



# BULLETIN

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## Belgian Crisis and Its Repercussions for the EU

by Jakub Kumoch

*The conflict between Flemish and Walloons triggered an early election in Belgium for 13 June and brought a serious risk of weakening the country's Presidency of the EU Council. This would bolster the political position of the President of the European Council Herman van Rompuy while enfeebling the institution of rotating presidency itself.*

The House of Representatives was dissolved on 6 May following the resignation of Yves Leterme's coalition government. The Prime Minister acknowledged thus his inability to overcome the years-long conflict over the status of the Brussels-Halle-Vilvoorde (BHV) electoral district. Leterme's plans were based on an assumption that a Flemish-Walloon agreement on this issue would be hammered out before the commencement of the Belgian Presidency. As things stand now, elections are to be held on 13 June, barely 17 days before the Kingdom of Belgium assumes the presidency of the European Union. It is by no means certain that Belgium succeeds in forming a new government by then.

**Origins of the conflict.** Since the constitutional reform of the 1970s the Kingdom of Belgium has consisted of three parts: the French-speaking Walloon Region, the Dutch-speaking Flemish Region and the bilingual Brussels-Capital Region. Walloon and Flemish voters choose their deputies to the 150-member House of Representatives separately. Since 1963 Brussels and the six cantons around it (which formally are a part of Flanders) have formed a common electoral district Brussels-Halle-Vilvoorde (BHV), the residents of the municipalities surrounding the capital city having the option of voting either under the Flemish or the Walloon parliamentary quota. In 2003 the Court of Arbitration in Belgium found this arrangement an act of discrimination and called on the parliament to develop a compromise on the status of BHV. Since then the Flemish political parties have usually demanded the split of the district and the full integration of the municipalities around Brussels with Flanders, while the Walloons argue that, the ethnic composition of BHV having changed over years, the split would be prejudicial to the linguistic rights of the local French-speakers. The Constitution of Belgium and its article 4 actually adds complexity to the question and makes any re-drawing of boundaries conditional upon the consent of a majority of deputies in the both linguistic groups in the parliament.

The recent seven years saw a number of proposals for the resolution of the conflict. Some Walloons have made their consent to the split of BHV (an arrangement that would deprive the French-speaking population of Halle-Vilvoorde of some of their language and political privileges) conditional upon Flanders's relinquishing to Brussels a part of its territory – a 2.5 km long and 500 m wide strip of land to link the city, territorially, with Wallonia. This would amount to the ultimate recognition of a French and Walloon character of Brussels, which is today both a French-speaking enclave within the Flemish territory and, at the same time, the constitutional capital of Flanders. However, the Flemish refuse to accept any violation of the integrity of their territory.

The Kingdom's consecutive governments have attempted to resolve the issue, but to no avail. Successive appointments of negotiator groups and an attempt to remove the dispute to the level of the Wallonia and Flanders regions, far from producing the intended results, have only caused the both sides to adopt more inflexible positions. Meanwhile, differences between the Walloon and the Flemish political parties have been deepening, frequently accompanied by open manifestations of animosity.

**Fall of the government and a new election.** The Belgian Cabinet formed in November 2009 by two Flemish and three Walloon parties (the Constitution mandates a parity between the French- and Dutch-speaking Ministers) was to have hammered out, a final compromise on the Brussels issue by

the date of assumption of the EU Presidency. After the negotiations proved to be unsuccessful, Flemish liberal Open VLD party who had pressed for progress on the negotiations, left the government and later refused to take part in any coalition before it presents a plan of resolving the constitutional dispute. The conservative Prime Minister Yves Leterme lost a stable majority and his sole Flemish coalition partner. In these circumstances the present composition of the House has rendered the formation of a government impossible.

Very likely, one of the consequences of the new election will be the growing clout of Flemish separatist or quasi-separatist groupings. One of these, the New Flemish Alliance (NVA), can count today on an over 20% support in Flanders and on the strongest political representation; another, more radical Flemish Interest (VB), can get around 12% of Flemish votes. At the same time opinion polls suggest that the Socialist Party will win a majority of seats in the Walloon quota. A strong presence in the Parliament of Flemish separatists is certain to complicate talks about a future government. Previously, after the 2007 election, such negotiations lasted about six months. Should the same happen this time, Belgium will be without a stable federal government for the greater part of its Presidency.

**Prospect of a break-up of Belgium.** There has been much media speculation about the likelihood of a break-up of Belgium. Should this come to pass, Flanders would create an independent state, and the fate of Wallonia is far from clear. A big part of the Walloons have no independence aspirations; the Walloon nationalism is a marginal phenomenon and according to a recent opinion poll as much as 40% of the French-speaking Belgians opt for integration with the France.

Yet it seems premature to speak about an imminent breaking-up of Belgium. In fact, the both sides treat the collapse of Belgium as a last-ditch solution: for the Walloons integration with France, if any, would mean a considerable loss of political influence, while an independent state would lack both strength and influence. For Flanders, independence would mean giving up Brussels as the historical capital of the region. Moreover, as the linguistic boundary between the Walloons and the Flemish does not precisely overlay the boundaries between the regions, there would be minorities left on the both sides. And there is yet another important factor: the constitutional regulations in effect preclude the division of the state otherwise than under a Walloon-Flemish agreement. Given the high legal and political culture in Belgium, an uncontrolled break-up of the state should be ruled out.

**Impact on the Belgian Presidency.** The absence of a stable government enjoying broad support, while not a formal impediment to the assumption by Belgium of the presidency of the EU, will reduce this function to a necessary minimum. With Belgium incapable of pushing through any meaningful initiative a phenomenon will occur known as the "withdrawal of the presidency". This is because the government of Belgium will have to devote a large part of its efforts to the continued pursuit of consensus on BHV, just as it will need to struggle to maintain a majority in the parliament and, very likely, to address mounting centrifugal tendencies among the Flemish. The six-month Belgian presidency can be expected to be one of the weakest in recent history of the EU. Belgium will probably put forward proposals for the development of the Common Security and Defense Policy (CSDP), but its activity in promoting specific solutions will be rather feeble.

The dysfunction of the Belgian Presidency could affect powerfully the shaping of the EU's political practice. The political position of the permanent President of the European Council Herman van Rompuy, bolstered in the wake of the weak Spanish Presidency, will grow even stronger.

**Impact on the Polish Presidency.** The Belgian case matters for Poland in the context of the upcoming Polish Presidency in the second half of 2011. It should be borne in mind that after a succession of passive presidencies the very institution of the rotation president country of the EU will be weaker. In such a situation a too forceful promotion of the president country's initiatives (including the ones on Eastern policy, or on the further development of the CSDP) could be perceived by other EU members as a push to limit the powers vested in the permanent President under the Treaty.