

## 'GERMANY AND EUROPE: A NEW TONE OR POLITICS AS USUAL?' - A PROJECTION OF THE GERMAN EU PRESIDENCY

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**Abstract<sup>2</sup>.** *The German EU Presidency, from January to June 2007, will face numerous challenges among which the most important consists in helping Europe emerge from the deep Constitutional crisis in which it is embedded and of reenergising the enlargement project. Furthermore, it will be necessary to tackle several dossiers linked to the Lisbon Agenda, energy policy and re-launching the Constitutional project, as well as issues relating to Justice and Home Affairs, immigration policy, the struggle against terror and a wide array of topics including the European Neighbourhood Policy. The agenda is, therefore, both heavy and complex.*

*Unfortunately, the threat of an international crisis and the French elections will significantly reduce the policy options for Germany, because Germany's European policy can only be discussed within the framework of its relationship with France. To reenergise the European project, the traditional "Franco-German engine" will have to act in close cooperation with other large and small EU states. Europe's strength resides in its ability to change and adapt to new challenges and opportunities. The fundamental issues of Europe's future, defence and energy, require an open frame of mind and forward thinking. Simultaneously, they necessitate a clear definition of all of Europe's interests, not solely those of France and Germany. It is up to a new and modern thinking Franco-German duo to devise clear strategies in order to respond to these new challenges.*

**Key words:** *German presidency, Franco-German duo, European future*

### I. Objectives of the German EU Presidency

Romania may have watched out for the German EU Presidency with a special interest, as this is the first presidency that Romania will follow as a new member state of the EU since January 2007. However, the German EU Presidency has been eagerly anticipated by many because it will play a

crucial role in reshaping the parameters of Germany's European policy, at a time when public opinion has been increasingly unfavourable to the European project, also in Germany. As a result, German civil servants are currently attempting to lower expectations of what can really be accomplished during the German EU Presidency of January to June 2007. Moreover, there are many issues at stake:

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Germany is the largest country in Europe and, as a pivotal state with its double policy orientation - Pro-European and Transatlantic - it is without a doubt the most important Presidency. At the same, Europe has plunged into a deep constitutional crisis provoked by its strategic partner France. Furthermore, there is a general feeling of enlargement fatigue. Also, the 50th anniversary of the Treaty of Rome will take place during the German Presidency. For this anniversary, the Berlin Summit on March 24, 2007 will attempt to deliver an ambitious political declaration, which will suggest the need for a new attempt at political legitimacy and herald the past achievement of peace. The declaration will also likely define the future challenges, goals, and responsibilities of the European Union in the 21st century.

The German presidency faces some huge challenges. Not only will expectations and capacities diverge; the French elections that will occur during the German EU Presidency will hinder efforts to solve the Constitutional crisis. During the Presidential campaign in France, the traditional German-French engine will not be available. Besides, as yet unforeseeable international crises, of which there could be many, could overshadow the German EU Presidency and possibly sap political energy from Germany. Turkey/Cyprus, Kosovo, the further stabilisation of the West Balkans, Iraq and Iran are only a few examples of situations that may require crisis management.

Clearly, the German EU Presidency cannot be expected to provide the breakthrough in the area of institutional reform. On the contrary, the German government sees itself as a "facilitator" and believes that a draft formulation to resolve the institutional crisis will not come only from Germany. Rather, the goal of the

German EU presidency will be to ensure that all EU states are really communicating with each other and actively listening to each other. If possible, at the end of the Presidency, a "roadmap" and a clear time table will materialize out of this important Presidency and should act as a navigator in approaching questions surrounding both the Constitution and the question of institutional reform.

The time frame and organisation of the German EU Presidency will be divided into three phases:

1. The period until the spring will be devoted to the issues of the Lisbon Agenda and Energy.
2. The second phase will deal with the preparations for the 50th Anniversary of the Treaty of Rome.
3. The third and final phase, lasting until the June summit, will ultimately deal with the future of the European Constitution.

This does not mean that other important topics will not play a role: Justice and Home Affairs and especially the issues of Migration Policy and the War on Terror, to name a few; the entire EU Neighbourhood Policy (ENP), which should evolve into a 'ENP plus' and in this context must be evaluated; a strategy for Central Asia must be elaborated; and a revised partnership and cooperation agreement with Russia must be prepared and renewed in November 2007. All have triggered a debate in Germany and beyond over the EU's "Ostpolitik". Furthermore, other ideas and projects will surely be addressed. This includes the idea of a Transatlantic Free Trade Zone, which will likely make its way into the political debate. The agenda is therefore both heavy and complex.

### 1. The Spring Summit on March, 8

The German EU Council Presidency will focus in its first part on the Lisbon Agenda and, in that respect, the main issue is the dismantling of the bureaucracy as well as the full implementation of the European Common Market, in the areas of telecommunications and the energy sector. At first glance, it appears to be a very technical agenda, which is linked and must be seen in connection with a variety of domestic debates within Germany. Behind the desire for an energized Lisbon Agenda lies the ambition to demonstrate clearly to citizens its link with growth and employment. Less cumbersome regulations, more leeway, greater efficiency, are buzzwords and concepts on which the hope to make the European economic space competitive in the age of globalization is pinned. From this idea comes the desire to make the EU more accessible to "Europeans" and to reduce the fashionable prejudices that exist about "Brussels and its obsession with rules". In this respect, the focus will be on innovation, especially on the development of common European endeavours in the areas of training, research, and development. This, in turn, is connected to the theme of energy policy, which will have to place a specific focus on the development of innovative techniques that take into consideration ways to protect the environment.

Energy policy will be a priority, and as a result of the January 2006 Ukrainian gas and pipeline crisis the German EU Presidency will have to lay out a "European Action Plan" as mandated by the Austrian Presidency. This topic is not only new for the EU, but also is also highly complex.

However, these tensions should be avoided and must not threaten the

discussions on the European Constitution and extremely sensitive. The EU Commission does not yet have any formal powers in the area of energy policy and in the area of industrial policy; sensitive national interests are at play. This debate also includes a number of non-state actors, in particular the large energy companies. At the same time, the energy question is closely linked to other issues related to the EU's future foreign policy, especially in relation to the Neighbourhood policy, Russia, and Central Asia. The Spring Summit on March, 8, may thus represent a 'first take' at these complex questions. In particular, the German EU Council Presidency is likely to seek an internal EU consensus on energy and climate questions, which it would be essential to achieve ahead of the G8 Summit which Germany will also preside. The goal of the German EU Presidency is certainly not to strive for a type of "common energy policy" or the "communalisation of the European Energy policy" endowed with institutional underpinnings. It must be emphasised that questions relating to the 'energy mix' (oil, gas, renewable sources of energy, nuclear energy etc.) are perceived by member states as prerogatives of national governments. Germany is presently in a very difficult domestic situation. The Grand Coalition quarrels over the possibility of reversing the decision to discontinue using nuclear energy - a position that is advocated by the Minister of the Economy, Michael Glos.

What needs to be reached is a common European position on research and development, renewable energy, measures to cut down on energy use, diversification, and energy security, as well as a consensus on the future of the Kyoto Protocol. In all these areas, the devil is in the details. A number of recent power outages have

exposed weaknesses in the German/European electric grid and demonstrated the complexity of energy transfer within the Eurozone.

Moreover, there is the question of (national) industrial monopolies. In the past few months, a number of transnational takeovers have failed. The German company Ruhrgas AG was unable (not permitted) to take over the Spanish energy provider Endesa and France supported the consolidation of French firms Gaz de France and Suez to prevent the Italian concern Enel from buying out Gaz de France. Briefly, the consolidation of the energy sector in the Eurozone should be the first step on a bumpy road towards a common European energy policy.

## 2. The Special Summit for the 50th Anniversary of the Rome Treaty

The 50th Anniversary of the Treaty of Rome will take place during the German EU Presidency and will provide the opportunity to put forward an ambitious political declaration on the future of Europe. The goal will be to fashion a concise and clear statement. This declaration should not illustrate the historical successes of the European Union; rather it must address the opportunities, challenges and goals of the European Union in the 21st Century. Basically, it should be about an effort to develop a new legitimacy, a new basis for the EU at a time when the traditional arguments about the EU Peace Project are starting to wear thin. Developing a closer relationship with the citizen and making those areas more visible where the EU and the citizen really interact (for example where it guarantees the competitiveness of the European economy) should be the central themes of this declaration.

In addition, the EU summit will have to put the necessary emphasis on the foreign policy capabilities and thus the readiness of the EU to assume its international responsibilities.

The Rome Treaty anniversary will also provide an opportunity to encourage a rapprochement with Europeans and strengthen the European political discussion on the regional and local levels. The German Parliament has already decided that a discussion or an event on Europe should take place in every district. In addition, numerous citizen forums and European associations are mobilising to organise a wide public debate and make an effort to use the anniversary to both encourage an open and frank discussion among European citizens.

## 3. The June Summit

The dynamic which should emerge from the spring summit will shape the German Presidency's position regarding the EU Constitution. In this case, the situation is very complex. The stated goal is to reenergise the process and, eventually, present a clear roadmap and time table for the future without immediately circulating concrete proposals on how the EU can abandon the idea of holding referendums.

The German Presidency will try to conserve as much substance as possible and will not be satisfied in keeping just a few minor points. In addition, the German presidency will stress the idea that the judicial weight of a 'Yes-vote' to the Constitution is as important and significant as a 'No-Vote'. 18 'yes votes' cannot be easily disregarded. Romania has already adopted the Constitution through its accession treaty. For Germany, the

European Constitution is not (yet) dead, a position held by other member states.

Whether the German position regarding the Constitution is in agreement with the majority opinion within the EU member states is however questionable. Even if France and The Netherlands, following referendum defeats, are still able to find constructive ways to carry on the Constitutional process, Great Britain, Poland, or the Czech Republic, to just name a few, seem as of today at least hesitant to ratify the Constitutional text in its current form. Furthermore, countries in favour of the Constitution will hardly vouch for it at this point. Among those are Germany, Italy, Luxembourg, and Belgium. Many other states, which have formally supported the Constitution, will certainly not be against proposing other solutions.

Therefore, for Germany, the Constitutional process will be a balancing act. On the one hand, it will try not to dampen efforts and, on the other, it must avoid unrealistic expectations. It is unclear whether the Constitution in its present form has a future, and, if so, what modifications are necessary. At this point, different solutions are being discussed:

- The omission of Part III, the most complicated and voluminous part of the Constitutional Treaty, which is not all accessible to the citizen, and was decisive in the rejection of the treaty is the first solution offered. However, the prevailing wisdom from a legal point of view is that the omission of Part III is not an option, as this section contains the entire existing "acquis communautaire" and for that reason must be preserved.

- The "inverse" proposition is the addition of a number of citizen-relevant chapters, on themes such as the job market and European social policy, immigration, or

energy. According to conventional wisdom, the solution is, in adding and not omitting. This option also does not present any legal problems. That such modifications, especially looking at the failed ratification processes in France or the Netherlands, would make a difference is doubtful. Citizens of these countries may see these changes to be nothing more than cosmetic.

- In addition, a number of suggestions to restructure the constitution or remove certain clauses have been made. In his speech on September 8, 2006 French presidential candidate, Nicolas Sarkozy, suggested a two-step plan: the implementation a 'mini- treaty', followed, at a later date, by the renewal of Constitutional discussions. This suggestion was met with reluctance by the Germans, who have ambitions of reviving the old treaty. Nevertheless, this partial solution is being studied by the British, which would allow the 'large' Constitution to be avoided.

Apart from the discussion of concrete policy options, there is also an increasing belief (although not yet mainstream) in Germany that the need for a European Constitution or even the need for substantial institutional reform before 2009 is no longer absolute. For many years there was a consensus in Germany, that enlargement and deepening must move in sync and that anticipated future expansion absolutely required further institutional reforms if a new European constitution was not in place. This also appears to be the case in the recent discussions on the absorption capacity of the EU, especially in relation to their capacity to integrate future expansions. Institutional and financial capabilities, as well as the "acceptance on the part of the population" are thus criteria for absorption capacity. However, there seems to be some movement in the debate to dissolve this

measure and that future expansions will depend on the adoption of a new European Constitution. In the meantime, it has been said that for the accession of Croatia, which is presently in negotiations with the EU, without prior comprehensive institutional reforms, other legal solutions are conceivable. The substance of this argument cuts two ways and is fuelled by diverging motivations; on the one hand, the principles for future accessions are not threatened (at least for Croatia, Turkey, and the states in the West Balkans) by the collapse of the Constitution. On the other hand, however, the sceptics of expansion, whose commitment to the Constitution is minimal, hope that without a Constitution or in any case without substantial reforms no future expansion, perhaps with the exception of Croatia, will take place. In this context, it is unlikely that the Germans, who are pleading for the revival of the ratification process, will support the idea, as some are calling for, that the European Constitutional process be led by a small group of countries, i.e. a core Europe to the exclusion of those that have yet to ratify the Treaty. Romania has a stake in the debate as far as its future interests for Moldova are concerned.

For new enlargements to come, only Article 213 (1) of the Treaty of Nice would have to be implemented, meaning with the accession of the 27th Member State, the European Council must unanimously decide on a system of rotation within the European Commission; the number of Commissioners would become inferior to the number of member states. Nevertheless, for the German Presidency, the edification of this decision is not a priority.

Looking at the Constitutional process, Germany has an ambitious agenda, but keeps a low-profile approach, mostly for tactical reasons. In a policy speech given

before the German Society of Foreign Affairs on November 8, 2006, Chancellor Merkel hardly mentioned the European Constitution. From her address, one can conclude that Germany will not make the success of their EU Presidency contingent on getting a breakthrough on the Constitution; rather it will concentrate on taking practical steps in certain areas. Progress on the ESDP (European Security and Defence Policy), the WTO, energy policy as well as environmental protection, are four areas that were discussed in Ms. Merkel's address. In fact, three of the four, WTO, Energy, and environmental protection, are not even existing EU topics, but are featured on the G8 agenda as well. However, behind the scenes, there is optimism, that after the Special Summit on March 25th, there might be a positive momentum with respect to the European Constitution. Germany still hopes that it can, at least, deliver, a clear timetable and roadmap and also signal which parts of the treaty should be saved and how at the June Summit. There is even hope that, if this could be achieved at the June Summit, a small IGC could start in September under Portuguese EU-Presidency, and conclude a document, submitted to parliamentary ratification only. There is talk about a combined 'deleting' and 'adding'-exercise, meaning that all parts of the existing constitutional document that are not new in legal terms could be skipped out of the existing treaty document, whereas there would be paragraphs added on policy issues that matter for European citizens as on social policy, energy policy, migration etc. The document would look totally different to the existing one, but substantial parts of the content would be saved.



#### 4. The neighbourhood policies objectives

The energy policy, the European Neighbourhood Policy, as well as a new Central Asian strategy, a key focus of the German EU Presidency, cannot be overhauled without a new take on the EU's policy towards Russia. Presently based on the Partnership and Cooperation Agreement (PCA), it will in fact have to be renewed in November 2007. In this context, in Germany and elsewhere, an active debate on the new European "Ostpolitik" is taking place. In this debate, Germany has placed a special emphasis on its relationship with Moscow. This debate will, nevertheless, depend on two main factors:

- First and foremost, every discussion on the EU's relationship with Russia is seen within the realm of the Transatlantic framework. The European partnership with Russia must be made in coordination with US policy, just because most European countries and the US want this. Mr. Putin's speech at the Munich conference for International Security was a strong sign for this.

- Furthermore, the outcome of the debate will depend on the vision and political developments that will occur in France and Germany. It was Jacques Chirac and Gerhard Schröder, who suggested a few years ago the idea of a Berlin-Paris-Moscow axis, which irritated a number of other European states, in particular Poland and the Baltic states.

Not only there is a perceptible difference in the perception of Russia between the 'old' and the 'new' member states from the East. Differences between the 'old' may matter, too, especially with respect to the Franco-German tandem; and

on the background to create an 'axis' between Paris Berlin and Moscow. Following the Presidential elections, France's new political orientations will therefore be crucial both with regard to Russia and the USA. It is sometimes difficult for Germany and France to have the same point of view on Russia and the East. It has in fact always been thus. Even in the 1970s when Germany, under Willy Brandt, initiated the policy of „Wandel durch Annäherung“ (change through rapprochement), France under the leadership of President Georges Pompidou was quite unhappy. Even during the contentious discussions on enlargement, the French quite wrongly- considered Central and Eastern Europe as part of Germany's backyard. In many French journals, the discussions on Central Europe took on an almost mystical character. Most recently, France lost a great deal of sympathy in the region when Jacques Chirac snapped during the build up to war in Iraq in 2003; "Ils ont encore raté une occasion de se taire" ("they missed another opportunity to keep quiet"). And, yet, France, a heavyweight in the region, could have built up strong relations with these countries. The old fault lines reappeared once again during the most recent European Neighbourhood Policy (ENP) discussions, with Germany looking more East and France more South. New member states like Romania may in this respect be important to tilt the balance.

Whether or not a distinction should be made in the financial aid given to the neighbours to the East, on the one hand, and those to the south (the Mediterranean sphere) on the other, is a major source of tension. A similar discussion already took place between Germany and France at the European Council meetings in Essen in 1994, when the idea of making a financial

distinction between those states that should eventually become members of the EU and those that should remain outside was aired. A similar tempest is brewing within the EU at the moment, whereby not only France, but all of the southern EU countries (Portugal, Spain, Italy, and Greece) want the southern states to be treated equally, even when they have no prospect of joining the EU. And because France's geo-strategic outlook is to the South and Germany's to the East, it would be the perfect opportunity to initiate a Franco-German convergence and synergy.

This explains why the German Presidency does not want to focus on an East/ South divide; rather it prefers an „individualised“ ENP based on well developed, country specific bilateral initiatives. The German EU Presidency also underlines that its insistence on a strategy for Central Asia is not necessarily imposing its German priorities, but is a rational way of sharing the load. In essence, by concentrating on Central Asia, it leaves to Portugal (who has more expertise in the matter) the responsibility of looking after the perspectives of the neighbourhood policy toward the South.

But the fundamental problem with the neighbourhood policy is that Europe's neighbours are waiting for something that Europe is not prepared to offer the prospect of membership. The German EU Presidency will therefore not only offer an individualised approach, but an „ENP plus“. And yet it is not completely clear what this means exactly. This comes from the fact that the ENP appears to be 'nobody's baby'. All states have an interest in the policy, but none have a direct stake. The question is: what can really be offered to the ENP states, when there is no possibility of joining the EU, and

if they will not receive what can actually be offered. Perceptions and expectations are very important. The fact is, an “ENP plus” without any prospect of membership will have a direct or indirect financial cost, which will make necessary substantial policy choices within the EU. Whether it is the opening of markets or for imports or labour, deepening of free trade zones, or direct financial aid for the ENP states, there will be an associated cost. The gap between 'short term costs' and 'long term gains' is difficult to bridge. And often, in many policy discussions among the European states, we forget to mention how much political and economic development in the neighbour states helps resolve the most urgent domestic political problems within almost all member states. Whether it is crime or counterfeiting, clandestine workers, energy security, or the fight against terror, or whether is about creating new markets and economic dynamism, the EU's relationship with its neighbours is crucial. Europe cannot develop and really become Europe without its neighbours<sup>3</sup>.

It will fall on the political shoulders of Germany and France to develop plausible, dynamic, and very concrete strategies for the countries to the south and to the east without forgetting the essential role they will have to play if accession negotiations with Turkey and Croatia are to succeed and if the accession prospective for the states of the West Balkans should conclude successfully. In both countries, there is strong political pressure to establish fixed borders and to put on hold the deepening process. Both are anachronisms. The debate over the eventual borders of Europe is absurd, as the only eventuality is death. More than ever before, Europe cannot support the status quo and,

<sup>3</sup> For more details about how to shape ENP see: Charles Grant: *'Europe's Blurred Boundaries. Rethinking enlargement policy and neighbourhood policy'*, CER 2006



on the contrary, must remain flexible and ready to respond to the challenges of the 21st century. In particular France and Germany must modernise the political debate. The concept of the geo-strategic Europe must be introduced and the idea of an altruistic European Neighbourhood Policy must be swept aside. The ENP must not be alms for the poor. The future of the ENP states is part of Europe's strategic interests.

#### 5. A new 'Ostpolitik' for the EU

In relation to Russia a lot will depend on Germany and the positioning of France following the elections, and also, what they will agree upon. The German Presidency may have already placed some emphasis concerning their relationship to Russia, which is actually in preparation for the renewal of the EU-Russia "Partnership and Co-operation Agreement (PCA), set to begin in the summer. (One cannot really say that Germany and France ever have competed with each to have influence on Russia. But, on the other hand "Rapallo" was a longstanding trauma in France and French foreign policy has a Gaullist tradition, where in its 'Aquidistanz' between the former Soviet Union and the United States it did try to carve out some "independent space" for itself). Famous is de Gaulle's speech during his visit to Moscow in 1966 when he said, "Le grand peuple français salue le grand peuple russe" (The great people of France greet the great people of Russia). On the other hand, Germany, although it had a very close connection to Russia throughout centuries, does not only owe its de facto existence to the United States, which from 1947 to 1989 had to provide for Germany security against Russia, and therefore was transatlantic in nature. Hence, it is important

to remember that it was not always a German-French two step.

Although these former German and French foreign policy parameters have disappeared, it would be hasty and erroneous to forget their capabilities regarding their current attempt to create a new configuration of the relationship between Paris, Berlin, and Moscow on the one side, and Europe, Russia, and the U.S. on the other. Pushed aside are not only the parameters, but also the attitudes of the population.

The 'thermometer curve', which measures German feelings towards other states, showed that today, Germans generally have similar feelings toward Russia and the United States. These large strategic chess board questions are naturally not issues for the German EU presidency.

And yet one can observe that Germany must attempt both to clearly improve its relationships with both the United States and Russia. Germany is therefore in a key position, but its position has not yet fully matured. In political conversations in Berlin, they are signs that diverging approaches to Russian policy exist. On the one hand, there is the Chancellor's camp and, on the other, the German Foreign Office. Merkel, under pressure from the public has sought to distance herself from the cosy German relationship of her predecessor Gerhard Schröder with Russia, President Putin, and Gazprom. The latter can be seen in her strong criticisms geared toward Russia over the inability of NGOs to function in Russia, Chechnya. Moreover, she has sought to Europeanise and make Germany's Russia policy more transparent as well. In contrast, the Foreign Office under the leadership of Gerhard Schröder's confidant, Franz-Walter Steinmaier, will likely want to put a strong

German emphasis on policy regarding Russia; creating what some describe as a “Russia first” policy.<sup>4</sup> As regards Russia, Germany has strong national interests at stake and within the EU Germany holds a quasi hegemonic position. Germany has the strongest economic interests and very active (somewhat) uncritical Russia lobby group within the industry sector, the largest bank and financial interdependence, and at the same time the greatest energy dependence. 60% of German natural gas originates in Russia, and German firms (Ruhrgas and Winterhall) hold a 51% stake in the new Baltic Pipeline project, which circumvents the Baltic States as well as Poland. Thus, how can Germany, during its EU Presidency, play the role of an 'honest broker' when it comes to providing a basis for a European policy towards Russia? Germany's position regarding Russia is analogous to its position in the discussion of the introduction of the Euro: Germany had the strongest and most important currency in Europe, and yet it was still a huge benefit for Germany to give up its dominant position for a common currency. In a common market or common currency zone, the goal cannot be to place its preferences above those of others: when the gas is in fact supposed to flow to Germany and no longer to for example Poland or the Baltic States, Germany nevertheless has a problem. If Germany will freely, as in the case of the Euro, “Europeanise” its special relationship with Russia in order to think and act European in the strategic triangle of Energy policy, the European Neighbourhood Policy and a coherent policy towards Russia is questionable. In addition, France's policy orientation cannot be undervalued either:

will it support a national and unilateral German approach, or will it support the 'Europeanization' of its policy towards Russia as part of a strong transatlantic framework

## II. The Franco-German Duo: a quick look back and one forward

Romania as a newcomer may not be fully accustomed to the dynamics of European integration and one essential factor has always been the Franco-German relationship which is now again at stake. The Franco-German relationship, which reached its last climax during the Mitterrand-Delors-Kohl era, has not always been rosy. Quarrels on the introduction of the Euro, common foreign policy, security and defence policy, the CAP and budgetary questions marked the 1990s.<sup>5</sup> Traditionally, these disputes contributed to the efficacy of the Franco-German duo. In effect - two countries incarnating two radically opposed conceptions of the state (the centralised state and the federation) and political economical prisms (“dirigisme” versus the social economic market) set the pace for policy adaptation: when Germany and France were able to come to an agreement, all the other states succeeded in recognizing their own interests in this compromise. According to Stanley Hoffman, Franco-German relations were “symmetry through asymmetry”: the convergence between the politics of sovereignty oriented toward the South on the part France and the economic powerhouse Germany, the resulting tension forged the motor of the Union. And together, France and Germany were the “critical mass” necessary to push Europe into action.

<sup>4</sup> For more details see: Iris Kempe: *From a European Neighbourhood Policy toward a New Ostpolitik. The potential impact of German Policy*, Paper in Print for Medzinarodne otazky (International Issue), Bratislava 2006, p. 20.

<sup>5</sup> For more details see Ulrike Guérot: *“Frankreich und Deutschland Lokomotive ohne Anhänger?”*, in: Johannes Varwick/ Wilhelm Knelangen (Hrsg.): *„Neues Europa alte EU? Fragen an den europäischen Integrationsprozess“*, Leske und Budrich, Opladen 2004, S. 285-298.

### 1. From Europe's Engine to a locomotive without carriages

Therefore, the dysfunctions in the Franco-German duo that occurred over the past years and that have been heavily perceived in the EU's Eastern countries were not essentially a sign of conflict, but on the contrary, rather the absence of conflict. Of course, there was the clash during the negotiations leading up to the Treaty of Nice in 2000, a consequence of diverging opinions over the creation of the financial and institutional structures of an enlarged Europe, which had already come to the surface at the Berlin Summit of March 1999 in regard to renegotiation of the EU Budget and the future of the PAC. However, Germany and France reconciled shortly thereafter with the Blaesheim Meetings, which sought to rebuild trust. In this sense, the Blaesheim Talks were a sort of 'confidence-building' measure. The common fear was if Germany and France were not able to agree on the major themes of European policy, Europe would be without leadership.

However, it is interesting to note that the newly found trust that emerged around 2001 evoked more distrust than hope among the other EU member states. As of 2001, Franco-German 'deals' began to multiply, often to their own advantage, provoking irritation among their partners. Additionally, at the 2001 European Summit in Gothenburg, Germany, backed by France, imposed a seven year delay on the free circulation of persons coming from the new EU member states and, in exchange, Germany accepted France's hostile position on the liberalisation of electricity, which was perceived as a threat to the French energy concession, EDF. Moreover, the Franco-German agricultural compromise

negotiated in Brussels in October 2002 was made behind closed doors without consulting the other EU member states.

Yet another example is the instances in which Germany and France accused the EU members from the East of conducting a 'disloyal' fiscal policy, when they themselves year after year did not respect the deficit allowances stipulated by the stability and growth pact.

The pretence to lead Europe and yet consistently ignore core EU rules was not appreciated by many other members. When Germany lined up next to France against the United States during the Iraq Crisis and together at the 40th anniversary of the Treaty of Elysée- decided to speak 'in the name of Europe', the disenchantment of their partners mutated into anger. And for Germany, it was even more than that it questioned the very foundations of its foreign policy. With France, against the United States, this had never been seen before! This is not to argue that, in substance, the German and French position was wrong, nor to ignore that the trigger for all this has been an irresponsible Middle-East policy of the Bush-administration. Yet, the point is that under these conditions with Europe's engine being against the other member states, the EU was hit in its vital nerve and could simply not function. The months that followed demonstrated how difficult it is to construct Europe against the wishes of the United States. And on its part, Germany was clearly able to measure the costs of questioning 40 years of consensus.

In this context, the Franco-German duo did not have enough energy nor did it possess enough moral authority necessary to bring the European Constitution to a successful conclusion. Not only, the several Franco-German proposals for institutional reform came to late, only in November 2002

(also due to the French presidential elections in 2002); for some then the text was not ambitious enough; and when it was glumly celebrated by the heads of state at the Rome Summit of 2004, its symbolism was already tarnished by the intra-European disagreement over Iraq, even before the fatal French “Non” to the Constitution.

## 2. France, seen by Germany

This evolution is all the more worrying as it has been accompanied by a gradual change in the German position vis-à-vis France. Just as Germany no longer unconditionally supports Europe, the partnership with France has also disappeared from Germany's foreign policy discourse. “Une Europe sans la France”<sup>6</sup> is the name of a book recently published in Germany. No matter what we think of the title, its very publication demonstrates that the “French reflex”, necessity to consult with France before key EU policy initiatives are unveiled, is less present in Germany. The traditional bilateralism is no longer the norm. On the other hand, Franco-German co-operation is still important and poses no trouble in many technical areas. But the time for the (almost) obligatory reference to France is over. In the coalition agreement, the Franco-German relationship is characterised as a “motor for Europe”, but the concept of the strategic partnership is conspicuously absent. This evolution is likely the result of a new generation of German politicians and civil servants who have a different background and therefore think differently. In this new context, it will remain to be seen if the two countries will be able to develop a new, common European project, or, on the contrary, Germany will distance itself from France in the case that

Paris will have too many difficulties to return to the centre of the European debate. This last scenario cannot be discounted: the French position in Europe is weakening. On the question of enlargement, France has always perceived to be, at best, reticent; and the Constitution did fail as a result of the French “Non”. So essentially, France needs to move out of its self-inflicted marginalisation within the EU. The country that could help pulling France out of this situation is obviously Germany: if it wants so and if it has the strength.

## 3. Keys to re-launching the European Project

To give new momentum to the French-German co-operation, an evolution would be necessary on two levels. First, the Franco-German engine must be rethought. In the last few years, a lack of interest in collaborating actively with the smaller states of the Union, states that had been traditionally wooed and protected by Germany, has been flagrant. At the time when Germany's European policy had become more “French”, it abandoned the consensus in favour of integration, long time incarnated by the European Commission, and Germany had supported the smaller states. Besides making an effort to reach out to the smaller states, the Franco-German engine will have to cooperate more actively with the larger states of the union. This is already the case in certain areas such the collaborative effort of the “Big Three”, including Great Britain, on the question of negotiations with Iran. On the contrary, the “Weimar Triangle”, including Poland, has not had the same success. This is clearly linked to the new Polish government's rather unconstructive attitude toward

<sup>6</sup>Markus C. Kerber: *„Europa ohne Frankreich? Deutsche Anmerkungen zur französischen Frage“*, Frankfurt on Main, 2006.

Europe. Yet, a good working relationship with Poland is indispensable to a pan-European approach on a number of delicate issues such as a European energy policy, a neighbourhood policy, and a coherent policy on Russia. It would therefore be particularly important to re-dynamise the Weimarer Triangel, and to take Poland somehow as the 'anchor in the European East' to convey Franco-German thinking. This accounts as much for Franco-German strategies on the Constitution as for the broader context of enlargement policies. It will be important to notice which position Romania intend to take here as a 'francophile' country.

Exclusive Franco-German initiatives are doomed to fail. As well, Italy and Spain are impatiently waiting to see if French-German relations will undergo a renaissance following the French presidential elections and what direction they will take. They are concerned that France and Germany will return to their "closed-door format". Their concern is that they will have no input into the policy making process and will only be able react to Franco-German initiatives. This is particularly true in the case of the Constitution. Whatever the solution proposed by Germany or France, especially taking advantage of the momentum generated by the German Presidency in 2006 and the French Presidency in 2008, the Italians, like the Spanish, are concerned that they will be completely abandoned or neglected.

#### 4. France is the key

The forthcoming German EU-presidency will not be able to close the complex issue of the Constitution, but it can

and wants to determine which parts of the Constitution should be 'saved' and how, and provide a clear timetable and road-map on what should be done next, as has been already sketched out. The 'time-window' of 2007/ 2008 that could or could not see a revived Franco-German tandem reaching out for the Europe of tomorrow - will therefore be of key importance. By next May, France will have a new president which should give this country new room of manoeuvring on the constitutional issue as well as on European politics at large, including the question of enlargement. Whatever Germany will be able to launch in terms of political dynamics on the Constitution, the ball will then be in the French camp. This is not to say that France is the only difficult country in this debate. The UK, Poland or the Czech Republic are also 'difficult candidates' with respect to the EU Constitution. However, a solution in France, European core-country and 'founding father' could be a first step to cut the gordian knot. Poland is supposed to present an own draft for a constitutional treaty in March which shows at least that Poland is again 'in communication' about the constitution, so hopefully, compromise lines can be found. And the UK could be brought on board again if, first, the new treaty is no longer entitled 'constitution'; and, secondly, if the policies sketched out in the treaty, especially in the field of energy policy and climate protection, show the need for deeper and better European coordination and integration.

Nicolas Sarkozy has already put his proposal of a 'mini-Traité' on the table.<sup>7</sup> Ségolène Royale has been less outspoken so far, and has only called for a new Convention under French Presidency and a new document that should be voted by all

<sup>7</sup>Nicolas Sarkozy, *Speech on Europe*, September, 8th, 2006, Brussels

European citizens on the same day. But in a way, independently from whom should be elected and from what France should decide on the Constitution: it may be more important how it does proceed and with which energy it is engaging in its own EU presidency to come in Fall 2008: reluctant or with the same verve and energy with which François Mitterrand, in 1984 at the EU Summit in Fontainebleau, lead Europe out of years of 'Eurosclerosis', that, by that time, had seemed insurmountable, too. Shortly before, in 1982, France position in Europe was also at stake: either to stay within the European Monetary System (EMS) and in Europe, and engage in modernisation and in the politics of 'franc fort'; or withdrawal from both and go for what some had called by that time 'socialisme dans un seul pays'. In 1984, France had opted for modernisation and Europe and thus provided Europe with a flourishing decade. It may well be that 2008 is another year for such a historical turn-around, engineered with and through France, that could lead Europe into the modernity of the 21 Century!

### 5. Move Europe into the 21 Century

As a second condition for the tandem to be successful, most importantly, on the Constitution and on further enlargement (especially the Balkans and Turkey), France and Germany need to modernise their discourse about Europe and to move Europe into the 21st Century. They need to shape finally the new geo-strategy of an open, enlarged, grand and united Europe that takes responsibility for its neighbourhood as well as in world affairs. For instance, and again, Romania could play a constructive role here, as the shaping of an EU's Black-Sea strategy has, so far, not yet been a priority, neither for France nor for Germany.

However, in Germany, like in France, the level of discussion on Europe contrasts markedly from the more open debates which are taking place in Great Britain, in Poland, but also in Sweden and Italy. Both, France and Germany, seem to have the most static debates on Europe. Rather than examining the geo-strategic location (and interests) of the Union, the debates in Europe are focused on domestic politics and intra societal national debates (such as the debate on the "European Social Model"). Their semantics and their objectives still evoke past problems; they are marked by the regret of the "missed opportunity" of the 1990s, when in 1994 after the publication of the working paper on the "core of Europe", even before enlargement to 15 member states, a further step toward a deeper integration could have been undertaken. Political union, finality, the establishment of its borders, the junction between deepening and enlargement: whatever the major themes of the actual debate in and on Europe may be, in France and Germany they convey a rigid image of Europe as a homogeneous ensemble, complete, uniform, which should define once and for all its objectives and boundaries. In the eyes of the French, this definition refers to "real European", who knows precisely what the political union should resemble. But on the other hand, does the strength of the European Union not reside in its ability to change and adapt to new challenges and opportunities? Germany and France are lacking the concepts necessary to solve Europe's problems of tomorrow. The debate on these topics must evolve if France and Germany are to regain their role as Europe's motor. Creative concepts in neighbourhood policies or the broader European geo-strategy, including new concepts of



differentiated integration, did not come from Paris or Berlin in recent days. In both countries, the debate on enlargement, especially about the Western Balkans and Turkey, had more the taste of exclusion than inclusion. Policy circles in both countries seem more to work on keeping the Balkans and Turkey out of the EU rather than consequently pushing for the successful achievement of negotiations. Both, France and Germany, need definitely a debate about the political, economic, cultural and geo-strategic costs of non-enlargement, rather than only insisting on the 'costs' of enlargement. Europe can no longer be conceived without its neighbours.

Among the many issues that must be re-examined is notably the nature of relations that Europe must maintain with the United States and Russia, these "two external laboratories where European ideas have been experimented with: communism (in the past) and capitalism" wrote Peter Sloterdijk in 1994 in his magnificent essay "If Europe Awakes".<sup>8</sup> These two old rivals who confronted each other with Europe in between, must find their place - again and newly in the European system, and, in their own way, and based on European principles of foreign policy making. Because the two fundamental elements of the future of Europe are, on the one hand, its energy policy (which should be looked at though the prism that the implementation of a

common administration of vital resources favours peace like was in the case of the European Steel and Coal Community) and, on the other hand, the European defence policy. Defence and energy, these are the two topics that France and Germany could crystallise and make new common European projects out of. Recently, German politicians have been very clear about the necessity of common European defence strategy, and eventually, a European army<sup>9</sup>. Both poles, defence and energy, require an open mind and geo-strategic outreach and forward thinking in the nexus of ENP and relations to Russia. It requires, at the same time, a clear definition of the interests of all of Europe and not uniquely the national interests of France and Germany. It will therefore be important to observe carefully whether France will rather sign up for supporting latent German 'national' approaches that can be observed, especially with respect to Russia; or whether France will push for a 'Europeanisation' of 'Ostpolitik' within the EU. Unilateral initiatives, against the United States in the area of defence policy, and against the rest of Europe, alone with Russia in the area of energy policy, must be avoided. It is up to the new Franco-German duo to come up with concrete solutions to these many challenges. Romania should not observe all this as a spectator, but bring its ideas and expertise actively into the shaping process!

<sup>8</sup> Peter Sloterdijk, "Falls Europa erwacht", Frankfurt on Main, 1994, p. 28 and following.

<sup>9</sup> See Kurt Beck, SPD Conference on the German EU Presidency of 2007, Berlin, November 6, 2006.

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