

Working Group The EU's Institutional Framework Post Lisbon

Workpackage I: The EU's Institutional Framework Post Lisbon (WP leader: Edward Best)

Agenda

Thursday 10th May 2012

14.00 – 16.00 h

Fondation Universitaire, Rue d'Egmont 11

“Variable geometry and multiple methods: can the institutions keep their balance?”

Chair:

Edward Best, European Institute of Public Administration (EIPA), LISBOAN work package leader on the institutional architecture

Panelists:

Richard Corbett, Member of the Cabinet of the President of the European Council

Sabina Kajnč, European Institute of Public Administration (EIPA)

Antonio Missiroli, Bureau of European Policy Advisers, European Commission (tbc)

Rafał Trzaskowski, Member of the European Parliament (EPP)

Discussants:

Brendan Donnelly, Director, Federal Trust

Report

The working group led by *Edward Best* dealt with differentiation and its impact on the institutions of the European Union. In an introductory statement, Best posed the question of consequences of the current crisis for the institutional set-up. Have some institutions been strengthened while other have been weakened? The Lisbon Treaty focused on the settlement of the institutional balance within the European Union. But is there still a balance after the beginning of the major crisis? Or are there multiple balances in a differentiated European Union?

As the first speaker of the panel, *Richard Corbett* (Member of the Cabinet of the President of the European Council) elaborated on the balance between the institutions. According to Corbett due to the crisis the European Council now deals with the day to day work. This in return gives the impression that the EU is increasingly governed intergovernmentally, the European Council being the 'winner'. But Corbett argued that this was the case only temporarily and was bound to change in the long run when the European Council will again leave the day to day business with the other institutions. The crisis, a legacy of old mistakes, resulted in the European Council trying to set up common rules on economic governance and an economic banking authority so that effective coordination was possible. Furthermore, the regulations on debt will be tightened with institutionalized peer pressure and emergency mechanisms. What was new regarding the role of the European Council and the European Commission was that they would increasingly be looked at and rated by the market. With regard to the differentiated integration Corbett described the EU as a cathedral that could be gothic, where within the cathedral itself there are several smaller chapels (e.g. Schengen etc.) but this strengthens the Cathedral as a whole.

The second speaker Mr. *Antonio Missiroli* (Bureau of European Policy Advisers, European Commission) focused on three paradoxes within the European Union and its institutional setting. As a first paradox he pointed to the "legitimacy paradox": Though the Lisbon Treaty aimed at decreasing the democratic deficit, the power increase of the European Commission caused a legitimacy downside. He argued that the member states voiced their dissatisfaction with the interference of the European Commission in national policies and liked to blame it for controversial policies. The European Commission in return seemed to embrace the "bad cop" image. The second paradox Missiroli elaborated on was the "paradox of democracy": While the peoples changed their governments through elections they were not able to change the policies anymore. Politics remained national, but policies were predetermined. The consequence, according to Missiroli, was the increasing support for populists. In the long run the authority had to be shifted to the transnational level. The third paradox Missiroli mentioned was the "paradox of treaty changes": Since the coming into force of the Lisbon Treaty the heads of states and governments denied that a treaty change is necessary, while small treaty changes are made constantly.

The third speaker of the panel Mr. *Rafał Trzaskowski* (Member of the European Parliament (EPP)) focused on the idea of variable geometry and the consequences for the European

Union and its institutional set-up. On the one hand he pointed to the threat of a permanent fragmentation of the European Union, but on the other hand showed that variable geometry is already a reality. Though fragmentation had been prevented, so far politicians as well as academics spoke of more different groups than ten years ago. Regularly new agencies and programmes were launched in which third countries participate.

Sabina Kajnc from the European Institute of Public Administration (EIPA) was the fourth speaker at the panel. She elaborated on leadership/ the lack of leadership in the new institutional setup after Lisbon. She pointed out that the leadership in the EU so far is a “shared leadership”, meaning joint ownership and common resources. The question arising from this analysis was if the joint ownership will be permanently or if it just occurred due to the crisis.

Brendan Donnelly, the Director of the Federal Trust, commented on the contributions of the panelists. According to him the question of the future evolution of the political system of the European Union was dependent on the euro crisis. If the euro states fail to solve the crisis, the EU will eventually split. According the Donnelly, if fragmentation of the EU was the price the Union had to pay to save the euro, the EU should pay it.

After the introductory remarks of the different panelists the audience had the chance to ask questions and a lively discussion on the differentiation/fragmentation of the EU took place.

Nicole Ahler (University of Cologne)