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A flexible and united Europe is a strong Europe

The war in Ukraine exposed the EU's weaknesses: inflexibility, lack of unanimity and a weak security policy. Now is the moment to overcome them

The war in Ukraine is once again showing the limits of the functioning of the European Union's foreign, security, and defence policy. Most recently, the difficulties encountered in approving the sixth package of sanctions against Russia — and in particular those related to the import of its oil — testify to the dysfunctions of an area that retains a strong intergovernmental imprint, dominated by the logic of consensus and thus by national executives and their priorities.

In the past, these dysfunctions paralysed the EU in the face of such crises and conflicts as in Libya, the Sahel, and the middle east. Today it seems clear that if the union wants to survive in an environment characterised by increased geopolitical dynamism — on the part of its strategic rivals as well as its partners — it must put in place the reforms that can equip it with an effective system of governance for foreign and security policy.

Creating a more flexible Europe

A first element relates to more flexible mechanisms of operation. A degree of differentiation has always been part of European integration — from the eurozone to the Schengen area to defence. Models based on integration and flexible co-operation should also be applied to foreign and security policy areas, as an antidote to the threat of fragmentation and even disintegration. There are already mechanisms in the treaties, such as constructive abstention and enhanced co-operation, but they have hardly been used, with the notable and recent exception of Permanent Structured Cooperation (PESCO) in defence.

Informal mechanisms of differentiation, such as the formation of core groups of member states that can help advance the union's position on key issues on the international agenda, have shown some effectiveness. Examples are the E3 group formed by France, Germany and former-

member Britain (with the participation of the high representative for foreign affairs and security policy) on Iran or the Normandy group formed by France and Germany on Ukraine. In addition, in the face of the decision to grant candidate status to Ukraine and Moldova, the concept of flexibility can take on a different and more strategic meaning in external action — by offering differentiated models of co-operation, for example, between the EU and candidate, neighbour or partner countries.

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Of course, this raises important questions about the compatibility of flexible integration with the preservation of the union's political unity and legal uniformity. To mitigate these risks, it is crucial to ensure consistency with shared goals and decisions within the EU.

Therefore, when initiatives involving intergovernmental differentiation are established outside the treaties, their connection to EU governance must be ensured, for example by establishing mechanisms for the participation of, and oversight by, the Brussels institutions. In addition, democratic legitimacy and accountability must be preserved and safeguarded at all costs, through specific parliamentary mechanisms (*ad hoc* committees and/or enhanced forms of interparliamentary co-operation) and real engagement with European citizens through information, consultation, and dialogue.

A Europe that comes together and not apart

A second element concerns the reform of decision-making rules and in particular that of unanimity, which has too often entailed inaction and collective silence. In the past, overcoming unanimity has permitted the unblocking of long periods of institutional deadlock, as in the case of the internal market in the 1980s.

Similarly, the introduction of qualified-majority voting could be highly beneficial for the union's foreign policy. It would increase the union's ability to act, not only because it would take more than one member state to block a decision but also because, over time, member states likely to be in the minority would be spurred to intensify negotiating efforts, build alliances and help reach agreement — rather than be rewarded for

obstructionism, as has happened with Hungary on recent occasions.

Yet it is now clear that moving forward in a compact way with 27 member states (and eventually more soon) has become the greatest challenge on the road to further integration.

Proposals moving in this direction have been made repeatedly by European institutions and national leaders, including the Italian prime minister, Mario Draghi, in his speech to the European Parliament on May 3rd and the German chancellor, Olaf Scholz, addressing the *Bundestag* before the latest European Council. Yet so far there has been a lack of willingness on the part of member states to make full use of the procedures provided for this purpose in the treaties, such as the '*passerelle* clause' in article 31(3) of the Treaty on European Union or the constructive-abstention mechanism, which allows a member state to abstain from a unanimous vote without blocking it.

Extending qualified-majority voting to other areas of foreign, security, and defence policy would require treaty amendments — which would need unanimity for adoption. Yet it is now clear that moving forward in a compact way with 27 member states (and eventually more soon) has become the greatest challenge on the road to further integration. As the union works toward strategic convergence among its members, a streamlining of its decision-making can no longer be deferred.

A joint European defence

Finally, specific measures need to be introduced in the defence sector. In recent years, the union has given a much-needed political impetus to European co-operation in this area but the time has come to produce tangible results, not least to avoid losing momentum.

The adoption in March by the Council of the EU of the Strategic Compass confirmed the willingness of member states to strengthen their politico-military commitment to building a European defence, especially in light of the challenge posed by the Russian invasion of Ukraine. In May the European Commission presented an ambitious defence package, which aims to introduce several measures regarding joint procurement of weapon systems.

We need a systemic vision which provides a coherent overall framework among all initiatives, so that they reinforce — not overlap nor duplicate — each other, and which respects a proper balance between the intergovernmental and EU dimensions. This vision must be supported by

a review of the overall institutional architecture.

The model for the intergovernmental institutional framework should be that of a national structure, which has a political decision-maker (the minister), military leadership (the chief of defence) and a person responsible for procurement and capability development (a national armaments director). All these figures have their own support structures and are subject to political constraints by elected bodies (governments and parliaments). This model should, of course, be appropriately adapted to the EU format.

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Steps should be taken to create a formalised Council of Defence Ministers, moving beyond the informal mechanisms which already exist, chaired by the high representative. This should play the role occupied within each member state by the defence minister, providing strategic guidance and making key decisions on capability development, missions, and operations.

The EU Military Committee would function as if it were a national defence chief, while the European Defence Agency would play the role of a European armaments agency. Finally, the commission would provide the necessary resources, while a fully-fledged Defence Committee in the European Parliament could exercise proper oversight over capability development and missions.

Some of these reforms could be activated right away with an agreement between member states and institutions, while a comprehensive restructuring of European governance requires a difficult reform of the treaties. Yet the time for choices has come and only a union which is more effective internationally will be able to meet the expectations of its citizens for peace and security.

EU institutions and key member states together should promote a political initiative and table the convening of a convention for treaty change, as recommended more broadly by the European Parliament in May in response to the Conference on the Future of Europe — before the next elections to the parliament in 2024.

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