

Prof. Danuta Hübner

“What are the chances of the proposed ‘political compact’ practical realisation?”

Comments on the presentation of the Directorate General for Internal Policies of the Union of the European Parliament’s Study:

“Possible Avenues for Further Political Integration in Europe - A Political Compact for a More Democratic and Effective Union?”. Federico Fabbrini study.

Meeting of the Committee on Constitutional Affairs

European Parliament

25 February, 2021

(online)

Many thanks to Professor Federico Fabbrini, the author of the study, for his thought-provoking reflections on the institutional problems the European Union is facing and on the opportunities to address them that lie in the upcoming Conference on the Future of Europe.

Let me also say that I share your observation regarding Covid 19 impact on the functioning of the European integration and your updating comments.

Despite your critical assessment of the shortcomings of the current governance system and the deficiencies of the current procedures of ratification of the Treaty changes under the Article 48 TEU, I find the paper you put forward rather optimistic. Of course Treaty change continues to be a sort of taboo for many member states and, as the Parliament has acknowledged in its resolution in the previous legislature, ratification of the Treaty changes is a thorny issue.

You make a constructive proposal for a way out of the current blockage created by article 48 procedure while allowing to use the Treaty change as the way to deal with shortcomings of the European governance.

The proposed political compact would be a new international treaty concluded outside the treaty framework and as such could have its own rules to enter into effect. I think we all agree that it would trigger some resistance among member states, because, as you say, changing the ratification rules also changes the ratification game.

In this context my question to you is about your assessment of the chances of such a 'political compact', an 'inter-state agreement separate from the EU Treaties' to see the light of day.

Would you see the chances that the discussion on a separate agreement could become an incentive to get everyone's commitment to work on the basis of the existing Treaties and overcome the ratification requirements?

As you state in your study, the idea of a separate agreement which enters into force once a ratification threshold has been passed and thereby does away with the unanimity requirement is conjuring up worries about a two-speed Europe. You seem positive that the costs for Member States which do not proceed with the ratification will be so high that they will eventually fall in line. I can see that a change in government might bring about a change of heart in a Member State. But there are European governments that have decided for themselves that they are permanently better off by having rather loose links to the Union, so I am not at all convinced that those pull-factors would work for all Member States. Member States which would not ratify the new agreement would inevitably face the consequences for their drop-out, but that implies that the Union would also no longer be the same.

You identify two key components for a successful conference, following the successful predecessors of Messina and the Convention. One is the very nature of the document that will be proposed as the outcome of the conference, and the second is about new institutional methods applied to the organisation of the conference. Here, I would be interested in your assessment of proposals for the institutional setup of the Conference on the Future of Europe that have been for quite a while on the table representing strongly diverging views of the European institutions. Do you see a link between the way the process of finding an inclusive response to European weaknesses is organized and its potential successful outcome? Your study underlines the importance of a transparent, institutionally inclusive reflection and a revised rule book for Europe fit for XXI century. I would agree with your analysis that we need an outcome that is focused on the European interest.