The European Council
How to study a Key Institution in Challenging Times

Conference Report

10 November 2020

Joint Conference of

Centre for Turkey and European Union Studies (CETEUS)
and
Trans European Policy Studies Association (TEPSA)

In the framework of the Jean Monnet Project TRACK

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TRACK Teaching and Researching the European Council

Abstract

The TRACK conference "The European Council: How to Study a Key Institution in Challenging Times" took place online on 10 November 2020 and has been joined by 71 participants.

The conference aimed to shed light on the current role of the European Council as a highly under-researched and widely unknown key institution of the European Union. The panels elaborated on the European Council's role for the recent Corona crisis management and in international affairs. The conference thereby aimed to contribute to open research on the European Council.

Highlights of the Conference

- **Keynote panel by Brigid Laffan** (European University Institute & TRACK Advisory Board) **and Herman van Rompuy** (President European Council emeritus and TRACK Advisory Board)
- **Panel I: A History-making Moment: The European Council as a transformative force for the Multi-Annual Financial Framework and Next Generation EU – towards a new Union**
- **Panel II: The Decline of Europe? The European Council in International Affairs**
- **Results & Outlook: Agenda for teaching and researching the European Council**

with contributions of:

Marius Korte, Adrian Krieger, Christian Raphael, and Anke Schönlau

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TRACK Teaching and Researching the European Council

10 November 2020	
10:00 – 10:30	**Introduction and Welcome: The relevance of the European Council and the TRACK Project** **Lea Hopp** | TRACK, University of Cologne **Wolfgang Wessels** | TRACK, University of Cologne
10:30 – 11:45	**Keynote Panel: the European Council – what kind of institution?** Chair: **Wolfgang Wessels** | TRACK, University of Cologne - **Brigid Laffan** | European University Institute & TRACK Advisory Board - **Herman van Rompuy** | President European Council emeritus & Head of TRACK Advisory Board *Rapporteur: Adrian Krieger*
11:45 – 12:00	**Break**
12:00 – 13:45	**Panel I: A History-making Moment: The European Council as a transformative force for the Multi-Annual Financial Framework and Next Generation EU – towards a new Union** Chair: **Agnieszka Cianciara** | Polish Academy of Sciences & TRACK Advisory Board - **Michele Chang** | College of Europe - **Jim Cloos** | Secretary-General, Council of the European Union - **Christophe Hillion** | NUPI & TRACK Advisory Board *Rapporteur: Anke Schönlau*
13:45 – 14:00	**Break**
14:00 - 15:30	**Panel II: The Decline of Europe? The European Council in International Affairs** Chair: **Nicoletta Pirozzi** | Instituto Affari Internazionali - **Desmond Dinan** | George Manson University & TRACK Advisory Board - **Julie Smith** | Cambridge University, Member of the House of Lords & TRACK Advisory Board *Rapporteur: Christian Raphael*
15:30 – 15:45	**Break**
15:45 – 16:30	**Results & Outlook: Agenda for teaching and researching the European Council** Chair: **Lea Hopp** | University of Cologne **Lucia Mokrá** | Comenius University Bratislava & TEPSA **Uwe Puetter** | Europa-Universität Flensburg & TRACK Advisory Board **Wolfgang Wessels** | TRACK, University of Cologne *Rapporteur: Marius Korte*

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Introduction and Welcome: The relevance of the European Council and the TRACK Project

Speakers: Lea Hopp, University of Cologne

Wolfgang Wessels, University of Cologne

Rapporteur: Adrian Krieger, University of Cologne

Lea Hopp, University of Cologne, described the importance of the TRACK Project. She commenced by the observation that the TRACK project has been initiated against the backdrop that the European Council as a key institution of the European Union had to face multiple challenges at the beginning of 2019: Brexit, the unsolved migration policies, the elections of EU personnel, the reform of the Eurozone and further unknown challenges. She concluded that the "unknown challenges" have turned out to be the COVID-19 pandemic. In general, TRACK catches up these challenges and developments and looks at the under-researched institution of the European Council by e.g. publishing policy briefs for each European Council meeting, articles in journals and teaching the European Council via public events.

Wolfgang Wessels, University of Cologne, noted that "unprecedented" is a fitting adjective for the current situation the EU and the European Council have to face. He suggested to use the Triple-A-Approach for an in-depth analysis of this key institution: **a**nalysing subjects, **a**ssessing explanations and **a**dvising policy makers.

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Keynote Panel: The European Council – what kind of institution?

Speakers: Brigid Laffan, European University Institute & TRACK Advisory Board

Herman van Rompuy, President European Council emeritus & Head of TRACK Advisory Board

Chair: Wolfgang Wessels, University of Cologne

Rapporteur: Adrian Krieger, University of Cologne

According to *Herman van Rompuy*, President European Council emeritus, the European Council (EUCO) needs to draw lessons from the recent changes in the world. At the beginning of the COVID-19 crisis, the EUCO failed to reach an agreement on the Multi-Annual Financial Framework 2021-2027 with the February meeting ending in a deadlock. This, combined with the EU's lacking competencies on health politics showed that the EU is not a super state but only the sum of the member states. The national character of anti-COVID-19 policies put the Schengen area in a state of disarray and led to the development of two camps regarding the economic policies used as a recovery plan. Like ten years ago, Germany and France left their camp and took the lead, culminating in a compromise in the European Council which closely resembled the 500 billion € grants proposed by Merkel and Macron. Despite resistance by the frugal member states, a taboo regarding budgetary restrictions fell both in Germany and in the EU, that allowed the European Council to decide more quickly.

In general, Europe can no longer be seen as the sick man of the world having gained in geopolitical prestige and international appreciation of the Euro. The breaking of the budgetary taboo could be seen as the beginning of a fiscal union with its own taxes and ministries which would not have been possible within the EU-28 but raises the question if progress is possible without a crisis. The EU is often criticised as being a "master of survival" in crisis but lacking long-term solutions. But long-term solutions can result from the sum of many short-term solutions, e.g. the European Green Deal is a visionary long-term project with gradual implementations. Similarly, the recovery plan is not only used as crisis management but as long-term investments. In summary, the European Council is fully in its constitutional role when formulating objectives for the future, whether it be in domestic development, foreign policy or crisis management.

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Brigid Laffan, European University Institute, made four key statements regarding the European Council. First, the EUCO is the most exclusive political club in Europe, being the expression of the collective will of the member states. Thus, the European Council is most closely to a cabinet, though it does not behave like one, i.e. sticking to "club rituals". Due to the interconnectedness of its members, the European Council brings both: gravitas to those at the table and the EU into the member states. Second, the EUCO is the place where politics in the EU reside. Members may come and go, but the sheer time that some people sit at the EUCO's table give them leverage. Third, the EUCO is an expression of European cleavages. The fact that authoritarians who do not respect the principles of the treaties are now sitting at the EUCO's table is problematic. The common cleavages among Europe, i.e. the north-south economic divide as well as the east-west divide regarding migration, show themselves in the EUCO but, when pressure makes it necessary, the EUCO will find an agreement. Fourth, the changes in the institutional makeup of the EUCO were helpful. The implementation of a permanent president delivered the continuity necessary for long-term planning regarding big issues and created a Brussels-based role that can more easily connect to other EU institutions. Thus, the president of the European Council has given a "face to Europe" and adds a personal dimension to EU governance.

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Panel I: A History-making Moment: The European Council as a transformative force for the Multi-Annual Financial Framework and Next Generation EU – towards a new Union

Speakers: Michele Chang, College of Europe

Jim Cloos, Secretary-General, Council of the European Union

Christophe Hillion, NUPI & TRACK Advisory Board

Chair: Agnieszka Cianciara, Polish Academy of Sciences & TRACK Advisory Board

Rapporteur: Anke Schönlau, University of Cologne

Michele Chang, College of Europe, elaborated whether Next Generation EU can be considered a Hamiltonian moment for the European Union. She therefore compared the recent COVID-19 crisis with the Euro Area crisis. As to the latter one, Chang found that the Euro Area governance designed by the Maastricht Treaty were incomplete requiring the creation of several instruments during the Euro Crisis such as the European Stability Mechanisms or the Banking Union. However, the Euro Area failed to agree on a common debt mechanism which has been passed by Next Generation EU. Hence, Chang stated that Next Generation EU can be considered a Hamiltonian Moment for the following reasons: On the one hand, the introduction of a common debt tool broke a taboo. Further, the size of the deal has been considerable high. On the other hand, the EU agreed on own taxes indicating the development of a fiscal capacity of the EU.

Jim Cloos, Secretary-General, Council of the European Union, analyzed the European Council's role in crisis management and management of the COVID-19 crisis specifically.
In the first phase, Heads of States and Governments convened online on 10th and 17th March 2020 to exchange information and identify areas of immediate action. In the following meeting of 26th March, they set an overall political framework to handle the crisis and tasked the European Commission and the Council Presidency, and the Eurogroup to prepare an exit strategy. The implementation phase commenced on 23rd April when leaders endorsed a package of three measures agreed by the Eurogroup: European Stability Mechanism (ESM), the European Investment Bank Programme and an Employment and Short Term Benefits Programme. However, they did not manage to agree on a European Recovery Fund (ERF) asking the Commission to come up with a framework. The debate on the European Recovery Fund has been mainly centered around three groups of countries: Southern countries favored this solution, while the frugals were very skeptical, and the eastern countries aimed to preserve cohesion money. All in all, Cloos argued that the final deal certainly bears historical elements,

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such the mere size of the MFF and ERF, the architecture of the fund, as well as the tied connection between the expenditure and the goals of mitigating climate change.

Christophe Hillion, NUPI and TRACK Advisory Board, asked whether the July summit of the European Council has revealed that the European Council can be considered a transformative force respectively whether the role of the EUCO as such a transformative force is a new role. He argued that the recent Covid-19 crisis confirmed the dominant role of the EUCO in crisis management. However, looking at the EUCO conclusions and other EU institutions, other protagonists play a critical role for crisis management, as well, becoming even more influential than the EUCO. Although the EUCO continues to claim leadership, this leadership is fragile and shared and might be insufficient to handle crises. This can be explained by the Union's institutional architecture that impedes that one single actor takes the lead stressing the relevance of checks and balances.

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Panel II: The Decline of Europe? The European Council in International Affairs

Speakers: Desmond Dinan, George Manson University & TRACK Advisory Board

Julie Smith, Cambridge University, Member of the House of Lords & TRACK Advisory Board

Chair: Nicoletta Pirozzi, Istituto Affari Internazionali

Rapporteur: Christian Raphael, University of Cologne

Nicoletta Pirozzi, Istituto Affari Internazionali, initially structured both contributions by stressing two main issues: the role of the European Union (EU) in an increasingly multipolar and less multilateral world as well as the evolution of institutional dynamics in external affairs. Thus, two major questions had to be answered: Does the EU in general and the European Council in particular have the appropriate framework for being able to act in international affairs? Which players in the EU's institutional framework really have the power to act in this policy field?

Julie Smith, Cambridge University, Member of the House of Lords and TRACK Advisory Board, chose her perspective from the UK as the starting point of her considerations. For about 4.5 years, the UK has now been focussing on Brexit affairs embodying the deadlock of its relations with the EU, while Smith attested the EU to have moved forward – especially within the last months – without the UK. She emphasised that in her opinion the EU is not in decline. In fact, the EU has been able react in 2020 very effectively compared to 2019/18 demonstrating its ability to take decisions in times of crises. She especially considered the proper functioning of the Franco-German-tandem as a key to mitigate immediate effects of the COVID-19 crisis. In the field of security and defence policies, Smith expected two major trends: First, Brexit means a loss for the EU as the UK is still a military powerhouse in Europe. Brexit, however, also implies a lose-lose situation due to the UK's uncertain new global role outside the bloc. Second, Smith expected the EU's ability to act in terms of defence to become easier as it is more likely to speak with one voice without the UK in the European Council. Nonetheless, the obstructive role that is played by a group of EU Member States becoming more and more authoritarian should not be underestimated. Even without the UK, the EU's ability to speak with one voice remains weak. Smith did not observe any significant shift towards more integration in international affairs as the Member States protect their respective national sovereignty. The

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question remains whether the current institutional arrangements are a main reason for this deadlock.

Desmond Dinan, George Manson University and TRACK Advisory Board, agreed with Smith that the EU is not in decline – especially in comparison with the US and other nation states. In fact, 'difficult times' are a constant in the EU' history because of its challenging aims, such as the maintenance of the monetary union as well as its enlargement. In view of these aspirations, Dinan acknowledged the EU to be doing relatively well. Regarding the European Council's ability to act in international affairs, Dinan emphasised two aspects: First, the international horizon has become increasingly challenging in recent years, especially when it comes to fulfil purposes that have been formulated in the 1990s. Today's increasingly chaotic world obstructs the functioning of multilateral institutions. Second, the agenda of International affairs has become broader increasing the political salience of the European Council. Thus, the heads of state or government have to cover more and more issues in a more and more complex international environment. When evaluating their past performance, Dinan observed various lines of conflict. Structural problems imply a persisting asymmetry of interests and resources between Member States. Any strategic direction has hardly been reached yet. Often small and large Member States have different perceptions of their respective role. Especially small states fear a dominance by French and German national interests. Eastern and western Member States face distinct views as well. Finally, Dinan considered the European Commission to be unable to grasp the importance of power in international affairs. In fact, the questions have to be answered whether qualified majority voting should become the prevalent voting procedure in the European Council. Dinan, however, stressed the importance of decision-making by discussing in small groups or in private in the corridors or on the balconies of the Europa building. Finally, questions regarding the institutional framework and structure should also focus on the European External Action Service, its presumable inadequate design and relation to the European Council.

Regarding Pirozzi's initially formulated questions, both discussants have emphasised the challenges the European Council has to face in international affairs, but also the progress that has been made in recent years.

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Panel II: Results and Outlook: Agenda for teaching and researching the European Council

Speakers: Lucia Mokrá, Comenius University and TEPSA

Uwe Puetter, Europa-Universität Flensburg and TRACK Advisory Board

Wolfgang Wessels, University of Cologne

Chair: Lea Hopp, University of Cologne

Rapporteur: Marius Korte, University of Cologne

In the final session, *Lucia Mokra*, Comenius University and TEPSA, *Uwe Puetter*, Europa-Universität Flensburg and TRACK Advisory Board, and *Wolfgang Wessels*, University of Cologne, gave closing statements, summarizing the outcome of the conference with a special focus on a future teaching and research agenda on the European Council.

The panellists particularly emphasized the political power of the European Council in contrast to its relatively restricted legal power. They also shed light to the development of the European Council from being an institution with relatively low visibility and little power into a powerful political player that can combine the power coming from the Member States. The huge potential for teaching and research of the European Council and how TRACK has created a network of experts on the topic have moreover been emphasized. Furthermore, they shed light on the fact that in the past, the contemporary classical theories of European integrations did not even mention the European Council. They furthermore underlined the tremendous importance of the European Council and outlined the different powers that have been delegated from the Member State level to the European level by the European Council (e.g. the regulatory power of the Commission, single market etc.). Moreover, the novel development of the European Council putting itself in charge of a number of policy areas and the fact that nowadays major decisions are made in the European Council are being mentioned. When it comes to teaching, there should be a focus on the interaction between the European institutions, the interinstitutional balance as well as historical developments should be looked at. Furthermore, press conferences and photos provide useful stimulation.

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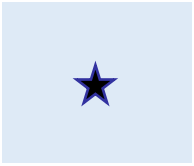
TRACK Teaching and Researching the European Council

Jean-Monnet Project

Teaching and Researching the European Council: Enhancing and disseminating knowledge on a key institution in challenging times

TRACK Objectives

Regarding political and academic challenges, TRACK responds to an ongoing need to provide regular offers for teaching and research on the European Council (EUCO) as a key institution. In view of known and unknown challenges in the EU, TRACK focuses on the EUCO's role in the EU's policy-making and in shaping the EU's future. By identifying challenges for Europe, TRACK analyzes and assess the EUCO's activities along five dimensions (history, real world functions, internal patterns of decision-making, impact on the EU's institutional architecture, lessons for teaching and research) for filling gaps in teaching and research.



Academic Analysis
TRACK regularly **analyses** and **assess** the EUCO's activities along **five analytical dimensions** (history, real world functions, internal decision-making, impact on the EU's institutional architecture, and lessons for teaching and research), aiming to **promote EU studies** by a **real-time analysis** of the EUCO as a **moving target**.

Events
TRACK organizes amongst other a **kick-off conference** in Brussels; **public lectures with panel discussions and a luncheon debate** across Europe; a **mid-term event** on the German Presidency in Berlin; **World Cafés** at secondary schools and a **dissemination conference** in Brussels

Online Activities
TRACK provides open access information comprising **analytical reports** on the EUCO's performance, **comments** after each EUCO meeting **on Twitter**, a set of **innovative online teaching modules**, contributions to **Wikipedia articles** and **living editions** on the EU system and **journal articles**.

Dissemination
TRACK follows a tailor-made dissemination strategy and spread its output via a constantly updated **website**, **newsletters**, **social media** (Twitter, Facebook) and the **partner institutes' networks.**

TRACK Key Points

Project lifetime	01 September 2019 – 31 August 2021
Academic coordinator	Prof Dr Wolfgang Wessels, CETEUS | University of Cologne
Project manager	Lea Hopp, B.Sc., CETEUS | University of Cologne
Project assistant	Marius Korte, B.A., CETEUS | University of Cologne

The TRACK advisory board consists of high-level experts from different disciplines and countries with Herman van Rompuy, former president of the European Council, as the head of the advisory board.

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