



## IN THIS EDITION

The first edition of A Path for Europe's monthly EU Update highlights the key developments that occurred across the EU in April.

The **EU Foreign Affairs and Security** section highlights how the current situation has not only sparked calls for stronger multilateral cooperation within the EU, but how the EU has continued to support its neighbour states and efforts to maintain international peace.

The **European Law** section covers some of the discussion points arising from Member States' use of 'state of emergency' powers in response to the COVID-19 crisis and the current infringement procedure regarding the Polish judiciary reforms.

The **Finance, Trade and (Digital) Internal Market** section provides an overview of EU spending in response to COVID-19 and the conclusion of the EU-Mexico Trade Agreement.

The **Migration** section summarises the relocation of unaccompanied migrant children to EU Member States and the current situation regarding asylum seekers attempting to reach European shores from Libya.

Finally, the **Environment** section discusses some of the opportunities for progression towards EU environmental reforms arising from current crisis.

Overall, this issue demonstrates that although the impact of the COVID-19 pandemic has been widely felt across the EU, it has not entirely halted progress on EU policy initiatives.

May 2020

## EU Foreign Affairs and Security

Linda Latifaj

In the last month, as the world has battled against a common enemy in COVID-19, the European Union has voiced the need for stronger multilateral cooperation, now more than ever before. April 24 was marked as "[The International Day for Multilateralism](#)", calling for greater collective action and solidarity to tackle this current pandemic, and future global challenges. As countries and world organisations work together in gathering necessary funds and resources to fight this pandemic, many European countries have introduced restrictions on non-essential travel and the [European Commission](#) recommends these measures stay in place well into May.

The EU has remained resilient in their measures to assist not only Member States during this time, but also neighbouring countries in the Western Balkans, the Middle East and Northern Africa. Existing funds have been [reoriented to be made available for issues directly related to COVID-19](#); roughly €6.5 billion has been allocated to the African continent, with an additional €194 million to support the [Sahel](#); another €3.07 billion for Europe's neighbouring countries in the Western Balkans, Eastern Partnerships, and the Southern Neighborhood.

Additionally, the Union has reaffirmed their European perspective in the Western Balkans by continuing EU accession plans with [Albania and North Macedonia](#) who have been given the green light on opening negotiations, the next step in their path to the European Union.

The Union has also continued their efforts in maintaining international peace and security around the world. Recently EU member states announced a joint declaration with [the G5 Sahel countries](#), committed to the security and development of the Sahel. In Libya the EU has allocated [additional funds for the Libyan Coast Guard](#) and to aid in the fight against COVID-19, as a [joint press release](#) featuring EU High Representative Josep Borrell, French Foreign Minister Jean-Yves Le Drian, Heiko Maas of Germany and Luigi Di Maio of Italy, call for a humanitarian truce in the conflict-stricken nation.



## European Law

Oliver Pollakowsky

While Member States begin to loosen lockdown restrictions, governmental actions have led to constitutional concerns. At the same time, the European Commission has demonstrated the consequences for states that infringe EU law by opening an infringement procedure against Poland.

### COVID-19 and constitutional law

The pandemic has led to [extensive debates](#) on constitutional questions. [More than half](#) of the EU's Member States have announced a state of emergency, granting governments the power to rule with less democratic control and to pass legislation and directives that affect fundamental rights. The [first](#)

[courts](#) have already declared some governmental reactions to the crisis as incompatible with constitutional law. The pandemic has also raised questions on [EU's health emergency power](#) to tackle current and future pandemics.

### Rule of Law: Infringement procedure against Poland

On 29 April 2020, the Commission formally [launched](#) an infringement procedure against Poland. The procedure is aimed at safeguarding the independence of judges in Poland. It is already the fourth infringement procedure in connection with the Polish judiciary reforms passed by the majority governing Law and Justice Party (PiS). According to the Commission, the new law "undermines the judicial independence of Polish judges and is incompatible with the primacy of EU law". EU law experts have [criticised](#) the Commission for not taking action earlier. The Polish government now has two months to reply. The question will most likely be decided by the European Court of Justice.

### Outlook

The pandemic will shape constitutional debates for months, if not years, to come. It will also lead to a series of court rulings that will clarify how states can respond to a health crisis in light of constitutional rights. Further, the pandemic will reset the agenda for the Conference on the Future of Europe by [bringing public health into focus](#). The debate on emergency powers is only just beginning.



# Finance, Trade and (Digital) Internal Market

Elise Racine

As the COVID-19 pandemic has spread, Member States have had to adopt a number of measures to limit the virus' transmission. These include temporarily shutting down businesses and limiting the free movement of people. Such measures have led to contractions in the level of economic output, household spending, investment, and international trade. While the full extent of the pandemic's economic fallout remains to be seen, what is clear is that this major exogenous supply-demand shock will have significant consequences for the European Union. The European Commission recently published a [report](#) detailing the coronavirus' impact on global and EU trade, which predicted that the current crisis will result in a decline of 9.2% in EU exports and 8.8% in EU imports from third countries in 2020. The manufacturing sectors have been particularly affected, largely experiencing export contractions above 10%.

The EU has taken a number of actions to help mitigate these negative socio-economic consequences and aid recovery. On 28 April 2020, for example, the Commission adopted a [banking package](#) with the goal of facilitating lending to households and business. While Member States have struggled to agree on the structure of an economic recovery program, they have endorsed a [short-term rescue package](#) worth more than a half-trillion dollars. The package includes €200 billion for the European Investment Bank to lend to companies and €240 billion in cheap credit to be made available through the European Stability Mechanism bailout fund. In total, the EU's fiscal response to the pandemic amounts to €3.2 trillion, the largest in the world.

The Union has remained committed to ensuring that any coronavirus trade-related measures are targeted, proportionate, temporary and transparent. In an effort to uphold said transparency, the European Commission [informed the WTO](#) of a new set of coronavirus initiatives on 27 April 2020. These measures are part of vital attempts to meet Member States' needs during these difficult times and include [new Commission regulation](#) adjusting the export authorisation scheme for personal protective equipment (PPE), a [temporary framework](#) for State Aid measures to enable Member States to further support the economy in the wake of the pandemic, and [guidance](#) to Member States regarding foreign direct investment and the free movement of capital from third countries. The EU and 21 other WTO members have also [pledged](#) to maintain open and predictable trade in agricultural and food product so as to ensure well-functioning global food supply chains during the crisis.

In other news, on 28 April 2020, the EU and Mexico concluded negotiations for a [new trade agreement](#). Mexico is the EU's number one trade partner in Latin America with bilateral trade in goods and services worth €66 billion and €19 billion respectively. Under this new agreement, most trade in goods between the EU and Mexico will be duty-free. It is expected that the simpler custom procedures will help further boost exports. The agreement also includes progressive rules on sustainable development and provisions to fight corruption and protect human rights. As Commissioner for Trade Phil Hogan [notes](#), "such partnerships and cooperation will be even more essential" as the EU rebuilds its economies in the wake of COVID-19.



# Migration

*Klement Camaj*

EU migration finds itself at a standstill during the COVID-19 pandemic, especially as the EU Commission implemented a ban on [all non-essential travel](#) to the EU, restricting any travel for non-EU citizens. The EU Commission has released [guidelines on implementing EU regulations](#) as it pertains to asylum policies, however given the blanket travel restrictions in the EU, it is impossible for migrants to enter.

While many migrants remain in cramped unhygienic camps spread out across the Greek Islands, many unaccompanied migrant children have been relocated to EU Member States. Following the implementation of a [migrant scheme that allows for Member States](#) to voluntarily take in some of the 1,600 unaccompanied migrant children, a dozen have been relocated to Luxembourg, and [50 others have been sent to Germany](#).

Alternatively Italy and Malta announced earlier in April that they will halt private sea rescue vessels due to the pandemic and close their ports fully, an action that [the EU Commission](#) has been unable to comment on.

The European Union's MEP's have also gathered earlier this week to hold a [committee meeting](#) on the situation regarding asylum seekers attempting to reach European shores from Libya. Migrants have been unable to [disembark in Tripoli](#) due to intense shelling and intensifying conflict. In the [Western Balkans](#), the EU has pledged a substantial amount of financial support to the countries for the fight against COVID-19 with

roughly €4.5 million allocated to humanitarian assistance for vulnerable refugees and migrants, and €8 million to address the needs in migrant camps across the region.

Moreover, the EU's New Pact on Migration and Asylum, which was set to be put forward in April, has MEP's pushing for safer avenues for migration and asylum seekers, the strengthening of legal paths to reduce irregular migration, and filling gaps in labour markets. The New Pact is said to be an ["opportunity to give fresh and much needed impetus to legal and safe migration"](#). This past month, 20 members of the Conference of Peripheral Maritime Regions ([CPMR](#)) urged for the adaptation of the New Pact in light of the COVID-19 pandemic and its effects on vulnerable migrant communities. In her [100 days remarks](#), the Commission President noted that they will put forward the pact after Easter, but they have still not indicated when it will be published.



# Environment

*Margherita Trombetti*

With everyone's attention focussing on the COVID-19 pandemic, the EU's environmental priorities appears to be watered down; however, the opposite is true. Despite postponing the UN climate change conference, [COP26](#), commitments to delivering the European Green Deal were [relaunched](#) by European Commission Vice President Timmermans at the beginning of April.



Under preparation is the Commission's impact assessment plan to raise the EU's 2030 ambitions for cutting greenhouse gas emissions by 50-55% compared to 1990 levels. Additionally, the Commission is working to progressively enhance the Nationally Determined Contribution to the UNFCCC under the Paris Agreement. The Commission President Von der Leyen [is calling for](#) 'massive investment in the form of a Marshall Plan for Europe', with a powerful new EU budget at its core. In essence, Von der Leyen is concretely proposing to use the EU's next budget 'in a smart and sustainable manner' for investments 'in clean energy, a smart circular economy and transport systems of the future'. Lastly, a public consultation on the ['Renewed Sustainable Finance Strategy'](#) to make the EU's economy green by 2030 is currently on the table.

Overall, while it is evident that health and economic issues have taken precedence over environmental priorities due to the EU's necessary immediate response to the COVID-19 pandemic, EU executives reassure that efforts guaranteeing environmental protection will still be pursued as promised. In the next weeks, further actions within the environmental domains are expected, such as the presentation of the [Farm to Fork](#) or the [Biodiversity](#) strategies. Moreover, during a hearing between the Vice-President and the European Parliament ENVI Committee, Timmermans [re-stated](#) that environmental policies will not be suspended at the expense of the post-COVID-19 economic recovery; but rather, that 'the Green Deal is our lifeline out of the crisis'.