

## REFLECTION ON THE IMPACT OF ENLARGEMENT FOR THE EU INSTITUTIONS\*

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There are two main reasons why trying to assess the impact of enlargement on the Union's political institutions might be too early and could lead to very provisional conclusions, that need another check some time later:

a) policy-making cycles in the European Union (elaboration, adoption and implementing policy measures and legislation) are quite long, and certainly longer than the time-span familiar for observers of domestic policy-making. Such length is explained both by the multitude of infra-national, national and supra-national players involved, the consensual nature of EU policy-making and the intricacy of relevant procedures. While the exact result of such a calculation may vary from an area to another, and even within the same sector, this author's assumption is that, „from seed to fruit”, a 3-year period is the minimum required.

b) the enlargement of the Union to Central and Eastern Europe has overlapped and intermingled with the deepening of the European integration process. It is genuinely difficult in most of the cases to draw a clear separation line between the two processes, although a very conventional view says that the former was triggered by the later. It is often hard to distinguish strains generated by enlargement from those generated by a forcible or unprepared deepening of the integration process: while the enlargement

is believed to lead to an end of the current type of structural policies, there is at least as much truth in the fact that these policies gradually became inadequate in the EU well before its enlargement. The same goes for the positive consequences: the Western European economic boom in the early '90s was believed to be generated by the finalisation of the internal market, while it is very likely - but marginally acknowledged - that a significant contribution was played by the opening up of the CEECs' markets to EU goods and services.

One might add, on a more subjective note, that there is also a serious caveat in such an enterprise: distinguishing between perceptions and reality, and putting populist claims aside. No matter how deeply embedded are certain ideas in the minds of possibly the overwhelming majority of public opinion(s) in Europe, and this may also possibly write the history of next years, if the reality behind perceptions is different, then the difference and its consequences should be noticed. It is widely believed that a EU-25 (and an EU-27 all the more that) will work in difficult conditions; it is actually so, but to a much lesser extent than predicted. However, who is to be blamed: those crowing at the gates of the „new Rome”, or those responsible of pre-enlargement reform? The children of political correctness, cherished nephews of dialectics, might be tempted to apply the

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rule of the thumb and answer: „both”. But is it really so?

### *The European Commission*

Beyond its current weakness in the EU's institutional landscape, which is not due to the enlargement process, but to national capitals lack of enthusiasm, the Commission has succeeded a good institutional transition. A good integration of the members appointed in 2004 for a full mandate by the new member states was coupled with a balanced distribution of dossiers among “old” and “new” EU citizens forming its college. The incidents that, during the appointment process, have led to the withdrawal of certain candidates (Ms. Udre) and the reallocation of tasks for others (Mr. Kovacs) were in no way specific to the newcomers (Mr. Buttiglione's case is one in point). The Commission's internal political cohesion is even strengthened as compared to the previous college, presided by Mr. Prodi, as the clusters of commissioners do not exchange just information and coordinate only in a formal sense, but appear at least from the initial design to decide on policies that concern the portfolios of several of their members. Moreover, the commissioners from the new member states brought with them a fresh and more energetic attachment to the European integration project, as well as for the reforms required to safeguard its continuous dynamism (Ms. Grybauskaite). It is also worth noting that, while President Barroso might not be considered a fan of major issues on Europe's growth and competitiveness agenda (such as environmental protection and social policy), he had in other respects a good start as designated President; his resistance against the pressure of several national governments, in particular from big member

states to “shop” policy portfolios for their nominees and to push them in front as deputy-presidents of the college.

At medium and grass roots level, the insertion into the Commission's administrative machinery of the new officials brought more dynamism and has generally proceeded well. This sometimes means “well” in the past line of the Commission, which is not necessarily a good thing (the practice of political appointments at medium and top management level continued, and it will not stop until all member states will openly and permanently give it up).

The current situation of the Commission is though not a good one in political terms. This is not due to the enlargement, of which the Commission has been a major sponsor within the limits of its bureaucratic and, sometimes, innocent idealistic understanding of realities. Instead, such weakness, which do harm the long term interests of Europe, is generated by older, more structural and serious enough difficulties:

1. the extremely critical approach held about it by a large number of member states' governments. It is already a tradition for these governments to use the Commission as a scapegoat for the shortcomings of policies and legislation that are ultimately defined in Brussels not by the Commission, but by their own representatives. The Commission is defined as the embodiment of the Union's democratic deficit, while the institutions incarnating the Union of the states (the Council) and the Union of the peoples (the Parliament) and which should bridge the gap between ordinary citizens and the supra-national level refuse to do it (for various reasons and in various ways).

2. the absence of a framework-project for the near and medium-term future, which should not necessarily be grandiose (maybe to the contrary), but coherent, practical and achievable. The Commission's service in the definition and achievement of such a project would have redeemed its reputation and skills. The Union has, though, its first-in the-class "knowledge-based society" target for 2010 is correct in its essence, but this - with the deadlines vanishing one after another - appears as growingly unrealistic. The project is defined in a collection of buzzwords that can be found in most EU documents of the last 15 years.

3. the first two problems have been partly at the origin of an institutional intimidation of the Commission in its relation with the other EU institutions. The Commission has generally had a low profile over at least the last two mandates. But the main contributor in this is the unprecedented activation of the cleavage between the left and the right and, in general, between the main political groups in the European Parliament. This was strikingly manifest during the appointment procedure for the Commission, but the same type of cleavage is more visible than ever at a wider European scale. The confrontation between the free market (read "Anglo-Saxon") approach and the social protection (French and German) vision is an illustrative oversimplification. While the partisan debate of public interest matters is essential for democracy, its current primitive forms are damaging for Europe's achievements during half a century (by questioning without real arguments the principles of important parts of the *acquis*), and not consolidating democracy. This has negatively influenced the relations between the main political groups within the

European Parliament, which were previously and for a long time based on the idea of compromise. Moreover, a consequence of the EP's in-house fighting is now a rather (unprecedented) hostile relationship between the former allies - the Parliament and the Council.

This explains why, after having successfully administered one of the Union's greatest challenges - the enlargement - the Commission is in a difficult position to administer the enlarged Europe's policies. In order to be able to do that, it needs a long-term policy at all levels, the stability of its relations with the other political institutions of the Union, and, in particular, the genuine trust and support of national governments and public opinions. Moreover, it must be able to feed the decision-making machine with proposals, while the diversification of the working methods is not helping to that. Its current deregulatory approach, said to respect also the subsidiarity principle, appears to be more an episode of weakness than a strategic step.

#### *The European Parliament*

It had no major difficulty in integrating the newcomers, although the mutual adaptation might not be easy. However, the leading political position has been divided in a fair way between MEPs from old and new member states. Certainly, this is not the only important issue, and probably counts even more the effective contribution that the overall group of the newcomers is able to bring in the formation of political decisions. Two remarks can be made in this respect:

- a) while in the Commission the integration of new members and staff must fortuitously be quicker, the

Parliament needs well more time until the new MEPs will bring a political contribution that is proportional to their number in the assembly. They are now in a listening mood, but this is natural for the beginning and much welcome.

- b) the effective implications of the 2004 EP elections for the Parliament's political composition and for the ideologies expressed in this agora are, on the other hand, quite significant:
- a slight reduction (- 1%) in the number of EPP members;
  - another small one (- 1%) for the PES group;
  - almost without new members from CEECs, the Greens diminish by 2%;
  - the former ELDR group has grown with the enlargement from 8 to 12%;
  - the euro sceptics from the ID group have doubled, while the UEN group remains unchanged.

The newcomers have a significant weight, exceeding 20%, in the groups of communists, liberals, Christian-democrats, nationalists and euro sceptics. From these groups, with the exception of liberals (now ALDE), who remain partisans of enlargement and relatively favourable to further integration, the other groups are either constantly critical of the European integration process, or have important fractions that are critical. In fact, with the exception of liberals, the only group that has grown following the enlargement and is not entirely euro sceptic is the EPP one, but enlargement brought to him a vocal injection of criticism to Europe with its ODS members (Czech Republic). Thus, EPP's gravity centre is sliding towards the East and

scepticism, while the PES group (in which the weight of new entrants was smaller) remains politically unaffected. While the two major political groups (Christian-democrats and socialists) have redeemed the old "steel pact" uniting them in the EP between 1979 and 1999, their collaboration is difficult. The voting patterns during the appointment of the Barroso Commission and, in particular, the approval of its multiannual program (where PES voted against) illustrate this tension and shows also that the role of liberals and euro sceptic groups will increase and might become even pivotal in future test-cases.

### *The Council*

This is the EU institution, which illustrates best that the strains of enlargement combine with the hardship of consolidating the European construction. If the Constitutional Treaty is indeed dead, as most realists and some political leaders note, following the two unsuccessful referenda in France and The Netherlands, then the Council's working system, with its central element which is the voting system will be the one defined by the Treaty of Nice and the accession treaties of the 10+2 new and future member states (Nice +). The analyses are already abundant as to the serious limits of the Nice voting system, which does not contribute to reducing the Unions' democratic deficit (a formula invented to indicate the problems of the growing number of players in the Council, following successive enlargements, and of the growing number of areas where decisions are made by qualified majority).

The Nice + formula is not answering the democratic deficit problem because, in comparable terms, it offers less votes to the large member states than it offers to the small

ones, while the solution of the Constitutional Treaty was to make the voting power an exact illustration of each member's population.

The Nice + formula is not satisfying the need for efficiency either. Baldwin and Widgrén have demonstrated that the system of the three thresholds (number of votes, number of states and population) dramatically reduces the chances to adopt the legislation, by increasing much more the chances for blocking minorities than of the "passing" majorities to succeed. The chances to pass legislation have decreased currently from 7.8% (EU-15) to 2.1% (EU-27; Nice +). To compare, if the Constitutional Treaty would be in force, the chances to pass legislation could increase radically from 2.1% to 21.9%. It is true that the use of the vote is still not frequent (but more frequent than 20 years ago; about 25% of the legislation is subjected to actual voting in the Council), but this happens exactly in cases where the stakes are higher, i.e. where divergences between member states arise. These 25% of the cases are the test cases that can bring the Union up or down politically, and not the other 75%.

All these suggest that the institution genuinely affected by the enlargement is the Council, following the weak management in Nice of the voting rules. This also explains why the legislative process within the Council has currently significantly slowed down as compared to previous periods (it is also true that a learning process for the new members must also take place, and the situation could somehow improve later, when the rouages will become familiar to everyone).

### *Conclusions*

The relatively different pictures of

each of the three main political institutions of the Union are united by a set of common features:

- if today the political relations between the institutions are quite shaky, this is mostly due to the deepening of European integration (or its refusal).
- however, the nervousness of certain member states, with some consequences for inter-institutional relation, is generated by enlargement.
- moreover, if the decision-making machinery runs the risk of a stalemate, this is because of the enlargement, and in particular of the Council as a decision-making institution.

But it would be wrong to draw the conclusion that the EU's enlargement is the most important source for Europe's today strains (true or imagined). Fixing the decision making mechanism will ease some tensions, but will not heal all illnesses. Possibly the most important lessons of the 2005 referenda is that Europe, instead of running into the future in order to hide from the difficulties of the present, should stop for a while and try to solve its major current problems that are symbolic in the citizens' eyes: economic growth and stability, employment international competitiveness, the solidity of the euro, the completeness of the freedom, justice and security area. These are major achievements or objectives of the last 10-15 years that have once boosted the interest and hopes of public opinions and economic actors. They should become and remain rock-solid in order to allow the Union another leap forward, and only this will help solve the marginal difficulties

created by the enlargement, allowing a full integration in the Union of the new members. Finally, before availing the beginning of new enlargements, one

essential lesson should be drawn from the past episode: the true enlargement does not end by the date of accession, but merely begins then in truth.

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