

COMMENTARY: EUROPEAN COUNCIL

Our experts react to the EU Council Meeting 2018 (December)



Vladimír Bartovic | May got nothing and Britain is heading into chaos

Unsurprisingly, EU leaders officially confirmed what they have been repeating for weeks – the UK cannot get changes in the withdrawal agreement. Assurances from the European Council given to Britain do not go beyond the withdrawal agreement and the political declaration agreed between the EU and Britain last month. This can hardly persuade Conservative Brexiteers to vote for the agreement in the British Parliament. Chances for a no deal Brexit, delayed Brexit or no Brexit at all are increasing dramatically, and the EU, together with the member states, should now focus on the emergency planning.

In case of no Brexit at all or a delayed Brexit, it will be important to secure legally bullet-proof and proper conduct of the elections to the European Parliament as they would also take place in Britain. In case of a no deal Brexit, the EU should adopt temporary emergency measures in the areas of its competencies such as trade, and the member states should be prepared to adopt national legislation securing the rights of the British citizens. In the upcoming weeks, it will be also extremely crucial for the EU-27 to retain the unity and a firm stance towards

Britain, while helping the pro-European forces in the British parliament through keeping an open mind for the possible second referendum.

Vít Havelka | Commission's MFF Schedule is off the Table

The Commission's dream to conclude the post-2020 MFF negotiations prior the European Elections suffered a substantial blow during the yesterday's meeting of the European Council. The leaders agreed that they would aim for the autumn Council as the final date for reaching the agreement. This decision must have been bitterly felt by the European Commission, which hoped it could leave a significant footprint on the European Union in form of the new MFF.

The Council's conclusion, however, was predominantly expected by pundits and public servants. Many already argued in May that the Commission's timeframe would not be realistic as the EU will have to address more pressing issues such as Brexit and disputes over the respect to the European rule-based regime. The EU member states' positions also lie miles away from each other – CEE objects cuts in Cohesion and Agriculture Policies, whereas fiscally conservative countries, such as the Netherlands, Sweden and Austria, prefer new priorities and no increase in their payments.

As for now, the March European Council will hopefully bring more clarity and provide more concrete ideas on what the post-2020 MFF will look like.

Christian Kvorning Lassen | Illegal crossings brought down to pre-crisis level – yet no progress on key policy frameworks

The Council reaffirmed that the external migration policy of the Union and its Member States, including novel modes of engagement with countries of origin and transit, has led to a sharp decrease of illegal border crossings. Thus, the policy will then be continued and developed. An essential part of this will be the conclusion on the negotiations of the EBCG (European Board and Coast Guard) and the enhancement of its mandate in the area of return and cooperation with third countries.

However, in terms of achieving actual, concrete progress on vital internal policies, most notably the Common European Asylum System (CEAS) and its related policies, such as the Dublin Regulation, no tangible progress or commitments were made. This stalemate has by now lasted for years, with each Council meeting making the same vapid promises of continuous commitment with no appreciable results.

Without a working CEAS, the legal framework for migration will remain susceptible to politicization and shortsighted ad hoc solutions undermining both the legal and ethical foundations upon which the right to asylum is founded. Today's Council meeting did nothing to alleviate this risk, thus enabling countries to continue using migration as a leverage for domestic political gains with little to no interest in supporting solutions to the root causes of migration.

Jana Juzová | Freezing in the East, warming up in the South

As expected in reflection of the recent renewed tensions between Russia and Ukraine over the escalation in the Sea of Azov, EU joint stance towards Russia's behaviour was the focus of the part of discussions devoted to external relations. The EUCO denounced the use of military force by Russia and its limiting of the freedom of navigation, and requested the immediate release of detained seamen, return of seized vessels and restoration of free passage of all ships through the Kerch Straits, vowing also for additional assistance to the affected regions.

After the presentation of the state of implementation of the Minsk Agreement by Chancellor Merkel and President Macron, and the lack of any progress in this regard, the EU leaders unanimously decided to prolong economic sanctions against Russia.

In accordance with EC President Juncker's State of the Union speech from September, EU-Africa relations are to be strengthened. The EUCO discussed preparations for the first EU-League of Arab States summit which will take place in Cairo, Egypt 24 and 25 February 2019. While originally proposed to help to curb illegal migration, the summit promises to be the first step to closer ties also in economic and trade cooperation between the two regions.

Kateřina Davidová | European Council Meeting Reaction on Climate

The timing of this European Council meeting coincides with the final days of the UN climate conference in Katowice, culminating a very climate-intensive period. After the publication of the IPCC special report on 1.5°C and the European Commission's own long-term strategy for emissions reduction, the momentum is high for increased climate ambition.

It is good news that the Council has welcomed the Commission's long-term strategy. However, if the EU is going to be carbon neutral by 2050 – as the strategy proposes – it needs to start the hard work immediately. One of the key breaking points will be the next Multiannual Financial Framework and the level of climate mainstreaming that will be agreed upon. If the EU continues to fund fossil projects and fossil fuel infrastructure from its budget, the goal of carbon neutrality will quickly get out of our reach.

Martin Michelot | On Russia, toned down language and business as usual

The discussion about the recent Russian escalation in the Azov sea at the Council came in parallel with the visit to Brussels of President Poroshenko (who was not invited to the Council), opening hopes for a strong political messaging coming from the EU on this issue.

However, any ambition was set aside, starting earlier this week with the fact that the foreign ministers did not agree to qualify Russian actions as an "aggression", which the heads of state and government followed. The latter even toned down the language of the ministers by qualifying the Russian use of force as "unjustified" rather than "inacceptable". Talks about specific sanctions linked to the Azov sea incident also came up empty despite

desires from the certain countries (the UK, Sweden, Poland and the Baltic States) to put them up for debate. Instead, the Council, as is customary, renewed without a debate the existing sectorial economic sanctions against Russia. Instead, discussions were opened - and will continue - about how the EU can financially support Ukraine, especially for the regions that are currently put in a chokehold by the Russian blockade in the Azov sea. If the situation were to perdure, this agenda would certainly rank very high in the discussions of the next ministerial meetings and would represent the absolute minimum the EU can do; in typical EU fashion, throwing money at a problem is often a way to mask the lack of unanimity of views on a certain dossier.

Zuzana Stuchlíková | Citizens' Dialogues and Citizens' Consultations and Preparations for the Strategic Agenda

The European Council today also assessed the outcomes of the Citizen's consultations and dialogues. Originally, president Macron's initiative was launched in February 2018 in all EU-27 - and concluded in November. The Joint report of the current and upcoming presidencies and other EU and national institutions was published on December 3rd and outlines the most common concerns and expectations of the EU citizens. The Council welcomed the initiative and hinted that the results will be taken into consideration during adoption of the next Strategic Agenda in spring 2019.

However, leaders did not call for continuing the dialogues with citizens – merely stated that this “unprecedented opportunity to engage with citizens” could “serve as an inspiration for further consultations and dialogues.” Just months away from the European Parliament elections and in a situation where the EU is widely criticized for being detached from its citizens, such statement is disappointing. The opportunity was in no sense unique, and the doors to continue engaging citizens are not closed – however, without a stronger consensus among the EU leaders, a willingness to carry on with such events might slowly disappear. A regular dialogue between the EU decision-makers and their electorates is by no means a panacea but can and should be the bare minimum. Real re-connecting of the EU with its citizens would require much more complex changes but those can hardly be realized without being treated as a priority on the highest political level.