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The Future has Begun?

The Hungarian Experience of the Conference on the Future of Europe

The Conference on the Future of Europe, launched by the European Union in 2021, aimed to engage citizens in a dialogue and serve as a key platform for EU institutions to discuss the future direction of the European Union. Hungary actively participated in the process, and the objective of our study is to shed light on the contributions of Hungarian citizens and the conclusions drawn from them. The study also explores the post-Conference landscape, tracing the evolution of the proposals arising directly or indirectly from the debates on the future of Europe, with a reflection to their possible implications on the revision of the EU Treaties.

Keywords: Conference on the Future of Europe, EU reform, Treaty revision, European Parliament, federalism

The Conference on the Future of Europe concluded its work on 9 May, 2022, and made proposals for major reforms of the EU. However, the large-scale joint reflection on the future of Europe was not without prior history, and can by no means be considered definitively completed.

Today, the European Union can look back on more than seven decades of peace and expanded transnational cooperation, with 450 million citizens living in freedom and security, in relative prosperity in one of the most stable economic systems in the world. At the same time, the EU is currently facing many crises and serious internal divisions. For this reason, we can state that the Conference on the Future of Europe, launched in April 2021, was a timely attempt to rethink our future together. However, the process cannot be regarded as an exercise in objectively reflecting the will of European citizens and bringing the EU institutions closer to them. The process, which lasted a little over a year, ended up reinforcing the power aspirations of certain institutions and, ignoring

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transparency, selectively summarised the proposals of citizens, including the Hungarian ones. This paper aims to present the background, process, final proposals and current state of following up the Conference on the Future of Europe.

Background

Without knowing the background to the Conference, we cannot adequately assess either the final proposals or the way in which they were developed.

From 23 to 24 March, 2017, the European Commission (hereinafter: the Commission) organised a conference to commemorate the 60th anniversary of the signing of the Treaty of Rome establishing the European Economic Community, which took place on 25 March, 1957. The conference was called “*A Jean Monnet Seminar. The Future of Europe: A Commitment for You(th)*” and was one of the reflections in which citizens, in particular young people, and the EU institutions thought together about the future of Europe. Although this conference was only attended by academics, its themes already partly reflected those of the Conference on the Future of Europe, which was officially launched in 2021: problems in the functioning of the EU, the objectives to be faced and the problems to be solved by the EU.³

The 2017 conference was, however, preceded by an even more important strategic document, as the Commission published a so-called White Paper in the spring of that year, outlining possible scenarios for the future of Europe, as announced by then Commission President Jean-Claude Juncker in his 2016 State of the Union address (hereinafter: *SOTEU*). In the 2016 *SOTEU* address, President Juncker said that: “Our European Union is, at least in part, in an existential crisis.”⁴ He noted how little agreement there was between Member States, and criticised how Member State leaders very often only talked about their domestic problems without even mentioning Europe, or if they did, only in passing. This foreshadowed the way that the later Conference also took a more federal approach.

The Commission’s White Paper set out several different paths for the EU27.⁵ It has looked at the changes Europe could face in the coming period, from the impact of new technologies on society and jobs, to the potential effects of globalisation, security concerns and the rise of populism. It sets out five scenarios, each giving a version of what the EU could look like in 2025, just 8 years from then, depending on the decisions the European Union takes. These are, in brief:

³ KENGYEL 2017: 661–665.

⁴ JUNCKER 2016.

⁵ Although the UK was still a member of the European Union when the White Paper was presented on 1 March, 2017, the document was drafted with a view to a 27-member EU following the 2016 Brexit referendum. As is known, the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ 2020. L 29, 7) entered into force on 1 February, 2020 (see judgment of the CJEU of 9 June 2022, C-673/20–Préfet du Gers and Institut National de la Statistique et des Études Économiques, ECLI:EU:C:2022:449, paragraphs 1, 11, 20, 26, 45 or 55).



Scenario 1: “Carrying on” – The European Union focuses on delivering its positive reform agenda without major structural reforms.

Scenario 2: “Nothing but the single market” – The focus is on the single market as Member States are increasingly unable to agree on policy issues.

Scenario 3: “Those who want more, do more” – Countries that are willing can deepen cooperation in specific areas, creating a multi-speed Europe.

Scenario 4: “Doing less, more efficiently” – The EU focuses on delivering more and faster in certain areas, while doing less where it cannot add value.

Scenario 5: “Doing much more together” – Member States share more powers and resources in all areas and extend decision-making.

The actual implementation of these scenarios would definitely require an amendment of the Treaties for Scenarios 4 and 5, but maybe even for Scenario 3.⁶ As a stimulus to the debate on the White Paper, the Commission, together with the European Parliament and interested Member States, was planning a series of debates on the future of Europe across Europe. To this end, the Commission had also published various discussion papers.⁷

The European Parliament set out its vision for the future of Europe in three resolutions adopted in the plenary session of 16 February, 2017. Members of Parliament proposed, among other things:

- the transformation of the Council of Ministers into a genuine second legislative chamber and into preparatory bodies similar to parliamentary committees
- the appointment of an EU Finance Minister and a mandate for the Commission to develop and implement a common EU economic policy, backed by a Eurozone budget, and
- the creation of a fiscal capacity consisting of the European Stability Mechanism (ESM) and a specific additional fiscal capacity for the Eurozone, financed by the Member States as part of the EU budget

In addition to the resolutions, at the session of the European Council in October 2017, then President of the European Parliament Antonio Tajani announced his intention to organise a series of debates on the future of Europe in plenary sessions of the European Parliament from the beginning of 2018, as a democratic and open forum for EU Heads of State and Government to express their vision of the future. This initiative has also included contributions from Emmanuel Macron, President of France, Leo Varadkar, Prime Minister of Ireland, António Costa, Prime Minister of Portugal, and Angela Merkel, Chancellor of Germany. A total of 18 Heads of State and Government had taken part in such debates before the Conference on the Future of Europe began.

Emmanuel Macron, the President of France, originally proposed in March 2019, that a conference should be organised to develop a roadmap for the future of the European Union.⁸ He argued that his proposal would bring together EU institutions, Member States, civil society and EU citizens to review the way the EU works and, already at this

⁶ European Commission 2017a.

⁷ European Commission 2017b; European Commission 2017c.

⁸ MACRON 2019.



point, mentioned that the Conference could possibly propose a revision of the EU Treaties. This idea was then taken up by Ursula von der Leyen when she was nominated as President of the Commission following the 2019 European elections, and in her opening statement (*A new push for European Democracy*) on 16 July, 2019, before her election by the EP, she expressed her wish to involve European citizens as part of a broader renewed impetus for European democracy.⁹ Later, in her candidate political guidelines, she said, among other things, that she was open to amending the Treaties and that she would fully support the idea if an EP representative were proposed as President of the Conference.¹⁰

The Commission and the EP took the plan forward after Ursula von der Leyen was confirmed as President of the Commission. The EP resolution of 15 January, 2020 on the European Parliament's position on the Conference on the Future of Europe set out the institution's proposals on the scope and organisation of the Conference, in which it considered that the Conference should also take into account initiatives taken in the run-up to the 2019 elections. Finally, the EP's resolution did not rule out the possibility of amending the Treaties either.

The Conference was originally planned to take place between 2020 and 2022, but was delayed due to the Covid-19 pandemic and disputes between the EU institutions over the scope of the Conference and the chairmanship. The EP and the Council were unable to agree on the leadership of the Conference for a very long time, largely because of the nomination by the EP of Guy Verhofstadt (Renew, BE) as Chair of the Conference. In contrast, the Permanent Representatives of the Council proposed an independent person to lead the Conference in June 2020, when they formally endorsed the Conference's proposal and stressed the need to share responsibilities between the EU institutions.¹¹

What exactly was the Conference on the Future of Europe?¹²

To put it simply, one could say that the process that eventually took place was nothing more than a well-disguised and very costly exercise to support the agenda of certain political opinion-leaders. However, given the deceptive nature of the exercise and the large number of real suggestions from EU citizens involved, we cannot be so simple and blunt, as it is important to look at the steps taken, the elements of the Conference in order to be able to assess them properly in the future.

After lengthy preparation, the plan for the Conference on the Future of Europe was finally formally adopted on 10 March 2021, with the Conference running from April 2021 to 9 May 2022. It was jointly launched by the Commission, the European Parliament and the Council of the European Union (the representatives of the governments

⁹ VON DER LEYEN 2019a.

¹⁰ VON DER LEYEN 2019b.

¹¹ Council of the European Union 2020.

¹² For this section, several pieces of information were provided by the Conference's multilingual digital platform. The site is available in archive format.



of the EU Member States).¹³ In a Joint Declaration, the leaders of these institutions (at the time of signature: the late President of the EP, David Sassoli; the Prime Minister of Portugal, holding the Presidency of the Council, António Costa; and the President of the Commission, Ursula von der Leyen) committed themselves to listening to European citizens and to taking action within their respective spheres of competence to implement the recommendations made by citizens during the process. Hence, they pledged to take a more direct approach to grassroots ideas from citizens, than the strict limits and procedural rules of the European Citizens' Initiative.¹⁴

A distinct innovation of the Conference on the Future of Europe was that anyone across the EU, and in some cases beyond, could organise an event under the auspices of the Conference and register it on a multilingual digital platform, launching public debates and contributing to specific topics. By the end of the Conference on 9 May 2022, a total of 52,346 individual users had registered on the platform, recording 18,955 ideas, 22,570 comments and 7,005 events, with 652,532 participants at the events.¹⁵ Hungary was extremely active in terms of the number of contributions recorded on the platform, as the second highest number of contributions per capita within the European Union was recorded from Hungary.¹⁶ An outstanding achievement is that Hungary organised the largest number of events, with more than 800 events. The digital platform gathered all citizens' contributions, whether shared online or at offline events, in a single platform. Citizens could raise any issue of their concern on the platform, as, in addition to the pre-defined topics reflecting the main objectives set out in the Commission's political priorities and the European Council's strategic agenda, there was also an "other" category for expressing cross-cutting ideas or topics other than those listed on the platform. These topics were defined and approved in a Joint Declaration signed on 10 March 2021 by the Presidents of the three institutions leading the implementation of the Conference. These were: climate change and the environment; health; a stronger economy, social justice and employment; the EU in the world; values and rights, rule of law, security; digital transformation; European democracy; migration; and education, culture, youth and sport.

Member States could also organise national citizens' panels, based on guidelines.

The contributions of the citizens' panels, the national citizens' panels and the online digital platform were taken into account, or were at least intended to be taken into account, by the plenary sessions of the Conference.

The Conference therefore included a series of different events, including EU-wide citizens' panels held with a random sample of 800 EU citizens. Four citizens' panels were set up, each consisting of 200 EU citizens. An external service provider randomly contacted potential participants, taking into account the diversity of EU citizens in terms of geographical origin (nationality and urban/rural), gender, age, socio-economic background and educational level. At least one female and one male citizen per Member State participated in each panel. Young people aged 16–25 made up a third of each panel. The

¹³ Council of the European Union – European Parliament – European Commission 2021.

¹⁴ In 2021, Boglárka Bólya wrote an article titled *The Conference on the Future of Europe is Green-lit* on the organisational system of the Conference.

¹⁵ European Commission 2022.

¹⁶ Kantar Public 2022.



distribution between Member States was declared to have been based on the degressive proportionality applied to the composition of the EP. The selection took place between May and August 2021, covering the entire EU citizenship. Each panel discussed one topic:

- economic and social issues;
- EU democracy and values;
- climate change;
- migration and global issues.

Each panel held three sessions and made proposals. During their deliberations, participating citizens had access to certain information sources and could contact specific experts. This was done by providing citizens with a list of experts and other stakeholders, from whom they could choose and contact according to their topic and specific needs. In addition, each panel meeting was attended by experts identified through a service provider hired by the Commission to introduce the topic. At this point, the restriction and influencing of the free expression of citizens' opinions was already quite strong, and this trend continued later on as well. Researchers were allowed to attend the citizens' panels, and conduct interviews with citizens for research purposes. Another transparency concern is that while the plenary sessions of the citizens' panels were live-streamed and the documents of the debates and deliberations were made publicly available on the multilingual digital platform, the deliberations of the working groups were not. The rationale communicated by the organisers was to protect the freedom of citizens to debate and make recommendations, but this raises questions as to who exactly formulated the basis of the final proposals of the Conference, and how.

The plenary sessions of the Conference were attended by representatives of the EU institutions, national parliaments, "civil society" organisations and citizens' panels. Nine thematic working groups were set up within the plenary sessions. National citizens' panels from six EU countries were recognised within the national events. These were Belgium, France, Germany, Italy, Lithuania, the Netherlands and Germany. In Hungary alone, a total of 6 national citizens' panels were held, but these were not recognised by the Commission for vague "methodological" reasons, consequently the contributions made at these panels were not taken into account.

These debates originally started as open discussions with no pre-defined outcome. Based on the initial ideas, after presenting the proposals and discussing them with citizens, the plenary would have presented its proposals on a consensual basis to the executive board, which would draft a report in full cooperation with the plenary and with full transparency. However, throughout the process, the working groups set up to support the work of the plenary sessions and citizens' panels, as advocated and enforced by Verhofstadt/EP, continuously took on the substantive roles (as MEPs also chaired working groups and participated in all working groups) and thus formulated, and in many aspects altered the main proposals.

In total, nine thematic working groups contributed to the outcome of the Conference. These discussed the recommendations of the citizens' panels as well as the contributions submitted on the Conference's multilingual digital platform, although the latter were



not taken into account in the final proposals. The working groups were mostly chaired by prominent senior figures from the EU institutions, as follows:¹⁷

- Working Group on European Democracy – Chair: Manfred Weber (EPP, DE), European Parliament
- Working Group on Climate change and the environment – Chair: Anna Pasková, Council/Czech Republic
- Working Group on Health – Chair: Maroš Šefčovič, Vice-President of the European Commission
- Working Group on a Stronger economy, social justice and jobs – Chair: Iratxe García Pérez (S&D, ES), European Parliament
- Working Group on the EU in the world – Chair: Hans Dahlgren State Secretary for EU Affairs, followed by Asees Ahuja, Council/Sweden
- Working Group on Values and rights, rule of law, security – Chair: Věra Jourová, Vice-President of the European Commission
- Working Group on Digital Transformation – Chair: Elina Valtonen, national parliaments (Finland)/Riina Sikkut, national parliaments (Estonia)
- Working Group on Migration – Chair: Alessandro Alfieri, national parliaments (Italy)/ Dimitris Keridis, national parliaments, Greece
- Working Group on Education, culture, youth and sport – Chair: Silja Markkula, President of the European Youth Forum

Implementation was overseen by a special council, the so-called Executive Board, co-chaired by representatives of the three EU institutions. On the European Parliament side, Guy Verhofstadt (Renew, BE) eventually became co-president in this formation, along with the Vice-President of the Commission in charge of Democracy and Demography, Dubravka Šuica, and the representative of the Member State holding the Council Presidency, in turn: Portugal in the first half of 2021, Slovenia in the second half of 2021 and France in the first half of 2022. Sweden, Spain and Hungary, as incoming Presidencies, participated in the discussions with observer status, which helped to prevent, among other things, a number of harmful decisions and “proposals” specifically targeting Hungary.

Looking at the final proposals of the four European citizens’ discussion groups, it can be seen that a significant proportion of them, around 90%, reflect left-wing, liberal and federalist political views, which were and are in stark contrast to the Hungarian government’s position and the Hungarian citizens’ contributions. There are only a few elements that are in line with the Hungarian proposals (e.g. forced return of rejected asylum seekers, support for having children, helping to reconcile work and family life). Furthermore, there are hardly any positions that are otherwise in line with or similar to the Hungarian proposals or, if there are, these are general, thus weakly formulated in a muted, general way, such as with the support for having children.

On the other hand, it is clear that the proposals, in their original form and wording, were clearly not suitable for a possible treaty amendment process to be drafted.

¹⁷ Exceptions are two working groups chaired by national parliaments and one by the European Youth Forum.



The final report on the digital platform of the Conference on the Future of Europe was published in May 2022.¹⁸ The report includes all contributions (events, ideas, comments) registered and closed between the start of the Digital Platform on 19 April 2021 and its closure on 9 May 2022.¹⁹ This report is not representative at all, as it refers to only seven Hungarian events out of more than 800. On the rule of law and democracy issues, our country is presented in a distinctly negative context in the report. We can therefore say that Kantar's reports did not meet the requirements of impartiality or objectivity.

Proposals pointing towards a federation were highlighted in the report: stronger health integration, a single taxation system, a single social security system, the abolition of unanimity in foreign policy, the strengthening of rule of law mechanisms and the definition of common European values (human rights, freedom, equality, the rule of law, solidarity, gender equality), which should be enshrined in a European Constitution. Other proposals included transnational lists, direct EU presidential elections, proposals for federalisation, a European Constitution, a move to qualified majority voting in the Council instead of unanimity, a common EU labour migration policy, strengthening Frontex in border protection, and a single EU language (Esperanto or English).

At the same time, the report also reflected opposing views, albeit in significantly smaller proportions: enlargement to the Western Balkans, a focus on the EU's economic role, refraining from interfering in Member States' internal affairs in relation to the rule of law, taking account of Christian values and conservative voices, support for subsidiarity, stricter external border protection, rejection of all forms of migration, the social threat of migration to EU identity and addressing the root causes of migration.

The Conference formally closed on 9 May 2022, where the Co-Chairs adopted the document containing the final proposals.²⁰ It is also crystal clear from the document that, as could have been foreseen, some prominent representatives of the EU institutions managed to steer the Conference in a direction that led to proposals for reform along federalist lines. The proposals of EU citizens pointing almost clearly towards federalisation were the focus of the conclusions of the Conference.

The Conference thus served as an opportunity for the federalist forces to present their own approach as democratic will, referring to a consultation of citizens, thus putting more political pressure on the Council. Among the EU institutions, the European Parliament was particularly active in using the Conference to promote its own political interests. However, the process was conducted in an even more opaque and confusing procedural framework than expected, and its outcome is rightly questionable.

Asking for citizens' opinions is nothing new in Hungary, and could even be called a best practice,²¹ which could be adopted throughout the EU. Since 2011, the Hungarian

¹⁸ Note: Several interim reports have been published by Kantar Public in which Hungarian contributions are presented in an unrepresentative way, highlighting opinions with a negative context and without any references. This practice has been repeatedly opposed at several forums by representatives of the Hungarian government and the French Presidency. The problem and the disqualification of national citizens' panels have been repeatedly reported in letters to Vice-President Suïca.

¹⁹ Kantar Public 2022.

²⁰ Report on the final result 2022.

²¹ A "best practice" is a good/best (proven) practice, a way of working, a model, a solution, the main details of which can be studied, learned and applied elsewhere based on the experience it provides.



government has been continuously asking citizens for their views on key issues and incorporating the results into its decision-making. This is the spirit in which the Government had approached the Conference from the outset, hoping that the proposals of citizens would enable us to take joint, useful and forward-looking initiatives for the future of our continent. The Hungarian government therefore saw the process as a great opportunity to showcase Hungary's vision of an attractive Europe: by presenting an alternative, a vision of a Europe where nations are seen as a source of pride and a value to be preserved, where it is believed that a strong Europe can only be built and sustained by strong nations; where demographic problems are solved by supporting families and not by resettling immigrants; where anyone is free to express their views without fear of being "cancelled" because they are not the spokespersons of mainstream ideology and where common sense and pragmatism prevail in the service of the common good and citizens.

Unfortunately, it turned out that this was not the spirit in which EU citizens were able to participate in the Conference on the Future of Europe. In the European Citizens' debate groups of the Conference, ideas that ran counter to the ideological mainstream prevailing in the EU political institutions²² were simply steered in the "correct" direction by the 'independent' moderators. Furthermore, the invited experts, who were not publicly identified, presented their individual, subjective convictions as the only possible scenario to the participants, who were less familiar with the subject and EU terminology but who had equally valid and valuable opinions, before they had even expressed their own individual ideas. A striking demonstration of the problem is that there was a slight fear on the part of the prominent federalist-minded leaders of MEPs at the beginning of the Conference, slightly questioning the sense of the process, but they eventually succeeded in bringing the exercise under the "control" of the bureaucratic institutional machinery. The Conference thus became an opaque, over-bureaucratized process at European level, overriding its own rules as it went along, not serving the citizens but rather the self-serving ambitions of the EU institutions concerned.

Despite this, and the failed, illusory outcome of the Conference, it is important to continue to make our voices heard. For Hungary, as a Central and Eastern European country, it is in our vital interest to have voices outside ourselves, even as a reference point, within the large critical mass of Europe who are constructive, who think in terms of a common future, but who have a different view of the continent's future and who are also unquestionably pro-European.

So what did we achieve: what good came from the active Hungarian participation?

In Hungary, preparatory activities for the Conference started before the official launch of the series of events, in June 2020. The Ministry of Justice, as the ministry responsible

²² Opinion of Advocate General Maciej Szpunar of 9 March 2023, C-680/21–Royal Antwerp Football Club, ECLI:EU:C:2023:188, point 49 and footnote (29).



for EU affairs (until 31 July 2023) was already involved in organising and promoting events related to the Conference before its official launch. Four major international conferences were organised by the Ministry, bringing together EU government officials, Commissioners, MEPs, experts and academics to share their thoughts and engage in a rich exchange of views on the future of Europe. A round-table discussion series was organised especially for young people, with the participation of Ministers Judit Varga, János Martonyi, László Trócsányi, Tibor Navracsics and László Palkovics, on the issues of national sovereignty and ever closer integration, the Hungarian government's green policy, the main challenges the EU is facing and youth policy. The Ministry of Justice also launched an essay competition for young Hungarians on topics related to the Conference.

Although, in the end it did not live up to the initial hopes, and even confirmed our doubts, the Conference on the Future of Europe cannot be called completely useless. On 19 June 2021, Prime Minister Viktor Orbán was the first among the leaders of the Member States to present his proposals for the future of the continent at the conference “Thirty years of freedom”.²³ On this occasion, the Prime Minister said that freedom did not just arrive with the change of regime, but was something we had won, and that “now, when the European Union is in trouble, it will not mend its ways, we must be the ones who mend it”. In this spirit, he outlined seven theses with which Hungary contributes to the debate on the future of the European Union:

1. In Brussels, they are building a superstate for which no one has given a mandate. We must say no to a European empire.
2. Integration is a means, not an end in itself. The objective of an “ever closer union among the peoples of Europe” should be struck from the text of the treaties of the European Union.
3. Decisions should be taken by elected leaders, not by international NGOs. According to the Prime Minister, much of the power of the European Union has been outsourced to various networks and American Democratic Party interests. We must say no to the outsourcing of the rule of law.
4. The strength of European integration lies in shared economic success. If we cannot be more successful together than if we are apart, the European Union is finished.
5. The next decade will be a time of dangerous challenges: the threat of mass migration and global pandemics. Restoring democracy is a precondition for success. A new institution must be created, involving the constitutional courts of the Member States.
6. The European Parliament is a dead end: it only represents its own ideological and institutional interests. The national parliaments should send representatives to the EP and be given the right to halt the legislative process; in other words, a red card system must be introduced.
7. Serbia should be integrated as a member state of the European Union.

The addressees of the proposals made by Viktor Orbán are none other than millions of European citizens, which is why the Prime Minister's seven theses have been published

²³ ORBÁN 2022.



in foreign newspapers, thus initiating a kind of pan-European dialogue at the content level as well. This also proves that, contrary to many accusations, Euroscepticism is not the policy of the Hungarian government.

Hungary also demonstrated outstanding civic and governmental participation throughout the Conference. In 2021, it was always on the imaginary podium in terms of activity on the digital platform of the Conference series from the start of the process. In fact, in terms of population, Hungary was the second largest contributor to the digital platform among all Member States. And among the registered events, Hungary is the clear leader with 804 events. This should make us proud in absolute terms, and is a particularly outstanding achievement in terms of population. In terms of figures, the accusation of Hungary's Euroscepticism has been completely refuted, as the statistics show that Hungarians are enthusiastic, interested and proactive. Another important point to note in this context is that support for the EU in Hungary was 37% of the population in 2009, while in 2021 it reached 61%.²⁴ In addition to debunking the charge of Euroscepticism, these data also reveal another important truth. Namely, that critical opinions, which may differ from the mainstream, do not equate with opposition to the EU, and certainly not the idea of leaving the EU, known as "Huxit".

The many contributions made by Hungarian citizens at the Conference were summarised by Judit Varga, Minister of Justice, on 12 May 2022 at the conference entitled "Quo Vadis, Europe – Europe of Nations and the Hungarian Interest", organised by the Foundation for Civic Hungary.²⁵ At the Conference, the Minister also presented a brochure detailing the various Hungarian proposals for improving Europe, based on a summary of events registered on the digital platform.²⁶ This document summarises that, according to the contributions, although, as the Prime Minister has previously stated, the EU today sees integration as an end in itself, Hungarians still see EU integration as a means to the fulfilment of national freedom. Similarly, she notes that the EU today is building a Europe that denies traditional European values, while Hungarians believe that Europe is nourished by its Judeo-Christian roots, and its building blocks are our traditional communities: nations, families and historic churches. She also makes the important point that, in contrast to the EU's efforts to build a hegemony of opinion, Hungarians accept the diversity of world views, interests and positions, and consider it self-evident that they can express and represent their own views. It is also a specific Hungarian position to underline that the Member States are the sole holders of sovereignty, and thus only the Member States can decide which powers they wish to exercise jointly and define their constitutional identity. The brochure explains that achieving the rule of the European people is in fact the pretext for dismantling democratic control by European nations of the EU institutions. Hungarians, on the other hand, believe that being European is an integral part of their national identity: they are European because they are Hungarian, and only as Hungarians can they be European. It was also noted that today the European Union only provides financial support for the realisation

²⁴ European Commission 2023.

²⁵ Ministry of Justice 2022.

²⁶ Hungary has also sent a national activity report to Member States and EU institution leaders, which is available on the digital platform in Hungarian and English.



of mass immigration, while the financial and social burden of the model is borne by all Member States thanks to the various EU policies. Hungarian citizens, on the other hand, see the future of Europe in supporting families and encouraging childbearing, and suggested that the EU needs to recognise and support this model as a legitimate solution. Finally, they also stress the need for a new impetus in the enlargement toward the Western Balkans and to support the European integration of all Western Balkan states, as it contributes to the stability of our region.

The hundreds of events organised in Hungary show that Hungarians do not see the key to a stronger and more effective European Union in building federalism. The Hungarian people have made it clear: the European Union must change. They remain pro-European, but sceptical of extreme federalism. The Hungarian people want a stronger and more effective European Union but they do not see the key to this in a federation.

At the Hungarian events, a clear preference for respecting the sovereignty of Member States emerged across the wide range of issues covered by the Conference (migration, values and the rule of law, energy policy, education, health, taxation, etc.). The EU institutions should be working to promote cooperation between Member States, respecting national traditions and constitutional frameworks. Among the conclusions is that the continuation of the “*ever closer union*” requires the agreement of all Member States, and that the protection of national minorities is not an internal matter; the right to national identity should be defined as a fundamental right that must be protected by the EU.

The Hungarian contributions show that the public believes that the earliest possible integration of the Western Balkan countries into the EU is essential for the stability of the continent. Proposals have also been made to strengthen the role of national parliaments and to respect the division of competences laid down in the Treaties.

The ideas expressed at the Hungarian events advocate the maintenance of unanimous decision-making, and reject the extension of the areas covered by majority voting, as this would jeopardise the unity of the Union. The stealthy attempts of the European Parliament and the European Commission to extend their powers are also rejected. Proposals have been made to reform the European Parliament, including reducing the number of MEPs and delegating them from national parliaments. A review of events also shows that there is a need to reduce bureaucracy in Brussels and for the EU institutions to return to their original economic focus rather than ideological and political issues.

According to the Hungarian proposals put forward at the Conference, the European Union needs to support the border protection efforts of the Member States. Migration policy must be a national competence, and Member States must determine the extent to which they wish to make use of labour migration. A clear distinction must be made between immigrants and refugees, and demographic problems must not be tackled by promoting migration. The Hungarian proposals reject mandatory quotas.

Proposals have also been made to strengthen the EU’s defence sovereignty and its resilience to external threats. The importance of nuclear energy for the security of energy supply was stressed. Several proposals suggest that the protection of Europe’s Christian roots and traditions should be among the EU’s core values. Several events in Hungary have drawn attention to the persecution of Christian communities, calling for stronger EU action.



Support for families, education for children, keeping sexual propaganda out of schools and respect for national competences on family and marriage are also among the proposals.

It is clear from this that Hungarians have a strong vision for the future of Europe, which in many ways does not coincide with the mainstream vision of EU decision-makers. It is also clear that the EU's current treaty framework does not allow the EU to stand its ground in a decade of crises.

The Hungarian people have thus been clear, but very little of this has been realised at EU level. The conclusions of the Conference set out a vision of a more federal Europe than ever before. These conclusions cannot be considered as a proportionate and representative summary of the national contributions. And the recommendations made by 800 randomly selected EU citizens participating in the so-called European Citizens' Panels cannot reasonably be expected to reflect the views of nearly 500 million European citizens, especially in the influence structure explained above. It was a particularly painful realisation that, contrary to the original plans, the content of the digital platform, the "ideas exchange" accessible to all citizens, ended up playing a miniscule role.

It is important, however, that the constitutional institutions of the Member States, and in particular the national parliaments, are involved in the joint reflection after the Conference. The Hungarian Parliament also joined this process, by giving the Hungarian government a clear mandate on the position to be taken. The Hungarian Parliament therefore took up the task of representing the opinions and expectations of the Hungarian people at the European level as well when, as the main bearer of democratic legitimacy in Hungary, it adopted a resolution on 19 July 2022 on the Hungarian position to be taken on the future of the European Union.²⁷ This is an extremely important step. Using this mandate, the Hungarian government has been working to build a Europe of peace, freedom and prosperity, in line with the expectations of the Hungarian people. The main messages of the resolution are the same as the main messages of the Hungarian contributions to the Conference, as follows:

- The EU needs to change, because the current Treaties are no longer able to guarantee cooperation in this era of crises
- Our European integration is based on the continent's Christian roots and culture
- The political and ideological neutrality of the European Commission must be enshrined in the Treaties. It is not acceptable for the Commission to act as a political gendarme over the Member States
- Europe must be able to defend itself without external help. It is therefore necessary to strengthen the continent's military capabilities, industrial capacities and, last but not least, to set up a common European army
- We must protect the generations of Europeans of today and tomorrow. Hence, the demographic challenge and support for families must become a common EU objective

²⁷ Parliamentary Resolution 32/2022 (19.VII.) on the Hungarian position to be taken on the future of the European Union.



- European democracy must be led out of the dead end into which it has been driven by the biased representatives of the EP and the institution itself. The role of national parliaments in EU decision-making must be strengthened
- The European perspective of the Western Balkans must be strengthened at Treaty level
- Indigenous national minorities in the European Union must be given greater protection

Follow-up and European Parliament initiatives

As a follow-up to the Conference, the European Parliament adopted a resolution on 4 May 2022, before the official closure of the Conference on 9 May 2022, calling for the launch of the ordinary revision procedure provided for in Article 48 of the Treaty on European Union (TEU) and for a Convention to be convened. The resolution stated that the EU is facing an unprecedented situation compared to when the Conference process was launched, and that war has returned to the continent, which requires a new impetus for European integration, with the need for even stronger common action and solidarity. It was stated in the text that not only legislative proposals but also institutional reforms are needed to fulfil citizens' expectations. The EP expressed its satisfaction with the "ambitious and constructive" proposals. The resolution stated that "deeper political integration, as underlined in the Conference conclusions, can be achieved through the EP's right of legislative initiative and the abolition of unanimity in the Council in all policy areas". So, even before the end of the Conference, the EU institution concerned called for unanimity to be abolished.

However, under Rule 85 of the EP's Rules of Procedure, the EP has acted a little prematurely, as the initiative to revise the Treaties²⁸ requires the relevant committee (in this case the EP's Committee on Constitutional Affairs, AFCO) to prepare a report, which must then be adopted in plenary.

On 9 June 2022, the EP started the process again, this time adopting a resolution with slightly more concrete textual proposals for amendments titled "The call for a Convention for the revision of the Treaties". During the related plenary debate, Dubravka Šuica, on behalf of the Commission, underlined the Commission's readiness to take concrete action, while Clément Beaune, then French Secretary of State for EU Affairs, at the time of the French Presidency, said on behalf of the Council that they supported the convening of the Convention. During the session, several MEPs, including Gabriele Bischoff (S&D, DE), Daniel Freund (Greens/EFA, DE) and Guy Verhofstadt (Renew, BE), justified the abolition of unanimity in the Council by saying that Hungary regularly obstructed decision-making.²⁹ The resolution again refers to Article 48 TEU and explicitly refers to

²⁸ Today, there are two treaties in force in the European Union. These are the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). These Treaties are accompanied by protocols having the same legal binding force as the Treaties and by the Charter of Fundamental Rights of the European Union.

²⁹ In the minutes of the debate, the speeches are in the original languages, our highlights are unofficial translations.



the report on the final outcome of the Conference and the EP resolution of May. Although the text underlines that the EP's Committee on Constitutional Affairs (AFCO) will also develop concrete and detailed proposals, two textual proposals have already been made. These proposals are mainly aimed at abolishing the unanimity voting requirement for certain economic sanctions, as follows.

- Article 29 TEU would be supplemented to provide that decisions of the Council providing for the partial or total severance or reduction of economic and financial relations with one or more third countries shall be taken by qualified majority
- The last sentence of Article 48(7) TEU would be amended to allow the European Council to adopt decisions by qualified majority instead of unanimity when the passerelle clause applies, after obtaining the approval of the EP, adopted with the majority of its members

The motion for a resolution calls on the Council to submit these proposals directly to the European Council for examination, and to convene a Convention composed of representatives of national parliaments, Heads of State or Government, the EP and the Commission. It was proposed that the social partners, the European Economic and Social Committee, the European Committee of the Regions, European civil society and representatives of the candidate countries be invited to the Convention as observers.

However, the EP resolution of June 2022 was again adopted in a manner contrary to its own rules of procedure, so it is not suitable for triggering the review process, and the Council did not consider it to be such an initiative. The resolution mandated AFCO to make further proposals for amending the Treaties. This draft report was presented with a delay of more than 1 year to the Committee on 14 September 2023, where the related Committee work is still ongoing at the time of closure of this document.³⁰ Rapporteurs: Guy Verhofstadt (Renew, BE), Sven Simon (EPP, DE), Gabriele Bischoff (S&D, DE), Daniel Freund (Greens/EFA, DE) and Helmut Scholz (GUE/NGL, DE). Originally, Jacek Saryusz Wolski (ECR, PL) from the ECR Group was co-rapporteur on the document, but shortly before its presentation he withdrew from this mandate, as the proposals were completely at odds with the principles of his political group represented by him and his colleagues did not take his views into account. In light of this, the ECR and ID Groups are the only ones not contributing to the draft report as rapporteurs, although the latter has been excluded from the offset.

The draft report formally consists of a resolution and textual proposals for amendments to the Treaties for their ordinary revision. The former briefly summarises the substance of the amendments, and again requests that the Convention be convened on such a basis. The draft report underlines the importance of reforming EU decision-making to reflect a bicameral system more accurately by giving the EP additional powers and changing the voting mechanism in the Council. They call for a significant increase in the number of areas where measures are decided by qualified majority voting (so-called

³⁰ In the meantime, in November 2023, the EP had adopted the resolution in its plenary and transmitted it to the Council. The Council then forwarded it to the European Council, thus triggering Art. 48 of the EU Treaty. There is no time limit for the EUCO to decide to open a Convention or not.



QMV) and the ordinary legislative procedure,³¹ citing the need to strengthen the Union's capacity to act. They call for the EP to be given the right of legislative initiative, a long-standing demand of the institution, which it has repeatedly tried to assert in ways that run counter to the current Treaties. They call for the roles of the Council and the EP to be reversed in the nomination of the Commission President, essentially creating a *Spitzenkandidat* system, the system of lead candidates that has "failed"³² following the 2019 European Parliament elections. They call for the Commission to be renamed *The Executive*, with its President taking the title of President of the European Union. They propose that the composition of the EP should be the exclusive competence of the EP. Simple majority voting would be the basic procedure in the Council, while a qualified majority would be a vote of at least two-thirds of the Council members, representing at least 50% of the population. The principle of one Commissioner per Member State would be abolished; the Executive would have a maximum of 15 members, and the EP could table motions of censure directed at individual Commissioners as well.

They also propose the creation of exclusive EU competences for the environment and biodiversity, while they call for shared competences for public health, industry and education. They call for the creation of an integrated European Energy Union. They call for a strengthening and reform of the procedure in Article 7 TEU by abolishing unanimity and making the Court of Justice of the European Union (CJEU) the sole arbiter, except for the right of initiative. They propose an abstract norm control by the CJEU,³³ which could be initiated by the EP. Also highlighted is the call for the EU to respect and promote academic freedom and freedom of scientific research and education. The revision of the Treaties would remove the requirement for unanimity when the final text of the amendments is agreed, and these would come into force as soon as four-fifths of the Member States ratified them in accordance with their own constitutional requirements. It is thus possible to imagine a sequence of events, at the end of which new treaty clauses could enter into force despite a vote to the contrary of, ad absurdum, all the inhabitants and members of parliament of a Member State.

The proposal to extend the deadline for the so-called "yellow card" procedure to 12 weeks and to introduce a "green card" procedure for legislative proposals submitted by national or regional parliaments with legislative powers can be considered to increase the weight of national parliaments and the subsidiarity principle. The former is a mechanism to defend the subsidiarity principle, which means that, under Article 7 of Protocol 2 to the Lisbon Treaty, national parliaments can oblige the EU institution that has proposed a legislative act to revise the draft if, on the basis of the votes allocated to them, at least a third of them find that the subsidiarity principle has been infringed in the same proposal. In practice, this has not proved to be a frequently used procedure, one reason being that the eight-week deadline may not be sufficient for national parliaments to carry out a substantive inquiry, as their main activities are not carried out in the intellectual and physical centres of EU institutional work. The latter would be

³¹ Article 294 TFEU.

³² In 2014, Jean-Claude Juncker (EPP, LU), the European People's Party's lead candidate, became President of the Commission.

³³ European Parliament Committee on Constitutional Affairs 2023.



a completely new element in the Treaties, although there have been precedents for this initiative in practice. This would be a joint national parliamentary initiative in which national parliaments raise awareness of an issue and call for action and legislation at EU level.

From the point of view of Hungarian minority protection efforts, a key element of the draft report is that the amendments would stipulate at the level of the Treaties that the EU protects persons belonging to minorities in accordance with the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities, and that the EU would also accede to these conventions. The EP and Council could adopt provisions under the ordinary legislative procedure to facilitate the exercise of the rights of persons belonging to minorities.

It is proposed to use the ordinary legislative procedure and qualified majority voting for decisions on taxes. They also call for the inclusion of democratic values, good governance, human rights and sustainability, as well as the promotion of foreign investment, investment protection and economic security in the scope of the common commercial policy.

They reiterate the call for sanctions, intermediate steps in the enlargement process and other foreign policy decisions to be decided by qualified majority as well, removing the requirement for consensus, often colloquially described as a veto by Member States. In line with the Commission President's 2023 annual *SOTEU* speech, they call for the creation of a defence union with permanently stationed European military units with a permanent rapid deployment capability.³⁴ It is proposed that, along the lines of the North Atlantic Treaty Organisation, or NATO, an armed attack against one Member State should be considered an attack against all Member States.

They also propose that the term "equality between men and women" be replaced by "gender equality" in the Treaties. Consistent enforcement of this can be seen in the text of most EU legislative proposals. Family law measures with cross-border implications would be laid down under the ordinary legislative procedure, instead of the special legislative form currently used.

With regard to the Conference on the Future of Europe, in the 2022 *SOTEU*, the Commission President had only underlined that the Conference series has shown that citizens can have a say in the everyday issues that affect them, not only through elections but also through European citizens' debates groups, for example. For the first time, she envisaged the institutionalisation of the "citizens' panels" set up during the Conference and declared that the time had come for a European Convention.³⁵ A year later, on the issues of EU enlargement and institutional reform, she said in the address that proceeding with the enlargement process cannot wait for the treaty change, but that the Commission is preparing a proposal for the necessary institutional reforms to be presented to EU leaders during the Belgian Presidency of the Council (first half of 2024). In this context, Ursula von der Leyen stressed that previous waves of enlargement have led to a political deepening of integration, and that the next enlargement of the EU is therefore seen as a catalyst for this process.

³⁴ VON DER LEYEN 2023.

³⁵ VON DER LEYEN 2022.



Shortly afterwards, Olaf Scholz, Chancellor of Germany, also declared that there was a need for a rapid revision of the Treaties and a Convention.³⁶ However, no national government or EU institution has yet formally initiated this procedure.

In addition, on 4 May 2023, nine EU countries, Germany, Belgium, France, Finland, Italy, Luxembourg, the Netherlands, Slovenia, Spain and Finland, have set up a Group of Friends on qualified majority voting in the EU's Common Foreign and Security Policy (CFSP).³⁷ In a joint statement on the launch, the foreign ministries of the Member States said that the aim of the group was to improve the efficiency and speed of foreign policy decision-making. In the light of Russia's aggressive war against Ukraine and the growing international challenges the EU is facing, the members of the Group of Friends are convinced that the EU's foreign policy needs adapted processes and procedures to strengthen the EU as a foreign policy actor. Importantly, however, it was said that progress should be made in improving decision-making in the CFSP, by building on the provisions already contained in the Treaty on European Union. The members of the Group of Friends agreed to take stock of the situation on a regular basis and stressed the need to work closely with all EU Member States and to coordinate with the EU institutions.

The French and German governments convened an expert working group on EU institutional reform in spring 2023, along the lines of the formation of the Group of Friends, given that although EU enlargement is high on the political agenda, the EU is not yet ready to welcome new members, either institutionally or politically. After several months of deliberations, the working group ("The Group of Twelve") presented its work on 18 September 2023 with the study paper *Sailing on High Seas: Reforming and Enlarging the EU for the 21st century*.³⁸ Its underlying premise is that while EU enlargement has become a top priority, it must be accompanied by reforms that increase the EU's effectiveness, capacity to act and democratic legitimacy. Interestingly, the study was presented the very next day, at the General Affairs Council on 19 September 2023, where ministers and state secretaries responsible for EU affairs saw the document for the first time. This type of presentation, with this degree of abruptness, is extremely rare for a meeting at this level. Although the study prepared on the German–French initiative does not, either in the wording of Berlin or of Paris, reflect the governments' position and stems from several motives, several circumstances do tend to support this. On the one hand, the commissioning of the document itself and the initiative to convene the expert working group, the contacts and political activities of the authors, and the circumstances of its presentation. The content, while differing in some respects from the official positions, is largely in line with the ambitions of the French and German governments.

It contains a number of federalist ideas, several of which have been constant features in debates on this issue since the Laeken Declaration of 2001.³⁹ In this context, it should also be remembered that the EU chapter of the coalition programme of the German

³⁶ At the plenary session of the European Parliament. The minutes of the session record the speech in German.

³⁷ The declaration was released unchanged and translated into the appropriate languages by the participating Member States' Ministries of Foreign Affairs.

³⁸ Auswärtiges Amt 2023b.

³⁹ European Council 2001.



federal government, which was formed on 8 December 2021 and which commissioned the study jointly with the French, was based on similar concepts.⁴⁰

The study proposes a flexible process of reform and enlargement, which would create a simplified “four-speed” EU. This would in fact mean that new or existing Member States would be set on a path towards different levels of integration or some kind of looser association. An “inner circle” would be created, comprising the Eurozone and Schengen area members working together on a wider range of policies. The second level would be the current EU. At the third level would be the associate members. This scope would allow for the rationalisation of different forms of association with EEA countries, Switzerland or even the UK. Associate members would not be bound by the principle of an “ever closer union”, nor would they engage in deeper political integration in areas such as justice and home affairs or EU citizenship. However, they would be expected to respect the EU’s common principles and values, such as democracy and the rule of law, and would fall under the jurisdiction of the CJEU. Finally, a fourth level would be the EPC, the European Political Community. This would not impose EU legal or rule of law criteria and would not give access to the single market. Instead, it could ensure political cooperation in areas such as security, energy, environment and climate policy, etc.

The document explains that more substantial reforms should be implemented during the new parliamentary term (2024 to 2029) – including preparations for the revision of the Treaties. The recommendations of the study have three objectives: to increase the EU’s capacity to act, to prepare for EU enlargement, and to strengthen the rule of law and the democratic legitimacy of the EU. The study itself follows this structure, consisting of three main sections dealing with the rule of law, institutional reforms and the process of reforming, deepening and enlarging the EU. Among these, it is worth highlighting that they propose that the so-called conditionality mechanism must be made an instrument to sanction breaches of the rule of law, and, more generally, systematic breaches of the European values enshrined in Article 2 TEU (such as democracy, free and fair elections, freedom of the press, or fundamental rights enshrined in the Charter of Fundamental Rights). This would therefore bring a much wider range into the scope of a process that could potentially involve the freezing of funds, far beyond the current risk of damaging EU financial interests. The study also makes a strong statement that, at a certain level of persistency and gravity of violations, countries can no longer remain EU Member States; they become excludable.

Most of the proposed reforms are in line with the substance of the AFCO draft report, although slightly less ambitious in terms of institutional renewal. However, it also sees the extension of qualified majority voting as a solution to most decision-making problems, although it stresses that the instrument should be used with restraint, especially in the area of the common foreign and security policy, as the main objective should remain the search for consensus.

The study outlines a number of ways in which the Treaties could be amended, including the traditional option of an ordinary revision procedure, which in general and in the case of substantive changes inevitably requires a Convention. This is described as

⁴⁰ Koalitionsvertrag 2021. The current coalition parties in the government of the Federal Republic of Germany: SPD, Die Grünen and FDP.



a logical follow-up to the Conference. The study also presents several alternative options. Examples include the simplified revision procedure and the revision of the Treaties by means of accession treaties. The second subparagraph of Article 49 of TEU states that the latter is a separate, specific treaty amendment procedure, so technically such a route is also possible.

Quo Vadis Europe?

It is clear, therefore, that the European Union has different visions for its own future, both at the level of the Member States and the EU institutions.

As Konrad Adenauer, one of the founding fathers of the EU, put it: “only by returning to the values of European civilisation born of Christianity can the unity and peace in European life be restored.” In a way, the Hungarian activity on the digital platform stems from a similar idea.⁴¹ It is important to recognise, however, that although Adenauer spoke of unity, this is not and cannot be understood as unification, but as the slogan of the European Union in use since 2000: “*United in diversity*”. In other words, respecting each other’s culture, history, particular economic model and constitutional identity. It is in this spirit that the debate on the future of the EU and the actions serving it should move forward. In contrast, the motto of the European Union has until today wrongly placed more emphasis on unification and less on the protection of national traditions and historical and cultural achievements.

The main question, therefore, is really, in the context of the developments of the last couple of years in relation to the future of the EU, whether we have reached a new front-line in the struggle between empire-building vs. a Europe of Nations, the two visions of the future. It is also a key question as to where our continent will find its place in the changing global world order, and whether it can become an important player in economic and political processes on its own right. Furthermore, although the conclusions and proposals of the French–German study and the AFCO report/EP resolution may differ in weight and may prove divisive in inter-institutional deliberations, the statement made as a starting point reflects a real problem, namely that the European Union must prepare seriously for enlargement. This is a topic that is expected to shape much of the work of the Council, the European Council, the Commission and the European Parliament in the near future. The question is therefore not just a rhetorical, utopian fantasy, but a serious one with high stakes. It should not, however, be forgotten that while Europe, and the European Union within it, has been busy for years with various forms of path-finding and self-definition, the future has already begun and, with enlargement back on the agenda, it could not be more timely.

⁴¹ BÓLYA 2021b.



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