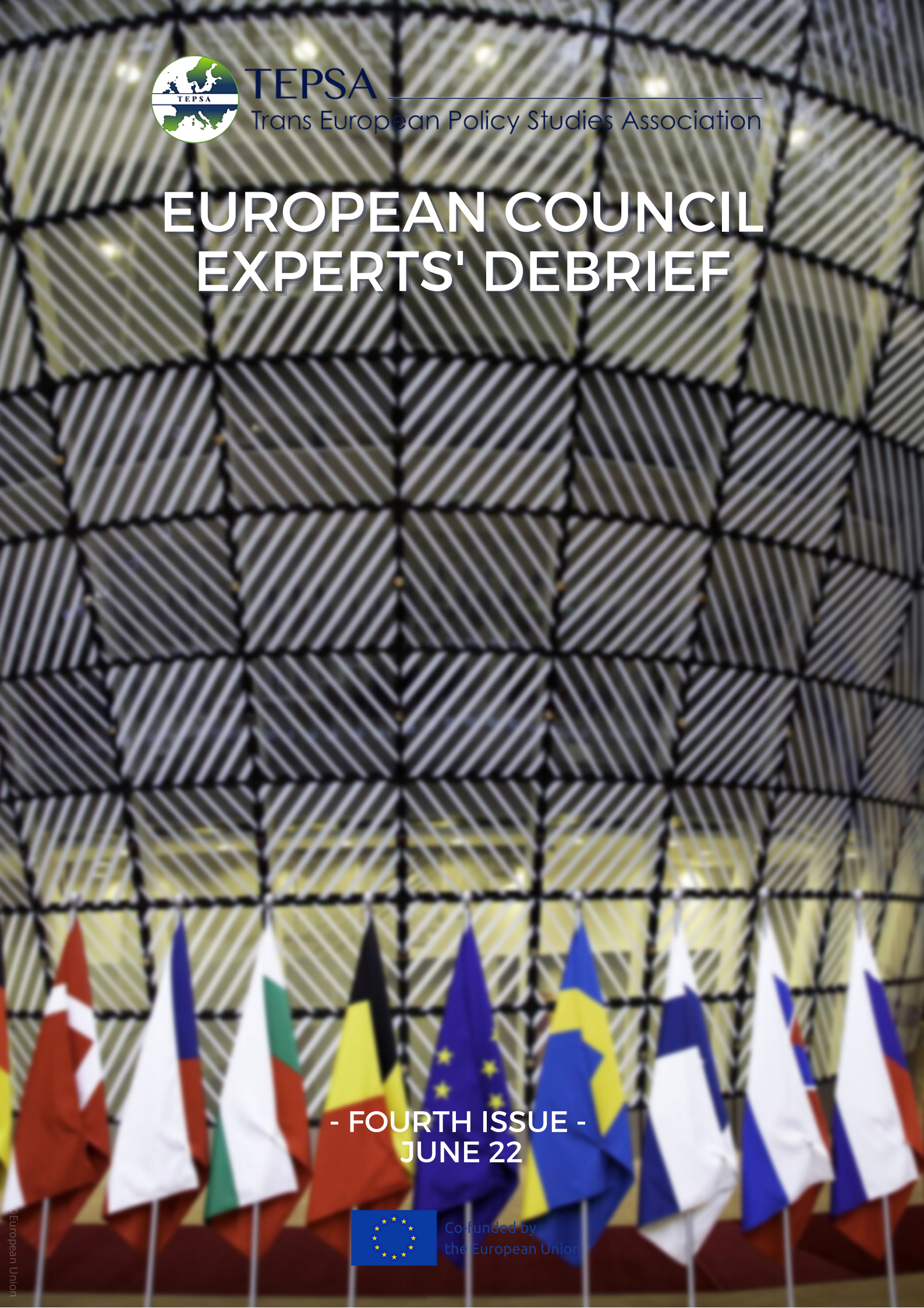
TEPSA
Trans European Policy Studies Association

EUROPEAN COUNCIL EXPERTS' DEBRIEF



- FOURTH ISSUE -
JUNE 22

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FOREWORD

JIM CLOOS
TEPSA Secretary General

The June European Council (EUCO) was momentous because of the recognition of candidate status to Ukraine and Moldova and the possibility for Georgia to shortly join that club. This is a significant move with lasting effects: the EU has decided that the only way forward is to integrate these countries into the EU and the West. The meeting with the Western Balkan countries that took place before the EUCO was important in this context. While Bulgaria continues for the time being to block the start of negotiations with Northern Macedonia (and indirectly Albania), the debates of the European Council show a new urgency and the will to change the dynamics towards that region.

As usual, we have asked experts from the TEPSA network to provide their thoughts on the outcome of the European Council. We have also invited Pierre Vimont from Carnegie Europe to share his thoughts on the idea of a European Political Community. You will find the main findings below, followed by a conclusion written by Wolfgang Wessels, where he provides insights on the importance of the role of the EUCO and its functioning.

Several contributions address the issue of **Georgia's future**: we have a joint contribution by Ana Andguladze, Researcher at ULB, Tinatin Akhvlediani, Research Fellow at CEPS and Mariam Khotenashvili, Executive Director at TEPSA, as well as texts by Richard Youngs, Senior Fellow at Carnegie Europe, and Jakob Hedenskog from the Swedish Institute of International Affairs (UI). Georgia was not yet offered EU candidate status because of the democratic backsliding under the present government. But the EUCO wanted to keep the door open for Georgia to move ahead together with Ukraine and Moldova. Our experts provide concrete ideas on how the European perspective for Georgia can prevail. All authors call for deeper engagement of the EU in Georgia. Mihai Sebe from the European Institute of Romania (IER) takes a broader look at how **the accession process** can be harnessed for reforms in the candidate countries (on this question there is also a dedicated TEPSA Experts Debrief).

Mykhailo Pashkov, Co-director of Foreign Relations and International Security Programmes of the Razumkov Centre, outlines his views on the immediate needs of military support to **Ukraine**, on Ukraine's reconstruction, and on its accession perspective. Interestingly, he advances geopolitical reasons for awarding a privileged status to Ukraine, while Andguladze, Akhvlediani and Khotenashvili use the same argument to plead for a package approach towards Ukraine, Moldova and Georgia.

Manuel Müller from the University of Duisburg-Essen raises the tandem issue of **enlargement and deepening**. In view of the reticence shown by a number of Member States to engage into major treaty reform, he considers that more limited treaty modifications not requiring the convening of a convention in the sense of article 48 TEU may be the best way ahead.

In this context we also draw the attention to the contribution by Eliza VAȘ from the IER on the **follow up to the Conference on the Future of Europe**. She confirms that the issue of treaty change remains controversial and that at least initially the emphasis will be on managing the suggestions of the citizens' panel within the present institutional framework.

Pierre Vimont, Senior Fellow at Carnegie Europe, looks at the agreement of the European Council to set up a **European political community (EPC)**. He points out that the leaders have endorsed the idea without providing any details, and he asks a set of questions that require answers for this project to get off the ground. He highlights that this project is not an alternative to enlargement. This is a different framework for political dialogue with all partner countries, regardless of their status.

Veronika Slakaityte, Research Assistant, DIIS and Izabela Surwillo, Postdoctoral Researcher, DIIS look at the impressive way **Lithuania and Poland** are coping with the **energy situation** and work towards freeing themselves from Russian dependency. Jakob Hedenskog explains that **Sweden** is less affected than other Member States by the effect of the energy sanctions against Russia because it has always been careful to limit its dependence on Russian oil or gas. He also provides interesting thoughts on the complicated issue of finding ways to **export Ukrainian wheat** to the world markets.

TEPSA would like to thank all researchers who contributed to this issue.
Special thanks to Jim Cloos & Wolfgang Wessels.

Questions on the EUCO Conclusions were formulated by Jim Cloos.

Editing and formatting: Henry Kaeding, Mariam Khotenashvili and Andrea Sabatini (TEPSA).

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NEIGHBOURHOOD & ENLARGEMENT

What will be the path for Georgia joining the club of candidate countries? What is the political situation in Georgia and what can EU do to help Georgian people to help Georgia deliver on those priorities/conditions that were identified by the Commission Communication of 17/06 on Georgia's membership application?

RICHARD YOUNGS

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Many states in the EU profess to be aware of the geopolitical risk involved in leaving Georgia detached from the other two applicants of the Trio: even if the EU's concerns over political trends in Georgia may be justified, the exclusion could inadvertently play into Russia's hands. Many EU diplomats will be looking for positive signals and rhetoric from the Georgian government that suggest a willingness to address concerns over democratic backsliding, even if a complete reform process remain unlikely for now. It may be that the EU could respond positively as long as the Georgian government shows at least a positive direction of travel.

The EU should not be in the business of stipulating exactly what kind of government Georgia should have (for example, by setting formal power sharing injunctions that few member states would accept themselves). But it is necessary to insist that the core rules of the game in political pluralism are accepted by different parties. The EU will need enough firmness to incentivise a change of direction in Georgian authorities' actions with regards to democracy but be flexible enough to ensure it does not end up empowering those in Georgia not genuinely interested in EU candidate status.

In the short term, the EU should promise to candidate countries full 'membership' of particular areas of EU policy as negotiations progress in these areas. It could be especially crucial and beneficial, to candidates and even more so the EU itself, to bring the Trio into energy and climate policies as soon as possible. There would be little reason to make the three states wait years and years before formally including them as part of the Common Foreign and Security Policy, when their presence could again prove valuable for the Union's own geopolitical influence and aims. A form of more 'guided conditionality' should be used: that is, with conditions used not as a way of pushing back accession and setting such high hurdles in a way so as to make them almost unattainable, but rather as a way of unlocking more positive EU support to help incentivise local reform commitments.

JAKOB HEDENSKOG
Analyst
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On 23 June 2022, the EU leaders endorsed the European Commission's recommendations to extend EU candidate status to Ukraine and Moldova and offered a road map for Georgia to qualify to the same status. In an opinion a week earlier, the European Commission had outlined a number of reforms that Georgia would have to carry out before it could gain candidate status, including reducing political polarisation, strengthening independence and accountability of state institutions, strengthening anti-corruption agency, implementing reforms to strengthen the independence of the judicial system, and "de-oligarchisation".

In comparison to Ukraine and Moldova, which were urged to carry out a number of reforms after being given candidate status, for Georgia it will be the other way around; first meet all the conditions and later be granted candidate status. On the positive note, the EU High Representative for Foreign and Security Policy, Josep Borell, stated that when Georgia meets the criteria, the candidate status will be granted "automatically".

The potential biggest stumbling blocks as Georgia tries to fulfil the EU's requirements are reducing the political polarisation, which erupted after opposition parties claimed the October 2020 parliamentary elections were rigged, and "de-oligarchisation", a reference to Bidzina Ivanishvili, the ruling party Georgian Dream's founder and the country's "ruler from behind".

The EU must show firm and concrete support for Georgia's European path. It needs to re-engage directly in negotiations between Georgian Dream and the opposition, like it did through the EU Council President Charles Michel in 2021 (which led to the 19 April agreement that the Georgian Dream later abandoned). If Georgia fails to join the EU, the road will be wide open for influence from Russia, which already occupies 20 per cent of Georgia's territory and which influence is growing in trade, information space and politics. Such development would have dire consequences also for other states in the South Caucasus, particularly Armenia.

The population and the vibrant civil society of Georgia, who have shown firm and consistent support for the EU membership for a long time deserve much better.

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On 20 June, more than one hundred twenty thousand people gathered in Georgian cities for a March for Europe, sending a message to EU capitals that Georgia belongs in the European family. They also showed their fury against the government's mishandling of the EU membership application. It was not a one-off demonstration, though. A similar rally was held on 24 June, and another one in the first week of July.

On 17 June, the European Commission proposed to confirm Georgia's perspective to become a member of the EU. But while it recommended offering candidate status to Ukraine and Moldova, it formulated for Georgia a number of pre-conditions that would need to be fulfilled first. The European Council of 23-24 June confirmed this approach. It granted the candidate status to Ukraine and Moldova and stated its readiness to grant the status to Georgia 'once the priorities specified in the Commission's opinion on Georgia's membership application have been addressed'.

This did not come as a surprise to most. In recent years, the Georgian government has been back-sliding on previously built democratic credentials of the country. It tightened its grip on the judiciary, jailed opposition politicians and journalists, and showed very limited solidarity when Ukraine was attacked by Russia.

The government deserved a strong political message from the EU. In this light, the to-do list proposed by the Commission is perfectly reasonable in line with the merit-based approach of EU enlargement policy. However, decoupling Georgia from Ukraine and Moldova also risks to have adverse consequences for the country, unless there is proper follow-up by the EU. Georgia should not be left alone with the challenge to deliver on the conditions formulated by the Commission; otherwise this will hand Putin an opportunity to increase Russian influence in the country and in the region. The accession prospect should be seen as a credible opportunity for the EU to stabilise decades-contested Eastern neighbourhood, in an active way.

It is thus crucial that the EU does not simply leave the ball in Georgia's court, without substantial support. The democratic resistance shown by Georgians cannot leave the EU cold or indifferent: it is time to move to an even more proactive strategy and help Georgia overcome its reform obstacles.

The enlargement framework has the potential to provide more empowerment for local actors from civil society and political parties than the Eastern Partnership initiative has ever offered. Supporting bottom-up pressure on the government and helping with de-oligarchisation is crucial to fostering democratic reforms.

Like Ukrainians and Moldovans, Georgians live in a turbulent neighbourhood where Russia is interfering in internal democratic processes by military force, disinformation, and by openly supporting Russia-friendly oligarchs. Georgians have shown their commitment to European values in numerous democratic protests over the last 20 years. They have paid the high price in the 2008 war, which left twenty percent of Georgia's territory under Russian occupation.

Under such circumstances, for democracy to be sustainable in this neighbourhood, a favourable external context is needed: The three countries' democratic future will depend to a large extent on the overall security conditions that the free world will succeed or fail to establish in the region. Stronger investment in the security and democracy of the three countries will bring benefits to the EU itself: this is the way to stabilise the neighbourhood and avoid its capture by Russia.

But the unity of the EU leaders is crucial in this regard. President Macron suggested recently that Georgia's pace of integration with the EU should be dissociated from Ukraine's and Moldova's on the grounds that Georgia is not in the same situation in terms of security, geopolitics, and geography. This message was damaging not only to Georgia's European aspirations but also puts in question the credibility of a merit-based EU enlargement policy. Despite Georgia's recent backsliding on democratic and the rule of law reforms, the country has an overall positive track record in implementing the Association Agreement, as pointed out in the avis of the Commission. This should provide reasonable grounds to apply merit-based EU enlargement policy towards Georgia, keeping in the possibility open for Georgia to rejoin the same basket with Ukraine and Moldova. Moreover, Macron's statement provided a convenient excuse for the Georgian government for their lack of action on democratic reforms that would be needed for obtaining EU candidate status.

The Commission opinion has called for "de-oligarchisation", and the EU should be serious about it. It is clear that de-oligarchisation will not simply happen only thanks to civil protests. The EU should help by using tools at its disposal.

Working closely with all pro-European and pro-democratic forces in Georgia is important to foster democratic reforms. Georgians are free-spirited and democracy is well embedded in the society's fabric. But if the EU leaves future developments only up to the government, the country may only experience further state capture, and Georgia's European dream will be thwarted.

How can the accession process be harnessed for reforms in the candidate countries?*

MIHAI SEBE
Head of Unit
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European Institute of Romania

The accession process can be a defining factor toward an in-depth reform of the candidate countries societies and economies. An ongoing accession process is in itself a factor that stimulates the internal reforms in the candidate countries.

The fact that a country is involved in such a negotiation process means that all its central institutions are being actively scrutinized and involved in the reform process. That also requires as a prerequisite an internal consensus on behalf of political forces meant to support the accession process, like it was the case in Romania with the 1995 Snagov Declaration endorsed by all the political forces which expressed Romania's desire to join the EU.

Secondly, this screening process often requires an important number of pre-accession impact studies conducted with the purpose of formulating policy recommendations for the decision-makers. Also of importance are the psychological and emotional factors generated by the European perspective – the fact that the process is measurable, with clear landmarks helps to generate the population's support.

However, there is also the risk that an overextended accession process may generate enlargement fatigue and affect all the parties involved.

*See also the dedicated TEPSA Experts Debrief "Harnessing the EU Accession Perspective for Consolidating Democracy in Accession Trio Countries"

Since the accession of all those countries will take time, what could be done in the short term to avoid growing frustration, opening the door to the interference of external actors like Russia and China and others? Could you provide ideas here for a strong positive program that would help the accession process but not be held back by it?

MYKHAILO PASHKOV

Co-Director of Foreign Relations and International Security Programmes

Razumkov Centre

The response to Russian aggression should consist in a strong, consolidated and effective EU policy aimed at ensuring Ukraine's stability and development, bolstering its resistance to the invader, and promoting reforms in the difficult conditions of war. Therefore, several important directions can be singled out.

Deepening the security partnership. Provision of comprehensive military aid to Ukraine is a top priority, namely a) expansion of military-technical cooperation with EU countries to ensure regular supply of weapons to Ukraine under the systematic financial support of the European Peace Facility (EPF); b) initiation of joint defence industry enterprises; c) expansion of education and training programmes for the Ukrainian military; d) Ukraine's accession to relevant PESCO projects, etc. In general, the intensification of security cooperation will accelerate the transition of the Ukrainian defence sector to NATO standards.

Strengthening economic integration. Gradual expansion of Ukraine's presence on European markets, implementation of an effective EU investment policy, introduction of joint industrial and infrastructure projects are critical. Of similar importance is the expansion of visa-free regimes in various spheres of EU-Ukraine cooperation. Efforts should focus both on the maximum implementation of de facto existing visa-free "energy", "trade" and "transport" access, as well as on the introduction of "industrial" (ACAA) and "customs" visa-free arrangements and on accelerated integration of Ukraine into the Digital Europe Programme.

Rebuilding Ukraine. Along with stabilisation macro-financial aid from the EU, effective recovery programmes for the economy, destroyed infrastructure, housing and utility services, socio-cultural sector, etc., become crucial, especially at the time of war. This is one of the decisive conditions for resisting Russian expansion, ensuring the stability of governance, stabilising the migration situation, and the like.

Providing conditions for accession negotiations. Implementation of the European Commission recommendations is a yardstick for starting negotiations on joining the EU. The Ukrainian authorities plan to implement these recommendations by the end of 2022. Therefore, it is important for Kyiv to enlist Brussels' help in ensuring conditions for the opening of accession negotiations at the beginning of 2023. Currently, this is the main priority of Ukraine's European integration, as confirmed by the joint statement signed by the President, the Speaker and the Prime Minister of Ukraine on 1 July.

Implementing the Association Agreement. This document, agreed back in 2011 and signed in 2014, is already largely outdated and requires updating, especially Title II, devoted to cooperation in the field of foreign and security policy.

Given the war in Ukraine and the occupation of some of its territories, it is advisable to develop a roadmap within the Association Council to be able to adjust the priorities and timing of the further Association Agreement implementation, duly considering the "security relevance" and the dynamics of the situation in Ukraine. For example, it would be logical to postpone the implementation of certain areas, such as space research, tourism, fishing, and the like until after the war.

Differentiating the enlargement policy. It is obvious that the European enlargement policy, on the one hand, should not remain hostage to the traditional package approach, the "one basket" principle; on the other hand, it should adapt to new geopolitical conditions, modern threats and new challenges. In this context, given the political and security factors, Ukraine's integration has an obvious priority, weight and special significance, because Ukraine, having taken the brunt of Russia's entire military might, has been long defending the EU's eastern flank from the Kremlin's continental expansion. In fact, not only the fate of Ukraine's statehood, but also the future existence of the European Union, at least in its current form, largely depends on the Armed Forces of Ukraine.

What are the things on the ground concerning the export of Ukrainian wheat?

JAKOB HEDENSKOG

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Contrary to what Kremlin claims, the current threat of a global food crisis was not caused by the sanctions imposed by Western countries in response to Russia's aggression against Ukraine. Food insecurity increased before the 24 February large-scale invasion. Putin's war has exacerbated that trend. Russia has attacked Ukrainian grain fields and blocked Ukraine from exporting its grain over the Black Sea. Russia also plunders Ukrainian grain for its own gain and steals grain from Ukrainian warehouses. All these measures have degraded food safety around the world.

Russia has the ambition to dominate the Black Sea. Among Russia's conditions for ending the current blockade is that it would be allowed to inspect ships calling at and leaving Ukrainian ports. This can be compared to acts of piracy.

Russia has cynically weaponised the food crisis by retaining Ukrainian grain exports as part of its strategy to halt sanctions. Kremlin estimates is that by the end of the year – if not earlier – the food crisis, which has the potential to lead to famine in the countries of North Africa and the Middle East, combined with a potential energy crisis and migration crisis in Europe, will force some European countries to end sanctions, and begin to pressure Ukraine to accept the Russian territorial gains and occupation of large parts of Ukraine.

Letting Russia harvest its fruits of aggression will only inspire Putin to further aggression in Ukraine and possibly also beyond. Most exposed are, potentially, Moldova and Georgia.

THE EUROPEAN POLITICAL COMMUNITY

What could the European political community be used for? What structures? Who should be part of it?

PIERRE VIMONT

Senior Fellow
Carnegie Europe

Formally the European Council of June 23/24 only held a discussion on the French initiative for a new European political community (EPC) with no decision taken at this stage. Nevertheless, in its conclusions **it clearly stated what it was not**: neither an alternative to EU membership nor a substitute to the enlargement process. **It also sketched out what its mission should be**: fostering political dialogue and cooperation on issues of common interest with a clear (if not too precise) objective of strengthening security, stability and prosperity for the whole European continent.

For France, this outcome can be considered **mission accomplished** having overcome the misfortune of the previous European Confederation initiated by François Mitterrand in 1989. In many ways, the past Confederation carried the same political inspiration as the EPC with the intended perspective of bringing together under a same political roof all the members of the European family. Yet, by introducing this proposal at the time of the former nations of the Soviet bloc launching their candidacies to the European Union, France seemed to be resisting the new enlargement drive. Today, many EU members thought France was at it again. Hence **the need to dispel any ambiguity** in this new French proposition. If only from that point of view, the fact that the discussion came to the table of the European Council only after the Leaders had agreed on the candidate status of Ukraine and Moldova was a useful clarification. This time **the sequencing was right**. It does not necessarily mean that the EPC must be taken for granted: the Confederation initiative in its time carried on for more than a year (in fact, up to the first and only Assises of the Confederation in June 1991 in Prague) before going into oblivion. Looking at this precedent, it seems clear the EPC has still some way to go.

Indeed, the green light given by the European Council leaves the new Czech rotating Presidency with many questions to answer. At least four of them loom large in the discussions the member states will have to engage in the next months:

- **Who should be invited?** In an unofficial paper circulated before the European Council session, France suggested an invitation to all candidate countries to EU accession. In addition, it proposed to extend the invitation to the members of the European Economic Area, the remaining Eastern Partnership members who are not yet candidates to the EU and possibly other European nations, the United Kingdom being the obvious choice in that case. Needless to say, this list has already raised some objections with Turkey as the most contentious case.

- **What kind of organisation the EPC should be** and where should it stand in relation to other European organisations like the OSCE or the Council of Europe? Here again, the French pre-summit paper mentions a light format with one or two meetings a year at the Leaders level and no permanent administrative structure. Such suggestions naturally have been put there to alleviate the concern of European partners. But some European Council participants did not hide in their comments their scepticism on that matter.

Where and when to launch the first meeting? On that issue, the European Council simply decided to revert back to the question with no specific date. Emmanuel Macron in his press conference was more forthcoming and spoke of the next October European Council in Prague as the place where the EPC could be formally launched. Here again, long discussions lay ahead.

- **What are the issues to be discussed?** On this issue also, the concise conclusions of the European Council leave a large gap to be filled. In its unofficial paper, the French delegation listed possible items for the future EPC from foreign and security policy to food security, energy, transport infrastructures or migration. This chapter may not be the most difficult to crack but it will require from all participants a clear understanding of the political purpose behind this initiative.

In the end, the main issue for the new EPC will be to persuade EU partners of its genuine added value and of having an identity of its own. So far, its contribution to the accession process or to the existing European institutions and operational processes still looks disputable to many member states. For those partners (starting with France), who are convinced of the progress that this project represents and who are eager to promote it, there is no time to lose.

COFOE & TREATY REFORM

Taking stock of the Conference on the Future of Europe's results. What's next?

MANUEL MÜLLER
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University of Duisburg-Essen

Whether the EU should prioritise "enlargement" or "deepening" is a perennial topic that has been discussed in various constellations for decades. Also in this European Council, both issues were on the agenda – and at first glance, the priority of the leaders was clear: While they unanimously granted candidate status to Ukraine and Moldova, the European Parliament's call for a Convention on treaty reform in the wake of the Conference on the Future of Europe (CoFoE) remained unanswered. The conclusions dealt with the follow-up of the CoFoE in only three meagre paragraphs, without making concrete commitments or even mentioning a Convention.

The reason for this is, of course, the European Council's internal division on this issue. On the one hand, France's Emmanuel Macron spoke out in favour of treaty reform right at the end of the CoFoE, and Germany, Italy, Spain, the Netherlands, Belgium and Luxembourg supported the idea in a joint non-paper. On the other hand, 13 other member states, mostly from Northern, Central and Eastern Europe, declared in a joint non-paper "that Treaty change has never been a purpose of the Conference". Since a simple majority in the European Council is required in order to open a Convention, a decision to this effect would only have been possible in a close and contested vote, if at all. This would neither have been in line with the institution's customs nor would it have been a good basis for the eventual success of a treaty reform.

However, it is thoroughly unlikely that proponents of a "deeper" EU will just back down now. Rather, the lack of support for a Convention will probably just lead to a re-framing of the debate on institutional reforms. The German government, for example, has already signalled a departure from the idea that the CoFoE should be followed by a Convention. According to Foreign Minister Annalena Baerbock, this was "only one possibility" among "many other proposals". At the same time, however, Chancellor Olaf Scholz described internal reforms of the EU – such as an extension of qualified majority voting, but also "strengthening democracy and the rule of law" – as a necessity to maintain the EU's capability to act after a possible enlargement. This argument is in line with the European Council conclusions, which contain an explicit reminder that "the EU's capacity to absorb new members" must be taken into account during the accession process of the new candidate countries.

Thus, institutional reform might not be discussed as an opportunity for further democratic development of the EU (as the European Parliament would have wished), but rather as a precondition for the geopolitical goal of enlargement; and it might not take the form of a Convention, but of simplified revision procedures. But the reform debate will go on, and it is doubtful whether this re-framing will make it any easier or less controversial. A Convention would offer a forum to explicitly address institutional issues and negotiate package deals among institutions and member states. Without it, these questions threaten to become an elephant in the room of the enlargement agenda – with considerable potential for frustration also for the new candidate countries, which themselves have little opportunity to contribute to "the EU's capacity to absorb new members", but will depend on today's member states overcoming the current deadlock on institutional reform.

ELIZA VAȘ
Researcher
European Institute of Romania

The last European Council (23-24 June 2022) concluded with encouraging outcomes regarding the membership applications to the European Union of Ukraine and the Republic of Moldova but provided less meaningful acknowledgements to the follow-up of the Conference on the Future of Europe. While the French proposal of developing a European political community opened the meeting's conclusions, the fragment considering the Conference was placed amongst the last two items from the list.

Whereas discussing the order on the agenda or comparing the importance given to different subjects might be seen as mundane, there are at least two reasons behind this approach: understanding the European Council's view on the results of the Conference and comparing it with the latest developments from the other European institutions and other stakeholders involved in the Conference. This undertaking could lead to a potential response to the question "What's next for the Conference?".

Starting with the first reason, the three conclusions adopted by the European Council on this matter were focused on: taking note of the proposals included in the final report of the Conference, calling for an effective follow-up of the report in accordance with the Treaties and the respective competences of each institution, and making sure that the European citizens are kept up to date with the next steps. With a conservative tone leading to issuing general remarks, the European Council has sent the message that it **is not the right time to engage in debates on reforming the Treaties** and setting in motion an ordinary or a simplified revision procedure.

This position of the European Council mirrors the official stances taken by many Member States once the report of the Conference was released. In May, 13 EU countries signed a non-paper on the outcome and the follow-up to the Conference stating that "Treaty change has never been a purpose of the Conference [...] While we do not exclude any options at this stage, we do not support unconsidered and premature attempts to launch a process towards Treaty change." Among the states that shared this assertion are the Czech Republic and Sweden, the current and the following holder of the rotating presidency of the Council of the EU. In addition to this, there is to remember that in June 2020, when the Council announced its position, it specified that "the Conference does not fall within the scope of Article 48 TEU", meaning the provision to amend the Treaties.

On the other side of the spectrum, six EU countries submitted a non-paper arguing that they "remain in principle open to necessary treaty changes that are jointly defined" and called for the European Commission to present an evaluation of the proposals by sorting which are already implemented, which can be put into practice in the current framework and which would require Treaty changes. In June 2022, the European Commission presented an initial analysis of the proposals by using four categories and by referring to what is currently on the table, which initiatives wait to be voted upon, scheduled actions and new initiatives derived from the Conference.

Within the related Communication, the European executive brought forward both the "untapped potential within the existing Treaties which could help respond to the Conference's proposals, notably by using the 'passerelle clauses' to move to qualified majority voting in certain policy fields" and the support for reforming the Union by affirming that "the Commission will always be on the side of those who want to reform the European Union to make it work better, including through Treaty change where that may be necessary".

To this remark, the institution mostly invested in a reform of the Treaties has been the European Parliament (EP). With a position expressed before the end of the Conference, the Parliament affirmed that "a treaty review is necessary to implement Conference proposals". The EP followed-up on this matter by presenting at the beginning of June 2022 a list of proposals to change the EU Treaties among which were included: reforming the voting system in the Council, increasing EU's competences in certain fields, providing the Parliament with the right of initiative and full rights as a co-legislator on the EU budget and better safeguarding the EU's fundamental values. On the eve of the European Council's reunion from 23-24 June, the European Parliament called for the EU heads of state or government to vote in favour of a Treaty change and convene a Convention.

Although the call of the European Parliament was not reflected in the European Council's latest conclusions, it can be understandable given the difference in the views of the members and the pressure to respond to current crises and threats such as the war of aggression against Ukraine, energy prices, or Turkey's actions affecting the Eastern Mediterranean.

In the short term, we should expect the Commission to present proposals derived from the Conference within the State of the Union framework and organise a feedback event in late Autumn with the participants of the Conference and others. The European Parliament's members might push for consultations with citizens on the opportunity to amend the Treaties and to create a momentum for the next European Council's reunions. However, given the contrasting views among Member States coupled with a pre-European elections' year, a treaty change might be a faraway objective.

ENERGY ISSUES

What is the energy situation in your own country? How have EU sanctions affected the energy situation in your own country? To what extent are further energy sanctions being discussed in your country?

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To date, the EU has adopted six sanction packages in response to Russia's aggression in Ukraine. Reaching consensus, however, once again flashed out discrepancies among the Member States. Countries that have been consistently advocating for the toughest measures are largely those whose national security and energy policies reflected distrust in Moscow's influence over the last decades.

Lithuania and Poland are cases in point here. Already in December 2021, in the so-called 'Lublin triangle' meeting, the presidents of Lithuania, Poland and Ukraine called for a Western response to the Russian troops' build-up near the Ukrainian border. President Zelensky emphasised a need for 'powerful preventative actions, powerful serious sanctions to exclude any thought about escalation', adding that Lithuania, Poland and Ukraine are the vanguards of deterrence against the Russian threat.

Ever since the outbreak of war in Ukraine, Poland and Lithuania consistently called for greater unity within the EU and stronger sanctions on Russian fossil fuels. They also urged their EU partners not to cave into pressure for payments for Russian gas in rubles. Following the EU's prohibition on imports of Russian coal and oil, Lithuania and Poland call for gas sanctions to follow. This consistent approach has been matched by their domestic energy policies focused on diversification of supply, which earlier also manifested in their strong opposition to the Nord Stream 2 project. Although a number of strategic projects in the Polish and Lithuanian energy sectors are coming to fruition today, they are the outcomes of the two states' long-term strategic visions of energy independence from Moscow's grip. These drives were partially motivated by the historical legacy and partially by the repeated episodes of energy blackmail from Russia in the CEE region.

The Soviet-era energy infrastructure has kept both countries dependent on Gazprom even after the collapse of the USSR, which has prompted the diversification of gas supply routes despite geographical limitations. Tied to a single pipeline delivery system from Russia, the Lithuanian gas sector was left vulnerable to Russian influence. As early as in 2006, plans of building a liquified natural gas (LNG) terminal started circulating in the parliament. Yet, it was not before 2011 that the project landed on the governmental agenda, largely, as a reactionary measure against the politically motivated natural gas price increase. The LNG terminal project encompassed different visions of national, regional, private and state-owned projects, yet neither of the options offered an easy way out of Gazprom's regional monopoly, as it also happened to hold shares in national gas companies across all three Baltic States.

Lithuania seized the opportunity by adopting the most stringent form of the EU's Third Energy Package (2009) which backed up unbundling procedures and laid the foundations for the creation of a national gas market. The floating storage and regasification unit (FSRU) symbolically named 'Independence' completed the LNG project and enabled the diversification of gas supply in 2014. Although the economic viability of the terminal was contested throughout the years, the critical importance of the infrastructure was justified on security grounds instead. Today, the skeptical voices have gone silent. Alongside regional gas infrastructure, such as the Latvia-Lithuania interconnection ELLI that doubled bidirectional flows (2020), and the GIPL interconnector with Poland (2022), the national LNG terminal de facto improved regional security of supply and laid foundations for further integration of the gas market. Therefore, Lithuania's objective of reaching energy independence is finally materialising, balancing on two pivots: diversification and interconnectedness.

Poland opened its first LNG terminal in Świnoujście in 2016, named after the deceased President Lech Kaczyński, who made decreasing of Poland's energy dependence on Russia one of the top priorities of his presidency (2005-2010). Currently, the terminal is undergoing a major expansion that will provide additional supporting infrastructure and further increase its regasification capacity by 2024. Additionally, the plans for a new LNG terminal in Gdansk are in progress, with the expected operational status of the new terminal by 2028.

When it comes to pipeline infrastructure, the strategic Baltic Pipe to deliver Norwegian gas from the North Sea via Denmark to Poland will become operational in Autumn 2022, reaching its full capacity at the beginning of 2023. The corridor is also suitable to transfer gas from Poland to the Danish market, further adding to the flexibility and security of energy supply in the region. The timing of these initiatives is key, as the expiration of Poland's long-term contract with Gazprom in December 2022 was the key driver to stick to the deadlines. It is also one of the reasons, why cutting the gas supply to Poland by Russia at the end of April 2022 did not raise energy security concerns in Poland, which had enough storage and diversified gas supply routes to meet its future domestic demand.

Polish gas infrastructure is also increasingly linked to the regional energy market through several interconnectors. The above mentioned GIPL Interconnector between Poland and Lithuania started commercial operation in May 2022. It allows to adjoin the LNG terminals in Klaipeda and Świnoujście, as well as adjust the gas transits to the shifting demand-supply dynamic in the region due to bidirectional flows. Polish system is also integrated further with the CEE gas infrastructure through interconnector with Slovakia (2021), and the plans for the Czech-Polish interconnector are on the table. The latter has been repeatedly postponed from 2021 to 2023 and then again to 2027, however, in the current geopolitical context this timetable is likely to be accelerated.

The cases of Lithuania and Poland illustrate, that their unfavourable geographical location prompted both states to diversify energy supply routes and diminish dependence on Russian fossil fuels over the years. These policy moves stemmed from the two states' strategic security considerations, which now translate into calls for an ever-stronger energy sanction regime against Russia and which make their domestic energy systems more resilient to its possible aftermath. In the face of Russian aggression in Ukraine, Polish authorities assured in the following months that Poland is ready for the impact of the EU's energy sanctions. Lithuania was the first country able to completely cut off energy ties with Russia. The Lithuanian President tweeted: 'If we [Lithuania] can do it, the rest of Europe can do it too'. However, these decisions result from decades-long strategic energy sector development and political determination that took time and significant investment, and that at times ran against purely economic rationale.

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Sweden is one of the countries in Europe least affected by energy sanctions on Russia. Sweden's energy supply is only to a small extent directly dependent on Russian supplies of gas. By the time of Russia's large-scale invasion on Ukraine, only two percent of the total Swedish energy supply consisted of natural gas and an estimated half of this came from Russia.

Sweden has also a low direct dependence on Russian oil imports. In 2021, Russian crude oil imports accounted for about 8 percent of total Swedish crude oil imports. The assessment is that the crude oil imported from Russia will be able to be delivered, if needed, by other players in the future. However, dependence on Russia is judged to be somewhat greater for certain oil products.

Even if the direct consequences on Sweden's energy mix is low, higher energy prices in Europe affect Sweden too. As electricity use and electricity production vary in the different electricity areas, there is a constant transfer of electricity, both within Sweden and between the northern European countries. This is possible thanks to the fact that Sweden's electricity system is interconnected in a common electricity system with our neighbouring countries, especially Norway, Denmark, and Finland. Finland and the Baltics are in turn linked to Russia and Belarus.

CONCLUDING REMARKS

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Besides any assessment of its history making agreements, a reading of the European Council conclusions tells us much about the typical functions and features of the way national leaders deal together with challenges and crises. The outcome of the session signals the impact of this key institution on the EU and, even beyond, on Europe in a broader geographical sense.

The European Council continues to act as crisis manager: its decisions are supporting and reinforcing the main EU procedures and considerable instruments for dealing with the war in the Ukraine and its consequences for food supplies and energy. The members took decisions which now seem unavoidable but that were unthinkable before 2022.

The dramatic statements on the membership perspectives document - in view of widening the EU – shows that the Heads of State or Government have again -as in several occasions since the The Hague summit of 1969 - acted as the masters of enlargement (irrespective of Art. 49 TEU).

Can the respective agreements on accession options for Ukraine, Moldavia and Georgia and for the Western Balkans really be understood as history-making decisions, or more as unbinding promises - product of the war caused Zeitgeist, whose dynamics might evaporate?

The so-called geo-political motivation is not a new phenomenon, but it takes up the dynamics of earlier generations of political leaders for driving procedures for the accession of neighbours of strategic importance.

The formulation on “wider Europe”, proposing a “European Political Community”, documents the typical way of the club of leaders to deal diplomatically with vague proposals of a prominent member. The conclusions of the European Council do not mention any follow up.

In contrast to agreements for widening, the European Council has not taken any steps for deepening. In dealing with the product of the “Conference on the Future of Europe” the members did not signal any interest in treaty revisions. As with other papers proposing steps for more Europe in the past, the formulations of the Heads of State or Government are just shifting the responsibility to other bodies. The issue of more rules replacing unanimity by qualified majority voting is not mentioned. Thus, the national leaders refused to act as constitutional architects which Art. 48 TEU allocates to the European Council.

We witness a deep and frightening gap between a dramatic move towards enlargements leading to a different EU with 35 members with quite different features and structures on one side, and the lack of any deeper reflections about the finalité of the EU as such. The 4th Copenhagen criteria, that of making the EU fit for more members, is thus neglected.

We observe however one decision as constitutional architect: the European Council agreed to the entry of Croatia into the EURO zone.

In view of its normal functions for the Economic governance, the members passed economic recommendations for member states as part of the European Semester and met in an integrative form as Euro Summit.

As for external and long term impacts on the EU in a deeper sense (L'Europe profonde), we need to analyse how far the European Council has reinforced narratives for the EU's nature and identity - also if they turned them into master narratives for future evolutions and developments.

Besides such a set of conclusions we should discuss at an appropriate occasion how far the membership perspectives caused apparently by geopolitical motivation might lead to counter-productive results of a geopolitical overextension/overstretch of the EU empire.