

## The European Union: an unexpected break of the institutional deadlock



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- Despite foretelling a sensational failure, the final European Council meeting held under the German presidency has been concluded with an unexpected compromise. After having buried the project of the European constitution which hadn't been supported by the French and the Dutch people in referendums in 2005, last Saturday the EU leaders came to an agreement as to the contours of the future institutional framework of the EU called on to increase its effectiveness and democratic legitimacy as well as to improve the coordination of its common foreign policy.

A "simplified treaty" passing around all the delicate points that irritated "liberal" member states will be adopted in lieu of the constitution. At the same time this document will preserve some of the fundamental provisions of the rejected constitution. This time, the EU leaders have taken precautions against surprises of national referendums since the new treaty will only pass through ratification procedures by national parliaments.

Undoubtedly, there may be different interpretations of the summit results. Thus, staunch "federalists" don't hide their deception. The new treaty will not mention such classic state attributes as the national emblem, the hymn, the flag or such judicial terms as "European laws". Neither the EU will have its proper "minister of foreign affairs". Moreover, the treaty will not replace all the previous texts but will only modify them, prolonging in such a way the life of the Rome and Maastricht treaties.

At the same time the "liberals" believe that all the key points of the defunct constitution have been preserved. First of all it concerns the optimization of the decision-making process by resorting to the double majority rule - 55% of member states representing 65% of the EU population. In order to obtain Poland's agreement to this formula its entering into force has been postponed to 2014. Among other advances appear the extension of the qualified majority decision-making to the judicial and penal cooperation; preserving the Charter of fundamental rights (although beyond the treaty), establishing the office of the president of the EU for a longer term (two years and a half); giving the High Representative for Foreign policy a diplomatic staff and a permanent office in the European Commission premises as well as the right to manage the external budget.

Thus, thanks to the compromise found, the EU has managed to avoid the institutional paralysis and, despite acute national contradictions, to demonstrate its ability to restrain the national egoism and to find, on the basis of the balance of interests, the solution to complicated structural problems in order to move forward to common goals.

The overcoming of the institutional crisis may also have some indirect impact on Ukraine's European aspirations. Since even intermediate settlement by the EU of its internal structural problems enables Brussels to resume consideration of other issues, in particular, those relating to the enlargement process.

There is no doubt that it won't result in the guaranteed opening of the membership prospect for Ukraine but at least it allows to put the discussion of this issue on the agenda of the EU-Ukraine dialogue.