

European Ideas Network
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Brexit and EU Treaty Reform: A Window of Opportunity for Constitutional Change?

Prof. Dr. Federico Fabbrini

Introduction

- **Purpose:**
 - > focus on the EU (not the UK)
 - > law (rather than politics) perspective
- **Argument:**
 - > Brexit forces constitutional changes
 - > window of opportunity for EU reform

Structure of presentation

- I) **Constitutional change:** amendments to EU treaties and other quasi-const. acts
- II) **Constitutional proposals:** blueprints for reform advanced since euro-crisis
- III) **Constitutional challenges:** obstacles & incentives toward a grand bargain

I. Constitutional change

1. Amendment to EU treaty: Art. 52 TEU
 2. Amendment to European Council
Decision on composition of the EP
 3. Amendment to Rules on the financing of
the EU (MFF + Own Resources)
- > complex revisions + difficult negotiations

II. Constitutional proposals

- Blueprints Economic & Monetary Union
- Debate on the Future of Europe
 - 4 Presidents + 5 Presidents reports
 - EP Resolutions + Commission papers
 - Member states + Rome Declaration
- > new: governance + fiscal capacity

III. Constitutional challenges

- Obstacles: legal + political
- Incentives: push for Pareto-optimality
- Back-up option: multi-speed integration
 - Benelux states + Versailles Group
 - Model: Fiscal Compact 2012
- > possibility for constitutional moment

Conclusion

- Brexit compels member states to adapt EU at 27 – whether they like it or not!
 - Withdrawal of populous & wealthy state creates need for a grand bargain
- > window of opportunity to overcome stasis and implement needed EU const. reforms