



## Economic Crisis and New Models for Treaty Revision Procedures

### I. Background

Although treaty change is not officially on the agenda in Brussels currently, there is growing recognition that we are at the limit of what can be achieved in terms of reforms within the current Treaties. Demands for treaty change have also been expressed from several quarters across Europe. And while the Treaties have not officially been revised, the crisis has prompted the creation of various intergovernmental treaties and agreements outside of the EU framework, amounting to new competencies being awarded to European bodies. Further reforms of a similar nature are also foreseen in the short to medium term, with substantive treaty change likely in the near future.

The transfer of competencies from member states to the EU lies at the very heart of the construction of the EU. Since the Union is a Union of states *and* citizens, such fundamental acts of construction ought to derive from the people, just as they do from member state governments. Given the growing distrust of the people in the EU, the European project cannot afford another lapse in democratic due process. If citizens do not identify with European problems and European solutions, sustainable solutions to the crisis will be difficult to find, and eurosceptic and anti-EU sentiments can only become stronger.

### II. The Need to Reform Existing Procedures

Although the Lisbon Treaty marks a huge democratization of treaty revision procedures by enshrining the Convention as the “ordinary” treaty change procedure, this innovation has proven insufficient in several ways. (1) The Convention method does not apply to “simplified” revision procedures or to agreements made outside of the EU framework, the two procedures most widely used since the crisis to enact urgent broad scale reforms. (2) With no well-developed models for involving national parliamentarians, interested citizens, and organized civil society in simplified treaty change procedures or intergovernmental agreements and treaties, the latest round of core EU decision-making has been going on without the citizens and many of their representatives. (3) The Convention model itself is in need of reform. Past experience has shown the limitations in the design of the Convention for ensuring sufficient transparency; meaningful exchange with ordinary citizen; and a lively debate at the member-state level.

### III. Aims

A unique opportunity exists right now to shape how the next round of treaty change happens. Article 48 of the Lisbon Treaty is scant in detail and the next Convention will be the first one under the framework of an EU treaty. Having well-prepared proposals, widely endorsed by politicians and civil society groups, *before* the issue is officially on the agenda, provides a historic chance to set a very important precedent for treaty revision in the EU.

- (1) We seek to develop new models for involving citizens, national parliaments, and civil society in EU treaty revision and making procedures. This will provide new avenues for the involvement of these stakeholders in reforms likely to employ such procedures in the short to medium term. It will also form the basis for proposing a new framework for the Convention model for the next round of treaty revision.
- (2) We seek to ignite debate among citizens, national and EU politicians, and civil society actors in 9 different member states on treaty making and revision procedures. This aims at a greater understanding not only of such fundamental acts of decision-making, but also at a greater understanding of EU decision-making in the ongoing crisis, which due to several constraints, did not explicitly involve citizens and other stakeholders and has contributed to the rise of anti-EU sentiments threatening EU solidarity.
- (3) Based on the debate, we seek to formulate a white paper of proposals suggesting reform of treaty making and revision procedures. We aim to gather endorsements for these proposals from politicians and civil society groups at the national and European level. This could form the basis for a coordinated civil society led initiative to engage citizens at the next round of such decision-making. It may also contribute to formal revision of treaty revision and making procedures.

### IV. Partners

In order to achieve these aims, DI is creating partnerships with key institutions from different member states with experience in policy analysis and political communication. Besides the partners in the table below, Stiftung Wissenschaft und Politik in Germany, the Centre for Public Policy in Latvia, and the Alpbach Forum in Austria are also ready to collaborate. Prof. Joseph Weiler, President of EUI (Florence), will also be on the advisory board.

Belgium	Egmont Royal Institute for International Relations
France	European Civic Forum
Italy	Istituto Affari Internazionali
Netherlands	Clingendael Institute for International Relations
Poland	Natolin Center
Spain	Elcano Royal Institute
Czech Republic	Europeum Institute for European policy

## **V. Working Plan**

- (1) To develop new models, DI and its partners will assemble a core group of scholars, experts, national and EU politicians, and civil society actors from across the EU to analyze existing treaty making and revision procedures; brainstorm new models for involvement of all stakeholders; and draft proposals.
- (2) Based on these workings, DI and its partners will create a blueprint for conferences in 9 different member states, including a launch event in Brussels. The conferences will initiate debate on the economic crisis and EU treaty revision procedures among citizens and other stakeholders, and collect citizen opinion on the reforms proposed.
- (3) The conferences will shape the final white paper of proposals aimed at policy-makers and civil society groups. Endorsements for these proposals will be gathered from politicians, experts, and civil society actors at the national and EU level through DI and its partners' networks.