THE EUROPEAN UNION AND THE SOVEREIGNTY OF A MEMBER STATE

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Abstract

Based on the level of integration achieved in Europe, the European Union has become a reflection of international relations and an ideal model of cooperation. Many integrative studies have been carried out. Discussions have also followed this international cooperation in the European Union as a view of progress. But this integration success, although it has lasted for at least 60 years, has grown especially in the last two decades. Relations between the Member States and the European Union have restricted. If we look closely at the constitutional changes that had to be made by the states before the accession of new member state into the European Union, the democratic deficit, the strict economic policy, or the subsidiarity, should it be asked next question: Has the European Union an influence on the sovereignty of its Member States?

Keywords

Sovereignty of State, European Union, The Treaty of Lisbon, Limitation of Sovereignty, Member State

JEL Classification: O15, D61, D60

Introduction

The current notion of state sovereignty is discussed. It is a very extensive concept that can be seen from several aspects. Member States are giving up some of their powers in favour of the European Union, the supranational organization, which after the Lisbon Treaty, is considered to be a separate subject of international law. This means that the European Union can participate in international law-making process and conclude international agreements, which are binding on the Member States.

The sovereignty of the state as the highest, absolute and exclusive power in a particular territory. It has been limited, and this limitation has brought a change to the state's sovereignty defined by Bodin. These are new processes that contribute to changing the view of this classic concept. In particular, it is the participation of states in supranational organization, to which states transfer their powers and perform them better at this supranational level. With regard to certain areas, such as international relations, these countries retain their exclusive competence in the area of international relations. A sovereign state cannot tolerate in its territory the restriction of sovereignty on the part of another state, except for where it has undertaken to undertake a certain international obligation under the treaty or a rule of international law.

International organizations are creating a complicated world of inter-state relations, but it is confirmed that states always have a major role in international relations, even though international organizations have limited them in part. State sovereignty forms the basis of the state mechanism since the establishment of the first states. The modern phenomenon of state integration at regional level, as well as the globalization of relations, has brought about a revision of the state's sovereignty, which is no longer understood as the absolute power of the state, but are states that voluntarily give up their sovereignty in favor of such integration.

Does the European Union influence the sovereignty of its Member States? To try to answer this question, it is necessary to describe briefly the historical development of European integration and to describe the areas where the European Union's sovereignty of the Member States is being influenced.

A brief history of European Union`s integration process

The impuls for the creation of the three European Communities and later for the creation

of the European Union was a document called Schuman's Declaration, co-authored by Robert Schuman, post-war French Finance Minister and Jean Monnet, French economist. The Declaration was a proposal by the French Government to Germany, whose aim was to preserve peace in post-war Europe by eliminating the historical contradictions between France and Germany. The authors argued that united Europe cannot be created at the same time, but by steps. Schuman was in favor of the opinion that integration should be started in the coal and steel sector, and this cooperation should gradually lead to a federation. The Schuman Declaration was presented to the public on 9 May 1950.

On 18 April 1951, the High Authority of the European Coal and Steel Community was set up with the aim of unifying the coal industry. This treaty was signed for 50 years, and this community no longer exists.

On 25 March 1957, the Rome Treaties were signed, under which two other communities began to operate – Commission of the European Economic Community, which applied to the economy as a whole and Commission of the European Atomic Energy Community, whose objective was the peaceful development of nuclear energy and nuclear industry. The number of Members of the European Communities was increased and the integration of economic issues were transferred into other areas. The result of this process is the signature of the Single European Act in 1986, which mainly extended the powers of the Communities, set a new goal in the form of the creation of a common currency and closer cooperation in foreign policy. On 22 February 1992, the Treaty on European Union, also known as the Maastricht Treaty, was signed, adding to the European Communities other forms of cooperation and introducing a following three-pillar structure:

The first pillar consisted of three European Communities, the second pillar was created by a common foreign and security policy, and the third pillar involved cooperation in the area of justice and home affairs.

The Treaty of Amsterdam (1997) revised previous treaties and restricted the third pillar, the issue of which was moved to the first pillar. The police and judicial cooperation in the field of criminal matters therefore remained in the third pillar.

The Treaty of Nice (2001) made a change in the voting procedure. Where unanimity voting was used until then, qualified majority voting was introduced. It also aimed to prepare the Union for the accession of a new member states (Mazák, 2009, pp. 15-31).

Following the failure of The Treaty establishing a Constitution for Europe, a conference was convened in June 2007 to prepare a new reform treaty, entitled the Treaty of Lisbon. This was signed in Lisbon on 13 December 2007 and abandoned some concepts of the failed Constitutional Treaty. The Tretay of Lisbon is a reform treaty that revises existing treaties without replacing them with one constitutional text. In addition, it maintains the idea of a single entity - the European Union as a successor to the European Community, which is a separate legal entity (Mazák, 2011, pp. 17-23).

In the following chapters, the contribution deals with the current legal situation after the signature of The Treaty of Lisbon and its impact on the sovereignty of the Member States. Does the European Union affect the sovereignty of the Member States? In what areas is the sovereignty of the Membe State of the European Union being restricted?

Supranationality and sovereignty of the Member states.

Integration and supranationality are related terms, but they are not synonyms. Integration does not require Member States to renounce their sovereignty, but merely assumes that they will voluntarily join organizations. On the contrary, supranationality means giving up sovereignty and creating new organizations that stand above these states that have given up their sovereignty. The European Union talks about the integration process, which is supported by the primacy of Union law and the direct applicability of European law (Heredía, 2001, pp. 120-138).

The idea of supranationality is a new concept that was created during the first half of the 20th century. Supranationality is defined by three elements: Sovereignty as a political power that is unconditional and original, nationality and territoriality. Until recently, only international organizations whose international charter has the character of an international treaty have been used

as a form of cooperation by states. Cooperation between states is ensured by the representative authorities of such an organization in which all Member States are represented, as well as executive authorities that ensure that decisions are taken. As such, the international organization does not have jurisdiction over Member States, which means that its activities result in non-binding acts or international treaties that are binding only on those States that have explicitly and voluntarily accepted them. This method is typical of the principle of sovereign equality. But such a form of cooperation cannot create a solid integration unit, which is the European Union. This has chosen an original way of transnationality as an organization. Thus, it is a supranational entity that has its own powers and which stands above the Member States and also has powers over these states (Týč, 2010, pp. 57-58).

Forms of realization of supranationality are the following:

1. The European Union is not only a simple summary of the Member States. It has its own interests and will, which is manifested through Union authorities that have an independent status. This will be done either on the basis of majority voting or on the basis of decisions taken by the European Commission or the Court of Justice of the European Union, independently of the will of the Member States.
2. The most important manifestation of supranationality is the power of the European Union institutions to create a law which constitutes a separate legal system and is binding on the Member States, their natural and legal persons, and the European Union institutions.
3. The European Union shall have financial autonomy.

The transfer of sovereign rights only occurs in certain specific areas. Member States retain most of their powers and their national identity is not jeopardized in this way. Decisions taken at supranational level must not be in conflict with the interests of the Member States. If they did not agree with the decisions taken but would be bound by them, this could result in their reaction in the form of non-legal behavior causing the European Union to break up and disrupt the integral unity of the organization (Týč, 2010, p. 18-19).

Principle of loyalty in the European Union

The principle of loyal cooperation between the Member States in relation to the European Union is reflected in Article 4 of the Treaty on European Union. It is formulated as a positive concept, when Member States implement all measures aimed at fulfilling primary and secondary law obligations as well as negative concept, which means that Member States will refrain from any measures that could jeopardize the achievement of the European Union's objectives. Basically, it is a strong argument, enshrined in the founding treaty, which promotes the principle of the primacy of European Union law (Týč, 2010, p. 29-30).

The division of competences

The division of competences is defined in the Treaty of Lisbon. Prior to the Treaty of Lisbon, the division of competenced was not explicitly mentioned in the Treaties. The Court of Justice created the terms "exclusive and divided jurisdiction". Following the adoption of the Treaty of Lisbon, the following competences are distinguished:

a) exclusive competences[1], defined in Article 3 of the Treaty on the functioning of the European Union. Exclusive competences assume that action at Union level is more effective than non-harmonized action by Member States. Decision-making is given here only by the institutions of the European Union, which means that Member State cannot interfere in this process. Member States can only take decisions if they are expressly authorized to do so and only if a gap is to be filled (Právomoci, 2018, p. 1).

b) shared copetence[2] has the European Union and Member States. It is a called also "shared

[1] The exclusive competences include the customs union, the establishment of competition rules for the functioning of the internal market, the monetary policy for Member States whose currency is the euro, the conservation of marine biological resources under the common fisheries policy, the common commercial policy and the power to conclude an international treaty.

[2] Shared competences include: internal market, social policy with regard to aspects defined in this Treaty, economic, social and territorial cohesion, agriculture and

powers" where the European Union has priority. This is reflected in Article 2 of the Treaty on the Functioning of the European Union. The member states can act only if the European Union has chosen not to (Mazák, 2011, p. 130-132).

c) Competence to support, coordinate or supplement actions of the member states[3] are defined in Article 2 of the Treaty on the Functioning of the European Union: "In certain areas and under the conditions laid down in the Treaties, the Union shall have the power to carry out activities to support, coordinate or supplement the activities of the Member States without replacing their competence in these areas."

d) Competence to provide arrangements within which EU member states must coordinate policy[4] are defined in Article 2 of the Treaty on the Functioning of the European Union. Even with these competences, it is the Union that coordinates them.

"In the judgment of the Constitutional Court of the Czech Republic no. Pl. ÚS 29/09, the Constitutional Court of the Czech Republic presented its view on the understanding of sovereignty against the background of integration. According to the Constitutional Court of the Czech Republic, the State Institute of State Sovereignty has undergone a certain transformation and gained new meanings and proportions. It is not just a simple attribute of the national state and an expression of power over the controlled territory. Today's concept of sovereignty is necessarily linked to the willingness and willingness of the state to participate in international cooperation and to use its powers in conjunction with other entities of the international community. Sovereignty is, in the words of the Constitutional Court, "a manifestation of the new order of the globalized world." In this globalized space, not only are economies and decision-making processes interconnected, responsibilities shifted and management centers are created, but new approaches to classical concepts are being created. One of them, the sovereignty of the state, is taking on a new dimension just in the context of European integration, where sharing common goals, but especially the sharing of powers, is the basis for the emergence of the concept of shared sovereignty.

The Constitutional Court does not regard the process of European integration as a process of gradual loss of the original powers of the Czech Republic. On the contrary, it seeks to strengthen the state in it and the concept of sovereignty understands the state's ability to determine its future, the ability to use, share and jointly exercise some of its powers, leading to a simpler and more effective achievement of the state's goals. The Constitutional Court states literally that "The European Union has progressed most in the concept of shared sovereignty and is already creating a sui generis entity that will hardly be placed in the classic state categories. It is therefore more a question of linguistic whether the process of integration is to be regarded as a loss of sovereignty or competence, or as a lending, respectively. forwarding part of the sovereign's competencies. It may seem paradoxical that the key manifestation of the sovereignty of the state is also the possibility to dispose of its sovereignty or its part, respectively. to delegate certain competences temporarily or permanently. "(US 29/09)

Thus, by joining the European Union, a Member State does not lose its sovereignty. In the context of European integration, it is necessary to accept a shift in understanding the notion of

fisheries, with the exception of marine biological resources protection, environment, consumer protection, transport, trans-european networks, energy, freedom area security and justice issues and common security issues in public health matters with regard to the aspects defined in this Treaty. In the area of research, technological development and space, the Union has the competence to carry out activities, in particular to define and implement programs, but the exercise of that competence must not lead to Member States being prevented from exercising their powers. In the area of development cooperation and humanitarian aid, the Union has the competence to carry out activities and to pursue a common policy, but the exercise of that competence must not lead to Member States being prevented from exercising their powers.

[3] Competence to support, coordinate or supplement actions of the member states include the protection and improvement of human health, industry, culture, tourism, education, vocational training, sport civil protection and administrative cooperation.

[4] Competence to provide arrangements within which EU member states must coordinate policy include economic and employment policy and the European Union's competence to define a common foreign and security policy.

sovereignty of the state from a static to an open, dynamic concept that is an instrument for preserving the sovereignty of the state. The Member State remains a sovereign state. Elements that highlight state sovereignty even in situations where division and sharing of powers are permitted are:

a) States are the sources of the treaties - European integration is based on the Member States' agreement contained in the founding treaties. Within the hierarchy of sources of law, these are at the highest level, constituting some EU constitutional law, which is referred to as primary law. Although the Union is a separate entity with its own will, institutions and instruments of action, it does not have the possibility to change the founding treaties itself. Primary EU law is the result of an agreement between the Member States, making them referred to as "Treaty Masters". The procedure for adopting and amending primary law is governed by Art. 48 of the Treaty on European Union. There are three types of contract change procedures:

1. A ordinary legislative procedure is the procedure for acceptance of changes is a general form of revision of the Treaties, which should be used for all material changes of primary law. This procedure is coupled with the most complex negotiation that calls for a special convention and an intergovernmental conference. Changes to the Treaties can only come into effect once they have been ratified by all Member States.
2. A simplified procedure for the adoption of amendments relating to the Union's internal policy and action, but which must not lead to an extension of the Union's competence. The changes are decided by the European Council and enter into force only after approval by all Member States.
3. Simplified revision procedure for the adoption of amendments to Council decision-making procedures and Council and European Parliament adoption procedures. Each initiative is presented here to national parliaments, where each has the right to express their disagreement within a period of six months, thereby blocking further progress in amending the Treaty on the functioning of the European Union. This right of national parliaments is referred to as the red card right.

b) Member States can leave the European Union - This possibility is provided in Article 50 of the Treaty on European Union. The State wishing to leave from the Union must notify the European Council about this decision, which will adopt guidelines for the Union's action to conclude an agreement on the terms of use. This negotiation is carried out by the Union and the Council concludes the Union's withdrawal agreement with the consent of the European Parliament. Thus, the Union's institutions have the possibility to influence the process of state representation, but not the performance itself. This remains a unilateral, autonomous decision of the emerging State. If no withdrawal agreement is reached, membership will cease within two years of the State's announcement of its intention to leave the European Council. The State's withdrawal under Article 50 of the Treaty on European Union is the only way of ending the membership that governs European law. But European law does not allow the exclusion of the state. Accession and resignation are autonomous powers of the State, which remain a privilege which cannot be withdrawn by a decision of any institution or decision of other Member States.

c) The European Union has an obligation to respect the national identities of its Member States - Although the Union is a separate entity and its law is superior, its dominant position towards its Member States, its activities are limited. The limits of Union action are the values that make up the national identity of the Member States. These values must be respected by the Union. It follows from the principle of loyalty. “Constitutional Court of the Czech Republic in judgment no. Pl. ÚS 29/09 is based on the assumption that the transfer of powers to the Union is not definitive and that it intends to respect it and thus accept the effectiveness of Union law in the Czech Republic only until such performance is compatible with the values of the Czech constitutional system. Therefore, it respects Union law as an autonomous legal system, but recalls that it wants to act as the ultimate guardian of the inviolable values of Czech constitutionality, which cannot be affected by the operation of an autonomous supranational legal order (US 29/09).

Legal basis of Europan Union`s legal acts

The question of the division of competences is also related to the question of the legal basis of the acts, ie the way in which the powers are enshrined in the founding treaties. 'According to settled case-law, the choice of the legal basis of a Union act must be based on objective elements which can be examined in the context of judicial review, which include, in particular, the aim and content of the measure. Where a review of a measure demonstrates that it pursues a dual objective or contains two components, and if one of those objectives or one of these constituents can be identified as the principal objective or principal component, while the other objective or component is complementary, the act must be based on a single legal basis, one that requires a major or predominant goal or component. With regard to a measure which simultaneously pursues several objectives or has more than one component which is inextricably linked, without having one objective or one component complementary to the other, the Court has held that, if the various provisions of the Treaties are to apply, such a measure must be based, exceptionally, on the various relevant legal bases, that the application of a dual legal basis is ruled out if the proceedings covered by these two foundations are incompatible. '(US 29/09)

The European Union must act within the limits of its delegated powers and the objectives set out in the founding treaties. Thus, the founding treaties establish a competence, ie a framework in which they can issue acts and jurisdiction, that is to say, the types of acts that may be issued in such a field of competence. Thus, an act must be adopted in order to achieve the objective set out in Article 3 of the Treaty on European Union and the European Union must be expressly authorized to adopt such an act in another Treaty article. The European Union may also, in some rare cases, if it is not expressly empowered to adopt an act in the Treaty, to adopt such an act where this is necessary to achieve the objectives of the Union. If the Union is explicitly empowered to adopt an act, it is an explicit competence for the European Union to act in order to achieve the intended objective of achieving its competence. In this case, however, the question of jurisdiction may not be fulfilled, that is, Union law to adopt a legal act in the exercise of that competence. The Court has held that where a founding treaty does not explicitly provide for the possibility of adopting such an act in the exercise of a recognized competence, the Union may adopt such an act where this is important for the achievement of the specific objective arising from the founding treaty. Such exercise of powers is called "implicit powers" or "pouvoirs implicites" (Tokár, 2002, pp. 126-139).

Priority of European Union law over National Law of Member States

The principle of priority of European Union law means that European Union law has primacy over national law of Member State, which means that in the case of a conflict between European law and the law of a Member State, European law always has priority.

The legal consequence of this principle is the inapplicability of a national rule contrary to European law. This principle is not directly laid down in the founding Treaties, but derives from the case-law of the European Court of Justice (Horváth, 2004, pp. 251-253). 'That principle does not lead to the annulment or invalidity of the national rule, which is not applicable in a particular case. The application of a national rule contrary to Union law is still possible. Such legislation remains a valid part of national law and applies to those issues that are not covered by Union law (Sehnálek, 2009, p. 492) '. 'This principle was created by the judgment of the European Court of Justice in Costa v. Enel, in which the Court found that by creating a Community, its legal personality, its institutional basis and its competences, individual Member States transferred their sovereign rights to the Community, thereby limiting their sovereignty in some areas and thereby creating a legal order that is not binding only on Member States but also for their citizens (Horváth, 2004, p. 251-253) "

In applying the precedence principle, it is binding that all standards of European law prevail over all legal acts of a Member State, including constitutional rules, which is not absolute (Kalesná, 2011, p. 181).

“In the conditions of the Slovak Republic, the norms of European law prevail over all legal regulations except the Constitution of the Slovak Republic. This follows from Article 7 and Article 125 of the Constitution of Slovak Republic. The

obligation to respect this principle of primacy of European law have national courts as well as to state and local authorities.

Citizenship of the European Union

By joining the European Union, the Member State, on the one hand, limits its sovereignty, but at the same time extends the citizenship. As the European Union is not a state in the true sense, it is not possible to compare the Institute of European Citizenship with the Institution of Nationality (Pavlíček, 1999, p. 161).

Citizenship of the European Union carries considerable integration potential and is based on the fact that European Union citizenship is a relationship between the Union and its citizens, resulting in the development of the idea that European integration is an integration of the population and the states. There can be talk of direct integration, that is, the creation of a direct relationship between the Union and its citizens, where the Member States are not intermediaries and the indirect stage of integration, which consists in the mutual cooperation of the Member States. Direct integration came much later than indirect and its beginnings translate into the conduct of direct elections to the European Parliament in 1979 and is embedded in the Union Citizenship Institute introduced by the Maastricht Treaty and is now regulated by Articles 18-25 of the Treaty on the Functioning of the European Union.

'A citizen of the European Union is any person who holds the nationality of a Member State. Union citizenship complements and does not replace citizenship "(Treaty on the Functioning of the European Union). It follows from that definition of citizenship in Article 20 of the Treaty on the Functioning of the European Union that, as far as this legal relationship is concerned, it is not a direct relationship between the Union and the citizen. This means that only Member States decide who will be and who will not be their citizens. It is the exclusive competence of the Member States which they must exercise in accordance with Union law. The citizenship of a Member State is therefore the basis for Union citizenship (Tokár, 2002, p. 129).

'In Rottmann, the European Court of Justice addressed the question of the loss of Union citizenship. The European Court of Justice has held that if a Member State's citizenship is lost, whereby a person loses Union citizenship, such a loss must not be contrary to Union law, even if the question of citizenship falls within the exclusive competence of a Member State (Judgment 135/08).

Union citizenship carries certain rights: in particular, the right to vote and stand as a candidate in municipal and European elections, freedom of movement and residence in the Member States, the right to protection by diplomatic agents in third countries, the right to appeal to the European Parliament with petitions, the right to assistance from the European Ombudsman, or the right to communicate with European institutions in the state language (Mazák, 2009, pp. 74-100).

The Union Citizenship Institute is linked to the democratic principles applied in the Union. Article 9 of the Treaty on European Union implies the principle of equality of citizens: "In all its activities, the Union respects the principle of equality of citizens, which receives the same attention from its institutions, offices and agencies (Treaty on European Union)."

The Constitutional Court of the Czech Republic deald with the concept of the citizenship of the European Union. In the Lisbon II decision, the complainants' objections that the introduction of the concept of citizenship pushes the European Union towards the federal state, which shows that the EU bears the mark of the state, that the establishment of citizenship is contrary to the principle of sovereignty of the Czech Republic, the Constitutional Court of the Czech Republic stated that the institute of European citizenship Union was introduced by the Maastricht Treaty in 1993 (Lisbon II Judgment). "

The procedural aspect of the transfer of sovereignty and the problem of democracy deficit?

Many authors certainly agree that the classical perception of the concept of sovereignty, as understood by philosophers in the past, no longer exists, because the state is deprived of part of its sovereignty after it has accepted international commitments. In his work, Belling denies the division of sovereignty and claims that the European Union does not have the characteristics

of sovereignty, because the European Union is not about the transfer of sovereignty but the transfer of the power of sovereign rights. Belling in his work develops the theory that the transfer of apparent sovereignty to a higher or lower degree denies the uniformity of sovereignty.

Interpretations dealing with the transfer of sovereignty in different spheres are based on the confusion of sovereignty for political power. He further claims that the supranational system has no sovereignty because it has no original power. But it is possible to transfer sovereignty from the state to this supranational, respectively state level, but only if state give up part of their power in favor of such a supranational organization. This can happen if states either transfer their sovereignty to a supranational level in a formal way, or de facto resign from political power. But in this case, this transnational community will become a state. A prerequisite for this is not only the transfer of sovereignty but also the emergence of a new state nation (Belling, 2014, p. 1).

Another view is the idea that "EU sovereignty comes directly from the Member States." It is manifested through negotiation and substitution of core contracts and through continued participation in the decision-making process. It is a legitimacy mediated by other legitimate authorities. ”It speaks of flexible sovereignty through which the transfer of certain sovereign state competences to the Union can be described. This flexible sovereignty is a process that does not only concern a Member State but also a multinational organization (Azud, 2006, p. 34).

"As regards the transfer of sovereign rights, that is to say, the transfer of sovereignty, this follows from the conditions of the Slovak Republic under Article 7 of the Constitution of the Slovak Republic, which states that" the Slovak Republic may, by an international treaty ratified and proclaimed by law, transfer part of their rights to the European Communities and the European Union”. It follows from the aforementioned provision that the Slovak Republic does not lose these rights but performs them through the European Union (Skalická, 2012, p. 144-161).

"The question of the transfer of sovereignty is also a question of the democratic deficit of the European Union. Most of the legislation that is adopted in the Member States affects the EU more or less. This also applies to laws where national parliaments are bound by Union law when they are adopted. Failure to respect European law would result in a Member State being penalized by the Commission and the European Court of Justice. As far as Union law is concerned, this is not created by the democratic path typical of national legal systems. Draft legislative acts are drafted by the Commission, a non-elected executive. The acts are adopted by the Council, ie by the ministers of the Member States, again an unelected executive body. In most cases, the adoption of acts by the European Parliament is subject to the co-decision procedure. Although this is an elected body, its function cannot be compared to that of national parliaments. Thus, Union acts do not emerge in the democratic environment of a representative body. This is a problem called "democratic deficit". It is very difficult to involve national parliaments in the decision-making process in the EU. A positive change was brought about by the Treaty of Lisbon, which allows national parliaments to get subsidiarity, that is, to challenge the EU's competence to the detriment of the Member States (Týč, 2010, p. 79).

The problem of democratic deficit in the European Union contains two connected processes: It is a voluntary self-limitation of state sovereignty, which is a manifestation of state sovereignty. An example of such a voluntary self-limitation is, in particular, the adaptation of the law to the requirements of the European Union and the external constraint of sovereignty, which is the result of the restrictive influence of other sovereigns. It concerns, for example, the adoption of measures to protect the Union's internal market or to regulate the movement and residence of third-country nationals in the Union through a visa requirement (Koper, 2001, p. 225). "

Conclusion

The classical concept of sovereignty, as understood by philosophers in the past, no longer exists, because the state is deprived of part of its sovereignty after it has accepted international obligations. The European Union has an influence on the sovereignty of a Member State, which it restricts in many areas. These include, for example, the judiciary, the appointment of senior officials, the development of foreign policy relations, or the common currency or banking union.

There are only a few remaining areas in which sovereignty is not restricted. For example, the exclusive right of state over state territory and population, the right to grant amnesty, or the rights related to defense of the state, in particular the right to proclaim war and the right to make peace. Particularly after the adoption of the Treaty of Lisbon, integration and strengthening of the European Union is being strengthened and deepened. It is interesting to see how the European Union will develop in the future.

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