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European Council Summit



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A pivotal summit of the European Council took place yesterday and today in Brussels. The most important discussions on migration and relocation started past 8 PM yesterday and finished at 4:30AM, after what has been described as one of the most gruelling and intense negotiating sessions in recent Council history. Poland's Prime Minister hailed the new consensus on migration as a success of the V4: "We spoke in one voice [and] convinced others of our reasoning".

There were several important variables at this Summit. German Chancellor Angela Merkel was pushed by her coalition partner Horst Seehofer, who demanded migration policy solutions before the end of June. Otherwise, in his capacity as Interior Minister, Seehofer threatened to close German borders from migrants. This gave the opportunity to the Italian government to get more concessions for the refugee allocation system reform. The new ruling coalition in Italy rose to power mainly due to its criticism of the current refugee relocation system.

The new Italian Prime Minister Giuseppe Conte came to Brussels to play hardball and reportedly he was responsible for delaying talks. While European commentators feared resistance from the Visegrad Group countries – Poland, Hungary, Czechia, and Slovakia – ahead of the Summit, it was Italy that blockaded talks. The tentative deal will see new centres for housing and processing asylum seekers and a series of other steps that are to be done voluntarily by member states. Commentators are already criticizing leaders for Council conclusions which offer a list of underdefined terms. As political consensus was difficult, the actual results appear to be murky, but at least they have created a basis for diplomats and ministers to work on.

The issue of sanctions on Russia was also touched upon, but without major developments. Leaders agreed to extend, by half a year, the sanctions placed on the Russian Federation due to failure to comply with the Minsk Agreements regarding the ongoing conflict in Ukraine. Brexit negotiations were touched-upon quickly during the Summit, with no major breakthroughs but voices of discontent from European politicians directed at PM Theresa May. Notably, in an op-ed for this morning's edition of the Guardian, liberal MEP Guy Verhofstadt criticized the UK for their approach towards Poland: "Determined to keep the likes of Hungary and Poland sweet in an attempt to split Europe for the purposes of Brexit, the British government is inadvertently being complicit in the decline of the democratic institutions it helped to build in central and eastern Europe after the fall of communism".

Hungarian Prime Minister Viktor Orban stated that V4 countries succeeded during talks on migration issues. Polish government representatives and PiS party politicians stated that Poland's diplomatic efforts in the past few months have brought results, contrary to what the opposition has been saying. Prime Minister Matuesz Morawiecki stated, following the agreement on relocation, that Poland's arguments have been recognized and that the deal is good. He added that "we have strengthened our position in the negotiation process, even in the future". The opposition, however, argued that it was the diplomatic efforts of Council President and former Polish PM from PO, Donald Tusk that broke through the negotiation deadlock. This will be important in the upcoming election season where both sides – the ruling PiS and the opposition PO – will seek to assign the migration consensus to Morawiecki (in the V4 context) and Tusk respectively.

Additionally, Italy's strong position has now allowed states such as Poland and Hungary to argue that it is not only new member states from Eastern Europe that are undermining the Franco-German consensus in the EU. While ruling party politicians and some media outlets painted the new Italian government as a new potential ally of the V4, the Italian position is not so clear cut. Italy's Undersecretary for Foreign Affairs Manilo Di Stefano argued that the V4 has "a lot of rights from the EU (and) they need to pay some duties sometime". Di Stefano was referencing the fact that the V4 has resisted taking in asylum seekers. Still, it is likely that the Polish Foreign Affairs Ministry will attempt to open new channels with Italian authorities to seek more areas for cooperation.

Rule of Law

According to sources in Brussels, on Wednesday the European Commission gave the go-ahead to First Vice President Frans Timmermans to initiate infringement procedures against Warsaw. This could result in suit against Poland to the EU Court of Justice. The step is taken directly in reference to a judiciary reform law taking power next week in Poland. According to the new law, a new retirement age of 65 has been set for Supreme Court judges, which would mean that currently-serving judges could be dismissed as of next week. On Thursday, PM Morawiecki argued that the Polish government has kept its word in negotiations with Brussels and that there would be no further backing down from judiciary reforms. Indeed, some commentators are arguing that for the Commission, the dispute over Poland is becoming more about politics and approaching elections rather than principles. Supposedly, the Commission was not able to gather enough votes from member states to move further in the Article 7 procedures, and so a new front in the Warsaw-Brussels dispute will be opened at the Court of Justice. Still, initial expert commentary is suggesting that a ruling against Poland is not likely, and that the step is meant to stretch out actions against the Polish government.

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