

“Passion for Europe” (La Pairelle, 2023)

The European past, present and future: an experience of transcending boundaries

[Extract from the Program]: *“A series of crises pose a significant challenge to Europe and the world, today - the war in Ukraine, the energy crisis, disruptive technological developments; and in a longer term: climate change, migration, the discord of nations. So far, European integration has produced a long period of peace and prosperity in the European Union. Rooted in European History, the founding fathers’ vision of Europe was based on Christian values such as solidarity, subsidiarity, personalism.*

Pope Francis has called for ‘memory transfusion’ entailing to rediscover a Christian inspiration for Europe, also as a trustee of the universal common good. The growing interdependence of nations requires cooperation and trust, hence places of dialogue in which divisions, both between nations and within nations, can be overcome.

Passionate about the European project, and looking to the future with hope, we propose to consider transcending boundaries, as experimented in border regions and European networks; and to discuss visions for the future of Europe, our common destiny, leading to the possible revision of the European treaties based on Christian inspiration.”

The European past, present and future: an experience of transcending boundaries

Keynote speech by Daniel Calleja

Check against delivery

I. INTRODUCTORY REMARKS

It is a real pleasure to participate in this conference and to have the honour to intervene on such a fascinating topic: **“The European past, present and future: an experience of transcending boundaries”**.

Dear Marie, many thanks for having invited me to this important event. My intervention will be based on the experience of a Commission official who came to the European institutions in 1986 attracted by the values of democracy, prosperity and solidarity and has occupied many different positions in the legal and economic areas (transport, energy, **internal market** and environment), including my present position as Director general of the Legal Service which is entrusted to defend EU law and defend the Commission accordingly.

Indeed, I firmly believe that the experience of the European Project is an experience surpassing boundaries – geographical, economic, and even spiritual, which can be a source of inspiration in a world overtaken by crises, which is increasingly instable, multipolar and disruptive.

I will illustrate this by looking both at the PAST and the PRESENT of our Union, which show constant and ever-closer integration, even during the turbulent times of the unprecedented crisis which we have recently experienced.

I will then share with you my reflections on what has enabled this process of continuous integration and what stands at the core of our unity. I will conclude with how I see this process going forward, turning to our FUTURE.

II. OUR PAST

Let me start by looking at how the process of Union integration began nearly 70 years ago.

I would like to recall here the visionary words of Robert Schuman who on 9 May 1950 said:

*“Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create **a de facto solidarity.**”*

It was on the basis of this principle that six European countries (France, Italy, Germany, Belgium, the Netherlands and Luxembourg) signed the Treaty of Paris (of 1951), which created the European Coal and Steel Community. The Treaty established a High Authority (which later became the European Commission) to steer and manage jointly coal and steel.

At that time, the choice of coal and steel was highly symbolic: in the early 1950s they were vital industries, the basis of a country’s power.

So, the European Project started to transcend boundaries between the European countries and to create solidarity via economic integration standing at its core.

Yet, **the vision behind that Project was much bigger and much more powerful than just economic integration.**

The idea was – by making national economies inter-dependent – **to preserve peace** in Europe after a period of devastating and successive wars, so that the great tragedies Europe experienced could never happen again.

This intention is clear from the very preamble to the Paris Treaty, which I always quote:

The founding members were “... *DETERMINED to create, by establishing an economic community, the basis for a broader and deeper community among peoples long-divided by bloody conflicts; and to lay the foundations for institutions which will give direction to a destiny henceforward shared.*”

So already at the very origin of the European Union the determination for a common future built on peace: **Peace as the common ‘destiny’ of Europe** stands.

And this essential purpose of the European Project is strongly linked to Christian **values** and peace as a fundamental value.

Of course, **the Law** has been a powerful tool to achieve the policy vision: European Union law has allowed to make the integration in the Union broader and deeper.

Walter Hallstein, the first President of the European Commission once said:

“The Community is not merely a creation of law. There is virtually no other holder of public power that is, like the Community, exclusively dependent on law in order to carry out its functions. The Community has no administrative infrastructure, no direct power of coercion, no army and no police. Its only tool, its only weapon, is the law that it establishes.”

During 70 years of EU law, through several successive Treaties, the Union has extended its competencies and membership from the original Member States to the present 27. All this happened because of EU Law.

From the creation of the Single market, through the deep integration in energy and transport matters, to managing a common budget, integration in social matters and taxation, external relations, justice and home affairs, a common foreign and security policy. There is hardly any area of our everyday life which is not regulated or at least strongly impacted by EU Law today, as we have described in the **Legal Service book “70 years of EU Law”**.

And all of this was made possible by establishing institutions, to which you confer competences from the member States (in many cases on an exclusive basis).

And the **concrete examples of how EU law has allowed in these 70 years to transcend boundaries in Europe – boundaries across countries and across people** – are numerous. Let me mention just a few:

- The right of **free movement**, the first right to have been created by the Treaty of Rome, is the very cornerstone of European integration. The gradual phasing-out of internal borders under the Schengen agreements was followed by the adoption of EU rules on the right of EU citizens and their family members to move and reside freely within the EU. Union law created the notion of EU citizenship, with a very concrete set of rights attached to this status.
- Now **goods, persons, services and capital** can all move freely within the Union. People can live, work or study in another Member State,

benefiting from non-discrimination and social rights, protected under EU law. And think of the ERASMUS programme which has created in Europe a truly European ERASMUS generation (1 million **babies** this year!) Companies can invest across borders and free competition is enshrined in our Treaties.

- Our **Cohesion Policy** underpins European solidarity. It provides special care and investment tools to territories to address specific issues. For example, the Union supports cooperation across borders through funding projects ('Interreg'). These projects **bring regional and local governments together** to share innovative and sustainable solutions to regional development challenges.
- Our **development policy** enshrines cooperation with third countries, economic, financial and technical, including humanitarian aid and the treaty (Art. 208) explicitly refers to the reduction and even "**the eradication of poverty**" and to take into account UN objectives. The Union's operations on humanitarian assistance aim to provide ad hoc aid and relief to third countries victims of natural or manmade disasters (Copernicus).

All these policies embody fundamental Christian values: equality, solidarity, cooperation.

Jacques Delors used to say that the European project was based on:

- Cooperation which strengthens
- Solidarity which united
- Competition which stimulates

If I turn now to our PRESENT, it shows that this integration is only growing further.

III. OUR PRESENT CHALLENGES

Let me turn now to the PRESENT, and allow me to stress out two points, which I think are important to keep in mind.

1. First, our determination to advance the European project has never been stronger.

In fact, upon taking office at the end of 2019, this Commission put forward a set of unprecedentedly ambitious goals for Europe's future: climate neutrality by 2050, making the 2020s Europe's Digital Decade, and making Europe stronger in the world with a more geopolitical approach.

And I can illustrate this, with just one example: **the green transition.**

Climate change is a reality. And that is why the European Green Deal was adopted by the Commission in its first 11 days in office, an absolute time record. In its Encyclical Letter "LAUDATO SI" Pope Francis, for the first time going back to the Bible ("TAKING CARE OF THE COMMON HOUSE"), underlined the link between the environment and Christianity. We are facing simultaneously four ecological crises:

- biodiversity (alarming loss of species)
- climate (global warming)
- pollution (destruction of habitats, soils, seas and oceans)
- overexploitation of resources (we only recycle 12%)

The Green Deal sets out a clear priority to make Europe the first climate-neutral continent, become a world leader in the circular economy, eliminate pollution, protect biodiversity and mobilise finance for the green transition.

And by doing so, we want to lead the world in this direction, which is also a moral one. António Guterres just warned in United Nations General Assembly 2 days ago: “The world is on a highway to climate hell.”

A major milestone in implementing the European Green Deal was the adoption of the European Climate Law. Climate neutrality in Europe by 2050 is now a legally binding target that can be enforced by our Union and in court.

In fact, with the development of legislation on green transition, we are witnessing now how "**Climate Justice**" is gaining traction in the Union, international and national courts alike.

Next week I will be going to the European Court of Human Rights to plead on behalf of the Union a most interesting case: **Duarte Agostinho**: a case where the applicants allege that all EU Member States and other Council of Europe member States have failed to adequately address the climate emergency. The Commission, on behalf of the Union, defends the EU climate action which is by far the most ambitious one globally.

Such legislation and jurisprudence would have been unthinkable 10, even 5 years ago. And even more, to have European citizens mobilised to seek climate justice is an unprecedented development, empowering them to act to defend their rights to a clean and sustainable environment.

At the same time, we must acknowledge that it is not only the level of ambition that characterises the PRESENT of our Union. It is also the unparalleled challenges it has been faced with. And this brings me to my second point:

2. (Second), The magnitude of the challenges our Union has faced have never been bigger.

In fact, it became evident soon after this Commission took office, that it would have to face extraordinary conditions and operate under an almost permanent "emergency mode".

The pandemic

When we thought that through the **Brexit** talks, our economic relationship with the UK was the most delicate matter to handle, the **COVID-19 – a global health pandemic** – broke out. It made clear that an unparalleled health and economic crisis was looming in Europe.

During the Covid-19 crisis the Commission played a leading role in the health area. The contracts on vaccines which the Commission concluded on behalf of the Member States allowed for a coordinated Union response that saved lives: **all 27 Member States received the vaccines on the very same day**. This would have been impossible if the Member States were not acting united in a spirit of solidarity: we could not have in Europe first- and second-class citizens depending on the capacity of the Member States to acquire vaccines. It was clear that we needed a common European approach and only the Commission could implement it.

In addition, the establishment, upon Commission proposal, of the EU Digital Covid certificate allowed for safe travels and was used even by countries outside Europe -by a total of 60 countries worldwide-. It has become the World Health Organization (WHO) standard for future pandemic crises.

In the aftermath of the pandemic and the related **economic crisis**, the Union also put forward an innovative recovery plan – New Generation EU, which offers grants and loans to support reforms and investments in the EU Member States for a total of €723.8 billion. This legal instrument is an unprecedented

effort of solidarity by using the EU budget as a guarantee for the borrowing done by the Member States. (It has been termed as a HAMILTONIAN MOMENT for the EU).

The war

And then, after more than a year of successfully fighting the pandemic and mobilising the necessary financing of the Union, in February 2022, **Russia's military aggression against Ukraine** started. And it became clear that we had to face a war, a real war, with all its horrific consequences, for the first time in decades, right at the Union's borders.

The war had major consequences on migration, energy, food chains and many other aspects of our daily lives. For example:

- We had to react swiftly to the **migration** challenges, by activating the **Temporary Protection Directive** for persons having fled Ukraine.
- The Commission also proposed an unprecedented **financial support package** for Ukraine of up to €18 billion for 2023, and a dedicated Facility to support Ukraine's recovery, reconstruction and modernization.
- The Union adopted a series of emergency measures in **energy** (6 Regulations) which played an essential role in keeping energy prices down during last winter and ensuring secure supplies.
- We established the EU-Ukraine Solidarity Lanes, so that when the Black Sea route was closed, **grain** could be exported from Ukraine through alternative routes via rail, road and inland waterways.
- The Union also showed unprecedented unity in our external relations by adopting – unanimously – eleven packages of **restrictive measures** against Russia.

The list of actions can go on and on.

But what do all these developments actually show us?

Let me share here some reflections on WHY such unity has been possible?

What has enabled us to respond adequately, to stay strong and to stay united?

IV. WHAT is it that HOLDS US TOGETHER?

(1) Some may say all this has been possible, as I was saying, because our Union is a Community of Law. And I would very much agree. Even the few examples I mentioned show that our Union can take appropriate and prompt legal action in response to very serious crises. During those crises we had to find legal solutions to problems we have never encountered before, and we always succeeded to do so. And all of this was done under the existing Treaties and in full compliance with them.

(2) Others may add that it is the political will and determination of the Union leaders that played a central role during those difficult times and drove us forward. And I would agree that this has been crucial as well.

I do not deny both positions: you need both political will and appropriate instruments to deal with crises.

(3) Yet, I believe there is something even deeper that stands at the very core of our unity – and these are our Common Values, which are enshrined in our Treaties.

Let me recall here what **Article 2** of the Treaty on European Union provides:

“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the

rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.”

And as the **Preamble** to the Treaties tells us the “*the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law*” “*have been developed*” “*drawing inspiration from the cultural, religious and humanist inheritance of Europe*”.

And if I quote the German version of the Preamble of the Charter of Fundamental Rights: “**In dem Bewusstsein ihres geistig-religiösen und sittlichen Erbes**”.

Nowadays, nothing illustrates better the importance of these values in Union law than a recent seminal judgment of the Court of Justice, let me quote:

“these values “are not merely a statement of policy guidelines or intentions”, but “an integral part of the very identity of the European Union as a common legal order”.

Those values are our inheritance, our very identity as Europeans and – I also believe they represent a solid basis for our FUTURE.

V. OUR FUTURE (CONCLUDING REMARKS)

So, to conclude, let me share now some remarks about how I see our future.

The crises and challenges we are facing may not stop.

We are living through turbulent times with unpredictable political developments, war at the doorstep of Europe and millions of people in Europe and around the world experiencing serious economic hardship, climate change, migration crises and global instability.

There is a serious risk that the European values which have been the basis of global international relations are questioned and lose ground. Economically, in 1990 Europe represented 25% of world GDP. In 20 years, it will be just 11%. This loss of economic influence should not spill over to other fields.

I believe that in such a moment the unity and the resilience of own Union rests upon **adhering to our values more than ever and projecting them to the world**. They should guide not only our legal and policy actions, but also our **deep conviction as human beings**.

In its recent speech on the State of the European Union, President Ursula Von Der Leyen made a strong emphasis on the need for Europe to answer the call of history.

History is calling us to complete our union. In a world where size and weight matter, it is in Europe's strategic and security interest to complete our union. A union with 500 million and 30+ Member States living in democracy and offering young people opportunities transcending boundaries and respecting Fundamental Rights and Rule of Law. This is why the Commission will extend the Rule of Law reports to accession countries, to ensure that our future is a union of freedom, rights and values for all.

These values are at the real heart of our Union, which has brought people and countries together and has allowed us not only to transcend geographical and economic boundaries, but also to stay connected and to stay united, in spirit.

And it is very easy to see how these values are very much anchored in the **Christian values**.

Let me illustrate this by just one example – **solidarity**, with which I started, and to recall here what Pope Francis has told us about solidarity as a value:

“Solidarity, as a moral virtue and social attitude born of personal conversion, calls for commitment on the part of those responsible for education and formation”.

So, solidarity “calls for commitment” “on the part of those responsible”.

If we all remember and live by this guidance in all spheres of our lives as citizens and in our professions, but above all as humans – this is how we can show a real determination for Europe, our real “Passion for Europe”.

A Europe firmly grounded on our Christian values remains the best guarantee of stability, prosperity and solidarity to attain the sustainable development of the whole world.
