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Policy Paper

A Democratic Approach to EU Reform

Impetus for the EU reform
debate

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Note: This policy paper was written under the leadership of the author with input from a group of experts. The members of the expert group contributed to the further development of the text with comments and remarks at two meetings. The views and opinions expressed in this publication do not necessarily reflect those of all members of the expert group. More fundamental differences are highlighted in the text.

Foreword

The war in Europe, the worsening climate crisis, the pressure on liberal democracies and Europe's unresolved position in the global power structure – the European Union is facing historic challenges. In order to maintain its future viability, the EU must become more capable of taking action. The Russian war of aggression against Ukraine also shows us that the enlargement and neighbourhood policy is in urgent need of readjustment. However, the enlargement process makes the institutional reform of the EU, which is already needed to strengthen its ability to take action, even more pressing. There is currently no uniform position in the EU on the question of how broadly such a reform should be structured and how it should be implemented. Suggestions and ideas have been put forward, though reservations and concerns have also been expressed. An agreement can only be reached if all sides are listened to and taken seriously. As the largest member state, Germany has a special responsibility in this regard.

Against this backdrop, the Heinrich Böll Foundation has invited experts from various policy areas to provide impetus for the EU reform debate. Based on current challenges, common goals for sustainable policy-making and recommendations for institutional reforms have been formulated. In their entirety, they are intended to better equip the EU to take action, as well as make it more democratic, ecological and socially just. In doing so, we have not limited ourselves to the interaction of the EU institutions in the narrower sense but have also looked at policy areas that are central to the future viability of the EU: European foreign and security policy as well as energy, agricultural, fiscal, and enlargement policy. The result is a series of policy papers, some of which propose pragmatic approaches, others a change of direction. Many of the recommendations can be achieved without treaty changes. What is needed, above all, is the political will to exploit the existing potential. All texts conclude with the question of how Germany can contribute to the success of the reform process. We hope this will provide impetus for the relevant debate.

This policy paper deals with democracy and the EU's capacity to act. We would like to thank the author Dr. Manuel Müller and the members of the expert group – MEP Daniel Freund, Member of the German Bundestag Chantal Kopf, Dr. Thu Nguyen, Dr. Nicolai von Ondarza, Dr. Linn Selle, and Sibylle Steffan – for their valuable contributions.

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1 Challenges

The European integration process is entering a crucial phase during the next few years. One and a half crisis-ridden decades after the last major treaty change – the Treaty of Lisbon signed in 2007 – a reform backlog has built up that threatens both the European Union's capacity to act and its democratic legitimacy. Although the European Parliament, in particular, has repeatedly pushed for new institutional reforms during this period,^[1] these initiatives have fallen on deaf ears with the Member States' governments in the Council. The reform process was seen as too complex, all the other problems as too important, and the risk that Eurosceptic forces could use a treaty convention to pursue the dismantling of European integration instead of its consolidation as too great.

However, this strategy of muddling through has a price, which is becoming apparent in the face of ever new and greater crises. In at least four major areas, the EU is currently facing challenges that cannot be resolved without institutional reforms and which threaten the very core of European integration.

Capacity to act

Driven by developments such as climate change, growing geopolitical tensions, wars, and the threat to liberal democracy posed by right-wing populist parties, the world and Europe are heading towards an era of political uncertainty. In this «permacrisis»,^[2] the EU must be able to react quickly and effectively to new challenges, which it has often failed to do adequately in recent years. Repeatedly, unilateral action by individual Member States has prevented a unified approach. Various governments – above all Viktor Orbán's Hungary – have used national veto rights on important issues in order to achieve concessions in completely different areas. Decisions were therefore often made late and by resorting to the lowest common denominator. An EU that constantly has to look failure in the eye before it gets its act together will not be able to cope with the crises of the coming decades.

1 See, for example, the draft «Fundamental Law of the European Union» presented by the federalist Spinelli Group in 2013 or the Brock/Bresso and Verhofstadt reports, which were adopted by the plenary of the European Parliament in 2017.

2 Fabian Zuleeg, Janis A. Emmanouilidis, Ricardo Borges de Castro: Europe in the age of permacrisis. European Policy Centre, 2021, www.epc.eu/en/Publications/Europe-in-the-age-of-permacrisis-3c8a0c.

Democratic legitimacy

At the same time, the practice of crisis governance that has emerged in the EU in recent years has weakened the democratic control function of the European Parliament. Many of the crisis instruments that the EU has adopted and with which it has demonstrated its capacity to act – be it vaccine procurement, short-time work benefits or the Covid-19 Recovery Fund – were adopted by activating the «emergency article» 122 TFEU, which largely bypasses the European Parliament. This new crisis intergovernmentalism comes on top of other, pre-existing democratic deficits. Despite numerous advances achieved through earlier reforms, democracy is still not sufficiently developed at European level. The highly decentralised decision-making system with its many veto players makes European elections less meaningful. While the public debate in national democracies is characterised by the interplay between government majority and opposition, this is not the case at European level. The supranational parties remain almost invisible and are only able to create a transnational public sphere to a very limited extent. Initiatives such as the nomination of lead candidates for the European elections are immediately called into question by national governments and are therefore also met with scepticism by the media. Citizens' lack of tangible influence is also reflected in surveys: According to Eurobarometer, not even half of the population have the impression that their voice «counts» in the EU.^[3] This also boosts populist parties, which can present themselves as the only alternative to the EU's current course, while pursuing their own anti-democratic agenda.^[4]

Shared values

The rise of right-wing populist and far-right parties threatens liberal and democratic constitutional values in a large number of Member States, and therefore calls the cohesion of the political union into question. As the rule of law crises in Hungary and Poland have shown in recent years, the EU lacks reliable mechanisms to effectively counter authoritarian developments in its Member States. At the same time, governments and courts in a number of Member States have repeatedly been questioning the primacy of European law. This undermines the European legal community and thus the trust between Member States, without which even basic EU policies such as the Single Market cannot function.

3 In 2023, only 43 % of respondents across Europe agreed with the statement «My voice counts in the EU». If the statement was about the respective home country instead, the figure was 59 %. Cf. Standard Eurobarometer 100, Autumn 2023, Annex, p. T108–109.

4 Manuel Müller: *Jenseits der Gleichgültigkeit: Das politische System der EU und die Europaskepsis*, Federal Agency for Political Education, 2014, www.bpb.de/themen/rechtsextremismus/dossier-extremisms/192050/jenseits-der-gleichgueltigkeit-das-politische-system-der-eu-and-die-europaskepsis.

Capability to reform (reformability)

The fact that all these reform needs were not addressed earlier, points to an even deeper problem: Compared to both international organisations and national constitutions, the hurdles for institutional reforms in the EU are unusually high. Due to unanimity and ratification requirements, treaty amendments are only possible – if at all – with such enormous political effort that even many integration-friendly governments rule them out from the very beginning. With this «constitutional petrification»^[5], the EU loses its ability to adapt to changing conditions and to develop its institutions. Instead, Member States have repeatedly resorted to circumvention strategies in recent years, such as stretching treaty provisions, routinely resorting to exception clauses, or shifting decisions to informal bodies outside the treaties. However, such workarounds are often questionable from both a legal and a political perspective. They increase the risk of institutional erosion, ultimately threatening the unity and acceptance of the European Union as a whole.

All these challenges make it clear that there is no point in postponing EU reforms until calmer times. With the gradual erosion of common values and institutions, the rise of far-right parties, and the prospect of a climate emergency, there is no time to lose. Instead of «It's not the right time for reforms», the motto today should be: «When, if not now?»^[6]

A catalyst for this necessary reform agenda is the new EU enlargement dynamic triggered by the Russian attack on Ukraine. The admission of new members is necessary, above all, from a geopolitical perspective and is required to safeguard democracy in the accession countries and thus the stability of Europe as a whole. However, this will also further increase the number of players in the EU institutions as well as the socio-economic heterogeneity of the EU and thus the potential for complex conflicts and stalemates. Enlargement therefore further increases the urgency of efficient and, at the same time, democratically legitimised decision-making procedures. It also sets a clear timeframe: If the EU wants to be in a position to welcome new Member States by the end of the decade, it will have to tackle the necessary internal reforms in the upcoming legislative period. If it is unable to do so, it could soon find itself either in a geopolitical shambles or completely incapable of action as a result of an ill-prepared enlargement.

5 Cf. e. g. Christian Kirchner: The European Constitutional Impossibility Theorem, in: Thomas Eger, Stefan Oeter, Stefan Voigt (eds.): *Economic Analysis of International Law*, Tübingen 2014, pp. 247–272, here p. 251

6 Cf. Manuel Müller: EU reform is back on the agenda: The many drivers of the new debate on treaty change, FIIA Briefing Paper 363, 2023, www.fiaa.fi/en/publication/eu-reform-is-back-on-the-agenda.

Controversial among the experts: Reforms as a condition for enlargement

The group of experts agrees that reform and enlargement must go hand in hand. The aim of internal reform must be to make the EU more capable of taking action – which is necessary in itself – and thereby also prepare it for enlargement. However, there are different views on how the two processes should be linked. Some members do not want to declare the reforms as a necessary precondition for enlargement:

If accession candidates fulfil the Copenhagen criteria, they must have the reliable perspective of being able to join. Particularly with regard to those Member States that are critical of far-reaching EU reform or enlargement, an inflexible link between the two processes would have too high a potential for the two processes to block each other. The parallelism of the two processes should nevertheless be used to develop momentum. One possibility would be for Member States to set a binding timetable for reform together with the European Parliament, which would be linked to the schedule for enlargement, with both being discussed jointly at European Council summits. In view of the planned enlargement by 2030, it is clear that the EU must tackle the reform immediately in this new legislative period.

2 Reform objectives

In recent years, the debate on EU reforms has gained considerable momentum. Numerous proposals have been made, some of them already elaborated in great detail. These include, in particular, the final report of the Conference on the Future of Europe with various proposals for institutional change; building thereon, the European Parliament's «Report on proposals for the amendment of the Treaties»; as well as the reports by a group of experts on EU institutional reforms commissioned by the German and French governments, and a working group instituted by the CEPS and SWP think tanks.^[7] Many of the individual proposals listed in these reports have been under discussion for a very long time, which in itself can be seen as a symptom of the reform backlog. The following paragraphs focus on the general direction that the reforms should take to address the challenges described above.

An **increase in the European capacity to act** primarily means reducing vetoes and blockades, which, as described above, principally take place in the (European) Council. A new balance is required here between joint action and national sovereignty. Accordingly, the most widely discussed reform approach is the extension of majority decision-making in the Council. This applies to executive decisions (especially in foreign policy) as well as legislation (especially in the area of tax and social policy) and the EU budget. With a number of Member States increasingly using veto rights as leverage to obtain concessions on completely unrelated issues,^[8] all these areas should be addressed at the same time. Other reform approaches in the area of the Union's capacity to act include reducing the size of the European Commission or reforming the legislative process, for example by the introduction of referral deadlines for the Council. In all these reforms, it is important to ensure that the balance of

7 Conference on the Future of Europe: Report on the final outcome, 2022, www.europarl.europa.eu/resources/library/media/20220509RES29121/20220509RES29121.pdf; European Parliament: Report on the European Parliament's proposals for the amendment of the Treaties, 2023, www.europarl.europa.eu/doceo/document/TA-9-2023-0427_EN.html; Franco-German working group on institutional reforms of the EU: Sailing on the High Seas: Reforming and enlarging the EU for the 21st century, 2023, www.auswaertiges-amt.de/blob/2617322/4d0e0010ffcd8c0079e21329bbb-b3332/230919-rfaa-deu-fra-bericht-data.pdf; CEPS-SWP High-Level Group on Bolstering EU Democracy: The Radicality of Sunlight: Five Pathways to a More Democratic Europe, 2023, https://cdn.ceps.eu/wp-content/uploads/2023/10/HLG-report_-The-radicality-of-sunlight.pdf. For an overview, see Manuel Müller: Changing the treaties – but how? Current EU institutional reform proposals in comparison, *Der (europäische) Föderalist*, 2023, www.foederalist.eu/2023/10/compilation-reform-proposals.html.

8 In October 2023, for example, the Hungarian government refused to approve aid for Ukraine in order to force the Commission to make concessions in the dispute over the rule of law in Hungary; an agreement was only reached after a delay of several months. Various other examples of cross-issue blockades are provided by Clara Föllner and Lars Becker: Europa handlungsfähig machen – warum wir genau jetzt einen Konvent brauchen, *Der (europäische) Föderalist*, 2022, www.foederalist.eu/2022/07/clara-foeller-lars-becker-konvent.html.

power does not shift in favour of large Member States, but rather to focus on the supranational institutions and to adopt decision-making modalities that also safeguard the interests of smaller Member States.

In order to **strengthen supranational democracy**, greater politicisation is needed at European level, in particular by increasing the political relevance of European parties and making the European elections more meaningful for the public. EU-wide electoral lists – a proposal by the European Parliament that is also supported by the German Bundestag – would be an important innovation to strengthen European parties' power and make them more visible to the public. Moreover, institutional reforms should lead to a closer link between the Commission and the political majorities in the European Parliament. The reduction of national vetoes in the Council can also indirectly lead to more supranational democracy by resolving blockades and strengthening the principle of the democratic majority. In addition (but not as a substitute), measures to strengthen transparency and participation can also contribute to European democracy.

The protection of European values and the legal community requires consistent sanctions for rule of law violations. These sanctions must be automatic and must not be politically blocked or sidelined as part of deals to achieve other political objectives. Automating the protection of democracy in this way is possible, on the one hand, by reforming Art. 7 TEU: This article was originally intended to enable sanctions against governments that violate EU values, but has never been applied in practice due to the unanimity required in the European Council. On the other hand, a strengthening of the EU Charter of Fundamental Rights, the reinforcement of the European Court of Justice, and the establishment of a «fundamental rights union» could open up new judicial avenues for the protection of European values. Another reform approach would be to extend the conditionality mechanism to different forms of EU funding in order to sanction violations of the rule of law. However, this instrument can only be fully effective vis-à-vis net recipient countries, while it would quickly reach its limits vis-à-vis net contributors to the budget.

To ensure that the EU remains flexible and adaptable in a rapidly changing world, a further reform objective must be to enhance the **EU's reformability**. The next treaty amendment should therefore also simplify the procedure for institutional reforms in such a way that individual Member States no longer have the option to block changes on their own. There are various options for this: Andrew Duff, for example, has proposed a model according to which passerelle clauses could be triggered by a qualified majority instead of unanimity.^[9] The Constitutional Affairs Committee of the European Parliament has, in turn, proposed that treaty changes should enter into force as soon as they have been adopted and ratified

⁹ Cf. Andrew Duff: How to trigger treaty change, European Policy Centre, 2022, <https://epc.eu/en/Publications/How-to-trigger-treaty-change~483654>.

by a four-fifths majority of the Member States.^[10] In order to increase the democratic legitimacy of such far-reaching changes, they would have to be accompanied by a right of co-decision for the European Parliament on treaty reforms.

Controversial among the experts: Abolishing unanimity for treaty reforms

The group of experts is unanimously in favour of increasing the EU's capability to reform. However, some members consider the demand to abolish unanimity in principle for treaty reforms to be too far-reaching. The aim of any treaty amendment must first be to achieve a consensus between all Member States. However, over the long term, individual Member States should not be in a position to block changes on their own. If no consensus is found among all Member States, it should still be possible for those Member States willing to reform to move forward.

One possibility would be an opt-out provision. It should be applied in certain cases, for example, when it concerns an extension of EU competences that are not an option for individual Member States. In order to prevent individual EU Member States from blocking initiatives in the long term and thus creating stalemates, the provision should include a binding deadline by which a decision on opt-in/opt-out must be made. Alternative options for creating new treaties should also be considered. For example, there are already parallel, partly intergovernmental EU treaties, which only some of the Member States are party to in different constellations (e.g. Schengen, European Stability Mechanism (ESM)). The treaties also already provide for the possibility of enhanced cooperation (e.g. the European Public Prosecutor's Office (EPPO)).

10 Cf. European Parliament, Committee on Constitutional Affairs: Report on proposals of the European Parliament for the amendment of the Treaties, 2023, www.europarl.europa.eu/doceo/document/A-9-2023-0337_EN.html.

3 Possible next steps with and without treaty change

In view of the aforementioned reformability crisis, the debate on EU reforms always raises the question of whether such reforms could be implemented without formally amending the treaties. In fact, the current version of the EU Treaty contains a whole series of flexibility rules and «simplified revision procedures» that provide scope for institutional innovation. These include, in particular, the so-called «passerelle clauses», which would make it possible to switch from unanimity to majority procedures in the Council in many policy areas.

However, these simplified procedures are subject to numerous restrictions and have their own problems. As a result, they have hardly ever been used in practice. On the one hand, reforms within the treaties are often no less complex than treaty changes: They also require unanimity among the national governments and, in many cases, the approval of the national parliaments. On the other hand, without a treaty amendment the scope of possible reforms is already limited beforehand (see box on the following page). This also reduces the wiggle room for possible compromises and possible cross-cutting package deals between the governments. A further disadvantage of the «simplified» revision procedures is that they make EU primary law more difficult to understand, as it is increasingly no longer reflected in the text of the treaty itself, but only in the passerelle resolutions or other amending decisions of the European Council. This would make the functioning of the EU even more confusing for citizens than it already is today.

In view of the numerous institutional deficits, it is doubtful that measures taken solely within the existing treaties will actually suffice to meet the challenges facing the EU. Key reforms – such as the revision of the Article 7 procedure to protect common values, of the ordinary legislative procedure to strengthen democratic legitimacy, or of the treaty revision procedure to overcome the reformability crisis – will not be achieved without opening up the treaties.

In addition, many Member States will hardly be able to avoid national constitutional amendments. In Germany, even some reforms that could be realised within the framework of the current EU treaties – such as the introduction of qualified majority voting on the EU's multiannual financial framework – would require constitutional amendments under Art. 79 or even Art. 146 of the German Basic Law.

Measures that would be possible without treaty change include:

- the transition from unanimity to qualified majority decisions in the Council through passerelle clauses
- the downsizing of the European Commission
- reforms of the European electoral law
- establishing the lead candidate procedure for the election of the President of the Commission in an interinstitutional agreement between Parliament and the European Council

By contrast, measures that would only be possible with the help of a formal treaty revision include:

- the introduction of a general rule of law conditionality mechanism for EU funds even when the EU's financial interests are not directly in jeopardy
- reforms of the Article 7 procedure to protect EU values, such as the abolition of the unanimity requirement or a greater involvement of the European Court of Justice
- reforms of the ordinary legislative procedure, such as the referral deadlines or the quorums required for a qualified majority in the Council
- reforms of the procedures for the election of the European Commission and for its dismissal by way of a vote of no confidence
- reforms of the emergency and solidarity clauses, e.g. for greater involvement of the European Parliament
- reforms of the system of competences, e.g. to strengthen the EU in energy or defence policy
- reforms of the treaty revision procedure itself

4 Conflicts, potential, and lines of compromise

All these arguments speak in favour of discussing the EU's institutional reform in a convention that could also submit recommendations for treaty changes. However, this issue is the subject of controversial debate among the EU institutions and Member States. The strongest proponent of far-reaching treaty changes is the European Parliament, which formally called for the establishment of a convention immediately after the end of the Conference on the Future of Europe,^[11] and presented a fully formulated draft treaty in November 2023.^[12] Commission President Ursula von der Leyen has also repeatedly spoken out in favour of a convention in principle.^[13]

However, the Council's position is less clear. In the 2023 Granada Declaration, the national heads of government announced that they would «lay the necessary internal groundwork and reforms» for a new enlargement of the Union and «address key questions related to [...] our capacity to act».^[14] However, there is no consensus among the governments as to whether or not this should include treaty changes. While only few governments are fundamentally opposed to stepping up the European integration process, there is widespread concern that the complex and politically risky reform process could distract from other priorities. In addition, many fear the rise of right-wing national-populist parties, and many smaller Member States are wary that treaty changes could lead to a shift of power towards the larger countries, particularly Germany and France.

However, national opinions on institutional reforms of the EU are still in flux in most countries. The prospect of EU enlargement, which is also strongly supported by many otherwise rather reform-sceptical Member States in both northern and central and eastern Europe, has given a constructive new impetus to the debate.

If the EU wants to be able to welcome new Member States by the end of the decade,^[15] then the most plausible window for negotiating reforms is between the new Commission

11 European Parliament: Resolution on the call for a Convention for the revision of the Treaties (2022/2705(RSP)), 9. June 2022, www.europarl.europa.eu/doceo/document/TA-9-2022-0244_EN.html.

12 European Parliament: Report on proposals of the European Parliament for the amendment of the Treaties, 2023, www.europarl.europa.eu/doceo/document/TA-9-2023-0427_EN.html.

13 e.g. Ursula von der Leyen: 2022 State of the Union address, 14 September 2022, https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_22_5493.

14 European Council: Granada Declaration, 6 October 2023, www.consilium.europa.eu/en/press/press-releases/2023/10/06/granada-declaration.

15 Council President Charles Michel, for example, spoke of 2030 as the target date in his speech at the Bled Strategic Forum on 8 August 2023, www.consilium.europa.eu/de/press/press-releases/2023/08/28/speech-by-president-charles-michel-at-the-bled-strategic-forum.

taking office at the end of 2024 and the adoption of the next multiannual financial framework in 2027. This timeframe would, in principle, be sufficient for the implementation of a convention, but would require a swift decision by the European Council. Such a convention would offer an opportunity to bundle the various strands of debate and achieve cross-cutting package deals, with the simultaneous discussion on the multiannual financial framework further increasing the scope of negotiations. Lines of compromise would then be possible not only between the more enlargement-friendly north-eastern and the more consolidation-oriented south-western member states, but also, for example, between the north-western countries interested in strict rule of law criteria and the south-eastern countries interested in greater social cohesion.

In contrast, Commission President von der Leyen proposed in her September 2023 State of the European Union address that a treaty convention should only be a long-term goal and not a precondition for enlargement.^[16] Prior to enlargement, it would only be possible to achieve reforms that can either be implemented within the treaties (e.g. via the passerelle clause) or whose scope remains manageable enough to be enshrined in the accession treaty itself.

However, such a minimal reform would hardly be enough to resolve the EU's fundamental deficits in terms of both democratic decision-making and capability to act. The debate on necessary institutional changes would therefore be likely to flare up again soon after enlargement has been completed – but then with even more veto players and thus probably even worse conditions for a successful reform.

The general political situation is also unlikely to improve on its own. In view of the permacrisis, the electoral success of right-wing parties, which is currently dampening the reform willingness of many governments, is probably not a temporary phenomenon. Without an effective and democratic EU that can respond appropriately to the combination of climate change, geopolitical conflict, and right-wing populism, there is rather a risk that this trend will be exacerbated.

Differentiated integration as an emergency solution

The debate on EU reform must therefore always include the costs and risks of inaction: Those who are sceptical about a convention must also consider the dangers that the absence of treaty changes entails. For example, it is likely that a permanent reform blockade would result in a much more differentiated integration – either within the current legal framework in the form of «enhanced cooperation» or through additional treaties between groups

16 Ursula von der Leyen: 2023 State of the Union address, 13 September 2023, https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_23_4426.

of Member States. While differentiation has so far been limited to individual policy areas (such as the Permanent Structured Cooperation (PESCO) in the area of defence policy), it could also affect core institutional issues in the future.

Such a development could certainly offer opportunities and galvanise those who are willing to join forces. For the EU as a whole, however, it would entail the risk of fragmentation and could trigger centrifugal forces that would further weaken the common institutions and the emerging European public sphere and identity. This is particularly true when differentiation is unmanaged and takes the form of intergovernmental «coalitions of the willing».

If a comprehensive reform at EU level fails, a strategy is needed to shape institutional differentiation in such a way that the supranational EU institutions are not degraded. Weighing up the opportunities and risks, an emergency solution would be conceivable, in which certain advances to strengthen democracy and the capacity to act, and to protect common values, are initially implemented only among a pioneering group of Member States. For example, they could use an additional treaty in order to commit themselves to renounce veto rights in the Council, to follow the wishes of the European Parliament when nominating members of the EU Commission, to allow stronger supranational control of the rule of law, etc.

Such an approach could help to overcome existing blockades and establish a new political culture in which, for example, insisting on veto rights would increasingly be flagged as an outsider position. This could also attract countries that are less reform-minded but do not want to remain in the «second tier». At the same time, Member States that ratify the supplementary treaty would be obliged to adhere to the agreement even after any domestic changes of government. This would provide a safety mechanism in the event of authoritarian and anti-European parties taking power in the future.

Germany's contribution

In view of the very real need for reform on the one hand and the reformability crisis on the other, it is foreseeable that the debates on treaty changes will lead to intense and possibly hard-fought political battles within the EU institutions and also between the governments of the Member States in the coming years. The tensions that result from this must not be dismissed as tiresome European navel-gazing but rather be seen as a necessary debate on how to shape a democratic EU that is capable of taking action.

The German Federal Government, which has traditionally considered itself both a supporter of supranational democracy and a bridge-builder between Member States, has an important role to play here. Currently, it is actively campaigning for the application of the *passerelle* clause in foreign and security policy as a first important step towards greater joint capacity to act. It should actively promote the transnational debate, including on more

far-reaching reforms, and shape it by formulating its own clear vision for the long-term future of European integration.

In doing so, it is important to show empathy with the perspectives of smaller Member States, especially in northern as well as central and eastern Europe, which expect Germany to play a leading role, but also fear dominance by the larger Member States. Germany could accommodate them with offers, such as lowering the quorum for qualified majority voting in the Council, which would indirectly strengthen smaller countries. Greater integration of Poland can also help to allay concerns about Franco-German dominance. A convenient format for this is the Weimar Triangle, which has been used more intensively again since the change of government in Poland.

At the same time, however, Germany should also resist the temptation of an intergovernmentalist reduction of EU affairs. The Federal Government must ensure that the European Council does not formulate its own institutional reform agenda in isolation from the known positions of the European Parliament. Despite all the hurdles and risks, a European Convention, which can bring together the many perspectives of the Member States and the institutions and put together far-reaching compromise packages, remains the most suitable instrument for this.

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