

Possible evolutions of and adjustments to the current institutional set-up of the European Union

Commentary on the European Parliament report

The European Movement International is concerned about the pressing challenges facing the EU and European citizens, and the incapacity of the EU to respond to these challenges in a decisive way. From migration to economic policy, from security to Euroscepticism, what is needed are bold actions that serve the European Union as a whole.

The European Parliament is currently discussing a report by rapporteur Guy Verhofstadt (ALDE) that addresses exactly these concerns. The report on Possible evolutions of and adjustments to the current institutional set-up of the European Union was presented in July 2016 in the Committee on Constitutional Affairs. The draft report argues that a shift in EU governance is needed to offer solutions that not only secure the achievements of the last 60 years, but that can also take the European project forward. The proposals included in the draft report are welcomed by the European Movement International, that takes this commentary as an opportunity to suggest which elements in the draft report could be reinforced.

Reforming Lisbon

A 'comprehensive democratic reflection' on treaty reform, as is mentioned with regard to the proposal for a Convention, is a good point of departure. Though the report suggests that a Convention will also provide a proper platform for reflection and engagement with European citizens, this is by no means sure. Article 48 of the Lisbon Treaty only mentions the involvement of the European institutions as well as Member States' governments and parliaments in a Convention, and does not mention non-state actors - such as European citizens, organised civil society, social partners, youth etc. Indeed, the last Convention (2002-2003) had only one day reserved for the presentation of suggestions by civil society. While the report does not have to specify the detailed functioning of the proposed Convention, it could be more vocal on the necessity of including the above-mentioned stakeholders in a future Convention, as well as the need to develop participatory mechanisms for the input of citizens and civil society, both before and during the Convention. Furthermore, the report could stress the importance of transparency in the Convention, whereupon any deliberations should be open to the public.

The European Movement fully supports the priority given to the 'Union method' (= Community method) as described in the draft report, as well as the negative assessment of the use of intergovernmental methods. The proposed treaty ratification procedure at the end of the draft report, however, poses the risk of ending the EU membership of current Member States. While a more flexible ratification process could be envisaged, according to which some constitutional changes could enter into force after a certain threshold is met, treaty change should preferably be based on the agreement of all Member States and cannot lead to a process of secession under any circumstances.

Ending 'Europe à la carte'

A key focus of the draft report is 'variable geometry' or the fragmentation of the European Union, which is perceived to endanger uniform application of EU law, increase complexity, and undermine cohesion

and solidarity. The report proposes to replace the current 'variable geometry' with two categories: EU Member States and countries with an 'associate status'.

Though this is an interesting line of thought, the extremely brief discussion in the report does not do justice to the pertinence of the issue of European unity, which merits a wider discussion. Though à la carte opt-outs for individual Member States should be avoided, especially in the form of derogations on the level of EU primary law, flexibility has also played an important role in keeping the Member States together, as has the idea of a 'multi-speed' Europe. The EU's current constitutional framework therefore foresees the instrument of 'enhanced cooperation' to allow a sub-group of Member States to move forward in particular areas. In this light, the European Movement proposes that the relation between differentiation and European unity should be further examined, before claiming that fragmentation is in itself a threat to the EU.

Notwithstanding this call for caution, the idea of an 'associate status' is an interesting proposal which could offer a clear choice for non-Member States in terms of the nature of the partnership and level of integration they want to pursue. The 'associate status' could structure the relations with strategic partners and neighbouring countries, and possibly replace the mix of current partnerships and programmes that is lacking a broad strategy. For aspirant members, it could be a step in the enlargement process. This status should, however, be conditional on respecting an agreed set of European values. Furthermore, EU Member States need to agree on which policies are open for cooperation with associated partners, and which policies are not (i.e. only the Single Market, or also migration or security cooperation).

New Economic Governance

The outline for a stronger system of Economic Governance is fully supported by the European Movement, as it includes many relevant proposals such as common debt instruments, a fiscal capacity based on own resources, and the Commission as an executive authority. Similar proposals are presented in the policy positions on the Economic and Monetary Union and EU Own Resources of the European Movement itself. Even more emphasis could be placed, however, on democratic checks and balances through the involvement of the European Parliament in EMU decision-making. In this regard, the inclusion in the governance framework of those non-euro countries that will eventually join the EMU should be considered beyond paying 'due respect' to their interests, also in order to be consistent with the proposals in the draft report on budgetary capacity for the Eurozone currently under discussion.

The social dimension is surprisingly absent in the draft report, but indispensable for a comprehensive Economic and Monetary Union that aims to maintain and improve our prosperity, economic stability, and social rights. Economic, monetary and fiscal policy choices inevitably have a social impact, which could be reflected in the draft report by including a proposal to mainstream the social dimension into the overall EMU governance structure. Specific measures such as binding common social convergence criteria could be included, as well as a governance structure on social issues integrated into the EMU governance that would support and guide Eurozone states on the basis of common agreed standards, while leaving Member States room for decisions on their specific social policies.

New Challenges and Strengthening our Foreign Policy

The European Movement is in full agreement with the sharp observations and apt proposals with regard to foreign-, security-, energy- and migration policy, which largely correspond to its own policy positions on Security, Migration, and Free Movement. In light of the current challenges, a stronger European voice on the international stage and closer cooperation on migration and security issues are more important

than ever, and the Movement thus supports, amongst others, the proposals for an EU Foreign Minister, a European Defence Union and a genuine European legal migration system. In addition to the mentioned challenges, the report could also elaborate further on the issue of climate change. Time and again, the younger generation mentions climate change as the most important current issue, and thus a stronger statement on climate, setting a future direction for the EU, would be expected in this report.

More democracy, transparency and accountability

The part on the decision-making structures in the EU contains good proposals with regard to electoral reform, a bi-cameral setup of the EU, as well as increased competences for the European Parliament and national parliaments. In order to recognise the importance of increasing citizens' trust and the connection between European citizens and the institutions, which is crucial to building legitimate European policies, this section could be strengthened by adding a stronger citizens- and civil society-focus. This should entail proposals on increased citizens' involvement, where the direct dialogue with and consultation of citizens and civil society would go beyond the five-year election period. This should also include a structured and truly transparent consultation process at all levels and with all institutions. Any such process should ensure the equal participation of all stakeholders, including civil society and social partners, with a special focus on under-represented groups such as young people, women, and minorities.

Furthermore, the report could discuss ways to ensure that citizens are better informed about the EU, their role in European decision-making and their rights. This can be done by stressing the need for civic education across the EU, and proposing to increase teaching of recent European history as well as debates on current European issues.

Omitted in the draft report is any mention of protecting the fundamental values of the EU and safeguarding the rule of law. The protection and promotion of the EU's fundamental values is an important element, particularly in the above discussion of European unity and the difference between membership and the proposed 'associated status', and can be instrumental in defining what binds European Member States together.

Finally, whereas the report focusses on the possible evolutions and adjustment of the current institutional set-up, it could be stressed more strongly that it cannot be seen separately from efforts to improve the current set-up and implementation of existing provisions, as expressed in the Report on Improving the functioning of the European Union building on the potential of the Lisbon Treaty.

Conclusion

The draft report makes a comprehensive proposal for the future of the EU. Its wide-ranging proposals to improve EU governance and enable the EU to provide solutions to the multiple crises it faces are innovative and strong. In order to reinforce important elements in the draft report, the European Movement adds several proposals to those already on the table, with a focus on European unity, the EU's fundamental values, and the connection between the EU and its citizens.