

EU-27 WATCH



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EU-27 Watch

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On the project

Due to the new treaty provisions of the Lisbon Treaty and the economic crises the enlarged EU of 27 member states is on the search for a new modus operandi while also continuing membership talks with candidate countries. The EU-27 Watch project is mapping out discourses on these and more issues in European policies all over Europe. Research institutes from all 27 member states and the four candidate countries give overviews on the discourses in their respective countries.

The reports focus on a **reporting period from December 2009 until May 2010**. This survey was conducted on the basis of a questionnaire that has been elaborated in March and April 2010. Most of the 31 reports were delivered in May 2010. This issue and all previous issues are available on the EU-27 Watch website: www.EU-27Watch.org.

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Editorial Team

Publisher: Prof. Dr. Mathias Jopp
Executive Editor: Dr. Katrin Böttger
Managing Editor: Julian Plottka
Editorial Staff: Daniela Caterina, Gregory Kohler,
Christoph Kornes
Layout: Matthias Jäger

Contact: info@EU-27watch.org
www.EU-27watch.org

iep Institut für
Europäische Politik
Bundesallee 23
D-10717 Berlin
Tel.: +49/30/88.91.34-0
Fax: +49/30/88.91.34-99
E-mail: info@iep-berlin.de
Internet: www.iep-berlin.de

Romania
A Technical approach to the Lisbon Treaty

 Mihai Sebe

The European Council Presidency – between ignorance and disregard...

Romania faced the entering into force of the Lisbon Treaty on 1 December 2009 amid the turmoil of a fiercely disputed presidential election campaign, a fact that somehow reduced its direct impact over the population and specialised media. The Department of European Affairs (DEA), the central coordination authority at the national level in the area of European affairs, has adopted a technical approach. Thus, Bogdan Mănoiu, head of the DEA, stated in January 2010 that the main priority was to create and ensure the efficient functioning of an “internal mechanisms” design, to facilitate the implementation of the *acquis communautaire* and to eliminate the “elements contrary to the European compulsory demands”.¹ Amidst the political and economic turmoil, Herman Van Rompuy’s meeting with President Traian Basescu² dealt with the Danube Region Strategy, the relations with the Republic of Moldova and the economic crisis: the “exit strategy” that is going to be adopted by Romania after “the conclusion of the agreement with the” International Monetary Fund at the end of 2010. Analysts generally view Herman Van Rompuy (President of the European Council) and Catherine Ashton (High Representative of the Union for Foreign Affairs and Security Policy) as weak and insignificant leaders: “The critical voices already ask the question: to which extent can two anonymous politicians be the representatives whom the EU needs, in order to play in the premier league, next to the United States and China?”³ For some journalists, such as Nicolae Filipescu, the result of the negotiations that led to Herman Van Rompuy’s nomination can be described as a “disappointment” at least. Herman Van Rompuy is seen as a “little known and modest politician” who will not be able to impose the EU on the international scene. His weakness will make the functioning of the EU a difficult process and will incline the other world powers to initiate direct bilateral relations with the EU member states instead of speaking with the EU as a whole.⁴ The Spanish Council Presidency was expected to set the precedent for further meetings. Paul Ivan, a political analyst, remains relatively optimistic with regard to the efficient functioning of the Union. In a policy memo dedicated to the analysis of the changes brought by the Lisbon Treaty, he succinctly describes the main changes emphasising the role of the Spanish Presidency: “It isn’t clear how this separation will work in practice, but it is expected that the Spanish create practical precedents for the future.”⁵

... the same for the High Representative

If Herman Van Rompuy received such negative reviews, the same thing is valid for Catherine Ashton. For authors such as Nicolae Filipescu, she is no more than a simple “public servant”. An “obscure” minister of foreign affairs, she will do little next to nothing to promote the EU interests in front of the world powers, due to her lack of international reputation.⁶ Others are more indulgent and see her as the fittest for the role, since Europe wants to develop its image as the world’s greatest “soft superpower”. A technocrat, she might prove herself “less sensitive to mass-media pressure”, the main challenge for her being to show she has “substance” and not only technical abilities.

“Today, critics can be contradicted, and the mandate of Catherine Ashton can be more than a transitional episode, on the condition that the High Representative define herself more clearly as a political character, to enter in the complicated and frustrating game through which the EU vision regarding its role on the world scene is formed and reformed without cease.”⁷ Romania must also support an active external policy as regards the eastern neighbours of the Union. Analysts such as Paul Ivan claimed as early as the beginning of this year that we must support the differentiation between the “European neighbours” from the east and from the south.⁸

The European External Action Service – between hope and the “brain-drain” of Romanian diplomats

If neither Van Rompuy nor Ashton received high grades from the Romanian media, what about the new European External Action Service? Here once more we must differentiate between the official authorities and the media. For Teodor Baconschi, Romanian Foreign Affairs Minister, European diplomacy is “a complement to national diplomacies.” It represents neither a threat, nor a competitor,

but an efficient instrument of cooperation: “We must not see the appearance of the new European institution as a formula of replacement of the national voices in the 27 Club, but as a supplementary instrument through which the political coordination between the member states advances and some European positions, especially on major issues, can be drawn more easily.”⁹ However, there is a genuine concern at the official level as regards the staff that is to be employed by the newly created European External Action Service. As the economic crisis continues and taking into consideration the budgetary restraints, there exists the fear that the best and the brightest members of the Romanian diplomatic apparatus will prefer to go to work in this new service attracted by the prospect of more generous financial allocations. As early as the beginning of the year, the Romanian Foreign Ministry drafted a list containing approximately 70-80 eligible diplomats of which approximately 30 will work in the new service.¹⁰ An extensive lobby is also underway in order to ensure the respect of certain principles as described by Teodor Baconschi in his meetings with Catherine Ashton. In March 2010, the Romanian Foreign Ministry reiterated the necessity to respect the meritocracy principle, to maintain a geographical balance and an equal treatment of all categories of staff, and to ensure an important role for the member states in the selection process.¹¹ These principles were doubled by what Teodor Baconschi called “an inventory of all the positions within the EU [...] to which Romania could, reasonably, aspire to.”¹² Romanian Members of the European Parliament (MEPs), such as Adrian Severin of the Socialist group, expressed a similar attitude as regards the European diplomacy stating in various press articles that we, as Europeans, need to create an “efficient External Action Service” as the “EU needs an active foreign policy, guided by common European objectives and based on our common values.”¹³

Empowering the people – the European Citizen’s Initiative

In order to counteract the accusations of the so-called “democratic deficit”, the European Citizens’ Initiative is designed to allow, for the first time, European citizens “to directly propose initiation of some new legislative measures”. A topic of interest mainly for specialised legal sites, the main concerns regard its accessibility and democratic character: “It is important that this new characteristic of the democratic process be credible, ensure the full protection of personal character data and not allow abuse or fraud.”¹⁴ If those considerations are to be taken seriously and accomplished, then we are about to assist, in President’s Traian Basescu view, a dramatic shift of power from the member state level to the grassroots, to the ordinary European citizen, who will be able from now on to take a more active role within the EU legislative process. “The efficient use of the new institutional framework depends both on each member state individually and on the manner in which it reports itself to the Union, and on the European citizens. They will be able to have an augmented involvement in European affairs. They will be able to use the innovations of the Lisbon Treaty, such as the European Citizens’ Initiative. We must be ready to assume as active a role as possible in the European Union including at the citizen’s level.”¹⁵

All those high hopes must have a solid basis; otherwise, we will face a terrible disappointment, stated the Romanian socialist MEP Victor Boștinăru somewhat dramatically. The European Citizens’ Initiative must become “an instrument of direct democracy and not a disappointment” and for that a new set of rules must be implemented. What will those new rules be? Here, Victor Boștinăru came with a concrete set of measures, designed, in his opinion, to ensure an efficient use of this new democratic tool: an “ex-ante” checking of the admissibility of the initiative; a clear and concrete definition of the areas in which the Initiative can be launched and where it cannot be used; clear and rigorous admissibility criteria; and an established impact of the initiative on the European Commission and European Parliament, including type and reaction time.¹⁶ These detailed proposals were completed by another socialist MEP, Ioan Enciu, who recommended the necessity to consult the European Parliament before the European Commission drafts a legislative act based upon a European Citizens’ Initiative in order to “harmonise, in the incipient status, the elaboration of the European policies and to prevent the doubling, or even the repetition of the legislative initiatives.”¹⁷

¹ Bogdan MĂNOIU, Minister, Department for European Affairs: Speech held on 21 January 2010, available at: <http://www.dae.gov.ro/articol/787/bogdan-manoiu-a-participat-la-simpozionul-despre-tratatul-de-la-lisabona> (last access: 17 May 2010).

² “Herman van Rompuy în vizită la București”, 18 January 2010, available at: <http://www.rfi.ro/stiri/politica/Herman-van-Rompuy-in-vizita-la-Bucuresti.html> (last access: 17 May 2010). The topics of interest were rather numerous with an accent on economic issues.

³ Evenimentul Zilei: Motorul Lisabona propulsează visele europene, 1 January 1 2010, available at: <http://www.evz.ro/detalii/stiri/motorul-lisabona-propulseaza-visele-europene-881221.html> (last access: 17 May 2010).

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- ⁴ Nicolae FILIPESCU: Implementarea Tratatului de la Lisabona, Revista 22, 9 February 2010, available at: <http://www.revista22.ro/implementarea-tratatului-de-la-lisabona-7601.html> (last access: 17 May 2010).
- ⁵ Paul IVAN, Mihai PANAITI, Ciprian CIUCU, Robert UZUNĂ: Uniunea Europeană se adaptează din mers Tratatului de la Lisabona - Prioritățile președinției spaniole și interesele României, Policy Memo no. 6, January 2009, available at: http://www.crpe.ro/library/files/crpe_policy_memo_6_ro.pdf (last access: 17 May 2010).
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- ⁷ Lucian DARDALA: Un tehnocrat discret: Catherine Ashton, Ziarul de Iasi, 22 March 2010, available at: <http://www.ziaruldeiasi.ro/opinii/un-tehnocrat-discret-catherine-ashton~ni684v> (last access: 17 May 2010).
- ⁸ Paul IVAN/Mihai PANAITI/Ciprian CIUCU/Robert UZUNĂ: Uniunea Europeană se adaptează din mers Tratatului de la Lisabona - Prioritățile președinției spaniole și interesele României, Policy Memo no. 6, January 2009, available at: http://www.crpe.ro/library/files/crpe_policy_memo_6_ro.pdf (last access: 17 May 2010).
- ⁹ Interview with Teodor Baconschi on 9 January 2010 at the Romanian State Television, available at: <http://www.mae.ro/index.php?unde=doc&id=41792> (last access: 17 May 2010).
- ¹⁰ Ibid.
- ¹¹ Ministry of Foreign Affairs, Press release: Întrevederile ministrului Afacerilor Externe cu Înalțul Reprezentant pentru Afaceri Externe și Politica de Securitate și cu comisarul european pentru extindere și politica de vecinătate, 23 March 2010, available at: <http://www.mae.ro/index.php?unde=doc&id=42834> (last access: 17 May 2010).
- ¹² Ministry of Foreign Affairs, Interview at the Romanian National Radio on 17 February 2010, available at: <http://www.mae.ro/index.php?unde=doc&id=42241> (last access: 17 May 2010).
- ¹³ Maria CORA: Parlamentul European: un rol mai puternic în definirea și aplicarea politicii externe a UE, Curierul National, 12 March 2010, available at: <http://www.curierulnational.ro/Opinii/2010-03-12/Parlamentul+European:+un+rol+mai++puternic+in+definirea+si+aplicarea+politicii+externe+a+UE> (last access: 17 May 2010).
- ¹⁴ Avocatnet.ro: Cetățenii europeni vor putea avea inițiativă legislativă, 31 March 2010, available at: http://www.avocatnet.ro/content/articles/id_18904/Cetatenii-europeni-vor-putea-avea-initiativa-legislativa.html (last access: 17 May 2010).
- ¹⁵ President Traian Băsescu's Speech at the reception offered on the occasion of Europe's Day, 7 May 2010, available at: http://www.presidency.ro/index.php?_RID=det&tb=date&id=12087&_PRID=search (last access: 17 May 2010).
- ¹⁶ Social Democrat Party website: Boștinăru on the Citizen's Initiative: An instrument of direct democracy and not a disappointment, 28 January 2010, available at: http://www.psd.ro/newsroom.php?newi_id=3115 (last access: 17 May 2010).
- ¹⁷ Ioan ENCIU: EP must be consulted by the EC with regard to the pertinence of a Citizen's Initiative proposal, Bruxelles, 15 April 2010, available at: http://www.psd.ro/newsroom.php?newi_id=3350 (last access: 17 May 2010).

Questionnaire for EU-27 Watch, No. 9

Reporting period December 2009 until May 2010 – Deadline for country reports 21 May

All questions refer to the position/assessment of your country's government, opposition, political parties, civil society organisations, pressure groups, press/media, and public opinion. Please name sources wherever possible!

1. Implementation of the Lisbon Treaty

On the 1 December 2009 the EU-reform ended with the entering into force of the Lisbon Treaty. However, the new treaty provisions still have to be implemented. Some procedures and conditions have to be determined. In other cases, procedures, power relations, and decision-making mechanisms will change due to the new provisions.

- How is the work of the new President of the European Council, Herman Van Rompuy, assessed in your country? Which changes to the role of the rotating council presidency are expected?
- How is the work of the new High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, assessed in your country? Please take into particular consideration both her role within the European Commission and her relationship to the Council of the European Union.
- On 25 March 2010 a "Proposal for a Council Decision establishing the organisation and functioning of the European External Action Service" was presented. How is this concept perceived in your country? Which alternatives are discussed?
- On 31 March 2010 the European Commission presented a proposal defining the rules and procedures for the European Citizens' Initiative (ECI). What are the expectations for the ECI in your country? What are the various positions concerning the rules and procedures?

2. Enlargement and European Neighbourhood Policy

The European Commission has given its opinion on Iceland's application for EU-membership and a decision from the Council is expected before the end of June. Croatia seems to have settled its border dispute with Slovenia. Against this background:

- Which countries does your country expect to become members of the European Union in the next enlargement round? What are the opinions in your country on the membership of these countries?
- How are the membership perspectives of those countries discussed, which are not expected to become a member in the next enlargement round?

The Eastern Partnership and the Union for the Mediterranean were the last major projects dealing with the European neighbourhood:

- How are these projects assessed in your country?

3. European economic policy and the financial and economic crisis

The European Council agreed on 25/26 March on the key elements of the Europe 2020 strategy, the successor of the Lisbon strategy. While not being on the formal agenda the economic and financial situation in Greece was discussed. The European Council agreed on a finance package combining bilateral loans from the eurozone and financing through the International Monetary Fund.

- How is the finance package for Greece assessed in your country? Are there any opinions on the process, how the agreement on the package was reached?
- Which lessons should be drawn from the Greek case for a reform of the Stability and Growth Pact?
- How is the idea of "a strong coordination of economic policies in Europe" perceived in your country? What concepts of an European economic governance are discussed in your country and which role do they assign to the Euro group?
- How is the Europe 2020 strategy discussed in your country? What are the priorities for the Europe 2020 strategy from your country's perspective?

4. Climate and energy policy

The climate conference in Copenhagen took note of the Copenhagen Accord but did not reach a binding agreement. The next conference of the parties (COP 16 & CMP 6) will take place at the end of November 2010.

- How is the Copenhagen conference assessed in your country? Please take into consideration the negotiation strategy of European Union and the results of the conference.
- Does the European Union need to change its own energy and climate policy in order to give a new impulse to the international negotiations?
- Is a global agreement within the UNFCCC the best strategy to fight climate change? If not, which alternative strategy should the European Union follow?
- What is your country's position on financing mitigation and adaptation efforts in developing countries?

5. Current issues and discourses in your country

Which other topics and discourses are highly salient in your country but not covered by this questionnaire?