EC treaty by negotiating several agreements on its own.

The European Court of Justice (ECJ) ruled in the Daiichi Sankyo case (case-C414/11), one of the recent CCP-related cases, that the agreement on TRIPs (Trade Related Aspects of Intellectual Property Rights) shall be included under the CCP. This means that the Commission now has the exclusive right to represent the EU at all World Trade Organization meetings in order to represent the EU's IP rights and thereby improve trade policies.

One of the primary cornerstones of the EU to this day is the Maastricht Treaty, which also gave rise to the euro, a unified monetary and economic union.

Analysis

Although the Common Commercial Policy has its own flaws and failings, it serves as a model for how nationalism and internationalism may coexist peacefully and effectively despite national diversity. However, as the CCP's scope grows, so do the trade restrictions on its member nations. As a result, if a nation can support itself without belonging to any community or organization and so many other nations rely on them for various resources, it may naturally feel that the CCP is restricting its trade income and acting against its interests. However, the ECJ plays a significant role in interpreting the policies, and the nations accept them without hesitation. As a result, the likelihood that CCP will succeed in the long run is extremely strong.

Conclusion

Nearly the whole continent of Europe and the European economy benefited greatly from the idea of a single market that emerged from the CCP. the economic crisis that had a devastating impact on all of Europe, but especially on the smaller

countries that were at their lowest point. To reclaim their standing and power on the global stage, they need assistance from other countries. The European Union is now playing this role of international assistance in a highly focused way, bearing in mind Europe's future as well, thanks to common commercial strategy. In order to potentially elevate the EU to the same level as the United Nations in the future, the member states are working very hard and cooperating with one another while flourishing and improving in many areas, including infrastructure and the economy. Even though the community has been growing quickly and leaving a lasting impression on the world stage, there is criticism that the EU's aspirations are nothing more than a means of establishing imperialism, as they did in the past, and that the EU is hiding its true goals under the pretence of promoting peaceful relations and the development of both its members and non-member countries around the world. We may sum up by stating that the EU is steadily moving toward its goals and has made sure that peace prevails, free commerce is promoted and implemented, and policies are created to benefit all of its members and strengthen the community and the organization.

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