

ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES



RSC 2021/39 Robert Schuman Centre for Advanced Studies Integrating Diversity in the European Union (InDivEU)

The Politics of Differentiated Integration: What do Governments Want? Country Report - Spain

Ernesto de León

# European University Institute

# **Robert Schuman Centre for Advanced Studies**

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**Integrating Diversity in the European Union (InDivEU)** is a Horizon 2020 funded research project aimed at contributing concretely to the current debate on the 'Future of Europe' by assessing, developing and testing a range of models and scenarios for different levels of integration among EU member states. InDivEU begins from the assumption that managing heterogeneity and deep diversity is a continuous and growing challenge in the evolution of the EU and the dynamic of European integration.

The objective of InDivEU is to maximize the knowledge of Differentiated Integration (DI) on the basis of a theoretically robust conceptual foundations accompanied by an innovative and integrated analytical framework, and to provide Europe's policy makers with a knowledge hub on DI. InDivEU combines rigorous academic research with the capacity to translate research findings into policy design and advice.

InDivEU comprises a consortium of 14 partner institutions coordinated by the Robert Schuman Centre at the European University Institute, where the project is hosted by the European Governance and Politics Programme (EGPP). The scientific coordinators of InDivEU are Brigid Laffan (Robert Schuman Centre) and Frank Schimmelfennig (ETH Zürich).

For more information: http://indiveu.eui.eu/





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# **Abstract**

What has been the Spanish government's position towards Differentiated Integration (DI) with the European Union? Using a mixed method research design, we analyse official speeches, parliamentary debates, and election platforms to find that Spain has demonstrated a steady and robust support of further integration in the European Union. Analyses reveal that Spain is hesitant of pursuing DI not because of Eurosceptic motives, but rather because it fears to be left in the 'second tier' of European integration. When support for DI is voiced, it is because it is seen as way to pursue further integration despite the hesitance of more Eurosceptic states.

# **Keywords**

Spain, Differentiated Integration, European Politics, Policy, Enhanced Cooperation.

# **Summary of Results**

# I. Salience

Differentiated integration (DI) is not a very salient topic of discussion for Spanish governments. When it does come up, it is mentioned in terms of unanimous support for more integration. Salience increases with developments at the EU level, such as during the eurozone crisis. Economy-related issues gain the most salience in political discussions in parliament. Social policy gets more attention in debates when left-wing parties are in government. When it comes to DI, enhanced co-operation is most salient, much more so than opt-outs or multiple speed Europe. Enhanced co-operation is discussed as a means of further integration and to move EU policymaking forward more quickly. This underscores the unequivocally positive connotations surrounding the EU in Spanish politics.

# II. Position

All the Spanish governments in the analysis were uniformly supportive of further integration. This strong support for European integration is evidenced by the fact that both right-wing governments under the leadership of the Popular Party (PP) and the Social Democratic Party (PSOE) have shown outspoken backing for further integration steps. Against this backdrop, references to DI, except for enhanced cooperation, are viewed quite negatively. In general, references to DI are largely used to criticise the way in which it might create inequality and weaken the EU by dividing it.

Overall, Spanish governments pay some attention to DI, but it is referenced very negatively. This is especially the case when it comes to the notions of multiple speed Europe and opt-outs. Enhanced cooperation is viewed slightly more positively. This is not surprising as it does not go against the spirit of integration and is part of the Treaties. Importantly, government and opposition parties display quite similar DI positions. This is remarkable given that there have been many changes of government in the timeframe investigated. Negative mentions of DI are generally embedded within the idea that Spain strongly supports European integration and does not want to be in the 'second tier' of DI, fearing being left behind by more committed members.

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#### 1. Introduction

This report investigates the salience of differentiated integration (DI) in Spanish government discourse between 2004 and 2019. It also probes into the position of Spanish governments on the issue of DI in selected years (2008, 2012, 2017-2020).

The report distinguishes three levels of abstraction in government discourse on DI. First, two different models of DI are distinguished at the conceptual level. On the one hand, the 'multi-speed EU' model depicts DI as a temporary phenomenon and implies that all the Member States (MSs) will ultimately reach the same level of integration. On the other hand, the 'multi-end EU' model depicts DI as a potentially permanent feature of European integration. In this model, the MSs do not necessarily strive to reach similar levels of integration. Instead, each MS can 'pick and choose' to adjust its own level of integration to national preferences and capacities. Second, the analysis focuses on DI mechanisms. On the one hand, the enhanced co-operation mechanism allows a limited group of MSs – under certain conditions – to pursue deeper integration without having to involve all the MSs. On the other hand, the 'opt-out' mechanism allows MSs to refrain from participating in common policies. In short, enhanced co-operation allows a MS to integrate more than other MSs, while 'opt-outs' allow a Member State to integrate less than other MSs. Finally, the analysis looks at various instances of differentiated policies and policy fields. A total of twenty-one instances are included in the analysis. They are grouped in four different categories: (a) instances of enhanced co-operation, (b) instances of opt-out policy fields, (c) instances of inter se agreements and (d) instances of external agreements. Inter se agreements are agreements which EU Member States conclude outside the framework of the European Union. External agreements are agreements between the EU and non-EU states.

The results are based on an analysis of various government documents (Appendix 1). Six document categories were selected to cover a broad spectrum of venues and government actors. From the more abstract-programmatic to the more specific, the material analysed included government programmes, prime minister speeches, prime minister European Council Statements and parliamentary debates, which were analysed in this order.

The salience of DI models, DI mechanisms and DI instances is assessed by counting key words in the above-mentioned documents (Appendix 2). The assumption is that the more a government talks about DI, the more relevant it is. While key word counts in government programmes and PM speeches show the salience of DI at specific moments in time, the analysis of parliamentary debates allows us to identify trends over time and situational peaks. Translated key words were searched for in all their possible variations of syllable separation, synonyms, upper-case and lower-case spelling, plurals and singulars. In cases in which more general key words were used in a search, their relation to the EU was checked using close reading. In addition, to enhance the reliability of the findings, the key word counts were triangulated with a close reading of selected key documents.

Regarding the governments' positions, the results are based on a manual attitude analysis of parliamentary debates. To this end, references to DI key words in parliamentary debates were manually coded as negative, neutral or positive using QDA Miner software.

The second section of the report details the results of the salience analysis. The third section details the results of the position analysis.

# 2. How salient is DI for Spanish governments?

To evaluate the salience of differentiated integration (DI) in Spanish governments' policy positions and official discourse, DI was conceptualised in three different forms: DI models, DI mechanisms and DI instances. These conceptualisations were evaluated for a wide range of official government documents

and interventions, namely in (a) official government programmes, (b) prime minister speeches, (c) prime minister European Council statements and (d) parliamentary debates, using a broad methodological toolbox containing both quantitative and qualitative methods to assess the presence and prevalence of DI in Spanish government discourse.

# 2.1 Government Programmes

In a first step, Spanish government programmes from 2004 to 2020 were analysed to gauge the salience of DI in domestic politics. The results of a computer-assisted word count analysis are presented in Figures 1 and 2. These figures show the frequency of DI and European Union (EU)-related words in these programmes. Figure 1 focuses on general EU-related references not relating to DI. The main key point that can be observed from Figure 1 is that EU-related references vary over time, with a peak during the eurozone crisis period of 2010-2012. The peak can be observed in 2011. In that year the EU was mentioned more in government programmes than economic, social and cultural issues. Compared to cultural issues, EU references are always more extensive.

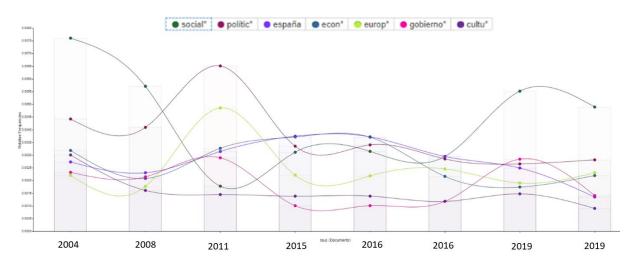


Figure 1 - Non-DI key words in government programmes

Note. Abbreviated keyword translations: social = social, politic = politics, españa = Spain, econ = economy, europ = Europe, gobierno = government, cultu = culture

Figure 2 shows DI-related references in government programmes between 2004 and 2020 in Spain. Figure 2 shows that when it comes to references to DI, they most often deal with economic and social issues, such as Economic and Monetary Union and the Social Charter, and in 2016 also Schengen. For this analysis, key words for DI models and mechanisms were largely absent from government programmes and were therefore not included in the final figures.

© "unión económica y moneta... © "carta social" © "espacio de libertad\*" © schengen © "política común de seguridad\*" © "carta de los derechos fun\*" © "cart

Figure 2 - All the DI key words that appeared in government programmes

**Note.** Abbreviated keyword translations: union económica y moneta = Economic and Monetary Union, carta social = Social Charter, espacio de libertad = Area of Freedom, Security and Justice, Schengen = Schengen, política común de seguridad = Common Security and Defence Policy, carta de los derechos fun = Charter of Fundamental Rights

Next, <u>holistic grading</u> was used to validate these results. In the Socialist Party (PSOE) 2004 government programme, there were only two subsections dedicated to the EU, spanning a total of 2 out of 204 pages. In these, there is only a commitment to EU integration, for example "The Monetary Union already makes a true economic and political union essential, allowing Europe to influence the international situation, positively orient globalisation and respond to the aspirations of citizens" (PSOE government programme, 2004). In the PSOE's 2008 government programme, there are direct mentions of the Treaty of Lisbon with promises to pursue enhanced co-operation, which are reflected in the word count analysis. There are several mentions of support for integration measures, such as security and defence policy.

In 2011, the Popular Party (PP) programme committed to unwavering support for EU integration, especially economic integration, a common migration policy and creating a space of freedom, security and justice. There was also mention of supporting the integration of new Member States and working for better relationships with the heart of Europe. However, there was no explicit mention of DI, opting out of elements of integration or any type of dual-speed mechanism. The Popular Party (PP) government made it clear it supported full co-operation and integration.

In the 2015 and 2016 programmes, the Popular Party (PP) government continued to signal its support for full integration in the EU, arguing that its past commitment to the project had brought many benefits. It focused on joint entrepreneurship strategies, common migration and asylum policies, common border coordination, the euro and a deepening of integration through fiscal, monetary and banking integration. There were critical mentions of Economic and Monetary Union in relation to the financial crisis and how it should be reformed to deepen co-operation, saying "The crisis has shown that the accumulation of external imbalances and loss of competitiveness is the most dangerous factor for the stability of the monetary union" (PP government programme, 2015).<sup>2</sup> This suggested that further integration and commitment by other Member States could help remedy this, suggesting a need for a European Treasury and even recognising that this meant a loss of sovereignty. There was also support for the Security and Defence Policy.

<sup>&</sup>lt;sup>1</sup> "La Unión Monetaria hace ya imprescindible una verdadera Unión Económica y Política que permita a Europa influir en la situación internacional, orientar positivamente la globalización y responder a las aspiraciones de la ciudadanía".

<sup>2 &</sup>quot;La crisis ha demostrado que la acumulación de desequilibrios exteriores y pérdidas de competitividad es el factor más peligroso para la estabilidad de la unión monetaria."

In the 2019 programme, the Socialist Party (PSOE) government called for harmonisation of fiscal policy at the European level through the European financial tax: "Taxation should be adapted to the economy and to the priorities of the 21st century, promoting harmonisation at the European level" (PSOE government programme, 2019).<sup>3</sup> It also claimed that Spain was back in the heart of Europe and that it should continue to have a stronger role in the EU and strengthen its place next to Germany and France as one of the motors of the EU. The government went as far as wanting to abolish national vetoes.

# 2.2 Speeches by Prime Ministers

In the next step, various types of prime minister speeches were analysed. First, the first speeches made by recently appointed prime ministers following an election, which are known in Spain as investiture speeches, were analysed together with the parliamentary debates that followed. This allowed me to gauge the importance of DI as a government priority. Generally, the references to DI were very limited. In fact, there was no direct reference to DI, 'two-speed,' 'enhanced co-operation' etc. The financial transaction tax was most salient in 2011 and the social charter most mentioned in 2019 (Appendix 3). Moreover, variable geometry was directly discussed in 2019 and European issues were discussed more than social, cultural and economic issues in 2019 (Appendix 4).

Next, <u>a close reading of the documents</u> was undertaken to validate these results. In 2004 the Socialist Party (PSOE) prime minister Rodriguez Zapatero's first speech made unequivocal pledges to support the European project and more integration. The closest reference to DI was when he stated that he believed in a Europe with a single vision, not one with two:

"Therefore, it seems to me a mistake to present politics in the European Union as a policy of division between two visions of Europe. Politics in the European Union must be presented with one vision of progress and solidarity and it must be understood that the distribution of power and the institutional architecture is a complex and difficult process" (Rodriguez Zapatero, PSOE, Prime Minister, government, national parliament, 2004).<sup>4</sup>

# Another example of unequivocal support for EU integration is

"To defend the interests of Spain in the European Union, for the enlarged European Union to advance, for the European Union to become the engine of an innovative economy and for the European Union to maintain the social cohesion policies, which are elements that define what the European project represents [...] Convinced by the idea that what is good for Europe is good for Spain, the government will do everything in its power to ensure that the draft European Constitution is approved before the Irish presidency ends" (Rodriguez Zapatero, PSOE, Prime Minister, government, national parliament, 2004).<sup>5</sup>

In 2008, prime minister Rodriguez Zapatero (PSOE) made little mention of further integration, and no reference to DI, even though Spain would occupy the Council presidency in 2010:

"In the first half of 2010, in which we will hold the presidency of the Council of the European Union, we are presented with a unique opportunity to demonstrate our commitment to this European project. We will continue to meet the objectives of the Lisbon strategy to make Spain a more modern and

<sup>3 &</sup>quot;Se adapte la fiscalidad a la economía y a las prioridades del siglo XXI, promoviendo la armonización a nivel europeo".

<sup>&</sup>quot;Por tanto, me parece un error plantear la política en la Unión Europea como una política de división entre dos visiones de Europa. La política en la Unión Europea hay que plantearla con una visión de avance y de solidaridad y hay que comprender que el reparto de poder y la arquitectura institucional es un proceso complejo y difícil."

<sup>&</sup>lt;sup>5</sup> "Para defender los intereses de España en la Unión Europea, para que la Unión Europea ampliada avance, para que la Unión Europea se convierta en ese motor de una economía innovadora y para que la Unión Europea mantenga las políticas de cohesión social, que son elementos que definen lo que representa el proyecto europeo.[...] Convencido de que lo que es bueno para Europa es bueno para España, el Gobierno hará cuanto esté en su mano para asegurar que el proyecto de Constitución europea se apruebe antes de que concluya la presidencia irlandesa."

competitive economy, geared towards job creation, sustainability and social cohesion" (Rodriguez Zapatero, PSOE, Prime Minister, government, national parliament, 2008).

In 2011, in the debate following Popular Party (PP) Prime Minister Mariano Rajoy's investiture, there was strong opposition to a two-speed Europe among the opposition. For example, a speaker for the United Left explained that

"[They want] a constitution that guarantees public intervention in the economy, democratic control of the European Central Bank, the extension and quality of public services and the role of public companies in strategic sectors, and we will oppose any guidance from your government that involves a two-speed Europe" (Rajoy, PP, Prime Minister, government, national parliament, 2011).

In 2016, prime minister Mariano Rajoy (PP) mentioned his commitment to fiscal consolidation with the EU. Apart from that there was little debate about European integration. Strong statements by the opposition on the austerity measures suggested by Rajoy and the EU were voiced. The Prime Minister defended these positions:

"Nor do I need to explain to them that it is my obligation to ensure compliance with the commitments made to Europe, to respect the path of fiscal consolidation agreed with the European Union and control the public deficit" (Rajoy, PP, Prime Minister, government, national parliament, 2016).

Strong positions regarding the independence of Catalunya (being compared to Brexit) were also voiced.

In 2019, the Socialist Party (PSOE) Prime Minister Pedro Sanchez committed to support further integration in Europe:

"What is the point, ladies and gentlemen, of promoting disunity, disaggregation, division within Spain when we need more European Union? What is the point of raising internal borders, when precisely what we have to do is tear down many external borders? It is going against history" (Sanchez, PSOE, Prime Minister, government, national parliament, 2019).

He also proposed further defence integration and mentioned Spain being at the heart of Europe. The issue of Catalan independence also appeared with reference to the EU, in that borders must come down, not up:

"Territories that make up the European Union, we are saying that we have to share sovereignty, that we have to learn the Brexit lesson, that we have to learn the lesson that only by sharing sovereignty, tearing down borders, will we be able to face many of the challenges and problems that Catalan and Spanish society have, solving them in an equitable and effective way" (Sanchez, PSOE, Prime Minister, government, national parliament, 2019). <sup>10</sup>

In 2020, in the debate following the speech by Prime Minister Pedro Sanchez heading the Socialist Party (PSOE) and far left (Podemos) coalition, the idea of variable geometry was scathingly criticised by the

<sup>&</sup>quot;En el primer semestre de 2010, en el que ocuparemos la Presidencia del Consejo de la Unión Europea, se nos presenta una oportunidad única para demostrar nuestro compromiso con este proyecto europeo. Seguiremos cumpliendo con los objetivos de la estrategia de Lisboa para hacer de España una economía más moderna y competitiva, orientada a la creación de empleo, a la sostenibilidad, a la cohesión social."

<sup>&</sup>quot;[Queremos] Una constitución que garantice la intervención pública en la economía, el control democrático del Banco Central Europeo, la extensión y calidad de los servicios públicos y el papel de las empresas públicas en los sectores estratégicos, y nos vamos a oponer a cualquier orientación de su Gobierno que implique una Europa de dos velocidades."

<sup>&</sup>quot;Qué sentido tiene, señorías, fomentar la desunión, la desagregación, la división dentro de España cuando necesitamos más Unión Europea? ¿Qué sentido tiene levantar fronteras internas, cuando precisamente lo que tenemos que hacer es derribar muchas fronteras externas? Es ir contra la historia."

<sup>9 &</sup>quot;En el 75 Europa nos cerraba sus puertas y hoy estamos en su núcleo de decisión."

<sup>&</sup>quot;Territorios que componen la Unión Europea estamos hablando de que tenemos que compartir soberanías, de que tenemos que aprender la lección del brexit, de que tenemos que aprender la lección de que solamente compartiendo soberanías, derribando fronteras podremos hacer que muchos de los desafíos y de los problemas que tiene la sociedad catalana y también española se puedan resolver de manera equitativa y eficaz."

opposition PP party, with the underlying argument that variable geometry and integration at different speeds had negative implications for the state:

"And from that dust comes this mud: from variable geometry to the disputed and debatable nation, from asymmetric federalism to plurinationality, from bilaterality to the nation of nations. All because of you, nobody else. Remember that" (Casado, PP, opposition, national parliament, 2020). 11

He also stated his support for the European Financial Transaction Tax.

# 2.3 European Council Presidency Speeches

Similarly, the speeches made by the Prime Minister when assuming the role of the European Council presidency in 2010 were analysed for the presence of references to DI. Mentions of DI were rare, although there were mentions and discussions of words relating to DI, such as variable geometry, for example (Appendix 5).

Next, a close reading of the documents was performed to provide more insight into these results. In the 2010 speech in the national parliament, Prime Minister Rodriguez Zapatero (PSOE) focused more on the economic crisis than on the EU itself. He made an argument for further integration and coordination to overcome the crisis, and he uttered criticism of variable geometry:

"The truth is that this policy, which had a reflection in this chamber, which was variable geometry, has had negative economic results" (Rodriguez Zapatero, PSOE, Prime Minister, government, national parliament, 2010).<sup>12</sup>

He also called for further integration in the EU, especially in the area of fiscal policy in line with the monetary policy, since the lack of it was seen as leading to the economic crisis:

"The problems facing Greece have highlighted the need to reform and strengthen our economic policies and to make the Union our true force in the face of increasingly competitive globalisation" (Rodriguez Zapatero, PSOE, Prime Minister, government, national parliament, 2010).<sup>13</sup>

In his 2010 speech to the European Parliament, Prime Minister Rodriguez Zapatero (PSOE) discussed the economic crisis and how to deal with it, and committed his full support for the way forward established in the Lisbon Treaty:

"in economic matters, the European Union must advance in economic union and co-operation, starting with the sense of the responsibility of the states, but also giving the community institutions, specifically the Commission, new powers of leadership and of achievement of objectives" (Rodriguez Zapatero, PSOE, Prime Minister, government, European Parliament, 2010). 14

In the debate following the 2010 Speech to the European Parliament, Prime Minister Rodriguez Zapatero (PSOE) was pressed about not mentioning the financial transaction tax and comments were made on how states should deepen economic policy integration through the mechanisms available in the Treaty of Lisbon.

<sup>&</sup>quot;Y de aquellos polvos vienen estos lodos: de la geometría variable a la nación discutida y discutible, del federalismo asimétrico a la plurinacionalidad, de la bilateralidad a la nación de naciones. Todo por culpa de ustedes, de nadie más; recuérdelo".

<sup>&</sup>quot;Lo cierto es que esa política, que tenía un reflejo en esta Cámara, que era la geometría variable, ha tenido resultados económicos negativos".

<sup>&</sup>lt;sup>13</sup> "Los problemas que afronta Grecia han puesto de manifiesto la necesidad de reformar y reforzar nuestras políticas económicas y de hacer de la Unión nuestra auténtica fuerza ante una globalización cada día más competitiva."

<sup>&</sup>quot;Diciendo que en economía, la Unión Europea debe avanzar en la unión económica y en la cooperación, empezando por el sentido de la responsabilidad de los Estados, pero también haciendo que las instituciones comunitarias, concretamente la Comisión, tengan nuevas facultades de dirección y de consecución de objetivos."

Before moving on to an analysis of parliamentary debates, the speeches made by prime ministers and the debates that followed were also evaluated for salience using holistic grading, allowing another measure of the frequency with which DI was mentioned. For this purpose, government programmes, prime ministers' first speeches (and the debates that followed) and speeches inaugurating Spain's EU presidency were all coded on a scale from 0 (no reference to DI) to 2 (direct/central reference to DI) after detailed reading. The overall salience score for all the documents was 0.529, signalling a low to intermediate salience of DI for all document categories. The average salience in government programmes was 0.667, in first speeches 0.3333, while in the EC presidency speech to the national parliament and the following debate there was a salience of 1.25, in the EC presidency speech to the European Parliament and the following debate a salience of 0.5, and in the future of Europe speech made in 2019 a salience of 1.

# 2.4 Parliamentary Debates

While the prime minister is a crucial figure when trying to understand a country's stance on DI, it is also important to investigate national parliamentary debates to gauge how much policy debate centred around this issue. To do this, transcripts of all the parliamentary debates from 2004 to 2019 were analysed for the presence of key words relating to DI models, DI mechanisms and DI instances, both in the Senate and in the Congress of Deputies, and the distribution of these references was plotted to gain insights into their relative use and salience. When it comes to DI models, Figure 3 shows the fluctuation in their salience by plotting occurrences of related key words over time. Several things stand out. First, DI was rarely discussed, with an extremely low total of only 102 mentions in the entire timespan and a maximum of 16 references a year. Second, there is no clear pattern in the fluctuation of DI model references. Third, there are minor spikes in the distribution that could be argued to correspond to the debates on the Future of Europe in 2017 and discussions on the Treaty of Lisbon in 2007 and 2008. Nevertheless, the changes are so minimal that much interpretation of these peaks would be premature.

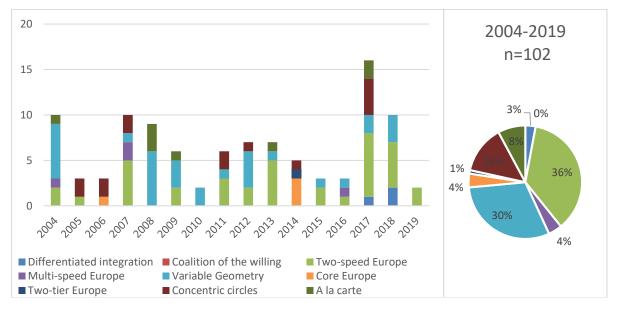


Figure 3 - The salience of conceptual key words in parliamentary debates

To address the variation in the salience of the key words corresponding to DI model mentions, and to assess whether particular key words play a bigger role in certain years, I broke down the DI model key words by their relative occurrence to look at their distribution over the 16 years. First, it is possible to see a dominance of some key phrases over others. Particularly 'two-speed Europe' and 'variable geometry' made up a significant proportion of the results, with 36% and 30% of the mentions

respectively. In the 2017 and 2007 peaks, discussions on two-speed Europe dominated the mentions, while in the 2004 peak variable geometry dominated with 60%. The discussion in 2007 could be a reflection of discussions on the Treaty of Lisbon. Overall, DI was rarely addressed directly.

Next, the report focuses on whether debates on DI tended to occur in the context of wider debates on the 'Future of Europe' (FoE). To this end, the analysis compared the frequency of the conceptual key words to the frequency of the key phrase 'future of Europe.' I found that the two were largely uncorrelated (Appendix 6), with frequent mentions of FoE in the early 2000s and almost no discussion of DI models in these years. However, these results allow us to put into perspective how minimal the salience of DI is in Spain. While policy debates that prominently feature Europe have been occurring with high frequency in the last two decades, the same cannot be said for DI models. This supports the idea that debates regarding Europe were common yet DI did not feature prominently in them.

When it comes to the salience of DI mechanisms in parliamentary debates, I found many more references to key words than was the case for DI models (Figure 4). While the most mentions of DI models was in 2017 with 16 mentions, for DI mechanisms it was 53 in 2018, which is roughly 3 times as many. The fact is that in the Spanish parliament there were more references to DI mechanisms than to DI models. This could be because of the salience of 'enhanced co-operation,' which was presented as something positive. In contrast, 'two-speed Europe' was usually presented in negative terms, with some countries being 'left behind.'

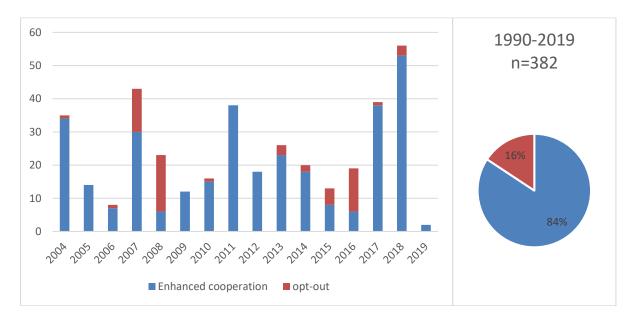


Figure 4 - The salience of DI mechanisms in parliamentary debates

When we look at which DI mechanisms were discussed in more depth, we find the most references to enhanced co-operation. It was clearly the most dominant DI mechanism. The year with the most mentions of opt-outs was 2007, accounting for 30% of the mentions. Opt-outs were discussed in relation to work regulations, with states opting out of a ceiling of eight hours a day, and the Treaty of Lisbon (in 2008), saying that opt-outs made integration impossible. Finally, there were many references in 2017 and 2018 related to fiscal integration and to Brexit.

When we examine the discussion of enhanced co-operation in more depth based on the data presented in Figure 5, it becomes clear that almost half of these mentions were focussed on the Financial Transaction Tax (47 %), or the 'Tasa Tobin' as it was referred to in Spain. This tax sparked much national-level debate, especially in 2012 (with 91 mentions) when it was introduced in France. This tax was something that Spain had been debating for a while, with 12 mentions in 2004 and 34 mentions in

2010. The European Public Prosecutor was also often mentioned (27%), being part of the national conversation in 2009 (20 mentions), 2010 (34 mentions), 2013 (25 mentions) and again in 2018 (31 mentions). Most of the references to PESCO were concentrated in 2010 with 16 of 40 mentions. This is a reflection of the introduction of the Treaty of Lisbon in 2009, in which Permanent Structured Cooperation was addressed, and especially of the Spanish presidency of the European Council, in which the first exploratory seminar on PESCO was held in March 2010. Since then, Spain has been generally in favour of further defence integration. Finally, the unitary patent was also mentioned frequently, with 17% of all the enhanced co-operation DI instance references. This was one of the few controversial forms of integration discussed in the Spanish parliament. The controversy came from tension over the idea of a unitary patent because German and French were accepted as the official languages even though they only represented small percentages (7 and 3 respectively) of patents while Spanish was not.

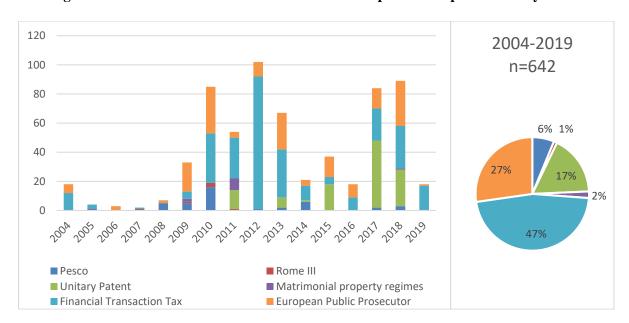


Figure 5 - The salience of instances of enhanced co-operation in parliamentary debates

In Figure 6, we examine references to 'opt-out' policy fields. While the phrase itself was hardly mentioned, with only 60 references between 2004 and 2020, references to opt-out policy fields were frequent. They represented the biggest N of all, with a total of 2951 mentions of the six policy areas. Of these almost 3,000 mentions, Schengen was the most frequent instance and represented 45% (1329) of the total. The Schengen agreement was implemented on 26 March 1995 and Spain was one of the original members of the Schengen Area. Considering how long Spain had been in the Schengen Area, the broadness of this key word, Spain's strong commitment to this type of integration and the impact that Schengen had on any discussion on national and European politics, it is not a surprise that it was mentioned so often. At 15%, Economic and Monetary Union was also mentioned frequently as an optout policy area, with 448 mentions in total. Having joined the eurozone in 1999, Spain was one of the original Member States that opted for monetary integration. Considering the impact of the European sovereign debt crisis on the Spanish economy in the early 2010s, Economic and Monetary Union was key to national fiscal policy and the response to the Great Recession. The remaining key phrases, Social Chapter and Charter of Fundamental Rights (15% and 14% of the mentions) also make up a large proportion of the opt-out key phrase mentions. This might be a result of the Spanish left's focus on a 'social Europe.'

Figure 6 - The salience of instances of opt-out policy fields in parliamentary debates

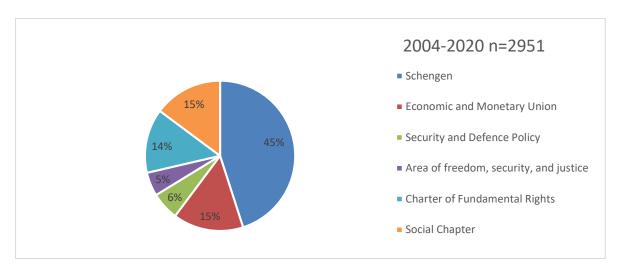


Figure 7 refers to inter se agreements. A clear peak can be found in 2012, with 189 mentions of them. This coincides with the year when Spain was hit by the European sovereign debt crisis, which might explain the peak. Considering that of these 189 mentions in 2012 most were related to fiscal policy, with 78 (41%) referring to the European Stability Mechanism, 57 (30%) referencing the Single Resolution Mechanism and 54 (29%) the Fiscal Compact, it is clear that the Spanish crisis and the agreement of these Treaties converged to make 2012 a year in which inter se agreements were of key interest for the national parliament. In 2014, the Single Resolution Mechanism was especially salient, with 45 mentions (accounting for 80% of all the inter se agreement mentions that year). This can be explained by the mechanism agreement being signed that year. Nevertheless, it is interesting that debate regarding this mechanism was present every year from 2012 to 2018 (with a lull in 2016 with only 5 mentions). It is clear that conversations on the banking union were salient in the years both before and after its establishment in 2014. The European Stability mechanism accounts for 37% of all inter se agreement mentions, with a total of 170 mentions. Like the Single Resolution Mechanism it was especially salient in 2012, but unlike it conversations regarding the European Stability Mechanism began two years earlier, in 2010, and stretched past the 2012 crisis, being discussed as late as 2017 and 2018, with 12 mentions in each of these years.

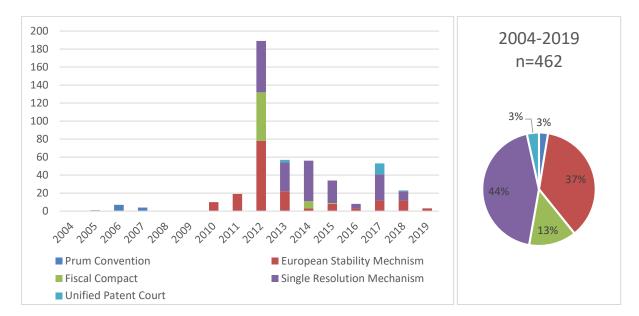


Figure 7 - The salience of instances of inter se agreements in parliamentary debates

Figure 8 refers to external association agreements. There is a clear salience of EuroMed in the breakdown of these agreements. Since the original EuroMed co-operation built on a framework launched in Barcelona in 1995 and because of Spain's vested interest in the Mediterranean, it is no surprise that this external co-operation framework was of importance to the country. Nevertheless, the result might be influenced by Spanish parliament members frequently using 'Euro-Mediterraneo' to refer to the geographical location and not the co-operation framework.

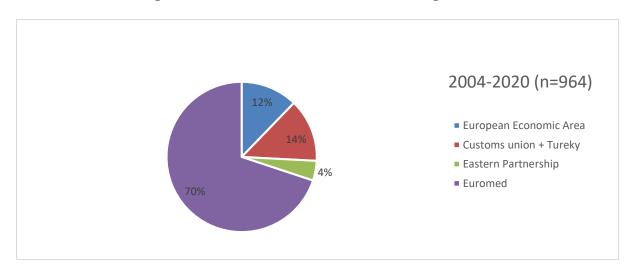


Figure 8 - Breakdown of external association agreements

#### 2.5 European Council statements

In a final step, the analysis turns to prime minister European Council statements in Spain. These press conferences were held in English from 2007 to 2015 (Appendix 7a), and in Spanish from 2016 to 2020 (Appendix 7b), leading to two graphs with key words in English and Spanish. In these statements, the prime minister informed the Spanish Parliament about the agenda and results of European Council

meetings. Subsequently, members of parliament could address the prime minister. The statements were used as sources of information on the intersection between domestic and European politics in which prime ministers were most likely to formulate clear positions on EU membership and European integration. Overall, the European Council statements confirmed the previous findings, but the higher number of documents allowed a more fine-grained assessment. The analysis showed a high salience of Economic and Monetary Union in most years (Appendices 7a and 7b). In the years 2013 and 2014 there were many mentions of the Single Resolution Mechanism, while the European Stability Mechanism was often mentioned in 2011. Finally, there were many references to PESCO in 2016, 2017 and 2018. This shows that the references coincided with developments at the EU level.

Finally, the analysis moves on to **prime minister speeches to the Spanish Congress**, reporting on the issues discussed at the last European Council meeting. This supports the pattern found above, with Economic and Monetary Union being highly salient. However, while the salience of the European Stability Mechanism was the highest in 2011 in Council statements, the analysis of PM speeches to the Spanish Congress showed that the European Stability Mechanism was most salient in 2012 (Appendix 7c). This might point to a disconnection between what Spanish prime ministers talk to the press about following European Council meetings and what they report back to Congress. In 2007 and 2008, the Area of Justice, Freedom and Security was also frequently discussed .

# 3. What positions do Spanish governments have on DI?

This section presents the positions of Spanish government and opposition parties on DI. It is based on parliamentary debates in 2008, 2012 and 2017-2020. The first subsection provides a quantitative overview of government and opposition positions divided into positive, negative and neutral statements. The second subsection gives a qualitative assessment of statements by government and opposition politicians in the three periods with direct quotations, with the original versions in footnotes.

# 3.1 Quantitative overview of government positions

An interesting observation from Figure 9 is that when it comes to the notion of multiple speed Europe, government and opposition parties display quite similar positioning. Note that this is quite remarkable given that there have been many changes of government. In 2008 the government was formed by the Social Democratic Party (PSOE), in 2012 by the Popular Party (PP) and between 2017 and 2020 first by the Popular Party (PP), from 2018 the Social Democratic Party (PSOE) and from January 2020 the Social Democratic Party together with the far left party Podemos. One could expect the ideological divide between the governments to manifest itself in positions on DI but this is not the case for multispeed Europe, which is viewed very negatively. Of the 51 mentions only 7 were positive. The negative mentions are largely embedded in the idea that Spain does not want to be in the 'second tier' of DI, fearing being left behind by more committed members. In this sense, the positions of the Spanish governments are very anti-DI. In terms of multi-end Europe, mentions of variable geometry and concentric circles were rarer than multi-speed Europe, with only 24 mentions, of which most were neutral.

Enhanced co-operation, which the salience analysis showed was most often mentioned, was discussed more neutrally or positively. This is not surprising as it is not against the spirit of integration but provided for in of the Treaties. Therefore, enhanced co-operation is seen not as a mechanism to delay integration while other EU members press ahead but instead as a mechanism with which states can sidestep hesitant members and continue with further European integration despite other states' concerns. Opt-outs were discussed less and generally presented as something negative.

Figure 9 - Government and opposition DI positions<sup>15</sup>

**Multi-speed Europe (two-speed + multi-speed)** 

|            | 1 - 1 - 1 |         |          |
|------------|-----------|---------|----------|
| (n = 50)   | Negative  | Neutral | Positive |
| Government | 11        | 6       | 1        |
| Opposition | 16        | 5       | 6        |
| 2008       | 3         | 2       | 0        |
| 2012       | 6         | 1       | 1        |
| 2017-2020  | 20        | 10      | 7        |

**Multi-end Europe (Variable Geometry + Concentric Circles)** 

| (n = 24)   | Negative | Neutral | Positive |
|------------|----------|---------|----------|
| Government | 1        | 8       | 2        |
| Opposition | 2        | 0       | 0        |
| 2008       | 0        | 2       | 1        |
| 2012       | 1        | 4       | 2        |
| 2017-2020  | 4        | 5       | 5        |

**Enhanced co-operation** 

| (n = 83)            | Negative | Neutral | Positive |
|---------------------|----------|---------|----------|
| Government (n = 73) | 6        | 35      | 32       |
| Opposition (n = 33) | 5        | 17      | 11       |
| 2008                | 0        | 4       | 6        |
| 2012                | 0        | 4       | 4        |
| 2017-2020           | 11       | 16      | 35       |

Opt-out

| opt out             |          |         |          |
|---------------------|----------|---------|----------|
| (n = 13)            | Negative | Neutral | Positive |
| Government (n = 50  | 1        | 5       | 0        |
| Opposition (n = 21) | 5        | 0       | 0        |
| 2008                | 5        | 1       | 0        |
| 2012                | 0        | 1       | 0        |
| 2017-2020           | 1        | 5       | 0        |

In Figure 10 we examine DI positions by the left-right ideology of parties. Overall, the table suggests that ideological differences are small, although left-wing parties made more negative mentions of DI. This is especially the case for opt-outs, which the left views especially negatively. Opt-outs might be more criticised by the left because of discussion being shaped by the labour rights component. In addition, the left was in power when the Brexit referendum took place.

Figure 10 - DI positions by partisan ideology

| (n = 80) | Negative | Neutral | Positive |
|----------|----------|---------|----------|
| Right    | 14       | 7       | 14       |
| Left     | 19       | 5       | 21       |

Note: N is determined by the sum of the mentions registered in the second half of each table, which also include mentions by actors in neither the government nor the opposition.

European University Institute

**Multi-speed Europe (two-speed + multi-speed)** 

| (n = 38) | Negative | Neutral | Positive |
|----------|----------|---------|----------|
| Right    | 8        | 4       | 3        |
| Left     | 5        | 5       | 5        |

**Multi-end Europe (Variable Geometry + Concentric Circles)** 

| (n = 3) | Negative | Neutral | Positive |
|---------|----------|---------|----------|
| Right   | 1        | 1       | 0        |
| Left    | 1        | 0       | 0        |

**Enhanced co-operation** 

| (n = 40) | Negative | Neutral | Positive |
|----------|----------|---------|----------|
| Right    | 6        | 3       | 11       |
| Left     | 2        | 2       | 16       |

Opt-out

| (n = 6) | Negative | Neutral | Positive |
|---------|----------|---------|----------|
| Right   | 0        | 0       | 0        |
| Left    | 6        | 0       | 0        |

# 3.2 Qualitative assessment of government positions

The qualitative analysis confirms the observation that the government and the opposition parties take very similar positions towards DI. It also strongly supports the notion of Spain's unequivocal support for the EU. Therefore, DI is not a salient topic of discussion in Spain. When it does come up, there is almost unanimous support for further integration. Two-speed Europe is brought up almost exclusively in a negative way with fears of being left in the second tier of integration.

#### 3.2.1 2008 – Lisbon Treaty

In debates regarding the **Treaty of Lisbon** and **referendums**, there is explicit opposition to a 'twospeed' Europe and DI in general, on the part of both the government and the opposition.

#### Governments' positions

Parties in government make explicit references to the dangers posed to the Lisbon Treaty by differentiated integration itself:

"Lisbon rests on delicate and laborious balances [...] there are, for example, reinforced co-operation, expressly included in the texts, or the opt-outs. But this way it is impossible to tackle the institutional reforms that the European Union needs"16 (Durán Lleida, EAJ-PNV, government, national parliament, 2008).

Therefore, while there is support on both sides of the aisle for the Treaty of Lisbon, both opposition and governing coalitions express concern about the potential of unequal integration. Nevertheless, this concern is stronger among the opposition, which blames the governing PSOE for leaving Spain out of the 'heart of Europe' through the differentiated integration mechanisms that the Treaty of Lisbon

<sup>16 &</sup>quot;Lisboa descansa sobre delicados y trabajosos equilibrios [...] ahí están, por ejemplo, las cooperaciones reforzadas, expresamente recogidas en los textos, o los opt-outs. Pero por esta vía era imposible abordar las reformas institucionales que la Unión Europea necesita."

provides. The governing party, on the other hand, expresses its view of the Treaty of Lisbon as a way to enhance integration without needing to have all members on board:

"The Lisbon Treaty at least gives us instruments to play a much more active role in the international community. We are going to take advantage of the Treaty of Lisbon to maximise the capacities it has in the external dimension of the Union" (Moratinos Cuyaubé, Minister of Foreign Affairs, government, national parliament, 2008).<sup>17</sup>

# The opposition's position

The opposition voiced concerns over the Treaty of Lisbon. In general, these were in line with the government's own concerns, centring on the idea that the Treaty of Lisbon would allow Member States to pick and choose the level of integration pursued:

"States with different speeds, and negotiating bilateral agreements with those states that lag behind - we do not think, Mr. President, that this is a good strategy" (Ridao Martin, ICV, opposition, national parliament, 2008). 18

In 2008 following the ratification of the Treaty of Lisbon, there was ample dismissal of the idea that Europe could not further integrate, particular by the opposition. This showcased Spain's commitment to further integration despite differences that might have appeared during the negotiation of the Treaty:

"We have the Czech President, Vaclav Havel, saying that Europeanism is like Esperanto, an artificial language, and that the treaty cannot enter into force. [...] However, you remember that there are more countries that have ratified the treaty than those that have opposed it, and the specific case is Ireland. Moreover, yesterday's news was that a judge in Great Britain had given the British ratification the go-ahead. Therefore, I believe that Ireland cannot stop the European Constitution. The European idea cannot be oxidised" (Erkoreka Gervasio, ICV, opposition, national parliament, 2008). 19

# 3.2.2 2012 - Taxation and Monetary Policy

A second theme in Spanish debates is fiscal and monetary policy, and economic integration more broadly.

### The government's position

There were many references to the **European Financial Transaction Tax** (Tasa Tobin). In 2012 the government used the enhanced co-operation mechanism to vote this tax into place, and the government again pushed for enhanced co-operation to enact it:

"In relation to the tax issue, I can tell you that yesterday at Ecofin Spain supported, in a reinforced co-operation procedure, the establishment of a tax on financial transactions. I believe that with this review that we have made of taxes you will be able to verify that, indeed, in a context logically of fiscal crisis in which unfortunately we have to raise taxes, efforts are being focused on those who

<sup>&</sup>quot;El Tratado de Lisboa al menos nos da unos instrumentos para jugar un papel mucho más activo en la comunidad internacional. Vamos a aprovechar el Tratado de Lisboa para ampliar al máximo las capacidades que tiene en la dimensión exterior de la Unión"

<sup>&</sup>lt;sup>18</sup> "Estados con distintas velocidades, y negociando acuerdos bilaterales con aquellos Estados que quedan rezagados, no nos parece, señor presidente, una buena estrategia".

<sup>&</sup>quot;Tenemos al presidente checo, Vaclav Havel, diciendo que el europeismo es como el esperanto, una lengua artificial, y que el tratado no puede entrar en vigor. [...] Sin embargo, usted recuerda que son más los países que han ratificado el tratado que los que se han opuesto, y el caso concreto es Irlanda; es más, la noticia de ayer fue que un juez en Gran Bretaña había dado el visto bueno a la ratificación británica. Por lo tanto, creo que Irlanda no puede frenar la Constitución europea. No se puede oxidar la idea Europea".

actually have more economic capacity. How could it be otherwise?" (De Guindos Jurado, Minister for Economy and Competitiveness, government, national parliament, 2012).<sup>20</sup>

In 2012, in parallel with these discussions regarding taxation, there was also broad concern about Spain not being at the heart of Europe any more due to differentiated integration. In discussions regarding **integration** itself in October 2012, DI was discussed as something that Europe, and Spain in particular, had to come to terms with. This was a line pushed by the Rajoy government (PP) in response to criticism that Europe was increasingly differentiated in its integration, saying that Spain could use this DI to its advantage:

"Are we in a process of variable geometry? We already are. There are states that are in Schengen and states that are not, there are states that are in the euro and states that are not, and we will probably have to advance in this procedure" (García-Margallo, PP, government, national parliament, 2012).<sup>21</sup>

Regarding **Monetary policy**, the Rajoy government (PP) defended its handling of the crisis: its defence was grounded on the idea that it indeed survived the crisis and that it did not result in a two-speed euro:

"I prefer to see things from another point of view. Europe has indeed gone through a monumental economic crisis, the largest in its history, with a recession, with threatened countries, with countries that had to be rescued – such as those that are on the minds of all present – with a continued increase in unemployment, with many doubts about the existence or not of the euro, with statements by some and others that we were going to live with a euro at two speeds – we were going to be in safety. We experienced all of this and much more in Europe in the years 2009, 2010, 2011, 2012, 2013. But the most important thing is that Europe demonstrated the capacity, determination and courage to liquidate the greatest economic crisis the Union has experienced" (Rajoy, PP, Prime Minister, government, national parliament, 2017).<sup>22</sup>

# The opposition's position

In 2012, the government of prime minister Mariano Rajoy (PP) faced criticism for agreeing to austerity measures supported by Brussels. These policies, which were put in place with the support of the EU, were framed as jeopardising European integration. The government was criticised for lacking a European fiscal policy by the left, claiming that the budgetary requirements of 2012 made the idea of an economic, fiscal, social and ecological Europe impossible. We see the theme of the opposition attacking the government for not being EU-focused enough:

"The principle of solidarity has been broken in Brussels, because it will only be applied to countries that strictly comply with budget requirements. With reforms such as this, Europe, the dream of an economic and fiscal Europe, a social and ecological Europe, a political Europe, is moving away. We do not want a Europe that runs at different speeds. We want a social Europe, that of the peoples, not

<sup>20 &</sup>quot;En relación con el tema impositivo, le puedo decir que ayer en el Ecofín España apoyó, en un procedimiento de cooperación reforzada, el establecimiento de un impuesto sobre las transacciones financieras. Creo que con este repaso que hemos hecho de los impuestos podrá usted cotejar que efectivamente, en un contexto lógicamente de crisis fiscal en la cual por desgracia tenemos que subir los impuestos, se está intentando centrar los esfuerzos en aquellos que efectivamente tienen más capacidad económica, como no podía ser de otra forma".

<sup>&</sup>lt;sup>21</sup> "Estamos en un proceso de geometría variable? Ya lo estamos. Hay estados que están en Schengen y estados que no, hay estados que están en el euro y estados que no, y probablemente tengamos que avanzar en ese procedimiento."

<sup>&</sup>quot;Yo prefiero ver las cosas desde otro punto de vista. Europa ha pasado, efectivamente, por una monumental crisis económica, la mayor de su historia, con recesión, con países amenazados, con países que tuvieron que ser rescatados como los que están en la mente de todos los presentes -, con un aumento continuado del desempleo, con muchas dudas sobre la existencia o no del euro, con afirmaciones por parte de unos y de otros de que íbamos a vivir en un euro a dos velocidades - nosotros íbamos a estar en la segundad-. Todo eso y mucho más lo vivimos en Europa en los años 2009, 2010, 2011, 2012, 2013. Pero lo más importante es que Europa demostró la capacidad, la determinación y el coraje para liquidar la mayor crisis económica que ha vivido la Unión".

that of the markets. We need a Europe of employment, sustainable economic growth, social cohesion and protection of the environment" (Lara Moya, IU, opposition, national parliament, 2012).<sup>23</sup>

Generally, Rajoy's government received much pushback from the left for the fiscal austerity policies backed by the EU, with criticisms that Spain was losing its voice in the EU and was being told what to do by Germany:

"But we are concerned about the lack of unanimity on issues as fundamental as these because a Europe of different speeds is being built, the institutional structures of the Union are becoming more complicated and, in recent times, common institutions have lost prominence and some national governments are gaining too much prominence, particularly the German government" (Anchuelo Crego, UPyD, opposition, national parliament, 2012).<sup>24</sup>

# 3.2.3 2017 – Five Integration Scenarios and Brexit

# The government's position

In 2017, there was much debate regarding the future of European integration, specifically on the five options presented by Juncker to the European Council in the 'White Paper on the Future of Europe: Five Scenarios.' There was a clear preference for scenarios three ('Those who want more do more') and five ('Doing much more together') on the part of Prime Minister Rajoy and his PP party, with criticisms of those who wanted to slow integration. It is possible to sense a little resentment in the speech, as there was an emphasis on the idea that "this is out of our hands" and "it is them who decide":

"There will be people who may like solution one, two or four best. The ones I propose, and I am the one who defends Spain over there, are five and three, and then we'll see what happens in the future. Well, you support three and five; you support enhanced co-operation and not in a two-speed Union. I also prefer it to be called enhanced co-operation, which does not seem to me to be an absolutely insurmountable problem. So, on this matter – which, by the way, was supposed to be the most important one today – we agree" (Rajoy, PP, Prime Minister, government, national parliament, 2017).<sup>25</sup>

Regarding Brexit, some parliamentarians forming part of the government coalition suggested that **Brexit** happened because of Europe's inability to enforce its own integration, and allowing Britain to opt-out of so many key policies:

"It is the first country to do it [Brexit], it is perhaps the first country to do it this time. On other occasions, no, it is only worth recalling the veto and opt-out of the United Kingdom from the European Social Charter, the same with Schengen and the same with the euro and other things"

<sup>&</sup>quot;El principio de solidaridad se ha quebrado en Bruselas, porque solo se aplicará a los países que cumplan a rajatabla los requisitos presupuestarios. Con reformas como esta Europa se aleja del sueño de una Europa económica 18 y fiscal, de una Europa social y ecológica, de una Europa política. "No queremos una Europa que marcha a distintas velocidades; queremos una Europa social, la de los pueblos, no la de los mercados. Necesitamos la Europa del empleo, del crecimiento económico sostenible, de la cohesión social y de la protección al medio ambiente".

<sup>&</sup>quot;Pero sí nos preocupa la falta de unanimidad en cuestiones tan de fondo como estas porque se va construyendo una Europa de diferentes velocidades, cada vez se complican más las estructuras institucionales de la Unión y, en los últimos tiempos, van perdiendo protagonismo las instituciones comunes y van ganando demasiado protagonismo algunos Gobiernos nacionales, singularmente el Gobierno alemán".

<sup>25 &</sup>quot;Habrá gente a la que a lo mejor le guste más la solución uno, la dos o la cuatro. Yo las que propongo, que soy el que defiende a España allá, son la cinco y la tres, y luego ya veremos qué es lo que ocurre en el futuro. Bien, usted está en la tres y en la cinco; está en la cooperación reforzada y no en la Unión de dos velocidades. Yo también prefiero que se llame cooperación reforzada, no me parece tampoco un problema absolutamente insalvable. Por eso, en este asunto - que, por cierto, se supone que era el más importante del día de hoy - estamos de acuerdo".

(Aguiriano Nalda, Secretary of State for the European Union, government, national parliament, 2018).  $^{26}$ 

# The opposition's position

Brexit also sparked many conversations about how **integration** should look, including within the opposition, causing what one could possibly call a rally around the (European) flag effect, in which parliamentary members became staunchly committed to the idea of Europe:

"You will agree with me that today is a bad day because it is true that this is the departure of one of the inhabitants of our common home who felt less comfortable inside it, but until now no one wanted to leave the European Union. In this sense, today marks a before and an after, a before period that I will say has not been wonderful in terms of the participation of the United Kingdom in the European project, and an after period that should not be excessively disappointing either. For this reason we have no right to fall into melancholy. We offered all opportunities to the UK. They had at their disposal a veritable jungle of opt-outs during their time in office, and this same mixed Commission in the previous failed legislature allowed them even more exceptions. Minister, we made all the effort; nothing more was required of us. We must turn to what we must do now: the importance of the guidelines. Anything that does not enter them and that you want to introduce later as you well know should be done by consensus among the 27. Hence the importance of this procedure and that all the issues that interest Spain are incorporated in the guidelines. Hence also the consequence that this Parliament knows them and assumes them. I remind you that a government without an absolute majority must always act in accordance with parliament, even more in matters that are transcendental like this" (Maura Barandiarán, UPyD, opposition, national parliament, 2017).

# 3.2.4 2017 – The Unitary Patent Dispute

# The government's position

Whether or not to join the European Unitary Patent was a subject of much debate in the Spanish parliament. In fact, it was one of the few instances in which the governing party was openly against further integration with the European Union. The Partido Popular (PP) argued against joining this unitary patent, in part because it disliked the fact that Spanish would not be accepted as an official language, going so far as to call it linguistic discrimination:

"Regarding language, Spanish is obviously an official language in the United Nations and also in international industrial property systems. Defence of the Spanish language as a technological language is a strategic priority for Spain, and we are surprised that many parties for which the language is somewhat inalienable suddenly defend English more than Spanish, and it has nothing to do with nationalisms. But make no mistake, the Popular Parliamentary Group is very clear that it supports the European community, which supports a patent system, but asks for this system to

<sup>&</sup>lt;sup>26</sup> "Es el primer país en hacerlo [Brexit], es quizás el primer país en hacerlo esta vez. En otras ocasiones no, solo cabe recordar el veto y el opt-out del Reino Unido a la Carta Social Europea, lo mismo con Schengen y lo mismo con el euro y alguna cosa más".

<sup>&</sup>quot;Convendrá usted conmigo en que hoy es un mal día porque es verdad que se trata de la salida de uno de los habitantes de nuestra casa común que menos cómodo se sentía dentro de ella, pero es que hasta ahora nadie quería salir de la Unión Europea. En este sentido, el día de hoy marca un antes y un después; un antes que diré que no era maravilloso en cuanto a la participación del Reino Unido en el proyecto europeo y un después que tampoco debería resultar en exceso decepcionante. Por eso mismo no tenemos derecho a caer en la melancolía. Ofrecimos todas las oportunidades al Reino Unido. Este tuvo a su disposición una auténtica selva de opt-outs durante su tiempo de permanencia, y esta misma Comisión mixta en la legislatura fallida anterior le permitió aún más excepciones. Señor ministro, nosotros hicimos todo el esfuerzo; no nos era exigible nada más. Por eso vamos a lo que nos toca ahora: la importancia de las guidelines. Todo lo que no entre en ellas y que se quiera introducir más tarde como usted bien sabe deberá hacerse por consenso entre los Veintisiete. De ahí la importancia de este trámite y de que en las líneas guía se incorporen todos los asuntos que interesan a España. De ahí también la derivada de que este Parlamento las conozca y las asuma. Le recuerdo que un gobierno sin mayoría absoluta debe actuar siempre de acuerdo con el parlamento, más aún en las cuestiones que son trascendentales como esta".

respect and comply with the principles of legal certainty and linguistic non-discrimination. Unfortunately, this proposal to join the enhanced co-operation system and the Agreement on the Unified Patent Court ..." (Cotelo Balmaseda, PP, government, national parliament, 2017).<sup>28</sup>

At other times, parliamentary members also argued that it would not bring about any direct benefits for Spanish companies:

"The proposal to join the enhanced co-operation system between Member States of the European Union in the field of the unitary patent and signing the agreement on the Unified Patent Court do not meet, in the opinion of this parliamentary group, the aforementioned criteria and, therefore, we do not believe that it is good either for Spanish companies or for the common good" (Moraleja Gomez, PP, government, national parliament, 2017).<sup>29</sup>

# The opposition's position

Parties on the other side of the political aisle, on the other hand, voiced their support for joining the European unitary patent. This parliamentary group centred its arguments on the need for further integration with the European Union, framing the dispute as one about integration. In particular, one member of the PSOE pointed to inconsistencies in the government's discourse regarding integration, claiming it professed that it supported enhanced co-operation whenever possible (and was a motor of European integration) yet was unwilling to take the step necessary to join this crucial integration step:

"Maintaining this position is not at the level of a country like Spain and is inappropriate for someone who dreams of leading the European project. If there is any clear example of enhanced co-operation, this is it. Look, of the still twenty-eight members of the European Union, twenty-six have decided to join. Only Spain and Croatia are out. Is this how you want to be the locomotive of Europe? Because if that's the case, we won't even be in the caboose" (Blanquer Alcaraz, PSOE, opposition, national parliament, 2017).<sup>30</sup>

# 3.2.5 2018 - Defence Policy and PESCO

### The government's position

In 2018, defence policy and security integration gained salience in the Spanish parliament due to ongoing discussions in Europe regarding PESCO. For its part, the Spanish government supported and applauded efforts to further integrate defence policy within the European Union, especially in the form of PESCO:

"Today we have heard good news from the Minister, which is our participation in reinforced cooperation on Pesco, and we all have to continue working together to improve the capabilities and

<sup>&</sup>quot;Respecto a la lengua, evidentemente el español es idioma oficial en las Naciones Unidas y también en los sistemas de propiedad industrial internacionales. La defensa de la lengua española como lengua tecnológica es una prioridad estratégica para España, y nos sorprende que muchos partidos para los que la lengua es algo irrenunciable, de repente defiendan más el inglés que el castellano, y no tiene nada que ver con los nacionalismos. Pero no se equivoquen, el Grupo Parlamentario Popular tiene muy claro que apoya a la comunidad europea, que apoya un sistema de patentes, pero pide que dicho sistema respete y cumpla los principios de seguridad jurídica y de no discriminación lingüística. Lamentablemente, esta propuesta de adhesión al sistema de cooperación reforzada y el Acuerdo sobre el Tribunal Unificado de Patentes".

<sup>&</sup>lt;sup>29</sup> "La propuesta de adhesión al sistema de cooperación reforzada entre Estados miembros de la Unión Europea en el ámbito de la patente con efecto unitario y la firma del Acuerdo sobre el Tribunal Unificado de Patentes no cumplen, en opinión de este grupo parlamentario, con los criterios mencionados y, por tanto, no creemos que sea bueno ni para las empresas españolas ni para el interés general".

Mantener esta posición no está a la altura de un país como España y es impropia de alguien que sueña con liderar el proyecto europeo. Si existe algún ejemplo claro de cooperación reforzada es este. Fíjense, de los todavía veintiocho integrantes de la Unión Europea, veintiséis han decidido acogerse. Solo España y Croacia están fuera. ¿Es así como quieren ser la locomotora de Europa? Porque si es así, no llegamos ni a vagón de cola.

operations of the Spanish armed forces" (Tarno Blanco, PP, government, national parliament, 2018).<sup>31</sup>

"The second element refers to reinforced co-operation in defence matters, Pesco, which has consolidated these advances at the operational level. It was approved in December and is now being developed [...] practically all the Member States have signed up to participate in this enhanced co-operation in defence matters, which supports the theory that the more things we do between more, the better for all" (Dastis Quecedo, Minister of Foreign Affairs, government, national parliament, 2018).<sup>32</sup>

# The opposition's position

The opposition generally supported efforts to integrate European defence policy, citing defence as one of the key issues in which society hoped to further integrate with the European project. This was matched with calls to use enhanced co-operation to further defence integration:

"The better and greater European integration that our group wants – and a good part of Spanish society, by the way – has as one of its main elements the issue of defence, one of the aspects, let us remember, in which the Treaty, in article 42, allows a greater capacity for enhanced co-operation. The recent positions of our main partner on the other side of the Atlantic force us to build a European defence pillar, which is also one of the spaces with the greatest consensus for the political integration of Europe among the 27 Member States" (Maura Baurandiarán, UPyD, opposition, national parliament, 2018).

This same sentiment was echoed later in the year with further calls to reinforce European defence cooperation by the opposition in the light of Donald Trump's isolationism:

"We believe that a determined commitment to strengthened co-operation between European armies and transatlantic co-operation seems essential, and now more than ever after the latest decisions adopted by the Trump Administration, which aim to weaken the transatlantic ties in security and defence that are so essential" (Pascal Capdevilla, PDeCAT, opposition, national parliament, 2018).<sup>34</sup>

The government, however, received some push-back from particular parliamentary members on the issue of how to best integrate defence mechanisms and policy, with some members suggesting Prime Minister Rajoy was not doing enough to ensure that the door remained open for other countries to integrate at some later point, leading to a 'two-speed' Europe, which was regarded as negative:

"The effective steps to make the European project advance also in relation to foreign security and defence are positive and, in this sense, what you will have to tell us is how to effect this in Spain and in the defence budget or how there is going to be a restructuring of the deployment of our Armed Forces and of their structure, size and preparation. You can tell us today or your defence minister will tell us at some point. But it must be recognised that the formal commitment to more integration has generated some concern. In this regard, Mr Rajoy, let us rigorously apply semantics. Enhanced

<sup>&</sup>lt;sup>31</sup> "Hoy hemos escuchado a la ministra una buena noticia, que es nuestra participación en la cooperación reforzada, en la Pesco, y todos juntos tenemos que seguir trabajando para mejorar las capacidades y la operatividad de las Fuerzas Armadas españolas".

<sup>&</sup>quot;El segundo elemento se refiere a la cooperación reforzada en materia de defensa, la Pesco, que ha pasado a consolidar estos avances a nivel operativo. Se aprobó en el mes de diciembre, se está ahora procediendo a su Desarrollo [...] prácticamente todos los Estados miembros hayan suscrito su voluntad en participar en esta cooperación reforzada en materia de defensa, lo cual abona la teoría de que cuanto más cosas hagamos entre más, mejor para todos".

<sup>&</sup>quot;La mejor y mayor integración europea que desea nuestro grupo - y buena parte de la sociedad española, por cierto - tiene como uno de sus elementos principales la defensa, uno de los aspectos, recordémoslo, en el que el tratado, en su artículo 42, permite una mayor capacidad de cooperación reforzada. Las recientes posiciones de nuestro principal socio al otro lado del Atlántico nos obligan a construir un pilar europeo de la defensa, que es, además, uno de los espacios de mayor consenso para la integración política de Europa entre los 27 Estados miembros".

<sup>&</sup>quot;Nos parece fundamental una apuesta decidida por la cooperación reforzada entre los ejércitos europeos y la cooperación transatlántica, y ahora más que nunca después de las últimas decisiones adoptadas por la Administración Trump, que tienen como objetivo debilitar los vínculos transatlánticos en seguridad y defensa que tan necesarios son".

co-operation is not the same as a two-speed Europe, because in no case is it a matter of abandoning to their fate those who cannot keep up with the pace of commitment of the most advanced countries or those who do not want to follow it at this time but might in the future" (Hernando Vera, PSOE, opposition, national parliament, 2018).<sup>35</sup>

# 3.2.6 2012-2019 – Further integration through enhanced co-operation

# The government's position

Another key theme to understand the Spanish government's position towards DI is **enhanced co-operation**. Generally, enhanced co-operation is presented as a way for the Spanish government to push forward with integration without having the support of all the other European Union members. We see traces of this starting to happen in 2012, when enhanced co-operation was presented as a way to push for the **Financial Transaction Tax** without the participation of other Member States:

"At the Ecofin Council a few days ago, on Friday the 22nd, it was decided to explore the possibility of advancing through the enhanced co-operation mechanism; that is, that those who want to accept it can accept it without having to submit to the will of others. Ten countries are needed, and at the moment it seems to me that we are nine. We have expressed our approval" (García-Margallo, Minister of Foreign Affairs, government, national parliament, 2012)<sup>36</sup>

Enhanced co-operation was seen as a way to **create union-wide policies that Spain sees as beneficial**, including labour mobility policies to combat the high unemployment experienced at the national level:

"Several States are ready to study ways to advance through the enhanced co-operation procedure, which should allow concrete results before the end of this year. For Spain, it is particularly urgent for policies aimed at job creation to be applied at the community level, with special attention to youth unemployment and the reincorporation of older workers in the labour market. We have also confirmed the importance of promoting labour mobility within the Union through various instruments, in particular, strengthening the acquisition and maintenance of pension rights and other social rights. In this sense, we can congratulate ourselves that the conclusions reflect this Spanish initiative" (Rajoy, PP, Prime Minister, government, national parliament, 2012).<sup>37</sup>

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Son positivos los pasos efectivos para lograr que el proyecto europeo avance también en lo relativo a la seguridad exterior y a la defensa y, en este sentido, lo que usted nos tendrá que decir es cómo a repercutir eso en España y en el presupuesto de defensa o cómo va a haber una reestructuración del despliegue de nuestras Fuerzas Armadas y de la estructura, de la dimensión y de la preparación de las mismas. Nos lo podrá decir hoy o nos lo dirá en algún momento su ministra de Defensa. Pero hay que reconocer que la apuesta formal por más integración ha generado alguna inquietud. A este respecto, señor Rajoy, apliquemos con rigor la semántica. No es lo mismo la cooperación reforzada que una Europa de dos velocidades, porque en ningún caso se trata de abandonar a su suerte a quienes no pueden seguir el ritmo de compromiso de los más avanzados o a quienes directamente no quieren seguirlo en este momento pero se quieren sumar en el futuro. A esos no hay que ponerles una barrera. Esta ha sido, con todo, la idea más fuerte de las que se han tratado en el Consejo, un Consejo que ha contado con una posición de liderazgo compartida por los, a partir de ahora, cuatro países mayores de la Unión.

<sup>&</sup>quot;Suecia y la República Checa. En el Consejo de Ecofin de hace muy pocos días, del viernes 22, se decidió explorar la posibilidad de avanzar por el mecanismo de cooperación reforzada; es decir, que lo acepten los que quieran aceptarlo sin tener que someterse a la voluntad de otros. Son diez países los que se necesitan, y en este momento me parece que somos nueve. Hemos manifestado nuestra aprobación".

<sup>37 &</sup>quot;Varios Estados estamos dispuestos a estudiar vías para avanzar mediante el procedimiento de cooperación reforzada, que deberían permitir resultados concretos antes de finales de este año. Para España tiene especial urgencia que se apliquen a nivel comunitario políticas orientadas a la creación de empleo, con especial atención al desempleo juvenil y a la reincorporación al mercado laboral de los trabajadores de más edad. También hemos constatado la importancia de favorecer la movilidad laboral dentro de la Unión a través de diversos instru -mentos, en particular el fortalecimiento de la adquisición y mantenimiento de derechos de pensión y otros dere -chos sociales. En este sentido, podemos felicitarnos de que las conclusiones reflejen esta iniciativa española".

Enhanced co-operation was proposed as a short-term pragmatic solution to the **migration crisis** in 2018, especially by the left in power:

"I believe that, indeed, with all the precautions you have mentioned, you must have a position and a pragmatic approach on how to respond in the short, very short term to what is happening right now on the European coasts and, therefore, enhanced co-operation can be a good starting point, but we have to look harder at the long term and forge that necessary consensus at the European level" (Sánchez, PSOE, Prime Minister, government, national parliament, 2018).<sup>38</sup>

Some parliamentarians argued that there was a need to go further than the **European Common Asylum Policy**, and suggested enhanced co-operation to do so:

"But you asked – and this is what worries me about all this and what might come out of the summit – if, beyond the agreement of all countries, we should move forward. The answer is a resounding yes. I think no one is going to say no, but that already implies that in the end we are going to go once again to a mere enhanced co-operation. And I think that then the famous SECA, the Common European Asylum System, is going to come to nothing again. There have been many promises to move forward but in the end it seems that we are going to stay in that enhanced co-operation and nothing more" (Esteban Bravo, EAJ-PNV, government, national parliament, 2018).<sup>39</sup>

# The opposition's position

Enhanced co-operation was seen as a way to further integrate with Europe, even if other Member States were more reluctant to do so. In 2017, for example, it was discussed as the way forward in terms of **common defence policy**, with parliamentary members criticising Rajoy's government (PP), saying that they would much rather have enhanced co-operation than two-speed when it comes to defence, as the former allows for other members to join further integration further down the road:

"You can tell us today or your Defence Minister will tell us at some point. But it must be recognised that the formal commitment to more integration has generated some concern. In this regard, Mr. Rajoy, let's apply semantics rigorously. Enhanced co-operation is not the same as a two-speed Europe, because in no case is it about leaving to their fate those who cannot keep up with the commitment of the most advanced or those who do not want to follow this path at the moment but want to be included in the future" (Hernando Vera, PSOE, opposition, national parliament, 2017).

When the PP government was in power, the opposition was very vocal in its criticism of Rajoy's management of Spanish integration in the European Union. Congress members argued that Spain had not used the tools made available by enhanced co-operation, thus leaving Spain in the second tier of integration – this was particularly the case for the Unitary Patent, where the opposition pressured the government into ratifying it:

"Therefore, we cannot play sad roles again, because, Mr. Rajoy, we have not been in a reinforced co-operation that is very important from the economic point of view, which is the European unitary patent. There we have stayed out."

<sup>&</sup>lt;sup>38</sup> "Creo que, efectivamente, con todas las precauciones que usted ha comentado, hay que tener una posición y un enfoque pragmático sobre cómo responder en el corto, cortísimo plazo a lo que está pasando ahora mismo en las costas europeas y, por tanto, la cooperación reforzada puede ser un buen punto de arranque, pero tenemos que mirar mucho más a largo plazo y forjar ese consenso necesario a nivel europeo".

<sup>&</sup>lt;sup>39</sup> "Pero usted preguntaba - y es lo que me preocupa de todo esto y lo que pueda salir de la cumbre- si más allá del acuerdo de todos los países habría que avanzar. La respuesta es un sí rotundo. Creo que nadie le va a decir que no, pero eso mismo ya implica que al final vamos a ir de nuevo, una vez más, a una mera cooperación reforzada. Y creo que entonces el famoso SECA, el Sistema Europeo Común de Asilo, se va a quedar de nuevo en nada. Ha habido muchas promesas de avanzar, pero al final parece que nos vamos a quedar en esa cooperación reforzada y nada más."

<sup>40 &</sup>quot;Nos lo podrá decir hoy o nos lo dirá en algún momento su ministra de Defensa. Pero hay que reconocer que la apuesta formal por más integración ha generado alguna inquietud. A este respecto, señor Rajoy, apliquemos con rigor la semántica. No es lo mismo la cooperación reforzada que una Europa de dos velocidades, porque en ningún caso se trata de abandonar a su suerte a quienes no pueden seguir el ritmo de compromiso de los más avanzados o a quienes directamente no quieren seguirlo en este momento pero se quieren sumar en el futuro".

Another minister (Bel Accensi) also pushed the government on this idea:

"I request a favourable vote of the parliamentary groups to urge the government, first, to carry out all the necessary actions to join the system of enhanced co-operation between Member States of the European Union in the area of creating unitary patent protection" (Bel Accensi PSOE, opposition, national parliament, 2017). 41

When the PSOE and the Spanish left took back power, in 2017 the PP opposition praised the government in some areas where enhanced co-operation was used to further integration, particularly in the area of defence:

"Today we have heard good news from the Minister, which is our participation in enhanced cooperation, in Pesco, and all together we have to continue working to improve the capabilities and operations of the Spanish Armed Forces" (Tarno Blanco, PP, opposition, national parliament, 2018). 42

#### 3.3 Position on DI instances

The table below summarizes Spanish governments' positions on DI instances.

<sup>&</sup>lt;sup>41</sup> "Solicito el voto favorable de los grupos parlamentarios para instar al Gobierno, primero, a realizar todas las acciones necesarias para la adhesión al sistema de cooperación reforzada entre Estados miembros de la Unión Europea en el ámbito de la creación de una protección unitaria mediante patente."

<sup>&</sup>lt;sup>42</sup> "Hoy hemos escuchado a la ministra una buena noticia, que es nuestra participación en la cooperación reforzada, en la Pesco, y todos juntos tenemos que seguir trabajando para mejorar las capacidades y la operatividad de las Fuerzas Armadas españolas."

# Positions on DI instances - examples

| DI                    | DI instance                        | Participation | Examples – government position   |  |
|-----------------------|------------------------------------|---------------|--|--|
| mechanism             |                                    |               |  |  |
| Enhanced co-operation | Rome III                           | YES           | "But the most important thing is that Europe demonstrated the capacity, determination and courage to liquidate the greatest economic crisis that the European Union has experienced since the Treaty of Rome was signed in 1957. That is one of the reasons why I am even more optimistic about the European Union project, because it has managed to overcome a crisis, like the one our country has certainly overcome" (Rajoy, PP, government, national parliament, 2017). 43 |  |
|                       | Unitary Patent                     | NO            | "The proposal to join the enhanced co-operation system between Member States of the European Union in the field of the unitary patent and signing the agreement on the Unified Patent Court do not meet, in the opinion of this parliamentary group, the aforementioned criteria and, therefore, we do not believe that it is good either for Spanish companies or for the common good" (Moraleja Gomez, PP, government, national parliament, 2017). <sup>44</sup>               |  |
|                       | Matrimonial<br>Property<br>Regimes | YES           | While Spain does form part of the European matrimonial property regime, mentions in Parliament were scarce and difficult to come across:   |  |
|                       |                                    |               | "A few years later, point 3.4.2 of the 2004 Hague programme included express reference to the need to publish in 2006 the Green Book on conflict of laws in matters of matrimonial property, which should give rise to a Community instrument that should be completed in 2011 at the latest" (Sanín Naranjo, PP, opposition, national Parliament, 2011). 45   |  |

<sup>&</sup>quot;Pero lo más importante es que Europa demostró la capacidad, la determinación y el coraje para liquidar la mayor crisis económica que ha vivido la Unión Europea desde que se firmó el Tratado de Roma en el año 1957. Esa es una de las razones por las que yo soy más optimista todavía con el proyecto de la Unión Europea, porque ha sabido superar una crisis, como la que por cierto ha superado nuestro país".

<sup>&</sup>quot;La propuesta de adhesión al sistema de cooperación reforzada entre Estados miembros de la Unión Europea en el ámbito de la patente con efecto unitario y la firma del Acuerdo sobre el Tribunal Unificado de Patentes no cumplen, en opinión de este grupo parlamentario, con los criterios mencionados y, por tanto, no creemos que sea bueno ni para las empresas españolas ni para el interés general".

<sup>&</sup>quot;Unos años después, el punto 3.4.2 del programa de La Haya de 2004 incluyó la referencia expresa a la necesidad de publicar en 2006 el Libro Verde sobre conflicto de leyes en materia de régimen matrimonial, que debía dar origen a un instrumento comunitario que habría de estar ultimado como muy tarde en 2011".

|  | Financial<br>Transaction Tax  | YES | "In relation to the tax issue, I can tell you that yesterday at Ecofin Spain supported, in a reinforced co-operation procedure, the establishment of a tax on financial transactions" (De Guindos Jurado, Minister, government, national parliament, 2012). 46  |
|--|-------------------------------|-----|---|
|  | European Public<br>Prosecutor | YES | "Precisely when the European Union could have a true European tax in the future for the first time, it is more necessary than ever a figure such as the European prosecutor designed for that, to combat – as Article 86.1 says – crimes that affect the financial interests of the Union" (Lopez Garrido, PSOE, government, national parliament, 2012). 47   |
|  |                               |     | "Regarding the issue of the European Prosecutor, I have to say that Spain is satisfied with what the Hague Programme presents, because it is a substantial advance in terms of justice, security and freedom. There is concrete progress and an ambitious development programme for co-operation in these areas. Spain and other countries, logically, wanted to go somewhat further, such as the incorporation and mention in the text of the Hague Programme of a European Prosecutor. There are other countries that were not in that attitude and, as always happens, there has been a consensus, an agreement, in which the text that has been approved, I insist, is satisfactory for Spain because it is a very important step forward" (Zapatero, PSOE, government, European Council, 2004). 48 |
|  | Pesco                         | YES | "The second element refers to the reinforced co-operation in defence matters, Pesco, which has consolidated these advances at the operational level. It was approved in December and is now being developed [] practically all the Member States have signed up to participate in this enhanced co-operation in defence matters, which supports   |

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<sup>&</sup>lt;sup>46</sup> "En relación con el tema impositivo, le puedo decir que ayer en el Ecofin España apoyó, en un procedimiento de cooperación reforzada, el establecimiento de un impuesto sobre las transacciones financieras. Creo que con este repaso que hemos hecho de los impuestos podrá usted cotejar que efectivamente, en un contexto lógicamente de crisis fiscal en la cual por desgracia tenemos que subir los impuestos, se está intentando centrar los esfuerzos en aquellos que efectivamente tienen más capacidad económica, como no podía ser de otra forma".

<sup>47 &</sup>quot;Precisamente cuando la Unión Europea podría tener en un futuro por vez primera un verdadero impuesto europeo, es más necesaria que nunca una figura como la del fiscal europeo pensada para eso, para combatir —como dice el artículo 86.1— los delitos que afectan a los intereses financieros de la Unión."

<sup>&</sup>quot;En relación con la cuestión del Fiscal europeo, he de decir que España está satisfecha de lo que presenta el Programa de La Haya, porque es un avance sustancial en materia de justicia, de seguridad y de libertad. Hay avances concretos y todo un ambicioso programa de desarrollo para la cooperación en estos ámbitos. España y otros países, lógicamente, querían ir algo más allá, como la incorporación y la mención en el texto del Programa de La Haya de un Fiscal europeo; hay otros países que no estaban en esa actitud y, como siempre ocurre, ha habido un consenso, un acuerdo, en el que el texto que se ha aprobado, insisto, es satisfactorio para España porque es un avance muy importante".

#### Ernesto de León

|         |                                |        | the theory that the more things we do between more, the better for all" (Dastis Quecedo, Minister of Foreign Affairs, government, national parliament, 2018). 49   |
|---------|--------------------------------|--------|--|
|         | Schengen                       | Opt-in | "In most states – not all – there is an area of free movement, the Schengen area, and therefore it does not make the slightest sense that there is not a common policy on immigration" (López Garrido, Secretary of State for the European Union, government, national parliament, 2008). 50   |
| Opt-out |                                |        | "Variable geometry is to say that not all countries adhere to all the strategies of the European Union, is inevitable and already exists in relation to the Schengen agreements, the euro and defence policy, but the Union must try to avoid a two-tier architecture in which a central group has its own institutions and procedures that affect not only the management of the euro but many other policies" (Anasagasti Olabeaga, EAJ-PNV, government, national parliament, 2012). 51  |
|         | Economic and<br>Monetary Union | FULL   | "There will be states like the UK that will have to decide whether they want to be in the banking union or not, in the same way that they have decided that they do not want to be in the monetary union for the moment. This is reflected in the mechanism of reinforced co-operation, and I am not too concerned. In this document it is said that formulas will have to be found so that in the European Parliament only the parliamentarians who belong to the euro zone vote and adopt decisions that only concern them" (García-Margallo y Marfil, Minister of Foreign Affairs, government, national parliament, 2012). 52 |
|         | Security and Defence Policy    | FULL   | "All of this without the slightest detriment to the collaboration and enhanced co-operation that we must continue to have with the North Atlantic Treaty Organisation. At the same time that Pesco has been created, the union   |

<sup>&</sup>quot;El segundo elemento se refiere a la cooperación reforzada en materia de defensa, la Pesco, que ha pasado a consolidar estos avances a nivel operativo. Se aprobó en el mes de diciembre, se está ahora procediendo a su Desarrollo [...] prácticamente todos los Estados miembros hayan suscrito su voluntad en participar en esta cooperación reforzada en materia de defensa, lo cual abona la teoría de que cuanto más cosas hagamos entre más, mejor para todos"

<sup>&</sup>lt;sup>50</sup> "En la mayoría de los Estados —no en todos— hay un espacio de libre circulación, el espacio Schengen, y, por tanto, no tiene el más mínimo sentido que no haya una política común sobre inmigración"

<sup>&</sup>lt;sup>51</sup> "La geometría variable es decir que no todos los países se adhieran a todas las estrategias de la Unión Europea, es inevitable y ya existe en relación con los acuerdos de Schengen, el euro y la política de defensa, pero la Unión debe tratar de evitar una arquitectura de dos niveles en la que un grupo central posea unas instituciones y unos procedimientos propios que afectan no solo a la gestión del euro sino a muchas otras políticas"

<sup>&</sup>quot;Habrá estados como el Reino Unido que tendrá que decidir si quiere estar en la unión bancaria o no quiere estar, de la misma manera que ha decidido que por el momento no quiere estar en la unión monetaria. Eso se plasma en el mecanismo de cooperaciones reforzadas, y a mí no me preocupa demasiado. En este documento se dice que habrá que buscar fórmulas para que en el Parlamento europeo, solo los parlamentarios que pertenezcan a la zona euro voten y adopten decisiones que solo a ellos les competen".

| Area of                             | Opt-in | between the European Union and NATO is growing. There are more than forty-two agreements that Tusk and Secretary Stoltenberg have signed recently, especially on issues of vital importance to us, such as hybrid threats and cyberattacks. I believe that all this is a great opportunity, that Spain has not been late, that Spain is from the beginning in that nucleus that we all have to promote and advance. We do not have to look with suspicion, but with enormous optimism to be there and to continue working" (Tarno Blanco, PP, government, national parliament, 2018). 53  "PESCO, on the other hand, the European policy on security and defence, does have a greater possibility of development, and we want to take it to the maximum with reinforced co-operation and, therefore, capacities to develop all European security and defence in collaboration and coordination with the Atlantic Alliance, but as a clear, specific and unique pillar of European action" (Moratinos Cuyaubé, Minister of Foreign Affairs, government, national parliament, 2008). 54  "Spain will work especially actively to consolidate the area of freedom, security and justice, and to provide an |
|-------------------------------------|--------|---|
| Freedom, Security, and Justice      |        | effective comprehensive response to the challenge of immigration" (Moratinos Cuyaubé, Minister of Foreign Affairs, government, national parliament, 2008). <sup>55</sup>  |
| Charter of<br>Fundamental<br>Rights | FULL   | "I also subscribe to the balance of rights and obligations and the indivisibility of the internal market and, of course, the compatibility with the treaties and with the Charter of Fundamental Rights" (Dastis Quecedo, Minister of Foreign Affairs, government, national parliament, 2017). 56   |

<sup>&</sup>lt;sup>53</sup> "Todo esto sin el más mínimo menoscabo en la colaboración y la cooperación reforzada que tenemos que seguir teniendo con la Organización del Tratado del Atlántico Norte. A la vez que se ha ido creando la Pesco, es cada vez mayor la unión entre Unión Europea y OTAN. Son más de cuarenta y dos los acuerdos que firmaron Tusk y el secretario Stoltenberg hace poco, sobre todo en temas de importancia vital para nosotros, como pueden ser las amenazas híbridas y los ciberataques. Creo que todo esto es una gran oportunidad, que España no ha llegado tarde, que España está desde el principio en ese núcleo que entre todos tenemos que impulsar y avanzar. No tenemos que mirar con recelo, sino con enorme optimismo por estar ahí y por seguir trabajando".

<sup>&</sup>lt;sup>54</sup> "La PESCO, en cambio, la política europea sobre seguridad y defensa, sí tiene mayor posibilidad de desarrollo, y queremos llevarlo al máximo con cooperaciones reforzadas y, por lo tanto, capacidades para desarrollar toda la seguridad y la defensa europea en colaboración y coordinación con la Alianza Atántica, pero como un pilar claro, específico y único de la acción europea".

<sup>55 &</sup>quot;España trabajará de manera especialmente activa en la consolidación del espacio de libertad, seguridad y justicia, así como en dar una respuesta eficaz integral al reto de la inmigración".

<sup>&</sup>quot;Suscribo igualmente el equilibrio de derechos y obligaciones y la indivisibilidad del mercado interior y, por supuesto, la compatibilidad con los tratados y con la Carta de los Derechos Fundamentales".

|               |                    |      | "We are going to ratify the Lisbon Treaty – I am not going to go into it, apart from the fact that because the President would kill me, because we are going to do it in a few days – you can count on our full support and also for  |
|---------------|--------------------|------|---|
|               |                    |      | the Charter of Fundamental Rights, of course" (Becerril Bustamante, PP, opposition, national parliament, 2008). 57  |
|               | Social Chapter     | FULL | "Finally we will address, together with the social agents, an income pact to improve the salary levels of working men and women, whose spearhead will be, logically, the growth and increase of the minimum interprofessional salary, in line with what is marked by the European Social Charter" (Sanchez, Prime Minister, PSOE, government, national parliament, 2019). <sup>58</sup>   |
|               |                    |      | "Therefore, I believe that the fact that we share from that point of view and within the framework of social dialogue the spirit of complying with the European Social Charter of reaching 60% of the average salary at the end of the legislature is very good news for the workers of our country" (Sanchez, Prime Minister, PSOE, government, national parliament, 2019). 59   |
| se agreements | Prüm<br>Convention | YES  | "In addition to attending the JHA Council meetings and the G-5 meetings, we signed the so-called Prüm Treaty in May 2005. It is a treaty known as Schengen III, which summons Germany, Spain, France, Austria, Holland and Luxembourg in a series of joint works to improve, among other aspects, the functioning of the community of states known as Schengen III in the fight against terrorism" (Alonso Suárez, Minister of Interior, government, national parliament, 2005). 60 |
| Inter s       |                    |      | "I was telling you that we work in the G-6 and that we have signed the Prüm Treaty, which has been ratified, if   |
| <u> </u>      |                    |      | memory serves, in this Parliament, of which we are part with Germany, France, Holland, Belgium, Luxembourg, Austria and Spain" (Pérez Rubalcaba, Minister of Interior, government, national parliament, 2007). <sup>61</sup>  |

<sup>&</sup>lt;sup>57</sup> "Vamos a ratificar el Tratado de Lisboa —no voy a entrar en ello, aparte de que porque el Presidente me mataría, porque lo vamos a hacer en unos días—, cuente con nuestro total apoyo y también para la Carta de los Derechos Fundamentales, por supuesto".

<sup>&</sup>lt;sup>58</sup> "Finalmente abordaremos, junto a los agentes sociales, un pacto de rentas para mejorar los niveles salariales de los hombres y mujeres trabajadoras, cuya punta de lanza será, lógicamente, el crecimiento y la elevación del salario mínimo interprofesional, en consonancia con lo marcado por la Carta Social Europea".

<sup>&</sup>quot;Por tanto, yo creo que el que compartamos desde ese punto de vista y en el marco del diálogo social el ánimo de cumplir con la Carta Social Europea de llegar al 60 % del salario medio al final de la legislatura es una muy buena noticia para los trabajadores y trabajadoras de nuestro país".

<sup>&</sup>quot;Además de asistir a las reuniones del Consejo JAI y a las reuniones del G-5, hemos firmado el llamado Tratado de Prüm en mayo de 2005. Es un tratado conocido como Schengen III, que convoca a Alemania, España, Francia, Austria, Holanda y Luxemburgo en una serie de trabajos comunes para mejorar, entre otros aspectos, el funcionamiento de la comunidad de Estados conocida como Schengen III en la lucha contra el terrorismo"

<sup>61 &</sup>quot;Les decía que trabajamos en el G-6 y que hemos firmado el Tratado de Prüm, que ha sido objeto de ratificación, si no me falla la memoria, en este Parlamento, del que formamos parte con Alemania, Francia, Holanda, Bélgica, Luxemburgo, Austria y España".

| European<br>Stability<br>Mechanism | YES | "Likewise, the leaders of the euro zone have supported the text of the Treaty establishing the European Stability Mechanism" (Rajoy, Prime Minister, PP, government, national parliament, 2012). 62   |
|------------------------------------|-----|---|
| Fiscal Compact                     | YES | "Ladies and gentlemen, in addition to issues related to growth and employment, we presidents and heads of state have recorded the agreement on the new international treaty on stability, coordination and governance in the Economic and Monetary Union known as the fiscal compact" (Rajoy, Prime Minister, PP, government, national parliament, 2012).   |
| Unified Patent<br>Court            | NO  | "The proposal to join the enhanced co-operation system between Member States of the European Union in the field of the unitary patent and signing the agreement on the Unified Patent Court do not meet, in the opinion of this parliamentary group, the aforementioned criteria and, therefore, we do not believe that it is good either for Spanish companies or for the common good" (Moraleja Gomez, PP, government, national parliament, 2017).   "The only countries that have not signed the agreement on the Unified Patent Court are Spain, Croatia and Poland" (Blanquer Alcaraz, PSOE, opposition, national parliament, 2017).   "Regarding the request for the non-law proposal to locate in Spain one of the headquarters of the specialised division of the Unified Patent Court that was planned to be located in London, of course we are in favour, it would be more, hopefully that the headquarters will come to Spain. What happens is that at this point we have to point out that it does not help much that both the governments of the Popular Party and those of the Socialist Party have blocked Spain's adherence to this new system since 2000" (Gómez García, Cs, opposition, national parliament, 2017).   "The only countries that have not signed the agreement on the Unified Patent Court are Spain, Croatia and Poland" (Blanquer Alcaraz, PSOE, opposition, and Poland" (Blanquer Alcaraz, PSOE, opposition). |

<sup>62 &</sup>quot;Asimismo, los líderes de la zona euro hemos respaldado el texto del Tratado constitutivo del mecanismo europeo de estabilidad".

<sup>&</sup>lt;sup>63</sup> "Señorías, además de los temas vinculados al crecimiento y al empleo, los presidentes y jefes de Estado hemos dejado constancia del acuerdo sobre el nuevo Tratado internacional sobre estabilidad, coordinación y gobernanza en la Unión Económica y Monetaria: el conocido como pacto fiscal".

<sup>&</sup>quot;La propuesta de adhesión al sistema de cooperación reforzada entre Estados miembros de la Unión Europea en el ámbito de la patente con efecto unitario y la firma del Acuerdo sobre el Tribunal Unificado de Patentes no cumplen, en opinión de este grupo parlamentario, con los criterios mencionados y, por tanto, no creemos que sea bueno ni para las empresas españolas ni para el interés general"

<sup>&</sup>lt;sup>65</sup> "Los únicos países que no han firmado el Acuerdo sobre el Tribunal Unificado de Patentes son España, Croacia y Polonia".

<sup>&</sup>quot;Con respecto a la solicitud de la proposición no de ley de ubicar en España una de las sedes de la división especializada del Tribunal Unificado de Patentes que estaba previsto ubicar en Londres, por supuesto estamos a favor, faltaría más, ojalá venga a España esa sede. Lo que ocurre es que en este punto tenemos que señalar que no ayuda mucho que tanto los Gobiernos del Partido Popular como los del Partido Socialista hayan bloqueado desde el año 2000 la adhesión de España a este nuevo sistema".

|                     | Single Resolution<br>Mechanism | YES | "In relation to the single resolution mechanism, the creation of which was another of Spain's demands to develop the banking union, the European Commission will make a proposal that will be discussed during 2013 and that must be approved in the current European parliamentary cycle, before May 2014" (Rajoy, Prime Minister, PP, government, national parliament, 2012). <sup>67</sup>   |
|---------------------|--------------------------------|-----|---|
|                     |                                |     | "That is why we welcome the roadmap, the binding calendar, the master plan, which aim to achieve that economic and monetary union for which they have designed the SSM, the rescue rules and the banking solution, the rules on guarantees and deposits and the single resolution mechanism" (Salvador Armendáriz, UPN, government, national parliament, 2012). 68  |
| External agreements | EEA                            | YES | "The consolidation of the European Economic Area needs to be supported, among other elements, by effective infrastructure networks. The need to resolve bottlenecks in the trans-European networks and to alleviate the congestion situation affecting the growing sections of these networks is a concern shared by all the countries in the Union and constitutes one of the basic axes of the white paper" (Álvarez Arza, Minister of Public Works, government, national parliament, 2004). 69 |
| External a          |                                |     | "I would like to dwell, albeit very briefly, on the gender equality programme that is going to be developed with the help of the funds allocated to our country, the Kingdom of Spain, by the European Economic Area for the period 2012-2015" (Moreno Bonilla, PP, government, national parliament, 2012). To  |

<sup>&</sup>quot;En relación con el mecanismo único de resolución, cuya creación era otra de las reivindicaciones de España para desarrollar la unión bancaria, la Comisión Europea realizará una propuesta que será discutida durante 2013 y que deberá aprobarse en el actual ciclo parlamentario europeo, antes de mayo de 2014".

<sup>&</sup>quot;Por eso damos la bienvenida a la hoja de ruta, al calendario vinculante, al plan director, que tienen como objetivo alcanzar esa unión económica y monetaria para la que han diseñado el MUS, las normas de rescate y la solución bancaria, las normas sobre garantías de depósitos y el mecanismo único de resolución"

<sup>&</sup>quot;La consolidación del espacio económico europeo necesita apoyarse, entre otros elementos, en unas redes de infraestructuras eficaces. La necesidad de resolver los puntos de estrangulamiento en las redes transeuropeas y de aliviar la situación de congestión que afecta a los crecientes tramos de dichas redes, es una preocupación compartida por todos los países de la Unión y constituye uno de los ejes básicos del libro blanco"

<sup>&</sup>quot;Me gustaría detenerme, aunque sea muy brevemente, en el programa de igualdad de género que se va a desarrollar con la ayuda de los fondos asignados a nuestro país, al Reino de España, por parte del Espacio Económico Europeo para el periodo 2012-2015"

| Customs Union | YES | "The European Union recalled its previous conclusions with Turkey, a country with which we already have a customs union and which has the accession objective set since the 1963 association agreement, that is, more than 40 years ago" (Navarro González, Secretary of State for the European Union, government, national parliament, 2004). 71   |
|---------------|-----|---|
|               |     | "As for whether a hard Brexit, we are neither for nor against hard or soft Brexit. Prime Minister May, who also does not like the label of hard or soft, what she has said is that the United Kingdom does not want to be in the single market and does not want to be in the customs union. I would call that a hard Brexit" (Toledo Albiñana, Secretary of State for the European Union, government, national parliament, 2017). "As for whether a hard Brexit, we are neither for nor against hard or soft Brexit. Prime Minister May, who also does not like the label of hard or soft, what she has said is that the United Kingdom does not want to be in the single market and does not want to be in the customs union. I would call that a hard Brexit." |
|               |     | "The one who has the commercial competition is the European Union and its institutions. Maybe we don't agree with that. I do. I believe that as we have a customs union and a single market we cannot have commercial sovereignty. We have lost commercial sovereignty. I hope we don't realise it now. If commercial sovereignty is lost, it is so that whoever has commercial competition reaches commercial agreements, which, as I say, create jobs, create wealth and allow, by creating jobs and wealth, to sustain the welfare state, which is something that is part of the European model" (Toledo Albiñana, Secretary of State for the European Union, government, national parliament, 2017).  |

<sup>&</sup>lt;sup>71</sup> "La Unión Europea ha recordado sus precedentes conclusiones con Turquía, un país con el que ya tenemos una unión aduanera y que tiene el objetivo de adhesión fijado desde el acuerdo de asociación de 1963, es decir, hace ya más de 40 años"

<sup>&</sup>quot;En cuanto a si brexit duro, nosotros no estamos a favor ni en contra de brexit duro o blando. La primera ministra May, a quien tampoco le gusta el calificativo de duro o blando, lo que ha dicho es que el Reino Unido no quiere estar en el mercado único y no quiere estar en la unión aduanera. Yo a eso lo llamaría brexit duro"

<sup>&</sup>quot;Es que quien tiene la competencia comercial es la Unión Europea y sus instituciones. A lo mejor no estamos de acuerdo con eso, yo sí. Creo que como tenemos una unión aduanera y un mercado único no podemos tener soberanía comercial. Hemos perdido la soberanía comercial. Espero que no nos demos cuenta ahora. Si se pierde la soberanía comercial es para que quien tiene la competencia comercial llegue a acuerdos comerciales, que, como digo, crean empleo, crean riqueza y permiten, creando empleo y riqueza, sostener el Estado del bienestar, que es algo que forma parte del modelo europeo"

| Eas | stern      | YES | "Regarding the Eastern Partnership, it should be noted that the relations of the European Union with Ukraine are of |
|-----|------------|-----|---|
| Par | ırtnership |     | utmost importance. I would also like to take this opportunity to ask you not to forget the south Caucasus region,   |
|     |            |     | which is an important alternative energy source for the European Union, and Moldova, which in this period of        |
|     |            |     | transition towards democracy has a significant need for Community assistance" (Rodríguez Zapatero, Prime            |
|     |            |     | Minister, PSOE, government, European Parliament, 2010). <sup>74</sup>   |
|     |            |     | "[The European Council] has approved a declaration in favour of the constitution of the Eastern Partnership at the  |
|     |            |     | Summit of Heads of State and Government, and has reiterated its will to consolidate the Union for the               |
|     |            |     | Mediterranean" (Rodríguez Zapatero, Prime Minister, PSOE, government, national parliament, 2009). 75                |
|     |            |     | "The Eastern Partnership, the creation of which has been promoted by the European Council, is part of the           |
|     |            |     | European neighbourhood policy, which, as you know, has as its main objective the promotion of stability and         |
|     |            |     | economic development in the neighbouring countries of the European Union, and in this case, it is aimed at the      |
|     |            |     | countries on the eastern border of the European Union, specifically Armenia, Azerbaijan, Belarus, Georgia, the      |
|     |            |     | Republic of Moldova and Ukraine" (Rodríguez Zapatero, Prime Minister, PSOE, government, national parliament,        |
|     |            |     | 2009). <sup>76</sup>  |

<sup>&</sup>lt;sup>74</sup> "En cuanto a la asociación oriental, cabe destacar que las relaciones de la Unión Europea con Ucrania son de suma importancia. Quisiera aprovechar esta oportunidad también para pedirle que no se olvide de la región del Cáucaso Meridional, que es una fuente energética alternativa importante para la Unión Europea, ni de Moldova, que en este periodo de transición hacia la democracia tiene una importante necesidad de ayuda comunitaria."

<sup>75 &</sup>quot;[El Consejo Europeo] ha aprobado una declaración a favor de la constitución de la "Asociación Oriental" en la Cumbre de Jefes de Estado y de Gobierno, y ha reiterado su voluntad de consolidar la Unión por el Mediterráneo"

<sup>&</sup>lt;sup>76</sup> "La Asociación Oriental, cuya creación ha impulsado el Consejo Europeo, se inscribe en la política europea de vecindad, que, como saben, tiene como principales objetivos el fomento de la estabilidad y el desarrollo económico en los países vecinos de la Unión Europea, y se dirige, en este caso, a los países de la frontera este de la Unión Europea, en concreto, Armenia, Azerbaiyán, Bielorrusia, Georgia, la República de Moldavia y Ucrania"

| Euromed | YES | "Among the main topics on the Mediterranean agenda dealt with in the said conference and which should be developed by the Dutch presidency, I would like to highlight the Euromed project for the dialogue of cultures and civilisations, which will be based in Alexandria and in which Spain will participate with a contribution of one million euros. The coming months are therefore going to be crucial for the stability and deepening of the Euro-Mediterranean partnership" (Moratinos Cuyaubé, Foreign Afairs Minister, government, national parliament, 2004). The same of the Euro-Mediterranean partnership (Moratinos Cuyaubé, Foreign Afairs Minister, government, national parliament, 2004). |
|---------|-----|---|
|         |     | "He thus gave his support to the Euro-African Ministerial Conference on Migration and Development to be held in Rabat on July 10 and 11, proposed the relaunch of the global dialogue on migration in the field of the European Union's relations with the African, Caribbean and Pacific countries, and recalled the importance of the Barcelona Process Action Plan and the commitment to organise a Euromed minister meeting on migration" (Rodríguez Zapatero, PSOE, Prime Minister, government, national parliament, 2006).  |

<sup>&</sup>quot;Entre los principales temas de la agenda Mediterránea tratados en dicha conferencia y que deber án ser desarrollados por la Presidencia holandesa, quiero destacar el proyecto Euromed para el diálogo de culturas y civilizaciones, que tendrá como sede Alejandría y en el que España participará con una aportación de un millón de euros. Los próximos meses van a ser por tanto cruciales para la estabilidad y profundización del partenariado euromediterráneo"

<sup>&</sup>quot;El dio, así, su apoyo a la Conferencia Ministerial Euro-Africana sobre Migración y Desarrollo que se celebrará en Rabat los próximos 10 y 11 de julio; propuso el relanzamiento del diálogo global sobre migración en el ámbito de las relaciones de la Unión Europea con los países de África, Caribe y Pacífico, y recordó la importancia del Plan de Acción del Proceso de Barcelona y el compromiso de organizar una reunión minister de Euromed sobre migración"

## **Appendices**

### Appendix 1 Overview of the documents analysed

|   | Category of document   | Time period <sup>79</sup> | Repositories   | Details                               |
|---|--|---------------------------|--|---------------------------------------|
| 1 | Government programmes <u>Translation:</u> Programa electoral   | 2004-2020                 | Official websites of the parties (PSOE, PP, and PODEMOS) <sup>80</sup>   | 2004, 2008, 2011,<br>2015, 2016, 2019 |
| 2 | First speeches (and parliamentary debates) <u>Translation:</u> Discurso de investidura                                       | 2004-2020                 | Official website of the Spanish presidency (La Moncloa) <sup>81</sup>  | 2004, 2008, 2011,<br>2016, 2019, 2020 |
| 3 | European Council presidency speeches (and parliamentary debates) a. In the national parliament b. In the European Parliament | 2004-2020                 | European Parliament official<br>website and Spanish Congress<br>official website <sup>82</sup>   | 2010                                  |
| 4 | Future of Europe speeches (and parliamentary debates) a. In the European Parliament b. for citizen consultation              | 2017-2020                 | European Parliament official<br>website <sup>83</sup>  | 2019                                  |
| 5 | Prime minister European<br>Council statements  | 2004-2020                 | Official website of the Spanish presidency (La Moncloa). 84 Also included are speeches by the Prime Minister to the national parliament reporting on the European Council meeting attended, taken from the official website of the Spanish Congress 85 | 2004-2020                             |
| 6 | Parliamentary<br>(committee) debates   | 2008, 2012,<br>2017-2020  | Spanish Congress and Senate official repository of debates (Diarios de Sesiones) <sup>86</sup>   | 2008, 2012, 2017-<br>2020             |

Note that time period describes which documents were searched for and details specifies for which dates documents were found.

https://www.psoe.es/actualidad/documentos-de-interes/, http://www.pp.es/actualidad/documentos, https://podemos.info/programa/

<sup>81</sup> https://www.lamoncloa.gob.es/Paginas/index.aspx

https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20100120+ITEM-003+DOC+XML+V0//ES, http://www.congreso.es/public\_oficiales/L8/CONG/DS/PL/PL\_002.PDF

https://www.europarl.europa.eu/doceo/document/CRE-8-2019-01-16-ITM-009\_EN.html

https://www.lamoncloa.gob.es/Paginas/index.aspx

<sup>85</sup> http://www.congreso.es/portal/page/portal/Congreso/Congreso/Publicaciones

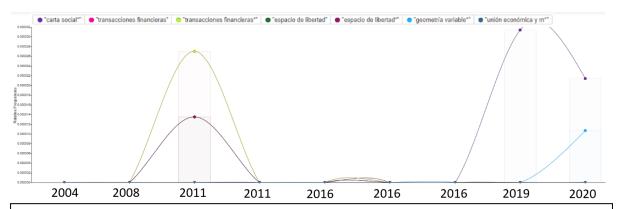
<sup>86</sup> http://www.congreso.es/portal/page/portal/Congreso/Congreso/Publicaciones

# Appendix 2 Translations of the key words utilised

| Spanish Translation   | Notes   |
|---|---|
|   |   |
|   |   |
| Integración diferenciada  | No reference found for any of the synonyms.   |
| Coalición de los dispuestos, Coalición de   | No reference found for any  |
| voluntades, Coalición de las voluntades   | of the synonyms.  |
| Europa de dos velocidades, Unión Europea  | Since the search engine used  |
| de dos velocidades, Europa de las dos<br>velocidades, Unión Europea de las dos<br>velocidades | found exact matches, many of the key word alternatives are plural variants of the original translation or are preceded by different articles.   |
| Europa de varias velocidades, Europa a  |   |
| varias velocidades, Unión Europea de varias   |   |
| velocidades, Unión Europea a varias   |   |
| velocidades, Europa de distintas velocidades,   |   |
| Europa a distintas velocidades, Unión   |   |
| Europea de distintas velocidades, Unión   |   |
| Europea a distintas velocidades   |   |
| Geometría Variable  |   |
| Núcleo europeo, núcleo de Europa, Europa  |   |
| nuclear, Core Europa, Corazón de Europa   |   |
| Europa de dos niveles, Unión Europea de dos   |   |
| niveles, Unión Europea a dos niveles, Europa  |   |
| a dos niveles, Europa de dos categorías,  |   |
| Europa dual   |   |
| Círculos Concéntricos   |   |
| Europa a la carta, Unión Europea a la carte,<br>Unión Europea a la carta, Europa a la carte   |   |
| Futuro de Europa  |   |
|   |   |
| Cooperación reforzada, cooperaciones reforzadas   |   |
| Clausula de exención, clausula de excepción,  | The English word is used  |
| Autoexclusion, Opt-out, cláusula de no  | frequently, with no obvious   |
| participación, exclusión voluntaria,  | or direct translation into  |
| exclusiones voluntarias, opt-out, opción de   | Spanish. The other  |
| no inclusión, baja voluntaria, opting out,  | translations provided here  |
| clausulas de exención, clausulas de   | were rarely found.  |
| excepción, cláusulas de no participación,   |   |
| opciones de no inclusión, bajas voluntaria  |   |
|   |   |
| Pesco, Cooperación Estructurada   |   |
| Permanente  |   |
| Roma III, Reglamento Roma   |   |
| Patente unitaria, protección unitaria   |   |
| mediante patente, patentes único, patente   |   |
| única, patente unificada, patente europea de  |   |
|   | Integración diferenciada  Coalición de los dispuestos, Coalición de voluntades, Coalición de las voluntades Europa de dos velocidades, Unión Europea de dos velocidades, Europa de las dos velocidades, Unión Europea de las dos velocidades, Unión Europea de varias velocidades  Europa de varias velocidades, Europa a varias velocidades, Unión Europea de varias velocidades, Unión Europea a varias velocidades, Europa de distintas velocidades, Europa a distintas velocidades, Unión Europea de distintas velocidades Geometría Variable  Núcleo europeo, núcleo de Europa, Europa nuclear, Core Europa, Corazón de Europa Europa de dos niveles, Unión Europea de dos niveles, Unión Europea a dos niveles, Europa a dos niveles, Europa de dos categorías, Europa dual  Círculos Concéntricos  Europa a la carta, Unión Europea a la carte, Unión Europea a la carta, Europa a la carte Futuro de Europa  Cooperación reforzada, cooperaciones reforzadas  Clausula de exención, clausula de excepción, Autoexclusion, Opt-out, cláusula de no participación, exclusión voluntaria, exclusiones voluntarias, opt-out, opción de no inclusión, baja voluntaria, opting out, clausulas de exención, clausulas de exención, clausulas de execpción, opciones de no inclusión, bajas voluntaria  Pesco, Cooperación Estructurada  Permanente  Roma III, Reglamento Roma  Patente unitaria, protección unitaria mediante patente, patentes único, patente |

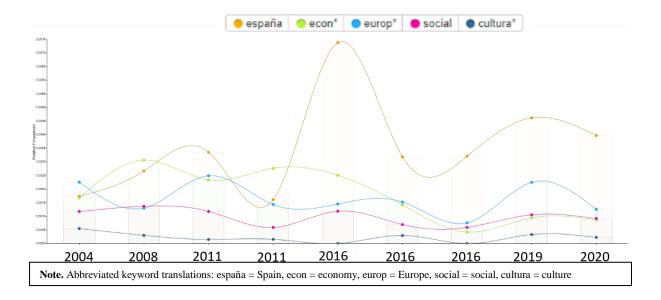
| Matrimonial property               | Régimen matrimonial, Regímenes             |
|------------------------------------|--|
| regimes                            | Matrimoniales, régimen económico           |
|                                    | matrimonial, regímenes de propiedad        |
|                                    | matrimonial                                |
| Financial Transaction Tax          | Transacciones europeas, impuesto sobre las |
|                                    | transacciones financieras, impuesto de     |
|                                    | transacciones financieras, impuesto a las  |
|                                    | transacciones financieras, tasa sobre las  |
|                                    | transacciones financieras, TTF, impuesto   |
|                                    | mundial, Tasa Tobin                        |
| <b>European Public Prosecutor</b>  | Fiscalía europea,                          |
|                                    | Fiscal europeo,                            |
|                                    | Ministerio público europeo                 |
| DI instances – opt-out             |  |
| policy fields                      |  |
| Schengen                           | Schengen                                   |
| <b>Economic and Monetary</b>       | Unión Económica y Monetaria                |
| Union                              |  |
| <b>Security and Defence Policy</b> | Política Europea de Seguridad y Defensa,   |
|                                    | Política Común de Seguridad y Defensa      |
| Area of Freedom, Security          | Espacio de libertad, seguridad y justicia  |
| and Justice                        |  |
| Charter of Fundamental             | Carta de los Derechos Fundamentales        |
| Rights                             |  |
| Social Charter                     | Carta Social                               |
| DI instances – inter se            |  |
| agreements                         |  |
| Prüm Convention                    | Tratado de Prüm, Convenio de Prüm          |
| European Stability                 | Mecanismo Europeo de Estabilidad           |
| Mechanism                          |  |
| Fiscal Compact                     | Pacto Fiscal Europeo                       |
| Single Resolution                  | Mecanismo Único de Resolución              |
| Mechanism                          |  |
| Unified Patent Court               | Tribunal Unificado de Patentes             |
| DI instances – external            |  |
| agreements                         |  |
| European Economic Area             | Espacio Económico Europeo                  |
| Customs Union + Turkey             | Unión aduanera + Turquía                   |
| Eastern Partnership                | Asociación Oriental                        |
| Euromed                            | Euromed, colaboración euromediterránea     |
|                                    |  |

### Appendix 3 All DI key words in first speeches

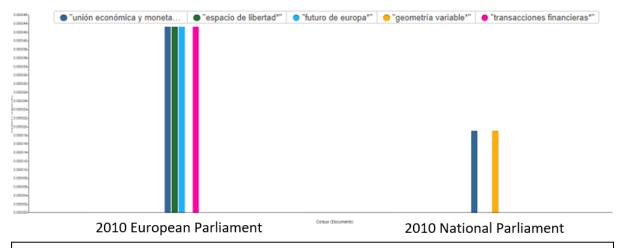


Note. Abbreviated keyword translations: carta social = Social Charter, transacciones financieras = financial transaction tax, espacio de libertad = Area of Freedom, Security and Justice, geometría variable = Variable Geometry, union económica = Economic and Monetary Union

### Appendix 4 Extra words in first speeches

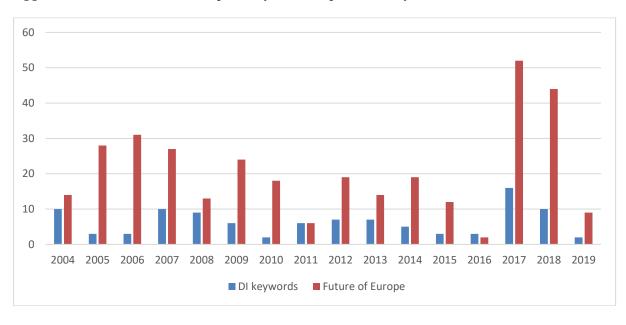


Appendix 5 DI key words in European Council presidency speeches

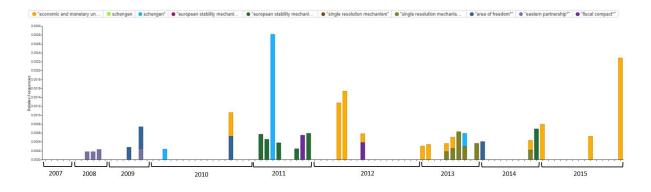


Note. abbreviated keyword translations: union económica y mone = Economic and Monetary Union, espacio de libertad = Area of Freedom, future de Europa = Euture of Europe, geometría variable = Variable Geometry, transacciones financieras = financial transaction tax

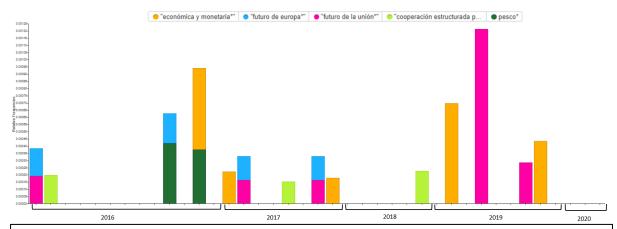
Appendix 6 The salience of conceptual key words in parliamentary debates – relative to FOE debate



**Appendix 7a** DI keywords in EC press conferences (English 2007 -2015)

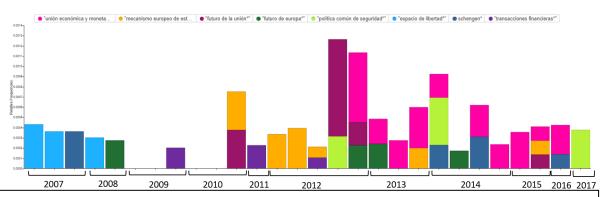


#### **Appendix 7b** DI Keywords in EC press conferences (Spanish 2016 -2020)



Note. Abbreviated keyword translations: económica y monetaria = Economic and Monetary Union, futuro de Europa = Future of Europe, future de la union = Future of the Union, cooperación estructurada permanente = Permanent Structured Co-operation, pesco = PESCO

#### Appendix 7c DI key words in PM reports of European Council meetings to the Spanish Congress



Note. Abbreviated keyword translations: union económica y monetaria = Economic and Monetary Union, mecanismo europeo de estabilidad= European Stability Mechanism, futuro de Europa = Future of Europe, futuro de la unión = Future of the Union, política común de seguridad = Common Security and Defence Policy, espacio de libertad = Area of Freedom, Security and Justice, Schengen = Schengen, transacciones financieras = Financia Transactions

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