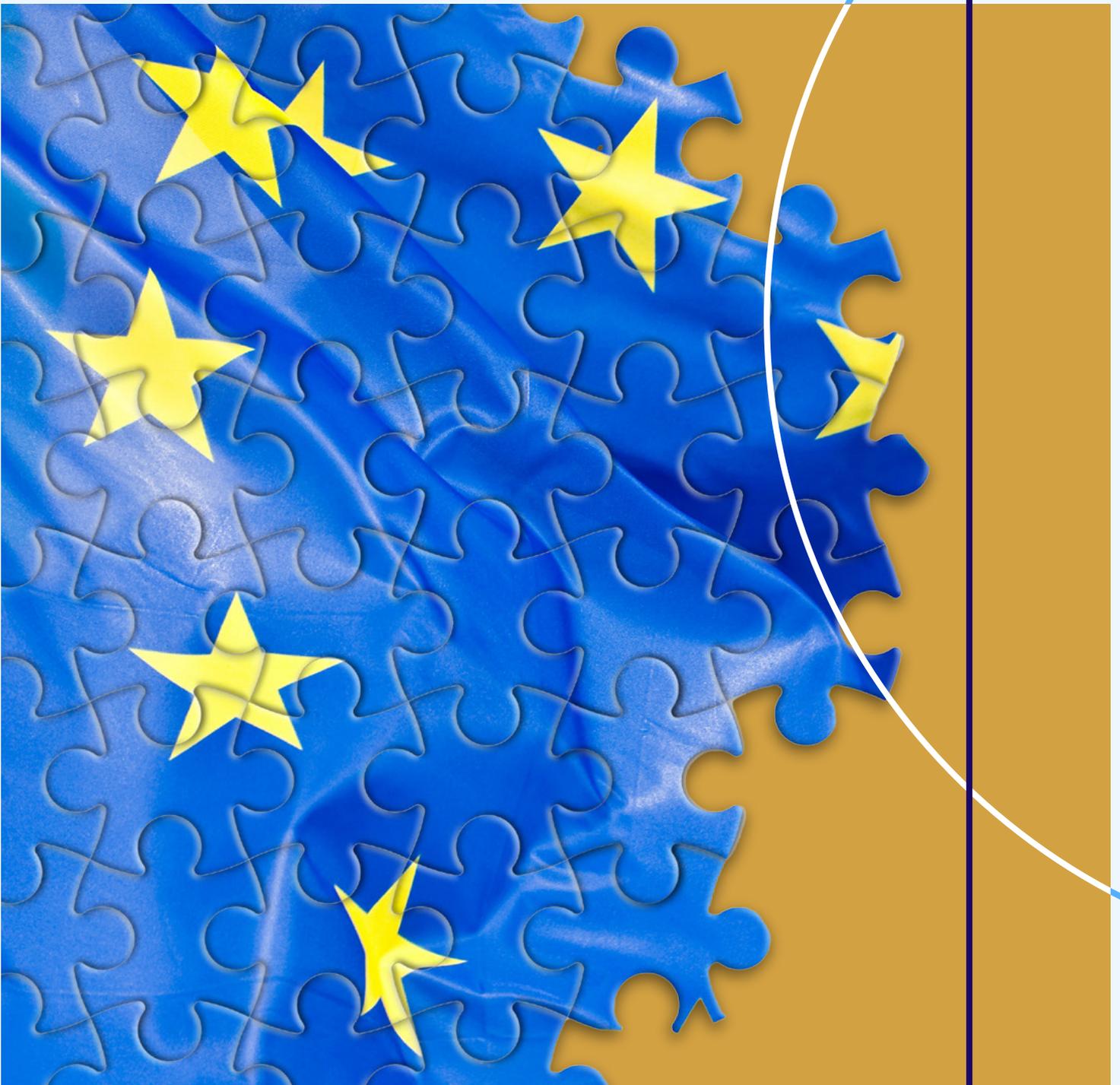


Decisiveness: EU Reforms to the Common Foreign and Security Policy, Budget and Rule of Law

Advisory Letter | April 15 2025



Advisory Council on International Affairs

The Advisory Council on International Affairs (AIV) is an independent body which advises the Dutch government and parliament on foreign policy. The AIV produces advisory reports about international affairs both on its own initiative and on request. Its main areas of expertise are European cooperation, human rights, international development and security policy.

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Date 15 april 2025
Re AIV Advisory Letter: 'Decisiveness: EU Reforms to the Common Foreign
and Security Policy, Budget and Rule of Law'

Dear Mr President,

Two geopolitical moments have had a significant impact on the debate about the future of the European Union (EU). In February 2022, Russia's war of aggression against Ukraine marked a *Zeitenwende*. An active war on the European continent disrupted the European security order. The EU saw influxes of refugees, energy prices rose sharply and the EU took a number of unprecedented decisions, which included imposing far-reaching sanctions on Russia and agreeing on joint deliveries of arms to Ukraine. Three years later, in February 2025 – one month after US President Donald Trump took office – Europe was looking for a new posture and a new course. The new US government started exploratory negotiations on a ceasefire – with Russia but without Ukraine and the EU. At the 2025 Munich Security Conference, US Vice President J.D. Vance branded not Russia or China but Europe itself as the greatest threat to the continent's security. The winner of Germany's elections, Friedrich Merz, expressed doubts about the future of NATO and responded with a historic proposal to loosen the country's *Schuldenbremse* to allow increased military expenditure.

Since February 2022, the sense of relative security that prevailed in Western Europe after the end of the Cold War has been undermined. Dependencies in the areas of energy and technology have come into sharp focus. The need to reshape the European security order and the consequent desire to offer Ukraine the prospect of EU membership have breathed new life into the debate about EU enlargement. It has become clear that the EU needs to be more assertive in pursuing its interests, and must also achieve more effective decision-making on foreign policy and strengthen its defences, economy and the rule of law. The upcoming enlargement, which will increase the Union's economic and cultural diversity and bring it geographically closer to Russia, make this all the more urgent. In the Granada declaration of 2023, EU leaders acknowledged that reform and enlargement must go hand in hand. However, even without enlargement, reform would still be needed; enlargement only increases the necessity of reform.

The volatility of the course being followed by the second Trump administration has eroded faith in the Western alliance and its security guarantees. It has strengthened the awareness that Europe will have to take charge of securing its position in the world. The EU's traditional efforts to pursue its interests through soft power – diplomacy, economic ties, shared values and regulation – will no longer suffice. Exercising self-determination also requires hard power, in the form of



investments in defence and in the defence industry.¹ The fragmenting world order is increasing the pressure on the EU to develop the capacity to be able to defend its global interests – and the interests of its member states and citizens – independently and effectively.

Although the aforementioned geopolitical shocks are having a considerable impact, the pressure on the EU to reform is not entirely external. Long-standing achievements are also at stake within the EU itself. EU fundamental values such as the rule of law, democracy and press freedom are under systematic pressure in member states such as Hungary and Slovakia. Decision-making on and implementation of the EU's common foreign and security policy (CFSP) are being thwarted at crucial moments by member states with dissenting opinions, which sometimes serve only their narrowly-defined self-interest. Meanwhile, the essential investments needed to stimulate the European economy are being held back.

Reform through immediate, concrete and feasible steps

On 5 November 2024 the Advisory Council on International Affairs (AIV) received a request for advice from the House of Representatives on the necessity and desirability of EU reforms in relation to the Common Foreign and Security Policy (CFSP), the budget and the rule of law.²

This advisory letter builds on various reform proposals presented previously in the context of the Conference on the Future of Europe in 2021-2022 or as input for the European Council in Grenada by the Franco-German working group, the European Parliament, the rotating presidency of the Council of the EU and SIEPS.³ Many of the reform proposals that have already been put forward focus on the institutional design of the Union, including the relationship between member states and EU institutions. Earlier reforms gave more powers to the Union in some policy areas but also enshrined the concept of subsidiarity in the EU treaties, which meant that it was established that legislation and implementation must take place at the closest possible level to the citizen. Under the current treaties, decisions are mainly taken by qualified majority and the European Parliament is co-legislator. Key exceptions are the CFSP and the Multiannual Financial Framework (MFF), under which in principle each member state has a veto. Naturally, changes to the allocation of powers and control between member states and EU institutions give rise to debate.

The normal way to implement fundamental changes to the EU's institutional structure, such as decision-making processes and transfers of powers, is by amending the EU's founding treaties. However, treaty amendments usually necessitate a lengthy, extensive process involving an intergovernmental conference and culminating in ratification by all of the individual member states. At present there would be insufficient support for such a process among the member states and, given the pace of international developments, there is also insufficient time.

There may be a surge in support for treaty amendments in the light of major changes in the international context in which the debate on EU reform is being conducted. In particular, reforms relating to defence and foreign policy have become all the more urgent now that the alliance with the US is under heavy strain. The Netherlands should make the necessary preparations but, on account of the time factor, the AIV does not consider it expedient to press for an intergovernmental conference at present.

A simpler way of amending treaties is by adding protocols to the accession treaties of new member states. These protocols too require ratification by all member states. The AIV considers this approach to be expedient only for minor, uncontroversial amendments to the founding



treaties, not for fundamental changes. After all, it could be regarded as lacking in transparency and as a backdoor attempt to avoid an intergovernmental conference and the associated public debate. It would also entail great risks because, by exercising a veto, a member state could frustrate both the reform process and the accession process simultaneously. Without completely discounting this option, the AIV would point out that the current treaties do offer scope for pursuing other options in order to reform the EU.

In this advisory letter the AIV focuses on immediately feasible and pragmatic steps that could make concrete improvements to the functioning of the Union. In alignment with the current discussion of reforms, the emphasis is on institutional reforms. Policy reforms have been largely disregarded.

The AIV's approach

The AIV examines reforms on the basis of two guiding principles: decisiveness and public support. By 'decisiveness', the AIV means the capacity of the EU to successfully tackle the strategic challenges facing the Union and its member states. This includes having the ability to take decisions in good time and to substantiate them properly, having sufficient capacity and resources and being able to pursue implementation in a decisive manner. Decisiveness does not require perfection but it does require an acceptable result. In academic terms, this is a matter of 'output legitimacy'.

'Support' is about 'input legitimacy': is decision-making democratic? Do citizens and their elected representatives have sufficient control over and support for the course being followed by the European Union? Here, too, the situation is not always black and white. The EU may be perceived as bureaucratic, technocratic and undemocratic even when national parliaments or the European Parliament have in fact been involved in decision-making.

The AIV would stress that both the results (output) and the way in which decisions are taken (input) are important factors in the EU's legitimacy. Greater European decisiveness is impossible in the long term without democratic legitimacy. And the other side of the coin is that a perfectly democratic Union that fails to deliver results will in the long term lose its lustre and its support. However, decisiveness and support do not always go hand in hand. Often in times of crisis, changes come to pass despite having had little support before. The Union's €750 billion COVID-19 recovery fund, financed on the basis of common debt, is a notable example. Over the course of the pandemic and the war in Ukraine, the EU became more effective, for example in its joint procurement of vaccines, gas and arms. But new instruments are often agreed in either the Council or the European Council, beyond the scrutiny of the European Parliament and with minimal involvement of national parliaments. Reforms could give rise to dilemmas, as explored in this advisory letter.

In preparing this advisory letter, the AIV first produced an overview of the reform proposals (see Annexe 1) and then spoke with 13 experts (see Annexe 2). In accordance with the request for advice, this advisory letter discusses, in turn, reform proposals in relation to the CFSP, the budget and the rule of law and concludes with five recommendations.



1. Reforms to the Common Foreign and Security Policy

Challenges

Since Russia launched its war of aggression against Ukraine and Trump's second administration took office, the European security order has been shrouded in uncertainty. Despite initiatives such as the establishment of the European Defence Fund (EDF), the Permanent Structured Cooperation (PESCO), the European Peace Facility (EPF) and extensive deliberations on strengthening the European pillar of NATO, the EU and its member states are not yet sufficiently able to defend their own borders and security independently without US assistance. EU leaders have called one crisis meeting after another to come up with a response to the changing world order. If the EU remains unable to get to grips with the situation, there is a risk that other major powers will take note and use it to their advantage.

EU member states, including the Netherlands, play a leading role in determining Europe's CFSP, within which decisions are taken by unanimity. The European Parliament, the Commission and the Court of Justice of the European Union (CJEU) play only a subsidiary role. The right of veto can obstruct and delay CFSP decision-making, which may also create the impression that the EU is wavering. Sometimes member states use their CFSP veto as a bargaining chip to pursue their national interests in other policy areas.

The dilemma is that, while making the CFSP subject to qualified majority voting (QMV) would increase the effectiveness of decision-making, it could at the same time erode support for that policy. Each member state, including the Netherlands, could be outvoted on international issues in relation to which they may have major national interests at stake. However, from a European perspective, there can be little decisiveness if one country is able to delay or thwart CFSP decision-making for the entire EU for illegitimate reasons by exercising (or threatening to exercise) a national veto. The question is: how should the balance be struck between decisiveness and democracy in the new world order?

Reform proposals

1. Changes to CFSP decision-making procedures

Switching to qualified majority voting as the standard procedure for decision-making within the CFSP would require a treaty amendment. Initiatives have already been pursued to this end, for instance by the Group of Friends on QMV, of which the Netherlands is a member.⁴ The Commission has also put forward various proposals.⁵ Yet thus far there has been insufficient support in the Council to introduce QMV for the CFSP. This could change in future as a result of international developments.

However, under the current treaty it is also possible for decision-making on the CFSP to take place by qualified majority: by means of a passerelle clause, or when mandated by the European Council, or when adopting a decision on a proposal of the High Representative (HR).⁶ Passerelle clauses (also known as bridge clauses) allow changes in certain policy areas to the EU decision-making procedures originally provided for in the treaties, for instance a change from



unanimity to majority voting. Using these clauses allows decision-making procedures to be changed without a formal treaty amendment and without altering the EU's areas of jurisdiction. However, applying the passerelle clause does require unanimity. Areas of the CFSP in which the Commission has previously proposed switching to majority voting are: sanctions decisions, the EU's position on human rights in multilateral fora, and civilian missions under the Common Security and Defence Policy.

To allow qualified majority voting, it is above all important that the Council (or European Council) formulates a clear joint mandate. Decisions pursuant to it can then be taken on the basis of QMV. These could for example be decisions imposing sanctions on individuals or decisions on broader issues. A joint mandate must be decided on unanimously but also requires political will and courage, since member states may be outvoted when it is implemented. The broader European interest must be clear in order to be able to explain to the public why, despite the potential loss of national control, majority decision-making may nevertheless be in the national interest. Member states will also have to make the effort to get involved in the preparation of policy proposals at an early stage; it is easier to exert influence at the outset than after the fact. That applies both to policy makers and to parliaments, which could step up their engagement by maintaining closer contacts with other national parliaments (by strengthening interparliamentary relations) and by deepening relations with the European Parliament. By switching to more majority decision-making in the CFSP, on the basis of an incremental approach and clearly formulated mandates, sufficient confidence and support for common policy could be built up in practice.

The consequences of a transition to QMV for the speed and effectiveness of decision-making must not be overestimated, however. There will still be several subjects on which the EU remains divided, even when decisions are made by QMV. Furthermore, when QMV is used each member state has the option of declaring that vital national interests are at stake and that decision-making must therefore be unanimous.

The AIV considers there is a quick win to be had by putting member states under a political duty in the Council to explicitly state their reasons for using the veto. Similar initiatives have been undertaken in other forums, such as the UN Security Council. A full explanation may encourage a public debate and thus give rise to political pressure to refrain from exercising the veto for illegitimate reasons.

Finally, decision-making under the CFSP could perhaps be strengthened through better and more extensive political preparations for decisions. The AIV has already advocated the establishment of a European Security Council to make preparations for decision-making among a smaller, high-level group. Although the issue has not been examined, making preparations for decision-making in a European Security Council could raise the pressure on other member states to agree to the decision. A similar dynamic also played out in the response to Russia's invasion of Ukraine: the sanctions were often decided on within the G7, thereby creating momentum for their acceptance in other forums.

2. Further steps in smaller groups

In the current era, which calls for both decisiveness and a united front, consensus will not always be achievable. For example, it is unrealistic to expect that the Hungarian government led by Prime Minister Viktor Orbán will agree to a common policy on Russia and give up its veto in this regard. Closer cooperation among a small group may be an option to enable a number of member states to go further and achieve more in areas covered by the CFSP. The downsides of such an arrangement are that it would actually highlight the disunity in the EU and that there would be no democratic accountability at EU level. The upsides are that steps could be taken



more quickly and that the parliaments of participating member states could lay down parameters and exercise scrutiny. It would be important in this connection for all member states to be free to join the group at a later stage.

Two examples of such closer cooperation are Schengen and, in the area of defence, PESCO (Permanent Structured Cooperation). The Schengen Agreement, under which border controls were abolished, started out as intergovernmental cooperation among five member states but now encompasses 29 countries and is enshrined in the Treaty on the EU. In relation to defence, all member states – with the exception of Malta – have now joined PESCO, enabling steps to be taken that previously seemed unthinkable. Enhanced cooperation within the EU does require a unanimous decision by EU member states (Article 329, paragraph 2 of the TFEU). Once enhanced cooperation has been established, only the participating member states will be involved in decision-making; other member states may however participate in the deliberations. Participation by a minimum of nine member states is required before enhanced cooperation can be facilitated by EU institutions (such as the Commission or the European External Action Service (EEAS)).

Cooperation among smaller groups also takes place in other ad hoc forms. For example, on account of Hungarian opposition, a decision on a position in relation to Israel was adopted in a statement by 26 member states rather than a common position by the Council.⁷ By opting for constructive abstention, member states can refrain from voting without blocking a decision. The member state in question is not obliged to apply the decision but may not actively obstruct it either. In other words: the abstaining member state accepts that the decision is binding on the EU.

Member states can also cooperate more closely outside the framework of the EU to shape their priorities for foreign and security policy. This requires the agreement only of the participating member states – and non-member states, such as the UK, Canada or Norway, may also take part. This is how member states are able to cooperate within NATO or as part of the Joint Expeditionary Force (JEF), for example. They can also participate on an ad hoc basis in missions for which the required majority does not yet exist in the EU. The Council has formalised this dynamic by making the EU the preferred option for certain missions, but at the same time underlining that coalitions of the willing (potentially involving other countries such as the UK) may also be relied on to pursue national and European security interests in a different manner.

3. External representation and coherence

A united front also requires a single 'face' representing the EU to the outside world. The question of who represents the EU is almost as old as the organisation itself. The European Council President, the High Representative, the European Commission President and government leaders of the large member states all have roles to play in this respect, while at times the rotating presidency plays a supporting role as well. Third countries sometimes take advantage of this profusion of potential EU spokespersons by ignoring or bypassing certain parties. The basic principle should be that the EU itself, not third countries, determines who takes the lead on external affairs. This may, of course, vary according to the particular subject or policy area involved. It is essential to ensure that EU parties are not played off against one another. That requires strong coordination and the European External Action Service (EEAS) must be given sufficient capacity to this end. More coordination among possible spokespersons, for example in the aforementioned European Security Council, could also help to establish a united front and a single point of contact.



4. Related instruments

The CFSP could also be supported by other EU external action instruments. For instance, the size of the European market is an important factor in the EU's appeal in the context of international relations. In recent years, thanks in part to active efforts by the Netherlands, various instruments have been introduced in trade and other related policy areas that contribute to achieving EU objectives, including the objectives of the CFSP. Decision-making in these areas usually takes place on the basis of QMV. Some examples are the European Chips Act and the Critical Raw Materials Act, aimed at reducing the Union's dependency on imports of certain raw materials; the Anti-Coercion Instrument, aimed at countering economic coercion; export controls on dual use goods; investment screening; and the Cyber Resilience Act, aimed at securing critical technologies and infrastructure. Instruments like these must be used actively and supplemented where necessary.

5. Coordination and decompartmentalisation

Taking a more integrated approach to external policy will also make demands of policymaking and political debate in the EU and its member states. There must be more connectedness between decision-making in different policy areas. The EU budget is not only about finances, but also about the Union's geopolitical clout in a fragmenting world. The new state of global relations and the associated challenges require a different kind of investment – and with it, a different debate. The Readiness 2030 white paper identifies the necessary investments and outlines an approach for developing an EU-wide defence market. Implementing these plans will require personnel and resources but, above all, a shared political will. More strategic coordination between EU commissioners, national policy ministries and parliamentary committees could also reinforce the geostrategic capacity of the Union and its member states. In the upcoming deliberations on the Multiannual Financial Framework (MFF), on defence, but also on other issues such as democracy and the rule of law, active consideration must be given to geopolitical aspects, since they have a fundamental impact on the EU's global position and reputation.

Dilemmas

The decisiveness of the EU in its CFSP would be strengthened by switching to decision-making by qualified majority. This could be achieved under the current treaties by means of passerelle clauses, a European Council mandate or a proposal by the High Representative. The treaties provide for an 'emergency brake' by allowing a veto to be exercised to protect vital national interests.

Switching to qualified majority decision-making will require broad public and political support. At national level, that support could be established by stressing the importance to Europe of qualified majority decision-making, despite the fact that the Netherlands could be outvoted in some areas. That, however, poses a challenge: views on geopolitical issues vary not only between member states but also within member states. Where there is no broad consensus for a switch to majority decision-making, member states, including the Netherlands, could take steps by working together in smaller groups, potentially including countries outside the EU, and in doing so maximise support among the participating countries. The Netherlands could also choose not to participate in such groups, but in such cases it would find itself on the sidelines. Finally, decisiveness comes with a price tag attached. Consequently, the Netherlands' approach to the EU budget will have to be reconsidered.



2. Reform of the budget

Challenges

The *Readiness 2030 white paper* presented by the Commission cites an amount of €800 billion as being needed to bring Europe's defences up to the required level.⁸ This amount will largely need to be funded by the member states but will in part also put pressure on the European budget. Mario Draghi has already sounded the alarm regarding the European economy and the need to invest in the defence industry. For a long time the economy was the catalyst for European cooperation but now substantial European investments are needed to cope with global competition. Compared with its competitors, the European economy is now characterised by a lack of economic dynamism, investment and innovation. Tech giants like Google and Microsoft, which are fundamental to many essential systems, are US companies. For now, China is the US's only competitor in the field of artificial intelligence. European start-ups are leaving the EU due to a lack of venture capital and talent and owing to the regulatory burden. For many years the European single market was the EU's trump card, enabling it to wield influence in the world. However, economic dependencies and a lack of dynamism could make the EU economically vulnerable to China, the US and Russia.

The lack of economic dynamism is also causing problems within the EU. Without sustainable long-term growth, government finances can neither be kept at the required level or grow to meet challenges. Spending more on defence, migration and the climate and energy transition, while government revenues remain at the same level, will leave less to spend on social security and public services. Demographic developments are also putting strain on the welfare state. Greater uncertainty and energy dependencies may drive up interest rates and inflation and reduce disposable incomes. In the meantime, it will still be essential to invest in cohesion. Without internal cohesion, the EU cannot build a credible geopolitical position. All of this will necessitate making difficult political choices.

In the EU there will need to be substantially more public and private investment. In order to encourage private investment, the European banking and capital markets union should be completed. As argued in an earlier AIV advisory report in 2023, a benefit of completing the European banking and capital markets union would be a stronger geopolitical role for the euro and the European currency union.⁹ More public investment will also be necessary. It is only through combined efforts that some investments can reach the necessary scale to be effective. Take for instance investments in defence, innovation, digital and physical infrastructure, the energy transition and greening. It would be illogical and ineffective for the EU to have 27 different national missile defence systems. In other words, this is about public goods for which national scale is too small and private investment falls short. This fulfils the subsidiarity principle: the EU does not act unless EU action offers added value.

If they pool their efforts, member states will no longer be free to decide on everything alone; they will have to make compromises and concessions on some points. However, in the new world order characterised by the economic power politics of the US, China and Russia, the costs attached to the other extreme – where the Netherlands decides everything itself but stands alone – would be considerably higher. The challenge is to find ways to make reforms that still give member states sufficient say over the expenditure of European funds.



Reform proposals

1. A bigger budget

Mario Draghi's 2024 report on European competitiveness shows that the EU's current budget is insufficient to meet the various challenges in the areas of defence, innovation, the climate and energy transition and infrastructure. Since the 1980s the EU budget has been fixed at one per cent of gross national income (GNI) but in theory it could be increased relatively quickly and easily if all member states, including the Netherlands, were to agree to this unanimously. In exceptional cases, it is possible to take decisions on the basis of the solidarity clause (Article 122 of the TFEU) without achieving unanimity. The COVID-19 recovery fund and the Ukraine facility increased the budget by 0.6 per cent of GNI, thereby setting a clear precedent for effective decision-making by EU national governments at times of crisis.

The budget could be increased by raising more own resources through a) higher contributions from member states; b) new revenue sources (such as the plastics own resource that has already been introduced); c) common debt; or d) making use of unspent funds of the European Investment Bank, from the European Stability Mechanism or from the NextGenEU COVID-19 recovery fund.

Raising EU contributions has historically prompted a great deal of resistance from a number of countries, including the Netherlands. Some parties characterise contributions to the EU as a zero-sum game: the money that goes to Brussels is necessarily at the expense of the money available for the member state itself. However, this interpretation misses the mark. Joint EU investments partially replace national investments that would have been necessary anyway and offer clear benefits of scale. National decision-making only takes account of the effects on the individual country and disregards other effects at EU level, which results in investments falling short of what is needed.

New sources of revenue for the EU are a sensitive subject, since the right to levy tax is inherent in national sovereignty and is regarded as an exclusively national competence. The introduction of new revenue sources would require unanimity in the Council (following consultation with the European Parliament) and ratification by national parliaments. Since the Treaty of Lisbon, some progress has been made on introducing new categories of own resources, such as the plastics levy. However, this progress has been slow and insufficient to meet the major challenges facing the EU.¹⁰ As a result of the pressure of current international developments, there may be more scope for taking steps in this area.

Finally, the money could also be borrowed. Since the COVID-19 recovery fund, the issuance of common debt in the EU has no longer been completely taboo. A debate about further common debt is inevitable. The pressure is rising rapidly, particularly in the area of defence. Mario Draghi, the Commission and others have already put forward proposals in this area. The Netherlands could apply the lessons learned from the experiences with the COVID-19 recovery fund by not adopting a rigid negotiating position and remaining on the sidelines of the discussion, but getting involved proactively in designing the joint funds. The AIV sees two Dutch interests in this connection. First, EU investments should focus on cross-border public goods that offer obvious added value. Second, clear agreements are needed on conditionality, supervision of expenditure and repayment of the loans. The European Court of Auditors has long been arguing for clarity about the repayment of the Recovery and Resilience Facility.



2. A budget focusing on European public goods and European objectives

At present 32 percent of the EU budget goes to natural resources (i.e. agriculture) and the environment and 34 percent goes to cohesion, resilience and values; together these items therefore account for more than two-thirds of the total. The second Von der Leyen Commission argued in its political guidelines for a budget that is more focused to align with EU policy. Budgets for EU member states will be linked to economic reforms and investments, following the example of the COVID-19 recovery fund.¹¹ Investments in internal cohesion remain essential but could be organised more flexibly. The Commission is expected to present its proposals for the MFF 2028-2034 in mid 2025.

The AIV advocates a restructuring of the budget by making a relative increase in investments in EU-wide public goods with significant cross-border effects, such as: cross-border IT infrastructure, innovation, cross-border energy infrastructure, joint procurement and stockpiles of critical raw materials, defence, border patrol and migration management, joint vaccine procurement, coordinating production capacity for critical drugs and joint innovation in the field of medicine. The key thing is that investments at EU level must offer added value. It is precisely such cross-border public goods that produce better returns at EU level than national level, and this benefits the Netherlands too. A stronger focus on cross-border public goods will require a timely debate in national parliaments about which objectives should be tackled using EU funds and with priority. It is essential for the Netherlands to contribute to that debate at an early stage.

3. A more flexible budget

The EU budget process is cumbersome. The framework for the budget – the MFF – is fixed for seven years. Under the current treaty that timeframe can be reduced to five years, allowing priorities to be reassessed every five years, making the budget more flexible and aligning the budget cycle more closely with the political cycle in the EU (the period between European Parliament elections and the period for which the European Commission holds office). This could increase political support for the budget. The downside is that negotiations on the MFF take a great deal of time and energy and that if the budget cycle is shorter, member states would be required to put in that effort more often. Such a change would also reduce planning certainty for the Commission, member states, the general public, businesses and other actors in relation to available EU funding. Nevertheless, the AIV is in favour of reducing the budget cycle to five years. The upcoming MFF negotiations would be a good opportunity to start this discussion.

4. Taking pragmatic steps towards a different way of decision-making

Decision-making procedures are clearly an obstacle to reforming the EU budget. Under the current treaty the unanimity requirement can be replaced in defined areas by qualified majority decision-making by applying the special passerelle clause provided for by Article 312, paragraph 2 TFEU. Applying such a clause does not require a treaty amendment but it does require unanimity. Particularly for the Netherlands, this is a sensitive area.

5. Cooperation in smaller groups

In the absence of unanimity, a last resort is working together in smaller groups. This form of cooperation can be organised gradually and in steps. For instance, at the time of the euro crisis, the first step was to set up an emergency fund: the European Financial Stability Facility. Not all member states participated in the facility. Only after the participating member states had gained sufficient confidence in the functioning of the EFSF as a result of experiencing it in practice over a period of time was it converted into a permanent fund: the European Stability Mechanism. In this situation too, if it proves impossible to cooperate within the framework of the EU because the conditions that apply to closer cooperation under the Treaty on the EU are not fulfilled, it would



be advisable to look for ways to cooperate outside the framework of the EU while at the same time maintaining the strongest possible ties with the EU. The AIV advocates a pragmatic approach. A start should be made: global developments call for progress, not perfection.

Dilemmas

Decisiveness requires funding. Given the major new strategic challenges facing the EU, an increase in its budget seems inevitable. This could be achieved by increasing national contributions, new revenue sources (new categories of own resources) or common debt. This will be essential in the field of defence in particular. A bigger budget is not a zero-sum game, making it easier to build support. Joint investments make national investments partially unnecessary and – when they concern cross-border public goods – produce better returns than national investments.

The Netherlands is not generally in favour of more funds for the EU. For that reason the Netherlands will want to prioritise European expenditure that demonstrably benefits the country. However, a joint geopolitical position also requires internal cohesion and therefore investment in poorer member states. The Netherlands could learn from the past. Adopting an overly rigid or insufficiently empathetic negotiating position could result in the Netherlands being sidelined in the discussion – as nearly happened in connection with the COVID-19 recovery fund. Although the Netherlands carries weight as a founding member and prosperous country, it is only one of 27 member states and accounts for only four percent of the total EU population. That limits its influence. Support in the Netherlands is therefore not vital for progress in the EU as a whole. The Netherlands could strive to make a constructive critical contribution to the debate and argue both for cohesion and for clear agreements on the expenditure of EU funds and the repayment of common debt.



3. Reforms to the rule of law and other EU fundamental values

Challenges

Democracy, the rule of law, respect for human dignity, equality and respect for human rights are the fundamental values of the EU (Article 2 of the TEU) and therefore essential to mutual confidence, solidarity and cooperation within the Union. Nevertheless, these EU fundamental values are under serious strain. From 2015 under its previous PiS government, Poland introduced a series of laws that imposed drastic restrictions on the independence of the courts. Hungary has restricted press freedom by bringing independent media under pro-government control and has also limited academic freedom, the independence of the courts and LGBTQI rights. Slovakia has tightened its grip on the courts by closing down the office of a special prosecutor dedicated to fighting organised crime and corruption. Although the most striking examples come from newer EU member states, the rule of law is under pressure in other parts of the Union too.

The undermining of EU fundamental values in other member states has a direct impact on the Dutch, for instance in cases where the freedom of Dutch journalists is restricted, the property rights of Dutch companies in other EU member states are not given impartial protection or Dutch consumers cannot obtain legal redress when defrauded in another member state. The undermining of such values has ripple effects in countless areas and therefore undermines broader European cooperation and confidence within the Union.

It also has consequences for the position of the EU on the world stage. Compliance with these fundamental values is one of the conditions for EU membership, but once a country has joined there is no guarantee it will fully adhere to the Copenhagen criteria. Around 90% of EU citizens agree it is important to respect these values.¹² The Union will also lose credibility if its member states fail to respect the fundamental values that they promote outside the EU. That will undermine the European model as an alternative to authoritarian regimes like China and Russia.

One obstacle in this respect is that EU member states prefer not to rebuke other member states. The instruments available for enforcing EU fundamental values have recently undergone extensive development, but nevertheless the Commission, the Council and member states have been insufficiently successful in protecting the rule of law.

Reform proposals

1. Article 7 procedure

The Article 7 procedure is the most serious instrument in the Union's toolkit for enforcing compliance with the EU's fundamental values. A member state cannot be ejected from the Union but it can be deprived of its voting rights. Regrettably, the Article 7 procedure is rarely ever used. Decision-making is subject to a high threshold: even initiating the first phase of the procedure, which focuses on dialogue and does not involve sanctions, requires a four-fifths majority of member states. Sanctions can only be imposed unanimously by the European Council, excluding the member state in question, which does not have a vote. Since the procedure can lead to the suspension of the member state's voting rights in Council, the procedure is regarded as a 'nuclear



option'. One possible explanation for the limited use made of the Article 7 procedure is that the Commission is unwilling to propose initiating the procedure for fear of failing to gain sufficient support from the Council. Member states are reluctant to vote to initiate the procedure or to take measures because they know that the procedure could also be deployed against them or because they fear the consequences for their bilateral relations with the member state in question. The European Parliament can request that the procedure be initiated, but cannot compel it. The power to initiate it lies with the Council.

Making changes to decision-making procedures or to the consequences of the Article 7 procedure would require a treaty amendment. There is no support for that at present. Securing such an amendment in the longer term will be difficult because those countries that most often face accusations would be certain to vote against it. It would be a quick win to make the procedure more transparent, for example for civil society organisations, in order to contribute to the debate, including in the member state concerned.¹³ This would require a change of approach and broad political will would be needed to achieve it. Some parts of the procedure require 'only' a four-fifths majority. The groundwork could be laid through intensive dialogue at high political level. Given its good track record in this area, the Netherlands could act as a driving force.

2. Rule of law dialogue and monitoring

The Article 7 procedure has been supplemented with an annual rule of law dialogue and monitoring cycle. This instrument too has its deficiencies, such as the extremely diplomatic language used by the Commission (again, for the sake of bilateral relations), which lumps serious and less serious breaches together. Under the rule of law mechanism, failure by member states to implement recommendations does not lead to sufficient sanctions (or sometimes to any sanctions at all).

Improvements could be made in this respect by delegating the monitoring of fundamental EU values to an independent body, such as the existing European Union Agency for Fundamental Rights (FRA). The FRA could be transformed into (or supplemented by) an agency with sufficient resources and a strong mandate. The new agency could – without any fear of undermining bilateral relations – monitor rule of law developments and make recommendations to EU institutions for appropriate measures to follow up on the monitoring and to uphold rule of law safeguards, for instance by initiating an infringement procedure or an Article 7 procedure. The prerogative to take enforcement action would remain with the EU institutions and member states. This would lower the threshold for taking action, since the assessment would be the responsibility of an independent agency and would therefore be made independently of bilateral relations.

3. Budget conditionality

Budget conditionality has thus far proved to be the most effective and visible instrument for enforcing rule of law safeguards in EU member states. There are three forms of budget conditionality: a) the Rule of Law Conditionality Regulation (No. 2020/2092); b) the Common Provisions Regulation; and c) the temporary COVID-19 recovery fund.¹⁴

The advantage of budget conditionality when compared with the Article 7 procedure is that decision-making requires only a qualified majority in the Council. Compared with the rule of law dialogue, budget conditionality has the advantage that failure to comply leads to immediate and palpable consequences for member states. However, a disadvantage of budget conditionality is that it is still not clear whether this instrument can be deployed under the current treaty in relation to other Article 2 fundamental values than the rule of law. Until now problems have arisen mainly in the area of rule of law but that could change in future. The way in which these instruments



operate financially also creates the impression that breaches of EU fundamental values can be 'bought off' or 'traded', which would be easier for richer member states to do. Suspending funds and resources could also lead to a dynamic in which nationalist government leaders brand their resistance to conditionality as a 'battle against blackmail by faceless, unelected Brussels bureaucrats'. In 2024 the European Court of Auditors made a number of recommendations for improving the functioning of budget conditionality by means of depoliticisation, such as introducing a technical and legal analysis for lifting conditionality.¹⁵

Not all EU funds are subject to budget conditionality. The upcoming negotiations on the next MFF open up a concrete opportunity for extending budget conditionality to other parts of the EU budget. Given the constructive role played by the Netherlands in the past in establishing budget conditionality, it would be advisable to continue to pursue this course. The emphasis should be on funds in relation to which adherence to common values is inextricably linked with the effectiveness of EU expenditure or where undermining core values would pose excessive risks to the EU as a whole, for instance funds related to strengthening Europe's defences and its defence industry (EDF, EDIRPA). When a member state fails to respect fundamental agreements, values and rights in the EU, there is a real risk that it will also fail to respect them outside the EU too. This would pose an unacceptable risk to the EU as a whole.

4. Enforcement through proceedings at the Court of Justice of the European Union (CJEU)

Under the current treaty framework, the Commission (Article 258 of the TEU) and the member states (Article 259 of the TEU) can initiate infringement/CJEU procedures against a member state that fails to fulfil an obligation under the EU treaties, including the fundamental values enshrined in them. Member states are obliged to comply with the judgment given by the CJEU in these cases. If the member state fails to comply, the CJEU may impose a lump sum or penalty payment (Article 260, paragraph 3 of the TEU).

In recent years, through its case law the CJEU has played an active and positive role in protecting the rule of law in EU member states. In doing so, it filled the void left by politicians – in the Council, European Council and Commission – who have barely made use of the Article 7 procedure and have performed the monitoring role inadequately. The CJEU can only play this role if cases are brought before it. Those cases may take the form of infringement procedures initiated by the European Commission or member states or requests for preliminary rulings made by the national courts. A recent report by the European Court of Auditors concluded that the Commission and member states are falling short in this area. Infringement procedures take too long and improvements need to be made to the monitoring of and penalties imposed on member states following CJEU judgments.¹⁶ Once again, both the European Commission and EU member states seem reluctant to jeopardise bilateral relations, partly for fear of the member state in question blocking decision-making in other areas (for example in the CFSP).

Bolstering the European Commission's legal and investigative capacity would be a quick win to help ensure that infringement procedures keep member states in line, knowing that potential infringements would be investigated and taken to the CJEU more quickly and effectively. It is also important to promote respect for the law by making EU legislation fit for purpose.

EU member states should also shoulder more responsibility themselves, by initiating procedures and lending political support to the Commission in its enforcement of EU fundamental values by joining infringement procedures initiated by the Commission. In a recent infringement procedure concerning anti-LGBTQI+ legislation in Hungary, 16 member states, including the Netherlands, got behind the Commission.



5. Further cooperation in groups of like-minded countries

The Netherlands could act as a driving force in many aspects of this subject area, for instance by putting the debate on respect for EU fundamental values on the agenda at the highest level, participating actively in monitoring and peer reviews as part of the rule of law dialogue, advocating a new mandate for the EU's FRA, striving to strengthen the Commission's investigative capacity to ensure faster and more effective infringement procedures, taking diplomatic measures itself or initiating CJEU cases and joining cases initiated by the Commission. Any such efforts by the Netherlands would come at a cost for bilateral relations with the member states in question. That is why it would be preferable to take broader action through groups of like-minded countries, such as the Group of Friends on QMV. Given its good track record and its interest as a trading nation in the strong and impartial administration of justice in relation to the EU single market, the Netherlands could act as a driver in this area.

Dilemmas

The EU – and specifically the Council, European Council and member states – have shown insufficient determination and perseverance in the enforcement of EU fundamental values, such as the rule of law. This is detrimental not only to the confidence of the general public, but also to the EU's economic potential and its credibility in the wider world. This will have to change, but support for a more rigorous approach cannot be taken for granted. Although the Union has sufficient instruments, there is a lack of political will to use them. Support for their use could be marshalled more effectively: by putting the rule of law on the political agenda at the highest level and having compliance with the rule of law monitored by a strong, independent agency with the required mandate, resources and staffing capacity. With political support from the member states, the Commission could then take enforcement action where necessary. The Netherlands could shoulder its responsibility by encouraging the debate (possibly in cooperation with like-minded countries), initiating CJEU cases itself and making an active contribution to the protection of EU fundamental values. Naturally, the Netherlands will also have to remain receptive to any criticism from other countries.



4. Conclusion and recommendations

The AIV – like many other advisors, commentators and analysts – concludes that the challenges facing the EU in the current geopolitical situation are enormous. Together the member states must build up a geopolitical position and substantially reduce their strategic dependencies (in defence, ICT, high-tech industries and critical raw materials). This will demand a great deal: strong political will, sufficient financial resources and internal cohesion based on broad agreement on Europe's course and on European values. In other words: decisiveness and public and political support. The EU can and must build on what it already has: a single market, in which 450 million people benefit from free movement of goods, services, persons and capital, and a community of values in which the rule of law is clearly embedded. The EU's open economy and the rule of law are precisely the two elements that make the European model attractive to the rest of the world.¹⁷

Reform: in search of new ways to cooperate

Reforms are essential. Muddling along with slow decision-making procedures that require consensus is not an option. However, in view of the urgency arising from international developments, there is insufficient time and probably insufficient support for treaty amendments. Fortunately, even under the existing treaties there is scope to take significant steps. Reforms to foreign policy, the budget and the rule of law should consist of three components:

- taking advantage of possibilities that already exist to speed up decision-making;
- closer cooperation in smaller groups inside or outside the EU; and
- greater involvement of member states and thus of national parliaments in the early stages of decision-making and the legislative process.

The role played by each component may vary from one policy area to another. It is not a matter of 'more Europe' or 'less Europe', or more powers or fewer powers, but instead of more effective cooperation and a more resilient Union.

Choices and dilemmas

All of this will require choices to be made and give rise to dilemmas: there will be heated debates in national parliaments if decisions are taken on the basis of QMV – decisions on which the Netherlands could potentially be outvoted. The same will apply when more money is needed for defence or other geopolitical tasks. Or when there is criticism from other EU member states of our policy and our democratic and rule of law institutions. The AIV would advise the government and parliament to discuss these dilemmas openly and transparently. Accept that greater decisiveness may come at the cost of eroding public and political support. In the long run, however, collective decisiveness could actually bolster support by delivering concrete results. Continue to make every endeavour to build that support by pointing to the overall benefits.



Dutch interests

With its open economy, the Netherlands has a disproportionately large interest in the continuation and strengthening of the European model. The Netherlands is deeply connected with the EU: by being embedded in Europe, the Netherlands has been able to build a stronger economy and our country is more resilient against Russian sabotage, Chinese espionage, US blackmail and large-scale cross-border crime. The Netherlands has an interest in a Union that is capable of being economically competitive and safeguarding its own democratic and rule of law fundamental values. In order to achieve these objectives, the Union must be resilient and determined, and use its considerable collective power in an effective manner to resolutely protect the security, welfare and liberty of its citizens.

The costs of EU reforms in the areas of the economy, defence and the rule of law will be substantial. However, those costs will be far less substantial than the considerable benefits that the Netherlands gains (and has already gained over a longer period) from EU membership. In addition, the costs are outweighed by the benefits of a stronger geopolitical Union. Together in the EU we are stronger, but that will require all member states, including the Netherlands, to make concessions in some areas. In the Netherlands too, every effort will therefore have to be made to work towards an effective and future-proof Union.

More specifically, the AIV has the following recommendations:

1. **Focus on smart reforms to the EU that will deliver greater decisiveness and democratic support.** In the first place, do this by making more use of the existing scope for decision-making by qualified majority. Try to reach consensus, but do not allow reluctant member states to obstruct or undermine cooperation. If it is not possible to take an effective decision at European level, contribute – in consultation with parliament – to closer cooperation among willing countries. Be flexible and use smaller coalitions to create the capacity for action and responsiveness.
2. **Work together to reshape the CFSP.** Shared resolve is needed to promote EU values and protect EU interests throughout the world. In this new world order, that shared resolve will have to be reformulated. Reducing Europe's vulnerability arising from one-sided strategic dependencies will require effective action and a search for a shared understanding with like-minded third countries, including the UK, in order to contribute to a sustainable, just and peaceful world.
 - a. Switch to decision-making by qualified majority under the CFSP where there is scope for this under the current treaty, starting with decisions on sanctions, the EU's position on human rights in multilateral fora, and civilian missions under the Common Security and Defence Policy.
 - b. Improve coordination and leadership in the CFSP by preparing decisions in smaller groups at high political level in a new European Security Council.
 - c. bolster the Union's external action by making use of related policy areas in which decisions are taken by qualified majority.
 - d. Where there is a lack of agreement, work together in smaller groups to enable steps to be taken more quickly and effectively, preferably within the framework of the EU but, if necessary, outside it. Ensure that these coalitions remain open to member states that wish to join at a later stage. Experience has shown that working together in smaller groups often helps to build much broader support in the long run.



- e. In the Union's external relations, continue to pursue coordination and agreement with other member states so that the Union and its member states are not played off against one another on the world stage.
 - f. Take a holistic and integrated approach by connecting the areas covered by the CFSP, the rule of law and the budget. A strong geopolitical position comes with a price tag attached. The external credibility of the EU will also require joint investment in and effective enforcement of the EU's fundamental values. Stable democratic and rule of law institutions are prerequisites for economic growth.
- 3. Invest in Europe.** Raise the necessary resources to enable the Union's strategic objectives to be pursued, and do so on the basis of both acute short-term problems and a longer-term vision.
- a. Accept that the EU budget will have to increase in the light of the new geopolitical reality and the associated strategic challenges in the fields of defence, security and strategic autonomy.
 - b. Reorganise the EU budget, placing more emphasis on investments in cross-border public goods such as defence. Do this in the broadest possible coalition. Remain open to diverse forms of funding, including an expansion of the categories of own resources (in other words, new revenue sources) and common debt. Be clear about how the supervision of expenditure is to be organised and how debts are to be repaid.
 - c. Continue to invest in the internal cohesion of the Union, partly with a view to the Netherlands' own interests. Increasing economic disparities between member states will lead to disruptions to the level playing field in the single market and raise the risk of fragmentation of the currency union. With its open economy, the Netherlands benefits from the single market and currency union and it is therefore in our country's interest to invest in cohesion.
 - d. Make it easier to adapt the EU budget to international developments by reducing the budget cycle to five years. The forthcoming MFF negotiations would be an opportunity to start this discussion.
 - e. Stimulate private investment and attract venture capital for new high-tech sectors by completing the banking and capital markets union. At the same time this will lay stronger foundations for a greater geopolitical role for the euro (AIV, 2023)
- 4. Protect the rule of law.** The European idea of liberal democracy is under pressure all over the world. The rule of law is at risk of becoming a 'unique selling point' offered only by the EU and a handful of like-minded countries. Any undermining of the rule of law will inflict reputational damage on the EU's relations with third countries that will be hard to repair. All too often, efforts to protect the rule of law in the EU are blocked by one or two member states.
- a. Ensure that the Council and the European Council shoulder their responsibility in safeguarding the EU's fundamental values by discussing rule of law issues in the EU at the highest possible political level. Don't leave it to the courts. Given its good track record, the Netherlands can be a driving force in these efforts.



- b. Have the EU Fundamental Rights Agency (FRA) support the European Council in this area by means of independent, expert-driven monitoring that is put on the agenda of and discussed in Council. To this end the FRA should be transformed into an agency with a strong mandate and sufficient staffing capacity. This agency should be instructed to propose any necessary interventions, for example on the basis of Article 7 of the TEU or in the form of an infringement procedure. The power to take enforcement action, for instance via CJEU proceedings, will remain with the European Commission and member states.
- c. Funding should be firmly cut off if member states fail to adhere to agreements on the rule of law and political interventions fail to yield any improvements. In the short term this instrument could be detrimental to joint decisiveness, but doing nothing will undermine the fundamental values of the EU in the long term and therefore also the capacity to work together and achieve results.
- d. Establish a group of like-minded countries that are jointly dedicated to the effective enforcement of EU fundamental values in order to increase the pressure on member states that undermine them.
- e. Ensure that the Netherlands lends political support to the European Commission when it takes action in the form of infringement procedures by joining those cases at the CJEU. If the European Commission declines to initiate CJEU cases, the Netherlands should do this itself, if necessary acting on its own or as part of a group of member states.

5. The Dutch Parliament should conduct a dialogue with the parliaments of other member states and with the European Parliament. This would help improve the quality of decisions and legislation and broaden support. Without broad support, an effective EU has no future.

Uncertainty can sometimes have a paralysing effect. However, the AIV sincerely hopes that the discussions on practical reforms can help ensure that the EU, through its fundamental values, its current treaties and its countless achievements, can be a force for good on the world stage.

Sincerely,

Bert Koenders
Chair



Annexe I

Since 2022, various reform proposals have been in circulation, aimed at enhancing Europe's decisiveness, sometimes with a view to the upcoming enlargement and at other times on the basis that reform is necessary in any case in view of the challenges described above. A number of proposals, for instance those put forward by the European Parliament, seek treaty amendments. Some proposals focus on improving how the EU operates. And others, such as the proposals of the Franco-German working group, take both approaches.

What follows is a non-exhaustive overview of the main reform proposals that are circulating for each policy area (CFSP, budget, rule of law). A distinction is made between those that do require and those that do not require treaty amendments.

Table 1. Reform proposals in CFSP policy areas

Reform proposal	No treaty amendment required	Treaty amendment required
Transfer of competences to the CFSP and introduction of QMV in almost all cases (with a few limited exceptions, such as the deployment of armed forces)		•
Gradual introduction of more QMV by making greater use of passerelle clauses	•	
Political duty to explain exercise of veto	•	
Measures to increase the acceptability of the possible introduction of QMV:		
• rebalancing QMV (in favour of smaller member states)		•
• requiring a supermajority (unanimity minus one) for the most 'sovereignty-critical' decisions		•
• opt-outs in new areas covered by QMV		•
• a 'sovereignty safety net'		•
Closer cooperation	•	
Stronger requirement to give reasons for constructive abstention	•	
Expanding the obligation of sincere cooperation to the CFSP and giving jurisdiction to the CJEU		•
Strengthening the role of the High Representative/EEAS	•	

Table 2. Reform proposals in EU budget policy areas

Reform proposal	No treaty amendment required	Treaty amendment required
Expanding the EU budget	•	
Replacing unanimity with QMV as regards the EU budget	•	
Replacing unanimity with QMV as regards EU budget including a sovereignty clause or rearrangement of QMV		•
Closer cooperation	•	
Expanding the categories of EU own resources	•	
Phasing out rebates	•	
<i>Ad hoc</i> common debt	•	
Permanent facility for common debt		•
Expanding the solidarity clause (Article 122 of the TFEU)		•
Modernising the EU budget (expenditure categories)	•	
Greater flexibility through a budget cycle of five years (less than five years would require a treaty amendment)	•	

Table 3. Reform proposals in rule of law policy areas

Reform proposal	No treaty amendment required	Treaty amendment required
Changing the Article 7 decision-making procedure by making adjustments to QMV, for example requiring a four-fifths majority instead of one vote short of unanimity		•
Introducing a deadline for decision-making on the Article 7 procedure		•
Automatic penalties under the Article 7 procedure		•
Greater role for civil society in the Article 7 procedure	•	
Bolstering the effectiveness of the rule of law instruments, for instance by means of penalties	•	
Strengthening supervision and applying the rule of law instruments more consistently	•	
Involving candidate member states in relation to the rule of law instruments	•	
Expanding the scope of budget conditionality from the rule of law to other funds	•	
Expanding the scope of budget conditionality to other EU fundamental values		<i>Dependent on future case law</i>



Annexe II

The AIV wishes to thank the following experts for their inspiration, involvement and special contributions to this advisory report:

- Roel Beetsma – Professor of Macroeconomics at the University of Amsterdam
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- Bart van Riel – Senior Policy Officer on Globalisation and Earning Capacity at the Social and Economic Council
- Leonardo Schiavo – former Director-General for Foreign Affairs, Enlargement and Civil Protection (RELEX) at the Council of the European Union
- Daniela Schwarzer – Member of the Executive Board of Bertelsmann Stiftung
- Eleanor Spaventa – Professor of European Union Law at Bocconi University
- Tom Theuns – Senior Assistant Professor of Political Theory and European Politics at Leiden University
- Ramses Wessel – Professor of European Law at the University of Groningen



End notes

- ¹ The AIV is aiming to publish an advisory letter on the security aspects of the altered transatlantic relationship before the summer of 2025.
- ² <https://www.adviesraadinternationalevraagstukken.nl/binaries/adviesraadinternationalevraagstukken/documenten/adviesaanvragen/2024/11/05/adviesaanvraag-eu-hervormingen/Adviesaanvraag+EU+Hervormingen+5-nov+2024.pdf>. Reforms in other policy areas are not addressed in this advisory letter, but could, upon request, be analysed at a later date.
- ³ <https://institutdelors.eu/en/publications/sailing-on-high-seas-reforming-and-enlarging-the-eu-for-the-21st-century>.
<https://www.europarl.europa.eu/news/en/press-room/20231117IPR12217/future-of-the-eu-parliament-s-proposals-to-amend-the-treaties>.
<https://data.consilium.europa.eu/doc/document/ST-16403-2023-INIT/en/pdf>.
<https://data.consilium.europa.eu/doc/document/ST-10411-2024-INIT/en/pdf>.
- ⁴ <https://www.auswaertiges-amt.de/en/newsroom/news/2595304-2595304>.
- ⁵ Communication from the Commission: 'A stronger global actor: a more efficient decision-making for EU Common Foreign and Security Policy', 12 September 2018. See: [COM\(2018\)647](#).
- ⁶ The passerelle clause for the CFSP is laid down in Article 31, paragraph 1 of the Treaty on European Union (TEU). Article 31, paragraph 2 of the TEU makes it possible to switch to QMV on the adoption of proposals of the European Council or High Representative.
- ⁷ <https://www.ft.com/content/88dd9521-30c0-475f-b635-3d04190b82e4>. Hungary blocks EU appeal for Israel not to strike Rafah (euobserver.com).
- ⁸ https://defence-industry-space.ec.europa.eu/eu-defence-industry/white-paper-future-european-defence-rearming-europe_nl.
- ⁹ AIV (2023). Advisory report: The Euro on the World Stage: the International Role of the EU's Currency from a Geostrategic Perspective.
- ¹⁰ New EU 'own resources' needed for new challenges (socialeurope.eu).
- ¹¹ EU regional representative against Commission's draft plan to centralise next €1.2 trillion budget | Euronews.
- ¹² Special eurobarometer 533 (juli 2024).
- ¹³ For a more detailed discussion of the role of civil society, see the AIV advisory report 'Shrinking Civic Space: Liberty and Security Under Threat', AIV advisory report' (2025).
- ¹⁴ <http://eur-lex.europa.eu/legal-content/NL/TXT/?uri=CELEX:32021R1060>.
- ¹⁵ Special report 03/2024: The rule of law in the EU | European Court of Auditors.
- ¹⁶ Special report 28/2024: Enforcing EU law | European Court of Auditors.
- ¹⁷ Ash, T.G., I. Krastev en M. Leonard (2023). Living in an à la carte world: What European policymakers should learn from global public opinion, *ECFR policy brief*.

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