



TEPSA BRIEF

The issue of solidarity in the European Union

by Andreas Raspotnik, Marine Jacob and Laura Ventura¹

8 August 2012

*"Solidarity mechanisms are not based on pure generosity but on enlightened self-interests"*²

The debate on European *solidarity* saw a significant boost since 2008, when more and more European countries were hit by the global economic crisis. Since then *solidarity* mechanisms that the monetary union was actually lacking have been put in place, accompanied by two decisive guiding questions:

- What is solidarity within the framework of the European Union? How is the notion of European solidarity defined?
- What are the legal, political, economic and moral limits of European solidarity? How legitimate is European solidarity?

60 years ago, *solidarity* as a particular European concept was not based on a unifying dream of European federalists. It was rather rooted in the national calculation of implementing self-interests, motivated by the interconnection of various variables: the preceding horror of the two World Wars, the Soviet Union as a (potential) major threat for western European countries and an extremely powerful partner on the other side of the Atlantic Ocean: the United States. Among other factors it was the notion of European *solidarity*, which allowed each (founding) member state to explicitly develop its global position and own agenda, secured by a growing comprehensive European umbrella. Although the steps of European integration were taken consistently, *solidarity* as a European concept was not explicitly its basis and only turning into a wider specific European notion, incorporating social market capitalism and European unity.

From a theoretical point of view, *solidarity* as a rather simplified concept is embedded in the development of the nation state: the nation, which members are united by a social bond, is considered a community. On the European level this notion is since Maastricht particularly supplemented by idealistically phrased common European norms and values, uniting not only its member states but now also its citizens. Yet *solidarity* means different things to different people and different governments. Any political, legal and even moral definition of the term can be re-defined and consequently contested by the (political) opponent. As an important factor of European integration it is consequently and implicitly connected to the notion of (European) legitimacy. Yet it is decisively hampered by national considerations and (mental) borders.

The interdependent questions of European *solidarity*, its legitimacy and its limits create tensions among European policy makers, influencing national public opinion and not only affecting currently popular macro-economic issues but the entire European policy umbrella.

In a recent study, the Paris-based think tank *Notre Europe* proposed two conceptual distinction of European *solidarity*: one based on reciprocity and another based on enlightened self-interests.³ These two flavours of *solidarity* are either defined by the rationale of a simple transactional arrangement, rooted in a joint insurance policy against the possibility of a specific calamity or by the rationale of self-interest, which leads governments to identify its own national

¹ Andreas Raspotnik is EXACT Marie Curie ITN Fellow currently based at the TEPSA office in Brussels; Laura Ventura is TEPSA's Project Officer and Marine Jacob an intern at TEPSA. Any opinions expressed in this paper are those of the authors and do not necessarily represent the position of TEPSA.

² Jacques Delors in: Fernandes, S. & Rubio, E. (2012). Solidarity within the Eurozone: how much, what for, for how long? Report by Notre Europe. Retrieved 16 May, 2012 from http://www.notre-europe.eu/uploads/tx_publication/SolidarityEMU_S.Fernandes-E.Rubio_NE_Feb2012.pdf

³ Fernandes & Rubio Ibid.



goals in a shared strategy of integration which consequently secures the stability and viability of the common project.⁴

In other words: European *solidarity* is either the concept of shared “homework” with equal partners pooling common risks or the diversified support from stronger member states for weaker member states in order to create or sustain European stability.⁵

The present paper will briefly highlight European *solidarity*, including its public perception regarding three related and interdependent European agendas: 1) financial *solidarity* 2) asylum and border management *solidarity* and 3) social *solidarity*. As an exhaustive synopsis cannot be provided the paper aims to coherently tackle the notion of European *solidarity*, consequently setting academic and professional thinking.

1. Financial solidarity

In the public perception the current debate on financial European *solidarity* is often only reduced to the economic crisis within the Eurozone and the related sovereign debt crisis faced by several member states, the argument that richer northern states should pay for poorer southern states and the belief that the requested reforms are an opportunity rather than punishment. One intrinsic part of this discussion includes a causal link that is perceived by EU’s political leaders between *solidarity* and coordination: with stronger and more effective economic policy coordination, the current debt crisis would have probably been avoided.⁶ Consequently countries-in-need were blamed, indicating that they failed to apply the coordination mechanism, initially introduced by the Treaty of Maastricht in 1992. In that regard *solidarity* was primarily considered in the establishment of the, originally only temporarily conceived, Cohesion Fund.

In the above mentioned report, Fernandes and Rubio conclude that *solidarity* during the crisis has been hampered by two main reasons: 1) the difficulty of EU leaders to define their own national self-interests in order to help others and 2) the actual lack of *solidarity* mechanisms in place. To the extent that *solidarity* has been evident, it has been a transactional zero-sum approach: creditors will do this only if the debtors do that.⁷ To this effect one can also notice the implicit interconnection of *solidarity* and responsibility. Yet it can be doubted that this kind of zero-sum-*solidarity* was envisaged in the treaties of Maastricht and Lisbon.

The economic crisis has forced all member states to adopt rigorous austerity measures to reduce public deficits and debts; yet monitored and punished with higher interest rates by the “financial market” if the political steps and financial cuts are considered insufficient. Facing this complex set of problems another level of financial *solidarity* enters the European stage and current discussion: budget and distribution *solidarity* and the negotiations on the EU’s longer-term budget 2014 – 2020, the Multi-annual Financial Framework (MFF). It entails the implicit trade-off between “I want my money back” and the “budget for integration” concept, strengthening the principle of *solidarity*. In financial terms the principle is often circumvented by the member states’ perception of considering the budget negotiations as a zero-sum game and the debate of net contributor versus net receiver, where every single member state fights for its own financial

⁴ Fernandes & Rubio Ibid.

⁵ Yet *solidarity* is not a one-way approach but has to include commitments of responsibility by the country receiving aid. In that regard Vignon emphasized the intrinsic link between *solidarity* and responsibility and noted that *solidarity* only grows stronger with consequent responsibility, see Vignon, J. (2011). Solidarity and responsibility in the European Union. *Notre Europe Policy Brief*, No. 26, June 2011. Retrieved June 7, 2012 from http://www.notre-europe.eu/uploads/tx_publication/Bref27_IVignon_EN.pdf

⁶ Fernandes & Rubio Ibid.

⁷ Stephens, P. Europe says goodbye to solidarity, in: *Financial Times*, February 23, 2012.

gain.⁸ Additionally the current negotiations will be influenced by the impact of the economic crisis and national debate of austerity vs. growth, with the call for growth becoming louder and louder.⁹ The Council of the European Union meeting on March 26 2012 revealed that most of the net contributors to the EU budget are favouring a reduction by almost €100 billion.¹⁰ Yet other member states, e.g. Bulgaria, Greece, Poland, Portugal and Slovenia are concerned that proposed cuts in the EU's regional policy and its Cohesion Fund will directly affect net beneficiaries and lead to a shift of EU funds from the poorest to the wealthiest member states.¹¹

Yet to this point the main conclusion to be drawn from the European economic crisis indicates a national need of acceptance for diversified, yet potentially temporally limited (financial) support from stronger member states for weaker ones. Consequently *solidarity* can only be comprehensively fortified if the national politicians bring the necessity of widespread, non-reciprocal solidarity home to their own citizens by communicating the inevitability of a common European approach. From the citizens perspective the perception of European financial *solidarity* has been stable during the last two years; with Europeans still being rather divided on this question. In 2010 Europeans were in favour of giving financial help to other member states (49% total agree vs. 39% disagree). Yet probably as a result of the continuing crisis, a slightly higher percentage of Europeans (44%) rejected this idea in 2012 but with still 50% approving financial help on the opposite side.¹² Regardless the positivity of broad approval, *solidarity* in financial terms is not a European-given and currently not only scrutinized by the European citizens.

2. Asylum and border management solidarity

Solidarity on asylum and border management within the EU is directly related to free movement within the Schengen Area. Even though the Treaty of Lisbon has reaffirmed the principle of *solidarity*¹³ the concept remains politically questioned.

The Dublin II Regulation determines which state is responsible for considering an application for asylum or subsidiary protection on the basis of two criteria: the first Schengen country of entry and family reunification. As result a large share of the migratory pressure affects member states with external borders, e.g. Greece, Italy, Malta and Cyprus. Member states without external borders (e.g. Austria, Czech Republic, Luxembourg) and those with more easily manageable sea borders (for example the Nordic countries) assess that those who call for *solidarity*, should first ensure the harmonisation of their national asylum systems. According to Eurostat, citizens in Sweden (92%), Germany (91%), Finland (91%), Belgium (90%) and the Netherlands (90%) are particularly likely to agree that rules for admitting asylum seekers should be the same within the EU. In 26 member states at least, three quarters of respondents think that the rules for asylum

⁸ Mijs, A. (2012). *No cuts, no spending, no growths: budget negotiations towards 2020*. Discussion paper for the Think Tank Roundtable on the MMF, 11 May 2012, Brussels. Retrieved May 16, 2012 from http://www.clingendael.nl/publications/2012/2012_05_10_research_paper_amijs.pdf

⁹ Cameron, D., et. al (2012). *Joint letter to President Van Rompuy and President Barroso. David Cameron and 11 other leaders suggest priority areas for growth in Europe*. Retrieved May 16, 2012 from <http://www.number10.gov.uk/news/joint-letter-to-president-van-rompuy-and-president-barroso/>

¹⁰ Kilnes, U. & Sherriff, A. (2012). *Member States' positions on the proposed 2014-2020. EU Budget An analysis of the statements made at the 26th of March General Affairs Council meeting with particular reference to External Action and the EDF*. ECDPM Briefing Note, No. 37, April 2012. Retrieved May 16, 2012 from [http://www.ecdpm.org/Web_ECDPM/Web/Content/Download.nsf/0/B25963797017D49CC12579E40062AC52/\\$FILE/BN%2037%20.pdf](http://www.ecdpm.org/Web_ECDPM/Web/Content/Download.nsf/0/B25963797017D49CC12579E40062AC52/$FILE/BN%2037%20.pdf)

¹¹ Jenkins, C. EU's poorest countries join plea for regional funds, in *Euractiv.com*, April 25, 2012

¹² TNS Opinion & Social (2012). *Eurobarometer 76.1. Crisis*. Retrieved May 18, 2012 from http://www.europarl.europa.eu/pdf/eurobarometre/2011/decembre/rapport_en.pdf

¹³ Article 80 TFEU states that "the policies of the Union in the field of borders management, asylum and immigration [Articles 77 to 79] shall be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the member states when such measures are necessary".



seekers should be the same across the EU, Latvia being the exception.¹⁴ However given the large migratory influx compared to the size of their population many of the southern EU countries have not been able to implement EU rules correctly, and the completion of the Common European Asylum System (CEAS) has been negatively affected by this.¹⁵ Against the backdrop of this situation, there is a whole set of instruments that put *solidarity* and responsibility at the heart of the EU action in the field of asylum and border management through practical and financial cooperation but also physical redistribution.¹⁶

When tackling the topic of internal physical redistribution, several different tools¹⁷ exists which all request to ensure common standards of protection across Europe when implementing them. In the public perception, the view that the number of asylum seekers should be shared more equally across member states is strongest in Cyprus (93%), followed by Greece (89%), Belgium (88%), Italy (87%), Spain (86%), Germany (86%) and Luxembourg (86%).¹⁸ While looking outside the asylum system, the introduction of a permanent relocation procedure supported by the European Asylum Support Office (EASO) has been highlighted by European officials but also by the majority of the member states. Only, France and Czech Republic, fearing the pull factor effect, do not consider this instrument as sustainable for responsibility-sharing across Europe.¹⁹

Other member states prefer to act through the EU financial compensation programme.²⁰ Theoretically, the provided financial instruments seem to be an effective tool for *solidarity* but in practice member states have observed that the sums available in the various funds are rather symbolic than *de facto* compensatory. Consequently the European Parliament (EP) stressed the fact that the costs related to migration within the EU-27 exceed the available amount of obtainable funds.²¹

The CEAS, as initially targeted in 2010, is far from achieved and has been postponed to the end of 2012. Nevertheless, the diversity of policy options and instruments designed highlight the difficulties of framing a coherent EU response to the current situation. More broadly, this lack of coherence translates a lack of *solidarity*, if not technical, yet political. Are European leaders inclined to foster immigration *solidarity* setting up a new chapter of EU integration history? Considering the June Home Affairs Ministers meeting in Luxembourg and its comprise to reintroduce border controls “as a last resort” if the EU’s external borders cannot be secured sufficiently²², the way forward a solidly united Europe is certainly not a foregone conclusion.

¹⁴ Eurostat (2012b). *Awareness of Home Affairs*, Special Eurobarometer 380. Retrieved May 25, 2012 from http://ec.europa.eu/public_opinion/archives/ebs/ebs_380_sum_en.pdf

¹⁵ The deadline for CEAS including the Dublin Regulation, the Asylum Procedures Directive, Reception Conditions Directive and the Qualification Directive has been delayed to full completion by the end of 2012.

¹⁶ European Commission (2010). *Communication on delivering an area of freedom, security and justice for Europe's citizens. Action Plan Implementing the Stockholm Programme*, COM(2010) 171 final

¹⁷ For example the Temporary Protection Directive, the temporary suspension of Dublin, the EASO facilitating internal re-allocation on voluntary basis, the intra-EU refugee resettlement program under the CEAS (Sweden and UK) and ad-hoc measures that have taken place (e.g. France in 2009 and the Netherlands 2006 agreements with Malta).

¹⁸ Eurostat Ibid.

¹⁹ European Parliament, DG for Internal Policies (2010). *What systems for burden sharing between Members States for the reception of asylum seekers*. Retrieved May 24, 2012 from

<http://www.europarl.europa.eu/committees/en/studiesdownload.html?languageDocument=EN&file=29912>

²⁰ The General Programme "Solidarity and Management of Migration Flows", 2008/22/EC

²¹ European Parliament, DG for Internal Policies Ibid.

²² Vandystadt, N. Schengen: Agreement on re-establishing intra-EU border controls, in: *europolitics.info*, June 7, 2012.



3. Solidarity and intra-EU mobility of workers (social solidarity)

A very visible effect of the financial crisis has been the raise of unemployment in EU member states since 2009. Especially in this context of crisis it is commonly perceived by national public opinion that there is a link between the raise of unemployment, costs of social benefits and intra-EU migration. Therefore the notion of *solidarity* is linked to intra-EU labour mobility since it lies in the opening of national labour markets to workers from other EU countries.

The free movement of workers is one of the fundamental rights guaranteed to EU nationals by the Treaty of Rome. Yet larger discrepancies between the labour market situation and wages between old and new member states made intra-EU labour mobility becoming an issue more salient and based on the difference between 'sending' and 'receiving' countries. Accession Treaties of 2003 and 2005 allowed member states to introduce transitional restrictions for 2004 and 2007 enlargements in order to gradually open their market (Malta and Cyprus being the exception).²³ The main reason put forward to introduce restrictions was to avoid a massive influx of migrants from new EU countries.²⁴ EU governments restricting their labour market feared mostly negative economic and social consequences arising from this opening.

Yet a 2008 European Commission's Communication²⁵ shows an overall positive impact in those countries opening up especially beneficial to meet labour demand in receiving countries without causing serious labour market disturbances. On March 29, 2012 the EP adopted a resolution calling on EU countries that continue to restrict the access of Romanian and Bulgarian nationals to their labour markets, to review their decisions as soon as possible, taking into account "the principle of equality, the prohibition of discrimination, the unjustified nature of those decisions and the principle of *solidarity*".²⁶

Free movement of workers is perceived differently by European peoples and by national governments. A recent survey shows that 60% of the European citizens think that people moving within the EU is a good thing for European integration, 50% think it is a good thing for the labour market, and 47% think it is a good thing for the economy.²⁷

Considering the concept of *solidarity*, the rationale of self-interest would lead member states to open up labour markets if based on the positive signals of the European Institutions. Opening up labour markets for all member states could be seen as a cost that is paid by the EU-15 getting in return a bigger market in the EU-12. On the other hand the reluctance by some member states to lift restrictions still in place can be explained by a rationale of self-interest based on the negative perception on this issue of their voters.

It seems that the *solidarity* rationale of a simple transactional arrangement or a common insurance policy, sticking by the European principles (e.g. equality, non-discrimination and *solidarity*) will be more of a driving force than self-interest. Most member states introduced restrictions to EU-12, apparently based on self-interest. While transitional measures of the 2004 enlargement have ended, the ones of the 2007 enlargement will end in 1½ years. Possible negative influence on labour markets or perceptions of national voters probably backed up their decision. The UK, Ireland in 2004 and Finland and most EU-10 in 2007 did not opt for restrictions based on shared European principles or an enlightened form of self-interest based

²³ European Commission (2006). *Report on the Functioning of the Transitional Arrangements set out in the 2003. Accession Treaty (period 1 May 2004–30 April 2006)*, COM(2006) 48 final

²⁴ European Commission Ibid.

²⁵ European Commission (2008). *Communication on The impact of free movement of workers in the context of EU enlargement. Report on the first phase (1 January 2007 – 31 December 2008) of the Transitional Arrangements set out in the 2005 Accession Treaty and as requested according to the Transitional Arrangement set out in the 2003 Accession Treaty*, COM(2008) 765 final

²⁶ The Sofia Echo. *European Parliament calls for all EU labour markets to be opened to Bulgarians and Romanians*. March 29, 2012.

²⁷ TNS Opinion & Social (2010). *Special Eurobarometer 337. Geographical and labour market mobility*. Retrieved May 27, 2012 from http://ec.europa.eu/public_opinion/archives/ebs/ebs_337_en.pdf



on the assumption that opening up would be profitable for their labour markets. The absence of negative perceptions or economic threat led Sweden to apply no restrictions at all in 2004 and 2007.

4. Conclusion: solidarity as an essence of European credibility?

The concept of European integration seems to fade in the light of the current economic and financial crisis, scrutinised by the European public and some of its academic representatives. Hence, its fundamental elements of discipline, *solidarity* and legalization start to crumble. Yet it is particularly the moral aspect of *solidarity* that provides the basis for subsequent political *solidarity* as outlined above. Although significant progress addressing the (economic) crisis has been made, only history will judge if the specific steps taken have put the European Union back on track. However, opinions differ on re-tracking European integration, bringing face to face the discrepancy between public perception and political and academic “knowledge”, demonstrating that European politics run past its own citizens.

This paper briefly indicated that the citizen’s perception of *solidarity* is intrinsically linked to the respective national environment they are exposed to, yet being subtly different between different policy agendas. However is the notion of shared European *solidarity* an exhausted belief undermined by national self-interests throwing mutual European responsibility back and forth? The European Union’s currently widespread perceived credibility gap can only be closed if the concept of European *solidarity* as the national calculation of implementing self-interests can be detached from these considerations and rather become a borderless, truly European concept.

