INSTITUTIONAL REFORM OF THE EU COUNCIL PRESIDENCY IN TIMES OF CRISIS - PROSPECTS BROUGHT ON BY THE CONFERENCE ON THE FUTURE OF EUROPE

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Abstract

The focus of this research is on the role of the EU Council Presidency – beginning with the founding of the European Coal and Steel Community and continuing with its subsequent evolution and changes, brought on in particular by the Lisbon Treaty, all the way to the possible developments that the Conference on the Future of Europe may bring to bear. The purpose of this paper is to examine how various large-scale crises (Brexit, the COVID-19 pandemic and the ongoing military aggression by Russia against Ukraine) might have affected the process of treaty reform after the Lisbon Treaty entered into force, including those related to the structure and functioning of EU institutions, with a special focus on the Presidency of the Council of the European Union. In this endeavour, the paper relies on document analysis from official sources of those member states that held EU Council presidencies and on official documents issued by the other EU institutions.

Keywords: Council of the EU, crisis, institutional reform, Lisbon Treaty, Conference on the Future of Europe

Introduction

Concentrating on the history of the Council of the EU's role in the European institutional framework, this paper aims to highlight the most relevant changes introduced by the Lisbon Treaty while analyzing their effectiveness during current crises with a focus on possible future reforms of the EU institutions.

Thus, this endeavour will consider some of the more recent and significant crises that have affected the Union, demonstrating that the considerable efforts on the part of all EU institutions and member states in order to properly manage their impact generated the side effect of distracting it away for a long period of time from the analysis of treaty changes that might be currently necessary.

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The crises under analysis here are Brexit, the COVID-19 pandemic (starting from early 2020) and the ongoing military aggression by Russia against Ukraine. Focus remains on the functions of the Council of the EU and on the tasks of the EU Council Presidency. Some of the main elements introduced by the Treaty touched upon in this paper are referring to changes which, as indicated by relevant authors in this field, weakened the role played by the member state holding the EU Council Presidency - the increased importance of the European Council as an official institutional actor of the EU and the creation of a stable Presidency of the Foreign Affairs Council with the main task of managing the external actions (Bărbulescu, 2015; Fabbrini and Puetter, 2016), the development of the trio programme of the Presidencies of the Council of the EU (Gruisen, 2019; Batory and Puetter, 2013; Pasarín, 2011), or the important role of the EU Council Presidency as a balance of power between large and small member states holding the Presidency of the Council (Svetličič and Cerjak, 2015; Bunse, 2009). At the same time, the research underlines that in recent years it has become necessary for the EU Council Presidency to adapt its agenda to different types of emergency situations which have impacted the European and the global arena. The paper also draws attention to the fact that having to deal with unprecedented crises which generate important pressure on the activity and resources of all EU institutions, the working process developed in the institutional framework established by the Lisbon Treaty for the last thirteen years is necessary to be conducted as swiftly and effective as possible or even to get improved in order to adapt and better manage future challenges.

In order to collect as much relevant information as possible, research has focused on an examination of official documents – trio programmes, press releases and other relevant information from official sources, as provided on the website of each member state that held the six-month Presidency of the EU Council (such websites having been created especially for communication all through the Presidency) during the period the crises under analysis took place. At the same time, research has focused on official documentation issued by other relevant EU institutions.

While the literature on the Presidency of the Council, on the institutional changes after the Lisbon Treaty, as well as on the dynamics of the mandates, including during the trio, is well developed, this paper focuses on the impact which the more recent evolutions might have on these processes. Therefore, the novelty brought by this research is represented, on the one hand, by the attention given to the most recent crises which impacted the EU – Brexit, the COVID-19 pandemic and the war of Russia against Ukraine, on which few literature is available, and, on the other, by the fact that it analyses possible future reforms related to the structure and functioning of the EU institutions on the aspects under scrutiny in this article, specifically those generated by the results of the Conference on the Future of Europe, launched on 9 May 2021 and concluded on 9 May 2022.

1. The evolving structure and functions of the EU Council

From an institutional perspective, the Council of the European Union is an interesting structure among all the rest, by virtue of its dual nature – being both a Community institution, with tasks and responsibilities arising from Community rules, and an institution representing member states (Bărbulescu, 2008, p. 231). The exact balance of the Council's two roles, and the way in which it manages both of them, are analysed in this research, with reference especially to Treaty amendments.

1.1. Relevant changes in the design of the Council from its creation until the present time

In terms of the evolution of EU institutions, what is most relevant to this analysis is the historical moment when, for budgetary and efficacy reasons, a separate Council and Commission were established for the European Community by the 1967 Brussels Treaty (Journal Officiel des Communautés Européennes, 1967).

With regard to the term of office for the rotating Presidency of the Council of the EU, as first mentioned in the Treaty establishing the European Coal and Steel Community, the mandate was one of three months – in an alphabetical order of the member states (Journal Officiel des Communautés Européennes, 1951). Later, however, as mentioned by Sauron (2010, pp. 212-213), experience proved that a quarterly term of office did not allow the Presidency to properly perform its duties. As a consequence, the 1957 Treaty of Rome extended the term to a total of six months.

According to Kollman (2003, pp. 52-53), the criticism most often expressed around the length of the EU Council's term of office was one related to the impossibility of building something sustainable. In general, criticisms are primarily centred around the effectiveness of the institutional procedure.

On the significance of holding the Presidency of the EU Council, according to Cini and Borragán, "the Presidency is a great example of the Council's enigmatic identity, since the country holding the position must simultaneously work to advance collective European solutions and be on the lookout for a particular set of national interests" (2010, p. 148), while those member states that succeed in finding the right balance during this mandate are able to accumulate significant political capital and respect at EU level. The main task of the EU Council Presidency to work in order to reach a compromise as a result of intense formal and informal contacts with the other member states is often underlined (Kleine, 2013, p. 134).

Concerning the working procedure of the Council of the EU and the way it evolves at an informal level, Cini and Borragán emphasis that the Council is different than the sum of the member states and that, in addition to the particular national interest on different topics, Council participants are also developing collective interests in the decision-making process. "In short, the member states who participate

in the system also become socialized into a collective decision-making system" (2010, p. 145).

In addition, Lewis (2003, p. 1004) points out that a significant role in the architecture of the Council is played by the General Secretariat of the Council, largely based on the process of informal integration. In terms of its role and authority, the General Secretariat of the Council has been noted for its support of the rotating presidency – providing legal advice and counselling – as well as its contribution in producing compromise agreements.

Referring to the Council's multiple roles – "as a partner of the Commission; as a club of governments; as a venue for competition and bargaining between governments and other political actors; as an arena for networked governance; and as a consortium for developing "transgovernmental" collaboration" – Wallace (2002, p. 325) compares the Council to an institutional chameleon. At the same time, some authors emphasis the "federal character" of the Council, taking into consideration its legislative powers together with the European Parliament and its similarity to a chamber (of governments) of the member states (Mangiameli, 2012, p. 105).

The Council has therefore stirred constant interest as a result of its dual nature and the multiple roles it plays in the architecture of the EU institutions.

1.2. The role of the EU Council Presidency post-Lisbon

In terms of importance of the Treaty of Lisbon, authors Luzarraga and Llorente argue that "it represents the most ambitious revision of the founding treaties since the creation of the European Communities" (2011, p. 39).

In analysing the changes brought by the mentioned Treaty, it is important to take into consideration the fact that it was adopted in a special context. As Bărbulescu (2015, p. 560) mentions, the Treaty of Lisbon was elaborated "in response to the Union's dual challenge and need: to democratize the European decision-making system by strengthening its participatory dimension and transparency; adapting the institutional system ... to an increasing number of members, guaranteeing at the same time its effectiveness".

Thus, the Treaty introduces new features in the functioning and exercise of the Presidency of the Council of the EU. Reference to these developments is necessary in order to understand how such a mandate currently unfolds. When the number of member states is more than four times greater than at the time of creation of the European project, it becomes absolutely imperative to ensure continuity of the Presidency system itself and to secure the skills of each member state taking over the Presidency.

One relevant change brought about by the Treaty is the role of the European Council as an official institutional actor in the Union. As Iordan Bărbulescu (2015, p. 562) emphasises, this function weakens the role of member states at the level of

the rotating Presidency of the Council, fundamentally changing the dynamics at the level of the European institutions (Fabbrini and Puetter, 2016, p. 490).

The Treaty established as well a stable Presidency of the Foreign Affairs Council, at present chaired for five years by the EU High Representative for Foreign Affairs and Security Policy, which ensures the coherence of the Union's external action.

Another element of interest to this paper, and brought about by the Lisbon Treaty was the trio programme, which makes it mandatory for any given three states that sequentially take over the Presidency of the Council to negotiate and choose more general topics, in order to allow for the continuity of the EU agenda, which gives a smaller margin of coverage on national subjects than European ones.

> The introduction of the trio can thus be considered a successful institutional reform that addresses a major drawback of the 6-month rotating presidency; that is, the discontinuities in priorities. On the other hand, the system retains its merits, such as equality and legitimacy in decision-making. Each Member State continues to receive the opportunity to lead the legislative business of the Council for 6 months, without suffering from inefficiencies and strategic delay, which is to the benefit of all Member States, the European Commission and the European Parliament… Second, we find that the trio structure plays a crucial role in overcoming diversity in Member States' preferences. The latter, also referred to more formally as political conflict, has been found to be an important determinant of the length of negotiations (Gruisen, 2019, p. 15).

From this perspective, the trio group format combines the leadership of the member state at the helm of the Council with the know-how of the other two member states with the task of enhancing the continuity of the European agenda, which, in Batory and Puetter's view (2013, p. 96), "can be conceptualized as a readjustment of the consistency–diversity balance".

At the same time the continuity of the work at the Council's helm, is also reflected in Pasarín's research (2011, p. 38), who emphasizes that "it is commonly accepted that it is impossible for the Presidency to ignore the legacies of the previous Presidencies. The Presidency inherits the dossiers from the previous six-month period and must follow up on them".

With regard to the Presidency of the EU Council, it is also worth noting the major task of ensuring that significant resources – politically and logistically – are allocated by the state that takes over the Presidency. In this regard, authors highlight the importance of the administrative capacity of the member state at the helm of the EU Council. This is very well expressed in the conclusions of Pasarín's work (2011, p. 49) referred previously:

Taking over the Presidency of the Council is an important moment in a member state's life within the Community. For six months, a national government finds itself in charge of the most influential decisional centre within the European Union. This administrative and political responsibility alone embodies all of the challenges inherent in the hybrid nature of European integration, and in particular, its political system, which is based upon a legitimacy shared between the member states and the Community's institutions. To some extent, exercising the Presidency entails an effort to reach a compromise between the various interests, and above all between the contrasting identities at present in the European polity. For six months, the state which exercises the Presidency must place its administration at the service of the Union, and demonstrate its ability and reliability as a European partner (Pasarín, 2011, p. 49).

Similarly, studies dedicated to this topic focus on the differences between large and small countries holding the presidency of the Council. Some consider that "size determines Presidency behaviour", in terms of political power, resources and conduct, as small states follow in more detail the formal rules of conduct of the presidency. At the same time, new member states need to adapt and incorporate the decision-making system from the EU level (Svetličič and Cerjak, 2015, p. 13).

It is also worth taking into consideration the role of the EU Council Presidency as to balance power differences between member states in the Union. From this perspective, the Council is presented "as the most far-reaching equalising mechanism that – by sharing out leadership – tames power politics in the EU and prevents the emergence of a hegemon" (Bunse, 2009, p. 16). This is one of the main reasons why small countries strongly support the current rotating system, rejecting any type of proposals for a permanent presidency.

2. Significant crises that have impacted the Union since the entry into force of the Lisbon Treaty

In order to analyse some of the reasons why treaty changes have been postponed, one must consider several relevant crises that have successively impacted the Union, and have drawn all the EU's attention towards immediate action, ever since the entry into force of the Lisbon Treaty in 2009: the economic and financial crisis (2009), the migration crisis (2015-2016), Brexit (2017-2020), the COVID-19 pandemic (2020-ongoing) and the military aggression by Russia against Ukraine.

As regards the most recent ones – Brexit, the management of the COVID-19 pandemic and the ongoing military aggression by Russia against Ukraine – the lines of action were coordinated at the supranational level, with the country holding the Presidency of the EU Council playing only a secondary role in these large-scale efforts.

At the same time, the management of these crises demonstrates that, in the face of unprecedented pressure, member states can succeed in coordinating and finding common solutions, at the European level, which are much more effective than those solutions which could be reached through the efforts and actions of a single member state.

2.1. Brexit

The so-called "Brexit process" started on 29 March 2017 with the formal notification from the UK of its intention to withdraw from the European Union, following the result of the 2016 referendum in the United Kingdom of Great Britain and Northern Ireland[1], and in accordance with Article 50 of the Treaty on European Union (Official Journal of the European Union, 2012).

Brexit could be considered a real success story, given the political cohesion of all 27 Member States, which acted together, by mandating the European Commission and its Commissioner Michel Barnier as Chief Negotiator on behalf of the Union with the UK.

A task force led by Michel Barnier was set up in October 2016 (the Task Force for the Preparation and Conduct of the Negotiations) with the United Kingdom under Article 50 of the Treaty on European Union – in order to lead the withdrawal negotiations with the UK. It was followed by the Task Force for Relations with the United Kingdom, set up in November 2019 as part of the General Secretariat of the European Commission, which reconfirmed Michel Barnier as its head (European Commission, 2019).

The two-year period as set out in Article 50 of the TEU was to end on 29 March 2019, during the first Romanian Presidency of the EU Council. As such, Brexit affected the Romanian Presidency in several ways – including beginning the EU Council Presidency six months earlier than initially planned and having to negotiate 15 Brexit files to ensure a smooth transition, and even preparing contingency measures for a no-deal scenario[2].

The Withdrawal Agreement (European Commission, 2016) between the European Union and the United Kingdom was finally agreed in October 2019, laying down the conditions for the orderly withdrawal of the United Kingdom from the EU. It entered into force on 1 February 2020, together with the Political Declaration setting out the framework for the future relationship between the United Kingdom and the European Union.

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[1] On 23 June 2016, the majority of the British electorate that voted in the British referendum chose to leave the European Union (52% to leave and 48% to remain).

[2] Site of the Romanian Presidency of the EU Council (2019), 100 days #RO2019EU (retrieved from 100 days #RO2019EU - Romanian Presidency of the Council of the European Union (romania2019.eu) .

Consequently, after years of very complex negotiations, the United Kingdom left the European Union on 31 January 2020, becoming a third country on 1 February 2020.

Taking into consideration that, at the request of the UK, the European Council (Article 50) had repeatedly agreed to extend the period provided for in Article 50 of TEU (first, from 21 March 2019 to 22 May 2019, and then from 10 April 2019 to 31 October 2019, and finally from 29 October 2019 to 31 January 2020), and that 13 European Councils (Art.50) dedicated exclusively to Brexit were organized starting from April 2017 until October 2020, the so-called "Brexit fatigue" had actually been affecting more than eight different EU Council Presidencies (Council of the EU, 2016).

2.2. The COVID-19 pandemic

The COVID-19 pandemic took the whole world by surprise in 2020. The World Health Organization declared the COVID-19 epidemic a public health emergency of international importance on 30 January 2020 (World Health Organisation, 2020), and on 11 March 2020 it was declared a "pandemic" (Official Journal of the European Union, 2020a). It had a significant impact both at the national level (in Romania the state of emergency was declared on 16 March 2020), with every state making extensive efforts to manage its own domestic situation, and the international level. The latter meant states getting involved and coordinating within the framework of international organizations in the hopes of better managing the effects of the pandemic.

As to the EU-wide response, the pandemic broke out during the Croatian Presidency of the EU Council (1 January– 30 June 2020), a country that was part of the Romania-Finland-Croatia trio.

From an operational point of view, the Croatian Presidency reacted quickly to the unprecedented challenge of the pandemic by activating on 28 January 2020 the EU's Integrated Crisis Response Mechanism (IPCR), an integral part of the EU Council's cross-sectoral crisis response toolkit, in order to simplify the exchange of information, facilitate collaboration and coordinate the political response to the crisis[3].

What was extremely important was that, following the worrying developments in the provision of essential products, on 24 March 2020 the Commission published a *Communication on the implementation of green lanes under the Guidelines on border management measures in order to ensure the availability of goods and essential services* (Official Journal of the European Union, 2020b) for transport, land

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[3] Site of the Croatian Presidency of the EU Council (2020), Croatian Presidency activates EU's Integrated Crisis Response in relation to corona virus (retrieved from https://eu2020.hr/Home/OneNews?id=160).

(road and rail), sea and air. Essentially, this action was taken to ensure reliable supplies and to safeguard the functioning of the single market for goods.

Subsequently, the management of the pandemic continued at an intense pace during the trio of Germany-Portugal-Slovenia (1 July 2020 - 31 December 2021), all of which adapted their Programmes accordingly, to be continued in the same manner by the next trio of France- Czech Republic –Sweden[4].

With regard to the steps taken by the European Commission and the European Council, Presidents Michel and von der Leyen presented on 15 April 2020 the *Joint European Roadmap towards lifting COVID-19 containment measures* (European Commission, 2020a), thus responding to a request from members of the European Council for an exit strategy, coordinated with the Member States. The intention behind this was to help pave the way for a comprehensive recovery plan and unprecedented investment, published on 22 April 2020, with the goal of building a more resilient, sustainable and equitable Europe. The basic principles at work here were solidarity, cohesion and convergence.

On a financial level, on 27 May 2020, the European Commission published a proposal for a recovery plan in the form of a new recovery tool: Next Generation EU (European Commission, 2020b).

In support of EU citizens, the Commission has applied the EU Civil Protection Mechanism (set up by the European Commission in October 2001), which aims to strengthen cooperation between EU Member States and six participating civil protection countries, thereby improving prevention, preparedness and disaster response.

At the same time, in the process of supporting various EU and non-EU countries, on 20 March 2020 the European Commission took hold of medical RescEU (European Commission, 2020c) stock. Subsequently, equipment delivery took place, with the first host countries for the RescEU reserve being Romania and Germany.

Another important step taken by the European Commission, as part of the so-called "Vaccine Diplomacy", was the presentation on 17 June 2020 of the EU vaccine strategy. The strategy aimed to accelerate the process of developing and distributing vaccines against COVID-19, with a timeframe estimated by the Commission of 12-18 months or less. Moreover, included in this approach, was an emphasis on the global role being assumed by the Union (European Commission, 2020d). The first vaccine against COVID-19 (as developed by BioNTech and Pfizer) was approved by the European Commission on 21 December 2020, following the recommendation of the European Medicines Agency.

Furthermore, on 17 March 2021, and in order to facilitate the safe and free movement of citizens in the EU during the pandemic, the European Commission

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[4] Site of the French Presidency of the EU Council (2022), Trio Programme (retrieved from https://presidence-francaise.consilium.europa.eu/en/programme/trio-programme/).

presented a proposal for creating an EU digital COVID-19 certificate (European Commission, 2020e). The regulation on the EU digital certificate entered into force on 1 July 2021, with a transitional period between 1 July and 12 August 2021 in which other widely accepted formats could continue being used by Member States.

At the same time, the COVID-19 pandemic has laid the foundations for the European Health Emergency Preparedness and Response Authority (HERA) (European Commission, 2021a).

All of these efforts to manage this unprecedented global health crisis generated a significant pressure on the activity of the EU institutions.

2.3. The ongoing military aggression by Russia against Ukraine

At exactly ten years since the EU won the Nobel Peace Prize for having "contributed to the advancement of peace and reconciliation, democracy and human rights in Europe" (Nobel Prize, 2012), with the worrisome war situation in Ukraine significantly affecting European and global security, it is the European project which reaffirms its political importance.

The military aggression by Russia against Ukraine, which started on 24 February 2022, has been described by the President of the European Commission as the "the largest build-up of troops on European soil since the darkest days of the Cold War"(European Commission, 2022a) and by the Versailles Declaration adopted at the end of the Informal Meeting of the Heads of State or Government in March 2022 as "a tectonic shift in European history" (European Council, 2022a).

The French Presidency of the Council, and in particular President Emmanuel Macron, intended to play an important role in mediating the negotiations, considering France's importance at the EU level and its prior experience in managing EU Council Presidencies[5], as well as the French presidential elections that took place in April 2022.

Regardless, the Presidency of the Council only plays a secondary role, since all the discussions are being held during the Foreign Affairs Councils. Given this special situation, at the beginning of the military aggression five Foreign Affairs Councils dedicated to the situation in Ukraine took place in only one week, from 21 to 27 February 2022. Many official visits from the EU High Representative and Commission representatives have been paid to Ukraine[6], with support being offered at several levels: humanitarian aid and assistance to refugees, together with various packages of restrictive measures against Russia (European Commission, 2022b).

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[5] For France, a founding member of the European Union, this was the 13th presidency of the EU Council, but the first since the entry into force of the Lisbon Treaty on 1 December 2009.
[6] Including the visit of the President of the European Commission and of the High Representative of the Union for Foreign Affairs and Security Policy to Kyiv on 8 April 2022.

The responsibilities which will fall on the Czech Republic – due to take over the Presidency of the Council for the second time since it joined the Union and now as part of the trio formed with France and Sweden – will be more burdensome than ever. The Czech Republic must continue France's efforts to restore peace, offering humanitarian aid to refugees, contributing to meeting the objectives set by the European Council of 24-25 March 2022 (strengthening European defence capabilities, ensuring energy security and building a more robust economic base) (European Council, 2022b), as well as continuing to manage the pandemic and working towards ensuring climate neutrality.

As for the European perspective, the applications for EU membership from Ukraine, the Republic of Moldova and Georgia[7], immediately after the start of the military aggression, are proof yet again of the value of the European project, to which vulnerable European states aspire during one of the most critical moments in modern history. At the same time, this brings the topic of further enlargement back to the forefront of the EU agenda, making it necessary to take into consideration that an enlarged European Union will require a more flexible, simple manner of functioning.

3. Perspectives brought on by the Conference on the Future of Europe[8]

The Conference on the Future of Europe could be considered a yearlong inclusive debate dedicated to the European citizens. It was intended to be "a major pan-European democratic exercise" (European Commission, 2021b) aiming to offer an "open, inclusive, and transparent debate with citizens around a number of key priorities and challenges", with the main public being young Europeans. The Conference was launched on Europe Day, 9 May 2021 in Strasbourg, during the Portuguese Presidency of the EU Council and concluded its work on 9 May 2022, during the French Presidency of the Council of the EU.

The Conference was focused around nine themes of interest: climate change and the environment; health; a stronger economy, social justice and jobs; EU in the world; values and rights, rule of law, security; digital transformation; European democracy; migration; education, culture, youth and sport; and other ideas.

With regard to the involvement of EU institutions, authority lied with the three institutions leading the process: the European Commission, the European Parliament and the Council of the EU, represented by their Presidents, who assumed the joint presidency of the Conference.

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[7] The applications for membership were submitted by the three states on 28 February 2022 - Ukraine, and on 3 March 2022 - the Republic of Moldova and Georgia.
[8] Further details on the context of the Conference and how it was organized were analysed in the article: Tudor, A.C. (2022), Rolul Președinției Consiliului UE– ce evoluții poate genera Conferința privind Viitorul Europei?, in: Ciot M.G. (coord.). Politică externă și interculturalitate. Cluj-Napoca: Editura Presa Universitară Clujeană, pp. 51-72.

The main tool for facilitating the direct participation of citizens at the debate was a Multilingual Digital Platform[9] created by the European Commission and launched on 19 April 2021, which gathered at the end more than 5 million unique visitors and over 50.000 active participants.

3.1. The legacy of the Conference

As for the official results available so far, three interim Conference reports were published in August, September and November 2021, a report in March 2022, while the final report was published on 9 May 2022, including 49 proposals[10].

As proven by the contributions to the online platform, the topic dedicated to *European democracy* has attracted the greatest interest from Union citizens.

In terms of elements relevant to the present analysis, which are included in the Conference on *European Democracy*, the following were of interest to European citizens:[11] increase citizens' participation, with a focus on youth involvement in the EU policy-making process; make the European Union more understandable and accessible, while consolidating a common European identity; strengthen European democracy by increasing participation in European Parliament elections, fostering transnational debate on European issues and ensuring a strong connection between EU citizens and their elected representatives; while taking into account the interests of all member states and guaranteeing a transparent and comprehensible process for the citizens; a broader reform of the structure of the EU institutions, with the goal of making EU institutions more efficient and transparent, and bringing them closer to citizens. As for the functioning of the Council, a large number of comments focused on improving the effectiveness of the decision-making process in order to ensure the EU's capability to act (including by extending the voting by qualified majority).

The final report also mentions the possibility of amending the EU treaties, which would happen through a Convention: "We call on European Union institutions to make the conclusions of this working group a reality and effectively implement them. This could be realised through the possibilities the Lisbon Treaty already provides and, when necessary, by triggering the request of launching a European Convention".[12]

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[9] The online platform available here: https://futureu.europa.eu/?locale=en.

[10] As mentioned in the Report on the final outcome from May, the contributions submitted until 9 May will be covered in an additional report.

[11] All reports of the Conference on the Future of Europe are available here: https://futureu.europa.eu/pages/reporting.

[12] The chapter dedicated to European Democracy in the May Report on the final outcome, pp. 79-84.

3.2. Official positions regarding the subject of Treaty reform

The proposal of a Treaty reform was immediately supported by the European Parliament (European Parliament, 2022), while the president of the European Commission explicitly mentioned in the 2022 State of the Union Address the call for a European Convention (European Commission, 2022c). Consequently, although the conclusions from the report of the Conference are still very general and need to be structured in a clearer manner, the first steps for a possible amendment of the Treaties were taken, accordingly to Art. 48 of TEU.

As for the position of the member states, important countries as Germany[13] and France[14] have already declared officially supporters of the change of the treaties. On the other hand, 13 other member states, including Romania[15], want to maintain the status quo, stating that, at this moment, the focus must be on the main issues that concern the European citizens, as emerged from the conclusions of the Conference and that relevant actions can be taken within the current framework of the EU Treaties[16]. Thus, the debate between member states will certainly continue.

Furthermore, from the citizens' perspective, according to the results of the Conference on the Future of Europe, European citizens want to play a greater role in the decision-making process at the EU level, including by using such means and formats as those generated by this unprecedented exercise represented by the Conference.

Concerning the next steps to be taken, based on the report presented on 9 May 2022, the institutions, including the Council, will continue the work of implementing the conclusions of the Conference (Council of the EU, 2022). As such, all efforts, including a possible future reform of the European institutions, will certainly continue throughout the upcoming Presidencies of the EU Council (Czech Republic, Sweden, Spain *et al.*)

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[13] As mentioned in the program of the German coalition from 2021, with an emphasis on the federalization of the EU, retrieved from https://www.bundesregierung.de/resource/ blob/974430/1990812/04221173eef9a6720059cc353d759a2b/2021-12-10-koav2021- data.pdf?download=1.

[14] Including in the speech delivered by president Macron at the end of the Conference, on 9 May 2022, retrieved from https://presidence-francaise.consilium.europa.eu/en/news/speech- by-emmanuel-macron-at-the-closing-ceremony-of-the-conference-on-the-future-of-europe/.

[15] Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Latvia, Lithuania, Malta, Poland, Slovenia and Sweden.

[16] Site of the Romanian MFA (2022), Precizări de presă referitoare la poziția României privind procesul de reformă a UE, 10 May 2022 (retrieved from http://mae.ro/node/58566).

Conclusions

Discussing institutional transformation in times of crisis by reviewing EU's reaction to the most recent crises – Brexit, the management of the COVID-19 pandemic and the ongoing military aggression by Russia against Ukraine – it is clear that the lines of action were coordinated at the supranational level, with the country holding the Presidency of the EU Council playing a secondary role in these extensive efforts. At the same time, it is necessary for the EU Council Presidency to adapt its agenda to these extraordinary situations, crisis management becoming in recent years a current reality that every member state holding the Council Presidency had to handle.

As demonstrated by the management of the most recent crises that have shaken the EU, these difficult periods might not prove to be the best times to focus the attention of the EU institutions and of the member states on institutional reform. On the contrary, examining the efforts behind managing these crises, using analysis of official documents provided by the EU institutions to study transitions from one large-scale crisis to another demonstrate that they place significant pressure on all EU institutions to function in the best way possible with the structures and resources which the Union and member states already possess.

Similarly, as these crises revealed, these periods represent times during which the member states have collaborated and coordinated in the most efficient way possible, in all formats at the EU level, to find common solutions – which are much more effective than those which can be achieved through the individual efforts and actions of a single member state.

As regards the need for a treaty change, if one considers the speed at which the previous treaties, up to and including the Lisbon Treaty, were modified, the average age would be approximately five years. The Lisbon Treaty proved its effectiveness through these difficult times, although these crises generated an important additional pressure on the working process of the institutions of the European Union.

Furthermore, according to the results of the Conference on the Future of Europe so far, European citizens consider that what is needed is more democracy, transparency and involvement by citizens in the EU institutions' decision-making processes.

As the necessity of a Treaty reform was officially expressed at the level of the European Parliament, the Commission and by some important member states, it is to be seen how and when the changes required in the conclusions of the Conference will be structured and later implemented.

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