

Berlin Perspectives

Analysing German European Policy

Germany and the latest EU reform proposals

iep Institut für
Europäische Politik

Linn Selle
Fabian Häring

Foto: jarmoluk / Pixabay

Germany has always been one of the driving member states for strengthening the EU's democratic order and for its stronger parliamentarization. The German centre parties regularly proclaim their pro-EU orientation but they have done little to implement the reforms they have proposed in this respect in recent years. Courage and determination are needed for initiating a European convention to make institutional reforms that strengthen EU democracy.

The call for reforms to increase the EU's capacity to act and to strengthen its democratic order and transparency is a perennial issue. Unfortunately, it has hardly been heard outside the EU bubble in recent years, nor has this in Germany been considered urgent within the political bubble or discussed beyond it. All too often in the recent past, important suggestions and initiatives to reform the EU have gone unheard. Just think of the Conference on the Future of Europe in 2021–22, a large-scale reform project with strong parliamentary and citizen participation that has not had much political resonance. Fortunately, things have changed gradually in the last two years and led to a process of reform and enlargement that is now supported and co-led by the members of the European Council.

Russia's full-scale invasion of Ukraine in 2022 heightened awareness of the concrete significance of the fundamental European values of democracy, freedom, human rights and the rule of law, which Ukraine is forced to defend. It caused an EU *Zeitenwende* in security and defence policy as well as in the protection of European values against authoritarian regimes such as Russia's.

In this context, the fundamental need for reforming EU processes, particularly in the Common Foreign and Security Policy, became clear during the repeated haggling over sanctions in the (European) Council. There was a widespread realization that dealing with the EU's ability to act could no longer be put on the back burner, and that it is an urgent and fundamental piece of the puzzle for the superiority of a free, democratic Europe over authoritarian regimes. The repeated blending of individual interests of member states with the EU's core interest of security in Europe became unbearable for many.

In addition, there was a new awareness of the need to accelerate the enlargement process. The EU must act much more geostrategically and not keep candidates in decade-long processes of accession and of rapprochement for potential ones. Standstill and resignation among the population of candidate countries is being used by other powers to extend their influence over them.

The proposals for treaty reform the European Parliament adopted in November 2023 mention levers for strengthening the EU's democratic order and ability to act, and they call for a convention to adapt the treaties in accordance with Article 48 of the Treaty on European Union. Key points are a stronger bicameral system, fewer blockades in the European Council through more qualified majority voting (QMV), and a return to the ordinary legislative procedure instead of the decision on legal acts in first readings and trilogues. In addition, the parliament seeks a fully-fledged right of legislative

initiative and a co-legislative role regarding the EU's long-term budget. The composition of the European Commission (which would be renamed the European Executive) would be revised with only 15 commissioners. The parliament would also like to extend the EU's competence to parts of the policy areas of civil protection, industry, education and public health, in particular with regard to cross-border issues.

Germany's position

Germany's position on European policy has been difficult to grasp. The political parties' stances are rarely defined outside of their election programmes. At election times, the centre parties have claimed to be "the European party" (the Christian Democratic Party) or proposed highly pro-EU reforms (the Social Democratic Party and the Greens) such as the transition to more QMV decisions in the European Council or support for a European electoral law.

The agreement signed by the parties of the 'traffic light' coalition government at the end of 2021 was in theory a major breakthrough for Germany's EU policy aspirations, with a distinct focus on further steps towards integration as well as strengthening the EU's democratic order and ability to act. The Social Democratic Party, the Greens and the Free Democrats committed themselves to the right of legislative initiative for the European Parliament, the *Spitzenkandidaten* principle, QMV, convening a convention on treaty changes and a better coordination of EU policies across the government. However, as in the past, nothing has followed in terms of implementation.

It was only as a result of Russia's invasion of Ukraine that the political will to reform the fundamental structures of the EU emerged in Germany. The fact that four of the five rapporteurs for the European Parliament's reform proposals were German members (Gabriele Bischoff, Daniel Freund, Sven Simon and Helmut Scholz) illustrates this change in the German debate.

In his keynote speech on European policy in Prague in August 2022, Chancellor Olaf Scholz underlined the need for EU enlargement to include countries such as Moldova, Ukraine and the Western Balkan states. He emphasised that enlargement would contribute to Europe's stability and security. At the same time, he called for far-reaching reforms within the EU to ensure its ability to function within an enlarged Union. This included the abolition of unanimity for important decisions in foreign and fiscal policy as well as measures to prevent democratic backsliding in member states such as Hungary and Poland. Scholz also said that the EU institutions should be made more efficient. For example, the European Parliament should not become larger and the European Commission could be organized in a more streamlined manner with fewer commissioners with larger portfolios. This would ensure that the EU remains effective in the event of enlargement. However, he did not include the strengthening of the parliament's rights.

Since then, the Foreign Ministry and the Chancellery have committed themselves to more actively supporting the EU reform debate, which has produced initiatives such as the Group of Friends to foster QMV or the Franco-German group of experts commissioned jointly with France's Foreign Ministry to produce a report on EU reform. Scholz's speech in the European Parliament in May 2023, in which he reiterated the call in his Prague speech, should also be seen in this light.

Other member states appear to have also accepted the need to strengthen the EU's democratic order and decision-making processes. For example, the informal European Council held in Granada in October 2023 recognized for the first time the importance of reforming the EU as a parallel process to enlargement. The European Council committed itself to contributing to the internal foundations and reforms necessary for future enlargement in order to maintain the EU's functioning and capacity to act. The heads of state and government also emphasised that the synergies between enlargement and reform would strengthen the EU and increase European sovereignty. Here, too, it became clear that the external shock of Russia's attack on Ukraine had stoked the awareness of the need for enlargement and reform. The Franco-German engine, which has stuttered over the last decade, can be seen as the driving force behind this development. During the Granada meeting, Germany also emphasised the need for QMV decisions.

Foreign Minister Annalena Baerbock organized a conference on the future of the EU in Berlin in November 2023 with a focus on reform and enlargement. She said Germany was committed to the goals formulated in Granada and outlined possible steps towards future reforms. In doing so, she emphasised the importance of intermediate steps that bring the people in the candidate countries noticeably closer to the EU but do not constitute cherry-picking. Baerbock also proposed giving candidate-country governments observer status in council meetings.

However, it is still largely unclear how the parallel reform and enlargement process is to be implemented. The European Council postponed it until after last June's European Parliament elections. Germany has not yet presented a concrete roadmap on how the dual process should be managed.

Despite all these efforts, a broad-based treaty revision is unlikely to find a majority in the European Council at present, which is why the European Parliament's reform proposals are still with the President of the European Council and have not been placed on the agenda. While Scholz is focusing primarily on the issues of QMV, the composition of the European Commission and the enforcement of the rule of law throughout Europe, Germany has not yet responded to the parliament's fundamental demand for a convention to amend the treaties. In the campaign for the June elections, issues relating to EU reform and the strengthening of EU democracy received little attention.

Policy recommendations

There is a need for courage and determination to make necessary institutional EU reforms to strengthen the EU's democratic order and to initiate a European convention. This should include strengthening the European Parliament by giving a right of legislative initiative and the *Spitzenkandidaten* principle, majority decisions, a return to the ordinary legislative procedure, increased transparency in the EU legislative process, the introduction of a constructive vote of no confidence by the European Parliament towards the European Commission, a standardised European electoral law, and better opportunities for democratic participation in the EU for interest groups and national parliaments. Baerbock's observer status proposal should be extended to also give it in the European Parliament to parliamentarians of the candidate countries, because the parliament is where the heart of EU democracy is.

The negotiations that will begin in 2025 on the next EU budget, the Multiannual Financial Framework, should include the introduction of a 'democracy bonus' for associations and organizations that organize themselves democratically to strengthen the roots of democratic participation in the EU, as the European Movement Germany has called for.

For these reforms to see the light of day, a European convention is the only appropriate body, as it would bring together representatives of national parliaments, the member states, the European Parliament and the European Commission to discuss and define the changes. This is the right level to reorganize the functioning of the EU and to put it on a new footing beyond the political composition and intergovernmental interests prevailing inside the European Council. By taking into account the results of the highly participatory Conference on the Future of Europe, the discussion and decision-making process would also be placed on a broad democratic foundation. The promise of the conference that the proposals will lead to political change must be the main task of the new European Parliament and European Commission as well as of the member states.

About the authors

Dr Linn Selle is the president of the European Movement Germany. Fabian Häring is European Policy Officer at the European Movement Germany.

About Berlin Perspectives

The policy brief series is published by the Institut für Europäische Politik (IEP) and provides precise analyses and policy recommendations for German European policy on current issues and debates.

About IEP

Since 1959, the IEP has been active in the field of European integration as a non-profit organisation. It is one of Germany's leading research institutes on foreign and European policy. IEP works at the intersection of academia, politics, administration, and civic education. The opinions expressed in this publication are those of the author(s) and do not necessarily reflect the views of the IEP.

Publishers

Prof Dr Funda Tekin

Editorial team

Dr Johanna Hase

Layout

Laura Worsch

ISSN: 2701-3014

This text is licensed under Creative Commons Attribution- Non Commercial- No Derivatives 4.0 International.

iep

Institut für Europäische Politik e. V.
Bundesallee 23
10717 Berlin

info@iep-berlin.de
www.iep-berlin.de

Supported by:



Federal Foreign Office



Co-funded by
the European Union