Issue Paper
No. 79, July 2015

EU member states and enlargement towards the Balkans

Edited by Rosa Balfour and Corina Stratulat

Cornelius Adebahr
Franco Algieri
Ioannis Armakolas
Graham Avery
Steven Blockmans
Kārlis Bukovskis
Ruth Ferrero-Turrión
Andrea Frontini
Gunilla Herolf
Christoph Hillion
Beáta Huszka
Isabelle Ioannides
Paul Ivan
James Ker-Lindsay
Andrew Konitzer
Marin Lessenski
Hans Martens
Diāna Potjomkina
Theresia Töglhofer
Giorgios Triantafyllou
Natasha Wunsh
Tomasz Żornaczuk

King Baudouin Foundation

OPEN SOCIETY FOUNDATIONS

EUROPEAN POLICY CENTRE

EU member states and enlargement towards the Balkans

EPC ISSUE PAPER No.79

July 2015

Edited by Rosa Balfour and Corina Stratulat

ISSN 1782-494X

EUROPEAN POLITICS AND INSTITUTIONS PROGRAMME

The EPC's Programme on European Politics and Institutions

With the entry into force of the Lisbon Treaty, the new focus of this programme is on adapting the EU's institutional architecture to take account of the changed set-up and on bringing the EU closer to its citizens.

Continuing discussion on governance and policymaking in Brussels is essential to ensure that the European project can move forward and respond to the challenges facing the Union in the 21st century in a democratic and effective manner.

This debate is closely linked to the key questions of how to involve European citizens in the discussions over its future; how to win their support for European integration and what are the prospects for, and consequences of, further enlargement towards the Balkans and Turkey.

This programme focuses on these core themes and brings together all the strands of the debate on a number of key issues, addressing them through various fora, task forces and projects. It also works with other programmes on cross-cutting issues such as the reform of European economic governance or the new EU foreign policy structures.

Table of Contents

About the authors

Cornelius ADEBAHR is a political analyst and entrepreneur based in Washington, DC, USA, and Berlin, Germany, working on European foreign policy. He is an Associate in the Europe Programme at the Carnegie Endowment for International Peace and an Associate Fellow of the Research Institute of the German Council on Foreign Relations (DGAP). He furthermore teaches a master's course on EU-Iran relations at Georgetown University. He studied Political Science (International Relations), Philosophy, Public Law, and International Economics in Tübingen, Paris, and at the Free University Berlin, where he graduated in 2001, before receiving his PhD (Dr. rer. pol.) in 2008.

Franco ALGIERI is Associate Professor and Head of the International Relations Department at Webster University Vienna. Prior to that, he was Director of Research at the Austrian Institute for European and Security Policy, a Research Fellow at the Institute for European Politics in Bonn, at the Research Group on European Affairs, University of Mainz, as well as a Senior Research Fellow at the Center for Applied Policy Research, University of Munich. He was a Lecturer at the Geschwister-Scholl-Institute, University of Munich, and at the Institute of Political Science, University of Tübingen. He was appointed Guest Professor at the School of International Studies and Senior Fellow at the Centre for European Studies, both at the Renmin University of China, Beijing. His research covers the development of the European integration process, European and Asian security issues and EU-Asia relations.

Ioannis ARMAKOLAS is Assistant Professor at the Department of Balkan, Slavic and Oriental Studies, University of Macedonia, and Head of the South-East Europe Programme of the Hellenic Foundation for European and Foreign Policy (ELIAMEP). He is also the Editor-in-Chief of the journal *Southeast European and Black Sea Studie*s, published by the Taylor and Francis Group. He has extensive research, policy analysis and consulting experience with European and American organisations, with a special focus on post-conflict policymaking in the Western Balkans. He holds a PhD from the University of Cambridge, an MA from the University of Kent and a first degree from Panteion University.

Graham AVERY is Senior Adviser at the European Policy Centre (EPC), Senior Member of St. Antony's College, Oxford University, and Honorary Director-General of the European Commission. He worked for the European Commission in Brussels as a Policy Adviser and Planner in agricultural policy, foreign affairs, enlargement policy, and in the Cabinets of the President and other Commissioners. His last post was as Director for Strategy, Coordination and Analysis in the Directorate General for External Relations. He has been Secretary General of the Trans European Policy Studies Association (TEPSA), Fellow at the Robert Schuman Centre for Advanced Studies of the European University Institute, Florence, Visiting Professor at the College of Europe, Natolin, and Fellow at the Center for International Affairs, Harvard University.

Rosa BALFOUR is a former Director of the European Policy Centre (EPC), where she headed the Europe in the World Programme until mid-May 2015. She has since become Senior Adviser to the EPC and has moved to the German Marshall Fund of the United States (GMF). She has researched and published widely on issues relating to European foreign policy and external action, relations with the Mediterranean region, Eastern Europe and the Balkans, EU enlargement, European Neighbourhood Policy, and the role of human rights and democracy in international relations. Her latest work has focused on the EU's new diplomatic service and its implications for European foreign policy, with a volume published by Ashgate in 2015 (co-edited with Caterina Carta and Kristi Raik, "The European External Action Service and national foreign ministries: convergence or divergence?"). Her book on "Human rights and democracy in EU foreign policy: the cases of Ukraine and Egypt", was published by Routledge in 2012, and is now in paperback. She holds an MA in History from Cambridge University, and an MSc in European Studies and a PhD in International Relations, both from the London School of Economics and Political Science.

Steven BLOCKMANS is Head of EU Foreign Policy at the Centre for European Policy Studies (CEPS), in Brussels, and Professor of EU External Relations, Law and Governance at the University of Amsterdam. He is the author of "Tough love: the EU's relations with the Western Balkans" (2007) and the (co-)editor of more than 10 volumes, including "The European Union and peacebuilding" (2010), and "The EU's role in global governance" (2013). For almost 20 years he has worked for EU institutions and member states' and in Asia. Between 2007 and 2009, he served as a long-term expert in the framework of a EuropeAid project in support of the Ministry of European Integration of Albania.

Karlis BUKOVSKIS is Deputy Director and Researcher at the Latvian Institute of International Affairs (LIIA), and author of numerous articles and scientific editor of several books. He is also a Guest Lecturer on global political economy and economic diplomacy of the EU at several universities in Latvia, including the Riga Graduate School of Law and Riga Stradiņš University. He served at the Ministry of Foreign Affairs of Latvia, dealing with EU institutional affairs and cooperation with the European Parliament. He has also been engaged in the preparation of the Latvian Presidency of the Council of the European Union, where he has been in charge of developing the Presidency's six-month work programme, and of dealing with ECOFIN matters. Currently, he is also a Consultant of the Ministry of Finance of Latvia on the future of the Economic and Monetary Union. Among his areas of interest are international political economy, the international financial system and EU institutional affairs. He holds master's degrees from the University of Latvia and the University of Helsinki, and prior to that he studied at the University of Trier and the Riga Stradiņš University.

Ruth FERRERO-TURRIÓN is Associate Professor of European Studies at Universidad Complutense and Universidad Carlos III de Madrid, and Senior Research Associate at Complutense Institute of International Studies (ICEI). She has been Research Fellow at the Columbia University, the London School of Economics and Political Science, the Babes-Bolyai University (Romania), the Hungarian Institute of International Relations, and the Open Society Foundation-Sofia. She has been working on Eastern and South-Eastern European issues (especially focussing on the Balkans) since 1997 in areas such minority rights, national minorities, territorial issues, and migration flows in broader sense, including trafficking. She collaborates regularly with think tanks and foreign affairs publications such as Real Instituto Elcano, Esglobal and Friedrich Ebert Foundation, among others. She has also been an International Observer since 1996 in several countries of Eastern and South-Eastern Europe (fYROM, Bosnia-Herzegovina, Albania, Ukraine, and Armenia). She holds an MPhil in Eastern European Studies (UNED), a BA in Political Sciences and Sociology (UCM), a Postgraduate Diploma in Political Science and Constitutional Law from Centro de Estudios Políticos y Constitucionales in Madrid, and Expertise in European Union at the Spanish Diplomatic School.

Andrea FRONTINI has been a Policy Analyst in the Europe in the World Programme of the European Policy Centre (EPC) since April 2015. He joined the EPC as a Programme Assistant in February 2012. Prior to that, he worked at the Directorate-General for Enterprise and Industry of the European Commission, in Brussels (2011-2012), the Secretariat General of the Italian Atlantic Committee in Rome (2010-2011), the Italian Mission to NATO in Brussels (2010), and the Marketing and Commercial Affairs Division of Finmeccanica Spa in Rome (2007). He holds a BA and MA in International Affairs and Diplomacy from the University of Trieste (Gorizia Campus), an International Exchange Certificate from the Institut d'Etudes Politiques de Paris (Sciences-Po) and a Postgraduate Degree in International Relations and International Protection of Human Rights from the Italian Society for the International Organisation (SIOI). His main areas of expertise cover EU foreign, security and defence policies and EU's relations with the Middle East, Northern Africa and Eastern Asia.

Gunilla HEROLF has been a Researcher at the Swedish Institute of International Affairs (UI) and the Stockholm International Peace Research Institute (SIPRI). Her main fields of interest are European integration and security cooperation, with a focus on Germany, France, the UK, and the Nordic countries. She has lectured at Stockholm University in Sweden and Shandong University in China. She is a Board Member of the Trans European Policy Studies Association (TEPSA), a Member of the Steering Committee of the Euro-Mediterranean Study Commission (EuroMeSCo) and Chairman of the Research Council of the Åland Islands Peace Institute. She is also Member, and formerly the Vice-President, of the Royal Swedish Academy of War Sciences (RSAWS). She holds a PhD from the Stockholm University.

Christophe HILLION is Professor of European Law at the Universities of Leiden and Gothenburg, Senior Researcher at the Swedish Institute for European Policy Studies (SIEPS, Stockholm), an Academic Fellow of the European Policy Centre (EPC, Brussels), and a Member of the Governing Board of the Centre for the Law of EU External Relations (CLEER, The Hague). He has published on EU external relations, enlargement and constitutional law.

Beáta HUSZKA is Assistant Professor at the Eötvös Loránd University (ELTE), in the Faculty of Social Studies, where she teaches security studies and related subjects. Since 2012, she has been leading the Work Package Six of FRAME (Fostering Human Rights among European Policies), a large-scale collaborative research project funded under the EU's Seventh Framework Programme (FP7). Between 2012 and 2014 she worked as a Senior Researcher at the Hungarian Institute of International Relations, dealing with the Western Balkans. She is the author of the book "Secessionist movements and ethnic conflict: the development and impact of nationalist rhetoric", published by Routledge in 2014. She completed her PhD in International Relations at the Central European University, focusing on the discursive framing of nationalist movements in the Western Balkans.

Isabelle IOANNIDES is a Senior Associate Researcher in the European Foreign and Security Policy cluster of the Institute for European Studies, Vrije Universiteit Brussel, and a Policy Analyst in the Directorate for Impact Assessment and European Added Value of the European Parliamentary Research Service. She was an Adviser in the Bureau of European Policy Advisers of the former European Commission President, from 2010 to 2014. She has published, taught and commented extensively, and consulted governments, international organisations and think tanks. Her expertise covers EU peacebuilding and crisis management, the external aspects of justice and home affairs, border management, security sector and police reform, governance in post-conflict and transitional societies, with a focus on the Western Balkans. She has lived and worked in fYROM, Kosovo and Bosnia-Herzegovina. Isabelle holds a PhD and a Master of Research in international relations and security studies from the University of Bradford, UK, a Master of Research in Political Science from the Institut d'Etudes Politiques de Paris, France, and a Bachelor in foreign affairs and French literature from the University of Virginia, USA.

Paul IVAN is a Senior Policy Analyst at the European Policy Centre (EPC), where he works in the Europe in the World and the European Politics and Institutions Programmes. Before joining the EPC, Paul was a diplomat in the Romanian Ministry of Foreign Affairs, a Researcher at the Centre for European Policy Studies (CEPS) in Brussels and a Researcher on EU external relations and security issues at the Romanian Center for European Policies (CRPE), where he remains an Affiliated Expert. Paul holds an MSc in International Relations from the London School of Economics and Political Science (LSE) and bachelor's degrees in International Relations, European Studies and History.

James KER-LINDSAY is Eurobank Senior Research Fellow in the Politics of South East Europe at the European Institute, London School of Economics and Political Science (LSE). His research focuses on conflict, peace and security in the Western Balkans and on EU enlargement in the region. He is the author or editor of 12 books, including: "Civil society and transitions in the Western Balkans" (co-edited, 2013), "New perspectives of Yugoslavia: key issues and controversies" (co-edited, 2010), and "Kosovo: the path to contested statehood in the Balkans' (2009). In addition to his academic work, he is a regular media commentator and has served as a Consultant or Advisor to a number of governments and international organisations, including the European Union, Council of Europe and the United Nations.

Andrew KONITZER is Acting Director of the Center for Russian and East European Studies (REES) and Adjunct Associate Professor of Political Science at the University of Pittsburgh. He specialises in electoral institutions, party politics, voting behaviour, EU enlargement, and issues of democratic decentralisation and federalism within the former Communist states of Eastern Europe. His publications include the book "Voting for Russia's governors: regional elections and accountability under Yeltsin and Putin" (Johns Hopkins University Press, 2006) and articles in such journals as *Europe-Asia Studies*, *Post-Soviet Affairs*, *Publius: The Journal of Federalism*, *East European Politics and Societies*, *Russian History,* and *Electoral Studies*. In addition to extensive field research experience in the Western Balkans, Russia, the Baltics and Ukraine, he has also participated in the planning and implementation of technical assistance and exchange programmes throughout the region.

Marin LESSENSKI is Programme Director of the European Policies Programme of the Open Society Institute, Sofia. Previously, he has been Director of Programmes of the Institute for Regional and International Studies (IRIS) from 1998 to 2008. He has been a Freedom House Visiting Fellow with the Hudson Institute's Center for European and Eurasian Studies and the Center of National Security Studies. He has also been a participant in the Transatlantic Young Leaders Program of the Aspen Institute, Berlin. At OSI-Sofia, he manages the European Policies Initiative-EuPI and the European Catch-Up Index. His areas of interest also include EU foreign, security, neighbourhood, and enlargement policies, democratisation, foreign policy, security and institutional developments in Southeastern Europe and the Black Sea region, identity politics, and interethnic relations. He holds an MA in Southeast European Studies from the Central European University, Budapest, and an MA in History from the University of Sofia.

Hans MARTENS joined the European Policy Centre (EPC) as Chief Executive in 2002, and retired from that post in September 2013. He has been Visiting Professor at the Universities of Aarhus and Copenhagen, and he is a regular lecturer at business schools and universities in Europe and the USA. He is the author of a number of books and articles on European integration, monetary affairs, energy and climate policies, and the demographic challenges for Europe. He was born in Denmark and studied Political Science at Aarhus University, specialising in EU affairs and public administration, and went on to become Associate Professor in international political and economic relations.

Diana POTJOMKINA is a Research Fellow at the Latvian Institute of International Affairs (LIIA). She has also served as Expert for three opinions of the European Economic and Social Committee (EESC) and taught courses on European Integration at the Riga Stradins University. Diana's main research interests are Latvia's foreign policy and Europeanisation processes, Latvia's relations with the CIS/Eastern Partnership states, and interaction of governmental and non-governmental actors in foreign policy decision-making. Diana's education includes a Master's degree in International Relations (with distinction) and a Bachelor's degree in Political Sciences (International Relations-European Studies, with distinction), both from Riga Stradins University.

Corina STRATULAT is Senior Policy Analyst at the European Policy Centre (EPC) and works in the European Politics and Institutions Programme, coordinating the Balkans Forum and contributing to the EU Politics and Governance Forum. She researches and writes about EU institutional developments, as well as about various aspects linked to the EU's enlargement policy towards the Western Balkans. She is a frequent speaker at events in Brussels, EU Member States and beyond. She holds a Bachelor of Arts (BA) in Integrated Social Sciences from Jacobs University (Bremen, Germany), a Master of Philosophy (MPhil) in Contemporary European Studies from Cambridge University (Cambridge, UK) and a Doctorate (PhD) in Political and Social Sciences from European University Institute (Florence, Italy). Her main research interests include comparative Central and East European politics, parties and party systems, elections, democracy, EU institutions, integration, and enlargement.

Theresia TÖGLHOFER has been an Associate Fellow with the German Council on Foreign Relations (DGAP) since January 2015. Between 2011 and 2014 she was a Program Officer at the DGAP's Alfred von Oppenheim Center, directing a project that supports think tanks from the Western Balkans. Previously, she worked in the Department for EU Integration of the Austrian Federal Ministry for European and International Affairs in Vienna. She holds a Master's degree in International Affairs from Sciences Po Paris (2009) and a Master's in History, with a specialisation on South-East European History, from Graz University (2010). Her research focuses on the EU's enlargement policy and the Western Balkans.

Giorgos TRIANTAFYLLOU is Research Fellow at the South-East Europe Programme of the Hellenic Foundation for European and Foreign Policy (ELIAMEP). His research interests include international relations and security, conflict in the Balkans, international institutions and peace operations, peacebuilding and state-building, NATO and the UN. Before joining ELIAMEP, he was a consultant for the Western Balkans Programme and the Peacebuilding Programme of the Rockefeller Brothers Fund, New York, working for the first annual meeting of the Balkan Forum Initiative in Thessaloniki, in February 2013. Between 2008 and 2012, he was an Assistant Lecturer at the University of Kent, teaching International History, International Relations, and Introduction to International Governance. He holds a PhD in International Conflict Analysis from the University of Kent, United Kingdom, with a particular focus on the provision of security during peacebuilding operations in the Balkans.

Natasha WUNSCH is an Associate Fellow with the German Council on Foreign Relations (DGAP) specialising on EU enlargement and foreign policy. She has worked for various think tanks, including the European Council on Foreign Relations, the European Stability Initiative, and the Friedrich Ebert Foundation. Her research interests comprise Europeanisation, the EU's transformative power, and the role of civil society in transition processes. She is currently completing her PhD at University College London, where her research concentrates on the role of Croatian and Serbian civil society organisations in the EU accession process. She holds an M.A. in European Affairs from Sciences Po Paris and an M.A. in Political Science from Free University Berlin. She speaks German, English, French, Spanish, and Bosnian/Croatian/Serbian.

Tomasz ŻORNACZUK is Research Fellow at the Polish Institute of International Affairs (PISM). His research covers political processes in the Western Balkans, with particular emphasis on European integration. While at PISM, he has coordinated the Thinking for Governance project, aimed at strengthening Civil Society in the Balkans. He previously worked in the Department of European Union and International Cooperation at the Ministry of Interior and in the Department of Political Affairs at the United Nations in New York. He completed the Analysing Europe programme at Maastricht University and Doğuş University in Istanbul. He also followed European Integration as well as Cultural Studies at the Institute of Western and Southern Slavic Studies at the University of Warsaw.

Acknowledgements

The European Policy Centre (EPC) would like to thank all the authors of the case studies included in this publication for the in-depth research, interviews and analysis they have carried out with diligence and commitment.

The contents of this Issue Paper also draw on discussions held in two brainstorming workshops organised by the EPC in Brussels with the authors of the chapters, external experts and representatives of the organisations sponsoring the project. The EPC would like to thank the participants of these meetings for their invaluable input, particularly Heather Grabbe, Neil Campbell, Goran Buldioski, Fabrice de Kerchove, Masha Djordjevic, Beka Vuco, Bojan Marichikj, Luan Shllaku, Marina Pravdic, Srdjan Djurovic, Dobrila Govedarica, Dejan Jović, Marko Prelec, Fiona McIlwham, Henrik Bendixen, and Wolfgang Nozar.

A special note of appreciation must go to Simion Costea but also to Andrea Frontini and Juliane Schmidt for their crucial assistance in collecting and organising the data presented in the Annexes.

In addition, we would like to thank Graham Avery, Chair of the EPC Balkans Forum, for his continuous support of our work and dedication to the Balkan region.

Last but not least, we would like to thank the Open Society Foundations and the King Baudouin Foundation for the funding they offered to the EPC, which made this project possible.

Foreword

Enlargement is the EU's most successful external policy; yet national governments are increasingly trying to control it themselves. Given the huge internal implications of admitting new members, it is unsurprising that the existing member states want to have a greater say over who gets in when and under what conditions. But the paradox is that governments could wreck it if they interfere too much. The success of enlargement policy over the past 25 years is largely due to the role of conditionality in encouraging countries to transform themselves to meet EU standards. Conditionality works if it is consistent and credible, as the Commission knows well – but it is easily undermined if several of the 28 member states try to relax the conditions or block the process for reasons to do with domestic politics.

The national politics of enlargement – and the country positions that they lead to in the Council of the European Union – are a vital and under-researched part of the story. Many studies focus on the role of the Commission, leaving out the other actors. This EPC project is valuable because it teases out the reasons underlying the national approaches taken by key member states, showing the many competing forces that are driving decision-making on enlargement. Its country studies and comparisons contribute to a deeper and more rounded understanding of the political dynamics at work today.

The Open Society Foundations have long supported enlargement of the EU as a means of motivating, guiding and consolidating reforms that allow open societies to flourish. Our national foundations in the Balkans and Turkey continue to see the membership conditions as a vital set of standards that allow civil society in their countries to hold their governments accountable for their actions, and to sound the alarm when they are deviating from the open society values that are woven into the political conditions and norms set by the EU. We have supported this EPC project to help EU actors to have the courage of their convictions in upholding values and norms in the accession process that support open societies in South-Eastern Europe.

*by **Heather Grabbe***
Director of the Open Society European Policy Institute

Executive summary

The European Union's enlargement to the Balkans seems to be running on autopilot since Croatia's accession in 2013 and amidst the on-going crisis. While the region still has a clear European perspective, progress on the dossier has been marred not just by outstanding challenges in individual Balkan countries but often also by hurdles which develop within the Union – more specifically in the member states. While the EU's internal procedures for handling enlargement have always been intergovernmental in nature, the frequency of incursions and opportunities for the member states to interfere and derail the process has increased over the past years, suggesting a so-called 'nationalisation' of enlargement.

In 17 case studies and two theoretical chapters, this Issue Paper investigates whether the dossier has shifted more under the control of the member states, and looks at the kind of considerations and potential 'roadblocks' that influence the positions of key national actors on enlargement.

The research undertaken – including extensive interviews with a variety of relevant stakeholders at member state level – reveals that different trends are indeed obvious under the 'nationalisation' rubric: nationalisation in terms of increased national safeguards and mechanisms to steer and control the conduct of enlargement; increased 'intergovernmentalisation' in the sense that the General Affairs Council and the European Council assume a more decisive role in decision-making on enlargement, often overruling or ignoring the Commission's opinion; and the growing influence of domestic politics at key moments of the enlargement process and over outcomes in the dossier.

Berlin, in particular, emerges as the most influential capital, while the other member states appear rather indifferent towards enlargement. In this sense, the patterns of nationalisation of enlargement have hardly translated into a different kind of leadership. The shortage of ideas coming from EU capitals and the limited scope for the member states to inject new energy into the process makes it difficult to spell out a new, common and positive narrative on enlargement at a time when developing a realistic post-crisis message for the Balkans is paramount if the European integration project is to preserve its traction and attraction.

Overall, the preoccupations that tend to influence the enlargement agenda in unpredictable ways and with uncertain outcomes include immigrants and asylum seekers, the sustainability of welfare systems, bilateral disputes between EU capitals and the Balkan neighbours, the unresolved status of Kosovo, poor governance practices in the region, and increasingly, distrust in European institutions (especially the Brussels' executive) and the integration process, more generally. Public opinion on Balkan enlargement does not seem to be a dominant factor for the official national positions of EU capitals on the dossier. Instead, the opacity of debates and information about the pros and cons of the region's accession has opened a big gap between highly supportive political elites and very sceptical populations in some of the member states or else, in others, has joined people and leaders in a permissive rhetorical consensus – but limited or no agency – on enlargement.

To be sure, enlargement is still perceived as the best way to anchor long-term stability and peace on the EU's doorsteps – a point underscored recently by Russia's meddling into Balkan affairs – as well as to transform the countries of the region into consolidated democracies and functioning market economies. Holding the Balkan aspirants to high standards is understood as part of a strategy aimed at turning the countries of the region into virtuous member states and getting them to deal with sticky issues early on. In turn, this is hoped to also help assuage concerns on behalf of European citizens with the potential negative consequences of new entrants, thus lending more legitimacy to the policy.

Yet member states' hands-on approach and tough line on the Balkan enlargement can also cause frequent blockages and make the process more dependent on political developments in the member states rather than on progress in the Balkans according to Brussels-based institutions. In addition, the fact that the multitude of positions of political parties, government executives, ministries of foreign affairs and EU institutions that come to bear on the process time and again are not always aligned with each other can send incoherent and confusing signals to the region. Departing from agreed conditions and procedures, coupled with growing volatility on the part of the member states, undermines the credibility of enlargement, the EU's transformative leverage in the region and the role of the European Commission (previously seen as the driver of the policy).

The present dynamics between the EU and the Balkans serve as a prime example of politics getting in the way of progress: on both sides, those in power and responsible for delivering success still need to show real engagement with the process.

On the EU's side:

At EU level:

- The Commission and the Parliament should communicate better and work more closely with member states in the process of assessing progress and devising strategies for assisting and responding to the Balkan countries, such as by organising meetings with ministries of foreign affairs and national parliaments to discuss enlargement, as well as by coordinating better horizontally with other European institutions and bodies;
- The Commission is arguably best placed for taking the initiative to launch a broad based consultation with member states and other relevant stakeholders in order to revamp the enlargement narrative and spell out in its annual enlargement strategy meaningful ways of reengagement with the Balkans on the basis of shared values and interests;
- The Brussels' executive should also find ways to present its progress reports in a manner that is measurable and thus more clearly comparable across time and countries, including by means of clear and concrete benchmarks to motivate individual countries and stimulate constructive competition among the Balkan aspirants;
- The European Parliament – and more specifically, European party families with which political parties in the Balkans are affiliated – should help more their sister parties in the region to develop politically, including by rising above ideological lines to denounce party conduct whenever it strays from European democratic values and norms;
- The EP should also encourage better cooperation with and among national parliaments inside the Union, and a more extensive exchange of best practices across the EU.

At member state level:

- Governments, parliaments, ministries and other specific interests within individual member states should coordinate better in order to strengthen their national position on the dossier and then rally support for it among counterparts across the EU;
- The member states should complement their hard-line on conditionality with strong incentives (economic and political) that keep the benefits and perspective of accession tangible. EU capitals should commit more in every sense – financial assistance, investments or training – and across various areas – like the economy, education, transport and infrastructure, energy, the environment – to help the region improve its difficult socio-economic outlook and catch up with the West;
- The member states should choose their 'battles' carefully in order to preserve their diplomatic capital and political weight within the enlargement process, and they should always assess the long-term implications of their decisions so as to ensure that their interference with enlargement results in sustainable solutions and not just quick fixes to the region's problems for the sake of stability.

On the Balkans' side:

- The EU-hopeful countries in the Balkans should accept that enlargement is now defined by the logic of 'strict and fair' and by political 'frontloading', which means that the process is more complex, more rigorous and more unpredictable than before. Instead of fixating on the end result, the countries of the region should focus on reforms first and foremost for the sake of self-improvement;
- The Balkan aspirants should acknowledge the concerns that individual member states bring forward that hinder their progress and should address these preoccupations bilaterally. They should also cultivate friendships with different EU capitals through direct and repeated interactions;
- Regional cooperation among the Balkan countries should also be pursued to tackle common issues of concern to the member states but also as a means of assisting each other's economic and political development.

List of graphs

List of tables

Abbreviations

AfD	Alternative for Germany
AFET	European Parliament's Foreign Affairs Committee
AII	Adriatic and Ionian Initiative
ANEL	Independent Greeks
BAMF	Federal Office for Migration and Refugees (Germany)
BiH	Bosnia and Herzegovina
BMZ	Federal Ministry for Economic Cooperation and Development (Germany)
BND	Bulgarian New Democracy
BSP	Bulgarian Socialist Party
CDU	Christian Democratic Union (Germany)
CEB	Council of Europe Development Bank
CEE	Central and Eastern Europe
CEFTA	Central European Free Trade Agreement
CEI	Central European Initiative
CeSPI	Centre of International Political Studies (Italy)
CFSP	Common Foreign and Security Policy
CGIL	Italian General Confederation of Labour
COELA	Working Group on Enlargement
COREPER	Permanent Representatives Committee
COSAC	Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union
COWEB	Working Party on the Western Balkans Region
CSDP	Common Security and Defence Policy
CSOs	Civil society organisations
CSU	Christian Social Union (Germany)
CVM	Cooperation and Verification Mechanism
DFID	Department for International Development (United Kingdom)
DIMAR	Democratic Left (Greece)
EBRD	European Bank for Reconstruction and Development
EC	European Community
ECB	European Central Bank
ECJ	European Court of Justice
ECR	European Conservatives and Reformists group
ECSC	European Coal and Steel Community
EEA	European Economic Area
EEAS	European External Action Service
EEC	European Economic Community
EP	European Parliament
EPolC	European Political Community
EPP	European People's Party
ESDP	European Security and Defence Policy
EU	European Union
EULEX	European Union Rule of Law Mission
EUPAT	European Union Police Advisory Team
EUPOL	European Union Police Mission
EUSAIR	EU Strategy for the Adriatic and Ionian Region
FDP	Free Democratic Party (Germany)
fYROM	Former Yugoslav Republic of Macedonia
FPÖ	Freedom Party (Austria)
GAC	General Affairs Council
GERB	Citizens for European Development of Bulgaria
GUE/NGL	European United Left/Nordic Green Left
HDZ	Croatian Democratic Union
HSS	Croatian Peasants Party
ICTY	International Criminal Tribunal for the Former Yugoslavia
ICEC	Committee for European Coordination
IMF	International Monetary Fund

IPA	Instrument for Pre-accession Assistance
ISIS	Islamic State of Iraq and Syria
KFOR	Kosovo Force
KKE	Greek Communist Party
LAOS	Popular Orthodox Rally (Greece)
JHA	Justice and Home Affairs
MFA	Ministry of Foreign Affairs
MFAIC	Ministry of Foreign Affairs and International Cooperation (Italy)
MoD	Ministry of Defence
MRF	Movement for Rights and Freedoms
MVEP	Ministry of Foreign Affairs of the Republic of Croatia
NATO	North Atlantic Treaty Organisation
NCFP	National Council of Foreign Policy (Greece)
ND	New Democracy (Greece)
NGOs	Non-governmental organisations
NI	Non-Inscrits
OECD	Organisation for Economic Cooperation and Development
ŐVP	Austrian People's Party
PASOK	Panhellenic Socialist Party (Greece)
PermRep	Permanent Representation (to the European Union)
PfP	Partnership for Peace
PSD	Social Democratic Party (Romania)
RCC	Regional Cooperation Council
SAA	Stabilisation and Association Agreement
SAP	Stabilisation and Association Process
S&D	Progressive Alliance of Socialists and Democrats
SEA	Single European Act
SECI	Southeast European Cooperative Initiative
SEECP	South-East European Cooperation Process
SME	Small and Medium-Sized Enterprise
SP	Stability Pact
SPD	Social Democratic Party (Croatia)
SPD	Social Democratic Party (Germany)
SPŐ	Social Democratic Party of Austria
SYRIZA	Coalition of the Radical Left (Greece)
TAIEX	Technical Assistance Information Exchange Office
TAP	Trans Adriatic Pipeline
TEU	Treaty on European Union
UDMR	Democratic Union of Hungarians in Romania
UKIP	United Kingdom Independence Party
UN	United Nations
UNMIK	United Nations Interim Administration Mission in Kosovo
UNSC	United Nations Security Council
V4	Visegrád Group
VMRO (IMRO)	Bulgarian National Movement

Chapter 1

INTRODUCTION

BY ROSA BALFOUR AND CORINA STRATULAT

Since Croatia became the 28th member state of the European Union (EU) on 1 July 2013, suspicions have increased that the EU was reluctant to further enlarge. In the crisis-ridden EU, the decade-long commitment expressed by the member states in Thessaloniki to the European perspective of the Balkan countries has given way to ambiguous positions on the future entry of the neighbouring region. Even if the accession track remains open to the remaining countries in the Balkans, the process is often derailed not just by outstanding challenges pertaining to the region, but also by hurdles which develop within the Union – more specifically within the member states.

Compared to previous rounds of expansion, the European Commission has lost its position driving EU policy in this dossier to the member states. Increasingly, opinions motivating key political decisions are sought not from the Brussels executive but from national parliaments. The German Bundestag in particular has taken a key role in assessing progress made in the region itself, rather than relying on opinions of the Commission or European External Action Service. This has been the case with regard to both Serbia and Albania's membership bids. While this can make the enlargement process more participatory and democratic, the downside is the risk of excessive interference with technocratic procedures and of frequent blockages. Other examples do not involve parliaments but vetoes imposed in EU Council meetings on decisions that reflect domestic politics in several member states, some in the neighbourhood of South East Europe (like Bulgaria or Romania), and others in the mainstream of EU politics (such as France or Germany).

But does all this imply a 'nationalisation' of enlargement policy?

The enlargement process has been traditionally characterised by a transformative force based on agreed standards and procedures, managed by technically assessable criteria and benchmarks, and politically driven by the overall commitment of the EU member states, manifested at key decision-making moments, and democratically backed and ratified by national parliaments. Yet, at present, it does not seem to be any longer 'business as usual'.

Some of the reasons for this apparent shift away from the classic model include uneasiness with the potential consequences of further EU widening given the particularities of the region (especially war legacies and state weakness) but also the 'digestion' problems caused by the 2004 and 2007 waves of accessions. The general economic and political malaise in the EU and the member states have then

conspired to sustain an enlargement-adverse context. Finally, bilateral disputes between individual member states and aspiring Balkan countries have led to well-known blockages, such as Slovenia and Croatia; Greece/Bulgaria and the former Yugoslav Republic of Macedonia (fYROM); Romania and Serbia; Cyprus and Turkey; and France and Turkey. Hindrances occurred in the past as well (for instance, Italy and Slovenia), but what is different at present is the frequency of these incursions and the opportunities that member states have to diverge in functional terms from the internal EU procedures for handling enlargement.

The consequence of such developments is that the enlargement process is far more unpredictable and dependent on politics in EU member states than on progress in the region, according to the Brussels-based institutions. This can undermine the credibility of integration and the transformative leverage that the EU can have in the region, with potential negative spillover effects both for the Union and the Balkan countries.

Against this background, it is quite clear that the way in which the EU capitals, their governments, parliaments, and political constituencies respond to enlargement has become an increasingly important variable in understanding decision-making in this field, which remains one of the most crucial dossiers of EU integration. Preoccupations related to freedom of movement of people, minorities, asylum seeking, sustainability of welfare systems, bilateral disputes, economic prospects, border definition, stability in the Balkans, fundamental freedoms, corruption, organised crime (all legitimate concerns for policymakers) very often influence the enlargement agenda, but in unpredictable ways and with uncertain outcomes, largely due to a lack of awareness of political developments within the 28 member states. Electoral trends and the emergence of new political parties, some of which are joining national parliaments for the first time, only add to the uncertainty of national policies on enlargement.

1.1 RESEARCH DESIGN AND METHODOLOGY

In light of this, the present study puts the spotlight on the member states. This is an under-researched perspective that can provide an innovative and useful contribution to the current literature and debate about EU enlargement on the basis of in-depth case studies conducted by experienced researchers in 17 member states. The sample of countries included in this volume mirrors existent distinctions between EU capitals as regards, for instance, their foreign policy positions and sensitivities, time of EU accession (old and new), geographical location (Western and Eastern; Northern and Southern), size (big(ger) and small(er)), degree of democratic consolidation (less- and well-established democracies), as well as the extent to which they have been affected by the crisis. It is also noteworthy that the project covers the six biggest EU members.

Following a common methodology, the case studies investigate domestic political dynamics and the positions of key actors influencing EU enlargement, as well as identifying the kind of considerations and potential 'roadblocks' that shape national policies on this subject. This helps to understand the political context in which the EU brings forward its enlargement process, bridging the widening gap between Brussels and national capitals in terms of debates about political choices on enlargement and integration, and setting new grounds for rethinking and revitalising a policy which has been struggling to maintain its *raison d'être*.

The case studies draw on a combination of quantitative and qualitative data and analytic techniques, with extensive and semi-structured interviews as the main source of empirical research. Quantitative data used by researchers – as deemed necessary in their respective chapters – come from polls and surveys (public and expert opinion polls at EU or national level) but also from statistics on issues like commercial and business activities, investments (notably foreign direct investments), cultural and

educational exchanges, immigration, visa applicants and asylum seekers, minorities, number of diplomatic, consular and cultural promotion posts, bilateral disputes, and electoral trends.

Qualitative materials include official government/party documents, specific policies and declarations of party leaders and politicians in foreign and domestic media, and especially semi-structured interviews (about 20-30 per member state studied). A basic grid of questions was jointly agreed with the researchers as a guide to the interviews. However, as some countries required more in-depth analysis or closer attention to specific issues that are not shared by others (for example, minority issues), researchers were encouraged to tailor their interviews to the specificities of their country studied.

Finally, each researcher's experience and expertise, as well as secondary sources, like scholarly publications on the topic, helped to frame the chapter and interpret the data in each case.

The policy fields scrutinised take account, beyond the enlargement process itself, of the free movement of people, security issues, justice and human rights, anti-corruption and organised crime, trade and economic exchanges, and so on. Moreover, the different actors interviewed cover:

- government/executive actors, such as from the Prime Minister's office, ministries (like that of foreign/European affairs, interior, welfare, economy/trade, agriculture and defence), ministries/governmental bodies dealing with minorities and/or diasporas, regional governments having direct relations with Balkans countries, or embassies of aspiring Balkan countries;
- legislative/political parties of different ideological colours; members of the Parliament's foreign affairs/European affairs committees;
- representatives of civil society (for example, interest and/or lobby groups, think tanks, social movements, trade unions), and of the business community and media sector (journalists/foreign policy editors such as at a financial paper, a tabloid or regional paper).

The desk and field work carried out by the project's researchers in their respective case country explored a wide range of issues:

- the position of the country on enlargement (in general and to the Balkans);
- the position of specific ministries/institutions/actors on enlargement (in general and to the Balkans);
- domestic views on the process of European integration more generally;
- the formal mechanism in place in each country to formulate the national position on enlargement, including the main actors responsible for shaping that stance;
- any differences between formal procedures and actual practice in the way a member state arrives at its position on the dossier;
- instances of institutional cooperation within or across member states in order to advance a certain position on enlargement;
- domestic perceptions on the influence that the European Commission and also other EU bodies and institutions, such as the European External Action Service and the European Parliament or the Rotating Presidency of the EU Council, have in the enlargement process;
- the member state perceived as particularly influential (constructively/obstructively) on enlargement policy;
- reasons why the country/ministry/institution/actor interviewed holds that position on enlargement;
- any changes in the position of the country/ministry/institution/actor interviewed and why;
- main arguments in favour and against EU enlargement (to the Balkans);
- specific policy areas/issues that are important/bear on national positions on enlargement;
- the aspiring Balkan country considered particularly important by a given country/institution;

- the aspiring Balkan country considered particularly problematic by a given country/institution;
- national views on the effectiveness of the EU's enlargement strategy/conditionality towards the Balkans, in its current form, and – if applicable – any suggestions on how to improve the approach;
- domestic assessments on whether EU enlargement policy has become 'nationalised'.

All case studies follow a largely similar structure, including a brief introduction to the country in question (in terms of its foreign policy, domestic political dynamics, legal/constitutional decision-making framework, national position on Europe, activism as member state in the EU and in the Balkans, and so on) and an analysis of the above-listed issues as they transpired from the interviews and research undertaken. The chapters' conclusions then spell out the main findings, potential implications of what the research revealed, and policy recommendations relevant to the case study but also to EU enlargement policy towards the Balkans and (the countries of) the region.

The order of presentation of the case studies is roughly based on a first group of the largest member states (Germany, France, United Kingdom, Poland, Italy, and Spain), a second group of neighbouring countries to the Balkans (Austria, Croatia, Hungary, Greece, Bulgaria, and Romania) and then a third group that brings together the remaining cases (Cyprus, Sweden, Denmark, Latvia, and the Netherlands).

1.2 KEY FINDINGS OF THE INDIVIDUAL CASE STUDIES

It is difficult to do justice to the rich and informative analysis of each and every chapter of this volume but the condensed abstracts below are meant to give the readers a flavour of the main findings in each case and to map the wealth of member states' positions and practices on enlargement. While there is sufficient variation across countries to call attention to the need for tailor-made approaches by the Balkan aspirants and the European Commission to address potential concerns or to build on existing sympathies in individual member states *vis-à-vis* enlargement, the common trends that emerge from the overall research suggest that there is also a certain degree of predictability in the EU capitals' behaviour and thus scope for a European solution to the current labours of the enlargement process. The conclusions of the volume return to this idea.

Germany recognises the strategic importance of enlargement to the Balkans, but its support for the dossier is conditional upon the fulfilment by the aspirant countries of strict criteria. Under the pressure of growing domestic political and public opposition to further EU widening, Berlin is actively seeking to use the leverage of the enlargement process to address early on both internal reforms and unresolved stabilisation issues in the region. Germany's initiatives on Serbia-Kosovo and Bosnia-Herzegovina are illustrative in this regard. The ongoing crisis in Europe, the headaches caused by previous enlargement rounds, as well as the question of asylum seekers from the Balkans and migration within the EU feed Germany's caution about potential new entrants. At the same time, new threats posed by Russia and ISIS in the region highlight the importance of the enlargement agenda in Berlin. While the Federal Government defines Germany's strategic direction in the field of enlargement policy, since the coming into force of the Lisbon Treaty, the Bundestag enjoys greater powers over the executive's decisions at the EU level and is not shy of bringing them to bear on the integration process. Divergent interpretations and assessments by Berlin and Brussels on when a country should advance towards EU membership abound, as seen in the cases of Serbia and Albania. This side-lines the European Commission, but can strengthen Germany's negotiation position in the Council as long as the Parliament and government are on the same page. Berlin's tough line on conditionality is seen as a means to achieve substantial and sustainable transformation in the Balkans, and to convince the enlargement sceptics at 'home' that the integration process is being led responsibly and constructively.

France is supportive of the enlargement process as a way to live up to the EU's commitment made to the Balkan countries in 2003, to avoid the isolation of a region surrounded by member states, and to bolster the political construction of Europe. The eventual accession of the Balkans is seen as inevitable but not of strategic importance for Paris, and therefore France does not actively pursue enlargement. The positive French attitude towards the dossier is complemented by an emphasis on the rigorous application of the membership conditionality and by a referendum requirement on future accessions. The formulation of the French position on enlargement is largely executive-driven, with the Parliament as secondary player in the process. While Paris agrees with the Commission on the notion of 'frontloading', it also perceives the Brussels executive to be biased in favour of facilitating new EU entries. France tends to align itself on enlargement with the positions of Germany – its key European partner – but adopts a less vocal and more passive stance than Berlin. Furthermore, both France and Germany have a largely enlargement-sceptic population that views new member states as a threat to the welfare state, and the sour mood about further EU expansion has been spreading across the party political spectrum at Élysée.

The United Kingdom is still keen to express rhetorical support for EU enlargement, but its overall attitude towards the dossier, and its ability to shape the Union's policies in this area, have been dampened by an increasingly hostile immigration debate, coupled with rising Euroscepticism and growing support for the UK Independence Party. To be sure, all political parties in the country have become increasingly hard-line on the subject of immigration, so that the freedom of movement within the EU has been conflated with the arrival of people from outside the European Union. In addition, the question of whether the United Kingdom will leave the EU has arguably weakened the weight of its views on new members and its influence on the Balkan region. To the extent that there is a strong and specific British interest in the accession of the Balkans, it is narrowly focused on Bosnia and Herzegovina, as well as on the interrelated paths of Serbia and Kosovo. Beyond that, there are no underlying historical, cultural or economic factors driving Britain's commitment to the European perspective of the Balkan region.

Poland is part of the 'Friends of Enlargement' group, and a country where further expansion of the EU has been uncontroversial in both parliament and society, where support for this process is among the highest in Europe. This sentiment is also reflected in the government's approach, with an emphasis placed on conditionality and the technical nature of the process, with every effort made to streamline procedures and reduce bureaucratic hurdles. Therefore, not only does Poland not question the Commission's control over benchmarks but it often supports an even softer approach than the one presented by the Brussels executive. With this position, Poland finds itself in opposition to member states like Germany and the Netherlands, which advocate the upgrading of conditions. The Balkans have traditionally not been a focus for Poland, which has been more interested in Eastern Europe. Although security has long been on the Polish agenda and the country has contributed extensively to stabilisation missions in the Balkans, these actions were not followed by development aid, nor by visits of high-ranking Polish officials to the region. However, recent years have seen increased cooperation at both the expert and working levels. The motivation behind this has been the opportunities for Poland to play a more active role in shaping both the EU's energy agenda and its policy towards its neighbours, while simultaneously reinforcing social solidarity, stability and democratic values.

Italy conceives the European integration of the Balkans as very much beneficial to its vital interests as an 'Adriatic power', most notably in terms of geo-economic projection and regional (and domestic) security. Italy considers Serbia and Albania as the most important countries for its national agenda, particularly for economic, commercial and energy reasons, and is strongly concerned about the situation of Bosnia and Herzegovina. The Italian government plays the leading role in defining the country's position on the dossier. Rome welcomes the Commission's insistence on the consolidation

of the rule of law in the Balkans and deems the 'regatta approach' the only viable strategy for the region. However, Italy advocates a more 'politically-charged' Commission to keep the enlargement process *en route*. Among the member states, Italy sees Germany and France as particularly influential on enlargement, albeit often in a problematic sense. While noting the 'intergovernmental DNA' of enlargement, Italy laments the signs of the nationalisation of the process evident in past years. Rome blames the 'enlargement fatigue' in the member states, the problems caused by previous rounds of EU widening, as well as the challenging reform processes in the Balkan aspirants for this trend. However, Italy sees a risk of generating 'accession fatigue' among the EU-hopeful countries of the region if the process is not kept 'strict but fair', and if member states do not act responsibly to maintain the process as credible and predictable. At the same time, Italy acknowledges the potential that an increased involvement of EU capitals in enlargement can at times have on getting the Balkan countries prepared sooner and better for their future accessions.

Spain's approach to the Balkans enlargement is shaped by the individual leadership of specific ministers, by the country's support for the preservation of multinational states and strong defence of international law, as well as by political pragmatism in order to maintain power within the EU. Madrid has no real interest in the Balkan countries, but the region's development also affects Spanish domestic politics. This is why Spain's strategy is to look for common positions and negotiate its own political interest. The domestic agenda featuring separatist movements in the Basque Country and Catalonia has a significant influence on Madrid's stance on enlargement, particularly with regard to its refusal to recognise Kosovo's unilateral declaration of independence. While Spain advocates a strict conditionality and the 'regatta principle' for the Balkan countries, it shows great support for Serbia. Generally, it is more focused on deepening than widening the EU, believing that widening should only come after and without affecting deepening. Due to the economic crisis and increasing migration flows from new member states, Spain could be tempted to delay the EU accession of the Balkan aspirants, if an agreement on transitional rules that are related to the free movement is not reached. In this sense, Spain might decide to join the Dutch and French governments in requesting further restrictions to be imposed on the Schengen Area towards citizens of new member states.

Austria regards the Western Balkans as a key region for its foreign policy due to: historical links and geographic proximity; regional stability and security concerns; economic interdependence; and the deepening/widening debate on European integration, which is ongoing in Austrian politics. For Austria, a pause or even an end to the Balkans enlargement is perceived to be undesirable and far more costly than integrating the region. Yet while the official position of Vienna on the dossier is still positive and supported by the government, most political parties and the economic sector, the public is much more sceptical. Calls for a critical evaluation of the current enlargement strategy, including policy changes, are becoming stronger in Austria, and halting the enlargement project for the time being is viewed as a step in the right direction. The strong ambivalence between the official stance and the critical public opinion on the subject resonates with the ambivalence that also characterises the debate about the future of the European integration process and, in particular, about how to bring enlargement in line with other institutional reforms of the Union. Austria espouses the view that member states are ultimately the decisive actors in the enlargement dossier.

Croatia has struggled since its 2013 EU accession to articulate a single policy concerning enlargement and to define a *niche* for itself around this issue at the European level. The existence of at least three separate approaches to enlargement (the *status quo*, the 'Bosnia-Herzegovina new approach' and 'restructuring for Bosnia-Herzegovina and redemption for Serbia'), plus the under-institutionalised nature of the Croatian foreign policy establishment, has arguably undermined Zagreb's already difficult efforts (considering the country's small size and complex, enlargement-hostile EU context) to have a voice on the dossier and effectively move it forward. Croatia shares with many other member states

concerns about the growing influence of Russia in the region. The various open bilateral issues between Croatia and its Balkan neighbours (that is, Serbia, Montenegro and Bosnia-Herzegovina) have the potential to impact the enlargement process if Zagreb decides to use them in order to block the membership track of the countries in the region. Although Croatia has repeatedly rejected the possibility that it may resort to such obstructions, the recent conservative/nationalistic tendencies in Croatian society and the political arena pose a risk of less cooperative policies moving to the fore in the future.

Hungary has been an active and mostly unconditional supporter of EU enlargement, including towards the Balkan countries. Given historical ties and geographic proximity, the Balkans' European integration is regarded as Hungary's primary national interest. However, enlargement is also viewed as a subtle instrument for protecting the Hungarian minorities living in the Balkans and Budapest's strong economic interests in the region. The EU accession of the Balkans enjoys an almost national consensus and is prioritised over immediate domestic considerations by keeping bilateral disputes separate from the enlargement process. At the same time, enlargement hardly features in public debates and receives very little media attention. Hungary tends to lobby for the softening of the political conditions applied to the Balkans countries, not least as a gesture of solidarity, whereby newcomers should be treated the same way that Hungary and the other Central and Eastern European states were treated during their EU accessions. Consequently, Hungary does not support the enhanced conditionality in the field of justice and fundamental rights promoted by the Commission or member states such as Germany, the Netherlands, Finland, and Sweden, but it insists that conditions which caused difficulties for Hungary's integration – like the liberalisation of the labour market or the purchase of land – should be maintained and not diluted. According to Hungary, the Commission's 'new approach' has contributed to shifting control over enlargement to the member states because the introduction of opening, interim and closing benchmarks essentially gives EU capitals the upper hand over key decisions. Hungary's enthusiasm about EU enlargement to the Balkans stands at odds with the government's critical stance *vis-à-vis* the EU, and this contradiction undermines Budapest's sway over the dossier.

Greece holds a central but ambivalent position on Balkans enlargement: it is an ardent supporter of EU widening as a means to regional stability and has highly interdependent relations with the Balkan countries (especially Albania, Serbia and fYROM), but it also hinders progress whenever it can use the process to solve bilateral disputes with its neighbours. The name issue with fYROM has prevented Skopje from opening accession negotiations with the EU for many years, and problems with Greek minority rights in Albania have complicated relations between Tirana and Athens. However, it is unlikely that Greece will raise intractable obstacles for Albania given the diplomatic capital already spent by Athens on fYROM and its weakened economic clout in the context of the ongoing crisis. Public opinion has become more sceptical on enlargement – a shift in attitude that corresponds to the general decline in Greeks' trust of European institutions and of member states like Germany, which are widely perceived as responsible for the difficult socio-economic predicament of Greece. Athens also ceased to view favourably the role of the European Commission due to the repeated efforts of the Brussels executive to find new ways of prompting fYROM's accession, despite Skopje's lack of progress in the name dispute with Greece. Athens may thus be satisfied if the Commission's role weakens, provided that the entire enlargement process is not blocked and does not become a 'game' pursued by individual member states outside the EU context.

Bulgaria is a staunch supporter of EU enlargement, especially towards the Balkans, even if according to experts it does not always grasp the opportunity to lead with a more active policy. As itself a young member states from the Balkans, and given its geographic proximity to the region, Bulgaria is in favour of further EU widening. Moreover, Sofia sees enlargement as the main contributor to regional stability and prosperity. The government maintains that each of the aspiring countries should be assessed as an individual case and should be admitted as soon as they have met the membership conditions. This

policy is domestically sustainable because of the consensus among mainstream political parties and the general public in favour of EU membership for the Balkan neighbours. Yet there is awareness that the process will be neither quick nor easy due to a number of considerations regarding the state of affairs in the Balkans as well as in the EU. Bulgaria is concerned with minority issues in the case of fYROM and Serbia but also, more generally, with the problem of corruption and organised crime – which is common to all the countries in the region – as well as with the trade and transport infrastructure, which is judged in serious need of upgrade. Moreover, energy security has recently grown into an equally important field of regional cooperation for Bulgaria, after the suspension of the South Stream in 2014. Furthermore, the close ties between some of the countries in the region and Russia are another source of apprehension for Sofia. According to Bulgaria, the mood in the EU is unpromising for enlargement and the 'absorption capacity' of the EU is currently tested to the limit by economic, institutional and growing geopolitical challenges. Hungary, Poland, Slovakia, Slovenia, Romania and the newcomer Croatia are considered important partners for Bulgaria in promoting enlargement. Germany is identified as the decisive member state and champion of enlargement, while the Dutch oversight on the dossier is seen in Sofia as inevitably 'slowing down' the aspirants, but also as indispensable for the genuine transformation of the Balkan societies.

Romania supports enlargement and registers the highest public support for it among the EU member states, but it is not an unconditional supporter of this process. Given its proximity to the Western Balkans, Romania is especially interested in the stability, security and economic development of the region, and over the last few decades Bucharest has invested political, economic, security, and civilian resources in the stabilisation and Europeanisation of the Balkans. At the same time, Bucharest is concerned with the respect for the membership conditionality and does not hesitate to defend its perceived interests, for instance, over the issue of Kosovo's independence or the rights of the Romanian-speaking minorities and related communities in Serbia. Romania views its non-recognition of Kosovo's independence through the prism of international law and expects Serbia, and all the other countries in the Western Balkans, to comply with the Copenhagen criteria, including by respecting minority rights. Russia's penetration in the Balkans is also raising eyebrows in Bucharest. Romania largely backs the Commission's work, but also criticises the Brussels executive for pushing too hard at times to fast-track weak states (as in the case of fYROM), or for not doing so soon enough on other occasions (as in the case of Bosnia-Herzegovina). For Bucharest, enlargement has always been in the hands of the member states and the slower pace of the process at present is largely due to the countries themselves.

Cyprus performs a complex balancing act as regards EU enlargement to the Western Balkans, seeking to square its national interests, the EU position, its aspiration to be a 'reliable partner' to the EU, and its efforts to come closer to the US and Western allies. Against this backdrop, Cyprus' support for the Balkans' integration has not moved significantly beyond the rhetorical level to concrete action. Nicosia's commitment to EU enlargement in the region is also linked to the strong socio-economic interests that Cyprus maintains with the Balkan states (particularly with Serbia). In line with the Commission's 'new approach', the Cyprus government advocates a strict conditionality – including requirements for full compliance with the *acquis*, adherence to European values and practices, good neighbourly relations, and regional cooperation – applied to all EU-hopeful countries in the Balkans, which should be assessed on their own merits. However, when it comes to pushing for EU enlargement to the Western Balkans, since the European perspective includes Turkey, Cyprus tends to focus its negotiations before and/or on the margins of key EU Council meetings on Turkey's accession process, with the 'national problem' very much in mind. While the Republic of Cyprus has by now Europeanised its policies and thinking, which concretely led to reaching out to Kosovo to try and build *de facto* relations, the fact that the 'national problem' remains at the core of its foreign policy also means that relations with the 'motherland' Greece take precedence over dealings with fYROM. In parallel, the

strategic interests of Cyprus are shifting away from the Balkan region towards the Middle East, with potentially negative implications for the Cyprus government in making important compromises in the near future for the region's EU integration prospects, and especially that of Kosovo and fYROM.

Sweden has maintained a favourable position on enlargement, which builds on the country's tradition of successful international engagements and thrives in the export-oriented Swedish business sector, which sees lucrative possibilities in the Union's further widening. At the same time, the high standards of living in the country make other member states' concerns with mobility caused by enlargement seem less threatening in Sweden. The problems generally associated elsewhere in the EU with the Balkan countries – like corruption, bad treatment of minorities and so on – surface occasionally in Sweden, but they do not lead to a questioning of the region's accession. Since enlargement is widely perceived in a positive light and understood as the only fair policy towards other countries, it is not subject to debate or controversy. This policy line is also unlikely to change: once the EU-hopeful countries of the region have fulfilled the membership conditions, they should be allowed to join. The Swedish lesson after the Balkan wars is that conflicts in Southern Europe affect the whole continent. Sweden considers the European Commission the most important actor on enlargement among the EU institutions, and a link between the aspiring countries and the member states, determining how the Balkan countries are perceived by EU capitals. According to Sweden, the use of benchmarks, as suggested by the Commission itself, has meant a weakening of the Brussels executive's powers *vis-à-vis* the Council, since benchmarks give the member states the possibility to block the process until conditions are fulfilled.

Denmark's support for further enlargement and for EU membership in general has declined both at political and public levels. The gradual development of European integration in a political direction, beyond the 'market' project, has made Danes circumspect about EU initiatives. The increase in Euroscepticism – including during the financial and economic crisis – together with the undesired effects of previous enlargement rounds – such as welfare tourism – have imparted a negative tone to the already limited Danish debate on enlargement. Whenever the Balkans do come up, the issues of bad governance, corruption and crime stand out. Yet while popular emotions about the topic tend to run high, the vast majority of political parties in Denmark remain largely favourable towards enlargement, the main exception being the Danish People's Party, which is strongly against the EU and its further widening. Denmark still considers enlargement a European process, which is and should be led by the Commission, but it has also come to appreciate that national considerations are as justified as the European view in the dossier. The EU's own capacity to absorb more member states and the risk of upsetting the *status quo* with new and potentially risky enlargements is also weighing on Danish discourse. In the case of Denmark, decisions on EU enlargement are formally taken by the Parliament.

Latvia's attitude towards EU enlargement to the Balkans is quite uncontroversial and candid, while at the same time passive. Riga sees the enlargement of the European Union as a strategic need of Europe and as a means to perpetuate the European system of values. Any aspiring country fulfilling the *acquis,* which Latvia itself was also requested to fulfil during its integration process, is seen as a legitimate member. Latvia's support for EU enlargement reaches across the political spectrum and fits with the country's overall pro-European narrative. EU affairs – including enlargement-related issues – are shielded from public debate due to their complexity and a generally low public interest. The Balkan countries, in particular, do not raise any interests or objections among Latvian decision-makers, not least due to the limited interaction and distant relationship between the two sides. In fact, Latvia sees its added-value more in the post-Soviet space than in the Balkan region. Latvia does not want to play a role in decision-making on EU enlargement that is disproportionate to its low net contributions to the EU budget. However, the country preserves the possibility of changing its supportive stance if the Balkan aspirants

do not meet the accession criteria. Yet again, Latvia's political support for enlargement is principled and not related to the Balkan countries specifically. The Balkan-Russian ties make Latvia wary.

The Netherlands is rather lukewarm on the subject of EU enlargement, but the negative Dutch attitudes towards further EU widening are mainly associated with the prospect of Turkish membership. When it comes to the Balkans, a sense of responsibility for the 1995 Srebrenica massacre actually prompts the Dutch to feel that they somehow owe it to Europe as a whole to guide the Western Balkans into the Union. In addition, EU enlargement has boded well for Dutch business and exports, and has also been good for Europe because it has given the Union more leverage in an increasingly complex and multipolar global context. However, successive Dutch coalition governments have adamantly insisted on making accession dependent upon the fulfilment of a 'strict and fair' conditionality. The Netherlands believes that the enlargement conditionality is probably the most effective instrument of foreign policy that the EU has in its toolkit for the stabilisation, economic transformation, and democratisation of the Balkan countries. In particular, the Dutch emphasise criteria related, for example, to the rule of law (independence of the judiciary, combatting corruption, combatting crime, and tackling illegal migration) and fundamental rights (for example, the protection of sexual minorities). The increased salience and frontloading of the rule of law in the Commission's 'new approach' to enlargement have therefore been welcomed by The Hague. Likewise, the Netherlands assesses the system of tracking the implementation of reforms and benchmarking conditions as a great opportunity for the member states to intervene and delay progress if the aspirant country is lagging behind. At the same time, The Hague has been consistent in helping the EU-hopeful countries to strengthen the rule of law, which makes the Netherlands not just a critical member state but also a constructive one.

Chapter

2

ENLARGEMENT POLICY IN PERSPECTIVE

BY GRAHAM AVERY

The successful accession of the countries of the Western Balkans is now the priority of the enlargement policy. Other members of the international community consider that the main responsibility for the region lies with the European Union. At Thessaloniki in 2003, the EU's own leaders promised that these countries "will become an integral part of the EU, once they meet the established criteria".

However, at the same time, the region presents the biggest test that the enlargement policy has ever faced. Can the EU's conditionality and transformative power be used effectively here? By encouraging good governance and reconciliation between communities, can European integration provide a basis for stability and prosperity in the Balkans?

This chapter puts these questions into the wider perspective of the development of the EU's enlargement policy. By understanding the changes that the policy has undergone in the past and evaluating its successes and failures, we can be better equipped to handle the present situation and future challenges.

2.1 ORIGINS OF ENLARGEMENT POLICY

From the very beginning, the attitude of the European Union (before 1993, the European Communities) to new members was reactive, rather than proactive. It did not actively seek to enlarge its membership. Instead, it responded – usually with caution – to approaches from neighbouring countries wishing to join. This attitude was visible at the outset in the Treaty of 1951, which created the European Coal and Steel Community (ECSC). Its accession clause said that "any European State may request to accede to the present Treaty" (Article 98). This formula, which leaves the initiative to non-member countries, contrasts with the approach that was adopted by the Council of Europe. This is the European organisation that preceded the ECSC, whose statute of 1949 said that "any European State...may be invited to become a Member of the Council of Europe by the Committee of Ministers" (Article 4).

In historical terms, it is instructive to compare the expansion of the European Union with that of the United States of America. In the 19th century, Americans argued that "our manifest destiny [is] to overspread and to possess the whole of the continent that Providence has given us for the development of the great experiment of liberty and federated self-government entrusted to us"[1]. By contrast, Europeans, including those who have promoted a 'United States of Europe', have rarely considered the enlargement of the EU as a 'manifest destiny'. In fact, the widening of the EU has often been perceived as antithetical to its deepening. While EU membership has always been open to 'any European state' – and the European institutions have never defined the geographical limits of the term 'European' – the EU has not expressed a continental vocation.

In a report on enlargement to the European Council in 1992, the Commission argued that "the Community has never been a closed club, and cannot now refuse the historic challenge to assume its continental responsibilities and contribute to the development of a political and economic order for the whole of Europe"[2]. Significantly, this ambitious language was not taken over by the EU's leaders, who, in their conclusions, simply noted that "the principle of a Union open to European States that aspire to full participation and who fulfil the conditions for membership is a fundamental element of the European construction"[3]. In reality, the main driver for enlargement has been, and remains to be, pressure from neighbouring countries that wish to join, not expansionist ambition on the Union's part.

During the Cold War, when the countries of Central and Eastern Europe were separated politically and economically from Western Europe, some far-sighted individuals in the West believed that, one day, these countries would join the process of European integration. During the Soviet invasion of Hungary in 1956, Robert Schuman declared: "We must make Europe not only in the interests of the free countries but also, to be able to welcome the peoples of the East who, freed from the subjection that they have suffered until now, will ask to join us and request our moral support"[4].

However, as long as the Cold War lasted, the possibility of extending European integration was effectively limited to Western Europe. Indeed, one can argue that enlargement did not emerge as a 'policy' of the EU until the 1990s. At this time, after the collapse of the Soviet Union, the countries of Central and Eastern Europe expressed a wish to join and the EU first defined its accession criteria and a pre-accession policy. It was not until 1998 that the European Commission first created a Directorate General for Enlargement, an activity that, before then, was handled by temporary Task Forces.

Although it was in the 1990s that the EU first defined a pre-accession policy, it is salutary to recall that the idea of a pre-accession period was not new. In its Opinion on the application of Greece, the Commission proposed a period of preparation before the opening of accession negotiations in order to ensure that Greece was ready for membership. However, this idea was summarily rejected by the member states in 1982 as a technocratic error of judgment, which would be perceived by Greece as a political refusal. The unsatisfactory experience of Greece within the EU – with its unresolved problems of governance, as well as its current economic and financial travails – suggest that the Commission's proposal was justified. Moreover, in view of the positions that are usually taken by Britain and France on matters of enlargement, it is ironic to recall that the proposal concerning Greece came from a British Commissioner (Christopher Soames) and its rejection was led by a French president (Valéry Giscard d'Estaing).

---

1 O'Sullivan, John L., *New York Morning News*, 27 December 1845.

2 European Commission, *Europe and the Challenge of Enlargement, Report to the European Council*, 24 June 1992, Bulletin of the European Communities Supplement 3/92, p. 9.

3 Conclusions of the European Council, Lisbon 26-27 June 1992, Bulletin of the European Communities Supplement 6/92, p. 10.

4 Quoted in Avery, Graham (2000), *Robert Schuman on Hungary and Europe*, Hungarian Quarterly, Vol. 51, Number 198, p. 12.

At Copenhagen in 1993, the accession criteria was agreed. For the first time, the requirements of EU membership – political, economic and administrative – were laid down. Furthermore, the political criteria – democracy, the rule of law, human rights, and protection of minorities – embodied a series of basic values that were to be considered as inherent in the EU. However, the Copenhagen criteria were not altruistic in nature. They were designed to protect the EU and its members from the risk of disruption, arising from the accession of countries where political and economic stability was uncertain and the capacity to take on EU rules was untested. In 1993, the situation confronting the EU was unprecedented. Never before had it faced the prospect of the accession of so many countries, separated from it by a greater economic and political gap than it had previously experienced. It is not surprising that the promise of membership was accompanied by prudent conditions.

Although the conditions that were defined at Copenhagen were not unreasonable or unattainable, they were of a high order of generality. From the outset, it was evident that, in some respects, they were not actually fulfilled by existing member states. This naturally led to criticism of the EU for practising double standards. It may have sometimes seemed that perfection was demanded of applicant countries but, in practice, this was not the case. The criteria were not applied in such a way as to make enlargement impossible and all of the countries for that the Copenhagen criteria were designed for obtained accession in due course. The EU's aim in the accession process was not to obtain perfect new members but to ensure satisfactory enlargement.

2.2 CRITERIA FOR EVALUATING THE POLICY

An important question that receives insufficient attention in the analysis of enlargement policy is the criteria for evaluating its success or failure. What exactly is a satisfactory enlargement? Inadequate evaluation is a common feature of EU policies. This is not only due to lack of clarity of political accountability (who is ultimately responsible for the conduct of EU policies – the EU institutions or the member states?) but also, from a lack of agreement on the objectives of policies and the criteria for their assessment. In the case of the enlargement policy, both these factors are present. While the member states have all of the competence for decisions on enlargement (the process is almost entirely intergovernmental), the European Commission has an influential role in developing and managing the policy.

As for criteria, it would evidently be naive to judge the success of enlargement by the number of countries that join or the speed of their accession. Not only must an evaluation of the policy cover the period preceding enlargement but also, the period after accession. After all, what matters is the result of the accession, not the accession itself. The correct method of evaluation of the policy is therefore two-fold, with a set of criteria for the period before enlargement and another set for the period after accession.

For the pre-accession period, the criteria are similar to those that are applied to foreign policy in general. An enlargement policy may be considered successful if it enhances security, stability and prosperity for both the EU and the neighbouring countries that are concerned.

For the post-accession period, an enlargement may be considered successful if it leads to the harmonious integration of new members without disrupting the existing members, allows the EU's institutions and policies to function correctly, and the EU to develop satisfactorily in the long-term.

None of these criteria is simple to apply and the post-accession criteria are exceptionally difficult to formulate. There is little or no consensus among EU theorists, or among practitioners, on the 'correct' functioning of the institutions, the policies and the 'satisfactory' long-term development of the EU. The

fact that member states have such different views on these matters helps to explain why they have divergent views on the desirability of enlargement itself. It is often supposed that supporters of expansion want to impede integration and weaken the EU. Meanwhile, opponents of enlargement want to promote integration and protect the '*acquis*'. These caricatures show how and why attitudes to the enlargement policy can differ so widely.

The distinction between the two groups of criteria – before and after accession – shows why the common assertion that 'enlargement is the EU's most successful foreign policy' is misleading. For the EU, enlargement is only 'foreign policy' until the moment of accession. After that, it ceases to be foreign policy. By adjusting to membership, enlargement modifies the EU's basic constituents and shapes its future identity.

2.3 EVALUATING THE 2004/2007 ENLARGEMENT

The 2004/2007 rounds of enlargement, which brought in 12 new members in 2004 and 2007, were the most important expansions ever in terms of the number of new member states. However, in relative terms (population and economic product), the increase in the EU's size was less important than with the first enlargement of 1973.

Judged by the criteria that are defined above, there is no doubt that the Union's enlargement to Central and Eastern Europe (CEE) was a considerable success. In the pre-accession period, it assisted the peaceful transition of the CEE countries to democracy and a mixed economy. The post-accession experience with the new member states has been largely positive for the EU. They integrated rapidly into the system, the institutions have functioned as well (or as badly) as they did when there were 15 members and the EU's policies have continued to develop.

Expansion did not result in the paralysis of the decision-making system. Although the new partners have proved difficult on some issues, they have not been more obstreperous than the old members. It was not the new members who killed the Constitutional Treaty and delayed the Lisbon Treaty. Instead, it was the old members (France, the Netherlands and Ireland), where the referendums said 'no'. Although dissatisfaction with the EU's enlargement is sometimes cited as a reason for the results of those referendums, opinion surveys at the time showed that it was certainly not the main cause.

The forecast, which was common in the 1990s, that the accession of the Central and East European countries would encourage the EU's trend towards 'differentiated integration' or 'variable geometry' has not proved correct. The majority of the new members have joined Schengen, many have joined the euro and most of the remaining members plan to do so when the Eurozone's current problems are resolved.

Nevertheless, the last round of enlargement was, in some respects, a failure. The accession of Cyprus without the hoped-for reconciliation between its Greek and Turkish communities was a disappointment. It brought a divided island into the EU, which complicates both the internal functioning of the Union and its external relations, particularly with Turkey. The accession of countries with poor governance in the fields of justice, rule of law and public administration has led to problems for the countries concerned, as well as the EU as a whole. This was not only the case for Bulgaria and Romania, whose accession was arguably premature, but also, for other new members. The risks were perceived before accession but it was hoped that standards of governance would continue to improve as a result of the accession. Furthermore, the risks were underestimated because of the skill with which some applicant countries presented inadequate preparation in a favourable light ('Potemkin' reforms).

However, experience has shown that, as soon as an applicant country becomes a member, the 'leverage' of membership disappears. In fact, the loss of leverage begins when a target date is set for accession and an accession treaty is signed. Conditionality disappears after accession because the Copenhagen criteria are not applied to existing members. The 'post-accession monitoring', which was introduced for Bulgaria and Romania, has had a limited effect. Furthermore, in general, the EU's capacity to sanction members if they deviate from the basic principles of the Treaty is inadequate, as the case of Hungary currently shows.

2.4 LESSONS OF THE 2004/2007 ENLARGEMENT

It is natural that the lessons of the 2004/2007 enlargement have affected the EU's attitude to future enlargement, including the accession of countries of the Western Balkans.

One lesson of the 2004 enlargement was the disappointment surrounding the accession of Cyprus as a divided island. Although this has not resulted in an explicit reformulation of enlargement policy – after all, the Copenhagen criteria do not deal with the status of national borders – it has made the EU more conscious of the potential problems of the accession of new members with unresolved frontier disputes, not least in the Western Balkans, where some frontiers are still contested. The case of Kosovo and Serbia is the most obvious example and EU commentators are apt to remark that they do not want another Cyprus.

Another important lesson was the failure to ensure adequate standards of governance in several new members. In 2006, the EU's 'Renewed Consensus' introduced strict conditionality at all stages of the accession negotiations. Moreover, in 2012, it adopted a 'New Approach', under which the chapters of the negotiations concerning fundamental rights and justice, freedom and security were treated as a priority. By 'slicing' the negotiations into a series of small steps, the EU multiplies the occasions when it can reward progress or sanction non-progress. This makes conditionality more effective. In the past, the main 'carrot' in the process was the opening and closing of accession negotiations, with inadequate attention being paid to the progress of applicant countries during the negotiations. By 'frontloading', the EU puts more focus on the negotiations concerning the underlying problems of governance that were neglected in the past. This offers a better chance of ensuring satisfactory enlargement.

It is not surprising that the countries of the Western Balkans feel that they are subjected to stricter rules than preceding applicants. The new approach is the result of the EU's failure in the past to handle the conditionality of membership as effectively as it should. However, the EU cannot be accused of differential treatment in respect of current applicants, for it has taken the same approach to Turkey and even to Iceland. Iceland is the smallest and richest country ever to apply for EU membership and is, arguably, the best-prepared applicant in terms of membership criteria. It was noticeable that the EU's approach to Iceland in 2009-13 was quite different from that which it took for other EFTA countries in 1993-95. At that time, the EU did not evaluate the applications of Austria, Sweden, Finland, and Norway on the basis of the criteria that it had adopted at Copenhagen in June 1993. It was understood that those criteria were designed for countries of Central and Eastern Europe with uncertain democratic status, low levels of economic development and poor standards of administration. They were not for EFTA countries that had none of these problems. However, when Iceland applied for membership in 2009, the EU strictly applied the Copenhagen criteria and pre-accession procedures. This was not because of any substantial problems that were presented by Iceland but rather, to avoid unequal treatment and the risk of weakening conditionality for the Western Balkans and Turkey.

Today, it is clear that the EU applies the enlargement policy to applicant countries in a different and stricter way than it did in the past. Furthermore, the development of the policy from a historical perspective is not only explicable but also, justified in terms of the criteria by which the policy should be evaluated.

2.5 'RENATIONALISATION' OF THE ENLARGEMENT POLICY

As for the potential 'renationalisation' of the enlargement policy – the argument that, in recent years, the enlargement dossier has become more and more under the control of the member states, with a reduction in the influence of the Commission and an increase in the influence of domestic political considerations – there is plenty of evidence to support this development. The assertion by the German Bundestag of greater control over its government's positions on enlargement; the change in the French constitution, which obliges the government to hold a referendum on enlargement, unless it can obtain a large majority in the Assemblée Nationale; the wave of hostility to immigration from new member states, which has made British politicians cautious about future enlargement, are just a few examples in this regard.

However, it is an exaggeration to interpret this development as renationalisation. The enlargement policy was always under the strict control of member states. The EU's internal procedures for handling it, which have been practically unchanged since they were formulated for the accession negotiations in 1969-72, are almost entirely intergovernmental in character. It is the member state that holds the six-monthly rotating Presidency (not the Commission) that presents the EU's positions to the applicant countries. All of the decisions on enlargement are taken in the Council by unanimity and all of the important decisions on it are made by the heads of government in the European Council. The European Parliament only has a role at the end of negotiations – when it is asked to decide on a yes/no basis. The Treaty of Accession is only signed by the member states. The EU institutions are spectators, not signatories, and it is the national parliaments that have the last word on enlargement during the process of Treaty ratification.

Since the process has never been denationalised, it is hardly correct to describe the recent developments as a renationalisation. What they do represent is a markedly increased caution on the part of member states in their approach to enlargement. This is due to a number of factors, of which the most important is the difficult economic situation that the EU and its member states have experienced since the financial crisis of 2008. In economically uncertain times, decisions on key questions, such as enlargement, have always been problematic for the EU. Moreover, the economic situation today is complicated by the problems of the governance of the Eurozone. Another factor is the wish to avoid repetition of the problem of the 2004/2007 enlargement, when some countries that joined were not well prepared. This has led to the formulation of a more prudent and demanding approach to accession negotiations. To what extent migration from new member states is a factor in the hesitation of the EU's political leaders to pursue enlargement is less clear. Although migration resulting from the 2004/2007 enlargement has had an impact on public opinion in some countries, there is, in practice, a much less risk of large-scale migration from countries of the Western Balkans when they join the EU. Not only are their populations relatively small but also, measures can be included in future accession treaties to avoid problems resulting from migration.

The wish of member states to control the process presents risks, as well as advantages. A major risk is the blockage of the enlargement process because of linkage with bilateral issues between member states and applicant countries, or with unrelated issues in domestic politics. Neither of these problems is new as they have occurred in the past, but clearly there is a risk that they may become more frequent

in future. On the positive side, increased involvement of member states in the process implies the assumption of increased responsibility of national politicians. Furthermore, at a time when decisions by the EU institutions are often questioned, this involvement should enhance the legitimacy of the enlargement policy.

2.6 WHAT PROSPECTS ARE THERE FOR THE WESTERN BALKANS?

In conclusion, what can be said of the prospects for the countries of the Western Balkans to be included in the enlargement of the EU?

Here, it is not necessary to dwell on the difficulties that these countries face such as problems of poor governance, corruption and criminality; a historical syndrome of dependency on external actors; a legacy of ethnic, social and religious conflicts; and unresolved problems of frontiers and statehood. Objectively, it is more difficult for the countries of the Western Balkans to reach EU standards than it was for the countries of Central and Eastern Europe. Their path to EU membership is arduous and is taking a much longer time than they initially hoped. When taking up his post as president of the Commission in 2014, Jean-Claude Juncker declared that he expected no new accessions during his five-year mandate. This forecast is realistic.

Nevertheless, there are a number of positive factors that allow one to be optimistic that, in the long-term, the countries of the Western Balkans will succeed in joining the EU. The first important consideration is that two countries of the Western Balkans have already joined – Slovenia in 2004 and Croatia in 2013. While Croatia, the most recent arrival, still faces many challenges, its accession took place in a harmonious manner. It has not disrupted other EU members or the institutions and policies, neither has it presented problems for the EU in terms of 'absorption capacity'. One factor that helped to make Croatia's accession unproblematic was that it acceded singly, not as part of a group, as was the case for the countries that acceded in 2004/2007 and indeed for all previous new members, with the exception of Greece. If other countries of the region accede singly, as is logical if they progress at different speeds in fulfilling the membership criteria, this will facilitate matters.

Another basic consideration is that the Western Balkans are not the same as Turkey. 'Enlargement' tends to be an undifferentiated concept for European public opinion and the distinctions between the applicant countries are not well understood. However, there is a fundamental variance that politicians are – or should be – well aware of. From the EU's point of view, the question of Turkey's accession is seen in an entirely different light from that of the Western Balkan countries. With a current population of 78 million, which is expected to grow to 90 million or more in future, Turkey is the biggest country ever to apply for EU membership. As a member of the EU, it would be bigger than any of the others. In terms of the EU's 'absorption capacity', it presents a serious problem. This is not the case for the Western Balkans, where Serbia has a population of seven million and other countries are smaller.

As we have seen, the EU member states now wish to control the enlargement process more closely. Does this mean that their leaders are less committed to the promise that they made at Thessaloniki in 2003 – that the Western Balkan countries will join the EU when they satisfy the conditions. Although the member states' approach to enlargement today is cautious, the political commitment remains valid. Much has been written about the phenomenon of 'rhetorical entrapment', whereby the political promise of membership made by the member states at Copenhagen in 1993 – a promise based on geopolitical considerations and the EU's collective identity in terms of values and norms – overrode their subsequent hesitations and doubts about the consequences of admitting the countries of Central and Eastern Europe. For the EU, the enlargement process of the Western Balkan has different, but

important, geopolitical implications and, in terms of values, it relates to a constitutive element – the concept of European integration as a peace process for the reconciliation of people after war. In this context, the progress towards the normalisation of relations between Serbia and Kosovo is a significant example of the success of the enlargement process.

Although the EU's accession criteria are demanding in nature and are applied strictly by the member states, we may reasonably expect that the EU will honour its commitments. As such, all of the countries that were promised membership at Thessaloniki in 2003 will join the EU when they meet the conditions.

Chapter

3

MASTERS OR SERVANTS? MEMBER STATES IN THE EU ENLARGEMNT PROCESS

BY CHRISTOPHE HILLION

3.1 INTRODUCTION

The EU member states have always played a dominant role in the enlargement of the Union but the degree of their involvement has varied over the years. Initially, the Community founders opted for a state-centred procedure to admit new members, inspired by the canons of international institutional law (section 3.2). With time, however, enlargement became a fully-fledged EU policy, governed by its own substantive and institutional rules aimed at preparing the applicant's accession, and predominantly crafted by the *institutions* of the Union (section 3.3). In the face of the perceived unpopularity and weaknesses of the enlargement process, member states have recently sought to regain and enhance their influence over its conduct (section 3.4). While this trend makes it plain that national positions remain decisive in enlarging the Union, one cannot ignore the evolving EU constitutional framework in which enlargement is to be carried out (3.5). This framework determines the way in which member states' powers may be exercised.

3.2 ENLARGEMENT AS AN INTER-STATE PROCEDURE

The 1951 Treaty of Paris, establishing the European Coal and Steel Community (ECSC), vested the competence to open the latter to other contracting parties with the Coal and Steel Community itself, rather than with the member states. The enlargement process was conceived as essentially technical, with no parliamentary supervision, whether at European or member states' level. The Treaty establishing the stillborn European Political Community (EPolC) went further in filling the accession

mechanism with supranational elements, and did not envisage any role for member states as such. Instead, enlargement was a quasi-federal matter, in the hands of the EPolC institutions.[5]

The accession provisions of the two subsequent 1957 Rome Treaties were different in that the member states were given a more prominent role.[6] While the ECSC and the EPolC treaties envisaged an enlargement based on an executive arrangement defined by the Council, the EEC and EAEC treaties foresaw that the terms of admission were to be negotiated and ratified by the member states and the applicant country. Also, the Rome treaties disposed of the European parliamentary control foreseen by the EPolC Treaty. The process of accession to the European Communities was thus imbued with state-centrism, with member states acting as gatekeepers of the Community treaties.

While the Rome procedure was henceforth used as the standard enlargement mechanism, the process leading to the accession of Denmark, Ireland and the UK demonstrated that the EEC Treaty provided a basic procedure which member states could implement and elaborate almost as they pleased. Two incidents exemplify this.

First, the earliest endeavour to enlarge the Communities to Great Britain was vetoed twice by France, clearly demonstrating that the procedure could easily be held up by one single member state. The event also epitomised that enlargement could be blocked for reasons that had more to do with the domestic interests of a member state than with the applicant's failure to fulfil the basic Treaty requirements.[7] The declaration made by the Council of Ministers that discussed the second British application typifies these points when noting that "*one member state* considered the re-establishment of the British economy must be completed before Great Britain's request [for admission] can be considered" (emphasis added).[8] A state could thus invoke an unwritten argument (*in casu* the economic situation of one of the candidates) to prevent an application from being "considered", regardless of the fact that the Commission had already provided its opinions, recommending the opening of accession negotiations with the country in question.[9]

Secondly, the Council's abovementioned statement suggests that member states could articulate the Treaty-based procedure by invoking additional substantive conditions to which accession would be subject. The 1969 Hague Summit confirms this. Having "reaffirmed their agreement on the principle of the enlargement of the Community, as provided by Article 237 of the Treaty of Rome", the heads of state or government of the member states pointed out that:

> In so far as the applicant States *accept the Treaties and their political finality, the decisions taken since the entry into force of the Treaties and the options made in the sphere of development*, the Heads of State or Government have indicated their agreement to the opening of negotiations between the Community on the one hand and the applicant States on the other. They agreed that the essential preparatory work could be undertaken as soon as practically and conveniently possible; by common consent, the preparations would take place in a most positive spirit.[10] (emphasis added)

---

5 Further: Hillion, Christophe (2011), "EU enlargement" in Craig, Paul and de Búrca, Grainne (eds.), *The Evolution of EU Law*, Oxford: Oxford University Press, p. 187.

6 See Article 237 of the Treaty establishing the European Economic Community (EEC) and Article 205 of the Treaty establishing European Atomic Energy Community (EAEC).

7 Tatham, Allan (2009), *Enlargement of the European Union*, Alphen aan den Rijn: Kluwer Law International, pp. 7 *et seq*.

8 See Puissochet, Jean-Pierre (1974), *L'Elargissement des Communautés Européennes*, Paris: Editions Techniques et Economiques, p. 16.

9 Avis de la Commision au Conseil concernant les demandes d'adhésion du Royaume Uni, de l'Irlande, du Danemark et de la Norvège; COM(1967) 750; Bull. EC Supp. 11-1967.

10 Final Communiqué of the Hague Summit, 2 December 1969.

The foregoing suggests that the drafters of the 1957 treaties of Rome crafted a classic *state-centred* accession procedure inspired by the canons of international institutional law.[11] The reference in the above quote to the "Heads of State or Government" without referring to member states typifies such state-centrism.

This basic approach endures in its essentials as illustrated by today's Article 49 of the Treaty on European Union (TEU):

> Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.
>
> The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in their respective constitutional requirements.

In particular, both the start and finalisation of the enlargement procedure primarily depend on a unanimous approval by the member states, while the terms of accession to the Union as enshrined in the Accession treaty are in principle negotiated between them and the candidate, rather than determined by the EU itself.

3.3 ENLARGEMENT AS AN EU POLICY

While Article 49 TEU makes it clear that the Union's enlargement requires common action by states, its first paragraph nevertheless foresees a significant involvement of the EU political institutions: the Council, the European Council, the Commission, and the European Parliament all have a role to play, under the supervision of the European Court of Justice. The successive amendments of the enlargement provisions in the EC and subsequently EU Treaties, shows that the involvement of the common institutions has steadily increased, tempering the initial predominant position of the member states.[12] Moreover, they have entrenched the *hybrid* nature of the EU enlargement process.

Hence, since the Single European Act, admission of new states to the Union no longer depends solely on the member states' will, but equally requires the consent of the European Parliament.[13] In addition to the required Commission's opinion, which has always featured in the procedure, enlargement cannot take place without the *approval* of the other EU supranational institution.

---

11 In this respect: Schermers, Henry G & Blokker, Niels (2003) *International Institutional Law,* Leiden: Martinus Nijhoff Publishers, p. 70.

12 Note that the enlargement procedure of the European Coal and Steel Community Treaty did not envision any role for the member states as such. Article 98 ECSC stipulated that: "Any European State may apply to accede to this Treaty. It shall address its application to the Council, which shall act unanimously after obtaining the opinion of the High Authority; the Council shall also determine the terms of accession, likewise acting unanimously. Accession shall take effect on the day when the instrument of accession is received by the Government acting as depository of this Treaty."

13 Article 8 SEA, which foresaw that the European Parliament was to act by an absolute majority of its component members.

The Lisbon Treaty also codified the role that the European Council had hitherto performed in practice, namely that of adapting the normative framework of accession, and of adjusting the terms of EU membership. While admittedly representing the states' interests, the European Council nevertheless acts as an EU institution whose powers are governed by the rules of the EU legal order,[14] under the control of the European Court of Justice.[15]

In practice too, the institutions of the Union have exerted considerable influence on the operation of the accession procedure, further mitigating the *prima facie* state-centric nature of the process. For example, in addition to giving its opinion on the application, which is procedurally mandatory but non-binding in its substance,[16] the Commission has always played an active role in the preparation of the inter-state negotiations of the accession treaty that is foreseen in Article 49(2) TEU.[17]

Unconventional inter-institutional collaboration has equally proliferated in the articulation of the accession conditions,[18] and in the context of the 'pre-accession strategy' launched in 1994 to prepare EU membership of the central and eastern European countries (CEECs).[19] In particular, the European Council mandated the Commission not only to elaborate the substance of the Copenhagen criteria,[20] but also to report back on the candidates' progress in meeting them, so as to decide on their ability to start accession negotiations.[21] The EU institutional framework was thus directly solicited in determining the eligibility of aspirant states, in preparing and ultimately deciding on their eventual admission into the Union. This involvement derives not only from the first paragraph of Article 49 TEU, it was also encouraged by the European Council with a view to ensuring that its decision to enlarge the Union would be effectively implemented.

The institutions' input in the EU enlargement policy was further increased following the "renewed consensus for enlargement" endorsed by the European Council in the aftermath of the 'big bang' expansion of 2004,[22] and while the EU was preparing to admit Bulgaria and Romania. A key feature of the 'consensus' is the introduction of *conditionality* in accession negotiations themselves. In particular, the opening and closing of chapters of negotiations are dependent on the candidate's preliminary fulfilment of 'opening' and 'closing' benchmarks pre-defined and monitored by the Commission with the approval (by unanimous vote) of member states. The *ad hoc* institutional arrangements typical of the pre-accession strategy were thereby implanted in the essentially inter-state negotiation framework. In the same vein, the 'New Approach' carved out after Croatia's entry, to strengthen the

---

14 Article 13(1) TEU. It was the Lisbon Treaty that formally included the European Council in the list of EU institutions.

15 In this sense, see the judgment of the Court of Justice of the EU in case C-370/12 *Pringle* (27 November 2012).

16 Thus, the initial negative opinion of the Commission on Greece's application (COM (76) 30 final, 20 January 1976) was ignored, and so was its positive *Avis* on the first British application for membership.

17 See Puissochet, *op.cit*.; see also the 1961 exchange of letters between the then president of the Commission and the president of the Council on the technical arrangements of accession negotiations (Ref. P 6323-E).

18 See Hillion, Christophe (2004), "The Copenhagen criteria and their progeny" in Hillion, Christophe (ed.), *EU Enlargement: a legal approach*, Oxford, Hart Publishing, p. 17.

19 Presidency Conclusions, Essen European Council, 9-10 December 1994. Further, for example, Maresceau, Marc (2003), "Pre-accession" in Cremona, Marise (ed.), *The Enlargement of the European Union*, Oxford: Oxford University Press, p. 9.

20 The Commission already had a significant influence on the elaboration of the Copenhagen criteria: Report by the Commission to the European Council, Edinburgh, *Towards a closer Association with the Countries of Central and Eastern Europe*, SEC (92) 2301 final, Brussels, 11-12 December 1992; Communication from the Commission to the Council, in view of the meeting of the European Council in Copenhagen, *Towards a closer association with the countries of central and eastern Europe*, SEC(93) 648 final, Brussels, 21-22 June 1993. Further: Mayhew, Alan (1998), *Recreating Europe. The European Union's Policy towards Central and Eastern Europe*, Cambridge: Cambridge University Press; Smith, Karen (2003), "The Evolution and Application of EU Membership Conditionality" in Cremona, Marise (ed.), *The Enlargement of the European Union*, Oxford: Oxford University Press, p. 105 and 113.

21 For example. Presidency Conclusions, Luxembourg European Council, 12-13 December 1997, p. 29.

22 Presidency Conclusions, European Council, Brussels, 15 December 2006.

assimilation of rule of standards by the candidates, has entailed a considerably strengthened EU monitoring by EU institutions.[23]

In sum, the inclusion of conditionality in accession negotiations has meant that the latter proceed not only on the basis of agreements between the negotiating states on "the conditions of admission and the adjustments to the treaties … which such admission entails" (as per Article 49(2) TEU). They advance also, if not primarily, in view of the candidate's ability to meet the targets set out by the EU institutions to ensure that candidates become operational member states. The ensuing involvement of EU institutions has partly eroded the significance of the intergovernmental negotiations of the accession treaty foreseen in Article 49(2) TEU, for the terms of accession are set by the Union, understood as member states and institutions, and marginally bargained between the negotiating parties.[24]

The above-mentioned EU *member-state-building policy* has thus become a standard facet of the EU accession process.[25] As suggested, the latter now entails far more than the state-centred mechanism originally envisaged. This is not the outcome of an institution's campaign to pre-empt a new policy field. Rather it results from the evolving legal framework of enlargement, and pragmatic considerations of member states. Arguably, the progressive proto-supranational facet of enlargement may also be explained by the latter's original function in the very integration process.

Indeed, in introducing "the first concrete foundation of a European federation indispensable to the preservation of peace", the 1950 Schuman Declaration spoke of "an organisation open to the participation of the other countries of Europe".[26] Thus, the preamble of the 1957 Treaty of Rome underlined that member states were "Resolved by … pooling their resources to preserve and strengthen peace and liberty, and *calling upon the other peoples of Europe who share their ideal to join in their efforts*" (emphasis added).

This lyrical call of the 'founding fathers' still features in EU primary law of today, and as such colours the way in which the procedural arrangements described above are to be applied. Its persistence may indeed be expounded by the function that accession has been deemed to fulfil in relation to the integration process: the "pooling their resources" formula is structurally connected to the realisation of the primary ambition to "strengthen peace and liberty" and to the "call (…) upon the other peoples of Europe". Membership of additional states has thereby been conceived as a means to achieving the process of *European* integration,[27] seen as the *raison d'être* of the Union itself.[28]The continental vocation of the integration process, [29] and the consequential function of enlargement in the treaty

---

23 Further on the "New Approach" see, for instance, Hillion, Christophe (2013), "Enlarging the European Union and its fundamental rights protection" in Govaere Inge, Lannon Erwan, Van Elsuwege Peter and Adam Stanislas (eds.), *The European Union in the World – Essays in Honour of Marc Maresceau,* Leiden: Brill, p. 557.

24 Maresceau, Marc (2001), "Pre-Accession Strategies: A Political Analysis" in Maresceau, Marc and Lannon Erwan (eds.), *The EU's Enlargement and Mediterranean Strategies – A Comparative Analysis,* Palgrave, p. 3.

25 Thus despite its high degree of integration with the EU, notably through the EEA and the Schengen agreements, Iceland was covered by the EU pre-accession strategy.

26 The Declaration can be available at: http://europa.eu/about-eu/basic-information/symbols/europe-day/schuman-declaration/index_en.htm (last accessed on: 23 March 2015).

27 As aptly put by Tatham: "EEC (and later EU) enlargement is a natural corollary of [the] continent-wide vocation" of the integration process: Tatham, Allan (2009), p. 1.

28 Para. 172 of ECJ's Opinion 2/13 on Accession to the European Convention on Human Rights (18 December 2014).

29 It is noticeable in this respect that the Schuman Declaration uses the definite article "the" when referring to "other countries of Europe" to which the organisation should be open. Similarly, the original French version speaks of "une organisation ouverte à la participation *des autres* pays d'Europe", rather than "*d'autres* pays d'Europe" (emphases added).

context, has pervaded the discourse of EU institutions and member states.[30] Hence, on the occasion of the tenth anniversary of the enlargement to Central and Eastern Europe, then enlargement Commissioner Štefan Füle declared that:

> Enlargement is in Europe's DNA. It is a key EU policy. It is the most powerful instrument of transformation – it serves as a strong incentive for reforms. Enlargement is also the most effective and powerful tool we have for strengthening security. Together – in a united Europe – we can better face the consequences of globalisation, the financial crisis or climate change.[31]

In the same vein, the 2012 Presentation Speech by the Nobel Peace Price Committee Chairman paid particular attention to successive EU enlargement episodes, and their significance from a peace-making perspective. To be sure, it suggested that "The paramount solution [to the remaining unresolved conflict in the Balkans] was to extend the process of integration that has applied in the rest of Europe".[32]

3.4 THE NATIONALISATION OF EU ENLARGEMENT POLICY

And yet the umbilical link between accession and integration has been questioned in practice. While enlargement has occasionally been regarded as a possible hindrance to further European integration, this view became particularly widespread in the context of, and following the EU admission of CEECs. Hence, having established the Copenhagen criteria, the European Council insisted that any enlargement was to be decided taking account of "the Union's capacity to absorb new members, while maintaining the momentum of European integration in the general interest of both the Union and the candidate countries".[33] Admittedly, the notion that enlargement should not impede further integration was not entirely new. Ever since the widening of the integration process was envisaged, deepening has been required to offset its possible weakening effect.[34]

The normative significance of the 'capacity requirement' has nevertheless considerably increased,[35] while its constitutive elements have proliferated in recent years, though remaining chronically hazy.[36]

---

30 Conclusions of the Heads of State or Government meeting in The Hague in 1969. In the same vein see the letter of application for Membership in the EEC of M. Harold Macmillan, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, to M. Ludwig Erhard, President of the EEC Council, August 9th, 1961.

31 European Commission, *10th anniversary of 2004 enlargement*, press release, 30 April 2014, available at: http://europa.eu/rapid/press-release_STATEMENT-14-143_en.htm?locale=en (last accessed on: 21 March 2015); also for example, Council conclusions of 14 December 2010: *Enlargement reinforces peace, democracy and stability in Europe*.

32 Speech by the chairman of the Norwegian Nobel Committee Thorbjørn Jagland, 10 December 2012, available at: http://nobelpeaceprize.org/en_GB/laureates/laureates-2012/presentation-2012/ (last accessed on: 23 March 2015); also http://ec.europa.eu/enlargement/pdf/publication/2014/infographic_02_en.pdf (last accessed on: 21 March 2015); Speech by Steven Blockmans, "The EU as a Global Peacemaker", inauguration as Professor of EU External Relations Law and Governance, University of Amsterdam, 2014.

33 Presidency Conclusions, Copenhagen European Council, 21-22 June 1993.

34 The Hague Communiqué, *op. cit*.

35 See in this respect, the Coalition Agreement of the current CDU-CSU-FDP German government, available at: http://www.cdu.de/doc/pdfc/091215-koalitionsvertrag-2009-2013-englisch.pdf, p. 167, and the Coalition Treaty of the current CDU-CSU-SPD government, available at: http://www.cdu.de/sites/default/files/media/dokumente/koalitionsvertrag.pdf, p. 115 (many thanks to Theresia Töglhofer on this point) (both links last accessed on: 24 March 2015). Further: Lazowski, Adam (2011), "Treaty of Lisbon and EU's absorption capacity", *Polish Quarterly of International Affairs* Volume 56, Number 19; Emerson, Michael, Aydin, Senem, De Clerck-Sachsse, Julia and Noutcheva, Gergana (2006), "Just what is this 'absorption capacity' of the European Union?" *CEPS Policy Brief,* No. 113.

36 Hassin, Aurélien (2007), "La capacité d'intégration de l'UE – prérequis politique ou alibi technique?", *Les Brefs de Notre Europe,* 2007/06.

An attempt to define the concept was made by the Commission, having been mandated by the European Council, in a special report on the Union's capacity to integrate new members, annexed to its 2006 Enlargement Strategy.[37] According to the report, enlargement should not hamper the EU's capacity to maintain the momentum of integration, which entails that institutions must continue to act effectively, that policies must meet their goals, and that the budget is commensurate with its objectives and its financial resources. Initially concerned with the ability of EU institutions to function effectively,[38] 'absorption capacity' is also contingent on the degree of public support for enlargement within the EU and on the financial sustainability of further EU expansion.[39]

Consequently, it is not only through the enhanced preparation of the candidates, based on the sophisticated EU pre-accession strategy, that the integration momentum may be preserved. In effect, the prerequisites associated with the integration capacity are to be met internally (and assessed) by member states themselves. The increased importance of the notion of integration capacity thus epitomises the member states' reassertion of their role as gatekeepers, in the name of preserving the integration process. Such a development has attracted criticism, for example from the House of Lords EU Committee, which has considered "the debate about the absorption capacity… harmful since the term is inherently vague and is interpreted by many in the candidate countries as an excuse for closing the Union's doors".[40]

Since the Union's expansion of 2004-07, the implementation of the treaty-based procedure and the EU pre-accession strategy has revealed a considerable increase in member states' influence over most stages of the process. [41] More than a procedural adjustment in the name of preserving the integration process, and of furthering the democratic legitimacy and credibility of what may have become a technocratic process, it reflects a shift in member states' approach towards enlargement. Indeed, beyond a reactivation of the state factor that has always been a key element of the enlargement procedure, the nationalisation of the policy also appears to affect the attitude of the institutions involved.

Thus, the role of the Council has been strengthened. In particular, instances of unanimous decision-making (that is, veto opportunities for the member states) have multiplied beyond the basic requirements of Article 49 TEU. For instance, the Council has developed the practice of not automatically transmitting the candidate's application to the Commission, contrary to what a literal reading of Article 49(1) TEU would suggest. Rather, it first *decides* to implement the procedure of Article 49 TEU, thereby acquiring the ability to assess the admissibility of the application, *before* the Commission and the Parliament have had a chance to voice their views. As a result, the Commission does not provide or even prepare its opinion without having first been requested to do so by the Council. While the practice had hitherto been to decide to invite the Commission to start preparing its opinion by simple majority, it now appears that single member states feel entitled to block, or at least hold up, the Council's request to the Commission.[42] In effect, the duplication of the Council's *unanimous* decisions has weakened the role of

---

37 COM(2006) 649; Annex 1: *Special Report on the EU's capacity to integrate new members.* The report was elaborated at the behest of the European Council, and following various studies from the European Parliament. It was subsequently endorsed by the European Council: Presidency Conclusions, European Council, Brussels, 14-15 December 2006, pts 6 and 9.

38 E.g. Presidency Conclusions, European Council, Corfu, 24-25 June 1994; Presidency Conclusions, European Council, Luxembourg, 12-13 December 1997. See Alexander Stubb, EP Plenary, December 2006 available at: www.youtube.com/watch?v=0idLHjHhCqM (last accessed on: 21 March 2015); see also his interview on "The EU's integration capacity", EuroActiv, 20 October 2006, available at: www.euractiv.com/en/enlargement/interview-eu-integration-capacity/article-158959 (last accessed on: 21 March 2015).

39 COM(2006) 649, *op. cit.*, at pp. 2-3 and 5.

40 House of Lords Report, *The Further Enlargement of the EU: threat or opportunity?* European Union Committee, 53rd *Report* of Session 2005–06, p. 20.

41 Further: Hillion, Christophe (2010), "The creeping nationalisation of the EU enlargement policy", *SIEPS Report,* 6/2010.

42 For example, the Commission's invitation to prepare an Opinion on Albania's application was withheld as a result of the German government's intention first to consult its parliament on the matter, in application of the revised Lisbon

the other EU political institutions and *de facto* alters the nature of the procedure of Article 49(1) TEU: in principle inter-institutional, in practice inter-governmental.

In the same vein, a new and perhaps more remarkable development is the shift in the Commission's approach towards enlargement policy. The change was apparent in the president's declarations, before and after his appointment, that there would be no accession under his mandate.[43] Presented as a factual observation that no candidate would be prepared for membership, the declarations arguably disclose a political choice that enlargement would no longer feature as "key policy of the Union",[44] and that the Commission would not be as active as it used to in that endeavour. The mission letter to the Commissioner endowed with the revamped portfolio of European Neighbourhood Policy and enlargement negotiations further supports this point. Thus unlike neighbourhood, the document does not characterise enlargement as a 'policy', and conspicuously makes it a secondary task in the new Commissioner's portfolio. To be sure, DG Enlargement has been renamed DG Neighbourhood and Enlargement Negotiations with a reshuffled organogram, and relocated premises, further away from the heart of the Commission's administration.

While such a political statement would be unexceptional coming from member states, it is more surprising when voiced by the institution that has been entrusted with the task of conducting the enlargement policy, based on commitments made by the European Council. In effect, the declarations prejudge the Commission's annual evaluation of the candidates' progress in meeting the accession conditions. It also points towards a lower engagement on the part of the Commission to bring in the states that have been given a membership perspective. The 'enlargement fatigue' rhetoric played out by some member states in the context of 2014's institutional renewal would appear to have pervaded the Commission's posture towards a policy of which it had been the key driver. Such a politicised positioning is at odds with what is constitutionally expected of the Commission as guardian of the treaties, and as such in charge of fulfilling the tasks of the Union.

As argued elsewhere, the laxer engagement of member states with enlargement, despite recurrent political commitments by the European Council, has further affected the implementation of the policy.[45] Hence, some states have shown few scruples in using the membership card to address bilateral issues with and/or obtain concessions from candidates in exchange for their approval. It has also, occasionally, taken the form of a decreased loyalty in relation to the canons of the European integration process. EU fundamental freedoms and principles have thus been tempered with domestic concerns, as epitomised by the EU negotiating framework for Turkey.[46] To be sure, attempts to regain

ratification law, adopted following the *Lisbon* judgment of the German Constitutional Court. The procedure of Article 49 TEU was only resumed after the German approval, six months later, when the Council eventually "*decided* to implement the procedure laid down in Article 49 [TEU]. Accordingly, the Commission [was] *invited* to submit its opinion' (emphasis added); 16 November 2009; 15913/09 (Presse 328).

43 See, for instance, Juncker, Jean-Claude (2014), "A new start for Europe: My agenda for jobs, growth, fairness, and democratic change – Political guidelines for the next European Commission", Opening statement in the European Parliament plenary session, Strasbourg, 15 July 2014, available at: http://ec.europa.eu/priorities/docs/pg_en.pdf#page=9 (last accessed on: 10 March 2015).

44 See e.g. para. 2 of General Affairs Council Conclusions on Enlargement and Stabilisation and Association Process, Brussels, 17 December 2013; see also para. 2 of GAC Conclusions on Enlargement and Stabilisation and Association Process, Brussels, 16 December 2014.

45 Hillion, Christophe (2010), *op. cit*.

46 The document envisages that the Accession Treaty could include "permanent safeguard clauses" with respect notably to movement of persons, agricultural and structural policies. Such clauses would put at risk the functioning of the internal market and could, more generally, strike at the heart of the EU legal order, and notably at the principle of equality of EU citizens and states (Negotiating Framework, 3 October 2005). Further: Hillion, Christophe (2007), "Negotiating Turkey's membership to the European Union – Can Member States do as they please?", *European Constitutional Law Review*, Volume 3, p. 269.

control over the EU enlargement process have been visible at member states' level too. For example, the national "constitutional requirements" envisaged in Article 49(2) TEU to ratify accession treaties have been made stricter,[47] while tighter parliamentary control has also been established. [48]

The foregoing shows the recurrent dominant position of the member states on enlargement, despite a phase of relative retreat to the benefits of an EU-led process. Their recent return confirms the need to scrutinise attentively their individual position with respect to further EU enlargement, to find out possible evolutions of the policy as a whole. Conversely, it is important to recall that the member states' positions on enlargement remain significantly constrained by the EU constitutional framework.

3.5 THE CONSTITUTIONAL NATURE OF EU ENLARGEMENT

In practice and in law, the way in which enlargement is decided and carried out, and the consequential role of member states therein, is determined by EU rules.[49]

Thus, EU enlargement is exclusively governed by provisions laid down in EU primary law, in the sense that the Union cannot be enlarged without having recourse to the specific mechanism established by the EU constitutional charter. The TEU based enlargement procedure, and the role of member states therein, is also determined by the structural principles of the EU legal order, and by the procedure's specific function in the system established by EU Treaties. Indeed, the procedure involves the "member states" as such, rather than as "High Contracting Parties" as per Article 1 TEU. In other words, they do not act *qua* states in their own rights, but primarily as members of the EU, or indeed qua European Council, and thus constrained by the discipline of the EU legal order, and in particular by the duty of sincere cooperation, enshrined in Article 4(3) TEU.[50]

As recalled by the European Court of Justice in a recent opinion on the EU accession to the European Convention on Human Rights:[51]

> The pursuit of the EU's objectives … is entrusted to a series of fundamental provisions (…). Those provisions, which are part of the framework of a system that is specific to the EU, are structured in such a way as to contribute — each within its specific field and with its

---

47 The most conspicuous example in this respect is the principle introduced in 2008 in France's constitution that future accession treaties be ratified by referendum: See first paragraph of new Article 88-5 of the French Constitution: which came into effect upon the coming into force of the Treaty of Lisbon, in accordance with Article 2 of Constitutional Act no. 2008-103 of February 4, 2008 and Article 47 of Constitutional Act no. 2008-724 of July 23, 2008. Other member states have been considering new constitutional requirements for ratifying accession treaties in the form of a 2/3 qualified majority in Parliament (for instance, The Netherlands, see Kamerstukken TK 30874, nrs 1-3), or referendum (such as Austria, see Government Programme 2007-2010: http://www.austria.gv.at/DocView.axd?CobId=19542 at 8).

48 For example, the German government shall seek the Bundestag's opinion on the *opening* of accession negotiations; Gezets zur Änderung des Gesetzes über die Zusammenarbeit von Bundesregierung und Deutschem Bundestag in Angelegenheiten der Europäischen Union (§3(1)2 EuZBBG, available at: http://www.bundesrat.de/nn_8396/SharedDocs/Beratungsvorgaenge/2009/0701-800/715-09.html, (last accessed on: 23 March 2015).

49 Final Communiqué of the Hague Summit, 2 December 1969. See also: Puissochet, *op. cit.* See also Tezcan, Narin (2015), *Legal constraints on EU Member States as primary law makers,* Leiden: Meijers Instituut Publication.

50 According to Article 4(3) TEU: "Pursuant to the principle of sincere cooperation, the Union and the member states shall, in full mutual respect, assist each other in carrying out tasks which flow from the Treaties. The member states shall take any appropriate measure, general or particular, to ensure fulfilment of the obligations arising out of the Treaties or resulting from the acts of the institutions of the Union. The member states shall facilitate the achievement of the Union's tasks and refrain from any measure which could jeopardise the attainment of the Union's objectives."

51 Opinion 2/13*, op. cit.*

> own particular characteristics — to the implementation of the process of integration that is the *raison d'être* of the EU itself.
>
> (…) the Member States are obliged, by reason, inter alia, of the principle of sincere cooperation set out in the first subparagraph of Article 4(3) TEU, to ensure, in their respective territories, the application of and respect for EU law. In addition, pursuant to the second subparagraph of Article 4(3) TEU, the Member States are to take any appropriate measure, general or particular, to ensure fulfilment of the obligations arising out of the Treaties or resulting from the acts of the institutions of the EU…

To be sure, the procedure fulfils a particular function in the system of the EU treaties, notably in relation to the general integration objective. Embedded in the EU legal order, the enlargement mechanism entails a discipline and a loyalty of the different actors involved therein, namely the member states as well as the EU institutions.

3.6 CONCLUSION

Hopefully, this report has demonstrated that member states continue to play a predominant role in the enlargement process. It has been suggested that, of late, this role has taken various forms, from a stricter application of the original state-centric elements of the procedure, to a politicisation of the Commission' approach towards and role in the enlargement policy. Aside from the consequences the abovementioned paradigmatic shift may have for the effectiveness and credibility of the EU enlargement policy, notably in relation to the Western Balkans, its compatibility with the canons of the EU legal order, which underpins the enlargement procedure, may be questioned. While this development calls for a thorough and critical examination of the member states positions on the enlargement, this must be done while keeping in mind the normative constraints derived from the EU constitutional order in which the enlargement process is embedded.

Chapter 4

GERMANY

BY CORNELIUS ADEBAHR AND THERESIA TŐGLHOFER

4.1 INTRODUCTION

Germany's enlargement policy towards the Balkans is shaped by a number of factors, not least by its current position within the broader European Union (EU) framework. Most obviously, the country's role as the critical power – for better or worse – in overcoming the financial crisis also influences the weight of its views on enlargement. This holds true both for EU members aligning with the Federal Government on specific issues and for the Balkan countries seeking support from Berlin, with the latter drawing on a long history of German economic and political involvement in their region.

Moreover, the Lisbon Treaty has not only changed EU policymaking but, indirectly, also the legal and political landscape in Germany. The verdict of the Federal Constitutional Court has given the federal parliament – the German Bundestag – unparalleled powers over the executive's decisions at the EU level.[52] This concerns in particular the opening and closing of accession negotiations and treaty amendments, giving the legislative – and even political groups – new sway over and, consequently, interest in the actual conduct of negotiations. This has exposed a process that, in the past, was dominated by administrative procedures based on foreign policy considerations, but now is influenced by domestic issues at a time when, with a view to past enlargements as well as the continuing effects of the economic crisis, German citizens are no longer reflexively positive about European affairs.

Furthermore, the subtle shift of competence from the Foreign Office to the Federal Chancellery – a consequence of the 'summitisation' of European economic and financial crisis management since 2009 – can also be felt in other areas of EU and foreign policy, including enlargement policy.

[52] In its judgement of 30 June 2009, the Federal Court came to the conclusion that "the Bundestag and the Bundesrat have not been accorded sufficient rights of participation in European lawmaking procedures and treaty amendment procedures." It consequently reached the decision that "[t]he Federal Republic of Germany's instrument of ratification of the Treaty of Lisbon may not be deposited as long as the constitutionally required elaboration of the parliamentary rights of participation has not entered into force." Federal Constitutional Court, Press office, Press release no. 72/2009, 30 June 2009.

Germany is connected to the region by close and multiple ties. At the same time, given Germany's sheer political, economic and demographic weight among the EU member states, relations with the Balkans are in most areas characterised by pronounced asymmetry. More than 1.4 million people originating from the Balkans' aspirant countries and the new member state Croatia currently live in Germany.[53] Migrants from Serbia and Croatia constitute significant groups of non-EU foreigners or Germans of foreign origin[54]. Germany also figures among the top six trade partners and biggest foreign investors in the countries of the region. In addition, with a high number of projects in different fields, such as tourism or trade, as well as with German political and corporate foundations having a strong presence in the region, Germany is the biggest donor of bi- and multilateral development aid for the Balkans among the EU member states.[55] The German army has reduced its military engagement by withdrawing from the mission EU Force Althea in Bosnia and Herzegovina in 2012, but remains next to the United States the largest contributor of troops to NATO's Kosovo Force – which also constitutes the Bundeswehr's second biggest mission abroad after Afghanistan.

Thus, in many regards, Germany continues to be present in and committed to the region. As the financial and sovereign debt crisis, the ensuing problems within the European Union, as well as other international hot spots have strained resources and political attention, the Balkans and the EU's enlargement policy have been pushed down the list of priorities in recent years. Nevertheless, the region has kept its significance for Germany's EU and foreign policy, especially in view of pending stabilisation issues. As stressed by her party colleagues, Chancellor Merkel "absolutely has the region on the radar."[56] This is demonstrated by frequent diplomatic and parliamentary visits[57], as well as by the fact that Germany's enlargement and foreign policy engagement towards the region is not solely left to the Foreign Office, with the Chancellery closely following the most important dossiers. The first conference on the Western Balkans, which gathered the region's prime ministers, foreign ministers and ministers of the economy in Berlin in August 2014, as well as the British-German initiative on Bosnia and Herzegovina launched in early November can be understood as the latest expressions of Germany's aspiration to actively shape the EU's relations with the region.

Berlin has thus become an attractive destination for official visitors from the region, soliciting German support for their EU bid.[58] Not always strictly in line with diplomatic protocol, Members of the

---

53 Numbers include persons with former or current citizenship of one of the Western Balkan countries (including Croatia), with the latter group comprising more than 800,000 persons; Statistisches Bundesamt. Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2012, Fachserie 1, Reihe 2.2, Wiesbaden, 2013.

54 Statistisches Bundesamt. Bevölkerung und Erwerbstätigkeit. Ausländische Bevölkerung. Ergebnisse des Ausländerzentralregisters, Fachserie 1, Reihe 2, Wiesbaden, 2013.

55 According to the Federal Ministry for Economic Cooperation and Development (BMZ), Germany provided around 340 million euros of bi- and multilateral official development aid to the six (potential) EU candidate countries of the Balkans in 2012, with the share of multilateral aid (around 190 million euros) being slightly larger than the share of bilateral aid (around 150 million euros); "Germany's bi and multilateral net-ODA classified by countries", BMZ, 2008-2012, available at: http://www.bmz.de/de/ministerium/zahlen_fakten/leistungen/bi_netto_oda_2008_2012/index.html (last access on: 3 October 2014.

56 Interview with representative of the CDU/CSU parliamentary group, 29 August 2014.

57 Chancellor Merkel visited Serbia and Kosovo in August and December 2011 respectively, and participated in the Brdo-Brjiuni summit with the region's heads of state in July 2014. During his 2009-2013 mandate, Minister of Foreign Affairs Guido Westerwelle travelled to different countries of the region on a yearly basis, with Serbia and Kosovo as main destinations; his successor Frank-Walter Steinmeier paid his first official visit to the region in Bosnia and Herzegovina after the heavy flooding in May 2014 – another visit to Sarajevo together with UK Foreign Minister Hammond followed in January 2015. Furthermore, members of Parliament from all political parties represented in the German Bundestag undertake frequent visits to the countries of the region.

58 A representative of the Bundestag described Germany's role with regard to candidate countries as follows: "The weight is enormous and thus also our influence and our responsibility." Interview with representative of the CDU/CSU parliamentary group, 29 August 2014.

Bundestag or high-ranking officials speak to their counterparts, but equally important, enjoy access to aspiring countries' ministers as well as heads of state and government.

However, Berlin has built a reputation of not only being a supporter of Balkan enlargement but also the one drawing the red lines for EU aspirants. It is through the application of strict accession conditionality that Germany aims to encourage domestic reforms and to facilitate a solution to bilateral conflicts in the region. Insisting on tough conditionality also takes account of the scepticism and indifference towards enlargement widespread among the German electorate – as well as in the political class. Explaining enlargement policy domestically has become even more significant since the German Bundestag received extended information and participation rights after the Constitutional Court's verdict on the Lisbon Treaty, thus gaining an important say in European affairs and in particular the area of enlargement. Finally, the Balkans' closer association with the EU has immediate repercussions on other domestic policy areas, with the high numbers of asylum seekers from the region as a result of visa liberalisation being a case in point.

It is this weight and principled support for the Balkans' integration perspective, combined with a high dose of scepticism, which makes Germany both a "desired and dreaded partner" [59] for the accession hopefuls of the region.

4.2 GERMANY AS FIRM SUPPORTER & HARSH CRITIC OF EU ENLARGEMNT POLICY

Over the past years, Germany has profiled itself as both a firm supporter and a harsh critic of EU enlargement to the Balkans. The position promoted by the German government and parliament can thus be summarised as 'yes, but'.

Germany recognises the strategic importance of bringing the Balkans into the EU's fold as a means to transform and stabilise the region. Chancellor Merkel, foreign minister Frank-Walter Steinmeier, his predecessor Guido Westerwelle, as well as other government officials, have on many occasions underlined the significance of the accession perspective for all the Balkan countries. This commitment has been reconfirmed by the Berlin conference on the Western Balkans convened in August 2014, which mainly focused on regional cooperation and economic development, and where the Federal Government expressed its readiness to help inject new momentum in the EU integration of the Balkans' accession hopefuls. In contrast to the contested Turkish enlargement dossier, there is widespread consensus among all four parliamentary groups represented in the German Bundestag that the future of the Balkans lies within the EU.[60]

Irrespective of the government coalition in place, Germany's enlargement policy has been marked by a high degree of continuity over time. The latest change in the German government after parliamentary elections in October 2013, where the junior partner of the ruling Christian Democratic Union of Germany (CDU) and the Christian Social Union of Bavaria (CSU), the Liberal Democratic Party (FDP), was replaced by the Social Democratic Party (SPD) as coalition partner, so far has not provoked any significant changes in Germany's position towards the Western Balkans.

---

[59] Interview with representative of the Federal Ministry for Economy Affairs and Energy, 18 September 2014.

[60] Namely, the Christian Democratic Union and the Bavarian Christian Social Union (CDU/CSU), the Social Democratic Party (SPD), the Left Party (*Die Linke*), and Alliance 90/The Greens parliamentary groups. A divergent and openly more sceptical position is taken by the newcomer in the German party landscape, *Alternative for Germany* ("Alternative für Deutschland" or AfD), which insists that a national referendum on the accession of any new member state should be held. While AfD has not passed the 5% hurdle to enter the federal parliament in the 2013 elections, it is meanwhile represented in the State Parliaments of Brandenburg, Saxony and Thuringia and received 7% of the votes in the 2014 European Parliamentary elections.

The conviction that the accession perspective is key to creating long-term stability in the region is firmly rooted in the opinion of German decision makers, and has become the most frequently cited reason for supporting EU's widening towards the Balkans. Across the board, there is a shared perception that any new conflict situation would have clear repercussions on Germany, and therefore, neglecting these states would in the long-run be more cost-intensive than engaging with them under the current Stabilisation and Association Process. In addition, the potential for democratic transformation and economic development via European integration, complete the list of reasons invoked by German officials to argue in favour of EU enlargement to the Balkans.

However, the expression of support for the Balkans' European perspective is immediately followed by references to the accession conditionality. A 'strict but fair conditionality', coupled with the determination to prevent any aspiring country from cutting corners, have become the mantra of German enlargement policy, invoked constantly by public representatives across institutional and party cleavages.

Yet the German government rejects the label of 'enlargement sceptic', arguing that it insists on strict conditionality precisely because enlargement matters.[61] In this line of argumentation, taking in countries that do not fulfill the necessary criteria with regard to domestic reforms and good neighbourly relations would benefit neither the European Union nor the potential entrants themselves. As a representative of the Federal Chancellery put it, Germany "wants to live the *acquis communautaire",* with the willingness and capacity to respect the rule of law, good neighbourly relations as well as a certain degree of economic maturity being considered as essential ingredients. The risk that reforms falter or slow down after a country joins, as demonstrated by the experience with the rule of law in Romania and Bulgaria and the continuing division of Cyprus, explains to a large extent why Germany wishes to make sure that the "rules of the game" are in place and respected already prior to accession[62].

Moreover, there is an important domestic dimension to Germany's insistence on a rigorous application of conditions. A strict conditionality is seen as "the only reasonable way"[63] to make the case for enlargement to the Balkans in front of an ever-more skeptical public. In particular in the context of the sovereign debt crisis, the already large camp of enlargement opponents has expanded. With around 70% of Germans declaring themselves against taking in new members, Germany – together with France and Austria – ranks among the countries with the most hostile public views on enlargement (see Graph 4.1). This critical stance was clearly displayed by media in the run-up to Croatia's accession, when the headlines of both national newspapers and tabloids ranged from seemingly factual statements ("the EU has not learnt its lesson") to not-so-subtle inquiries ("who continues to admit losers to the EU?"), to outright suggestive questions (will Croatia be "a new grave of billions" for German tax payers?)[64].

---

61 See for instance "Klare EU-Perspektive für Balkanstaaten", Federal Chancellery, Video podcast *Die Kanzlerin direkt*, 7 June 2014; Speech by Frank-Walter Steinmeier at the German Council on Foreign Relations (DGAP), 30 June 2014.

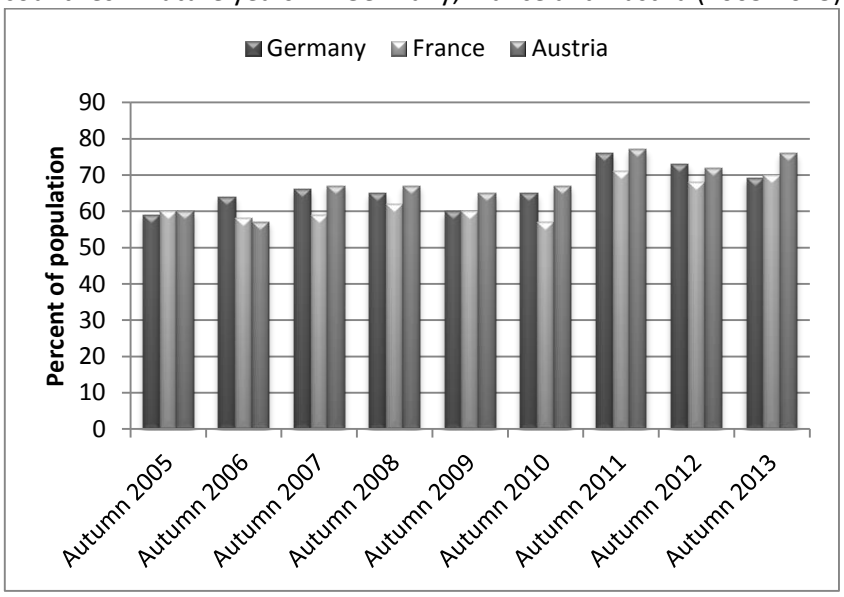
62 Interview with representative of the Federal Foreign Office, 12 March 2014.

63 Interview with representative of the Federal Foreign Office, 1 July 2014.

64 "Die EU lernt nicht dazu", *Die Welt,* 3 April 2013, available on: http://www.welt.de/print/welt_kompakt/debatte/article114952528/Die-EU-lernt-nicht-dazu.html (last accessed on: 2 January 2015); "Wer lässt immer neue Versager in die EU?", *Focus,* 24 April 2013, available at: http://www.focus.de/finanzen/doenchkolumne/kroatiens-eu-beitritt-wer-laesst-immer-neue-versager-in-die-eu_aid_968967.html (last accessed on: 3 October 2014); "Kroatien wird das nächste Milliarden-Grab", *Bild,* 23 May 2013, available at: http://www.bild.de/geld/wirtschaft/europaeische-union/kroatien-naechstes-milliarden-grab-30506248.bild.html (last accessed on: 3 October 2014).

The growing opposition to enlargement is not limited to the electorate, but is also discernable among policymakers. While there is cross-party consensus on the importance of enlargement to the Balkans, as well as on the need for strict conditionality, a pro-enlargement attitude can no longer be taken for granted. Even decision makers involved in foreign and EU affairs, who were once broadly supportive of the dossier, have now embraced more nuanced positions as a result of disappointments with the performance of member states and aspirants. Their party colleagues from more domestically-oriented policy fields, in contrast, are sceptical to indifferent towards enlargement policy.

Graph 4.1: Opposition to "further enlargement of the EU to include other countries in future years" in Germany, France and Austria (2005-2013)[65]



This growing scepticism has its roots in two phenomena. First, the crisis within the EU, which has contributed to the perception that the EU might be "overstretched and overloaded", and should therefore focus on its internal consolidation before accepting new members. Second, the headaches caused by previous enlargement rounds or specific member states, which in the eyes of German policymakers have revealed a marked difference between "the ambition to join the European Union and the capacity to do so".[66]

From a German standpoint, the accession conditionality is thus not only a means to ensure that the integration goes hand in hand with the transformation of the aspiring countries. It is also necessary in order to overcome reservations towards potential newcomers within the domestic context, as well as among other EU member states.

Last but not least, the stricter conditioning of the enlargement process fits with a more general trend in the context of the economic crisis, whereby compliance with specific criteria is not only demanded from EU-hopeful countries but also from member states. Chancellor Merkel has thus underlined on

[65] Standard Eurobarometer 64, 66, 68, 70, 72, 74, 76, 78, and 80.

[66] Speech by the President of the German Bundestag Norbert Lammert (CDU/CSU) at the event "EU10x10 – Europaserweiterter Horizont", Berlin, 3 June 2014; As revealed in interviews conducted with representatives of the federal government and the German Bundestag, the lessons learned from previous enlargements encompass different areas of accession preparations: Romania and Bulgaria, as well as Hungary and Croatia are frequently cited examples of the necessity to insist on the implementation of rule of law-related criteria. The need to focus on economic criteria was underlined in relation to Croatia's accession, while Cyprus as well as Croatia were quoted as examples that showed that the resolution of bilateral disputes should take place before accession.

various occasions that respect for values and principles enshrined in the treaties is "something we need to stress again and again, also for EU member states."[67]

4.3 MAXIMISING THE LEVERAGE OF ENLARGEMENT CONDITIONALITY

When it comes to decision making on enlargement policy, the Federal Foreign Office via its department on EU enlargement is formally in the lead, giving directions to the Permanent Representation in Brussels after consulting with all relevant ministries and, most importantly, according its position with the Federal Chancellery, which keeps a close eye on the process and is actively involved in key dossiers.

Berlin's approach towards EU enlargement reflects the ambition to maximise the leverage of the association process by insisting on conditionality at various stages of the accession preparations. Germany has supported the "slicing" of the association process into a sequence of small units in order to create incentives that allow to "exercise pressure time and again".[68] Policymakers have been anxious not to give away rewards such as candidate status or the opening of accession negotiations for a too low a price. Instead, they aim to increase the leverage generated through the promise of membership by asking aspiring countries to deliver on reforms, both at the domestic level and with regard to good neighbourly relations. Consequently, Germany remains opposed to any 'automatism' that would reward a (potential) candidate country that has not fulfilled required reforms, for example by determining fixed dates for accession or the opening of accession talks.

Berlin is also firmly supportive of "political frontloading"[69], which – based on the experience that domestic reforms and the resolution of bilateral conflicts need time – entails dealing with thorny issues from the early stages of the integration process. It thus aims to avoid a scenario wherein the pressure in the final phases of the accession negotiations is already too high to address remaining deficits.[70]

While fully endorsing the key principle of "strict but fair conditionality" stipulated in the EU's enlargement strategy, Germany has in fact defended a stricter application of conditionality than the one proposed by the European Commission, and has repeatedly disagreed with the Commission's assessments and ensuing recommendations. This was the case for the Commission's recommendation to declare Serbia an official candidate state, which Germany declined in December 2011 on the grounds that more progress was needed in improving relations with Kosovo. Likewise, Germany did not immediately follow the 2012 *avis* of the Brussels executive to grant candidate status to Albania, but asked first to see results from the new government in Tirana on the defined key priorities.

Such sidelining of the Commission is given a twofold justification. First, the Treaties offer the member states the final say in the negotiation process and have encouraged them to become more assertive, also during the pre-accession phase, which was traditionally led by the Commission. Second, government representatives as well as parliamentarians have little trust in the assessments of the Brussels executive. The Commission's reports, as well as the Commission's approach more generally,

---

67 "Klare EU-Perspektive für Balkanstaaten", Federal Chancellery, Video podcast *Die Kanzlerin direkt*, 7 June 2014; also see Declaration of Chancellor Merkel on the European Council of 13/14 December 2012 in front of the German Bundestag in Berlin, 13 December 2012, available at: http://www.bundesregierung.de/Content/DE/Bulletin/2012/12/118-1-bk-regerkl-bt.html (last accessed on: 3 October 2014).

68 Interview with representative of the Federal Chancellery, 22 July 2014.

69 Interview with representative of the Federal Foreign Office, 1 July 2014.

70 As one interlocutor formulated on the lesson learnt from the accession process with Cyprus; "If the resolution of problems is postponed to the last minute, there might be no solution at all." Interview with representative of the Federal Chancellery, 22 July 2014.

are considered too technical and dependent on a "transformation automatism"[71] which in practice does not seem to transpire. Moreover, the Commission's reviews are criticised for often painting too rosy a picture of reform progress in aspiring countries, which does not adequately reflect the reality on the ground. German policymakers, including members of the Bundestag, thus increasingly rely on their own evaluations. This tendency is also mirrored by the two respective Bundestag resolutions on opening accession negotiations with Montenegro and Serbia, both of which stipulate that "progress on the path towards accession should not only be assessed by the European Commission, but also on a regular basis by the Federal Government by relying on its diplomatic representations."[72]

Germany's approach to increase the leverage of the EU association process has become particularly visible since 2011 in its policy towards Serbia, when Berlin took the lead in placing the 'normalisation' of relations with Kosovo at the centre of the conditionality for Belgrade. At the press conference following her August 2011 meeting with the then President Boris Tadić in Belgrade, Chancellor Merkel – in a rather tense atmosphere between the two interlocutors – spelled out the demand that parallel structures in the North of Kosovo needed to be removed, and underlined that Berlin saw the successful continuation of Belgrade-Pristina talks as a precondition for giving its green light to the Council decision on Serbia's candidate status.[73] This "Merkel moment"[74] was crucial in explicitly linking the accession process to Serbia-Kosovo relations, the two being on two separate tracks hitherto.

Germany was subsequently instrumental in defining the contents of EU's conditionality with regard to the "normalisation of relations" between Serbia and Kosovo[75]. Its firm position was backed by the UK and the Netherlands against the (initial) resistance of other member states. Striving to keep up the pressure on Serbia, Germany pushed the granting of candidate status and, with the help of a Bundestag resolution[76], the opening of accession negotiations with Belgrade back for several months. Germany's handwriting can also be seen in Serbia's framework for accession negotiations, which contains the British and German demand that Belgrade and Pristina should conclude a legally binding agreement by the end of Serbia's accession talks.[77]

On the issue of Serbia-Kosovo relations, Germany has thus used the leverage of the accession process as a foreign policy instrument to advance the resolution of bilateral disputes. While the Serbia-Kosovo dossier has been at the centre of Germany's foreign policy engagement in the Balkans over the past years, Berlin has been much more hesitant in its attempts to push the gridlocked accession processes in Bosnia-Herzegovina and the former Yugoslav Republic of Macedonia (fYROM) forward. The recent British-German initiative towards overcoming the Bosnian EU integration stalemate is a turning point in

---

71 Interview with representative of the Federal Ministry of Economic Affairs and Energy, 18 September 2014.

72 "Fortschritte auf dem Weg zum Beitritt sollen nicht nur von der EU-Kommission, sondern regelmäßig auch von der Bundesregierung unter Einbeziehung ihrer diplomatischen Vertretungen bewertet werden." Antrag der Fraktionen der CDU/CSU und FDP. Einvernehmensherstellung von Bundestag und Bundesregierung zum Beitrittsantrag der Republik Montenegro zur Europäischen Union […]. Resolution 17/7768, 22 November 2011, II, §7; Antrag der Fraktionen der CDU/CSU und FDP. Einvernehmensherstellung von Bundestag und Bundesregierung zum Beitrittsantrag der Republik Serbien zur Europäischen Union […]. Resolution 17/14108, 25 June 2013, II, §12.

73 Press statements of Chancellor Merkel and the President of the Republic of Serbia, Boris Tadić, Federal Chancellery, 23 August 2011, available at: http://www.bundeskanzlerin.de/ContentArchiv/DE/Archiv17/Mitschrift/Pressekonferenzen/2011/08/2011-08-23-pk-merkel-tadic.html (last accessed on: 4 October 2014).

74 Interview with representative of the European Commission, 13 March 2014.

75 Germany's demands voiced at Chancellor Merkel's press conference in August 2011 are mirrored in the 2011 enlargement strategy which for the first time spells out what a successful dialogue between Belgrade and Pristina implies and that EULEX should be able to operate freely in the entire territory of Kosovo.

76 Antrag der Fraktionen der CDU/CSU und FDP. Einvernehmensherstellung von Bundestag und Bundesregierung zum Beitrittsantrag der Republik Serbien zur Europäischen Union […]. Resolution 17/14108, 25 June 2013, II, §12.

77 General EU position, Ministerial meeting opening the Intergovernmental Conference on the Accession of Serbia to the European Union (Brussels, 21 January 2014), CONF RS 1/14, Brussels, 9 January 2014, §23.

this regard, announcing Berlin's willingness to take on a stronger leadership role in the Bosnian dossier. Endorsed by the Foreign Affairs Council in December 2014[78], the new approach essentially entails a shift from a focus on the implementation of the Sejdić-Finci ruling towards a broader set of conditions, in particular economic and good governance reforms and an effective EU coordination mechanism.

Germany's renewed engagement towards Bosnia might also be interpreted in the wider picture of Berlin's aspirations to assume greater responsibility in matters of foreign and security policy around the globe and especially in Europe. This is what high-ranking politicians have announced in early 2014, from Federal President Joachim Gauck to Foreign Minister Frank-Walter Steinmeier to defence minister Ursula von der Leyen[79]. However, the government does not aim to engage in all conflicts everywhere but rather chooses the cases where it believes it can have an impact. In the Greek-fYROM name dispute, for example, Germany feels that in light of its continuing conflict with Greece over economic and fiscal policies, it is not exactly best placed to push Athens on enlargement issues as well. Careful attempts from Chancellor Merkel to mediate informally between the two sides' positions, however, did not bear fruit.

While the ambition to address stability risks in the region in the frame of the EU's enlargement policy is thus discernible, Germany has shown a pragmatic approach by focusing on areas/situations where it could use its weight in the resolution of dilemmas.

4.4 BRINGING THE PEOPLE IN: AN ENHANCED ROLE FOR THE GERMAN BUNDESTAG

While the Federal Government defines Germany's strategic direction in the field of enlargement policy, the German Bundestag has seen its right to information on and participation in EU affairs considerably widened since 2009. With the far-reaching amendments to the Act on Cooperation between the Federal Government and the German Bundestag in Matters concerning the European Union (Federal Act on EU Cooperation) accompanying the entry into force of the Lisbon Treaty, the Bundestag obtained the right to be regularly informed by the Federal Government and deliver an opinion on legislative acts and other projects of the European Union.[80] Regarding the opening of accession negotiations with aspiring countries, the Federal Government is to reach an agreement with the Bundestag before the final decision is taken in the Council or in the European Council.[81] While the government is required to take into account the interests expressed in the Bundestag's opinion, it has the right to "take divergent decisions for good reasons of foreign or integration policy."[82]

The 2009 amendments to the Law have enabled the Bundestag to participate in decision-making on enlargement policy not only for the ratification of an accession treaty, but already in earlier stages of the association process. In line with their new rights and responsibilities, parties have also stepped up their monitoring of the accession process, with parliamentarians of all four parliamentary groups frequently visiting the region to obtain first-hand information from the EU-hopeful countries of the

78 Foreign Affairs Council, Conclusions on Bosnia and Herzegovina, 15 December 2014.

79 Speech by Federal President Joachim Gauck, "Germany's role in the world: Reflections on responsibility, norms and alliances", 50th Munich Security Conference, 31 January 2014, available at: http://www.bundespraesident.de/SharedDocs/Reden/EN/JoachimGauck/Reden/2014/140131-Munich-Security-Conference.html, (last accessed on: 2 January 2015).

80 Act on Cooperation between the federal government and the German Bundestag in Matters concerning the European Union, Section 8. The right to give an opinion also comprises different states of a country's association. By referring to this regulation, the Bundestag has for instance delivered an opinion on the granting of candidate status to Albania.

81 Similarly, the Bundestag has to give its consent to all other treaty amendments, including the introduction of the euro in a member state (*Ibid.*, Section 9-9a.).

82 *Ibid.*, Section 9, §4.

region. For each (potential) candidate, the parliamentary groups have appointed one rapporteur from their ranks in the respective Committees on Foreign and on European Affairs.

Apart from fact-finding and networking, the regular visits to the region made by members of the German Parliament also serve to convey political messages on behalf of their parliamentary groups. An eminent example in this regard was the visit to Serbia in September 2012 of members of the CDU/CSU Group. In an event organised by the Konrad Adenauer Stiftung, they publicly announced seven conditions that Serbia needed to fulfil in the normalisation of relations with Kosovo before their party could acquiesce in the Bundestag to the opening of accession negotiations with Belgrade. Interpreted as new conditions imposed by "Germany" – despite assertions from CDU/CSU representatives that they had only reiterated well-known demands – this appearance led to confusion in the Serbian public about the scope of requirements coming from Berlin.

Moreover, the Bundestag has used its right to deliver its opinion on the opening of accession negotiations with Montenegro in November 2011 and Serbia in June 2013. Both occasions were a demonstration of the prevailing enlargement fatigue and scepticism towards aspiring countries' willingness and capacity to meet the conditions for membership. Originally intended as a mechanism to better inform and involve the public, CDU/CSU internal consultations on a resolution for Montenegro revealed that there was first and foremost "not a need to convince the population, but to convince the own party"[83]. Only after postponing their intra-party vote in the Bundestag for one week, CDU/CSU representatives in charge of EU and foreign affairs were able to persuade a majority of their party colleagues to give their consent to the opening of accession talks with Montenegro. It can thus be presumed that the CDU/CSU's subsequent tough stance on Serbia's accession bid was not only addressed to a Serbian audience, but also aimed at reassuring the own party that conditionality was taken seriously.

Concrete repercussions of the Bundestag's involvement in the decision process could be observed in the case of Serbia. While the Conclusions of the European Council of 28 June 2013 stated that accession negotiations with Serbia will be opened in January 2014 at the very latest[84], the Bundestag opinion passed three days earlier stipulated that negotiations could be launched in January 2014 at the earliest – and only if a series of conditions with regard to Kosovo-Serbia relations would be met prior to that[85]. Even though the overlap between those two positions – an opening of accession negotiations in January 2014 – was also the actual outcome, EU colleagues felt obliged to remind the German representatives in the Council that "they did not find themselves in the German Bundestag, but in the Council of Ministers." Still, as far as the German government is concerned, the support of the Bundestag is perceived more as a benefit than a burden. While the mandate from the Bundestag limits the government's room of maneuver and compromise, it ultimately strengthens Germany's negotiation position in the Council as long as the Parliament and government broadly want the same thing.

4.5 ASYLUM SEEKERS FROM THE WESTERN BALKANS: NUMBERS ON THE RISE

Since the introduction of the visa-free regimes, Germany has been the top destination for asylum seekers from the Balkans within the European Union. As shown in Graph 4.2, the number of asylum seekers has steeply risen since 2009/2010. The increase of cash benefits for asylum seekers ordered

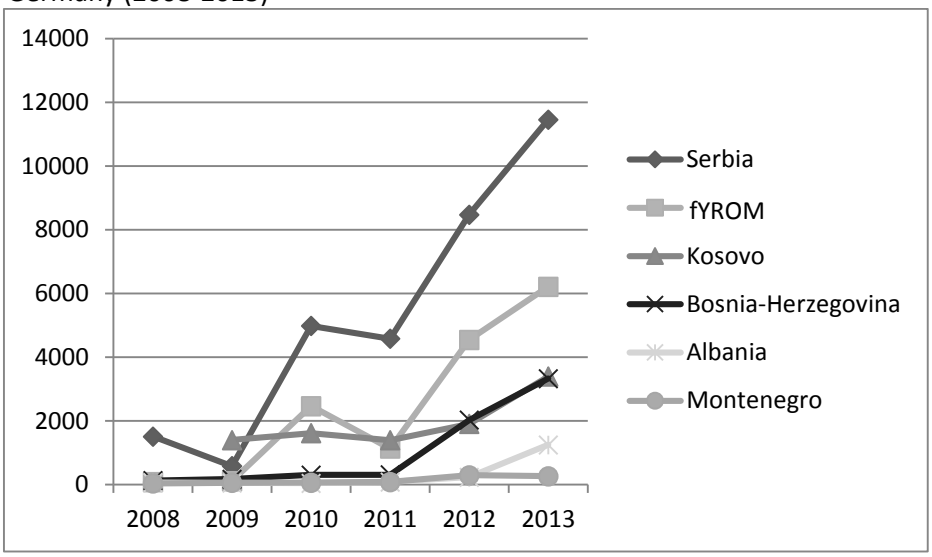
83 Interview with representative of the CDU/CSU parliamentary group, 29 August 2014.

84 European Council, Conclusions, EUCO 104/2/13, 28 June 2013, § 19.

85 Antrag der Fraktionen der CDU/CSU und FDP. Einvernehmensherstellung von Bundestag und Bundesregierung zum Beitrittsantrag der Republik Serbien zur Europäischen Union […]. Resolution 17/14108, 25 June 2013, II, §1.

by the German Constitutional Court[86] in July 2012 only reinforced this trend. Around one quarter of asylum applications in Germany are currently filed by citizens of Balkan states. From January to November 2014, out of a total of 155,427 asylum applications, 15,282 were filed by Serbian citizens (compared to 34,144 from war-torn Syria), while 6,977 came from Albanian citizens (a little less than the 8,292 from Afghanistan).[87]

Graph 4.2: Number of new asylum applicants from the Western Balkans to Germany (2008-2013)[88]



The Federal Ministry of the Interior considers the constant rise in numbers of asylum seekers from the Balkans as a "pressing problem", an assessment shared by local authorities. The latter experience social problems and carry a large part of the costs in accommodating and supplying asylum seekers.[89] Measures taken to speed up asylum procedures were only of limited success. By seconding additional officers to work on Balkans asylum dossiers, the Federal Office for Migration and Refugees (BAMF) was able to temporarily shorten the duration of asylum procedures.[90] However, given that the responsibility for the termination of asylum seekers' stay in Germany lies with the *Länder,* the streamlining of procedures did not lead to an overall shorter duration of the stay of asylum seekers, with several *Länder* decreeing a stop to repatriation throughout the winter months.

As a response, the new government passed legal amendments according to which Serbia, Bosnia and Herzegovina as well as fYROM would be classified as "safe countries of origin," a project already mentioned in the Coalition Treaty[91]. With a recognition rate that slightly exceeds the threshold of 1% of asylum applications, Albania and Montenegro have so far not been included in this regulation.[92] It

86 Federal Constitutional Court, Judgment of 18 July 2012, 1 BvL 10/10.

87 Federal Office for Migration and Refugees (BMAF), "Aktuelle Zahlen zu Asyl", November 2014, p. 7, available at: http://www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/statistik-anlage-teil-4-aktuelle-zahlen-zu-asyl.pdf?__blob=publicationFile (last accessed on: 3 January 2015).

88 Eurostat, "Asylum and new asylum applicants by citizenship, age and sex. Annual aggregated data (rounded)", (last accessed 3 January 2015).

89 Interview with representative of the Federal Ministry of the Interior, 26 August 2014.

90 The duration of an asylum procedure for asylum seekers from the Western Balkans is two to three months while the average duration is seven months (*ibid.*). At times, the processing time for applications was reduced to 45.1 days for applicants from Serbia and to 9 days for applicants from Macedonia. (European Asylum Support Office, *Asylum applicants from the Western Balkans*, 2013, p. 60.)

91 Coalition treaty between CDU, CSU and SPD, „Deutschlands Zukunft gestalten, 18th legislative period", p. 78.

92 Gesetz zur Einstufung weiterer Staaten als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer, BGBl I Nr. 49 (5November2014).

is however far from certain whether the classification of three Balkan states as safe countries of origin – if not accompanied by additional measures such as re-entry restrictions – will succeed in further shortening asylum procedures and lead to the intended reduction of applicants.

Concerned with the high numbers of asylum seekers, Germany also played a key role in pushing for a safeguard clause allowing for the temporary suspension of visa-free regimes at the EU level.[93] This clause entered into force in January 2014. While the former Federal Minister of the Interior Hans-Peter Friedrich and other members of the CDU/CSU Group have repeatedly called for such a suspension *vis-à-vis* Serbia and fYROM, observers estimate that political circumstances are not yet ripe for this.

The debate on asylum seekers from the Balkans has been accompanied by emotional and strong language. In particular from the side of the Christian Social Union, politicians railed against the "massive misuse of asylum" by applicants from the Balkans and proposed to reduce their financial benefits.[94] A related debate on "poverty migrants" *(Armutszuwanderer)* – in this case resulting from migration caused by differences in prosperity levels within the European Union – was triggered when EU labour markets opened up to Romania and Bulgaria at the beginning of 2014. With the slogan 'he who cheats, should leave' *(Wer betrügt, der fliegt),* CSU demanded a hard line against 'fraudsters' from Eastern and Southeastern Europe who allegedly use the free movement of workers regime to benefit from the German social system. The social democrats, opposition parties and civil society organisations accused CSU of scaremongering and populism.

4.6 CONCLUSION AND RECOMMENDATIONS

Germany's enlargement policy is defined by two major strands. On the one hand, German policymakers recognise the strategic importance of the enlargement perspective offered to the Balkan countries and the need to honour their commitments made to the region. On the other hand, growing domestic opposition to the continuation of the enlargement process, both at public and political level, has affected Germany's stance on enlargement. Manoeuvring between these two poles has inspired a 'yes, but' approach on the part of Germany towards Balkan enlargement. Support for the European perspective of the countries in the region always comes with a side of cautioning that membership is strictly conditional upon the fulfilment of certain criteria. The tough line on conditionality is seen as a means to achieve substantial and sustainable transformation in the Balkans, to the benefit of both the member states and the aspiring countries of the region. At the same time, a rigorous application of the conditionality aims to convince the growing group of German enlargement sceptics that the integration process is led in a responsible and constructive way.

Consequently, Berlin is opposed to solutions where any kind of accession automatism, such as predefined dates for a country's promotion in the Stabilisation and Association Process, would apply. From a German perspective, crucial steps in an aspirant's reform agenda need to be achieved in the earlier stages of its EU association, before the pressure to complete the accession process and the

[93] In autumn 2012, interior minister Peter Friedrich signed a joint letter with France, Belgium, Luxembourg, the Netherlands, and Sweden to the European Commission, demanding the introduction of a safeguard clause that would allow for the temporary reintroduction of the visa requirement for citizens of a certain third country.

[94] See for instance: "Zuwanderungsdebatte: CSU-Minister wettert gegen Balkan-Flüchtlinge", *Spiegel online*, 13 February 2014, available at: http://www.spiegel.de/politik/deutschland/csu-zu-asyl-herrmann-will-serbien-fluechtlingen-taschengeld-streichen-a-953170.html (last accessed on: 2 October 2014); "Friedrich will Asylbewerbern den Geldhahn zudrehen", *Focus*, 13 October 2012, available at: http://www.focus.de/politik/deutschland/plaene-gegen-asylmissbrauch-von-serbien-und-mazedonien-friedrich-will-asylbewerbern-den-geldhahn-zudrehen_aid_837939.html (last accessed on: 2 October 2014).

costs for pulling the emergency break become too high. Such considerations – together with caution to not give away the rewards associated with an upgrade on the EU track too soon – have been clearly illustrated, for example, in Germany's insistence on putting the 'normalisation' of relations between Serbia and Kosovo at the centre of the two sides' EU association process.

Moreover, the German Bundestag does not want to limit itself to giving its seal of approval to the ratification of accession treaties after these have already been settled. The 2009 amendments to the Act on EU Cooperation enabled the Bundestag to intervene in the earlier stages of the process, in particular to give its opinion on the opening of accession negotiations. This provides the Federal Government with a convenient support to underpin – in a classical two-level game – its position in the Council by invoking domestic constraints. However, it also requires the Federal Government, as well as EU-accession hopefuls, to work much harder at persuading a parliament where – except from a small core of convinced advocates for an engaged foreign and enlargement policy – attitudes towards further EU widening range from scepticism and outright rejection to indifference.

On a more positive note, the involvement of the Bundestag gives democratic legitimacy to the enlargement process and opens up new perspectives towards a stronger cooperation on enlargement matters between national parliaments throughout the EU. Rather than seeing Bundestag involvement as a purely national prerogative (or even a negotiation chip for the German government in the Council), its newly acquainted participation rights could also help to 'Europeanise' the Bundestag's input by working with parliaments in other member states as well as the European Parliament.

While enlargement policy as such is below the radar of public attention, the question of asylum seekers from the Balkans and migration within the EU has caused emotions to run high. This can serve to fuel the already high potential for populism on EU issues, thus negatively impacting opinions on the further EU integration of the region.

Far from handling enlargement as a technical exercise, Germany sees a strong political dimension in enlargement policy towards the Balkans and has consequently taken a lead on shaping this policy field in line with its strategic considerations. Its initiatives on Serbia-Kosovo and more recently on Bosnia and Herzegovina have demonstrated that it is actively striving to use the leverage of the enlargement process to address not only domestic reforms but also unresolved stabilisation issues. While Germany's enlargement policy over the past years has thus been characterised by a strong commitment, there are however also a number of risks inherent to the German approach.

Berlin has repeatedly shown a strong stance *vis-à-vis* its EU partners on the timing of accession-related decisions and appropriate conditionality. In principle, Germany is fully in line with the European Commission's insistence on 'strict but fair' conditionality. Nevertheless, divergent interpretations and assessments by Berlin and Brussels on when a country is ready to make the next step in the integration process have repeatedly surfaced, for instance in the cases of Serbia and Albania's membership bids. While member states certainly have a right to make their own evaluations of the situation in the Balkan aspiring countries, such an approach bears the risk of causing fragmentation. Despite its *de facto* veto power in the Council, it is thus of high importance that Germany remains a team player and strives for a commonly agreed conditionality among the member states and the European Commission. This includes that (strict) conditionality be focused on the actual accession criteria and not arbitrarily strengthened for domestic purposes.

Moreover, the strictness promoted by Berlin could also backfire on the commitment of aspiring countries if not coupled with strong incentives. An always longer list of conditions combined with an ever more distant accession perspective could discourage these countries to live up to EU demands

and even lead to an outright blockage of their accession process. As Germany and its EU partners heavily rely on the leverage triggered by the accession perspective and related benefits, strict conditionality also needs to be balanced with strong incentives. Keeping up a tangible accession perspective as well as clearly communicating this commitment to (potential) candidates remains thus fundamental for a successful continuation of the process.

The need for a coherent voice and message is therefore evident on the EU level, but also within the German domestic context. Given the variety of actors involved in the formulation of enlargement policy, better coordination seems vital in order to avoid creating a sense of confusion and arbitrariness in the Balkans with regard to the conditionality and member state's commitment to future accessions.

Chapter 5

FRANCE

BY NATASHA WUNSCH

5.1 INTRODUCTION

France has traditionally considered European integration as a means to project its power beyond its borders and increase its weight on the international scene. In the famous words of former French Foreign Minister Hubert Védrine, the French conception of EU integration consists of "making Europe to make a bigger France". It is this understanding that has made France into an active yet also cautious member state, eager to see its own interests realised at the European level but hesitant about possible negative consequences resulting from joint decision making. The rejection of the Constitutional Treaty by the French voters back in 2005 was symptomatic of a creeping discomfort with an EU that seemed to become bigger than France could handle. The debate at the time was dominated by post-'big bang' enlargement concerns about industrial delocalisation and competition in the service sector because of cheap Eastern European labour (the 'Polish plumber'). It was also related to Turkey's membership bid, which was seen as a threat to the Christian roots of the European project. The French population's wariness of the European project as a whole has since further increased, bringing the country's involvement at the EU level under strong domestic pressure and impacting France's stance towards further enlargements.

The French policy process is generally controlled by the executive, with the majority of high-ranking civil servants having undergone their training at the same elite institutions before assuming their positions. This makes for a close-knit community and a largely shared vision when it comes to national

sovereignty and the commitment to Europe as a peace project and a counterweight to the transatlantic relationship. The European Union is a clear foreign policy priority for France, with a focus, however, on the internal dimension of European integration rather than on the EU's external activities. There is a strong desire to preserve the core of European integration – first and foremost the eurozone and the Schengen area – and an understanding that the future of the Union implies a trade-off between widening and deepening.

Despite a hardening of its stance, the French approach towards the Balkans is one of principled support. France is in favour of a policy of 'controlled' enlargement that stresses the full preparedness of new member states and thus ensures the ongoing functioning of the EU's institutions. The French position on enlargement is formulated largely by the executive, with the Parliament relegated to a secondary role. Germany is France's major partner in the European arena, with both countries converging in their emphasis on conditionality and a rigorous compliance of aspiring countries with the membership requirements. Media coverage of the Balkans in France is sparse and to a large extent focused on the negative dimensions of enlargement, reflecting a public opinion that is becoming increasingly hostile to further accessions. On the whole, given the limited objective impact that the Balkans' EU membership would have on France, the dossier remains comparatively marginal to the country's engagement at the European level.

5.2 FOR A 'CONTROLLED' ENLARGEMENT

The interviews conducted by the author confirmed that French support for the accession of the Balkan countries was firm but largely passive. Following significant involvement of France during the violent disintegration of Yugoslavia in the 1990s, it was French President Jacques Chirac who called for an EU-Balkans summit in May 2000 in order to develop "a more determined strategy" towards the region.[95] The result was the Zagreb Summit in December of the same year, a meeting which for the first time offered a membership perspective to all Balkan countries. During the years of post-2000 stabilisation, France's interest in the region dwindled.[96] The eventual accession of the Balkans region is seen as inevitable but is not pursued in an active manner by the French diplomacy. Instead, the emphasis lies on a 'controlled' enlargement and rigorous evaluation of aspirants' preparedness for membership. Not least because of the widespread perception among diplomats and government officials that the accession of Bulgaria and Romania reinforced France's stance and contributed to the country calling for a thorough case-by-case evaluation of each step of the Balkans' accession process.

5.2.1 The Balkans' accession as an inevitability

France's official position is that of a clear commitment to the membership perspective of the Balkan region, in line with the promises made at the Zagreb and Thessaloniki Summits. The main argument in favour of Balkans EU membership advanced by French officials is thus one of principle: an accession perspective was given to these countries in 2000 and 2003, and subsequent administrations need to live up to the engagements their predecessors assumed. Moreover, the region's geographic position on the fringes of the EU and surrounded by member states makes its full inclusion into the Union seem unavoidable in the longer term in order to avoid creating a 'black hole' inside the EU. While both are valid arguments, it is telling that they come before any deeper strategic consideration of the benefits and pitfalls of further EU enlargement.

---

95 "Chirac Seeks EU Summit With Balkan States", *New York Times*, 30 May 2000, available at: http://www.nytimes.com/2000/05/31/news/31iht-chirac.2.t.html (last accessed on: 12 December 2014).

96 "L'effacement de la France dans les Balkans", *DGAP Analyse*, November 2010.

A key concern in France's position towards further EU enlargements is the urge to preserve the Union's achievements and to maintain European integration as a political project. A political conception of enlargement policy predominates, with any new accessions seen as a means to strengthen the political construction of Europe. At the same time, there is an underlying nostalgia for a 'small Europe' as France senses a threat of losing control over decision making in Brussels. The 'big bang' enlargement of 2004 was met with great scepticism in the population, with the elite sharing the impression that the expansion from 15 to 25 members reduced France's influence at the EU level. What is more, the European division over the Iraq war in 2003 had confirmed that the new Central and Eastern European member states were politically close to the United States, while enjoying economic ties with Germany – France's reference point in the EU when it comes to assessing its own power.

Given the position of France as one of the major players on the European scene, Balkan leaders frequently travel to Paris to seek support for their country's membership bid. In May 2014, both Albania's Prime Minister Edi Rama and Serbia's President Tomislav Nikolić had official meetings at the Elysée to discuss the membership prospect of their respective countries. Favourable declarations were made during both visits and were widely reported on by Balkan media. The French press, in contrast, barely took notice of these encounters, confirming the lack of interest for the region among the broader public in France.

The latest public expression of France's support to the Balkans' integration perspective consisted of an informal summit in July 2013 gathering the heads of state and government from the region in Brdo at the initiative of the Slovenian and Croatian presidents. French President François Hollande, invited to join by his regional counterparts, used the occasion to reaffirm to the Balkan countries that France was "by their side" when it came to entering the EU, underlining at the same time that such a step required substantial reforms to take place prior to accession.[97]

This combination of rhetorical support and insistence on the fulfilment of conditionality is characteristic of the French position. There is no interest in speeding up the accession process nor any recognition of a strategic importance of the Balkans region for France. On the contrary, over the past decade, the country has tightened its stance on enlargement, introducing a number of obstacles to future accessions.

5.2.2 Higher obstacles: constitutional change and emphasis on rigueur

The most obvious sign of French wariness of further enlargements is the introduction of a referendum requirement for all accessions following the EU entry of Croatia. Initially, this 'referendum bolt' was inserted into the French Constitution in March 2005 in the hope of preventing the rejection of the Constitutional Treaty, threatened among others by a highly emotional debate about the Turkish EU membership application. Despite original plans to abolish it, the requirement was maintained in a mid-2008 constitutional revision, which adds, however, the possibility to circumvent a referendum should both chambers of the parliament authorise the ratification of an accession treaty by a three-fifths majority. In practice, it is unlikely this threshold would be reached even for the Balkan countries, giving the French electorate a *de facto* ability to block any future accessions even once all membership conditions have been met.

More than the 'big bang' enlargement of 2004, the key reference point for the hardening of the French position is the accession of Romania and Bulgaria in 2007. The ongoing problems of both countries in

[97] "Hollande participe à un sommet inédit des pays des Balkans", *Le Point*, 25 July 2013, available at: http://www.lepoint.fr/monde/hollande-participe-a-un-sommet-inedit-des-pays-des-balkans-25-07-2013-1708324_24.php (last accessed on: 26 September 2014).

the fields of justice and home affairs are seen as symptomatic of an accession which, in the final stages, was driven by political calculations rather than by objective assessments of the candidates' readiness. The desire of both countries to enter the Schengen area crystallised French fears, with the harsh attempts to repress Roma settlements and the ensuing criticism of the European Commission dominating the headlines recurrently. Partly as a result of this polemic, support among political parties for further enlargement is declining: not only the far-right *Front National* calls for an end to enlargement but the centre-right UMP, several points in front of the governing Socialist Party in the opinion polls for the 2017 presidential elections, similarly opposes future accessions, even beyond the much-debated case of Turkey.[98]

It is in this context of dwindling domestic backing for enlargement that France has embraced a more subtle form of raising the bar for future membership hopefuls that consists of a strong support for the Commission's 'new approach' to negotiations, described as 'frontloading'. This approach sees the more demanding negotiation Chapters 23 and 24 dealing with the judiciary, fundamental rights, justice, freedom, and security be opened first and closed last, with progress in these chapters conditioning the pace of the overall negotiations. The new approach is widely viewed as a crucial measure to preserve the credibility of the enlargement process and to prevent a further rise of Europhobia among the population that may turn not only against enlargement but against the EU itself. It is complemented by a policy of small steps and a case-by-case assessment rather than a regional approach to the Balkans.

5.2.3 The way ahead: a policy of small steps and case-by-case assessment

Despite a hardening of its stance, there is no widespread sentiment in France that the EU's enlargement policy is in need of a major overhaul. Instead, the feeling is that full respect for existing conditions and a strict and objective evaluation of compliance will be sufficient to ensure the ongoing effectiveness of the accession process. Yet while France generally shares the Commission's assessments of Balkan countries' progress, there is an impression that the evaluations of the Brussels executive are shaped by a 'positive tropism' and that while the objective of the Directorate General for Enlargement is to facilitate further accessions, France's aim is to ensure, in the words of a high-ranking French diplomat, "well-done enlargement, which is not quite the same".

Unlike the *de facto* regional approach adopted towards the countries of the 2004 enlargement round, France insists on a case-by-case evaluation of the Balkan aspirants' progress, expressing no desire for a grouped accession. This strict evaluation concerns not only the final approval for membership but each of the intermediate steps on the way leading up to accession, with France rejecting any regular automatism in terms of advancement towards EU entry. For instance, Paris was very sceptical regarding the preparedness of Albania for obtaining the candidate status given the ongoing political divide in the country. Together with Germany and the United Kingdom, France delayed this step for several months until after the Commission had given its initial positive recommendation.

There is an understanding among officials that the accession process does and should take time in order to allow countries to enter fully prepared and also to avoid their populations undergoing dramatic reforms over a short period of time. Moreover, it is not seen as useful to accelerate the process as capacity needs to be built to fulfil the conditions. France is one of the main providers of technical support to the region, both through twinning projects and bilateral support, for instance in the fields of agriculture and the administrative set-up of structures in charge of negotiations and coordination of EU affairs once the country has become a member.

---

[98] "Pour la France, agir en Europe", UMP, 25 April 2014, available at: http://www.u-m-p.org/actualites/editos/pour-la-france-agir-en-europe-106722504 (last accessed on: 25 September 2014).

5.3 AN EXECUTIVE-DOMINATED PROCESS

As is the case for French policymaking more generally, the formulation of the country's stance on EU enlargement is a largely executive-driven process. It is characterised by a fairly straightforward inter-ministerial concertation conducted through the *Secrétariat général des affaires européennes* (SGAE). Despite a rather active EU Committee in the National Assembly, the current institutional set-up leaves little room for legislative or third-sector actors to feed into the process. Cooperation with other European partners concentrates on Germany, whose position France generally aligns itself with.

5.3.1 An efficient mechanism of concerted action

The formal procedure of policy formulation for issues related to European affairs foresees a prominent role for the SGAE – a government agency attached directly to the Prime Minister's office that is in charge of facilitating the exchange of views between different ministries and arbitrating the official position adopted by the French administration. It works closely with France's Permanent Representation in Brussels, which defends the country's positions from technical working groups through the COREPER right up to intergovernmental conferences.

This process of concerted action consists of physical meetings or digital exchanges that precede every enlargement-related reunion in Brussels, ranging all the way from working group consultations on specific technical issues up to intergovernmental conferences that decide on major steps in the accession process. It is relatively informal and functions on the 'principle of silence', whereby a call for input is distributed widely among ministries and other executive bodies and those desiring to contribute to the issue in question can react, while the approval of the remaining bodies is taken for granted.

More than a place for fundamental debate, the SGAE's meetings are an opportunity for different ministries to feed information into the decision-making process. The Foreign Office, thanks to its privileged access to information through its network of diplomatic representations on the ground, is recognised as the main shaper of the deliberations, with the Ministries of Economics, the Interior and Justice contributing important sectoral views. The Ministry of Interior is more reserved on enlargement questions, insisting on the sustainability of reforms and a focus on areas that serve as anchors for further change, such as training, human resources, and the fight against corruption, which are part of Chapters 23 and 24. Nonetheless, occasional differences of views during the SGAE meetings tend to concern the weighting of issues rather than any substantial divergences over the basic position to be adopted. Where major discord does persist, an inter-ministerial meeting can be called by the Prime Minister, who has the final call on issues of disagreement.

On the whole, the SGAE thus allows for an efficient coordination of the French executive position and ensures that this position is defended consistently across ministries and across levels of government. At the same time, the process is very much conducted on a day-to-day basis, with little ambition to develop a strategic vision for the integration of the Balkan region. Moreover, it leaves little room for input from legislative or third-sector actors.

5.3.2 Parliament as a secondary player

France's policy on enlargement is clearly dominated by executive actors, who see little need to involve the legislative into their decision making. Despite representatives of the Foreign Office regularly appearing before the National Assembly's EU Committee, these occasions are perceived by both sides more as a one-sided provision of information rather than a *lieu* for equal-level exchange. Nonetheless,

the Committee follows the developments in the region closely and seeks to feed its largely favourable assessments into the process of policy formulation. The EU Committee convenes whenever a Balkan country is set to complete a further step in the accession process and distributes its resolutely positive positions widely among both national and EU institutions. Moreover, despite its limited influence on positions adopted by the Executive, the EU Affairs Committee sees a role for itself in practicing 'parliamentary diplomacy' and thereby influencing the situation directly on the ground.

Besides its EU Committee, the National Assembly has friendship groups for each Balkan country, which are mirrored in the Senate by a regional France-Western Balkans friendship group. These groups serve as the basis for inter-parliamentary cooperation and regularly deliberate current events in the region. Nonetheless, they have a weak policy role, contributing at best to the respective chamber's EU Committee, and thus serve more as a forum of exchange for interested MPs whose main substantial work takes place in sectoral committees.

5.3.3 Germany as a key partner

Germany is without a doubt France's key partner when it comes to allies among the EU member states. Not only is there a continued attachment in France to the joint 'French-German motor of integration', but the two countries also agree on their more substantial appreciations of the enlargement process. Both countries have a largely enlargement-sceptical population that views the entry of new member states as a threat to the welfare state and a risk of drifting towards an EU that is little more than a free trade zone.[99] As a result, both Paris and Berlin have complemented their generally pro-accession attitude with a strong emphasis on conditionality and the rigorous evaluation of the aspiring countries' full compliance with membership requirements.

What differs is the degree of engagement of the two countries with enlargement questions. While Germany is becoming increasingly vocal on enlargement and is one of the key players when it comes to shaping the EU's policy towards the Balkans, France adopts a more passive stance, generally aligning itself with German positions and defending these with somewhat less vehemence.

One important instance of disagreement between the French-German tandem emerged, however, concerning the question of the opening of negotiations with Serbia. Paris enjoys close historical ties with Belgrade ever since the First World War and has, if without much enthusiasm, supported the country's membership bid on a regular basis. Whereas Berlin adopted a very hard position towards Belgrade over what it felt was insufficient progress in the ongoing dialogue with Pristina, Paris was reluctant to establish such a close connection between Serbian accession negotiations and its relations with Kosovo. Given ongoing German opposition, France became more deeply involved, and eventually succeeded in seeing the June 2013 European Council endorse the European Commission's recommendations to open accession negotiations with Serbia, a step that was eventually taken in January 2014.

Interestingly, the looming issue of Belgrade-Pristina relations and their impact on Serbia's European path was also one of the rare occasions where the National Assembly played a more visible role: a joint French-German parliamentary visit to Belgrade on 10 and 11 April 2013 revealed the difference in appreciation between Paris and Berlin, with the French report on the mission pointing out that it is

[99] Lequesne, Christophe (2008), "Français et Allemands face à l'Europe élargie: peur de l'infinitude et nécessité de surmonter les angoisses", in Koopmann, Martin and Martens, Stephan (ed.) (2008), *L'Europe Prochaine: regards franco-allemands sur l'avenir de l'Europe*, Paris, L'Harmattan, Collection "Logiques politiques", pp. 133-143.

"not always easy to harmonise our points of view" and that despite a close coordination of positions, the German side presented a different stance "at least in tone" from the one adopted by the French parliamentarians participating in the delegation.[100] Eventually, consensus was reached to speak out in favour of opening accession talks with Serbia and to call for the 'normalisation' of relations between Belgrade and Pristina, with the term implying that there is no dissociation of the two processes, but also no explicit requirement for a full recognition of Kosovo by Serbia prior to accession. From the French perspective, it is this joint parliamentary mission that paved the way for the Brussels Agreement reached on 19 April, where the term 'normalisation' features prominently.

5.4 THE BALKANS AS A 'NON-ISSUE'

The Balkans are largely a 'non-issue' in France, with little strategic effort invested in pursuing a coherent policy towards the region. Media coverage is low and the French public can be called disinterested at best, if not openly hostile. The scarce attention France grants to the region is explained by the limited objective importance of the Balkans to France, be it in terms of economic relations or the possible migratory impact of accession. Stabilisation as one of the key justifications for the integration of the Balkans is largely viewed as a 'mission accomplished', leaving the Balkans very low on France's priority list.

5.4.1 Balkans under the radar

External observers tend to agree that the Balkan region is not a strategic priority for France. Even inside the institutions, it is not unusual to hear that the region has "no strategic role" and is of "no vital interest" to France. The country has diplomatic representations in each of Balkan states; however, diplomatic postings to the region are not held in high regard. Moreover, France's cultural presence is being reduced as its interest in the region dwindles. In 2013, the then French Foreign Minister Laurent Fabius in a letter to President François Hollande justified the decision to close the three French cultural centres in Bosnia and Herzegovina by the need to give up "diplomatic antennas in countries where our interests are non-existent".[101] One of the reasons for this absence of interest is the small size of the Yugoslav diaspora in France. Estimated at a mere 250,000, with Serbs forming the largest group at 120,000[102], these expatriates cannot build up the same political pressure as the larger communities in other member states. Beyond public conferences held on the occasion of formal visits by Balkan policymakers, the level of attention given to the region is limited, be it in academic or policy circles. Balkan specialists in think tanks typically cover a broader region, such as Eastern Europe or the EU's neighbourhood, or act as experts for other think tanks as well.

The lack of salience of the enlargement dossier is also reflected in the allocation of human resources. Following the economic crisis, several ministries cut down the number of contractual staff, leaving less people in charge of broader areas. The Balkans is one of the regions particularly affected by these measures, with the Ministry of Defence, for instance, going from three full-time analysts in charge of the Balkans a decade ago to only a single person on a part-time contract today. More anecdotally, as of September 2014, the latest update on the website of the French Permanent Representation

[100] Assemblée Nationale, Secrétariat de la Commission des affaires européennes, Communication sur les Balkans et sur la mission franco-allemande à Belgrade Mme la Présidente Danielle Auroi et de Mm. Christophe Caresche et Michel Herbillon, 5 June 2013, pp. 4-5.

[101] "En Bosnie-Herzégovine, selon Fabius, les intérêts de la France sont inexistants", *Courrier des Balkans*, 6 September 2013, available at: http://balkans.courriers.info/article23144.html (last accessed on: 3 September 2014).

[102] "Dijaspora može da promeni Srbiju", *Politika*, 29 December 2013, available at: http://www.politika.rs/rubrike/Tema-nedelje/izmedju-matice-i-rasejanja/Dijaspora-moze-da-promeni-Srbiju.lt.html (last accessed on: 8 October 2014).

regarding the EU's enlargement policy is dated 25 January 2013, with Croatia still presented as a member-to-be.[103]

5.4.2 Between indifference and opposition: media and public opinion

European issues feature regularly in the French media but are discussed mostly from a national perspective, focusing on the impact of European events or decisions on France. Coverage of the Balkan region is marginal at best, with the dominant topics being those of delinquency and immigration. Other triggers of media attention are official visits of French ministers to the region or of Balkan leaders to France, with the tone remaining factual and the treatment superficial. The entry of Croatia yielded a number of informative articles presenting the country to the French audience; however, attention quickly subsided. None of the French media have permanent correspondents in the Balkan region, and the only serious source of information for French-speaking readers is the *Courrier des Balkans*, a specialised online outlet that offers translations of articles from Balkan media alongside its own contributions, and regularly runs into funding difficulties.

The absence of public debate on the Balkans' accession is lamented by some officials, while others fear a potential for polemic and therefore welcome the fact that ongoing membership negotiations with countries of the region pass under the radar of public attention. The most recent Eurobarometer survey shows a strong scepticism towards further EU enlargement in France: second only to Germany, a mere 23% of French respondents declare themselves in favour of the admission of new members, with 69% explicitly against.[104] This is a marked decrease in comparison to the survey conducted just after the entry of the ten new countries in May 2004, when already only a minority of 39% of French respondents supported further enlargement.[105]

5.4.3 Limited impact, limited interest

There is a general understanding in France that while no major negative effects can be expected from the Balkans' EU membership, their accession would not bring many tangible benefits either. Where enlargement has triggered emotional reactions in the past, namely in terms of its economic impact, the accession of the Balkans would affect France only marginally. EU expansion to the east is in fact often equated with growing domestic unemployment and the delocalisation of French firms to more competitive regions. However, already in the case of the Central and Eastern European (CEE) enlargement, this widespread perception did not hold up in reality. A study conducted for the French National Institute for Statistics and Economic Studies (INSEE) showed that only 4.2% of French firms moved abroad any kind of activity in the period of 2009 to 2011. Whereas the majority – 55% – of these delocalisations did concern a transfer within the European Union, only 22% of firms chose to relocate in one of the ten new member states, with 38% preferring a country belonging to the EU-15.[106] Given the small size of the Balkan economies, it can be assumed that the extent of delocalisations following their EU accession would be very limited.

The same goes for the more immediate economic effect of the Balkans accession: the region's role in the internal market is already extremely constrained; in addition, France's bilateral economic relations with the Balkans are weak in comparison to the involvement of other EU member states. While Serbia

---

[103] "L'élargissement de l'Union européenne", Réprésentation permanente auprès de l'Union européenne, available at: http://www.rpfrance.eu/L-elargissement-de-l-Union (last accessed on: 25 September 2014).

[104] Standard Eurobarometer 81, Spring 2014, p. 66.

[105] Standard Eurobarometer 62, December 2004, p. 153.

[106] Fontagné, Lionel and D'Isanto, Aurélien (2013), "Chaînes d'activité mondiales: Des délocalisations d'abord vers l'Union européenne", *INSEE Première*, Number 1451.

represents France's main trade partner in the region, accounting for 47% of France's exports to the Balkans and 43% of its imports from there, France only ranks as Serbia's 10th biggest supplier with a market share of 2%, and is only its 12th most important client.[107]

Fear of work migration, which was very acute in the case of the CEE accession, is not an issue in the discussions about the Balkans, be it within the institutions or in public perception. Trade unions and business associations are focused on Turkey when they worry about their competitiveness, while the Balkans are not considered a threat. Finally, whereas the immigration of Roma was discussed polemically, it is essentially linked to Bulgaria and Romania.

The aim of stabilising the previously war-torn region is only very marginally present in the French narrative on Balkans accession. While France remains involved in the various military and civilian missions throughout the region, with a leadership role in Kosovo, the country's engagement is rapidly declining. France has terminated its involvement in KFOR (the Kosovo Force) in February 2014[108], while the country's significant involvement via EUFOR (European Union Force) Althea missions to Bosnia has lessened considerably.

5.5 CONCLUSION

As one of the founding member states, France remains attached to the view of Europe as a community of values and a vehicle to strengthening France's voice on the international scene. It is reluctant to accept its declining relative importance as the number of member states grows, and sees an emphasis on conditionality as a means to ensure coherence within the Union and to avoid 'overstretching'. While the country's stance on the accession of the Balkans is positive, its support is perfunctory and does not go significantly beyond the rhetorical level. The economic and immigration implications for France of an eventual Balkans accession are limited, explaining the reduced interest in the region.

When it comes to the nationalisation of enlargement policy, there is a feeling in France that the approval of new member states has always been a national competence, and that member states with their recent greater involvement in questions of accession are merely taking back prerogatives they have always had. Still, there is a recognition that the varying priorities of different member countries make the overall enlargement process less flexible, with member states now seeking to shape the content rather than just the outcome of accession negotiations. The new approach is seen as a sign of the return of enlargement under the member states' control.

Overall, despite its clear stance on enlargement, France is no major player in the EU when it comes to defining the Union's long-term approach towards the Balkans. Instead, the country tends to align itself with Germany's positions on the dossier, stepping forward only in the case of divergences, such as the question of the opening of Serbian membership negotiations. Expertise and human resources dealing with the Balkans are limited both within and outside the French institutions, reflecting a lack of national strategic interest in the region. The awareness that no enlargement will take place in the

[107] France Diplomatie (2014), "La France et la République de Serbie: Relations économiques", available at: http://www.diplomatie.gouv.fr/fr/dossiers-pays/serbie/la-france-et-la-republique-de-1127/ (last accessed on: 6 October 2014).

[108] "Défense: la France retire ses troupes du Kosovo", *Le Parisien*, 6 February 2014, available at: http://www.leparisien.fr/international/defense-la-france-retire-ses-troupes-du-kosovo-06-02-2014-3566499.php (last accessed on: 8 October 2014).

coming years confirms France in its perception that there is no need for any particular investment in the Balkans. Over the next years, France is therefore likely to keep a low profile, neither supporting enlargement too vocally nor actively hindering an advancement towards the eventual membership of the Balkan countries.

Chapter

6

THE UNITED KINGDOM

BY JAMES KER-LINDSAY

6.1 INTRODUCTION

In an episode of the classic British political comedy, *Yes Minister*, Jim Hacker, the fictional Minister of Administrative Affairs, is discussing Britain's relationship with the then European Economic Community (EEC) with his wily Permanent Secretary, Sir Humphrey Appleby. Sir Humphrey explains that for the past 500 years, Britain has had one key policy objective: to create a disunited Europe. In response, Hacker asks why, if that is the case, Britain had been pushing for more members. To which Sir Humphrey replies, "the more members it has, the more arguments it can stir up, the more futile and impotent it becomes." This sketch has become somewhat legendary for the way in which it managed to encapsulate traditional British thinking on the European Union (EU) and on enlargement. Although the rationale for encouraging expansion was primarily – though not exclusively – driven by very specific reasons, most notably the wish to prevent a further deepening of political ties within the EU, over the decades it has nevertheless benefited those countries that have been queuing up to join the Union. This in turn made London an important potential ally for aspiring members.

However, this has now changed. While the Foreign Office is still keen to stress that the United Kingdom is committed to further EU expansion, and that it remains a lead actor in the enlargement process, the reality is that the UK is no longer regarded as the champion of the dossier. With the growth of euroscepticism, and the increasingly hostile debate over immigration, Britain's political leaders have ceased to be the Union's most strident supporters of further expansion. Meanwhile, increasing talk of the possibility that the United Kingdom may yet leave the European Union has also served to weaken British influence in the region.

6.2 BRITAIN AND THE EUROPEAN UNION ENLARGEMENT

The United Kingdom has long been committed to the enlargement of the European Union.[109] As one of the 'Big Three' members of the EU, it has often been seen as the most important champion of the bloc's expansion. This has been a direct reflection of the underlying philosophy that successive British governments have taken towards the EU. Fearful of a real or perceived wish by France and Germany to proceed towards an ever-deeper union, Britain came to see enlargement as the natural mechanism to prevent this process. As a result, the UK was at the forefront of enlargement efforts in the late 1990s, which led to the accession of eight countries of Central and Eastern Europe, along with Cyprus and Malta, in 2004. Crucially, at a popular level, enlargement enjoyed relatively strong public support. For example, a Eurobarometer survey taken in 2006, just two years after the 2004 enlargement that saw the admission of ten new members, showed that while Britain was not the strongest supporter of EU enlargement amongst the pre-enlargement EU-15, a plurality (44%) of those expressing a view favoured further expansion. This stood in marked contrast to the majorities in Germany (66%), Luxembourg (65%), France (62%), Austria (61%), and Finland (60%) who disapproved of further EU enlargement.[110]

Following on from the 'big bang' enlargement in 2004, London keenly supported the accession of Bulgaria and Romania to the Union, in 2007. It also became a strong advocate for Croatia's membership, in July 2013; the European Union's first foray into the Western Balkans – usually defined as the former Yugoslavia minus Slovenia but including Albania. In this case, Britain was delighted to discover that Zagreb shared many of London's concerns about the direction of the European Union. Croatian political figures made it clear that the EU the country was joining was not the Union they had signed up to join. It was also telling that a referendum on membership, held in January 2012, saw 66% of Croatians in favour of integration from a turnout of 43%. By the time it acceded, in July 2013, support for membership was extremely low and there was little trust in EU institutions. Britain therefore identified Croatia as a potentially useful ally in its efforts to bring about fundamental reforms in the European Union or else seek to renegotiate the terms of its own EU membership.[111]

Meanwhile, Britain remained a stalwart supporter of Turkish accession to the European Union. Yet again, this has in many ways been the ultimate example of the British tactic of avoiding deeper union by pursuing a wider union. In the minds of many observers, accepting Turkey would bring about a fundamental transformation of the very nature of the EU. At the moment, with a population of 77 million, Turkey would be the second largest member of the Union. By the time it would be feasibly ready to join, which would not be until the late-2020s, it will have overtaken Germany, and therefore would accede as the largest member. Moreover, many felt, and with good reason, that Turkey's views on sovereignty and national identity were rather more akin to British views than those of the more integrationist members of the European Union. With this in mind, Britain long stood out as Turkey's champion within the EU, with David Cameron, the British Prime Minister, telling an audience in Ankara, in 2010, that he was, "the strongest possible advocate" of Turkish membership.[112] While French and German politicians have over the years expressed their reservations about Turkish EU entry, although often keen not to upset Turkey by rejecting membership out of hand, British political figures from across the political spectrum would express their strongest support for Turkish accession. Rarely was anything heard in Britain about the way in which this could disrupt EU decision-making processes.

---

[109] *The Future of EU Enlargement*, European Union Committee, House of Lords, Tenth Report of Session 2012-13.

[110] Special Eurobarometer, "Attitudes towards European Union Enlargement", July 2006, p.3.

[111] British diplomat, comments to the author, May 2013. However, despite this belief that Croatia may be a useful ally, it was noticeable that Zagreb did not support David Cameron's high-profile opposition to the appointment of Jean-Claude Juncker to the post of president of the European Commission.

[112] Speech by David Cameron, in Ankara, 27 July 2010, available at: Number 10 website, www.number10.gov.uk (last accessed on: 17 February 2015).

6.3 BRITAIN'S RELATIONSHIP WITH THE BALKANS

Against this backdrop of general support for EU enlargement, the United Kingdom has always favoured expansion into the Balkans. However, it has never stood out as an advocate for the region as a whole in the same way as, for example, Greece and Austria. This is in large part down to history. Traditionally, the UK does not have strong ties to the region. Certainly, there have been periods of British interest in the Balkans. The Commemorations of the start of the First World War are a testament to this. However, such involvement has been relatively limited. For much of the second half of the twentieth century, the Balkans barely registered on the British geopolitical radar. At a time of decolonisation and the Cold War, the United Kingdom's political focus lay elsewhere.

The collapse of Yugoslavia and the bitter civil wars that ensued forced the UK to take a stronger interest in developments in the Balkans. However, even then, the willingness to get involved remained lukewarm. It was not until the election of Tony Blair as Prime Minister, in 1997, that the United Kingdom adopted a more clearly interventionist approach towards the Balkans. This was seen most clearly in the decision to take the lead over military intervention in Kosovo, in 1999. But even this did not translate into any fundamental reorientation of British foreign policy. Very quickly British attention turned elsewhere, most notably to Afghanistan and Iraq. Even now, apart from a couple of key examples that will be explored in the next section, there is relatively little high-level interest in the Balkans, certainly when compared with much of the rest of the world. As one official put it, Britain has never regarded the Balkans as its 'backyard' in the same way that other EU members have.[113]

Additionally, there have been few cultural links to the Balkans. Historically, immigrants came from Ireland and other parts of the Commonwealth. Of course, there were some from the Balkans, such as those who fled Yugoslavia under Tito. However, they tended to be quite small in number. And although many tens of thousands of refugees arrived in Britain during and immediately after the wars in the former Yugoslavia, the Balkan community in the United Kingdom is still not particularly large, especially compared to other communities. Since 2004, the size of the immigrant communities from the Balkans, such as they were, have become relatively smaller following the influx of many new immigrants from Poland, Slovakia and the other new members states. At present, according to the most recent census, the total population of those born in the Balkans and now living in the UK stands at around 65,000.[114] This hardly compares to, for example, 694,000 from India; 579,000 from Poland; 274,000 from Germany; 191,000 Nigeria; and 177,000 from the United States. To this extent, there was never a powerful constituency in Britain to push the case for membership of the Balkan states. Nor was there any overarching interest in pressing the case for enlargement into the Balkans in order to placate a domestic audience.

Lastly, there have been no underlying economic factors driving Britain towards supporting the region. Despite strong efforts from the Foreign Office to try to encourage British investment in the Balkans,[115]

---

113 British official, comments to the author, July 2014.

114 "Of the 28,000 Kosovan-born residents in 2011, 70% arrived during the period 1997-2003. This peak is associated with the war in Kosovo (1997-1999); this is likely to have been responsible for the high number of Albanian-born residents arriving in the same period, since the conflict affected neighbouring Albania: of the 13,000 Albanian-born residents in 2011, 35% (5,000) arrived during the period 1997-2000…The break up of the former Yugoslavia after 1992 resulted in a number of conflicts in the Balkan region. This included the Bosnian war (1992-95) which resulted in a peak in arrivals in 1991-1996, accounting for 66% of the 8,000 Bosnian-born residents in England and Wales in 2011. Of the 8,000 Croatian-born residents in 2011, 33% arrived in the period 1997-2000; 19% of the 9,000 residents born in Serbia and Montenegro arrived in the same period." *Immigration Patterns of Non-UK Born Populations in England and Wales in 2011*, Office for National Statistics, 17 December 2013, pp.17 and 18.

115 International official, comments to the author, October 2014.

the region is all but ignored by British businesses. Apart from their main markets in the European Union, British companies have long looked towards further flung familiar territory, such as the members of the Commonwealth. This is clearly seen in trade statistics. Not a single Balkan country features in the top 50 of UK export markets or sources of imports.[116] This lack of commercial interest in the region is also supported by anecdotal evidence. For example, one new ambassador from the region decided to focus on building trade ties between his country and Britain. However, he was quickly informed by a leading banker with a strong interest in the Balkans that this would be an all but pointless task. British businesses just were not that interested in the area.[117] This difficultly in drumming up commercial interest has also been experienced by other ambassadors from the region based in London.[118]

6.4 CURRENT ATTITUDES TO BALKAN ENLARGEMENT

Where there has been a strong and specific British interest in the accession of the Balkans, it has been narrowly focused on Bosnia-Herzegovina and the interrelated accession paths of Serbia and Kosovo. In the case of Bosnia, British involvement has been driven by a number of factors. In part, it seems to be fostered by guilt for not having played a greater part during the conflict in the 1990s.[119] Related to this, it is also prompted by the fact that Britain has played an enormous role supporting the reconstruction and stabilisation of the state following the end of the war in 1995. Britain was not only active in peacekeeping, it has also been at the forefront of many other efforts to try to build functioning institutions and promote reconciliation. This was seen most obviously during the period when Paddy Ashdown, the former leader of the Liberal Democrats, served as the High Representative. Since 2010, Britain has paid particularly close attention to the country as a result of the strong personal interest in the situation shown by the British Foreign Secretary, William Hague. However, British interest in Bosnia has continued even after Hague's departure from the Foreign Office. In November 2014, Britain and Germany joined forces to unveil a 'New Strategic Approach' to reinvigorate Bosnia's EU accession process.[120] This in many ways served to cement Britain's reputation as the most engaged EU member in Bosnia.[121] And yet, at the same time, the attention given to Bosnia has been declining. For example, the Department for International Development (DFID) ceased operations in the country in February 2011.[122]

As for Serbia and Kosovo, British interest is a product of its close involvement in the situation in Kosovo from 1999 onwards. As noted, the United Kingdom led the call for NATO air strikes against Serbia. Thereafter, in 2006, as the UN talks to decide Kosovo's future status began, Britain was the first major state involved in the process as part of the six nation Contact Group – comprising Britain, France, Germany, Italy, Russia, and the United States – to openly assert that it believed that there was no alternative to independence. Since then, and following the declaration of independence, in February 2008, London has become, along with the United States, and somewhat later, Germany, one of the key patrons of an independent Kosovo. To this end, it has not only taken strong steps to press for

---

116 *UK's Top 50 Export Markets and Import Sources for 2013*, Office for National Statistics, 10 July 2014, available at: http://www.ons.gov.uk/ons/rel/uktrade/uk-trade/may-2014/rtd-publication-tables-uk-trade--may-2014.xls (last accessed on: 16 July 2014).

117 Ambassador of a Western Balkan state, comments to the author, April, 2014.

118 Ambassador of a Western Balkan state, comments to the author, September 2014.

119 British official, comments to the author, October 2014.

120 "Speech: Bosnia & Herzegovina - a new strategic approach",, Foreign and Commonwealth Office, 5 November 2014, available at: https://www.gov.uk/government/speeches/bosnia-herzegovina-a-new-strategic-approach (last accessed on: 12 February 2015).

121 EU official, comments to the author, 2012.

122 "The DFID Bosnia and Herzegovina office is now closed", Bosnia and Herzegovina, DFID, available at: https://www.gov.uk/government/world/organisations/dfid-bosnia-herzogovina (last accessed on: 3 October 2014). Although, as pointed out, 15% of all EU money spent in the country comes from the UK.

Kosovo's wider recognition on the international stage, but has also been keen to see an enhancement of Kosovo's EU integration prospects.[123]

At the same time, London has also been active in trying to reduce Serbia's resistance to an independent Kosovo. In this endeavour, it has often been willing to use the prospect of EU membership as both a carrot and a stick against Belgrade. For example, when Serbia proposed taking Kosovo's declaration of independence before the International Court of Justice (ICJ), London reacted by suggesting that such a move could threaten its EU accession prospects;[124] although it soon backed down when it realised that such intimidation attempts could have a very negative impact. Thereafter, Britain also took a strong position on the importance of Serbia's normalisation of relations with Kosovo as a crucial element of its accession process. It has also strongly supported the efforts of the External Action Service, firstly under Robert Cooper and then Catherine Ashton (both British), to secure a series of agreements enhancing day-to-day cooperation between Belgrade and in Pristina. To this extent, London's role in the case of Serbia's EU accession process is largely the product of its policies regarding Kosovo.

However, beyond this focus on the very specific cases of Bosnia, Serbia and Kosovo, the United Kingdom has tended not to take the lead on pressing the case for further EU enlargement as regards the other countries in the region; those are Montenegro, the former Yugoslav Republic of Macedonia (fYROM) and Albania. While Britain certainly takes steps to enhance their accession prospects – for instance through financing a number of activities aimed at enhancing various sectors, such as 'judicial reform and media freedom', and the programme of seconding British officials to prospective members[125] – the United Kingdom has certainly not emerged as a real advocate for their membership in the same way as Greece (and to a certain extent Britain) pushed for Cyprus in 2004 and Germany championed, for example, Poland in 2004. For instance, in the case of fYROM, while the UK led the way in calling for it to be given candidate status during its presidency in 2005,[126] it has not emerged as a particular advocate for its EU membership since then. In particular, it has not done anything to try and break the deadlock between Skopje and Athens over the name issue.

Elsewhere, it appears to have adopted a more sceptical and cautious approach towards enlargement. Perhaps the most obvious example of this was London's decision, in December 2013, to align with four other EU member states – the Netherlands, Germany, France, and Denmark – in blocking Albania's candidacy for EU membership. Although this decision was subsequently reversed at the European Council in June 2014, when Albania did in fact become a formal candidate country, it nevertheless came as quite a surprise to many observers. The feeling in Albania had been that Britain was one of the few countries they could rely on.[127] In part, this change is a reflection of the fact that Britain, like most of the rest of the European Union, increasingly believes that it is vital that new members are able to meet the demands of membership. Few want to see a repeat of the problems presented by Romania and Bulgaria. Also, Britain has consistently raised concerns over organised crime in Albania.[128] However, in many ways, the decision over Albania also appears to be indicative of a more fundamental transformation in the relationship between Britain and the EU that is reshaping British policy towards enlargement.

---

123 "Promoting stability throughout the Western Balkans", UK government, available at: https://www.gov.uk/government/policies/promoting-stability-throughout-the-western-balkans--2 (last accessed on: 16 July 2014).

124 "ICJ move direct challenge to EU", B92, 3 August 2008.

125 British official, comments to the author, October 2014.

126 British official, comments to the author, August 2014.

127 British official, comments to the author, June 2014.

128 British official, comments to the author, August 2014.

6.5 FREEDOM OF MOVEMENT AND THE ENLARGEMENT DEBATE

Within the corridors of the Foreign Office there is still a commitment to enlargement.[129] However, there is no doubt that mainstream political support for enlargement has declined. This is primarily due to the growing focus on immigration in British political debate; a development that has seen freedom of movement within the EU conflated, deliberately or otherwise, with the arrival of people from outside the European Union.

In 2004, Britain was one of the few EU member states that decided to waive the seven-year transitional restrictions on freedom of movement on the ten new members. However, in the case of Romania and Bulgaria, it was noticeable that the United Kingdom decided to join other EU members and impose transitional restrictions on both countries. Seven-year controls were also introduced when Croatia joined the Union, in 2013. This change in policy over transition periods was driven by the large-scale immigration that occurred after 2004 that far exceeded expectations. As a result, British public opinion – coupled with a media that is dominated by newspapers that take a distinctly Eurosceptic line – has become increasingly concerned about the demographic implications of further EU expansion. Indeed, a December 2013 poll showed that British voters identified limits on new arrivals from elsewhere in the Union as the single most important issue that would need to be tackled in any UK effort to reform its relationship with the EU.[130] It is this growing focus on freedom of movement that has largely led to the massive surge in support for the arch-Eurosceptic and anti-immigration United Kingdom Independence Party (UKIP). In May 2014, it received the most support of any British party in European Parliament elections. Just a few months later, in October and November 2014, it won its first ever UK parliamentary seats in bye-elections held after the defection of two Conservative MPs.[131]

Against this backdrop, all the political parties have become increasingly hard-line on the subject of immigration, and consequently on the prospect of further enlargement. This has been particularly evident in the ruling Conservative Party, which has found itself under increasing pressure to appeal to those people that are seen to be its traditionally core supporters, many of whom are either sympathetic to UKIP's policies or have formally defected to the party. As a result, a seismic shift appears to have taken place. Whereas in the past, enlargement was seen as the best way in which to stave off efforts at greater EU centralisation, this is now offset by the political costs of arrivals from these new member states.[132] Enlargement can only continue if it is done in such a way that it limits the freedom of movement of citizens of acceding countries. This necessarily affects the Western Balkans. As David Cameron stated: "As we contemplate countries like Serbia and Albania one day joining the EU we must find a way to slow down access to each other's labour markets until we can be sure this will not cause vast migrations […] I look forward to finding a way to continue with enlargement but in a way that regains the trust and support of our peoples."[133]

---

129 British official, comments to the author, October 2014. "EU Enlargement", House of Lords Hansard (Daily record of Parliament), *Written Answers*, Tuesday 17 June 2014.

130 "EU referendum: the red lines for swing voters", YouGov, 18 December 2013.

131 Both cited immigration as a major concern that had driven their decisions. "It's time for change", Douglas Carswell Blog, 28 August 2014; "Why I am leaving the Conservative party and joining UKIP", Mark Reckless, 27 September 2014, available at: http://markreckless.com/2014/09/27/why-i-am-leaving-the-conservative-party-and-joining-ukip/ (last accessed on: 29 September 2014).

132 "How the Tory right turned against EU enlargement", *The Guardian*, 21 December 2013; "Once Tories' answer to EU fears, enlargement is now their problem", *The Observer*, 30 December 2013.

133 "UK no longer advocates for EU enlargement", *Euractiv*, 21 December 2013. Members of the government are now making it ever more clear that there can no longer be an unfettered right of freedom of movement and that some measures will have to be introduced. For instance, it has been suggested that in the future controls could be put in place. One idea that has been floated, for example, is that the freedom of movement from any new member would be limited until such time as the per capita income of the new entrant reaches a certain proportion of the EU average per capita income.

The immigration issue has become so politically sensitive that other parties now have to take an increasingly tough line on the issue. For example, despite strongly endorsing Britain's place in the EU in a speech before British business leaders, in November 2012, Ed Miliband, the former leader of the Labour Party, nevertheless stated that, "while enlarging the EU was good for Britain's strategic interest, frankly, the way that we handled immigration without transitional controls increased scepticism here in Britain."[134] Since then, the link between immigration and future enlargement has become even more explicit. On New Year's Day 2014, one television station sent a camera crew to Luton Airport (which handles a lot of flights to central and eastern Europe) to interview Keith Vaz, the Labour Party MP who chairs the House of Commons Home Affairs Select Committee, about the expected influx of Bulgarians and Romanians. There were precious few to be seen. However, he was unrepentant. Although there may not have been a sudden deluge of immigrants from the two Eastern Balkan countries, he nevertheless pointed out that fYROM, Montenegro and Serbia were all queuing up to join the European Union and would be the next new members. Britain would need to be prepared for that and the matter of further immigration would need to be put to the British people.[135] While there is little to suggest that the Labour Party is becoming overtly Eurosceptic, it appears that in trying to maintain a broadly pro-EU position, it has to be seen to be acknowledging voters' concerns. EU enlargement becomes a very convenient target.

Finally, even the Liberal Democrats, the party that has most consistently maintained an openly pro-European line, has also become more cautious. Officially, it supports further EU enlargement as a policy. As the party stated in its 2014 European Parliament election manifesto, "Liberal Democrats support further enlargement of the European Union to candidate countries. Membership of the European Union continues to hold out the best hope for lasting peace and stability in the Western Balkans." However, in reality, it too is far less committed to enlargement than it once was. It will maintain the rhetoric about enlargement as a longer-term goal, but certainly will do nothing to press the case in the short term.[136]

Of course, there is very little rationale in this debate. The entire combined population of the seven Balkan countries lining up for membership is less than 18 million. This is considerably less than the 22 million in Romania, which joined in 2007. Also, there are very good reasons to argue that when these countries do join the EU, Britain will not be their natural destination of choice. For most of the region, Germany is a much more likely option. Britain actually tends to be relatively low in the list of preferred destinations for the Balkan countries.[137] Also, it is important to note that while there is general opposition to the idea of further immigration from new member states, there are those who do still see the need for expansion, such as the pro-immigration business lobby that can grasp the advantages of bringing in new members with young, able and educated workforces.[138] Such pressure could grow in the event that large numbers of people from the earlier enlargements decide to return to the countries of origin.

In the meantime, the focus on immigration has had very important immediate consequences in the region. While the rest of the European Union has introduced visa liberalisation for almost all of the Balkans (Kosovo is the exception), the United Kingdom has kept strict limits in place. Indeed, it has

---

134 "One Nation in Europe – Ed Miliband", Labour Party website, 12 November 2012, available at: http://www.labour.org.uk/one-nation-in-europe (last accessed on 21 July 2014).

135 "Migrant Numbers 'Should Be Decided By People'", *Sky News*, 1 January 2014.

136 Senior Liberal Democrat figure, correspondence with the author, July 2014.

137 A 2009 report showed that the most popular destination, in order, were Germany, USA, Switzerland, Italy, Australia/New Zealand, France, Austria, Greece, Sweden, Canada and then UK. "The Impact of Migration", *Gallup Balkan Monitor*, 2009, p.3.

138 British ambassador to a Western Balkans state, comments to author, June 2014.

become notoriously difficult and expensive to obtain a British visa.[139] This would appear to be having a very negative effect on how the countries of the region see the UK.[140] As one observer put it, the immigration policy, "isn't in accordance with the rhetoric on enlargement."[141]

6.6 THE BREXIT DEBATE

In addition to freedom of movement, another factor that is shaping the discussion about the United Kingdom and enlargement is the question of British membership of the European Union. Over the course of the past few years, attention has increasingly turned to the possibility that the UK may in fact leave the EU. Although on balance this may seem to be unlikely, the mere fact that the argument has gained such prominence suggests that it cannot be discounted entirely. As a result, there is a growing concern amongst observers that the European Union, realising that Britain may be on its way out, is taking less notice of its views.[142] It would seem likely that this applies as much to enlargement as to any other issues, perhaps even more so given that it seems strange to pay attention to the views of Britain on new members when it wants to leave the 'club'.

At the same time, the debate is also being followed in the Balkans. This is having a negative impact on Britain's influence and standing. It seems that these states increasingly question whether it is worth engaging actively with the United Kingdom when their invariably meagre diplomatic and political resources would be better used engaging with countries that can help them to join the EU. Even the discussions about a possible British exit from the European Union may well have contributed to a growing sense amongst political elites engaged in the accession process in these countries that Germany is now the main actor they should focus on.[143] This impression will no doubt have been cemented by the fact that Angela Merkel, the German Chancellor, appears to want Germany to become the champion of the Balkan expansion.[144] There is also a sense that aligning with Britain may actually be counterproductive inasmuch as it is far better to be seen as a good European.[145]

Meanwhile, at a popular level, a rather more mixed picture emerges. On the one hand, the possibility of the UK leaving the EU appears to have received little widespread attention in the region, certainly when compared to the greater level of attention given to the immigration debate. As one British official put it, the media and ordinary citizens appear to have little awareness about the internal politics of the United Kingdom.[146] However, it has not gone completely unnoticed. As elsewhere in Europe, there are many Eurosceptics in the Balkans who oppose membership of the European Union; even if their place in mainstream politics tends to be rather limited.[147] Amongst these political parties and organisations opposed to EU membership, there is in fact a lot of admiration for Britain "for standing up to

---

139 As pointed out, it is now more expensive to get a six month visa for the UK than a 10-year one for the United States. This has had an enormous impact on how people in the region view Britain. International official, comment to the author, October 2014.

140 United Kingdom MEP, comments to the author, July 2014.

141 International official, comments to the author, October 2014.

142 "Lobbyists fear loss of British sway in EU", *Financial Times*, 6 March 2013.

143 International official, comments to the author, October 2014; Former ambassador from a Balkan state, comments to the author, July 2014. As the diplomat noted, "Germany is now seen as the most important country, full stop. United States comes second."

144 "Merkel to organise Western Balkans conference in August", *Euractiv*, 13 June 2014. However, other countries, such as Greece and Italy, are still seen by some as key actors. In contrast, Britain is not. Serbian official, comments to the author, July 2014.

145 Serbian official, comments to the author, July 2014.

146 British official, comments to the author, October 2014.

147 For more on Eurosceptic parties in the region see Stratulat, Corina (ed.) (2014), "EU integration and party politics in the Balkans", *EPC Issue Paper,* No.77.

'Europe".[148] As one regional diplomat stated, "You would not believe how popular Nigel Farage [the leader of UKIP] is in parts of the Balkans."[149] To these groups, Britain is increasingly seen as an ally in the campaign to keep them out of the EU.

6.3 CONCLUSION

Traditionally, the United Kingdom has been a staunch supporter of European Union enlargement. Over the past three decades, Britain has seen the continued expansion of the European Union as the best defence against efforts to pursue more political integration. To this extent, successive British governments have taken a strong interest in helping new member states join the European Union. Even if Britain has tended only to pay close attention to a small number of countries, namely Bosnia, Serbia and Kosovo, the wish to see the EU expand has necessarily had a positive effect on other countries in the Balkans.

However, there can be little doubt that the UK's overall attitude towards enlargement, and its ability to shape the Union's policies in this area, has undergone a profound transformation over the course of the Conservative-led period of coalition governments, and particularly since the latter half of 2013. The increasingly shrill immigration debate in Britain, coupled with rising Euroscepticism and growing support for UKIP, has meant that the British government has been faced with an increasingly unpalatable political choice. While further EU enlargement would help to maintain the continued battle to minimise political union within the EU, it also means the arrival of more people to British shores. The fact that there is no appetite within the EU to allow for restrictions on freedom of movement means that this matter has become an either/or issue: either more expansion and more new immigrants, or less future enlargement and less new arrivals. It seems as though, under prevailing political conditions, London has opted for the latter. While the Foreign Office remains absolutely adamant that Britain remains one of the strongest supporters of enlargement, and is still a driving force behind enlargement, this is not how it is perceived beyond the United Kingdom, or even amongst pro-Europeans within Britain.[150] The discussions over immigration have presented a very negative picture about British support for further enlargement within the Balkans. Even amongst Britain's European partners, there is a clear sense that the UK is no longer the force behind enlargement that it once was.[151] As a British official working for an international organisation in the region noted, he had long since ceased arguing that "Britain was the biggest supporter of enlargement."[152] As a result, the countries of the region are starting to turn their attention elsewhere in the search for support for their EU membership aspirations. Germany, in particular, has now emerged as the crucial actor.

The question is whether Britain might be able to regain a leadership role on questions of enlargement and new members. It is quite possible. It is important to recognise that there are other trends emerging that could well force Britain to rethink its growing distance from the region. Most notably, the rising concerns about Russia mean that many EU members now believe that a return to the enlargement agenda, which has been off the EU radar for the past six or seven years, is crucial. This seems, for example, to be a key element shaping German thinking.[153] At present, however, such views have yet to be articulated openly in Britain. For the meanwhile, the growing distance between the UK and the EU, and the widespread worries in Britain about the impact of further immigration appear to be at the

148 Serbian official, comments to the author, July 2014.
149 International official, comment to the author, October 2014.
150 Senior Liberal Democrat, comments to the author, July 2014.
151 Senior official, EU member state, comments to the author, August 2014.
152 British official, comments to the author, October 2014.
153 "Merkel to organise Western Balkans conference in August", *Euractiv*, 13 June 2014.

forefront of the debate about enlargement. However, it is clear that this cannot happen until the United Kingdom makes a firm decision on its own membership of the European Union, and politicians are willing to make a positive case for EU enlargement; freedom of movement and all.

Chapter 7

POLAND

BY TOMASZ ŻORNACZUK

7.1 INTRODUCTION

7.1.1 Balkans miss the cut on Poland's priority list

In the foreign policy field, Poland's priorities and activities are devised with the aim of securing the country's independence, territorial integrity and national security, and respecting the values of democracy, rule of law and human rights. This makes state security, which is embedded in a broader European and international context, the foremost consideration in Poland's foreign policy. A strong Poland in a strong European Union (EU) is a notorious leitmotiv of the country's approach to external relations. A deeper European integration, both in political and economic terms – such as through strengthening EU institutions, creating a more efficient internal market, a common energy market (an idea recently developed into the Energy Union), a labour market, a common European research space, and an ambitious EU budget with a relevant share of Cohesion Policy and Common Agriculture Policy – defines Poland's strategic thinking[154].

For Poland, the Balkans are not of special importance. After achieving its post-1989 strategic goals to join NATO (in 1999) and the EU (in 2004), and given its geographic location, as well as its historic and cultural ties, Poland has tended to focus on its neighbours in Eastern Europe (mostly Ukraine, Belarus, Moldova, and Georgia). Similar to the Balkan states, these areas remain outside of the European Union's structures. Poland has shared its experience in democratic transition and has provided development aid to these countries, which, since 2009, have been covered by the Eastern Partnership.

[154] "Polish Foreign Policy Priorities 2012-2016" (2012), Warsaw, p. 8, available at: www.msz.gov.pl (last accessed on: 21 March 2015).

This is a project that was initiated by Poland and Sweden and is a flagship endeavour in the foreign policy of Poland, post EU entry.

7.1.2 An uneven approach to the Balkans

The Balkans is not in the immediate vicinity of Poland, and historical and economic ties with the region are not strong or long-standing. Moreover, the 1990s armed conflicts in Yugoslavia and the unstable political situation that came thereafter did not pose a direct security threat or cause significant migration flows for Poland. Therefore, Poland's policy towards the Balkans has been primarily influenced by its membership in NATO and the European Union. It has translated into a strong involvement in security issues for the stabilisation of the political and economic situation in the region, as well as into support for the accession of the Balkan countries to these two organisations. In addition, Poland's membership in Central European structures, namely the Visegrád Group (V4) and – to a lesser extent – the Regional Partnership[155], has provided another reason for Poland's engagement with the Balkans. This is because the region – and the development of cooperation with the Balkans – continues to be of great importance in the foreign policies of Hungary, Slovakia, the Czech Republic, Slovenia and Austria.

Even though the security and democratisation of the EU's direct neighbourhood are among Poland's foreign policy priorities, the country's interests in the Balkans are, in fact, largely limited to the first goal, which is to be achieved through the region's integration into NATO and the EU. Poland has participated in virtually all of the stabilisation missions in the Balkans over the last two decades. This was initially explained by Poland's aspirations to join NATO. Currently, the Poles are part of each of the three stabilisation missions in the region, with nearly 100 policemen within EULEX and up to 250 soldiers within KFOR in Kosovo.

In this sense, one can conclude that, ever since the 1990s, Poland has maintained the same approach towards the region, which is based on bringing peace and security. This is reflected in the fact that the Balkan states are not among the priority countries in the Polish development cooperation[156]. The country's aid for transformation and democratic changes in the Balkans is essentially invisible. In recent years, it equalled about €40,000 annually in the form of small grants to the whole region (excluding Croatia and Kosovo). In comparison, the aid offered by Poland's Visegrád partners to the Balkans amounts to millions of euros each year. Poland sees itself as a promoter of democracy and peaceful transformation in North Africa, especially in Tunisia, where it sent significant financial support. However, in the case of the Balkans, this element of the Polish foreign policy is ignored. At the same time, Poland was able to donate roughly €260,000 to Bosnia-Herzegovina and Serbia in 2014 to help these countries fight the effects of the floods.

The country's support for the accession of the Balkans to NATO and EU, apart from being security-related, is also linked to Poland's policy towards Eastern Europe and South Caucasus. From this perspective, Poland believes that the sooner the Balkan states join the Union, the sooner the EU will revitalise its enlargement plans to cover areas that fall within the scope of Warsaw's main foreign policy interests. Yet, for a number of years, the country's backing of the region's accession was largely confined to the declarative sphere and was rarely followed up by concrete actions by the government.

---

[155] The Visegrád Group states, plus Austria and Slovenia.

[156] These countries are: Armenia, Azerbaijan, Georgia, Belarus, Moldova, and Ukraine (as of the Eastern Partnership), Burundi, Ethiopia, Kenia, Ruanda, Somalia, South Sudan, Tanzania, and Uganda (as of East Africa), Libya, Tunisia, and Palestinian Autonomy (as of North Africa and Middle East), and Afghanistan, Kirgizstan and Tajikistan (as of Central Asia). See: Multiannual Development Cooperation Programme 2012-2015. Solidarity, Democracy, Development (2012), Warsaw, available at: www.polskapomoc.gov.pl (last accessed on: 21 March 2015).

There have been recent changes in this respect, mostly on a working level, which are mainly due to Poland's Presidency of the Council of the European Union in 2011.

Although Poland has embassies in all of the Balkan countries, except for Kosovo, high-level bilateral political relations remain limited and there is little interest to deepen such cooperation. This, in turn, is perhaps the reason for only marginal economic cooperation. Poland enjoys a positive balance of trade with each of the countries in the region. However, neither imports from nor exports to the region go beyond one per cent of Poland's total trade exchange. In recent years, it continues to remain at a similar level, with an increase in Serbia's significance as a market for Polish products and a reduction in trade exchange with Croatia and the former Yugoslav Republic of Macedonia (fYROM). On the other hand, recent years have seen a more active cooperation with the region on the expert and working levels. A lack of balance between this and the high-level contacts, as well as the fact that Poland recognised Kosovo as an independent state, but has not established any diplomatic relations with it, are often taken as indication of the inconsequential nature of Poland's policy towards the Balkans.

7.2 EU ENLARGEMENT TO THE BALKANS

7.2.1 The Balkans on Poland's EU enlargement map

Poland's support for the continuation of EU's enlargement to the Balkans has been reiterated by every government after the country joined the Union in 2004. After the Eastern enlargement was completed in 2007, the Balkans became a priority region in the EU's foreign policy. This explains why, in the same year, it also enjoyed a more extensive reference in the government's information of the Parliament about Polish foreign policy tasks. Here, support was expressed for the EU's enlargement to the Balkans (with only Croatia being named as the most crucial in this respect), together with Moldova, Ukraine and Turkey[157]. Since then, a similar set of countries has been repeatedly mentioned in government statements, strategies and other documents. Here, the Balkans is often cited after Ukraine and Moldova, but before the South Caucasus states and Turkey[158].

Following the change of government in 2007[159], the Balkans have appeared in the ministerial[160] information on Polish foreign policy task – from occupying a single sentence in 2008, through to no mention at all in 2009 (with the agenda then dominated by the Eastern Partnership project), to general support for the region on the path to the EU and for Serbia-Kosovo dialogue, which was expressed in the 2014 document. Moreover, in a questionnaire, which was prepared by *Rzeczpospolita* daily in the spring of 2014 for the candidates in the European elections, one of the 12 questions on the future of the EU focused on enlargement and named (in the original order) Ukraine, Moldova, Georgia, and Turkey[161], leaving the Balkan countries out of the survey (and, in general, out of the answers).

---

157 "Government Information on Polish Foreign Policy in 2007" (2007), Warsaw, available at: www.rp.pl (last accessed on: 21 March 2015).

158 "Polish Foreign …" (2012), Warsaw, p. 11, available at: www.rp.pl (last accessed on: 21 March 2015).

159 Since November 2007, the majority-based government consists of the Civic Platform, a centre-right, liberal and Christian-democratic political party; and the Polish People's Party, a centre-right, agrarian and Christian-democratic political party, both members of the European People's Party.

160 Radosław Sikorski was Polish Minister of Foreign Affairs from November 2007 to September 2014. Since then, Grzegorz Schetyna has served as Minister of Foreign Affairs in Poland.

161 See, for example, "Ankieta" Rzeczpospolitej: Krzysztof Iszkowski (Europa + Twój Ruch, Miejsce 3, Okręg nr 4, Warszawa)", *Rzeczpospolita*, March 2014, available at: www.rp.pl (last accessed on: 21 March 2015).

7.2.2 Party and public consensus on enlargement

Despite the fact that the EU's enlargement to the Balkans is not part of the domestic political discourse, there is wide consensus on this subject among the relevant Polish parties. The ruling coalition (Civic Platform and Polish People's Party, enjoying respectively 31-35% and 4-11% of the public support in the opinion polls between October 2014 and March 2015[162]) consists of pro-European parties, which advocate further EU widening, including to the Balkans.

The biggest opposition party, Law and Justice (right wing, 30-35%) – which was the major partner in the coalition government in 2005-2007 – as well as its smaller right wing allies, officially support EU enlargement, despite their frequent critical remarks about Poland's membership in the Union[163]. The Law and Justice even attempted to make the Polish Parliament ratify Croatia's Accession Treaty by a qualified majority (with the opposition votes needed) instead of a simple majority. During discussions in the joint parliamentary Committee on Foreign Affairs and the European Union, this party called for a broader debate on Croatia's accession. They noted a possible influence of its entry on the benefits derived by Poland from the Cohesion Policy, as well as a potential decrease of Warsaw's impact on EU-related matters[164]. The issue proved to be driven by domestic politics, as the Parliament eventually approved the Treaty with only one abstention and no votes against.

The two left-oriented political parties within the Polish Parliament (that is, the Democratic Left Alliance, eight to 11% of support in the polls; and Your Movement, zero to four per cent) are strongly pro-European, favouring both the deepening and widening of the EU. On the rare occasion of a parliamentary debate on EU integration processes, the parties usually criticise the government for the slow pace of the enlargement process, including to the Balkans. They also assert that – except for this region – Turkey and Ukraine are of key importance, if the EU has ambitions to become a global – not just regional – actor in the future.

Within the national consensus, the only exception on EU enlargement is the Congress of the New Right. This has one out of 460 members of the Polish Parliament, four out of 51 Polish Members of the European Parliament, and zero to four per cent of public support. This party is Eurosceptic and opposes the very existence of the EU, hence it also objects to further enlargements.

What helps the Polish government to maintain a consistently favourable position on EU enlargement, and perhaps dwarfs the right wing opposition's more hostile attitude on the issue, is the fact that, ever since Poland joined the Union, the country's public support for further EU expansion is among the highest of all member states. Poland topped the list in 2009, when 70% of respondents (compared to an EU average of 46%) expressed their support for enlargement. This trend was also seen in 2010 and 2011, at similar levels[165]. It continued to be high, with a slight drop to 64% in 2014. This decline only reflects the public mood on enlargement across the EU, with an average of only 39% in favour at that time[166].

The media coverage of the EU enlargement process in the Balkans is scarce and was recently limited to the Prime Minister's visits to Croatia during Poland's Presidency of the EU, as well as the reports of

---

[162] "Poparcie Partii Politycznych", Millward Brown opinion polls, available at: http://wybory.millwardbrown.com (last accessed on: 21 March 2015).

[163] See, for example, "Modlę się, żeby UE się sama rozwaliła", *Rzeczpospolita,* June 2013, available at: www.rp.pl (last accessed on: 21 March 2015).

[164] "Potrzebne Głośne "tak"", *Gazeta Wyborcza,* August 2012, available at: www.wyborcza.pl (last accessed on: 21 March 2015).

[165] Standard Eurobarometre 72, Autumn 2009; Standard Eurobarometre 75, Spring 2011, available at: http://ec.europa.eu/ (last accessed on: 21 March 2015).

[166] Standard Eurobarometer 82, Autumn 2014, available at: http://ec.europa.eu (last accessed on: 21 March 2015).

when Croatia joined the Union. However, while elections in the Balkan countries and visits by Polish politicians in the region (and *vice versa*) do not often make the news, the disastrous floods that hit the Balkans in the spring of 2014 offered considerable visibility to the region in Poland.

7.2.3 The government's perspective

Poland belongs to the 'Friends of Enlargement' informal group[167] and supports the accession of the Balkan countries to the EU on the basis of the conditionality criteria. Moreover, Poland advocates an approach whereby the conditionality should be balanced against the real capacities of the applicant countries. Therefore, not only does Poland not question the European Commission's control over the benchmarks but it often supports an even softer position than the one presented by the Brussels executive, for example, when evaluating the progress of Montenegro. In the Polish diplomatic circles, there is a common view that the accession process should be shorter and less bureaucratic. With this position, Poland finds itself in opposition to, for example, Germany and the Netherlands, which favour upgrading the conditions related to – among others – the economy, the judiciary and the fight against corruption. From Poland's perspective, Serbia is the priority country in the Balkan enlargement. However, this notion derives more from Serbia's importance for the stability of the region rather than from Warsaw's interests towards Belgrade.

A key reason for Poland's support for the EU's enlargement towards the Balkans is the country's own experience with the Union. In diplomatic circles, it is widely accepted that the EU accession proved highly beneficial for Poland, in terms of general development and modernisation. Additionally, 73% of Polish citizens share the opinion that EU membership has been advantageous to the country, with only 13% in disagreement[168]. Moreover, enlargement is seen as a peace-oriented project that supports democratic change, as well as bringing stability and prosperity. These are precisely Poland's priorities within the EU foreign policy towards the Union's Eastern neighbours, with Ukraine being of the utmost importance in this regard. Furthermore, the process is fully in accordance with the EU's commitments that derive from the treaties. The Balkans are part of Europe and, for that reason — according to Poland — the countries of the region should join the EU as soon as possible, avoiding that national interests of the member states becoming obstacles in that process.

In other words, as a beneficiary of the Union's expansion, Poland strongly opposes the perception of EU enlargement as a process that brings risks to the member states. The fact that Poland has not suffered an economic decline during the global crisis might go some way towards explaining such an attitude. At the same time, it is widely believed that the Balkan countries do not constitute a threat to the benefits that Poland derives from the Cohesion Policy. This is because they are not expected to join the Union within the current budgetary framework, and, in any case, Poland will profit progressively less from the next budgets because of the country's gradual development.

7.2.4 Official position versus diplomatic activities

Although Poland strongly supports the inclusion of the Balkans in the EU, the position is mainly declarative rather than actively pursued. A somewhat more hands-on approach to the region was presented by Poland's Presidency of the Council of the European Union in the second half of 2011. Next to the development of relations with the Union's other neighbours, EU enlargement was included

[167] Except for Poland, the group also consists of the Czech Republic, Estonia, Finland, Italy Latvia, Lithuania, Portugal, Romania, Spain, Sweden and the United Kingdom. The meetings at desk officers' level, which are held twice a year, serve as a forum for exchange of information on bilateral relations and general observations on the EU enlargement policy.

[168] *Transatlantic Trends. Key Findings 2014,* (2014), The German Marshal Fund of the United States, p. 27, available at: http://trends.gmfus.org (last accessed on: 21 March 2015).

in the presidency's priorities under "An Open Europe" catchphrase. In the spring of 2011, Radosław Sikorski, the then Minister of Foreign Affairs, paid a visit to Albania and Bosnia-Herzegovina. During the same period, the then Prime Minister Donald Tusk visited Croatia, Montenegro and Serbia. Except for some visits of deputy prime ministers and ministers, for example those responsible for regional development or defence, these were the only Polish official bilateral visits to the region on a high governmental level since the incumbent coalition has been in power.[169]

The three main aims of Poland's presidency, with regards to the Balkans, included the signing of the Accession Treaty with Croatia, launching accession negotiations with Montenegro and granting Serbia candidate status[170]. In the end, only the signing of Croatia's Accession Treaty in December 2011 (in Brussels, not in Warsaw, as was initially envisioned by the Polish government), was achieved. Moreover, given that this accomplishment was the result of events that occurred before Poland took over Presidency in July 2011, it cannot fully be credited to Warsaw.

Poland's interest in the region at a high political level subsided again after the completion of the Presidency of the EU Council. Moreover, some of its subsequent actions contradicted previously declared priorities. For example, in 2012, Poland found itself among the three countries that expressed reservations over granting Serbia candidate status[171]. Such a position was noticed both in Belgrade and Brussels[172].

Additionally, earlier in 2008, Poland was not among the 17 states of the Schengen Zone, which signed a political declaration. This was initiated by France on facilitations regarding visa free travel for Serbian citizens[173]. Only a joint declaration of Regional Partnership countries eventually persuaded Poland to support the initiative. This showed that Poland's membership in regional organisations mobilised the country's involvement in Balkan affairs. Poland's Presidency of the Visegrád Group (July 2012-June 2013) presumed some actions to enhance cooperation between the V4 and the Balkan countries. One such instance was a meeting of the foreign ministers of the V4, Balkan countries, Romania and Bulgaria. By then, events in similar formulas were a tradition of the V4 presidencies of the other Visegrád partners. On this occasion, the "V4 – Western Balkans Expert Network on Rule of Law and Fundamental Rights" was established, a multilateral initiative to support the EU integration process in the Balkans. Within this framework, Poland has shared its experience in the fundamental rights sphere[174]. Poland's previous presidency of the group (July 2008-June 2009) only saw marginal activities in the Western Balkans, as the agenda was dominated by the promotion of the Eastern Partnership. Furthermore, in most cases, at the V4 ministerial meetings on the Balkans, Poland was represented by a deputy foreign minister (although it changes recently, too), whereas its Visegrád partners usually send foreign ministers.

---

169 Other visits at a high political level to the Western Balkans included the visits of Bronisław Komorowski, the President of the Republic, to fYROM in 2013, which was an official visit. Furthermore, the president, as well as the Prime Minister, visited the Polish military and police bases in Kosovo. Moreover, Prime Minister Tusk—as the head of the country holding the EU Presidency—visited Zagreb in September 2011, with the aim of handing over the Accession Treaty to Jadranka Kosor, the then Prime Minister of Croatia. He later took part in the welcoming ceremony in Zagreb, on the occasion of Croatia's accession to the EU in 2013. Prime Minister Tusk also paid a working visit to Belgrade in 2013. However, these visits were not of an official bilateral character.

170 Such a conclusion could be drawn from the speech of Mikołaj Dowgielewicz, the then Secretary of State for European affairs in the MFA, during a conference at the College of Europe in Natolin, Warsaw, held on 29 June 2011.

171 Serbia's close relations with Russia were an official argument for Poland's reservations.

172 "Rumunija, Litvanija, Poljska Imaju Ograde Prema Kandidaturi Srbije", *Vesti,* February 2012, available at: www.vesti.rs (last accessed on: 21 March 2015); and "EU Diplomats: Serbia to get Candidate Status", *EUObserver,* February 2012, available at: www.euobserver.com (last accessed on: 21 March 2015).

173 "Visas: Communiqué Conjoint de 17 Pays Européens", information of the Embassy of the French Republic to Serbia from 6 May 2008, available at: www.ambafrance-srb.org (last accessed on: 21 March 2015).

174 The examples include the V4 and Western Balkan Ombudsmans meeting in Warsaw in (2013) and the meeting of the Ombudsman's office representatives from Poland, Albania, Bosnia-Herzegovina, Croatia, fYROM, Montenegro, Kosovo and Serbia, as well as Greece and Turkey (2014). Additionally, the V4 and Western Balkan Children's Ombudsmans' meeting took place in Warsaw (2014).

The modest number of high-level contacts limits the visibility of Polish actions at a working and experts' level, which have been more frequent ever since the presidency in the EU Council was completed in 2011. Previously, examples of cooperation included not much more than passing the Polish know-how on justice and home affairs to Croatia (2008-09). As the EU presidency approached, a long-standing collaboration on the working level between Poland and former Yugoslav Republic of Macedonia was established in the form of the Skopje Conference (annually, since 2010). This is an institutionalised cooperation, aimed at providing this Balkan country's public administration with Poland's pre-accession experience (a formula that is based on the Utrecht Conference in which Poland – on its path to the EU – received similar assistance from the Netherlands).

In addition, Poland is part of a twinning project in consortium with Germany and Croatia on "further strengthening of organisational and institutional capacities for the EU integration process" of fYROM (2014). An enhanced cooperation between Poland and Montenegro was established, based on a memorandum of understanding and cooperation on regional development (2012), and the Ministries of Agriculture and Rural Development signed a separate memorandum for cooperation and experts' exchange (2014). Common actions with Serbia are based on the memorandum on cooperation in European integration, signed between the Ministries of Foreign Affairs (MFAs) of the two countries (2013). Within this framework, for instance, a seminar on the usage of the EU funds took place (2015) – a notorious subject in Poland-Western Balkans experts' cooperation. Furthermore, Poland participates in a twinning project on modern human resources concepts in Serbia's Ministry of Interior (2014). Furthermore, a memorandum on cooperation on European integration was signed between the MFAs of Poland and Albania (2014) and two experts' meetings were organised, including on the subject of EU funds (2015). Additionally, the know-how share with this country is bilaterally developed within the above-mentioned V4-Western Balkans expert network. In addition, cooperation between the Supreme Audit Offices (2012) will be further developed within the Polish twinning project in consortium with Croatia, on "strengthening of external auditing capacities" (2015). These actions clearly show that Poland tends to more actively support those Balkan countries that are the most advanced in the negotiations with the EU.

7.2.5 The mechanisms shaping Poland's position on EU enlargement

EU enlargement, just like any other aspect of Poland's European policy, is conducted by constitutional prerogative by the Ministry of Foreign Affairs. The MFA is the main actor – and in most cases the only one – involved in EU enlargement issues. The Chancellery of the Prime Minister, as well as the Office of the President of the Republic, is informed on the subject through regular reports, but neither contributes to shaping the policy in this respect. Such reports are prepared once every three months by the Committee for European Affairs (Foreign Minister, other ministers or their deputies, and the Head of the Chancellery of the Prime Minister). The MFA prepares a statement for the Prime Minister every time that EU enlargement issues are discussed at the European Council. In such situations, the Prime Minister is assisted by the MFA Secretary of State for European affairs. Regarding the enlargement issues, which are discussed within the General Affairs Council, Poland is represented by the Deputy Foreign Affairs Minister, who is the Secretary of State responsible for European affairs. There is no lobby on EU enlargement that is conducted by the Ministry of Foreign Affairs from any other state institution. This is because, in Poland, the subject is far from being politically controversial.

Within the MFA, the European Policy Department handles matters related to the political dimension of Poland's EU membership and the future of European integration. It also deals with the Union's expansion and European Neighbourhood Policy, as well as EU developments in the field of freedom, security and justice. The Balkans and EU enlargement to this region are covered by the South-East

Europe and Enlargement Unit within this department. One desk officer coordinates the Ministry's work on EU enlargement, whereas another three cover issues related to all of the Balkan countries.

The procedure for drafting Poland's position on EU enlargement to the Balkans is well established and has operated unchanged for years. The ministerial desk officer for enlargement coordinates the actions of an inter-ministerial group for EU enlargement. He/she drafts a joint position, based on feedback from all of the ministries on any given enlargement-related issue. During an aspiring country's negotiations, only Chapter 31 (Foreign, security and defence policy) remains within the MFA's competences (in the case of Serbia's talks with the EU, the same goes for the conditions on its relations with Kosovo). Otherwise, one or, at times, more ministries provide the MFA with expertise that informs a joint position. There is hardly ever a dissonance between such expertise and Poland's general approach to EU enlargement. On matters related to Chapters 23 and 24 of the negotiations – in addition to cooperation with the Ministry of Internal Affairs and the Ministry of Justice – the first contact point represents a unit that is responsible for Justice and Home Affairs within the European Policy Department of the MFA. The common position is approved at the level of the director of the department within the Foreign Ministry. The stance is only agreed at an Undersecretary of State level within the ministry if the case is sensitive, but this is quite a rare occurrence. The position is later presented by a representative within the COELA working group.

In the case of a position regarding an early stage of the EU integration process of a Balkan country, the relevant ministerial desk officer drafts the statement, which is often supported by an opinion from a relevant diplomatic mission. This is later accepted by the director of the department and passed to a representative within the COWEB working group. In such a situation, there is no need for inter-ministerial consultations, as it is foremost about a clear statement that reflects Poland's position on EU enlargement. At any rate, the procedure is considered simple as it is of a purely technical rather than political nature, and the issues covered by this mechanism are not sensitive by reference to Poland's foreign policy priorities.

In addition, in the context of the Balkan enlargement, Poland does not distinguish between more or less important sectoral issues. The fact that the Balkans are not a source of migration flows to Poland – which is different for other, large EU members states – arguably contributes to this approach, including with regards to Chapters 23 and 24. Additionally, the countries of the region have little economic and agricultural potential and so the issues that relate to these areas are rarely controversial in Poland.

7.2.6 A reflection on the EU enlargement process

From the point of view of the Polish public administration, there is no nationalisation of the EU enlargement process as such. It is a myth that, in the past, the European Commission played a more crucial role in EU enlargement policy and that, now, the subject is increasingly taken over by the member states. Indeed, according to Poland, the Commission has always only constituted a platform for the member states' policies on the dossier. If the Commission is not active on enlargement, it derives mostly from the member states' weaker involvement. This, in turn, reflects the situation within the EU. In Warsaw, it is generally perceived that the countries from Western Europe are less eager to enable a smooth EU enlargement to the Balkans. This is because these member states have become less committed to the idea behind the widening of the EU. The fact that the Balkan aspirants themselves do not show much zeal in their preparation process does not help to change this situation.

However, the slower pace of the Balkan enlargement – when compared to the one towards Central and Eastern Europe – remains undisputed. The Polish MFA officials believe that this is caused, among

other reasons, by the fact that more Eurosceptic parties have gained support in many member states due to the global economic and financial crisis. Although, in most cases, these parties remain in the opposition, their stances are often taken into consideration by national authorities. However, in this respect, what makes governments particularly concerned is the negative attitude of their electorates towards European integration and the Union's expansion, as well as to the Balkans. The public's unfavourable opinion is often explained by the fact that the 2004 and 2007 enlargement rounds did not bring the promised results of a wider sphere of prosperity in Europe.

According to Poland, Germany is the most influential among the member states. Furthermore, Austria is seen as one of the biggest supporters of EU enlargement to the Balkans due to its geographic location and high number of migrants from the former Yugoslav states and Albania. Similar reasons are found behind Italy's policy towards the region. Slovenia and Croatia, in turn, are engaged in the Balkans by virtue of their foreign policies, which are built on the EU's enlargement to the region. Hungary, the Czech Republic and Slovakia represent traditional supporters of enlargement among the new member states, whereas Denmark, Finland and Sweden are strongly involved in offering development aid. On the other hand, the Netherlands, Belgium, Greece, and Bulgaria are – from the Polish point of view – the main challengers in the EU enlargement context. Poland itself would probably fall into a group of non-interested states, a *désintéressement* club, next to the Baltic republics, France, Portugal, Ireland, and Malta.

7.3 CONCLUSION

The hodgepodge picture of Poland's engagement in the Union's enlargement to the Balkans underpins the argument that the country's policy, in this respect, has been uneven and therefore, delivered mixed results. Poland's contribution to international missions in the Balkans has not been coined into a visible presence in the region in political or economic terms. This is mainly because the political ambitions of the country in the Balkans do not go much beyond ensuring stabilisation. Moreover, there is the belief that the EU enlargement process to the Balkans can continue, albeit at a slow pace, with or without a strong Polish support. Therefore, Poland's favourable position on this dossier derives more from its general support for EU expansion, first and foremost to its Eastern neighbours, than from the Balkans being among the country's foreign policy priorities.

However, in recent years, the Polish engagement in the Balkans has somewhat changed, especially in experts' and administration contacts. This clearly shows that there is the potential for cooperation. The number of initiatives towards the region on a working level noticeably increased after the country's presidency in the EU Council in 2011. However, the contacts on a high political level remain barely visible. Meanwhile, both are needed to develop a clear Polish strategy towards the Balkans. For years, several think-tanks and research institutes have pressed the case that Poland's greater involvement in the enlargement of the Balkan region is in the country's vital interest[175]. To this end, they have emphasised the capital on which Poland could build. In addition to its involvement in the stabilisation of the region, its experience in sharing know-how with the Balkan countries and its pro-enlargement society, Poland also has a good reputation in the Balkans and is perceived as a success story of political and economic transformation. It is also seen as a country with constant economic development, regardless of the global crisis, and as a model for using EU funds. The fact that Polish

[175] See, for example, Sadowski, Rafał; Muś, Jan (2008) (ed.), *The Western Balkans and the European Integration. Perspectives and Implications*, Warsaw: Centre for Easter Studies and the Office of the Committee for the European Integration; "Doceńmy Wreszcie Bałkany", *Gazeta Wyborcza*, October 2010, available at: www.wyborcza.pl (last accessed on: 21 March 2015); Żornaczuk, Tomasz (2012), *How to Upgrade Poland's Approach to the Western Balkans? Ideas for the Polish Presidency of the V4*, PISM Strategic File #23, Warsaw: PISM, available at: www.pism.pl (last accessed on: 21 March 2015).

Prime Minister Tusk was appointed president of the European Council also contributes to this positive image of the country in the region.

The arguments in favour of a more visible involvement of Poland in the Balkans seem to overlap with the country's foreign policy priorities. Bringing the region into the EU would mean widening the area of stability and prosperity, and therefore strengthening the European security—a key goal of Poland's foreign policy. Furthermore, due to political commitments, the region will remain the primary focus of the EU's enlargement policy and there will be no expansion to the East before the process is completed in the Balkans. Hence, since Poland has ambitions to shape the Union's policy towards its neighbours, it cannot neglect the EU's activities in the Balkans. This is also the region where the Common Foreign and Security Policy – strongly supported by Poland – is actually being developed. Furthermore, the region is important for energy security in Europe. In this respect, unity is of great importance to Poland. Last but not least, greater support for the Balkans' membership bid raises the question of European social solidarity, an argument of clear significance from the Polish perspective.

Chapter 8

ITALY

BY ANDREA FRONTINI[176]

8.1 ITALY, THE BALKANS AND EU ENLARGEMNT: A GENERAL OVERVIEW

Since the start of its own national unity process in the second half of the 19th century, Italy's foreign policy has considered the Balkan region as a key geographic area of political influence and, in time, an economic and even cultural projection. This has made Italy's history and that of the Balkans increasingly, albeit often problematically, intertwined.[177]

The past 15 years have been marked by a deepening of Italy's multi-dimensional and multi-level interaction with non-EU Balkans. Italy's relationship with the region has many components, the first of which is provided by a deep-rooted tradition of bilateral diplomatic relations and international agreements that cover a variety of aspects.[178]

[176] In addition to the many anonymous interviewees from Italian institutions, NGOs and the private sector, the author would like to thank in particular Dr Corina Stratulat, Senior Policy Analyst, and Dr Rosa Balfour, Director for Europe in the World, both from the European Policy Centre (EPC), as well as Dr Luisa Chiodi, Director of the Osservatorio Balcani e Caucaso (OBC), and Mr Andrea Stocchiero, Research Coordinator at the Centro Studi di Politica Internazionale (CeSPI), for their kind inputs and crucial advice in the preparation of this paper.

[177] See, in particular, Bucarelli, Massimo (2004), "L'Italia e le Crisi Jugoslave di Fine Secolo (1991-1999)", in Botta, Franco and Garzia, Italo (eds.), *Europa Adriatica: Storia, Relazioni, Economia*, Bari-Rome: Laterza, pp. 73-116, and Bucarelli, Massimo (2008), *La Questione Jugoslava Nella Storia Della Politica Estera Italiana (1945-1999)*, Rome: Aracne Editrice.

[178] Ministry of Foreign Affairs and International Cooperation (MFAIC) of Italy (2013), "Rapporti Bilaterali Italia-Balcani", Rome: MFAIC, available at: http://www.esteri.it/MAE/IT/Politica_Estera/Aree_Geografiche/Europa/Balcani/ (last accessed on: 2 November 2014).

Trade and investment relations are significant, with Italy being, in 2013, the first commercial partner of Albania and Serbia. They provide a major source of the region's foreign direct investments in areas like the automotive and textile industries, as well as the banking and insurance sector, among others.[179] Italy's involvement in energy and infrastructure projects offers another source of interconnectedness with the region. This is due to the Tivat-Villanova underwater cable, carrying electric energy from Serbia; the Trans-Adriatic Pipeline (TAP), connecting Azerbaijan's gas fields to European markets; the off-shore exploration of hydrocarbon reserves in the Adriatic Sea; the development of renewables in Albania; and a number of potential inter-regional and multi-modal 'Corridors', such as the (still underdeveloped) 'European Corridor VIII', which links the Adriatic and the Black Seas.[180] Until recently, the (controversial and now abandoned[181]) South Stream pipeline, which was originally designed to bring Russian gas through Bulgaria and Serbia, was a prominent factor in Italy-Balkans energy relations.

'Soft' and 'hard' security commitments are also important, given Italy's close cooperation with Balkan authorities in the fight against organised crime (for instance, in Albania and Montenegro) and/or in military education and training (for example, in Albania and Serbia). They are also important due to Rome's long-standing participation in and financial support of NATO and European/Common Security and Defence Policy (E/CSDP) military operations and civilian missions, such as KFOR and EULEX Kosovo.[182]

The support of inter-governmental and non-governmental regional cooperation platforms represent another major factor of Italy's politico-diplomatic engagement in the Balkans. Such platforms include the 'mini-lateral' and multi-stakeholder Adriatic and Ionian Initiative (AII) and Central European Initiative (CEI), the inter-regional Adriatic Euroregion, the (EU) Adriatic and Ionian Region (whose strategy was formally adopted by the General Affairs Council in October 2014), as well as the more 'indigenous' Regional Cooperation Council (RCC) and South-East European Cooperation Process (SEECP).

In particular, Italy deems the further implementation of the EU Strategy for the Adriatic and Ionian Region (EUSAIR) as a considerable opportunity to advance transnational collaboration between four EU member states (Croatia, Greece, Italy, and Slovenia) and four non-EU Balkan countries (Albania, Bosnia and Herzegovina, Montenegro and Serbia). This will be achieved by maximising synergies among existing projects at a local, regional and national level in four cooperation clusters, that is, "Blue Growth", "Connecting the Region", "Environmental Quality", and "Sustainable Tourism".[183] The EUSAIR should also

---

[179] For more details on the state of Italy's economic relations with each non-EU Balkan country, see Italian Trade Agency (2014), "Entra Nel Tuo Mercato: Europa", Rome: Italian Trade Agency, available at: http://www.ice.gov.it/paesi/europa.htm (last accessed on: 7 December 2014).

[180] For more details, see: Santoro, Roberto, "Sulle Tracce Del Corridoio VIII, Italia chiama Balcani Occidentali", *L'Occidentale*, July 2013, available at: http://www.loccidentale.it/node/134283 (last accessed on: 19 April 2015).

[181] See, for example: Thorpe, Nick, "Was Russia's South Stream Too Big a 'Burden' to Bear?", *British Broadcasting Corporation*, December 2014, available at: http://www.bbc.com/news/world-europe-30289412 (last accessed on: 4 December 2014), and Gotev, Georgi (2015), "Gazprom Buys South Stream Shares from Eni, EDF and Wintershall", *EurActiv*, 2 April 2015, available at: http://www.euractiv.com/sections/energy/gazprom-buys-all-south-stream-shares-eni-edf-and-wintershall-313411 (last accessed on: 19 April 2015). For an analysis of the expected impacts of South Stream's cancellation on Italy's energy security, see for instance: Sartori, Nicolò (2014), "Putin Chiude l'autostrada del Gas di South Stream", *Affarinternazionali*, December 2014, available at: http://www.affarinternazionali.it/articolo.asp?ID=2892 (last accessed on: 7 December 2014). According to this analysis, such a policy shift is likely to increase Italy's reliance on the Trans-Adriatic Pipeline and, more generally, on Turkey's growing role as a critical energy hub for Europe as a whole.

[182] Italy currently deploys 578 military and civilian personnel in CSDP and NATO missions and operations in the Balkans. See also Ministry of Defence (MoD) of Italy (2014), "Riepilogo Missioni/Attività Internazionali in Corso", Rome: MoD, available at: http://www.difesa.it/OperazioniMilitari/Documents/SIT%20al%2007%20novembre%202014.pdf (last accessed on: 7 December 2014).

[183] European Commission (2014), "EU Strategy for the Adriatic and Ionian Region", Brussels: EU, available at: http://ec.europa.eu/regional_policy/cooperate/adriat_ionian/index_en.cfm (last accessed on 2 December 2014), and Governments of Albania, Bosnia and Herzegovina, Croatia, Greece, Italy, Montenegro, Serbia, and Slovenia (2014), "Joint

act as a sort of 'incubator' for the European integration of the Balkan countries concerned, including the encouragement of inter-regional regulatory convergence. However, given the 'three NOs' philosophy which characterises the European regional strategies (that is, no additional EU legislation, institutions and funding), the ultimate delivery of the EUSAIR will not only depend on the European Commission's (initially reluctant) oversight but also, and most importantly, on the political goodwill and bottom-up coordination among national and sub-national actors across the entire region.[184]

Two factors of cooperation and interdependence are Italy's (decreasing) governmental development aid (which is currently most focused on Albania due to a progressive phasing out of Italy's official aid policies in the region) and Italy's humanitarian assistance (as witnessed by its pledge of 2 million euros at the Brussels Donor Conference in May 2014[185] in response to the massive floods affecting Serbia and Bosnia-Herzegovina). Further factors include the deep-rooted presence of Italian non-governmental organisations (NGOs) since the Balkan wars in early 1990s, people-to-people contacts due to geographic proximity (such as via twinning of cities), the progressive – but sometimes difficult – integration of the larger Albanian (about 502,000 individuals) and the smaller Serbian (around 109,000 people) communities of permanent foreign residents in Italy[186], as well as Rome's long-standing cultural and linguistic appeal in the region.[187]

statement of the representatives of the countries participating in the EU Strategy for the Adriatic and Ionian Region on a governance and management system, set up in partnership with the European Commission, for the implementation of the Strategy", 18 November 2014, Brussels: EU, available at: http://ec.europa.eu/regional_policy/sources/cooperate/adriat_ionian/pdf/joint_statement_governance_en.pdf (last accessed on: 17 March 2015).

184 For a detailed analysis, see also Stocchiero, Andrea (2014), "La Prospettiva Della Macroregione Adriatico-Ionica Nella Politica Estera Italiana", in Stocchiero, Andrea (ed.), *La strategia dell'Unione Europea per la Regione Adriatico-Ionica e la Politica Estera Italiana*, Rome: Centro Studi di Politica Internazionale (CeSPI)-Istituto Ricerche Studi Informazioni Difesa (ISTRID), pp. 6-41, available at: http://www.cespi.it/PDF/Macroregione%20Adriatica%20CeSPI%20ISTRID.pdf (last accessed on: 7 December 2014). A Working Paper, devised by the participating countries and the Commission with the aim of guiding the EUSAIR's governance and management architecture, was also presented at a high-level conference in Brussels in November 2014 and is available at: http://ec.europa.eu/regional_policy/sources/cooperate/adriat_ionian/pdf/joint_statement_governance_en.pdf (last accessed on: 17 March 2015).

185 Embassy of Italy to Serbia (2014), "Alluvioni Balcani: Conferenza Donatori, Italia Offre due Milioni di Euro Per Ricostruzione", Belgrade-Rome: MFAIC, available at: http://www.ambbelgrado.esteri.it/Ambasciata_Belgrado/Archivio_News/conferenza+donatori.htm (last accessed on: 2 December 2014).

186 For further details see, respectively: Ministry of Labour and Social Policies of Italy (2014), "La Comunità Albanese in Italia: Abstract del Rapporto Annuale Sulla Presenza Degli Immigrati-2014", Rome: Ministry of Labour and Social Policies, available at: http://www.integrazionemigranti.gov.it/Attualita/IlPunto/Documents/rapporti_comunita_2014/Albania.pdf (last accessed on: 7 December 2014), and *ibid.*, "La Comunità Serba in Italia: Abstract del Rapporto Annuale Sulla Presenza Degli Immigrati-2014, Rome: Ministry of Labour and Social Policies, available at: http://www.integrazionemigranti.gov.it/Attualita/IlPunto/Documents/rapporti_comunita_2014/Serbia.pdf (last accessed on: 7 December 2014).

187 See, for example, ANSAMed, "Serbia: Dipartimento Italianistica Istituito a Kragujevac", 11 December 2014, available at: http://www.ansamed.info/ansamed/it/notizie/rubriche/cultura/2014/12/11/serbia-dipartimento-italianistica-istituito-a-kragujevac_0f746d6f-5c91-428f-bdb7-5bfa60b90bdd.html (last accessed on: 21 April 2015).

8.2 THE ITALIAN POSITION ON EU ENLARGEMENT TOWARDS THE BALKANS

8.2.1 Issues shaping Italy's stance

Italy's stance towards EU enlargement in the Balkans is clearly driven by the above-mentioned national interests at stake in the region. Rome ultimately deems these to be best safeguarded by the mid-term European integration of the region.

Indeed, Italy's position on EU enlargement towards the Balkans has generally been one of vocal support. Furthermore, Rome has traditionally described the European mid-term perspective of the region as a strategic interest for at least four specific reasons. These are:
(1) the positive effects of European integration on domestic and regional reconciliation in the Balkans, including through the progressive resolution of pending tensions and disputes;
(2) its benefits for the institutional stability and internal security of the Balkan countries;
(3) the expected opportunities that are offered to Italy by the region's socio-economic development as a consequence of European integration; and
(4) the likely rebalancing of Europe's geopolitical equilibrium between northern and southern member states, following EU's enlargement to the Balkans (and, possibly, Turkey).[188]

Thus, Italy considers its national interests and objectives as largely compatible with those of the EU, in line with a wider pro-integrationist attitude towards EU foreign and external policies.[189]

In particular, the most important reasons why Italy supports the EU enlargement towards the Balkans are the promotion of trade and economic exchanges, the consolidation of local capacities in justice and home affairs, the fight against corruption and regional organised crime, the strengthening of the rule of law, the advancement of security and stability, and the functional complementarity between EU enlargement and sub-regional cooperation platforms. Consequently, Italy considers the potential economic and budgetary costs of enlargement as largely compensated by the expected security and economic benefits of the region's mid-term integration.

Italy's support of the 'Europeanisation' of the Balkans is also facilitated by a lack of bilateral issues with non-EU Balkan countries. However, such issues played a role in influencing Rome's earlier stance towards Slovenia and Croatia, in an occasionally obstructive way. Indeed, in the mid-1990s, Italy threatened to veto Slovenia's EU membership application if Ljubljana failed to amend a constitutional clause that prohibited the foreign ownership of land, in turn affecting the long-standing demands of Italian exiles from Istria and Dalmatia. Additionally, in 2007, Italy and Croatia entered into a fierce diplomatic row about the very controversial issue of ethnic violence in Istria and Dalmatia before, during and after the Second World War. This posed the risk of Rome's opposition of Zagreb's EU accession. However, the successful diplomatic *rapprochement* and increased economic integration with both of the countries enabled a gradual and peaceful resolution of those disputes.

---

[188] See, MFAIC (2008), "Rapporto 2020: Le Scelte di Politica Estera", Rome: MFAIC, pp. 57-60, available at: www.esteri.it/mae/doc/MD_COMPLETO.doc (last accessed on: 17 March 2015), and Gori, Luca (2007), *L'Unione Europea e i Balcani Occidentali: La Prospettiva Europea Della Regione (1996-2007)*, Rome: Rubbettino Editore, pp. 193-194, from which the 'list' was taken.

[189] For further details, see, for instance, Frontini, Andrea, "Allegro Ma Non Troppo: The European External Action Service and Italian diplomacy", in Balfour, Rosa and Raik, Kristi (2013), *The European External Action Service and National Diplomacies*, Brussels: European Policy Centre (EPC), pp. 23-34, available at: http://www.epc.eu/documents/uploads/pub_3385_the_eeas_and_national_diplomacies.pdf (last accessed on: 7 December 2014).

Unlike other EU member states, mobility trends and migration flows from the Balkans do not have a negative impact on Italy's position towards enlargement, given the fact that the country is not a meaningful destination for Balkan migrants but rather, faces illegal migratory flows from Northern Africa, the Horn and Sahel. Moreover, according to several observers, the integration of Italy's Albanian and Serbian communities has, so far, progressed relatively well.[190]

Furthermore, the media and public opinion tend to only have a marginal impact on Italy's official position. The media have sometimes depicted Albanian and undefined "Slavic" migrants negatively, for example, in the mid-1990s. However, this does not seem to be the case anymore, even if tensions or incidents of intolerance have affected other migrant communities in recent years, including Italy's large Romanian population. Interviewees considered public opinion as largely uninterested in the policy debate on EU enlargement. This is primarily because of the traditional inward-looking attitude of large segments of the Italian population, with the exception of a few past episodes of political polarisation, in particular on the occasion of Italy's military intervention in Kosovo in the late 1990s.

However, the political consequences of the severe socio-economic crisis in the country, including the rise of anti-immigrant rhetoric and Eurosceptic feelings among Italian citizens, are taking their toll on the positive sentiment towards European integration in general, as documented by recent surveys. For instance, in the second half of 2014, only 30% of Eurobarometer respondents in Italy were in favour of further EU enlargements.[191] While no straightforward conclusion can be drawn with specific regard to the Balkans, it is plausible that the appeal of Balkans' EU integration among Italians could indeed become increasingly affected by the diminishing popularity of the European project.

Over time, there have been no major changes in Italy's pro-enlargement position towards the region. However, the ongoing economic crisis has affected the financial and human resources that are available for Rome's ample engagement in the region. This has been evident since 2005, with the *de facto* suspension of Law 84/2001, supporting the stabilisation, reconstruction and development of the Balkans.[192] In Italy's view, this has helped to make the European integration process a cost-effective substitute for purely national diplomatic efforts. However, some observers have complained about the potential risks of 'political disinvestment', which is associated with Rome's mere 'off-loading' of the Balkan dossier to EU institutions and processes.

8.2.2 Priorities and concerns vis-à-vis individual Balkan countries

Italy considers Serbia and Albania as the most important countries for its national agenda, particularly for economic, commercial and energy reasons. However, security concerns and the presence of about half a million Albanians in Italy very much influence Rome's attention to Tirana. Although perhaps a bit less of a priority for Rome, Montenegro is nonetheless likely to grow in importance in the near future. This is due to Italy's economic projection and in spite of the persisting challenges that are posed by the country's weak rule of law, organised crime and widespread corruption.

Interviewees shared strong concerns about Bosnia and Herzegovina, which was often defined as a 'black hole'. This is particularly due to the risks of internal institutional failure and the perceived cracks

---

190 See, Ministry of Labour and Social Policies of Italy (2014), *op. cit*.

191 See, for instance, European Commission (2014), "Rapporto Nazionale: Italia", *Standard Eurobarometer* No. 82, Autumn 2014, Brussels: EU, available at: http://ec.europa.eu/public_opinion/archives/eb/eb82/eb82_it_it_nat.pdf (last accessed on: 10 March 2015).

192 Official Journal of the Italian Republic (2001), "Disposizioni per la Partecipazione Italiana Alla Stabilizzazione, Alla Ricostruzione e allo Sviluppo di Paesi dell'area Balcanica", *Official Journal,* No. 76, March 2001, available at: http://www.parlamento.it/parlam/leggi/01084l.htm (last accessed on: 7 December 2014).

in the 1994 Dayton Agreements' architecture, notably in light of the renewed separatist temptations in Republika Srpska. According to several interviewees, the Bosnian conundrum goes very much beyond the EU's responsibility. "Sarajevo is not delivering" was a common impression among several Italian officials and experts. However, this widespread impression is now set to evolve following the European Council's adoption of a British-German plan[193] to revive Bosnia's EU integration path in December 2014. This also comes after the formation of a new government in Sarajevo in February 2015, whose reform agenda and commitment towards EU membership have paved the way for the (overdue) entry into force of the Association and Stabilisation Agreement in July 2015.[194]

Interviewees assessed Kosovo as less problematic but thought that it needed to develop additional autonomous institutional and governance capacities. Rome deemed the process of normalisation of relations between Pristina and Belgrade as encouraging. However, in Italy's opinion, further progress is essential, both at a technical and political level. The threats of jihadism and 'freedom fighters' were also highlighted as worrisome security challenges, both in Kosovo and Bosnia and Herzegovina.

Most interviewees considered the former Yugoslav Republic of Macedonia (fYROM)'s name dispute with Greece as, ultimately, a bilateral affair. While some vented their frustrations at Athens' intransigence on the subject, others highlighted that Skopje's internal political controversies had largely contributed to the weakening support among member states for the Commission's repeatedly positive *avis* on the opening of accession negotiations with that country.

8.2.3 Formal decision-making processes and actual practices

The leading role in the dossier is played by the government, which constitutionally holds the 'keys' to Italy's foreign policy and external relations in general.

Within the government, the Ministry of Foreign Affairs and International Cooperation (MFAIC) exerts a clear supremacy over the formulation and expression of the Italian position on EU enlargement, as well as its contribution to the wider EU enlargement process, including via national participation in the relevant technical programmes and financial instruments. Two Units in the MFAIC are specifically in charge of the preparation of the Italian position on the region and EU enlargement, respectively. The latter is first expressed in the Council's Working Party on Enlargement and Countries Negotiating Accession to the Union (COELA) and is then discussed in the *Comité des Représentants Permanents* (COREPER). It is finally approved in the General Affairs Council (GAC), where Italy is represented by the Minister of European Affairs, a non-portfolio minister attached to the Prime Minister's Office.

Another set of governmental institutions, notably the Ministry of Interior, the Ministry of Economic Development, the Ministry of Defence and the Ministry of Justice, are involved to varying degrees in the formulation of the Italian position. This is notably due to their respective competencies in the implementation of bilateral treaty provisions and in ensuring Italy's participation in the Instrument for Pre-Accession Assistance (IPA), the Technical Assistance and Information Exchange instrument (TAIEX),

---

193 Brown, Stephen and James, William, "UK, Germany Offer Plan to Break Bosnia's EU Deadlock", *Reuters*, November 2014, available at: http://www.reuters.com/article/2014/11/05/us-bosnia-eu-accession-idUSKBN0IP1V620141105 (last accessed on: 17 March 2015).

194 See, Delegation of the European Union to Bosnia and Herzegovina and Office of the EU Special Representative to Bosnia and Herzegovina (2015), "Transcript of the First Press Conference of the Head of Delegation of the European Union and EU Special Representative in BiH, Ambassador Lars-Gunnar Wigemark, held in Sarajevo", Sarajevo: EU, April 2015, available at: http://europa.ba/News.aspx?newsid=10832&lang=EN (last accessed on: 19 April 2014), and Gross, Eva (2015), "Bosnia and Herzegovina: Back on an EU Track?", *Alert,* No. 19, Paris: European Union Institute for Security Studies (EUISS), March 2015, available at: http://www.iss.europa.eu/publications/detail/article/bosnia-and-herzegovina-back-on-an-eu-track/ (last accessed on: 19 April 2015).

and CSDP missions and operations, among others. Coordination among these ministries takes place via regular inter-service meetings and on the occasion of high-level ministerial visits or meetings with Balkan counterparts.

In recent years, the former President of the Republic, Giorgio Napolitano, has played a special role. His symbolic role and international prestige tended to reinforce the government's own *demarches* in the region, as was the case on the occasion of his official visit to Albania in March 2014.[195]

The formal role of the Italian Parliament counterbalances the Executive's general action in external relations, including in European affairs. It does this by exerting a function of orientation and control, as well as through (confidential) informative flows from Italian diplomatic posts, interrogations and hearings with senior governmental representatives.[196] However, the actual practice reportedly tends to differ. Normally, the Parliament struggles to discuss EU affairs (including enlargement issues) in a timely and systematic manner, due to the rather 'schizophrenic pace' of Italian domestic politics. Relations between the government and the Parliament are also affected by some lack of effective coordination on the dossier. This is due to what is perceived by some observers in the Parliament as the Executive's underlying resistance to promptly submit to the constitutionally-granted authority of the Italian Parliament to co-shape foreign and European policies. At the same time, a general lack of interest by Italian Members of Parliament (MPs) in the intricacies of the EU enlargement process is observed. In turn, this tends to weaken the influence of the legislator in this policy area. Last but not least, the relative 'normalisation' of the Balkans, in terms of stability and security, has lessened the (already volatile) political attention of MPs towards the region. Instead, they focus on 'hotter' topics such as the Ukrainian crisis, Northern Africa (notably Libya) and the Middle East.

Despite such problematic constraints, a wide – yet sometimes superficial – support for the Balkans' European perspective exists across the Italian political spectrum. This is normally expressed in general acts and statements by the relevant parliamentary Committees, both in the Chamber of Deputies (Committee III – Foreign and EU Affairs) and the Senate (Committee XIV – Policies of the European Union).[197] The political positions that are occasionally taken by Italian MPs reportedly emphasise the need to maintain the momentum of EU enlargement towards both the Balkans and Turkey, despite the current difficult juncture, through the continuation of accession or pre-accession negotiations and the application of the 1993 Copenhagen criteria. Formal and informal contacts also take place between Italian MPs and official representatives from the Balkans, particularly Serbia and Albania, including through 'parliamentary diplomacy' with regional political representatives.[198]

A number of Italian regions, such as Friuli Venezia Giulia, Veneto, Emilia Romagna, Marche, and Puglia, have also become fairly pro-enlargement players. This is due to their tradition of commercial and people-to-people relations with the Balkan area, as well as their participation in nationally and EU-funded cross-

---

195 For a detailed report on that visit, see, for instance, Pedrazzi, Nicola (2014), "Napolitano in Albania: Le Repubbliche di Fronte", *Osservatorio Balcani e Caucaso*, March 2014, available at: http://www.balcanicaucaso.org/aree/Albania/Napolitano-in-Albania-le-Repubbliche-di-fronte-149013 (last accessed on: 2 December 2014).

196 For the legal basis, see: Official Journal of the Republic of Italy (2012), "Norme Generali Sulla Partecipazione dell'Italia alla Formazione ed all'attuazione della Normativa e Delle Politiche dell'Unione Europea", January 2014, *Official Journal,* No. 3, available at: http://www.politicheeuropee.it/normativa/18408/legge-24-dicembre-2012-n-234 (last accessed on: 2 December 2014).

197 See, for example: Chamber of Deputies (2011), Resolution 6-00091, Rome: Italian Parliament, available at: http://www.ipex.eu/IPEXL-WEB/dossier/files/download/082dbcc53267f2a1013272a9b23407c8.do (last accessed on: 2 December 2014).

198 For a selection of activities on the Balkans by the Chamber of Deputies between 2008 and 2012, see Italian Parliament (2015), "Temi dell'attività Parlamentare: Balcani Occidentali", available at: http://www.camera.it/camera/browse/465?area=2&tema=15&Balcani+occidentali (last accessed on: 19 April 2015).

border cooperation programmes. For example, in the framework of the Italian 'Decentralised Cooperation' policy, as well as via EU's 'European Territorial Co-operation' and IPA funds. The present collaboration between Italian and Balkan local actors covers a wide range of policy areas such as welfare, environmental cooperation, tourism, culture and territorial economic development. Several Italian regions, particularly Marche, have also strongly advocated the development of EUSAIR and reportedly pushed the Italian government to fully commit to that objective.[199]

Other actors are acknowledged to play an informal advocacy role in shaping the Italian pro-enlargement position. These include the private sector and the 'big players' who are involved in the Balkans. For example, the state-owned 'energy giants' ENI and ENEL, as well as FIAT, the biggest Italian car-producer. Other economic factors that have a different *modus operandi*, such as small and medium-sized enterprises (SMEs), could become more influential in the near future. It is likely that this could gradually shift the focus of Italy's economic presence in the region from traditional export (or re-import-) oriented 'de-localisation' to a more network-based collaboration, and long-term integration, with local businesses.[200]

A much lesser degree of influence is exerted by social (and sometimes politically affiliated) movements, trade unions and non-governmental organisations, notably those that are involved in development cooperation and environmental protection. Such actors have often pointed out a number of problematic elements in Italy's relations with the region, including the issue of social and normative dumping driving de-localisation of Italian businesses to the region[201], the potential environmental risks posed by the ongoing energy projects[202], as well as the need to make local recipients more accountable for the use of Italian and EU development aid.

The expert community, including think tanks and academia, tends to strongly support the European perspective of the Balkans, often urging the Italian government to keep the regional dossier at the top of its diplomatic agenda.[203] Nonetheless, decreasing budgetary resources for Balkan-focused research and information activities, as well as the traditional difficulty for foreign policy debates to resonate in the Italian media, tend to limit the impact of expert opinions on national policymaking.

---

199 See, for instance, Conference of the Regions and the Autonomous Provinces, "Ordine del Giorno Sulla Macroregione Adriatico Ionica", 11/17/CR12/C3, 23 June 2011, Rome: Conference of the Regions and the Autonomous Provinces, available at: http://www.regioni.it/upload/230611_Macroreg_Adr_Ion.pdf (last accessed on: 17 March 2015).

200 See, for example, Stocchiero, Andrea (2014), *op.cit*.

201 See, for example: Confederazione Generale Italiana del Lavoro (CGIL) (2010), "FIAT: Epifani, Azienda Riapra Dialogo con CGIL e FIOM", 23 July 2010, Rome: CGIL, available at: http://www.cgil.it/news/Default.aspx?ID=14332 (last accessed on: 4 December 2014).

202 In particular, the debate on the environmental impacts of TAP has recently evolved into a politically sensitive confrontation between Puglia's regional authorities and the Italian Government but also, among Italian political parties. See, for example, "Puglia, Grillo e i Parlamentari M5S Contro il Tap: 'Opera di Fantascienza'", *Il Fatto Quotidiano*, September 2014, available at: http://www.ilfattoquotidiano.it/2014/09/20/m5s-grillo-e-i-parlamentari-in-puglia-alla-manifestazione-contro-il-tap/1127717/ (last accessed on: 5 December 2014), and "Gasdotto Tap, Matteo Renzi: 'Non si Può Dire No a un'opera Così'. Sindaci Salento: 'Troveremo Soluzione Alternativa'", *Huffington Post*, September 2014, available at: http://www.huffingtonpost.it/2014/09/13/gasdotto-tap-matteo-renzi_n_5815806.html (last accessed on: 19 April 2015).

203 See, for example, Greco, Ettore (ed.) (2014), "Scegliere Per Contare: Rapporto Sulla Politica Estera Italiana", *Quaderno IAI* No. 11, Rome: Istituto Affari Internazionali, pp. 32-43, available at: http://www.iai.it/sites/default/files/iaiq_11.pdf (last accessed on: 4 December 2014), and Osservatorio Balcani e Caucaso (2013), "Position Paper: L'allargamento dell'UE ai Balcani e alla Turchia", 21 November 2013, Rovereto: Osservatorio Balcani e Caucaso, available at: http://www.balcanicaucaso.org/Occasional-papers/L-allargamento-dell-UE-ai-Balcani-e-alla-Turchia (last accessed on: 17 March 2015).

8.2.4 EU coalition-making strategies and approaches towards European actors

Italy has often allied with a 'core' group of like-minded EU partners such as Austria, Hungary, the Czech Republic, the Baltic states, and – although on a less frequent basis – the United Kingdom, Sweden, Finland, Spain, and Slovakia. The linking factor among those countries, especially those in the 'core' group, is the attempt to couple a pro-enlargement attitude with a strict but fair application of the EU's conditionality in the region.

More generally, Italy is fully aware that "not all European capitals weigh the same", and considers Germany and France particularly influential on enlargement, although often in a rather problematic sense, due to domestic issues including migratory matters (especially for the former) and a rising Eurosceptic public opinion (notably, for the latter). However, Italian interviewees acknowledged that Germany has become much more active in the region in recent times, notably from a commercial diplomacy viewpoint and despite the sometimes complicating role played by the Bundestag both in this and other European and foreign policy dossiers. Indeed, the Berlin Conference on the Balkans of July 2014[204], involving Germany, France, Austria, the European Commission, and the Foreign Ministers of all the non-EU countries in the region, was perceived by Italy with some ill-concealed suspicion. This was due to its restricted format and its expected political and economic benefits for Germany's stance in the region.

Likewise, in Italy's eyes, the influence of EU institutions tends to vary considerably, based on their bureaucratic competences and political clout. Rome considers the role of the European Commission as crucial in supporting the Balkans' EU integration. Furthermore, Italy has reportedly backed Berlaymont's distinctive interpretation of EU's conditionality, as opposed to the one that was advanced by other member states, particularly Germany. At the same time, several observers placed some emphasis on the need for a more 'politically-charged' Commission to keep the enlargement process *en route*. Many interviewees also stressed the fact that, given the ultimately intergovernmental nature of EU enlargement policy, political consensus among EU member states remains a key driving force, well beyond EU institutional processes and actors.

The function of the European External Action Service (EEAS) is assessed by Italy as one of diplomatic added value, as witnessed by the former High Representative/Vice President (HR/VP) Catherine Ashton's mediating role in the 2013 Serbia-Kosovo negotiations but also, in light of EEAS' overall responsibility over EU Delegations in the region. More generally, Italy considers the progressive stabilisation of the Balkans as one of the few success stories of EU foreign policy so far. It very much encourages a stronger cooperation between the HR/VP and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations, along the lines of the deputisation suggested by President Juncker.

According to Italian interviewees, the Rotating Presidency of the EU does play a role in the dossier, notably as the Chair of the COELA Working Party. However, its task is perceived more as one of overall coordination than ultimate steering, especially in the current inward-looking drift of the EU. At the same time, however, Italy believes that the Rotating Presidency can be used as a diplomatically-meaningful 'hat' at a higher political level, in order to remind EU fellow capitals about the importance of enlargement and convey messages to the region.

---

[204] See Ministry of Foreign Affairs of Germany, "Final Declaration by the Chair of the Conference on the Western Balkans", 28 August 2014, Berlin: Ministry of Foreign Affairs of Germany, available at: http://www.auswaertiges-amt.de/cae/servlet/contentblob/684762/publicationFile/195973/140828-Abschlusserkl_Konf_Westl_Balkan.pdf (last accessed on: 4 December 2014).

In this light, the Italian Rotating Presidency of the Council of the EU included the enlargement dossier among its stated priorities.[205] The former Italian Foreign Minister Federica Mogherini made a symbolical *tour des capitales* in the Balkans last July[206]. She spread a fairly optimistic message across the region, in a seemingly sharp contrast with the Commission President Juncker's earlier statement on the 'freezing' of EU enlargement for the next five years. Moreover, during a hearing at the European Parliament's Foreign Affairs Committee (AFET) in early September 2014, former Minister Mogherini (who was, at that time, still a representative of the Italian EU Presidency) further stressed the importance of EU enlargement towards the Balkans for the "stability, security and prosperity of the whole European continent".[207] However, such statements did not admittedly translate into any spectacular policy delivery during the 'Presidency Semester', with the partial exception of the opening of four additional negotiating chapters with Montenegro and the above-mentioned adoption of the EUSAIR.[208]

On the contrary, several observers in Rome deem the European Parliament's role as relatively marginal for the time being and, mostly, one of political counterweight to EU's executive actors. Furthermore, some interviewees described the recent parliamentary reports as somewhat innovative, especially compared to the Commission's annual Progress Reports.

8.3 STRATEGIES, CONDITIONALITY AND NATIONALISATION TRENDS

8.3.1 Rome's views on EU enlargement strategy and conditionality

Overall, the EU enlargement strategy and conditionality are assessed positively by Italy but interviewees made some critical points. Rome still considers the use of 'sticks and carrots' as the best way to encourage the countries in the region to carry the internal reforms needed and to gradually adapt to the *acquis communautaire*. The progress recently made by Serbia (with the first EU-Serbia Intergovernmental Conference in January 2014, signalling the formal start of Belgrade's accession negotiations held) and by Albania (with Tirana's EU candidate status being granted, albeit conditionally, by the GAC in June 2014) were evoked by interviewees as good examples of the relative success of the EU conditionality. The Commission's insistence on 'fundamentals first', including its decision to have Chapter 23 (Judiciary and Fundamental Rights) and Chapter 24 (Justice, Freedom and Security)[209] opened in the early stages and closed in the last phases of the accession negotiations was welcomed by Italy as an effective approach, given the crucial importance attached by Rome to the consolidation of the rule of law in the region.

---

[205] Government of Italy (2014), "Europe, A fresh start: Programme of the Italian Presidency of the Council of the European Union", Rome: government of Italy, pp. 16-17, available at: http://italia2014.eu/media/1349/programma_en1_def.pdf (last accessed on: 2 December 2014).

[206] MFAIC (2014a), "Mogherini in missione nei Balcani: L'Italia punta all''integrazione' UE e sostiene processo riforme", July 2014, Rome: MFAIC, available at: http://www.esteri.it/MAE/IT/Sala_stampa/ArchivioNotizie/Approfondimenti/2014/07/20140724_mogbalcsar.htm (last accessed on: 17 March 2015).

[207] Rettman, Andrew, "Mogherini Backs Western Balkan Enlargement", *EUObserver*, September 2014, available at: http://euobserver.com/enlargement/125442 (last accessed on: 17 March 2015), and government of Italy (2014), "EU Enlargement: Extract of the Hearing of Federica Mogherini Before the Foreign Affairs Committee of the EU Parliament", Rome: government of Italy, available at: http://italia2014.eu/en/news/video/european-parliament-hearings/extract-of-the-hearing-of-federica-mogherini-before-the-foreign-affairs-committee/ (last accessed on: 17 March 2015).

[208] Denti, Davide, "Allargamento UE, il Magro Bilancio Della Presidenza Italiana del Consiglio UE", *East Journal*, January 2015, available at: http://www.eastjournal.net/allargamento-ue-il-magro-bilancio-della-presidenza-italiana-del-consiglio-ue/52975 (last accessed on: 17 March 2015).

[209] European Commission (2014), *op. cit.*

By the same token, Rome deems the 'regatta approach' as the only viable strategy for the region. This is in light of the precedents that have been set by Slovenia and Croatia, the perceived differences in political maturity and socio-economic development among candidate countries, as well as the need to inject a dynamic of positive competition among Balkan EU applicants. However, from an Italian standpoint, it is of paramount importance that the 'enlargement fatigue', which was recently experienced among the EU member states, does not generate a parallel 'accession fatigue' among EU 'wannabes' in the Balkans. In this regard, it is crucial that conditionality is kept 'strict but fair' – in the words of some interviewees, "the bar should be neither further raised nor lowered". Moreover, according to some Italian officials, this calls for "more political responsibility" among EU capitals, in order to keep the process both credible and predictable.

8.3.2 Perceptions towards the nationalisation of EU enlargement

Exceptions aside, Italian interviewees agreed that, to a certain degree, the EU's enlargement policy has been 'nationalised'[210] in the past few years. Some observers referred to the past diplomatic struggle between 'reluctant' and 'supportive' European capitals over the granting of the candidate status to Albania as a case in point.[211] However, others noted that the 'intergovernmental DNA' of this policy inevitably made national incursions in the dossier much easier than in other EU policy areas. This, in turn, highlighted the essentially political nature of EU's enlargement decision-making process.

Interviewees placed the blame for this phenomenon on different factors, according to individual views and sensibilities. For some, it was very much part of the wider 'enlargement fatigue' wave that has affected the European Union in recent years. This is notably due to some 'digestion problems' and overall dissatisfaction with the latest rounds of enlargement (notably to Romania and Bulgaria), as well as the admittedly challenging internal reform processes in current Balkan aspirants. For others, it came primarily from the impact of the current political and economic crisis in Europe and the exposure of several European governments to increasingly sceptical public opinions. They also made reference to the increasing competition among EU member states in advancing their economic interests in the region.

Italy generally perceives the supposed process of 'creeping nationalisation'[212] as a worrisome one, although several interviewees in Rome remain convinced that stronger, but constructive, activism by member states in the dossier can potentially make the EU enlargement process more credible and resilient. In this regard, some observers noted that the increased oversight by some national capitals on the concrete deliverables of the enlargement process was admittedly instrumental in pushing, for example, Albania, to devote more efforts to the fight against corruption and organised crime. According to this view, closer political involvement by member states in the dossier could help Balkan countries to get prepared sooner and better for their future European accession.

8.4 CONCLUSIONS: REVAMPING ITALY'S SÜDOSTPOLITIK

Overall, and despite some (ultimately healthy) internal debates on its very *modus operandi* in the region, Italy conceives the European integration of the Balkans as very much beneficial to its vital

[210] For the theoretical framework, see, Hillion, Christophe (2010), "The Creeping Nationalisation of the EU Enlargement Policy", Report No. 6/2010, Stockholm: Swedish Institute for European Policy Studies (SIEPS), available at: http://www.sieps.se/sites/default/files/2010_6_.pdf (last accessed on: 8 December 2014).

[211] See, for example, "European Union Doesn't Grant the Candidate Status to Albania", *Independent Balkan News Agency*, 17 December 2013, available at: http://www.balkaneu.com/european-union-doesnt-grant-candidate-status-albania/ (last accessed on: 9 March 2015).

[212] See: Hillion, Christophe (2010), *op. cit*.

interests as an 'Adriatic power', notably those related to geo-economic projection and regional (and domestic) security. The overall perceived compatibility of Italy's bilateral and EU objectives has made Rome into a strong supporter of enlargement. Furthermore, it has nurtured its traditional attempts to act as a mediator between the region and the EU.

However, the Italian approach to the Balkans, including towards the EU's enlargement to the region, remains affected by some structural constraints. These include a potential 'democratic deficit' due to the poor knowledge of the dossier by its political elites and the scarce interest – and possibly growing scepticism – of ordinary citizens, and the coordination challenge, posed by a 'spaghetti bowl'-styled framework of national and sub-national institutional dialogue – one even more risky in times of severe fiscal austerity. Furthermore, there are dangers of a regional approach that is too focused on commercial opportunities and security concerns to the potential detriment of a much-needed parallel focus on emerging political challenges, such as media freedom and the overall state of democracy in the Balkans[213]. A further constraint is the occasional lack of sufficient political leverage to influence EU decision-making in the dossier, compared to other European capitals, as witnessed by the recent 'Berlin Conference' and the Anglo-German 'plan for Bosnia'.

As a result, and despite the competing thematic and geographic priorities of its foreign (for instance, the Southern Mediterranean but also, emerging economies in Asia, the Gulf and Latin America) and European (particularly growth, employment and migratory policies) policy agendas, Rome should strengthen and further enrich its natural 'Balkan vocation'. With this, it should strive to match a more pro-active, comprehensive and participatory diplomatic engagement with a continuing support for a credible and effective EU enlargement strategy in the region.

[213] See, for example, Dempsey, Judy (2015), "The Balkans' Rocky Path to Democracy", Brussels: Carnegie Europe, 20 April 2015, available at: http://carnegieeurope.eu/strategiceurope/?fa=59830 (last accessed on: 21 April 2015), and Balfour, Rosa and Stratulat, Corina (2011), *The Democratic Transformation of the Balkans*, *Issue Paper,* No. 66, Brussels: European Policy Centre (EPC), available at: http://www.epc.eu/pub_details.php?cat_id=2&pub_id=1363 (last accessed on: 21 April 2015).

Chapter

9

SPAIN

BY RUTH FERRERO TURRIÓN

9.1 INTRODUCTION

Spain has had a dual approach towards the European Union's enlargements. It joined the EU as a developing member state and, in a short period of time, managed to catch up in terms of influence. Due to its recent history as a transition country, official statements have always been in favour of an enlargement policy. However, at the beginning of the 1990s, Spain was more focused on deepening the European Union than on widening it. Its main goals were to have more presence and power in the Council – to reinforce cooperation in areas such as the Common Agricultural Policy and Structural Funds, and to sign agreements with Mediterranean and Latin American countries.

In the enlargement dossier, two options were possible: to block the process in the Council or to try to negotiate and win some influence in the European institutions. Spain chose the latter, applying political pragmatism to all of its choices. This strategy won the support of the public at 'home' – in May 2008, 53% of respondents were favourable to enlargement, according to the Centro de Investigaciones Sociológicas (CIS).

As in previous rounds of enlargement, Spain does not lead the process of Balkan integration into the EU but looks for common positions and tries to negotiate in its own political interest. While Spanish interests are not in the Balkans, developments in the region affect Spanish domestic politics and Madrid is well aware of this.

9.2 HISTORICAL BACKGROUND: SPAIN'S ATTITUDE TO THE 1990S ENLARGEMENT

When the association process with the Central and Eastern European countries (CEECs) started at the beginning of the 1990s, after the fall of the Berlin Wall, Spain was fighting to have more weight inside the European institutions.

In November 1989, the Council of Ministers of the then European Community (EC) meeting in Paris was trying to reach a common position in relation to the political and economic changes facing the Eastern bloc. The strategy of the Spanish Prime Minister at that time, Felipe González, was to lend support to the region but also to a deeper institutional reform inside the EC in the hope that this would give Spain more weight in the Council, under the argument that a stronger Europe benefited its attraction power. In essence, Spain wanted to be a part of the 'core' countries, giving impulse to enlargement in order to become a central player in the decision-making process[214]. This explains why a country with no obvious interests or presence in Eastern and Central Europe was so proactive in this matter, even against its geopolitical (Latin America and North Africa) and economic goals (access to structural and CAP funds) – as it was discussed in the Spanish Parliament[215].

In order to protect the Spanish interests, some actions were taken. Before the European Council in Dublin in June 1990, if the unanimity requirement was to be met for the Association Agreements with the CEE countries, the Foreign Affairs Minister demanded European solidarity with Spanish interests. At the end of 1991, Spain also threatened to veto the agreements with Hungary, the then Czechoslovakia and Poland, due to the aid that was proposed for their iron and steel production exports, which would have negatively affected the sector in Spain[216]. In both cases, Spain succeeded in getting its way. The European Council agreed to increase aid with Latin America and to broaden the relations on security and cooperation with the Mediterranean countries in the framework of the conference for the security and cooperation in Europe. Furthermore, Spain accepted the Association Agreements in exchange for a safeguard clause to control the imports coming from the Eastern aspirants.

In the subsequent years, Spain maintained a dual approach to enlargement, insisting that the widening of the EU should only occur after – and without affecting – the deepening of European integration[217]. Spain gave its support to the Commission's initiative of offering the Eastern countries a clear membership perspective, provided that they fulfilled the Copenhagen criteria, which was adopted in 1993. In parallel, Spain was able to negotiate an upgraded EU partnership with the Magreb countries, a Free-Trade Association with Mercosur and the design of a Mediterranean policy – all in exchange for its support for Eastern enlargement.[218]

When the time came to open negotiations with the CEE countries (in the second semester of 1995), Spain held the Council Presidency. It continued to advocate a 'yes, but' policy towards enlargement, to which it also added a new condition to incorporate transitional periods for economic integration in the accession agreements. Madrid also emerged in favour of the so-called 'regatta approach', in which the effort of the aspiring countries would be measured – and rewarded – on an individual basis.

In a nutshell, the Spanish position on the CEE enlargement combined understanding and solidarity with the transitions in the region and ambition to promote its own political and economic interests. These were linked to the preservation of its position in the European institutions and enforced common policies, especially structural funds and agricultural policy.[219]

---

214 "Los motivos de la Moncloa", *El País*, 3 December 1989.

215 Foreign Affairs Commission 5, Session Diary of the Spanish Congress 69, IV Legislature, 16 April 1990.

216 "La CE rubrica los acuerdos de asociación con el Este", *El País*, 23 November 1999.

217 Piedrafita, Sonia T. (2005), "The EU Eastern enlargement: policy choices of the Spanish government", *European Integration Online Papers (EIoP)*, Volume 9, Number 3, available at: http://eiop.or.at/eiop/texte/2005-003a.htm (last accessed on: 25 April 2015).

218 European Council at Copenhagen, Conclusions of the Presidency, EP, SN 180/93, 21-22 June 1993, European Council at Corfu, Presidency Conclusions, EP, SN 150/94, 24-25 June 1994 and European Council at Essen, Presidency Conclusions, SN 300/94, 9-10 December 1994.

219 Torreblanca, José Ignacio (2002), "The Spanish Presidency of 2002 and the European Union's Eastern enlargement: a lesson on the potentials and limits of EU Presidencies", *Real Instituto Elcano*, WP 14-2002.

9.3 THE SPANISH POSITION ON BALKAN ENLARGEMENT

The Spanish position towards enlargement to the Balkans has been influenced by its historical relations with the region, as well as by domestic considerations, with political movements in Catalonia and the Basque Country as first priorities on the agenda.

Relations between Spain and the Western Balkan countries are very recent. Historically, *International Brigadistas* from Yugoslavia were present during the Civil War and some Spanish politicians made shy attempts to follow the Yugoslav model of non-alignment. However, in reality, Spain's links to the Balkans date back to the beginning of the 1990s, on the eve of the dissolution of Yugoslavia. In addition, trade or other economic exchanges have been merely symbolical between the two sides.

As a plurinational state, Spain has always defended the existence of countries with similar features. This was also the case for Yugoslavia. In 1991, Francisco Fernández-Ordoñez, the then Spanish Foreign Affairs Minister, proposed to the Foreign Affairs Council that the only way to stop the dissolution of the country was to impulse a fast-track recognition and enlargement procedure to the whole of Yugoslavia[220]. As such, Spain adopted a strong position towards the historical events in Yugoslavia, which came to define its stance on the enlargement policy of the European Union.

However, when Minister Fernández-Ordoñez arrived in Brussels for the European Council, Germany had already recognised Slovenia and Croatia[221] against the United Nations criteria, as well as against the positions of France, UK, Italy, the Netherlands, and Portugal. These recognitions, together with the tough negotiations that were held by the Chancellor Helmut Kohl, eventually persuaded the member states to accept the recognition of Slovenia and Croatia. With this manoeuvre, Germany stepped into its leading position in Europe, which it has held ever since[222].

Following this pre-emptive stance, Spain confined itself to reactive attitudes towards developments in the Balkans, including the adoption of 'red lines' in response to secessionist movements in the region. It followed the path that was marked by the European Union, including the Association and Stabilisation Process. During the Bosnia war, Spain actively participated in peacekeeping operations[223], especially in the Mostar region. Furthermore, in 1999, the Aznar governments joined the international alliance to bomb Serbia under the NATO umbrella, with Javier Solana as Secretary General. This important presence in the field, along with traditional sympathy by the people in the Balkans towards Spain (related to the Civil War and Spain's image as a neutral actor), has shaped a positive perception of the country in the region. This goes some way towards explaining, for instance, the appointment of Carlos Westendorp as High Representative for Bosnia-Herzegovina or, later, of Felipe González as Personal Representative of the Chairman in Office for the Federal Republic of Yugoslavia.

Overall, however, the Spanish foreign policy towards the Balkans has been one of great support for Serbia as the 'core' of Yugoslavia. This has been demonstrated by the attitude of different Spanish foreign affairs ministers, irrespective of their political affiliation. In this regard, Josep Pique and Miguel Angel Moratinos have arguably been the most active foreign affairs ministers in the region. The former tried to stimulate trade and investment relations between Spain and the former Yugoslavia (Serbia and

220 "Fernández-Ordóñez espera que los doce reconozcan juntos a los nuevos estados", *El País*, 8 October 1991.

221 Germany recognised Croatia and Slovenia on 23 December 1990.

222 Kinzer, Stephen, "Slovenia and Croatia get Bonn's nod", *The New York Times*, 24 December 1991.

223 More than 8,000 soldiers participated in the United Nations mission in Bosnia. In 10 years, more than 22,000 were deployed.

Montenegro, at that time), while the latter sought to reinforce the regional dialogue and cooperation between Serbia and Kosovo.

This explicit support towards the former Yugoslavia and, later, towards Serbia (after Montenegro's independence in 2005 and Kosovo's secession in 2008), has continued over the years and has influenced the Spanish policy towards EU enlargement. This means that Spain is unlikely to accept that Serbia enters the EU after Montenegro and the former Yugoslav Republic of Macedonia. The main reason is, again, political coherence in a double sense. Firstly, after the Iraq war, Spain became the main defender of international law. Secondly, Spanish government rejects Catalonia's search for independence from Spain on legal grounds. Both arguments offer an emotional political interpretation as to why Spain gives unofficial priority to Serbia over other candidate states. As such, in Spain, Serbia is widely perceived as the most powerful actor in the Balkans and tops Madrid's considerations in the region.

Spain does not have major economic interests in the Balkans, nor can it hope to build alliances with the countries of the region in order to achieve agreements on common issues once they become member states. In a way, the good perception of Spain in the Balkans has been wasted due to the fact that no major investments have been made in the region. In fact, Spain is primarily interested in reinforcing the South European border. The Balkans are not part of the Mediterranean policy that the Union has developed. Even Croatia was not included in the new Mediterranean group[224], which was created at the beginning of 2014 and has already had two meetings in Lisbon and Alicante. In reality, the Balkan countries look more towards Central Europe than the Mediterranean basin. Therefore, the main goal of supporting enlargement is to maintain the European peacekeeping track in the region, as well as to be central to the decision-making process regarding EU's foreign policy – a strategy that has worked very well until now.

Similar to before, Spain advocates strict membership conditions and the 'regatta principle' for the Balkan aspirants. Officials at the Spanish Ministry of Foreign Affairs agree that no distinction should be made among the Balkan countries that seek to join the EU. They argue that most of the problems coming from previous enlargement rounds, especially in 2004 and 2007, were caused by the application of a flexible conditionality. Such an approach was motivated by ideological considerations, which required the swift integration of these countries. However, for the new EU-hopefuls, Madrid insists that the fulfilment of Chapters 23 and 24 of the *acquis* should not be negotiable.

Due to the economic crisis and increasing migration flows from new member states, Spain could be tempted to delay the EU accession of the Balkan aspirants, if an agreement on transitional rules that are related to the free movement is not reached. In this sense, Spain might decide to join the Dutch and the French governments in requesting further restrictions to be imposed on the Schengen area towards citizens of new member states. After all, even Germany was very reluctant to lift the transitional measures that were set on nationals of new entrants and Spain actually re-established them for Romanians in July 2011[225]. Against this backdrop, the Spanish Ministry of Interior and Ministry of Employment are hesitant about new accessions from the Balkans until these countries meet the conditions that are needed to control borders and tackle issues that are related to corruption, organised crime and other justice and home affairs. These are the main areas of concern for Spain, as

[224] Greece, France, Italy, Spain, Portugal, Cyprus, and Malta.

[225] In 2011, after several years without restrictions, a new restriction on the free movement of Romanian citizens into Spain was implemented. The transitional rules governing the free movement of workers from, to and between the new member states are available at: https://ec.europa.eu/eures/main.jsp?acro=free&lang=en&countryId=ES&fromCountryId=RO&accessing=0&content=1&restrictions=1&step=2 (last accessed on: 25 April 2015).

the Balkan countries are perceived to be too small to raise problems in other fields like agriculture, industry or trade.

For the rest, Spain is not likely to be very proactive. At the same time, it is not expected that Madrid will oppose EU's enlargement towards the Balkans. In line with its diplomatic tradition, Spain might seek to mediate between Serbia and Kosovo in order to help the two sides sort out their impasse, even if the European Service of External Action (EEAS) leads the normalisation talks.

Minister Moratinos ordered the last actions that were taken by the Spanish Foreign Services. The Sarajevo meeting in 2010 was organised under the Spanish Presidency. The event encountered all kinds of difficulties due to the fact that the Lisbon Treaty was entering into force and the foreign policy agenda was no longer in the hands of the Rotating Presidency but in those of the High Representative, who was, at that time, Lady Ashton. The confusion created around competences on these matters was even more visible in April 2013, after the signing of the agreement between Serbia and Kosovo, a deal struck under the auspices of the EEAS.

9.4 THE KOSOVO ISSUE

As is the case for the rest of the Balkans, Spain never had a special relationship with Kosovo before the 1998 crisis started and, as part of the European Union, it has not taken the lead in this specific area. The majority of political parties in the Spanish Parliament decided to join the NATO campaign in Serbia, even if it only entailed the logistic use of American bases on Spanish soil and eight planes. Once more, after the bombing mission, a Spaniard was appointed to lead the UN Mission – Lieutenant General Juan Ortuño became head of KFOR in 2000.

9.4.1 Spain among the five non-recognising member states

At present, 90 countries in the United Nations (46.6%), the Organisation for Economic Cooperation and Development (60%), the Council of Europe (70%) and the European Union (80%), plus the IMF and the World Bank, have recognised Kosovo as an independent state. In the EU, just five countries – Romania, Slovakia, Greece, Cyprus, and Spain – have not yet officially recognised the state that was created in 2008. Among the main non-recognising countries worldwide are the so-called BRICS (emergent countries: Brazil, Russia, India, China, and South Africa), the Vatican City and some northern African countries such as Morocco, Algeria and Egypt. In the region, the majority of Balkan states, with the exception of Bosnia-Herzegovina, Serbia and Greece, have recognised the new state. So, even if the International Court of Justice[226] has declared the legality of the independence process, some sovereign states maintain their position and are still divided on the topic.

In most cases, this position is due to internal issues and unresolved conflicts and even when, in official documents (UN, EU), the independence of Kosovo is described as an "exceptional and *sui generis* example", there is a general distrust in the 'international community' doctrine on these matters. This issue is especially sensitive in the Balkans countries, where neither the European Union nor the United Nations states a clear position on secession rights. However, Spain has always maintained the same favourable position to multi-national states. In the case of Kosovo, Spain is against the unilateral declaration of independence but in favour of a negotiated solution.

[226] Sentence of International Court of Justice, 22 July 2010, nº 141, Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo.

The Spanish position cannot be explained without taking into account several questions of domestic *realpolitik*. First of all, one of the reasons why the socialists entered government in 2004 was due to their strict defence of international law in the face of the Iraq invasion[227]. The supreme mandate of the United Nations over international/regional conflicts was one of the main *mottos* that were made in that electoral campaign. The former Minister of Foreign Affairs, Miguel Angel Moratinos, personified this strict position and interpretation of international law.

However, even if Spain had officially been against the recognition of Kosovo due to procedural reasons – that is, unilateral declaration of independence – in 2010, the Spanish Presidency of the European Union adopted a flexible approach to the issue when it sat down at the same table with all of the relevant parties at the Sarajevo meeting. In addition, it is worth mentioning the declaration of Juan Fernando López-Aguilar in 2009. He opened up the door to the recognition of Kosovo (similar to what was carried out with Israel after 40 years of non-recognition) through the quick recognition of established immediate diplomatic relations between both Madrid and Pristina.[228]

Following the political change in Spain in November 2011, a more favourable position towards recognition is unlikely. The Popular Party, which is now in power, is the first political party in Spain to be against Kosovo's declaration of independence. Moreover, not only the elites of the party but also, its followers, are firmly against any process of independence of any nature. The right and central-right newspapers in the country, *La Razón*, *ABC* and *El Mundo*, also support this position. Traditionally, the Popular Party has appealed to rescue the Spanish "national pride", for instance in the events of the Perejil Island in 2002 under the Aznar Presidency[229] and, more recently, on the Repsol-YPF conflict with Argentina.[230]

In addition, in 2009, the then Foreign Affairs Minister, José García Margallo, mentioned in a Kosovar newspaper (*Kosovo Times*) that Spain did not recognise Kosovo because of "principles related to Spain's Basque and Catalonia autonomous communities, although the situation is not comparable". He also added that Spain would support Kosovo's development, even if it could not recognise it. This was one of the first times when a domestic issue was mentioned by a Spanish politician as the reason behind the non-recognition of Kosovo.

On 14 March 2012, the incumbent Spanish Prime Minister, Mariano Rajoy, explained to the nationalists Catalans of Convergencia I Unio in the parliament that the position of Spain towards Kosovo was not going to change. He indirectly invoked "internal factors" in order to justify this stance, "due to the fact this is the most convenient position for the majority of Spanish people".[231]

These examples clarify the link between internal affairs and secessionist movements, especially in light of the situation in Cataluña in past years. A non-legal consultation on independence, which was convened by Catalonian authorities, took place on 9 November 2014 and put on the table the possibility of a unilateral declaration of independence. However, the constitutional court declared the consultation illegal and the Catalonian government appealed to new elections later that year on 27 September.

---

227 Vaquer, Jordi (2011), "Spain's position on Kosovo in Kosovo calling", International Conference to Launch Position Papers on Kosovo's relation with EU and regional non-recognising countries, pp. 12-13.

228 *ABC*, 14 May 2009.

229 "Los secretos de la Toma de Perejil", *El Pais*, 19 March 2006.

230 "Cronología sobre el conflicto entre el gobierno Argentino y Repsol-YPF", *La Razón*, 18 April 2012.

231 *La Vanguardia*, 14 March 2012.

With this hectic domestic situation, the Spanish position on these matters was unambiguous – no recognition of any state was declared independent unilaterally. In spring 2014, the same line followed for Crimea's independence.

Consequently, there are two main reasons that have motivated the non-recognition of Kosovo by Spain: (1) the position of Spain as the 'protector knight' of international law, which gave the Rodriguez-Zapatero Government part of its legitimacy, and (2) a 'fear of contagion'" due to domestic conflicts with historical nationalities.

There are three main differences between Spain and other non-recognising EU member states:

1. *Spain is not in the region*. Spain and Greece might be the only EU-15 countries that do not recognise Kosovo but Spain is the only one that has not had a conflict, provoked by the dissolution of the Austro-Hungarian, Ottoman and Russia Empires after the First World War. Greece, Cyprus, Slovakia, and Romania were all affected by such events and historical memory has a lot to do with some of the political decisions that are made, especially when they relate to territorial claims: Hungarians in Romania and Slovakia, Turkish and Greek communities in Cyprus and the open conflict of Greece with its neighbours.

2. *Spain has never had direct political, economic, trade or even cultural interests in the Balkans*. Spain has never paid much attention to this area of Europe, leaving all of the influence to Italy, Germany, UK or France. Instead, it has focused on Latin America, Northern Africa and the European Union itself. This is in spite of the fact that the events in Kosovo have actually had an impact on the Spanish political class.

3. *The Kosovo issue is not on the political agenda of the Spanish Government*. As Spain is not in the vicinity of the Balkans, it has avoided some of the problems that affect the region's neighbour countries, including, for example, migration flows through Kosovo borders and trafficking. For the time being, Kosovo is not a priority for the Spanish government, which is currently more preoccupied with the country's recession, high unemployment and economic crisis, as well as focused on the Catalonian situation. However, even though Spain has not recognised Kosovo, it has given positive feedback to its partners in the European Union in order to continue the integration process with it.

9.4.2 Implications for Spain's relations with Kosovo

The main problem that Spain has with Kosovo is related to the 'procedure' by which it declared independence, namely that it happened unilaterally. Even if EU official documents speak of a *sui generis* case, Spanish authorities are undoubtedly worried about the precedent that Kosovo could set elsewhere in Europe, as happened last year with the independence referendum in Crimea or the one in Scotland, differences aside.

Therefore, an agreement between Serbia and Kosovo is seen in a very positive light. Thus, Spain has been proactive in helping to bring about such an outcome through the diplomatic work that was carried out in Belgrade. In essence, Spain uses its privileged relationship with Serbia due to the fact that it is perceived as a loyal friend. In this sense, more regional integration, not just political but social, logistical, commercial and so on, is perceived to be important in order to persuade the non-recognising countries inside the EU to change their positions. This would signal to the member states that past conflicts belong in the past and that regional cooperation is possible.

9.5 CONCLUSION

The Spanish case study prompts three main conclusions:

1. Leadership: The Spanish approach to the Balkans was shaped by the action of individual figures such as the Foreign Affairs Ministers, Fernández-Ordóñez and Moratinos. The former saw enlargement as the best means to avoid war and the latter promoted regional cooperation such as the Sarajevo Conference, which was organised during the Spanish Presidency of EU.

2. Multinational states as something to preserve. Spanish authorities have been very proactive in trying to maintain the presence of other multinational states, like the former Yugoslavia or, more recently, that of the UK facing the referendum on Scotland's independence. This position directly relates to domestic politics, including the issue of Catalonia and the Basque Country, but also, to the belief that national heterogeneity enriches the state as a whole. Spain supports this argument with a strong defence of international law in territorial matters. Due to the internal situation of the country, Spanish authorities have always defended the preservation of territorial integrity, regardless of their political orientation. This is illustrated in Spain's approach towards Kosovo, Scotland and Crimea.

3. Political pragmatism. The third pillar of the Spanish orientation towards the Balkans, and Eastern Europe in general, is the political pragmatism of its politicians. The heavy eastern orientation of Germany, firstly towards the CEECs and then to the future incorporation of the Balkan countries, made Spain feel that it would lose influence in the Union. For this reason, Spain insisted that any step towards the east had to be counterbalanced with one in its own interests (for example, related to the Mediterranean or Latin America). This way, Spain has been able to maintain a certain power among its partners. On the other hand, Spain has exploited its positive perception in the Balkan region in order to assist in mediation matters, especially in the relations with Belgrade.

Chapter

10

AUSTRIA

BY FRANCO ALGIERI[232]

10.1 INTRODUCTION

The debate regarding EU enlargement and especially with respect to the Balkans, is of particular concern for Austria. Within its wider geographical area, the Western Balkans is a key region for Austrian foreign policy. Understanding Austrian interests and strategy requires approaching the topic in a multidimensional manner and emphasising the following four issues.

First, no other EU member state can be compared to Austria when historical links, as well as the geographic proximity between an EU member state and Balkan countries are taken into consideration. Second, applying a comprehensive understanding of security, as well as support for mechanisms and fora dealing with regional stability and security is an intrinsic part of Austria's policy towards its neighbourhood. Third, linked to geography and history, the economic interdependence between Austria and the Balkans is of high relevance. Fourth and finally, during the period when Austria joined the European Union two decades ago, a broader and controversial scholarly and political debate had begun in Europe concerning the question of how to deepen European integration while at the same time enlarging it. The nexus between deepening and/or widening is still present in the inner Austrian debate about the European Union's future in general, as is the country's self-perception as a member of that Union in particular, causing an ambivalent position in today's attitude towards enlargement and the Western Balkans.

[232] *The author would like to thank Tobias Salfellner, who compiled data for this article.*

10.2 THE DEEPENING AND/OR WIDENING NEXUS

During the period when Austria became a member of the EU, vivid debate about the *finalité* of the European integration process and the nature of the Union could be observed. A major topic in this context was the issue of how to bring in line the enlargement of the Union with the systemic deepening of integration.[233] Four different schools of thought were discussed: (1) widening first; (2) deepening first; (3) widening and deepening by differentiated and affiliated membership; (4) deepening for also widening.[234] Even though no consensus was reached on which of these schools could be considered the most promising for the future, the debate remains relevant today. While the terminology used has changed and it now appears to focus more on *differentiated integration*, the core problem has remained: the need to find a conceptual and strategic explanation for governing an enlarged Union. Just as differentiated integration is considered "a necessity if the EU wants to remain effective and overcome current and future challenges"[235], it can be argued that without squaring the enlargement of the EU with an adequate systemic structure capable of meeting the goals of the Union, the internal and external challenges that the EU faces will further erode the European integration process.

Some of these challenges, which includes the economic or financial problems of some EU member states, intra-state conflicts and the erosion of stability in the EU's neighbourhood, or increasing societal cleavages within EU member states, are often used by some political actors in Austria, as well as in other European countries, to point to a perceived weakness within supranational governance. However, the causes of the malfunctioning of supranational policymaking can often be traced back to decisions made at the national level.[236] From the Maastricht Treaty to the Lisbon Treaty, the deepening of European integration by means of changing treaty provisions required the unanimous approval of EU member states. Similarly, during the different enlargement rounds since the 1990s, EU capitals have proven unwilling to relinquish their powers for deciding on whether or not a new member could join the Union. Apart from constitutional requirements and legal provisions, which need to be considered through national decision-making processes, several other factors influence the multi-facetted discourses on EU enlargement within the member states. One of these is public opinion. Linked herewith, the interests of political actors and the role of media play a crucial role in creating sentiments or resentments towards the European integration project.[237]

Another almost teleological argument in favour of enlargement is built around the assumption that European integration can be a normative model for non-EU countries. Consequently, joining the 'integration club' cannot be reduced simply to achieving added economic value. On the contrary, equally

---

233 Wessels, Wolfgang and Engel, Christian, eds. (1993), *The European Union in the 1990s. Ever closer and larger?*, Bonn: Europa Union Verlag.

234 Wessels, Wolfgang (1993), "Deepening versus widening? Debate on the shape of EC-Europe in the nineties", in Wessels and Engel (1993), pp. 17-56.

235 See Emmanouilidis, Janis A. (2013) "Which lessons to draw from the past and current use of differentiated integration?", in Directorate General for Internal Policies. Policy Department C. Citizens's rights and constitutional affairs, *Challenges of multi-tier governance in the European Union. Effectiveness, efficiency and legitimacy,* Brussels, pp. 62-77, here p. 66.

236 Robert Menasse demanded in one of the leading Austrian newspapers a European migration and asylum policy and criticised EU member states for their reluctance to arrive at one. The reactions that followed his article showed a differentiated picture, ranging from opinions immediately rejecting any proposal to strengthen the supranational level to those showing support for a stronger European approach. Menasse, Robert, "Geht hin und benennt die wahren, Mörder'!", *Die Presse*, 23 April 2015, available at: http://diepresse.com/home/meinung/gastkommentar/4714901/Geht-hin-und-benennt-die-wahren-Morder?from=suche.intern.portal (last accessed on: 25 April 2015).

237 See further and with examples for Austria Schneider, Heinrich (2010), "Die Gretchenfrage an die Mitgliedstaaten: ‚Sag, wie hast Du's mit der Integration?", *Institute for European Integration Research Working Paper Series*, Number 2, Vienna, p. 87.

important are the benefits for political and societal stability.[238] Using this line of reasoning, the concept of shared interests and common values amongst old members and newcomers is expected to trigger a kind of mainstream support for European integration.[239] Closely connected to this and symbolic for the enlargement discourse of the early 1990s was the argument that accession to the EU should not be seen as a "subject of minor importance", because this would create "mistrust and will only lead to negative backlashes later on".[240] The integration debate has always presented diverging opinions about enlargement and the extent to which states may be willing to pool sovereignty. At the same time, it has always been clear that all steps in favour or against a deepened and widened Union were linked to the realist understanding that states are ultimately the decisive actors.

10.3 THE CONCEPTUAL DIMENSION: COMPREHENSIVE SECURITY, MULTILATERALISM AND TARGETED INITIATIVES

When the characteristics of Austrian foreign policy are discussed, the search for a definition of Austria's neutrality in the context of the country's participation in the CFSP/CSDP of the EU immediately arises.[241] However, apart from the neutrality debate, it seems important to concentrate on two essential terms: 'comprehensive security' and 'multilateralism', as these are central to the conceptualisation of Austrian foreign, security and defence policy in the 21st century. In accordance herewith, foreign, security and defence related activities shall be embedded in a multilateral framework, mainly the EU, UN or the OSCE. Furthermore, when a comprehensive security concept is applied in Austrian Balkan policy, regional, internal and economic security become interwoven.

(1) Regional security: due to a shared history and established interdependence between Austria and the Balkans, regional security plays a pivotal role in Austrian foreign policy.[242] National security interests are therefore best served by using and contributing to the EU's interests, policies (for example, CFSP, CSDP and ENP) and instruments.[243] The self-perception of Austria as a member of the EU, as well as security interests deriving from geographical proximity, is used to justify the support of regional stability initiatives in the Balkans.

(2) Internal security: in the context of Austria's internal security interests, "a pro-active contribution to the stability and security of problematic countries of origin and transit, which are relevant to the security of Austria and the EU"[244] is pursued. This entails, *inter alia*, support for "the countries in the Western Balkans and South-East Europe, as they are brought into line with EU security standards".[245]

(3) Economic security: the Balkan region is of high importance to Austria's external economic relations. Keeping the Balkan countries out of the European Union is expected to cause negative effects for

238 For the experiences of Spain and Portugal becoming EU members in 1986, see Diedrichs, Udo and Wessels, Wolfgang (1996), "From newcomers to mainstreamers. Lessons from Spain and Portugal", in Algieri, Franco and Regelsberger, Elfriede (eds.), *Synergy at work. Spain and Portugal in European foreign* policy, Bonn: Europa Union Verlag, pp. 315-330.

239 Diedrichs and Wessels (1996), p. 330.

240 Wessels (1993), p. 56.

241 For an analysis of the controversial debate in Austria see Hummer, Waldemar (2004), "Panta rhei - Die immer währende Neutralität Österreichs und die Europäische Sicherheitsarchitektur im Fluss", in Busek, Eberhard and Hummer, Waldemar (eds.), *Etappen auf dem Weg zu einer europäischen Verfassung*, Wien: Böhlau, pp. 141-168.

242 The civil and military engagement of Austria within multilateral missions and operations in the EU's neighbourhood is regularly stressed. Furthermore, Austria "will also continue to participate in the entire spectrum of CSDP activities referred to in the TEU, including the EU Battlegroups, within the scope of its capabilities." Republik Österreich (2013), *Austrian Security Strategy. Security in a new decade – Shaping security*", Vienna, p. 13.

243 See Bundesministerium für Europa, Integration und Äußeres (2013), *Außen- und europapolitischer Bericht 2013*, Vienna.

244 Republik Österreich (2013), p. 14.

245 *Ibid*.

Austrian companies such as insufficient legal frameworks or fewer possibilities for investment.[246] Accordingly, it has become obvious that it is in Austria's best interest to support reform processes in the Balkan countries, for example, through measures aimed at the strengthening of the rule of law and democracy.

The scenario of a standstill or even an end to Balkan enlargement is considered undesirable, because it is assumed that the costs for Austria in terms of regional, internal and economic security will be higher than the costs of integration. Only by means of cooperation within an arena of highly interconnected actors can Austria's interest materialise:

> Comprehensive security policy means that external and internal aspects of security are inextricably interlinked, as are civil and military aspects. It extends beyond the purview of the ministries and departments traditionally in charge of security and encompasses instruments from policy areas, like economy and social affairs, integration, development, environment, agriculture, finance, transport and infrastructure, education, information and communication, as well as health. Integrated security policy must be based on a cooperative approach between governmental and non-governmental actors; security must be understood as a "comprehensive package", as it were. Proactive security policy means working towards preventing threats from emerging in the first place or at least taking steps to mitigate their negative impact (shaping security). Security policy based on solidarity takes into account that the security of neutral Austria is now largely interconnected with the security of the EU as a whole.[247]

In addition to the broader EU framework, Austria has been in favour of specific targeted initiatives. On the assumption that the "Western Balkans belong to Europe"[248], cooperation with other Central and Eastern European states, for example the Visegrád 4 (Hungary, Czech Republic, Slovakia and Poland) or in the framework of the Central European Initiative are deemed as important factors that can contribute to regional stability. The "Forum Salzburg"[249], which focuses amongst others on the implementation of a common external strategy in a European context, specifically towards the Western Balkans, can be taken as another case in point. To sum up, a comprehensive understanding of security, cooperation within multilateral arenas, as well as specific targeted initiatives defines the contours of Austria's conceptualisation of a foreign policy strategy in general and to Balkan enlargement in particular.

10.4 THE ACTOR DIMENSION

Beneath this overarching level, different actors shape Austrian preferences and interests with regard to the Balkans and enlargement of the EU.

---

246 The Austrian economy became a main profiteer of the strategy to associate neighbouring countries closer to the EU and finally integrating them as members into the Union. See Wirtschaftskammer Österreich (July 2014), *10 Jahre EU-Erweiterung. Eine Bilanz der Wirtschaft*, Vienna.

247 Republik Österreich (2013), p. 4.

248 Lopatka: "EU-Erweiterungsprozess am Westbalkan entscheidend für Österreich", available at: http://www.bmeia.gv.at/aussenministerium/pressenews/presseaussendungen/2013/lopatka-eu-erweiterungsprozess-amwestbalkan-entscheidend-fuer-oesterreich.html (last accessed on: 22 November 2014).

249 This forum was founded in 2000 between Austria and the then EU accession countries of the Czech Republic, Hungary, Poland, Slovakia and Slovenia in order to "strengthening cooperation in the centre of Europe in the field of internal security, and supporting the members not yet belonging to the EU in their efforts to meet EU standards and their preparations for EU accession". It was then further enlarged and in 2007, countries of the Western Balkans participated for the first time at a ministerial conference within the framework of the 'Friends of the Salzburg Forum'.

10.4.1 Ethnicities, nationalities and migrants

History links Austria to the Balkans in a very specific way. Whether during times of the Habsburg Empire, the First World War, the Second Word War, the Cold War or the dissolution period of the Federal Republic of Yugoslavia, the region has continued to be of importance for Austrian politics within an extended historical perspective. While relations between Austria and this adjacent region were largely conflict-ridden during the first half of the 20th century, both sides have moved closer together since the second half of the previous century. Different ethnicities, nationalities and migrations have driven the association between both sides. The Austrian-Hungarian Empire, with its various ethnicities and languages, was often described as a multi-ethnic society. Today, the Republic of Austria still brings together different ethnicities and nationalities, as well as a significant number of people from the Balkans and the former Yugoslavia.

A first group refers to Slovenian and Croatian minorities. Article 7 of the State Treaty (*Staatsvertrag*) of 1955 determines the legal rights of Slovenian and Croatian minorities in some of the Austrian *Bundesländer*.[250]

A second group is linked to labour migrants. In the 1960s and 1970s, Austria witnessed a significant increase in its labour force. Not least due to a bilateral labour recruitment treaty, which was signed between Austria and the Federal Republic of Yugoslavia in 1966, labour migration to Austria became part of a structured process. In the 1970s, three quarters of the foreign labour force in Austria came from this country and until 2002, accounted for almost half of the foreign workers in Austria.[251]

A third group is composed of refugees and asylum seekers from the Balkans. Following the collapse of Yugoslavia and the Balkan wars, Austria faced a strong increase of refugees from this region, especially in the 1990s. However, during the period 2004-2013, records of requests for asylum in Austria from Serbia, Montenegro and Kosovo suggest that the numbers lagged significantly behind those from the Russian Federation, Afghanistan, Iran and Syria.[252]

Austria is an immigration country and people with a migrant background are a shaping societal factor.[253] Regarding non-EU country nationals living in Austria, Serbia is ranked first, followed by Bosnia and Herzegovina. If the states that joined the EU since 2004 are taken into account, Croatia ranks first.[254] During the course of several decades, many of these migrants have obtained Austrian citizenship.[255] Therefore, representatives of such different groups are present and participating in different social, cultural and political fora in Austria. As lobbies and interest groups in particular and as

---

[250] For the further legal framework, see „Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich (Volksgruppengesetz – VoGrG)“, Vienna, available at: https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10000602 (last accessed on: 12 January 2015).

[251] Biffl, Gudrun, Rennert, Lea and Aigner, Petra (2012), “Migrant workers in Austria and Europe. Challenges for industrial relations, in particular trade unions”, *Monograph Series Migration and Globalization*, Krems: Danube University Krems, p. 32.

[252] Statistik Austria (2014), *Migration & Integration. Zahlen, Daten, Indikatoren 2014*, Vienna, p. 37.

[253] Concerning immigration over the period 2009-2012, Austria ranked ninth amongst EU/EEA countries, with an average of 9.3% immigrants within the population, clearly behind, e.g., Luxembourg, Cyprus and Switzerland, but ahead of, e.g., Germany and France. Statistik Austria (2014), p. 35.

[254] Statistik Austria, available at: http://www.statistik.at/web_de/statistiken/bevoelkerung/bevoelkerungsstruktur/bevoelkerung_nach_staatsangehoerigkeit_geburtsland/index.html (last accessed on: 21 January 2015).

[255] Of people being naturalised in Austria in 2013, 32.7% originally held the nationality of a country within former Yugoslavia and almost half of them were born in Austria. Statistik Austria (2014), p. 85.

part of the electorate in general, Austrian political parties cannot ignore these specific interests and links with the Balkans.

10.4.2 Austrian politicians, diplomats, ministries, and political parties

Against the background of strong historic relations between Austria and the Balkans, diplomacy towards the Balkans holds a prominent place in Austrian political discourse and foreign policy. Politicians and diplomats from Austria have frequently engaged in Balkan affairs, on both bilateral and multilateral levels.[256] Their activities reflect the fact that the government in Vienna considers the Western Balkans as part of Europe and a central area of interest for Austria.

In general, the Austrian government supports the accession strategy as it is managed at the supranational level. A specific Austrian ranking or prioritising of the countries of the Western Balkans does not exist. Nevertheless, in the Austrian government Work Programme 2013-2018, it is stressed that the required accession criteria have to be fulfilled; the progress of each candidate's individual progress has to be considered and the 'absorption capacity' (*Aufnahmefähigkeit*) of the EU has to be guaranteed.[257] How the term *Aufnahmefähigkeit* is understood by the Austrian government is not explained in this document. Several federal ministries (in particular, the Federal Ministry for Europe, Integration and Foreign Affairs, the Federal Ministry of Defence and Sports, and the Federal Ministry of the Interior) are engaged in a cross-ministerial process and in cooperation with the Federal Chancellery regarding topics and programmes targeting the region. Special attention is paid to supporting the transformation of the aspiring countries in the Balkans in order to bring them closer to EU standards. Among the different ministries, the Federal Ministry for Europe, Integration and Foreign Affairs plays a prominent role. The ministry's report on the 'EU Work Programme 2015' stresses that offering the Balkans a European perspective is still considered the most important force for the stabilisation and development of the region. Due to geographic proximity, economic interconnection and historic links, the countries of the Western Balkans are considered to be of specific importance for Austria, and thus remain a priority for Vienna's foreign policy.[258]

The programmatic approach is carried out through various initiatives that address different target groups. For example, on the initiative of the Austrian Foreign Ministry, a Western Balkans Conference was hosted in June 2014 in Vienna with the foreign ministers of Slovenia, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia (fYROM), Albania, Slovakia, Bulgaria, Greece, and Italy, as well as the EU commissioner Štefan Füle and Vice President of the World Bank, Laura Tuck. This event underlined that from the point of view of Austria, enlargement is considered to be of mutual benefit to Austria and other countries in the region. Showing support for the civil society sector, whether within a UN or EU context, or conceptualised as an explicit Austrian approach, has become a popular feature of Austria's diplomacy.[259]

---

[256] For example, former Foreign Minister Alois Mock had already advocated in the early 1990s (before Austria joined the EU) in favour of the idea of bringing the Balkan region closer to the European integration process. Former Vice Chancellor Eberhard Busek acted as Special Representative of the EU, acting as Coordinator of the Stability Pact for South-Eastern Europe. The diplomat Wolfgang Petritsch served as EU Special Envoy for Kosovo, EU Chief Negotiator at the Kosovo peace talks in Rambouillet and Paris, as well as the High Representative of the International Community for Bosnia and Herzegovina. The latter position is now held by Valentin Inzko, who was also EU Special Representative to Bosnia and Herzegovina.

[257] Republik Österreich (2013), "Arbeitsprogramm der österreichischen Bundesregierung 2013-2018. Erfolgreich. Österreich.", Vienna, p. 71.

[258] Bundesministerium für Europa, Integration und Äußeres (2015), "EU Arbeitsprogramm 2015. Bericht des Bundesministers für Europa, Integration und Äußeres an das österreichische Parlament". Vienna, pp. 10-11.

[259] For example, a conference commissioned by Austrian Foreign Minister Sebastian Kurz on 'Civil Society as a Factor for Change in Bosnia and Herzegovina' in September 2014 in Vienna, and the 'Vienna 3C Appeal', a collaboration between

The Austrian Parliament is primarily supportive of the government's position on EU enlargement and the Western Balkans. Considering the governing political parties in Austria, the two coalition partners SPÖ (Social Democratic Party of Austria) and ÖVP (Austrian People's Party) are mainly in favour of enlargement. The Social Democrats consider enlargement of the EU as part of the effort to maintain a zone of peace and stability in Europe. It is believed that enlarging the EU has to follow a step-by-step approach and should create added economic and social value for Europe.[260] For the conservative ÖVP, there are no alternatives to the deepening of European integration or to EU enlargement towards the Western Balkans. For this reason, the party advocates pro-active Austrian engagement in this region as a core element of Austria's EU and foreign policy. The stability of the Balkan region is equalled to greater security and better economic conditions for Austria.[261] The Green Party is also largely supportive of bringing the Western Balkans into the EU. This task is seen as part of the European peace project. The Greens emphasise respect in terms of democracy, the rule of law and human rights in the aspiring countries.[262] The liberal NEOS describe the approach of enlarging the Union prior to institutionally deepening it as a mistake. Therefore, this party calls for fundamental institutional reform to render the EU capable of further enlargement.[263] The populist Freedom Party (FPÖ) reflects the most EU- and integration-sceptical attitude.[264] With regards to EU enlargement towards the Western Balkans, the party has generally wavered between opposition and support. Yet in the hope of increasing its electoral appeal, the FPÖ has tried to follow a Serbia-friendly line.[265]

10.4.3 Austrian economy

Compared to other EU member states, the Austrian economy profited extensively from the EU's enlargement to Central and Eastern Europe. The Western Balkans enlargement is expected to offer similar far-reaching economic opportunities for Austria. For some of the countries in the region, Austria has become the biggest direct foreign investor (see Table 10.1). Furthermore, in terms of imports and exports, the region is also important to Austria (see Table 10.2).

Table 10.1: Austrian direct investment in Western Balkans countries, 2012.[266]

Country/Year	Austrian investment (%)	Position of Austria as investor
Albania/2011	15.6	3
Bosnia-Herzegovina/2012	23.8	1
Macedonia/2012	11.8	2
Montenegro/2011	2.7	12
Serbia/2012	17.2	1

governments and non-governmental actors, available at: http://bim.lbg.ac.at/en/story/news/civil-society-factor-change-bosnia-and-herzegovina-conference-8-10-september-2014 (last accessed on 12 January 2015) and http://www.entwicklung.at/uploads/media/Vienna_3C_Appeal.pdf (last accessed on: 23. November 2014).

260 SPÖ (1998), "Das Grundsatzprogramm", Vienna, p. 27.

261 ÖVP (2015), "Grundsatzprogramm 2015 der Österreichischen Volkspartei", Vienna, pp. 42-44.

262 Die Grünen, "Pläne, Projekte, Visionen. Europawahl 2014". Vienna, pp. 26-27.

263 NEOS, "Wahlprogramm 2014. Pläne für ein neues Europa", Vienna, pp. 11, 23

264 FPÖ (2011), „Parteiprogramm der Freiheitlichen Partei Österreichs (FPÖ)", Vienna, p. 12.

265 See "Voller Liebe für die Arier Anatoliens", *Zeit Online*, 27 September 2013, available at: http://www.zeit.de/2013/40/fpoe-rechtspopulismus-migranten (last accessed at: 23 November 2014).

266 Wirtschaftskammer Österreich (2014), p. 5.

Table 10.2: Austrian imports and exports with Western Balkan countries, 2012-2013, value in €.[267]

	Imports 2012	Imports 2013	Exports 2012	Exports 2013
Albania	26.674.383	20.388.894	55.166.029	49.202.357
Bosnia-Herzegovina	387.014.082	405.006.269	344.021.561	351.151.186
Kosovo	6.509.764	6.508.472	30.846.183	29.967.452
Macedonia	62.207.677	62.919.583	106.960.879	119.511.260
Montenegro	3.490.529	3.594.143	39.594.012	44.016.383
Serbia	260.277.718	329.246.805	544.612.860	502.574.240
Total	746.174.153	827.664.166	1.121.201.524	1.096.422.878

Without doubt, Austria benefits from close bilateral economic cooperation with the countries of the Western Balkans. The Austrian government, as well as representatives of Austrian business and industry, are well aware that a profitable trade and investment environment in the Balkans is interlinked with the policies and support instruments provided by the European Union and other multilateral organisations in the region, for example, the European Bank for Reconstruction and Development (EBRD). From Austria's perspective, the EBRD serves as an important forum for improving economic conditions. In 2013, Austrian companies were able to gain €40.3 million from EBDR contracts and Austria benefitted tremendously from the bank's work.[268] Looking at economic forecasts, Austria is expected to profit from the EU's enlargement to the Western Balkans. Some Austrian economists demand a systemic deepening of the EU, while emphasising that enlargement should not be postponed for too long. [269]

10.4.4 Critically concerned integration supporters and public opinion

Of course, it could be argued that in light of the geographical proximity and economic interdependence between Austria and the countries of the Balkans, support for (1) the EU's efforts to stabilise the region and (2) to extend the European peace project to the Balkans should guide Austria's strategy. Many representatives of Austrian political parties, the government or the economic sector therefore back the enlargement of the EU to the Western Balkans, stressing that this should not be seen as a one-way street, but rather as a policy beneficial to the economy and to overall regional stability. At the same time, within Austria, critical supporters of the European integration project[270], who are generally in favour of deeper European integration, point out that the EU's current state of affairs can have detrimental effects on the idea of achieving 'more Europe'. They raise doubts about the effectiveness of the EU's 'carrots and sticks approach' to individual Balkan countries and the region as a whole. Furthermore, there is a lack of alternative scenarios and visionary approaches regarding this issue.

As is the case concerning the supranational level and within numerous other EU member states, 'enlargement fatigue' has also taken hold of the wider Austrian public. Public opinion on Balkan enlargement reflects a mix of perceived negative experiences regarding past enlargements, general scepticism towards governance structures at the national and supranational levels, as well as the feeling that the EU lacks a new and adequate integration narrative. In particular, the entry of Bulgaria

---

267 Data compiled from STATCube, Statistical Data Base of Statistic Austria, available at: http://sdb.statistik.at/superweb/autoLoad.do (last accessed on: 15 January 2015).

268 Danninger: "Westbalkan bleibt nach wie vor ein bedeutsamer Wirtschaftsfaktor für Österreich", 14 May 2014, available at: https://www.bmf.gv.at/ministerium/presse/archiv-2014/mai/EBRD_Danninger.html (last accessed on: 25 January 2015).

269 See "Aiginger: Österreich könnte vom Balkan profitieren", *eu-infothek.com*, 25 January 2014, available at: http://www.eu-infothek.com/article/aiginger-oesterreich-koennte-vom-balkan-profitieren (last accessed on: 25 January 2015).

270 Several interviewees were strong supporters of the EU and the integration project, however, not in a purely pro-integration rhetoric fashion, but rather critical and concerned about deficiencies of the EU, which is often caused by its member states.

and Romania is often mentioned in Austria as an example of a failed enlargement strategy. Consequently, hesitance towards Balkan enlargement remains persistent. Concerns also remain about whether or not the countries of the region can develop effective measures for countering prevalent corruption or to implement instruments for conflict management in order to overcome disputes between different ethnicities and social cleavages. Thus, calls for enlargement at the political level are not echoed by the Austrian public, the latter fearing that another problematic enlargement may ensue. Moreover, despite the high degree of economic interdependence between Austria and the Balkan countries, a large part of the Austrian population views far-reaching economic engagement in the region, especially in the financial and banking sector, with scepticism.[271] Consequently, Austrians, like many other EU citizens, remain opposed to further enlargement in future.[272]

Table 10.3: Austrian public opinion concerning EU enlargement, in %, 2014.[273]

	Bosnia-Herzegovina	Macedonia	Montenegro	Serbia	Albania	Kosovo	Iceland	Turkey
Favourable	27	26	25	27	21	20	57	8
Against	55	56	57	58	61	63	24	84
Don't care	12	12	11	13	13	13	13	4

Rest to 100% no opinion/not specified.

In this context, it should not be forgotten that the perception of the EU by Balkan countries has become ever more critical. Today, membership to the EU is not necessarily seen as a preferred prospect for the future. On the contrary, European integration is increasingly often being described as a failing or exclusive project. Enlargement scepticism within the EU has also contributed to fostering a similarly negative mood in the countries of the Balkans, which had for a long time linked their hopes for prosperous development and political stability to EU membership.[274] Member states like Austria and Germany, which once had a positive image in some parts of the region due to the roles they played during the Yugoslav crisis of the 1990s, are presently questioned as reliable supporters of the Balkans' integration within the EU. The countries of the region are neither *naïve* nor do they lack critical awareness of the EU's cumbersome developments and deficiencies. Trust in the EU is eroding and the belief in an enlargement-friendly EU is becoming weaker.

10.5 AMBIVALENCE AT WORK

While the official position of Austria concerning the EU's enlargement towards the Western Balkans is still positive and supported by the government, in most political parties, as well as in the economic sector, a strong ambivalence exists between the official stance and the much more sceptical public opinion on the subject. Ambivalence also characterises the debate about the future of the European integration process and, in particular, of how to bring enlargement in line with other institutional reforms of the Union. Even within the enlargement-friendly Federal Ministry for Europe, Integration and Foreign Affairs there appears to be disagreement about what a successful approach to integration should look like. For example, whilst supporting the candidate status of Albania and fYROM is seen as symbolic of the region, there is uncertainty about how to handle Serbia. One of the crucial questions here is how to achieve the normalisation of relations between Belgrade and Pristina, and whether this

[271] The experience with the Hypo Alpe-Adria-Bank has influenced this scepticism.

[272] See Standard Eurobarometer 81, p. 137.

[273] Survey of Sozialwissenschaftliche Studiengesellschaft (SWS) on behalf of the Austrian Society for European Politics, September 2014, available at: http://www.ots.at/presseaussendung/OTS_20141008_OTS0002/oegfe-schmidt-oesterreicherinnen-konstant-skeptisch-gegenueberkuenftigen-eu-erweiterungen (last accessed on: 25 January 2015).

[274] See Dzihic, Vedran (2012), "Ein Plädoyer für die EU-Erweiterung. Warum es zum europäischen Erweiterungsprojekt am Westbalkan keine Alternative gibt", *OIIP Policy Paper* 10/2012, p. 5.

should entail the recognition of Kosovo. The spectrum of views reflected in the Austrian debate ranges from considerable political will for advancing enlargement to a rather critical assessment of the limitations of opening the EU up to the countries of the Western Balkans. Such issues are discussed at the governmental level, within political parties and are also taken up in broader public debates. Calls for a critical evaluation of the current enlargement strategy, including policy changes, are becoming stronger in Austria and halting the enlargement project for the time being is viewed as a step in the right direction. Analysing Austrian EU policy can be taken as proof of the realist understanding that states are ultimately the decisive actors in the enlargement policy. This should not come as a surprise; rather, it is in congruence with the development of the EU, where states attempt to defend their control of the European integration process in times of uncertainty and crises. Austria's ambivalence is part of a European ambivalence towards integration. In such a situation, a new impetus must be given to the conceptual debate about deepening and/or widening.

Chapter

11

CROATIA

BY ANDREW KONITZER

11.1 INTRODUCTION

Croatia's official government policy towards the enlargement of the European Union (EU) to the Balkans is shaped by various complimentary and conflicting factors. When it joined the EU as the 28th member state on 1 July 2013, this country of 4.3 million inhabitants ranked 21st in terms of both population size and GDP, making it one of the smallest countries in the Union. In foreign policy terms, such small states face a rather restrictive set of policy options and often attempt to increase their impact on regional and global affairs by seeking to capitalise on certain key issues to carve a *niche* for themselves in the international system.[275] Many Croatian foreign policy actors have resorted to this strategy by pointing to the country's shared historical, political and cultural ties with other non-member states in the region, arguing that these factors position Croatia to serve as an effective champion for enlargement, or as it is referred to by the strongest advocates, *consolidation*.[276] At the same time, Croatia's legacy with neighbouring states and its historical drive to 'leave the Balkans' complicates its role as an advocate for EU expansion into the region. These competing legacies interact with domestic political cleavages in ways that create different pressures on political actors representing various political options.

At the time of writing, the Croatian government officially advocates the EU membership of other Balkans states but it has had mixed success in articulating and promoting a unified and persuasive

[275] State small state/small power literature in international relations includes such works as: Fox, Annette Banker (1959), *The Power of Small States: Diplomacy in World War II*, Chicago: University of Chicago Press; Vital, David (1967), *The inequality of states: A study of the small in international relations*, Oxford: Clarendon Publishers; Vital, David (1971), *Survival of small states: Studies in small power/great power conflict*, Oxford: Oxford University Press; Keohane, Robert (1969), "Lilliputian's dilemmas: Small states in international politics"*, International Organisation,* Volume 23, Number, 2.; Keohane, Robert (1971), "The big influence of small states", *Foreign Policy*, Number, 2.; Katzenstein, Peter (1985), *Small states in world markets: Industrial policy in Europe*, Ithaca: Cornell University Press; Archer and Nugent, 2002; Ingebritsen, Christine and Neumann, Iver (2006), *Small States in International Relations*, Seattle, University of Washington Press.

[276] By referring to enlargement to the Western Balkans as "consolidation," rather than "enlargement," Croatian supporters of the policy attempt to reframe it as the completion of a task that has already been started rather than an entirely new process. This can then be used as a rhetorical vice to push other EU states to "finish the job."

policy. Furthermore, a lack of institutionalisation means that this general policy direction and current pledges to refrain from Slovenia-like bilateral vetoing are both very much dependent on the identities and beliefs of the current individuals in key governing positions. Given the unpopularity of the existing government, the course and outcome of the recent presidential elections and other political tendencies within the opposition and its supporters, there are ample reasons to question past government pledges disallowing the use of the membership process to resolve bilateral disputes with neighbouring states. Given the negative EU-wide environment for enlargement, any act by future Croatian governments to manipulate the membership process will only further complicate a process already fraught with challenges for the remaining non-EU Western Balkans states.

11.2 BACKGROUND

Following the then Yugoslav Republic of Croatia's first multi-party elections in 1990, the republic declared independence from Yugoslavia. Croatia's quest for independence and the general collapse of Yugoslavia sparked a number of conflicts either on the territory of the former Yugoslav Republic or in neighbouring Bosnia and Herzegovina (BiH). This included a brief but full-scale land war against the forces of the Yugoslav People's Army (lasting from roughly the summer of 1991 until January 1992), as well as a longer conflict with secessionist Serb elements in the so-called Republic of Srpska Krajina, which lasted from the spring of 1991 until August 1995. These two interrelated conflicts made up the War for Croatian Independence or the Homeland War. In 1995, the Croatian army ended the Croatian phase of the Yugoslav conflicts when it launched Operations Lightning and Flash into the breakaway Serb regions, eliminating the secessionist government of Srpska Krajina and sparking a mass exodus of the country's Serbian population. Starting in 1992, Croatia was also deeply involved in the events unfolding in neighbouring Bosnia and Herzegovina, providing support to Bosnian Croat fighters and contributing regular troops to the fighting there. Bosnian Croats and Croatian forces fought both Bosnian Serb and Bosniak forces until the signing of the Washington Accords whereby Croatia agreed to support the creation of a Bosniak and Croat Federation of Bosnia-Herzegovina.

The execution of the war on Croatia's territory, as well as the state's involvement in the Bosnian conflict, created a legacy of strained relations with many EU/EC states. In the aftermath of the Homeland War, Croatia's relations with Europe were further tested by perceptions of increased autocratic rule, cronyism, continued meddling in the affairs of BiH, a refusal to meet international calls to resettle refugees, and a poor record of cooperation with the International Criminal Tribunal for Yugoslavia (ICTY). This continued until the death of independent Croatia's 'founding father' Franjo Tuđman, and the defeat of his Croatian Democratic Union (HDZ) in the 2000 parliamentary elections. Croatia then made steady, if interrupted, progress towards eventual EU membership under the Social Democratic Party (SDP)-led Račan government and two reformed HDZ governments under Ivo Sanader and Jadranka Kosor. The later period of accession was marked by continuing concerns about corruption, the last phases of the country's troubled cooperation with ICTY and bilateral disputes with neighbouring Slovenia, which at one point even led to the suspension of the accession effort.

Having joined the European Union in July 2013, Croatia entered a new chapter in its history with a number of legacies critical to the issue of enlargement towards the Balkans. With regard to Bosnia-Herzegovina, Croatia shares not only a long and difficult-to-control border, but also historical and ongoing cultural, political and economic linkages to the Bosnian Croat population, which makes up the Federation of Bosnia and Herzegovina entity. Relations with Serbia also remain complicated. Over the past 70 years, an already problematic relationship between the Croats and Serbs was sharply worsened through the atrocities committed by the Ustaša regime during WWII and what Croats saw as a Serbian war of aggression during the Homeland War. Today, unsettled issues between Serbia and Croatia

include competing genocide suits currently before ICJ, border disputes, refugee issues, the treatment minorities in both countries, war reparations, the return of artefacts, and the exchange of information on missing persons (see Table 11.1).

Contacts between Croatia and other potential member states are much simpler – partly thanks to small or completely separate borders. Here, the view form Croatia's 'window' is much less obstructed by historical legacies and Croatia can more freely act as an interlocutor with far fewer potential foreign and domestic ramifications.

Table 11.1: Open-bilateral issues by neighbouring non-EU member state[277]

Serbia	BiH	Montenegro
Sharing of information on missing Croatian citizens	Border Demarcation	Border at Prevlaka
Unpaid pensions of Serbian citizens who earned pensions in Croatia	Neum corridor	Post-CEFTA trade relations
Mutual genocide lawsuits	Property issues	
Serbian minority in Croatia	Voting and other rights of Bosnian Croats	
Croatian minority in Serbia	Jointly-owned hydro-power plant	
Return of Croatian art objects	Post-CEFTA trade relations	
Danube border demarcation		
Return of Serbian refugees to Croatia		
Post-CEFTA trade relations		

11.3 POLICY AND VARIATIONS

Any analysis of Croatia's contemporary policy towards Balkan enlargement should be prefaced by recognising three important contextual factors: Croatia's diminutive size, its very recent entry into the European Union and an ever-heightening sense of 'enlargement fatigue' within the EU.

With regard to the first issue, Croatia's diminutive size within the much larger Union shapes its foreign policy options and strategies. In a rare analysis of Croatian foreign policy, Dejan Jović reintroduces the useful distinction between a country being a small *power* and a small *state*. The former is a small state whose foreign policy influence is disproportionately larger than its size, while a small state's stature and influence are more equivalent, leaving it to essentially focus on internal affairs or act as a client to a larger power.[278] Manifestations of this distinction presented themselves in a number of interviews, suggesting that Croatia's policy towards enlargement must be viewed through two frequently overlapping lenses. The first is very much a small state approach and it relates to how Croatia sees enlargement as benefiting or detracting from its own, narrow interests and the interests of key constituencies in the country. The second raises small power potentiality and relates to whether Croatian politicians should actively embrace the enlargement issue as a means to establish a foreign policy *niche* that can transform Croatia from a mere small state to a small power within the context of the much larger EU polity. Advocates of such a strategy believe that Croatia can leverage its geographic

[277] Adopted from: Selo Sabic, Senada (2013), "Back to the Balkans – Croatia's Foreign Policy After the EU Accession", Paper presented at the 8th Pan-European Conference on International Relations, Warsaw, September 2013, available at: www.eisa-net.org/be-bruga/eisa/files/events/warsaw2013/Selo%20Sabic_Back%20to%20the%20Balkans-Croatia_%27s%20foreign%20policy%20after%20the%20EU%20accession.docx.pdf (last accessed on: 11 March 2015).

[278] Jović, Dejan (2011), "Hrvatska vanjska politika pred izazovima clanstva u Europskoj Uniji," Politicka misao, Volume 48, Number, 2, p. 15.

location, status as the 'newest member' and unique ties to the region as a means to become a leading expert and advocate for the enlargement, thus increasing its policy footprint in EU debates.

Apart from the challenges of small state foreign policymaking, Croatia's very recent admission into the Union also shapes the articulation and advancement of its stance on enlargement. From at least 2000 (if not earlier) until 2013, Croatia's entire foreign policy establishment was directed almost exclusively towards the goal of achieving EU membership. Joining the Union was certainly a major accomplishment for the state but it also created a sense of disorientation as Croatia moved from a unidirectional policy to one of potentially multi-fold options[279]. EU accession involved thus a search for a post-membership foreign policy, and a considerable amount of learning on behalf of the domestic foreign policy elite.

Finally, political actors in Croatia are keenly aware that enlargement is not at the top of the agenda for most EU member states. With predictions of future membership now being pushed back to 2020 and later, MEPs and local politicians alike recognise that new countries are unlikely to join during current institutional mandates. This led some stakeholders to attempt to recast and 're-securitise' the enlargement question in the light of new threats posed by Russia and ISIS.

At the time of writing, no major party actor, and certainly no parliamentary parties, promote an explicit policy against enlargement towards the Balkans. Croatia's support for enlargement is embodied in numerous public documents, pronouncements, fora and other events designed to promote the membership of neighbouring states. Before leaving office, the previous HDZ-dominated parliament passed a "Declaration promoting European values in Southeast Europe", which supported continued enlargement and rejected the use of bilateral issues to block future members. The first section under 'foreign policy' in the political programme of the current government (which took office in 2011) explicitly details the state's interest in the EU membership of its neighbours as a source of political and economic stability, arguing that "the advantages of our membership in the European Union will not be fully realised while the other states in the region are not members of the Union". With that statement in mind, the government promises to:

> "be an active advocate for the region (Balkans) in the European Union and for the European Union in the region. We will help and support states in the region on their reform paths towards the Union as well as the strengthening of their administrative-negotiation capacity and the advancement of their mutual political, economic and cultural ties".

The statement also rejects the use of bilateral issues to block EU membership and calls for the establishment of a special working group for BiH, recognising the importance of the country for the region and its special challenges.[280] In the interest of promoting knowledge transfer to neighbouring countries at various stages of the accession process, the government also established the Council for Transitional Processes or Centre of Excellence.

Croatia's government and executive branch have also hosted a number of major international events focused on bringing regional leaders together to discuss issues of regional cooperation and, frequently, enlargement. The Croatia Forum, now in its ninth year, invites regional leaders to discuss issues of regional importance, and the 2014 forum was dedicated exclusively to the issue of enlargement. The so-called *Brdo-Brijune* process was established in July of 2013, and held its third major meeting in Dubrovnik in July 2014. The July 2014 meeting was especially notable for the presence of German

[279] Jović (2011), *op. cit*.

[280] Republic of Croatia, *Programme of the Government of the Republic of Croatia*, December 2011, available at: https://vlada.gov.hr/UserDocsImages///Program%20Vlade%202011-2015.pdf (last accessed on: 12 March 2015).

Chancellor Angela Merkel, who went on to host Balkan leaders at the Western Balkan Conference in Berlin, in August that year.

In short, the public record provides ample evidence that Croatia seeks to make the EU enlargement issue one of the defining features of its foreign policy, and indeed of its identity within the EU as a whole. However, during the author's interviews and media research, subtle differences emerged in the meaning of support for enlargement for different actors. At this stage, these could be divided into three different approaches, which could be characterised as the (1) *status quo*; (2) BiH 'new approach'; and (3) restructuring for BiH, redemption for Serbia.[281]

The *status quo* approach leaves the content of conditionality largely unchanged, but promises incentives and opportunities to facilitate other states' efforts to meet these conditions. The approach treats all potential member states as equals both among themselves and in comparison to recent entrants. Therefore, there is no perceived need to adjust conditionality to the specific context of any one potential member state, and advocates of this approach maintain that strict conditions – at least as rigorous as those applied to Croatia – are necessary and even advantageous for aspiring members. Proponents of this approach are found throughout the Croatian political establishment and, at times, elements of this approach can be heard in the statements of individuals who are also identified with some of the other approaches presented below (emphasising the fluidity in the 'support camp'). The bulk of the president's circle of advisors (especially following Dejan Jović's dismissal) is also strongly in favour of this strategy. As a *status quo* approach, it understandably provides a rather 'safe' stance for a new EU member operating in a broader environment characterised by expansion fatigue.

The 'new approach' proposes to keep conditions largely the same for all EU-hopeful countries in the Balkans, except for BiH, which should receive a special accession process to account for its uniquely challenging structural issues. This proposal grew out of the protests that occurred in BiH in February of 2014. Croatian Foreign Minister Vesna Pusić visited Sarajevo at the end of March; she discussed the new approach and stressed that this was not a lowering of standards but that certain prerequisites for the negotiation process would instead be incorporated into the negotiation process itself. [282] The main outlines of this approach were laid out in a non-paper for BiH, and presented by Pusić at a Foreign Affairs Council meeting in April 2014. At the time, former EP rapporteur for Bosnia and Herzegovina, Doris Pack, criticised the plan saying that BiH needed to follow the same process as all other states and a resulting Foreign Ministry Council decision also largely rejected the idea. However, the story of the 'new approach' took an unexpected turn in early November 2014, when German Foreign Minister Steinmeier and British Foreign Minister Hammond presented a very similar proposal at the Aspen Institute conference on South-Eastern Europe. While the two ministers took full credit for the proposal, it was clear to many observers, and later reinforced in statements made by Vesna Pusić herself, that the initiative had its origins in the April proposal by the Croatian Foreign Minister.

Alongside the 'new' and 'status quo' approaches, there is a concerted effort by the Foreign Ministry, in particular, and, to a lesser extent, also by now-former President Josipović, to reach out to the Serbian

[281] Until the fall of 2014, a fourth 'mini big bang' approach warranted inclusion in this list. Commonly attributed to the former-presidential political advisor, Dejan Jović, the approach promotes the tailoring of EU accession processes with the goal of a region-wide accession similar to the 2004 and 2007 enlargements. As Croatia's political climate shifted steadily rightward in the second half of 2014, the regional approach found little traction among the broader Croatian political elite, in part since Jović's biography and viewpoints made him a favorite target for critics accusing him of "Yugoslavism". Jović's dismissal from Josipović's team of advisors on 2 October 2014, and the subsequent public attempts of both of Croatia's presidential candidates to distance themselves from Jović, seem to have sealed the fate of the mini big-bang.

[282] "Vesna Pusić: Pravi je trenutak za novi evropski pristup prema BiH", *Klix.ba,* 28 March 2014, available at: www.klix.ba/vijesti/bih/vesna-Pusić-pravi-je-trenutak-za-novi-evropski-pristup-prema-bih/140328146 (last accessed on: 12 March 2015).

side. These efforts carry certain domestic political risks, especially around specific sensitive issues such as missing persons, war crimes, the use of Cyrillic text in a highly symbolic 'hero city' like Vukovar, or near critical political moments like elections. One example was a visit by Pusić to Belgrade, where she gave an interview suggesting that war crimes were the responsibilities of the then-existing Serbian and *Croatian* governments – thus appearing to implicate former Croatian President, former president of the HDZ and 'father of Croatia', Franjo Tuđman. As one might expect, such statements drew a harsh reaction from the HDZ and other centre-right-oriented Croatians.[283]

This 'restructuring and redemption' approach seeks to work with BiH to meet similar conditionality requirements and to also place pressure on Serbia to alter some of its behaviour – ostensibly in preparation for a more meaningful membership. Intermingled with the cooperative declarations towards BiH are statements advocating the 'equal status' of Croats in the neighbouring state, some of which seem to suggest a renegotiation of the Dayton accords and the possible creation of a third, 'Croatian' entity. While all stakeholders advocating this particular approach were adamantly supportive of EU membership with conditions for *all* neighbours, conversations frequently focused primarily on BiH, and particularly the state of Croats within that neighbouring state. With regard to Serbia, proponents of this approach are careful to note that they do not explicitly support bilateral vetoing by Croatia. However, the line between insisting on Serbia's meeting certain (Croatian) conditions prior to membership and bilateral vetoing is rather fuzzy.

Public statements aligned with the 'restructuring and redemption' narrative proliferated in the fall of 2014 after Serbian Radical Party president Vojislav Šešelj's provisional release from the Hague, the International Court of Justice's simultaneous dismissal of the Croatian and Serbian genocide cases and during the run-up to the hard-fought Croatian presidential elections, which resulted in the victory of HDZ-supported candidate Kolinda Grabar-Kitarović over incumbent president and committed enlargement supporter Ivo Josipović. Grabar-Kitarović stated in a presidential debate that she would make Serbia's entrance into the EU conditional on it providing information on missing persons from the early 1990s war in Croatia and on guaranteeing rights for its minorities. In another setting, she also made statements supporting constitutional changes in BiH that would guarantee the equal rights of Croatians.

In reaction to Šešelj's public appearances in Serbia, HDZ MEP Andrej Plenković successfully proposed a resolution to the EU Parliament that reminded the Serbian government of its obligations as an EU candidate country and called on it to condemn Šešelj's public statements and investigate whether he was in violation of any laws. In a more direct attempt to actively block Serbia's progress towards membership, Plenković joined three of his party colleagues and another representative from the Croatian Peasants Party (HSS) to propose an amendment to a European Parliament resolution on Serbia, which would have brought further negotiations between the EU and Serbia to a halt until the Serbian government changed laws that provided the legal basis for the arrest and detainment of former Croatian soldier Veljko Marić on war crimes charges. This would constitute the first explicit effort by Croatian political actors to use European Union institutions to obstruct Serbia's quest for membership in the organisation. In a more unsettling twist to the story, Croatian Premier and Social Democratic Party president Zoran Milanović picked up the 'redemption' narrative himself, declaring that Croatia would block Serbia's membership bid unless the laws were changed. This suggests that this discourse is potentially jumping party and ideological divides and that even members of previously supportive parties may feel pressure to adopt a more obstructive stance.

[283] "Pusić izjednačuje krivnju I amnestira protagonist velikosprske politike," *Tportal.hr*, 28 February 2014, available at: http://www.tportal.hr/vijesti/hrvatska/318607/Pusic-izjednacuje-krivnju-i-amnestira-protagoniste-velikosrpske-politike.html (last accessed on 12 March 2015).

Looking back to the summer of 2014, one can note a disturbing (from the standpoint of continued EU enlargement) shift in the overall rhetoric of the HDZ and even some in the centre and centre-left (that is, Milanović) towards statements that are seemingly at odds with the Croatian Parliament's 2011 pledge to support enlargement and reject bilateral vetoing. Committed advocates of enlargement like Foreign Minister Vesna Pusić may have been heartened by successfully placing the 'new approach' on the EU agenda, but such voices are increasingly competing with other actors in the domestic sphere, employing less cooperative language and operating on increasingly important positions, both internally and on the EU stage.

11.4 ROOTS OF THE POLICIES

From the interviews and media analysis, one can identify certain common factors that were frequently cited as the bases for the aforementioned approaches. These include: (1) the enlargement policy and conditionality will help neighbouring states build stronger states and markets; (2) enlargement will promote regional stability and security; (3) enlargement will re-integrate Croatia into a market where it previously held significant advantages; (4) the entry of BiH into the EU would benefit Croatians living there; and (5) integration will consolidate the rest of the region into the European camp, and thus ward off potential competing influences from Russia and Islamic states.

With regard to the positive impacts of conditionality, interlocutors pointed to the fact that Croatia as a state benefited from a lengthy and rigorous accession process, which forced difficult decisions on both politicians and society. Subjecting other countries in the region to similar conditions is expected to produce comparable results, thus contributing to the stability and prosperity of the region as a whole. Yet these arguments must be taken with some scepticism. EU reports and statements by the Croatian president himself suggest that even Croatia's 'hardest road' was not enough to overcome endemic corruption and a weak legal system. For additional proof, one needs to look no further than the new 'enhanced' accession process proposed for Montenegro and Serbia which, like the process applied to Croatia, seeks to draw on lessons learned from previous enlargement rounds (in Croatia's case, from the accession of Romania and Bulgaria).

Related to this state capacity argument, interviewees also revealed that enlargement would promote stability and security in the region by stimulating better governance and resolving ongoing issues over borders, and relations between citizens and the state. With Croatia sharing land borders with three Balkan countries, including a particularly long border with BiH, interviewees claimed that it was in the state's national interest to promote the strengthening and stabilisation of neighbours within the EU framework. In recent months, as the 'restructuring and redemption' approach became increasingly salient, arguments in favour of potentially blocking Serbia's progress towards membership oftentimes made explicit or implicit reference to concerns over human rights and regional stability – particularly with regard to Vojislav Šešelj and the furore around the Veljko Marić case. Serbia's reaction to the ICJ's rejection of the two countries' genocide cases also elicited statements by Croatian political actors suggesting that Serbia had not come to terms with its past. Similar appeals to human rights can be heard in calls to ensure the equality of Croatians in neighbouring BiH.

Economic arguments also figure prominently. When Croatia entered the EU, it effectively 'exited' the Central European Free Trade Agreement, a regional free trade organisation that encompassed states in the former 'Yugo-sphere', where Croatian products tended to enjoy the highest demand. From 2007-2012, about 60% of Croatia's exports were absorbed by the European Union, while roughly 20% were

absorbed by CEFTA countries.[284] Croatia's exit from CEFTA was estimated by a number of analysts to have a negative impact on the Croatian economy both in terms of lowered exports and loss of investment, as certain Croatian companies set up satellite operations in neighbouring countries to avoid higher tariffs. The impact was felt differently in each sector, as tariff duties rose and fell accordingly.[285] On 25 June 2014, Serbia and Croatia signed a new protocol that would essentially give Croatian goods the same treatment in Serbia that they had before Croatia entered the EU.[286]

With varying degrees of explicitness, the issue was also linked to the interests of Croats living in neighbouring Bosnia-Herzegovina. This received more emphasis in the HDZ's statements, likely due to the party's close ties to Croatians in the region. Nonetheless, all major actors focused part of their treatment of BiH's membership prospects on the state of the Croatian minority there. A problem with this factor for actors of any political stripe, but particularly for those to the right of the centre, is that such statements can quickly draw accusations of Croatian meddling in the internal affairs of post-Dayton Bosnia. Declarations made by Croatian conservatives, including HDZ president Tomislav Karamarko, lent more than an element of validity to such concerns.[287]

Finally, as suggested in the arguments of Jović and others, the enlargement issue has also been overshadowed by the events unfolding in Ukraine, and increasing concerns about Russia's intentions in the region. It was also posed in terms of warding off what could best be summarised as 'Islamic extremism' – a concern which has only increased given the growing threat of ISIS. From this perspective, by helping neighbouring countries make a solid choice for Europe, the region would become less vulnerable to other possible influences opposed to Croatia's national interest.

11.5 POLICY FORMULATION

While certainly not formally enshrined in the constitution, interviewees frequently pointed out that the president has "50%" of the responsibility for foreign policy. For individual member states, especially as small as Croatia, the effort to revive and sustain enlargement is as much about public statements and the hosting of international forums and delegations as it is about concrete legislation. In this respect, current President Ivo Josipović has been quite active. Interviews with individuals from the president's circle of advisors indicate that the president consults with supporters of the *status quo*, special status for BiH and 'big bang' approaches, and this has been reflected also in his statements made throughout his presidency. The fact that Josipović is a highly educated and politically astute actor in his own right also means that he is hardly a passive mouthpiece for any particular member of his circle.

Turning next to the government, one cannot speak about decision making within the Foreign Ministry without focusing on the person of the Foreign Minister herself – Vesna Pusić – who has been a long-time and very passionate advocate of Croatia's accession, and who sees EU membership as contributing not only to national interest but to the greater cause of the EU *as an idea*. This has made her a frequent target of more inward-looking politicians who find it easy to accuse her of selling out the country's national interests. Her position in the tellingly named Ministry of Foreign and European

[284] Holzner, Mario (2013), "Impact of Croatian EU Accession on Regional Trade Patterns," *wiiw Policy Notes and Reports*, Number, 2, p. 3.

[285] "CEFTA after Croatian joins the EU: Commotion at the top", *Biznis & Finansije*, December 2014, available at: http://bif.rs/2013/12/cefta-after-croatia-joins-the-eu-commotion-at-the-top/ (last accessed on: 12 March 2015).

[286] "EU natjerala Srbiju na veći uvoz naših cigareta", *Jutarnji List,* 25 June 2014, available at: http://www.jutarnji.hr/potpisan-protokol-na-ssp-izmedu-srbije-i-eu-a--povoljniji-tretman-za-hrvatski-izvoz/1201710/ (last accessed on: 12 March 2015).

[287] "Naša je obveza izboriti se za jednakopravnost hrvatskog naroda u BiH", *Dnevnik.hr*, 13 September 2014, available at: http://dnevnik.hr/vijesti/hrvatska/karamarko-rh-ce-se-zbog-hrvata-mijesati-u-stvari-u-bih---352086.html (last accessed on: 12 March 2015).

Affairs (MVEP) places her at the very centre of any decisions related to the European Union, including enlargement. Government policies related to the issue either initiate from within the Ministry itself or arrive there in a consultative framework with other relevant ministries. Either way, no foreign or European policy is made without the active involvement of the MVEP.

The Parliament's role in this process is more complicated. Various committees are involved in developing recommendations for policies which most frequently originate with governing bodies such as the MVEP. Of course, any legislation proposed by the government must be approved by the Parliament before becoming law. During meetings of the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC), the Croatian Parliament's Committee on European Affairs has been a persistent voice for enlargement. Furthermore, parliamentary bodies are also active in working with other parliaments in the region, assisting them with EU-related policies and promoting coordination of activities with an eye, at times, towards the EU accession process.

Croatian MEPs also use their seats in the European Parliament to push the government's, their party's and their own personal agendas regarding the enlargement process. The particular agenda they promote is partially dependent on their role within either party or government, as well as on their own personal political ambitions and prospects. This latter point became evident with the joint efforts of Tonino Picula (SDP) and Davor Stier (HDZ), member of rival parties, to endorse more rights for Croatians in BiH as a means to potentially resolve that state's internal problems, oftentimes ostensibly within the framework of facilitating its eventual membership in the EU. Both apparently received some backlash from members of their parties indicating that this bipartisan initiative was not entirely welcome. Many commentators saw the attempt as a means for the two politically ambitious actors to further their careers in the Croatian political scene. At the same time, the incident with Plenković and his colleagues in the EP demonstrates that EU-level action can also complicate the efforts by neighbouring states to gain membership.

Given Croatia's relatively recent independence and the soundly national orientation of much of its political elite, it is perhaps unsurprising that the elites' main focus is on the more supra-nationally profiled institutions, and that the Commission is referenced primarily as an 'environmental' factor that drives or obstructs the enlargement process. Policy elite speak mostly in terms of the EU as an arena to advance Croatian interests – a point of view which sits uncomfortably with any discussion of the European Commission.

11.6 THE RECORD TO DATE

Research suggests that the Croatian government's record is mixed in terms of putting enlargement on the EU table and defining a *niche* for itself around this issue. As the President of the Serbian National Council and Chair of the Parliamentary Foreign Policy Committee, Milorad Pupovac, and others indicated, Croatia has not succeeded in setting forward a single policy concerning enlargement. The very existence of at least three separate approaches, plus the under-institutionalised nature of the Croatian foreign policy establishment, has arguably undermined Croatia's efforts to fight an already difficult (considering Croatia's small size and the broader circumstances in the EU) battle to both establish itself as a main voice for this issue and effectively move it forward. Speaking more broadly, Pupovac was highly critical of Croatia's entire foreign policy, arguing that Croatia had largely failed at all levels of government to come forth with a clear position on most issues in the EU, including enlargement. In his opinion, this left the country without a clear EU identity and was symptomatic of a general lack of direction in domestic politics and the development of domestic institutions.

However, aside from pointing to the German and British co-optation of Croatia's 'new approach' to Bosnia as at least some kind of indicator of Croatia's success on the broader EU foreign policy stage, one could also counter critics like Pupovac by arguing that, even with a much more consistent and robust foreign policy direction advanced by a highly cohesive and experienced foreign policy establishment, Croatia's position within the EU, along with the EU's post-2008 economic and financial realities and the crises in Ukraine and the Middle East, make it nearly impossible to strongly impact the EU or the large member states' policies towards the Balkans. As once again demonstrated by the 'new approach,' perhaps Croatia could leverage its special knowledge and position to shape the details of an enlargement process. However, the current debate is more focused on whether enlargement should occur at all, not how the enlargement might be shaped to expedite membership for individual states. Unfortunately for Croatia's enlargement supporters, the former issue is a matter for larger players in the Union, and thus, Croatia is woefully underequipped to push forward a largely idled or even extinguished agenda.

Paradoxically, there is one way in which Croatia can most certainly impact the enlargement process: using bilateral issues to block the membership track of countries in the region. As mentioned throughout this chapter, the current foreign policy establishment has taken a number of steps to show its determination to avoid any repeat of Slovenia's obstruction of Croatia's accession. However, Croatia's policies, like those of many states, are driven by personalities. This lack of institutionalisation introduces an element of uncertainty as to whether government pledges to reject the use of the membership process to settle bilateral issues will be honoured in the medium to long term. As Senada Šelo Šabić argues:

> "*Personalities matter* (author's emphasis) and in this case, people who currently occupy key government positions evidently support this role…In the case of Croatia, it is still too early to say whether consecutive governments will also endorse this foreign policy objective."[288]

The spring 2014 wave of the Eurobarometer indicates that popular attitudes towards enlargement in Croatia are still comparatively high. A full 64% (down from 71% in 2013) of Croatians favoured EU enlargement as opposed to only 37% of Europeans across the EU. This made Croatians the third strongest supporters of enlargement after Romanians and Lithuanians.[289] It would be very useful if detailed analyses existed on this issue, which explored more probing questions about the costs and benefits of broader regional membership, as well as variation in support for *certain* potential members (for instance, BiH versus Serbia). Nevertheless, overall, it appears that enlargement fatigue is much less of a factor in Croatia than it is in the rest of Europe.

However, at present, there is cause for deep concern about future directions in Croatian society in general and how these might impact popular support for political options that would oppose different regionally cooperative options, including enlargement. Today's Croatian society is marked by distrust in the available mainstream political options and by a lack of clear consensus about the direction of the country. The accomplishment of the goals of independence and EU membership left the Croatian political establishment with no new guiding political principles. Six years of economic recession and poor prospects of recovery have only worsened the situation. As a result, political parties are themselves in a crisis. The HDZ has recently made a turn towards a more conservative brand of

---

[288] Adopted from: Selo Sabic, Senada (2013), "Back to the Balkans – Croatia's Foreign Policy After the EU Accession", Paper presented at the 8th Pan-European Conference on International Relations, Warsaw, September 2013, available at: http://www.eisa-net.org/be-bruga/eisa/files/events/warsaw2013/Selo%20Sabic_Back%20to%20the%20Balkans-Croatia_%27s%20foreign%20policy%20after%20the%20EU%20accession.docx.pdf (last accessed on: 11 March 2015).

[289] Eurobarometer 80, 81.

'Tuđmanism' while an apparently shrinking number of party members maintain the moderate views, if not the corruption, of Ivo Sanader. The largest party in the ruling coalition, the Social Democratic Party, is divided and ideologically rudderless.

At the same time, events like the ICJ's rejection of the competing genocide cases, the release and subsequent incendiary rhetoric of Vojislav Šešelj, the suspiciously *quid pro quo* release of Croatian war crimes suspect Branimir Glavaš, continued inter-ethnic tensions in the city of Vukovar, the Veljko Marić case, and several other developments are creating a highly permissive environment for chauvinistic or nationalistic ideologies that could fill the programmatic and even existential void that marks the country – a development that would have obvious consequences for Croatia's approach to enlargement. The symptoms of this tendency were well demonstrated during and immediately following the recent presidential elections, and more of the same rhetoric is expected for the upcoming (by February 2016) parliamentary elections. By most public opinion measures, it is very likely that these next elections will yield an HDZ-led government. Given Croatia's weak institutionalisation, the concomitant influence of individual personalities and beliefs on the direction of foreign policy, and a growing tendency in the HDZ to talk in terms of bilateral vetoing with Serbia and interference in BiH, such a change could have a major impact on Croatia's foreign policy. Previous HDZ governments, particularly after Ivo Sanader's rule as party president, tended to pursue policies which were very much in line with the general interests of the EU and its member states. However, the achievement of membership and the evident rise of more conservative elements in the post Sanadar/Kosor HDZ pose the risk of less cooperative policies moving to the fore.

To end on a more general note, it is worth remembering that government pledges and other public statements such as those made by the Croatian Parliament and Presidency at various times in the past five years are as good as any other political agreements – they are honoured only so long as the actors holding these posts are determined to abide by them. As any student of international relations theory knows, the anarchical nature of the international system makes it difficult to enforce commitments in the long or even short term.[290] The enforcement question is further complicated by the fact that it is not so easy to differentiate the instrumental use of bilateral issues to maliciously block a neighbouring EU aspirant from a more laudable effort to uphold basic principles of the Union. For instance, how to assess an instance where a future Croatian government insists on Belgrade's handing over information on missing Croatian citizens as a precondition for the ratification of Serbia's final admission to the Union? Is this Croatia as the new Slovenia (Piran Bay), Greece (the former Yugoslav Republic of Macedonia) or Romania (rights for Vlachs), or a country legitimately upholding the rights and values upon which the larger Union is ostensibly founded? The distinction between bilateral obstruction and maintaining the principles of conditionality remains subjective. As a result, future Croatian policymakers will have more leeway to act as inward-looking gatekeepers than government pledges and executive promises might suggest. The implications of this observation for the enlargement process into the Western Balkans are obvious and might not spell good news.

[290] Oye, Kenneth (1979), *Cooperation Under Anarchy*, Princeton: Princeton University Press.

Chapter

12

HUNGARY

BY BEÁTA HUSZKA

12.1 INTRODUCTION

Ever since Hungary became a member of the European Union (EU) in 2004, there has been a consensus spanning political parties and governments regarding Hungary's support for further EU enlargement. This consent is embedded in Hungary's post-transition experience, which shaped the fundamental lines of its foreign policy and was guided by three main aspirations: Euro-Atlantic integration, good neighbourly relations, and support for the Hungarian minorities living abroad. Hungary's policy towards the Balkans is also inspired by this threefold agenda. Backing the Balkan countries' EU membership bid contributes to improve bilateral relations, and good neighbourly relations tend to benefit Hungarian minorities living there.

Since 2012, Hungary's foreign policy took a turn eastward when the Fidesz-led government (Alliance of Young Democrats) announced the "Eastern opening" prompted by the apparent "decline of the West".[291] Quite recently the government has also introduced the policy of the "Southern opening". In line with the new approach, Eastern and Southern markets – including Russia and China, as well as states in Central Asia, the Middle East and Africa – would gain a larger share of Hungarian exports, while Hungary's dependence on EU exports would be reduced.[292] The new foreign policy agenda placed the greatest emphasis on the economy, which is the main focus of Hungarian diplomacy.[293] Nevertheless, this shifting of gears did not diminish the importance of the Balkans as Hungary's direct neighbourhood, where Budapest's support for enlargement is seen as a potential contribution to the EU's external policy.

[291] Hungarian Ministry of Foreign Affairs (2011), "Magyar Külpolitika Az Uniós Elnökség Után [Hungarian foreign policy after the EU Presidency]," p. 5, available at: http://eu.kormany.hu/download/4/c6/20000/kulpolitikai_strategia_20111219.pdf (last accessed on: 23 September 2014).

[292] "Orbán: Sunnyogással nem jutunk semmire," *Index*, 25 August 2014, available at: http://index.hu/belfold/2014/08/25/kulkepviselet-vezetoi_ertekezlet/ (last accessed on: 22 September 2014).

[293] "Szijjártó: A kínai vállalatoknak Magyarország Európa kapuja," *Mandiner*, 15 September 2014, available at: http://mandiner.hu/cikk/20140905_szijjarto_a_kinai_vallalatoknak_magyarorszag_europa_kapuja (last accessed on: 22 September 2014).

The centre-right Alliance of Young Democrats-Christian Democratic People's Party (Fidesz-KDNP) has formed the governing coalition since 2010, and the two-thirds majority it has enjoyed in Parliament has been sufficient to implement constitutional changes. This super-majority was reconfirmed at the 2014 general elections.[294] All important decisions are thus in the hands of the government, including Hungary's EU policy. The recent period has been marked by repeated confrontations with the EU institutions, notably the European Parliament[295] and the European Commission[296], underpinned by the often harshly critical discourse of the Hungarian political leadership towards the European Union. However, among all EU issues, the government and its leading party, Fidesz, has proven to be a most committed 'EU enthusiast' when it comes to enlargement.

Fresh research analysing party attitudes towards the EU in Hungary found that Fidesz politicians' most positive comments about the EU concerned enlargement.[297] Parties on the political left, which are generally less sceptical of the EU, are equally supportive of extending the EU's borders towards the South and East.[298] Jobbik, the far-right opposition party, is the only one in Parliament with some reservations about further EU widening, viewing it through the lens of the situation of Hungarian minorities. Thus, Jobbik "wants to end the unconditional support for EU integration" and "would back Serbia's and Ukraine's Euro-Atlantic integration only if Hungarian communities living there would be granted the most far-reaching possibilities of self-determination"[299]. This party is the most Eurosceptic in the country, questioning even the desirability of maintaining Hungary's membership of the EU, which it would put to a referendum.[300] Nevertheless, with the exception of Jobbik, support for enlargement is relatively uncontroversial among the political elites and it is also backed by the public. Hungarian people trust the EU more,[301] and show stronger support for enlargement (60%) than the EU average (EU 28: 37%) or other Eastern Europeans.[302]

Altogether, enlargement towards the Balkans enjoys an almost national consensus, which has been sustained even in the face of growing EU criticism from the ruling parties. At the same time, enlargement hardly features in public debates and receives very little media interest. Essentially, enlargement is not among the topics that attract the attention of political and intellectual elites, which are otherwise interested in, and knowledgeable about, EU issues.[303]
Hungary is thus an enthusiastic advocate of the EU's expansion, being usually at the forefront when it comes to promoting the EU integration of aspirant countries. Supporting enlargement is prioritised over immediate national interests by keeping bilateral disputes separate from the enlargement process, as

---

294 Quite recently, Fidesz lost its super-majority by failing to win parliamentary mandates in two local elections, in Veszprem and Tapolca. However, it still enjoys a majority position, while many decisions in parliament also require a qualified majority of those present.

295 "Decision of the Parliament about Hungary's rightful equal treatment," 5 July 5 2013, available at: http://www.parlament.hu/irom39/11729/11729.pdf (last accessed on: 20 September 2014).

296 See European Commission, European Commission launches accelerated infringement proceedings against Hungary over the independence of its central bank and data protection authorities as well as over measures affecting the judiciary, press release, 17 January 2012, available at: http://europa.eu/rapid/press-release_IP-12-24_en.htm (last accessed on: 20 September 2014).

297 *Where does the PERC-index stand?* or *From EU destructivists to federalists: the relationship of Hungarian parliamentary parties towards the European Union,* Hungarian Europe Society, March 2014, p. 40, available in Hungarian at: http://www.europatarsasag.hu/images/2014Marc/perc2_web.pdf (last accessed on: 22 September 2014).

298 *Ibid*., p. 131.

299 Official election programme of Jobbik, available at: http://jobbik.hu/sites/default/files/cikkcsatolmany/kimondjukmegoldjuk2014_netre.pdf (last accessed on: 10 August 2014).

300 *Ibid*., p. 91.

301 The share of citizens trusting EU institutions more than their national institutions was 47 % in Hungary, while the EU average was 31 %. Standard Eurobarometer 80, National Report Hungary, 2013, p. 4.

302 CZ: 44 %, PL: 61 %, RO: 64 %, SI: 52 %, SK: 51 %. Standard Eurobarometer 80, National Report Hungary, 2013, p. 9.

303 Author's interview, Hungarian Europe Society, 17 June 2014.

will be explained in more detail in the subsequent sections of this chapter. At the same time, Hungary is an unconditional and often uncritical driver. Its enthusiastic support goes along with insensitivity to details and lack of reflection on what accepting new members might bring into the EU and Hungary itself. National interests are hardly represented or even formulated during the integration process of candidates or potential candidates. The topic of national minorities is the only exception to this rule, since this is the single issue about which Hungary systematically articulates and asserts preferences.

12.2 THE HUNGARIAN POSITION ON ENLARGEMENT

Because of historical ties and geographical proximity, the Balkans' EU integration is regarded as Hungary's primary national interest. "No one likes being on the periphery"; therefore it is a natural and rational aspiration that Hungary should want its neighbours to become EU members.[304] As was argued in a letter by Prime Minister Viktor Orbán in July 2011, the Balkans is "an enclave of the EU surrounded by EU member states" and so the region's integration is not an extension of the EU's borders but the "completion of an unfinished business of reuniting Europe".[305]

Among former and present aspirants, Croatia and Serbia are seen as priority countries, and the Hungarian position is the most nuanced in these two cases. However, the European integration of the other aspirants enjoys equal support. During the Hungarian presidency in 2011, the Prime Minister visited every Balkan state to demonstrate the importance that his country attaches to the enlargement of the EU.

The overarching argument is that EU membership provides the best guarantee of lasting stability and security in the region. However, the presence of Hungarian minorities and economic interests in the Balkan countries also play a role. More specifically, there are three fundamental reasons why the Balkans' EU integration is of such high importance for Hungary.

First, Hungary's approach to enlargement is greatly influenced by the fact that the current candidates and potential candidates are direct neighbours or are at least situated in Hungary's close proximity. Speeding up the process serves the purpose of having "EU-conform neighbours",[306] while also reducing hard security threats. An outbreak of conflict in the region would directly impact Hungary's security, which is why Hungary actively participates in ongoing peacekeeping missions.[307]

Second, minority issues feature prominently on Hungary's agenda as approximately 300,000 ethnic Hungarians live in the Balkans as minorities, most of them in Vojvodina, Serbia's northern province.[308] The Hungarian government's recent decision to extend citizenship and voting rights to Hungarian minorities abroad led to an increase in the number of Hungarian citizens in Serbia. Enlargement is thus viewed as a subtle instrument for protecting these communities.

Third, economic motives also matter. Hungary has a surplus from trade in the region, which is a destination not only of exports but also of investments. Although the Balkans with its 23 million inhabitants seems like a small market, it accounts for a significant share of Hungarian trade and

304 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 12 June 2014.

305 Letter of Prime Minister Viktor Orbán to President Barroso, Members of the European Council, Jerzy Busek, President of the European Parliament and Baroness Catherine Ashton, High Representative for Foreign and Security Policy, Budapest, 1 July 2011.

306 *Ibid*.

307 There are 160 Hungarians serving in the ALTHEA mission and 387 in KFOR.

308 There are 14,048 ethnic Hungarians in Croatia and 254,000 In Serbia according to the 2011 censuses. Source: Statistical Office of Croatia, Statistical Office of Serbia.

outward investment. In 2013, Hungarian firms exported more to the Balkans than to China, Russia or the USA. Between 2008 and 2013, the region's share of Hungarian exports was 3.5%, while imports accounted for 1.2%. Equally important, Hungary continues to have a positive balance of trade with these countries. Out of the €7 billion export surplus Hungary realised from its overall external trade in 2013, €2 billion came from trade with the Balkans. In terms of exports, Serbia and Croatia are by far Hungary's most important partners in the region. The value of exports in 2013 reached €1191.5 million with Serbia and €1166.5 million with Croatia, while with Bosnia and Herzegovina it amounted to a mere €308.7 million, and with other Balkan states to even less. Hungary is among the five biggest exporters in Serbia, and the eighth most important trading partner of Croatia.[309] With the other countries, the level of trade exchange is quite insignificant, despite the fact that Hungary ranks among the top investors in both the former Yugoslav Republic of Macedonia (fYROM) and Montenegro.[310]

The Balkans is also an important destination of Hungarian capital export (see: Table 12.1). Hungarian investment activity in the Balkans is dominated by a few large companies, such as the energy company MOL, Hungarian Telecom and OTP Bank. Hungary is the fourth biggest investor in Croatia, owing to MOL's acquisition of INA shares (MOL being the single biggest investor in Croatia), with the stock value of Hungarian investments reaching €2.73 billion. It is the third biggest investor in fYROM and Montenegro, and also has significant capital stock in Serbia.

Table 12.1: Value of Hungarian FDI by country[311]Stock value (€)

Serbia	377.2 million
Montenegro	650 million
Croatia	2.73 billion
Macedonia	334 million
Bosnia and Herzegovina	150-160 million
Albania	n.a.

Given its strong economic and political interests in the region, Hungary generally fosters intensive political and diplomatic relations with the Balkan states. Since the Hungarian EU presidency in 2011, there have been high-level meetings with heads of state and governments of every country in the region, and many other meetings at lower administrative levels. In addition, Hungary has been particularly active in twinning, TAIEX and bilateral expert exchange programmes. These also allowed for deepening relations, not only in the political but also the business area. Through these expert exchange programmes, EU integration thus offers an opportunity for intensifying bilateral relations, which Hungary is using extensively.[312]

At the same time, EU enlargement also serves the interests of Hungarian investors. The fact that these countries have an EU membership perspective was a strong reason for investors to decide in favour of these markets as they view EU integration as an important risk-reducing factor. Hungarian companies expect more predictable business regulation, a better chance for equal treatment and generally a more liberalised, market-friendly and open business environment when a country becomes an EU member. However, experiences so far have been mixed at best. In some Hungarian investors' experience in Romania and Croatia, the willingness to comply with the EU's economic rules, ensuring the free flow of capital, abated after these countries' EU entry. After achieving membership, the tendency in some sectors such as energy has been a shift towards protectionism and closing up of markets, while for companies, seeking legal remedy when governments breached EU law proved to be very time-

309 Data retrieved from the website of the Hungarian Investment Promotion Agency, <www.hipa.hu>, 11 July 2014.
310 Data retrieved from the website of the Hungarian Investment Promotion Agency, <www.hipa.hu>, 11 July 2014.
311 *Ibid*.
312 Interview with a national expert in agriculture, 19 August 2014.

consuming. Investors that decided to start a business during the pre-accession phase thus made overly optimistic calculations regarding their risks based on the compliance behaviour of EU candidates who, after accession, retracted their previous commitments.[313]

12.3 MAIN POINTS AND PRINCIPLES OF THE HUNGARIAN POSITION

Hungary's support for enlargement is underpinned by the ethical consideration that it would be unfair for a new member state to close the doors to others.[314] What follows from this principle of solidarity is that Hungary usually argues for toning down or easing conditions especially in the area of the rule of law, human rights and justice, and for softening the edges of harsh condemnations. Solidarity also means that newcomers have to be treated the same way that Hungary and the other Central-Eastern European states were treated during their accession. In other words, Hungary cannot credibly support the application of tougher conditions than those that were applied towards Central-Eastern Europe. As a result of this approach, Hungary appears to be reluctant to press for enhanced conditionality in the field of justice and fundamental rights, with the exception of minority rights, of which Hungary is the most outspoken advocate.

However, equal treatment also means that conditions which caused difficulties for Hungary's accession should not be watered down or weakened, such as requirements concerning the liberalisation of the labour market or the purchase of land.[315] For instance, in Chapter 8: Competition Policy, which was particularly problematic for Croatia, Hungary was on the more permissive side, supporting the maintenance of protective measures for shipbuilding and the steel industry on a temporary basis. This attitude was informed by Hungary's own experience that showed that restructuring the steel industry and the state subsidies system required several years. At the same time, it was also recognised that Croatia could be a potential competitor for Hungarian steel products, which is why Croatia was expected to meet the same conditions that Hungary had to fulfil during its own integration process. The same principle was followed concerning agriculture, where Hungary argued that Croatia should receive the same level of derogations as the Central European countries.[316]

In general, however, accession conditions have become much tougher than they used to be 10 years ago, making the whole process more complicated and ambiguous.[317] Germany, the Netherlands, Finland, and Sweden are the most demanding in the area of the rule of law, a stance Hungary tries to counterbalance with a more permissive approach. In the Hungarian view, whether a country does enough to fight corruption or in the area of media freedom is often a matter of political judgements in the absence of clearly defined standards and indicators.[318] According to Hungarian diplomats, expecting Scandinavian or Dutch standards is unrealistic in countries struggling with post-communist and post-conflict legacies.[319] It is also being recognised that emphasising rule of law conditions can be an excuse for slowing down enlargement on the part of the old member states. While during Hungary's accession, conditionality policy mostly meant the transposition of technical laws and regulations, the Balkan states have to meet requirements that are less clearly defined and harder to fulfil, while evaluation is often based on rather subjective assessments.[320]

313 Author's interview, MOL Group, Budapest, 3 September 2014.
314 Author's interview, Ministry of Foreign Affairs and Trade, 13 May 2014.
315 *Ibid*.
316 *Ibid*.
317 Author's interview, the Prime Minister's Office, Budapest, 31 July 2014.
318 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 10 June 2014.
319 Author's interview, Ministry of Foreign Affairs and Trade, 4 June 2014.
320 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 10 June 2014.

Even if the technical details of enlargement are still managed by the European Commission, lately control has shifted to the member states, which makes the whole process increasingly cumbersome. The so-called 'new approach' of the Commission[321] also serves this purpose, since the introduction of opening, interim and closing benchmarks gives member states the upper hand over key decisions. The recent practice in some countries, such as the Netherlands or Germany, whereby greater milestones in the enlargement process have to be approved by national parliaments, also strengthens this control. Heads of state and governments can argue that their hands are tied, thus shifting responsibility to parliaments and voters for slowing down the enlargement process. According to Hungary, the EU should find a balance by keeping enlargement on track without compromising membership conditions. The situation of the former Yugoslav Republic of Macedonia (fYROM) shows that if the integration process stalls, achievements can easily be rolled back.[322]

On the whole, today, a negative atmosphere prevails in Western Europe, which stands in sharp contrast with the enthusiasm that surrounded the 2004/7 enlargement round. This is partially a result of the economic crisis, as the challenges of globalisation are often confused with consequences of the 'big bang' enlargement. In addition, there is a strong drive to stop economic migrants not only from outside but also from inside the EU.[323] All this translates into a wavering commitment to further EU integration. In the Hungarian view, while the EU expects increasingly tough conditions from candidates, it cannot meet its own promises by offering a tangible integration prospect, which creates a credibility crisis. At present, it is no longer convincing to claim that candidates' performance determines their pace of integration.[324]

Hungary's strong support for enlargement has not faded even in spite of the economic crisis. On the contrary, the crisis served to reinforce the opinion of the country that the EU needs the economic dynamism that enlargement can bring about. Enlargement can lead to a more competitive and efficient EU, which is another reason why enlargement fatigue, which has made the EU ever more inward-looking since 2010, has to be fought against.[325] Countries that used to be pro-enlargement, such as Britain, Denmark and Finland, are becoming increasingly sceptical, in addition to the traditionally enlargement sceptics like the Netherlands, Belgium or Germany.[326] Similarly, from the Hungarian perspective, the crisis in Ukraine serves as another reason why enlargement should be sped up, as it would make the EU a stronger international player.[327]

Building pro-enlargement coalitions of member states also belongs to the strategy of maintaining the impetus. Generally, the Visegrád countries, the Baltics, Austria, Italy, Spain, and Portugal are the most supportive members with which Hungary can coordinate its position before crucial decisions. The UK used to be supportive as well but during the last few years it has shifted towards a more sceptical position.

Hungary has been an active and mostly unconditional driver of enlargement to the Balkans.[328] Unconditional support means, on the one hand, that bilateral issues should not burden the accession process. According to Hungary, without allies, pushing particular national agendas can be counterproductive. Budapest questions, for instance, whether the Slovenes achieved much by obstructing negotiations with Croatia due to the disputed status of the Piran Bay. This tarnished

321 See more on this in the theoretical chapter.
322 Author's interview, Ministry of Foreign Affairs and Trade, 29 July 2014.
323 Author's interview, the Prime Minister's Office, 31 July 2014.
324 *Ibid*.
325 Author's interview, Ministry of Foreign Affairs and Trade, 13 May 2014.
326 Author's interview, Ministry of Foreign Affairs and Trade, 4 June 2014.
327 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 10 June 2014.
328 Author's interview, Ministry of Foreign Affairs and Trade, Budapest, 4 June 2014.

Slovenia's reputation and relations with Croatia, and the issue was finally delegated to an arbitration committee.[329] As far as Hungary is concerned, bilateral problems have no place in accession negotiations but should be addressed in bilateral fora in order to avoid the Slovenian scenario.[330] This position is shared among all the mainstream political parties, including Fidesz. There was only one instance when Hungary broke this rule, with Serbia in the autumn of 2011, and this case will be discussed below.

On the other hand, unconditional support implies a somewhat uncritical approach. Details of the Hungarian position are rarely fine-tuned, depending on the issue and the accession country in question. There is little reflection on conditions and consequences, that is on what the EU or Hungary should expect from new states joining the EU. For instance, in March 2005 when the EU Council of Ministers decided to delay opening accession negotiations with Croatia due to Zagreb's non-compliance with the International Criminal Tribunal for the former Yugoslavia (ICTY), the Hungarian socialist Prime Minister, Ferenc Gyurcsány, accused the EU of applying double standards concerning candidates.[331] The member states pushing for a delay wanted the EU to stick to its principles and not dilute the requirement of full cooperation with the ICTY. Yet it created the impression that Hungary was offering uncritical support for the Croats.[332]

Justice and home affairs is one of the few fields where sensitive issues were identified pertaining to Hungarian interests concerning Serbia's accession. The number of illegal immigrants and asylum seekers has grown considerably in the past few years, the majority arriving from Kosovo through Serbia.[333] This is a pressing issue for the ministry, which closely follows the preparation of negotiations concerning illegal immigration; however diplomatic pressure has so far been applied only in the bilateral context, keeping it outside the enlargement process.[334] It was a clear position of the ministry, however, that immigration from Kosovo should be dealt with as part of Chapter 24 and not as a horizontal issue within Chapter 35. On occasion, Hungarian diplomats brought up this topic in the Council Working Group on Enlargement (COELA), yet not as criticism of Serbia but in order to draw the member states' attention to this problem. Since the autumn of 2011, there is close cooperation with Serbia to address this issue in a trilateral forum together with Austria. The main goal of this cooperation is to help Serbia improve its legal system, infrastructure, technical and personnel capacities so that it can meet the existing challenges in the field of border security, asylum and immigration.[335] FYROM is also situated on this migratory route, which is why the goal is to include it in this cooperation as well.

Overall, however, from a home and justice affairs point of view, further EU integration brings clear advantages since candidates transform their institutions and policies according to EU standards in the area of immigration, asylum, border security, and organised crime, while enlargement also contributes to better bilateral cooperation and thus allows for better communication and resolution of outstanding issues.[336] Ultimately, Hungary would prefer that these countries join the Schengen Area sooner rather

329 Author's interview, Ministry of Foreign Affairs and Trade, 16 May 2014.
330 Author interview, Ministry of Foreign Affairs and Trade, 13 May 2014.
331 "Hungary backs Croatia in EU spat," *BBC News*, 14 April 2005.
332 Juhász, József (2005), "Croatia and the European Union," *The Analyst* 1, p. 63.
333 Most of these immigrants are coming from Kosovo, with some also from Afghanistan and countries of the Middle East and North Africa destabilised after the Arab Spring, such as Syria. Their destination country is generally not Hungary but the Western and Northern member states. Author's interview, Ministry of Home and Justice Affairs, Budapest, 3 September 2014.
334 Author's interview, Ministry of Foreign Affairs and Trade, 1 September 2014.
335 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 10 June 2014.
336 Author's interview, Ministry of Foreign Affairs and Trade, 1 September 2014.

than later because that would remove the need for Hungary to guard the Schengen border to the South and East.[337]

Hungary's official position on specific chapters is formulated in the Inter-ministerial Committee for European Coordination (ICEC). Its members are ministers and government commissioners, as well as executives and officials of key state administration organs, while its work is coordinated by the Ministry of Foreign Affairs and Trade. Importantly, every relevant portfolio is represented in the committee, which allows for the channelling of all significant information into the decision-making process. This is the body which prepares drafts related to EU membership. There are 52 thematic expert groups in the ICEC that "play an outstanding role in developing positions."[338] However, with the exception of minority rights, Hungary hardly ever formulates its preferences regarding specific topics, chapters or sectoral interests, although it would have the opportunity to do so. The European Commission, the European External Action Service and other member states often seek to consult Hungarian diplomats on Balkan issues. The experience of Brussels-based diplomats suggests that when it comes to the Balkans, Hungary's opinion has a weight in the EU which is often not really recognised in Hungary.

Although negotiation mandates and official positions are being circulated in various ministries through the ICEC, in practice, sectoral ministries rarely make observations or suggestions concerning the content.[339] Hungary's public administration generally does not have the capacity to deal with sectoral issues connected to enlargement even if in principle it should provide its input. Identifying the connecting points between the Hungarian economy and the applicant country would be required in order to formulate national preferences. The result is that diplomats involved in EU working groups often lack a clear mandate as to what they should exactly represent. This insensitivity to detail stands in stark contrast to Hungary's enthusiastic support for enlargement. It is also a problem that Hungarian diplomats representing Hungary in the working group on enlargement (COELA) and the working group for the Western Balkans (COWEB) belong to two different departments in the foreign ministry under two different state secretariats. Consequently, issues related to the Balkans and enlargement are institutionally separated.[340]

Large Hungarian companies tend to lobby the respective country's government or the European Commission directly, rather than seeking help from Hungarian diplomacy.[341] Hungary has never been proactive in addressing any of the outstanding status questions or security challenges in the region, and does not pay attention to strategically placing its nationals in key leadership positions of the common institutions. Altogether, there would be room for a more sophisticated approach, including better articulating and representing sectoral preferences. Often, the recognition of existing preferences comes too late, while assertions of interest would be much more effective if these were coordinated with the European Commission at earlier stages, well before the working groups start debating the actual wording of progress reports, or screening reports are published. Then again, such a careful strategy was pursued regarding minority rights.

337 Author's interview, Ministry of Home and Justice Affairs, 3 September 2014.
338 The EU Policy Website of the Hungarian government, available at: http://eu.kormany.hu/inter-ministerial-committee-for-european-coordination-icec, (last accessed on: 27 May 2014).
339 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 10 June 2014.
340 *Ibid*.
341 *Ibid*.

12.4 MINORITY RIGHTS

If there is any specific national priority that has been well represented during the enlargement process, it is certainly the issue of national minorities. Hungary joined in the debate about what should be the correct formulation of the principle of minority protection in EU documents, which is part of the Copenhagen criteria and was also included in the Lisbon Treaty. The controversy is about the wording: should "minority rights" or "the rights of persons belonging to minorities" be the correct phrasing? Mostly Romania and Slovakia argue for the latter, which is the language of the Lisbon Treaty, while Hungary prefers the Copenhagen version of "respect for and protection of minorities". EU institutions lean towards a compromise by using both expressions interchangeably. The heart of the dispute is whether minorities should be entitled to collective versus individual rights. Hungary's position is based not only on the Copenhagen document, but is also supported by the actual minority rights legislation in most Balkan states, which generally grant collective rights to national minorities. This issue has been pushed by Hungary alone, and has received little understanding or sympathy in the EU at large.[342]

The minority issue has played a significant role during the formulation of Hungary's position on the membership conditionality *vis-à-vis* Croatia and Serbia. Both countries are home to a sizeable Hungarian community, which is why Hungary has paid special attention to this topic. While negotiating Chapter 23, Croatia was asked to prepare an action plan about minority rights, which was a request made by Hungary.[343] Although minority rights were put on the agenda under the pressure of Britain and France, primarily because of the situation of the Serbian minority in Croatia, this also provided the opportunity for Hungary to raise the issue of ethnic Hungarians.

The Hungarian government follows a similar strategy concerning Serbia. Hungary made it clear to the member states, the Commission and Serbia that it regarded the preparation of an action plan about minority rights as important, before opening Chapter 23.[344] The action plan serves the purpose of having a more detailed and broader programme of minority protection than that contained in Chapter 23, which would also take into account recommendations of the Council of Europe.[345] These recommendations touch upon minorities' weak presence in the public sphere, urge a more appropriate response to hate-crimes against minorities, and stress the importance of government support for minority media.[346] Altogether, the focus in the action plan will be on the implementation of already existing minority rights legislation, such as proportional representation in the public sector, better practice of language rights and expanding the possibilities of education in minority languages. The strategy of the Hungarian government is to represent the interests of the Hungarian minority in Vojvodina, yet only after having consulted the leaders of the local Hungarian community and the Serbian government.

While it was important for Hungary to include general principles of minority protection in the negotiation framework, specific issues and potential controversies concerning ethnic Hungarians living in Serbia are generally dealt with bilaterally. Hungary closely follows how the law on national councils will be amended, which is necessary in light of a recent ruling of the constitutional court invalidating

342 Author's interview, Ministry of Foreign Affairs and Trade, 4 June 2014.
343 Author's interview, Ministry of Foreign Affairs and Trade, 16 May 2014.
344 Author's interview, Ministry of Foreign Affairs and Trade, 29 July 2014.
345 Advisory Committee on the Framework Convention for the Protection of National Minorities, Third Opinion on Serbia, Council of Europe, Strasbourg, 23 June 2014, available at: http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_Serbia_en.pdf (last accessed on: 30 August 2014).
346 Author's interview, Ministry of Foreign Affairs and Trade, 29 July 2014.

many competencies of minority councils.[347] It also pays attention to settling the issue of Vojvodina's autonomy statute,[348] and the restitution and rehabilitation process of ethnic Hungarians, to be explained in more detail below.[349]

There was one single case when Hungary used its veto threat against a potential candidate state in order to assert its national interest, which also concerned the issue of minorities. The Hungarian government threatened to block Serbia's EU integration process in the autumn of 2011, after the Serbian Parliament adopted a new law on restitution which excluded a significant number of ethnic Hungarians from property restitution. Those who had served in occupying forces during WWII and their descendants were denied the possibility of restitution, which applied to practically all male Hungarians of military age at the time as a result of mandatory drafting. In addition, inhabitants of three villages populated by ethnic Hungarians – Csúrog, Zsablya and Mozsor – were collectively declared guilty of war crimes in 1944, and thus their descendants were also automatically excluded from restitution.

Hungary tried to lobby for including these issues in the progress report in October 2011, albeit unsuccessfully.[350] Consequently, the Hungarian government announced that it would veto granting candidate status to Serbia during the December 2011 European Council meeting. However, the problem was resolved beforehand when, in October 2011, Serbia modified the law on rehabilitation to address Hungary's concerns. The principle of collective guilt was removed from the law and only persons found guilty of war crimes by a court or administrative organ on an individual basis were denied restitution, and even those people could request rehabilitation. So far this is the only instance when Hungary has put pressure on an accession country because of a bilateral problem by using the threat of blocking the integration process. It was a risky moment because Hungary did not want to stop Serbia's EU accession and did not want to get stuck in the position of blocker.[351]

It should be noted that Hungary is not the only member state showing interest in minorities in Serbia, but Romania, Bulgaria and Croatia are also engaged because of their own ethnic kin living there.[352] At the same time, there is no coordination with these other states on minority protection.[353]

12.5 COUNTRY-SPECIFIC OBSERVATIONS

Hungary actively promoted granting candidate status to Albania, stressing how the negative image of Albania is exaggerated in Western Europe. It objected to punishing Bosnia and Herzegovina for non-compliance with the European Court of Human Right's ruling on the so-called Sejdić-Finci case by cutting IPA funds, which is a good illustration of the Hungarian approach prioritising the continuation of enlargement over enforcing rigorous conditionality in the area of the rule of law. Among the Visegrád countries, Hungary was the only one against 'disciplining' Bosnia in this way. Hungary has also

347 "Minority councils protest court ruling in Serbia," *SETimes*, 13 February 2014, available at: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2014/02/13/feature-01 (last accessed on: 23 September 2014).

348 "Alkotmánybíróság előtt a Vajdasági Statútum [Vojvodina's statute in front of the constitutional court]," *Magyar Szó*, 22 April 2013.

349 Author's interview, Ministry of Foreign Affairs and Trade, 4 June 2014.

350 Szilágyi, Imre (2011), "A vajdasági magyarok és a szerbiai vagyon-visszaszármaztatási törvény (Hungarians of Vojvodina and the Serbian law on restitution)," *HIIA Papers*, T2011/27, available at: http://www.balkancenter.hu/pdf/Tanulmanyok_2011.pdf (last accessed on: 23 September 2014).

351 Author's interview, Ministry of Foreign Affairs and Trade, 4 June 2014.

352 Author's interview, Ministry of Foreign Affairs and Trade, 16 May 2014.

353 Author's interview, Ministry of Foreign Affairs and Trade, 29 July 2014.

long supported opening accession negotiations with fYROM by arguing in favour of removing the name issue from the enlargement context. It naturally promotes accession talks with Serbia and Montenegro. When accession negotiations with Montenegro were launched in June 2012, Hungary, together with other pro-enlargement member states, was lobbying for the opening of some of the less problematic chapters at the start of accession talks, particularly Chapter 25 (on Science and research) and 26 (on Education and culture) ahead of Chapters 23 and 24. As a result, these two easier chapters were the first ones to be opened, in December 2012 and April 2013, respectively, well before the chapters on the rule of law, justice and fundamental rights. In line with the 'new approach', rule of law chapters have to be opened at an early stage and can be closed only at the end of the process. However, Chapters 23 and 24 took quite a while to prepare and could be opened only in December 2013.[354] Ultimately, Hungary's main aim is that accession negotiations proceed swiftly, so that Montenegro can set a good example for the other Balkan states, demonstrating that fulfilling the necessary conditions leads to a real and tangible perspective of EU integration.[355]

So far, Croatia's EU integration provides the only case where Hungary participated in the full process of accession negotiations as a member state. Hungary was already actively engaged during Croatia's NATO accession process, serving as a NATO contact point, and wished to link Croatian EU accession somehow to the Hungarian EU presidency. Initially, there were hopes that Croatia could enter the EU during its presidency term. When negotiations suffered serious delays because of the extradition of Gotovina, Sanader's corruption scandal and the Piran Bay dispute, the question became how Croatia could sign the Accession Treaty or at least close accession talks, the hardest part of the accession process, during the presidency.[356] The final phase of the negotiations took place in the midst of the economic crisis, when adopting the six-point package and managing the financial crisis were the top priorities on the EU's agenda.[357] Finalising the talks was important also for Croatia to have full access to cohesion funds during the new budget cycle. It was an accomplishment of the Hungarian presidency that accession talks were finally closed just in time, a few hours before the Commission presented the Multiannual Financial Framework proposal.[358] Hungary was also the first member state to ratify Croatia's EU Accession Treaty. Hungary's political leaders took pride in completing accession negotiations with Croatia during the presidency, which they viewed as a historic Hungarian success.[359]

Bilateral relations with Croatia also have a *realpolitik* aspect, centring on energy policy. Accessing gas and oil supplies through the Adriatic could provide a useful alternative for Hungary to diversify its energy sources. Thinking began in the last decade about strengthening the strategic cooperation partnership between the two countries in the energy field. Croatia could offer an alternative energy gateway to Central Europe by replacing Russian gas through building a link to the Trans Adriatic Pipeline (TAP) from Italy and by constructing a liquefied natural gas terminal. Yet this requires huge investments which make sense only if connected to a bigger market. Between 2008 and 2011, Hungary and Croatia signed five agreements on energy cooperation, including on connecting electricity and gas networks, conducting common research and exploration of hydrocarbons, and a strategic agreement about providing access to each other's energy infrastructure in crisis situations.[360] However, implementing this last point implies the construction of a two-way gas pipeline, which is not happening due to the Croatian government's conflict with MOL. When negotiations began about this two-

354 See: http://www.consilium.europa.eu/policies/enlargement/montenegro.aspx (last accessed on: 23 September 2014).
355 Author's interview, Ministry of Foreign Affairs and Trade, location?, 29 July 2014.
356 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 12 June 2014.
357 Serious tasks were still ahead in the final phase, such as finishing the building of hundreds of houses for Serbian refugees, and deciding on the fate of shipyards which provided jobs for thousands of people. Author interview, Ministry of Foreign Affairs and Trade, 28 August 2014.
358 Author's interview, Permanent Representation of Hungary to the EU, Brussels, 12 June 2014.
359 Author's interview, the Prime Minister's Office, Budapest, 31 July 2014.
360 Author interview, Ministry of Foreign Affairs and Trade, 28 August 2014.

directional gas pipeline, there was a strategic partnership between MOL and INA, the two national energy companies. Later, MOL bought a controlling share in INA which caused a major controversy in Croatia, and in connection with which corruption charges were brought against the former Prime Minister, Ivo Sanader, who was found guilty of taking bribes from MOL.[361] Although the dispute between INA and MOL cooled Croatian-Hungarian relations, it did not affect Croatia's accession talks, as Hungary kept the issue separate from Croatia's EU integration process.[362]

12.6 CONCLUSIONS

Over the past 10 years, Hungary has proven to be an uncontroversial and committed supporter of EU enlargement. The enthusiastic drive with which Hungary has been urging member states away from 'enlargement fatigue' and advocating the value of EU integration to the Balkans suggests a positive approach to the EU as such. There is however some tension between the government's EU enthusiasm when it comes to enlargement and its critical stance on several other fronts *vis-à-vis* the EU. Even if Hungary's EU membership is not contested by the governing parties, the value and attractiveness of that membership can be questioned if the EU behaves like "colonialists" towards Hungary, which Hungary has to stand up against.[363] The Hungarian government seems to be in a continuous "struggle with EU bureaucrats", where Hungary has to guard its independence and economic sovereignty "from Brussels' stealth power-grab", which "eats up national sovereignty". From prime ministerial speeches one can get the impression that Hungary itself, not only its government, is under constant attack from the EU.[364] This begs the question of why Hungary would encourage others to join such a 'club' which applies double standards, as is often claimed by Hungarian politicians. The subtle message of Hungary's conflicts with the EU suggests the need for some sort of national self-defence for newcomers as well. Despite this contradiction, which is hardly addressed in political narratives, supporting enlargement is an enterprise relatively free of cost, unreservedly given to South-Eastern neighbours, which might help to win some friends on the EU's periphery amid all the criticism Hungary receives in the EU.[365] Pushing the enlargement agenda, and more specifically Croatia's accession, seemed to be an important tool for Hungary to build legitimacy inside the EU. During the Hungarian presidency, the government came under increasing international scrutiny because of the media law and the new constitution,[366] which is why it badly needed to score a success by closing the Croatian accession talks.

---

361 The Zagreb County Court issued an arrest warrant for MOL's chairman, Zsolt Hernádi, in September 2013 after he failed to appear at a hearing called on the suspicion that he had bribed former Croatian Prime Minister Ivo Sanader to give MOL management rights in INA. Subsequently a Hungarian court cleared him of the charges. See "Hernádi to contest Croatian arrest warrant," *Budapest Business Journal*, 20 January 2014, available at: http://www.bbj.hu/politics/hernadi-to-contest-croatian-arrest-warrant_74636 (last accessed on: 2 September 2014); "Hungary court clears Mol CEO as Croatia probes INA deal," *Bloomberg*, 26 May 2014, available at: http://www.bloomberg.com/news/2014-05-26/hungary-court-clears-mol-ceo-as-croatia-probes-ina-deal.html (last accessed on: 2 September 2014).

362 Author's interview, Ministry of Foreign Affairs and Trade, 4 June 2014.

363 "Nem leszünk gyarmat [We are not going to be a colony]," 15 March 2012, available on the Prime Minister's website: http://www.miniszterelnok.hu/cikk/nem_leszunk_gyarmat (last accessed on: 21 September 2014); "Orbán: 'Brüsszel nem Moszkva [Orban: Brussels is not Moscow]," 7 July 2011, available at: http://kitekinto.hu/europa/2011/07/07/orban_brusszel_nem_moszkva/#.VB_1ivl_tlc (last accessed on: 21 September 2014).

364 "A Tavares-jelentés egy baloldali akció [The Tavares report was a left-wing action]," 5 July 2014, available on the Prime Minister's website: http://www.miniszterelnok.hu/cikk/a_tavares-jelentes_egy_baloldali_akcio (last accessed on: 21 September 2014); "A megtett útról és az elért eredményekről [About the road behind us and the results we achieved]," *Bnagylaszlo*, 7 December 2013, available at: http://bnagylaszlo.hu/a-megtett-utrol-es-az-elert-eredmenyekrol/ (last accessed on: 20 September 2014).

365 Author's interview, a former journalist of the weekly liberal newspaper *HVG*, Budapest, 17 September 2014.

366 "Hungary's European Union presidency, back to partisanship," *The Economist*, 7 July 2011, available at: http://www.economist.com/node/18929409 (last accessed on: 21 September 2014).

What Hungary's influence on the EU's enlargement policy is, is the ultimate question, which can be answered only within the wider context of Hungary's role in the EU. It might not be a mere coincidence that the Hungarian government's candidate could not get the enlargement portfolio in the new European Commission, despite the fact that Hungary proved to be a very committed promoter of enlargement over the last decade. Although the allocation of positions in the Commission is the outcome of a complicated bargaining process, naturally enlargement policy cannot be treated separately from other issues, such as the rule of law and fundamental rights, over which the Hungarian government was repeatedly challenged by EU institutions. In light of this, it is perhaps not that surprising that Hungary tends to lobby for softening political conditions applied towards the Balkan states. At the same time, if Hungary deviates from the EU mainstream in its foreign policy or seeks foreign policy alternatives to the EU, such as under the pretext of the Eastern opening, it also reduces its clout in respect of the EU's Balkan policy. The lack of national consensus (independent of the government of the day) over crucial EU issues, such as when or whether Hungary should join the Eurozone, is another factor weakening Hungary's leverage.[367] All these controversies limit Hungary's general credibility and thus its influence over enlargement, despite its sustained constructive stance on this dossier.

[367] Author's interview, Hungarian Socialist Party (MSZP), Budapest, 15 September 2014.

Chapter

13

GREECE

BY IOANNIS ARMAKOLAS AND GIORGOS TRIANTAFYLLOU

13.1 INTRODUCTION

The 2014 Greek Presidency of the Council of the European Union (EU) ended with a sense of ambivalence with regards to enlargement. The Balkan states were expecting a more forceful push of the enlargement agenda, perhaps reminiscent of the 2003 Greek presidency, which greatly contributed to putting the Balkans 'on the map' of the EU's plans for expansion. Yet, enlargement did not make it among the Greek Presidency's top policy priorities.[368] Progress was achieved for some of the countries in the region during the six months of the Hellenic Presidency of the Council, notably in the cases of Serbia and Albania. But the dispute over the candidacy of the former Yugoslav Republic of Macedonia (fYROM) continued, with the Commission recommending in 2014, for the sixth consecutive year, the start of accession negotiations with Skopje, and Greece persisting in its opposition and once again convincing the Council to disregard this *avis*. These developments highlight Greece's central but in-two-minds position on EU enlargement to the Balkans. On the one hand, Athens is one of the firmest supporters of the process, especially in the context and aftermath of the 2003 Thessaloniki Summit and has highly interdependent relations with the countries of the Western Balkans, especially Albania, Serbia and fYROM, such as in terms of bilateral trade, regional investments and offering Albanians – the largest group of foreign nationals – residence on a permanent/temporary basis or for seasonal work. On the other hand, Greece is also an obstructing actor whenever its multiple interests in the Balkans produce frictions and blockages.

[368] For this issue and the general record of the Greek Presidency on enlargement issues, see Pavlos, Koktsidis, Armakolas, Ioannis, Maksimovic, Maja and Feta, Bledar (2014), *The Western Balkan Accession Process and the Greek Presidency 2014*, South-East Europe Programme, Athens: ELIAMEP.

13.1.1 The formal decision-making process

The formal decision-making mechanism includes five main players. First and foremost, it is the Greek government that bears the main responsibility for formulating the official national position on EU enlargement. Second, the Ministry of Foreign Affairs (MFA) monitors daily international and regional developments related to enlargement, identifies major issues and outlines different courses of action. These options are presented to the government, which adopts the country's official stance, changing or maintaining the proposed strategy. In turn, once the decision is taken, the MFA is entrusted with its implementation; essentially, the MFA's role precedes, and at the same time follows, that of decision makers. The third institution is the Greek National Council of Foreign Policy (NCFP), which is formally "an advisory body to the government which examines issues relating to Greek foreign policy strategic planning"[369] and provides a platform for high-level political dialogue, in which all parliamentary parties participate. In principle, through the NCFP, the government seeks to achieve the highest possible degree of political consensus on foreign policy. Fourth, various ministries and specialised state agencies are in charge of evaluating every aspiring country's progress with regards to individual negotiation chapters and presenting their assessment to the MFA. While this feedback merely constitutes advice, in practice, rejection is highly unlikely, as the Greek MFA alone does not have the capacity to evaluate the wide array of highly technical issues that are included in the accession talks, and thus greatly relies on the expert opinions of these specialised agencies.[370] Finally, the fifth player is the Greek Parliament. When all the negotiation chapters have been successfully closed, and the EU offers the candidate country an Accession Treaty, the Greek government presents the Treaty to the Greek Parliament for ratification.

In general, the decision-making process is to a large extent driven by political actors, especially the government, state administration, and MFA. Non-governmental actors, such as business associations and civic groups are formally excluded from the process. Critics argue that a discrepancy exists between the official and actual practice of deciding on EU enlargement matters, whereby the government of the day makes foreign policy without taking into account the views of the opposition.[371] One is, however, advised to take such criticism with a pinch of salt. Despite political rhetoric and the frequent public accusations of treacherous foreign policy decisions, Greek diplomacy – for better or worse – enjoys both overtime stability and a remarkable level of political consensus. Similarly with other areas of foreign policy making, the Greek position on EU enlargement finds a much wider agreement among the mainstream political players than public discourse and domestic political bickering would suggest.

13.1.2 Attitudes on enlargement and the European institutions

The attitudes of the Greek public opinion have undergone a significant shift in the last decade or so; from highly pro-enlargement (especially compared to the EU average) in the years immediately after the 2004 enlargement wave, to Greeks being much more 'enlargement-sceptic', on a par with or sometimes more than the rest of Europe. Greeks' support for enlargement has dropped from 62% in 2004 to 44% in 2013. Backing of the accession process of individual Western Balkan countries has also fallen sharply, for instance, from 61% in 2005 to 27% in 2010 for Albania; from 46% in 2005 to 24% in 2010 for fYROM, and from 72% in 2006 to 50% in 2010 for Serbia. In 2010, Greeks were more in favour of the accession of

[369] Greek Ministry of Foreign Affairs, Basic data on the National Council on Foreign Policy, available at: http://www.mfa.gr/en/foreign-policy/national-council-on-foreign-policy/ (last accessed on: 6 September 2014).
[370] Interviews with officials in the Secretariat of European Affairs, Greek Ministry of Foreign Affairs, July 2014.
[371] Interviews with representatives of the ANEL and LAOS, July 2014.

Montenegro, Bosnia-Herzegovina, Kosovo, and Serbia than the EU-27 average, but less enthusiastic about Albania joining the Union, and even less so of fYROM becoming a member state.[372]

This decrease corresponds to the general decline in Greeks' trust of European institutions witnessed in recent years. This phenomenon is strongly associated with the Greek public's rebuke of the way that internationals have handled the Greek economic crisis and what Greeks view as the responsibility of their EU partners – especially Germany and like-minded member states – for their difficult socio-economic predicament. For example, Greeks' trust in the European Union has dropped from 62% in 2005 to 21% in 2013; trust in the European Commission fell from 61% in 2004 to 20% in 2013; and trust in the European Central Bank (ECB) plunged from 53% in 2007 to a mere 16% in 2013.[373]

13.1.3 A complex and volatile political landscape

The Greek political landscape maintained a remarkable stability for nearly four decades after the return to democracy in 1974. Between 1977 and 2012, the centre-right New Democracy (ND) and centre-left Panhellenic Socialist Party (PASOK) took turns in office and opposition. Since the start of the economic crisis, the political system has undergone a radical transformation. Former political enemies PASOK and ND aligned in successive coalition governments, aiming to dispel the fears of the markets, and joined forces to implement a severe programme of austerity and structural reforms tied to Greece's bailout agreements and overseen by representatives of the so-called Troika – the European Commission, the ECB and the International Monetary Fund. The effects on the political system were earth-shattering: from 80-90%, which was the sum of their support for more than three decades, ND and PASOK collectively barely managed to surpass 31% in the elections of May 2012 and January 2015. The biggest loser was the former dominant centre-left PASOK, which lost nearly 40 percentage points in four years.[374] The Coalition of the Radical Left (SYRIZA), which in 2009 held the fifth position with 4.6%, came first with 36.3% in the vote of January 2015, campaigning on a staunchly anti-bailout and anti-austerity ticket. SYRIZA formed the government with the nationalist-populist Independent Greeks, promising to change gear in relation to the country's European partners and international lenders (see Table 13.1).

The socio-political dynamics brought about by the economic crisis have instilled complexity, volatility and unpredictability into the Greek political system. Some of the new trends are seemingly contradictory; for example, the growing political influence of both the radical and anti-systemic left, as well as of the ultra-nationalist right. Ongoing preoccupation with domestic and economic issues radically limits the space for serious debate on foreign policy matters. Similarly, the crisis has strengthened populist, anti-systemic and anti-European political forces. All these trends may potentially be reflected also in foreign policy terms, at the very least by increasing unpredictability. The latter may also be a result of uncertainty over the foreign policy agenda of the new major political force, SYRIZA, which does not have a previous governing record. Moreover, the two governing coalition partners make 'strange bedfellows', especially on foreign policy questions, including Greece's relations with Balkan neighbours, as explained below. The crisis has also enhanced tendencies that may reduce the likelihood of Greece reaching compromises in international affairs. For instance, since the crisis started, one can observe a sharp increase in the popularity of stories about international conspiracies and domestic treachery against the Greek nation, spread of anti-compromise mentality, and to some extent a growing appeal of forces advocating Greece's withdrawal from its traditional international partnerships and coalitions.

---

[372] Standard Eurobarometer (62, 64, 66, 68, 70, 72, 74, 76, 78, 80), Full Reports, Greek National Reports and Executive Summaries, available at: http://ec.europa.eu/public_opinion/archives/eb_arch_en.htm (last accessed on: 13 October 2014).

[373] Standard Eurobarometer (62, 64, 66, 68, 70, 72, 74, 76, 78, 80), Full Reports, Greek National Reports and Executive Summaries, available at: http://ec.europa.eu/public_opinion/archives/eb_arch_en.htm (last accessed on: 13 October 2014).

[374] From 43.92 % in October 2009 to 12.28 % in June 2012, and then 4.7% in January 2015.

Table 13.1: The Greek political landscape

Party	Electoral strength in %	MP strength	Government (G) or Opposition (O)	EP strength	Ideological position (EP affiliation)
Coalition of Radical Left (SYRIZA)	36.3	149	G	6	Radical Left (GUE/NGL)
New Democracy (ND)	27.8	76	O	5	Centre-Right (EPP)
Golden Dawn	6.3	17	O	3	Extreme-Right/ Neo-Nazi (NI)
The River	6	17	O	2	Centre-Left (S&D)
Greek Communist Party (KKE)	5.5	15	O	2	Communist (NI)
Independent Greeks (ANEL)	4.8	13	G	1	Nationalist-Populist Right (ECR)
Panhellenic Socialist Movement (PASOK)	4.7	13	O	2	Centre-Left (S&D)
Popular Orthodox Rally (LAOS)	1	-	-	-	Nationalist-Populist Right
Democratic Left (DIMAR)	0.5	-	-	-	Centre-Left

NB: Latest national elections (January 2015) and European Parliament elections (May 2014). Parliamentary majority is at 151.

13.1.4 The official Greek position on enlargement

For the past fifteen years, Greece has been an ardent supporter of the EU enlargement process, which the Greek Ministry of Foreign Affairs assesses as "a success story with a win-win outcome for both the EU and all its newly integrated member states".[375] MFA officials stress that the decisive moment in the process of shaping Greece's position towards EU enlargement was the 1999 Greek vote in favour of Turkey acquiring candidate country status. MFA representatives view this as "the single most important turning point in the overall strategy of Greece on EU enlargement"[376], and as an act that demonstrated to European counterparts Greece's genuine commitment to the continuation of the enlargement process for all countries willing and able to join.

The apex of the Greek efforts to promote enlargement was the EU-Western Balkans Summit held in Thessaloniki in June 2003.[377] The so-called Thessaloniki Agenda, as well as the EU-Western Balkans Summit Declaration, both of which were agreed upon during the Greek 2003 presidency, to this date chart the European course for the Balkan countries.[378] Building on the Thessaloniki Summit, Greece has since maintained a pro-enlargement position, which was reaffirmed by the former Greek Foreign Minister Evangelos Venizelos, who stated during the 2014 Greek Presidency that "the [Thessaloniki] Agenda remains the EU political agenda for the Western Balkans" and that Greece supports the EU enlargement process "as a means to regional stability".[379] However, despite its enthusiasm for the general enlargement process, Greece has important disputes with its neighbours, which complicate Athens' position on the dossier. This seemingly paradoxical position has to be understood in its historical context.

---

375 Interviews with officials in the Secretariat of European Affairs, Greek Ministry of Foreign Affairs, July 2014.

376 *Ibid*.

377 For details on the Balkan agenda of the 2003 Greek Presidency see, Σωτήρης Βαλντέν, «Τα Βαλκάνια στην ελληνική προεδρία της Ευρωπαικής Ένωσης (2003)», in Τάσος Γιαννίτσης (επιμ.) *Η τέταρτη ελληνική προεδρία της Ευρωπαικής Ένωσης*, Athens: Κριτική 2005. [Wallden, Axel (2005), "The Balkans in the Greek Presidency of the EU (2003)" in Tasos, Giannitsis (ed.), *The Fourth Greek Presidency of the EU*].

378 Koktsidis, Pavlos *et al.* (2014), *op.cit*.

379 Greek Ministry of Foreign Affairs, *Deputy Prime Minister and Foreign Minister Venizelos' statements to Greek journalists in Tirana, 21 February 2014)*. Text in Greek available at: http://www.mfa.gr/epikairotita/proto-thema/sunenteuxe-tupou-antiproedrou-tes-kuberneses-kai-upeks-eu-benizelou-sto-eu-info-center-sta-tirana-meta-to-peras-tes-episkepses-tou-sten-albania-kai-tes-periodeias-tou-se-exi-khores-ton-dutikon-balkanion.html (last accessed on: 1 October 2014).

13.1.5 From 'black sheep' to champion of 'Europeanisation'

To make sense of the particularities of the Greek position on enlargement, one has to understand the background that shaped it over the years. Since Greece joined the European family in 1981, it has had a long line of foreign policy mishaps with other member states. As a result, Athens came to be referred on occasion as the 'black sheep' of European politics. In the 1980s, Greece created rifts with its European partners when the leftist government of Andreas Papandreou made a policy adjustment from the pre-election promise of withdrawing from NATO and the EC to accepting Greece's membership in these organisations. A similar foreign policy clash between Athens and Western capitals acutely re-emerged during the Yugoslav wars of the 1990s. The Greek public, and, to a lesser extent, the Greek political establishment, sided with the Serbs when the other EU member states assigned responsibility for the Yugoslav imbroglio to Serbia.

Moreover, Greece engaged in a (largely incomprehensible to outsiders) dispute with the newly independent fYROM over the use of the name Macedonia, which Greeks consider their exclusive national heritage. This dispute culminated in 1993 when a newly elected centre-left government in Athens imposed an economic embargo on its northern neighbour. Western partners saw in these Greek actions a dangerous policy that could destabilise what was at the time the only peaceful former Yugoslav republic. For its part, Greece protested against what it perceived as other member states' lack of understanding of its national sensitivities and security concerns. This fissure over Yugoslavia came to accompany Greeks' longer-term grievances over Western attitudes towards Turkey. Athens complained that Western allies provided little or no support to its effort to counter what it saw as Ankara's hegemonic tendencies in Cyprus and the Aegean Sea. The relations between Greece and Turkey had repeatedly reached a boiling point in the two decades after the Turkish invasion of Cyprus in 1974.

By 1997, a new generation of Greek politicians came to the conclusion that Greece's reputation as the 'black sheep' of the European family was not beneficial to the country's security and long-term interests. The so-called Imia crisis in 1996 brought Greece and Turkey once more to the brink of war. Athens realised that its unpopular-with-Western-capitals policy of blocking EU-Turkey relations did not do much to bolster its security. On the contrary, Athens remained stigmatised due to its Balkan approach while it continued to bear the onus for Turkey's non-engagement with the EU. And that was despite the fact that it would be Greece itself that would profit from a *détente* in the Aegean and Ankara's adjusting to the European standards.

Gradually, the idea that Greece could 'punch above its weight' through its membership in international institutions gained acceptance among policymakers and analysts. In what was later termed as the 'Helsinki policy'[380], after the December 1999 European Summit held during the Finnish Presidency, Athens introduced a new strategy, aimed at a gradual diplomatic thaw and multi-level *rapprochement* with Ankara. The highpoint of the new policy was the lifting of Greece's veto for Turkey's EU accession process as part of a comprehensive plan to 'Europeanise' relations between the two countries, levy certain institutional conditions on Turkey's domestic and external politics through the use of pre-accession conditionality, and, eventually, prepare the grounds for resolving Greek-Turkish disputes in a mollifying European context.[381]

This change of strategy was part and parcel of Greece's wider efforts to return to 'European normalcy'. Greek policymakers sought to transform Greece from a relatively poor and peripheral EU country into a member of the European 'mainstream'. This 'project' had implications for both domestic and foreign

[380] Also known in Greek academic circles as 'Europeanisation' or 'socialisation' strategy.

[381] For more details see Tsakonas, Panayiotis (2010), *The incomplete breakthrough in Greek-Turkish relations: Grasping Greece's socialisation strategy*, Basingstoke: Palgrave.

policy matters. During the Kosovo war in 1999, Athens followed the European 'current' and provided military facilitation to NATO operations, despite the fact that 97% of the public opinion in Greece opposed military action against Serbia.[382] Moreover, in economic terms, the country initiated a process that enabled it to join the Eurozone a few years later. The new policy on Turkey gave credibility to the path to 'normalcy', while the latter was simultaneously a prerequisite for the success of the Helsinki policy.[383] In other words, the two efforts became mutually reinforcing. Moreover, the new policy on Turkey's accession fitted well with the emerging line on the European perspective of the former communist countries that was being formulated at the time. In a process that led to the 'big bang' enlargement of 2004, via the 2003 Thessaloniki summit, Greece contributed to the shaping of the EU's enlargement policy, which gradually extended to cover the entire former communist Balkans.

The Helsinki policy is widely considered in Greek diplomatic and scholarly circles to be one of the most successful Greek foreign policy overtures in decades. It is considered a rare period when Greeks managed to strategise effectively so that their security concerns became part of the European agenda. And while the hope for Turkey's EU membership has been frustrated for reasons outside Greece's control, the concept of a 'Helsinki-style' strategy of Europeanisation of Greece's problems with neighbours remains widely popular. In a view shared by virtually all parties, from the radical left to the extreme right, Greece is a frontline EU country with special sensitivities and security problems that should be understood by its European partners and, to the extent possible, addressed in the European context. Using its membership in international organisations, such as the EU, to ease its security problems is seen as a legitimate pursuit of national interest, similar to that of other states. For that reason, as described below, one can observe the seemingly paradoxical situation whereby, in Greece, even anti-EU forces support the Union's enlargement. Beyond the mere support or opposition to European integration, the Europeanisation of Greece's foreign policy problems is seen as a higher national interest imperative.

13.2 OFFICIAL AND PARTY POSITIONS ON THE EU ACCESSION OF INDIVIDUAL BALKANS COUNTRIES

13.2.1 Greece and fYROM

Greece's position on fYROM is inextricably linked to the dispute over the country's name, the diplomatic phase of which started in 1991.[384] Fifteen years after the beginning of the dispute, Greece revised its initial stance that the neighbouring country could make no use whatsoever of the term 'Macedonia', a policy that was agreed upon in a summit of Greek political party leaders in April 1992. Consequently, Greece decided that it would accept a compound name with a geographic qualifier to the name Macedonia, as long as the agreed name solution would also be *erga omnes*, that is, applicable to all domestic and international use.

With regards to enlargement, the official position is that Athens supports fYROM's EU accession process, that it is willing to assist the country in its membership aspirations, and that it has in fact already done so in the past. However, to eventually join the EU, fYROM has to "fulfil the relevant conditionality and

[382] Armakolas, Ioannis (2014), "Introduction: Why a study 'Being Greek, Being Kosovar'?", in Kosovo Foundation for Open Society, *Being Greek, being Kosovar… A report on mutual perceptions*, Pristina.

[383] Interview with top MFA advisor of the period, October 2014.

[384] For details see Α. Τζιαμπίρης (2003) «Ελληνική Εξωτερική Πολιτική και Μακεδονικό ζήτημα, 1991-2002», in Π. Τσάκωνας (επιμ.) *Σύγχρονη Ελληνική Εξωτερική Πολιτική: Μια συνολική προσέγγιση*, Athens: Σιδέρης [Tzampiris, Aristotle (2003), "Greek foreign policy and the Macedonian question, 1991-2002"]; Σ. Σέρμπος (2010) «Ελλάδα και Δυτικά Βαλκάνια», in Γ. Βαληνάκης (επιμ.) *Ελληνική Εξωτερική και Ευρωπαική Πολιτική, 1990-2010*, Athens: Σιδέρης, [Serbos, Sotiris (2003), "Greece and the Western Balkans", in Valinakis, Yiannis (ed.), *Greek foreign policy, 1990-2010*].

prerequisites, with particular emphasis on the respect for the principle of good neighbourly relations, including a mutually acceptable solution to the name issue, as well as the Copenhagen political criteria".[385] Effectively, this is translated in Greece's current standpoint that fYROM cannot start accession negotiations before the name issue is resolved. Athens stresses that Skopje lacks the political will to engage constructively with Greece in order to jointly agree on an appellation, thus undermining its own European perspective. The new MFA Nikolaos Kotzias recently reiterated these views, and stressed that fYROM's revisionism, as expressed in the country's position of the 'name issue', was sabotaging good neighbourly relations – a key condition for Skopje's EU integration.[386]

MFA officials argue that Greece has so far taken three major steps in fYROM's EU accession process in order to demonstrate its good will towards Skopje: it has endorsed the Stabilisation and Association Agreement between the EU and fYROM; it has agreed that fYROM should acquire the status of EU candidate state; and finally, it has abolished the visa requirement for fYROM passport holders entering Greece. However, MFA officials argue that "none of these good will gestures has been reciprocated, or even acknowledged by Skopje".[387] On the contrary, MFA officials note that over the past few years, Skopje's nationalistic rhetoric intensified, in an attempt to make Greece's policy responsible for fYROM's numerous internal problems.[388]

Athens dismisses these accusations as unsubstantiated and reiterates that Greece is still waiting for fYROM to prove its commitment to the resolution of the name dispute. Greek officials also emphasise that other EU member states, notably Bulgaria, have also raised concerns regarding fYROM, and argue that this is an indication that, in fact, it is fYROM that should recalibrate its foreign policy towards Greece and other EU member states, rather than *vice versa*. Finally, Athens questions the European Commission's insistence on recommending the opening of accession negotiations with fYROM for the past six years, despite the fact that the country's democratic credentials have clearly worsened. Athens believes that the Commission's approach is simply taken by the government in Skopje as a reward for its intransigence and, thus, feeds into its uncompromising stance. [389]

There is not one political party advocating a more conceding stance than the official Greek position outlined above. Parties can be classified in two blocs. A moderate group, consisting of ruling SYRIZA, together with ND, PASOK, KKE, The River, and DIMAR, which argues that a composite appellation with a geographic qualifier could possibly become the basis of a mutually agreed solution to the name issue (this would also have to be *erga omnes*). Following the official Greek line, these parties reject fYROM starting the accession negotiations before the name dispute is solved in a way that is acceptable to Greece. Most members of this moderate group subscribe to the view that it is in Greece's interest that fYROM joins the EU. However, they also believe that no solution will be possible as long as Prime Minister Nicola Gruevski remains at the helm of the government in Skopje.[390]
A radical group, consisting of the junior partner in government, ANEL, together with LAOS and Golden Dawn, rejects any solution that would include the term Macedonia in fYROM's future name. The political parties of this second group criticise the Greek governments' policies throughout the course of the name dispute, arguing that they have compromised Greek national interests by not keeping a

[385] Greek Ministry for Foreign Affairs, Basic data on enlargement and the accession process of individual countries, available at: http://www.mfa.gr/exoteriki-politiki/i-ellada-stin-ee/exoterikes-sheseis-dievrinsi.html?page=5 (last accessed on: 13 October 2014).
[386] Greek Ministry for Foreign Affairs, Information about the meeting of Greek MFA Kotzias with FYROM's MFA Poposki, available at: http://www.mfa.gr/epikairotita/eidiseis-anakoinoseis/sunantese-upourgou-exoterikon-kotzia-me-upourgo-exoterikon-tes-pgdm-poposki-riga-7315.html (last accessed on: 29 March 2015).
[387] Interviews with officials in the Secretariat of European Affairs, Greek Ministry of Foreign Affairs, July 2014.
[388] *Ibid*.
[389] *Ibid*.
[390] Interviews with representatives of political parties, July 2014.

tougher policy towards fYROM. Interestingly, ANEL, the minor government coalition partner to SYRIZA holds some of the most inflexible positions on the issue.[391] ANEL President, and current Minister of Defence, Panos Kammenos, rejects any negotiations between Athens and Skopje, stressing that "Macedonia is one and only, and it is Greek, and we do not accept any use of the term, even as part of an appellation with geographical qualifier".[392] ANEL claims that giving in to the extreme nationalist rhetoric of fYROM is the same as giving away Greek territory. Panos Kammenos has repeatedly emphasised that his party would not cease to safeguard the exclusive use of the appellation Macedonia by Greece against the plans of any given Greek government to negotiate a solution.[393]

13.2.2 Greece and Albania

Greece remains one of the most consistent supporters of Albania's accession prospects. During his tenure as MFA, Venizelos stated that Greece stood "firmly in favour of Albania's European integration".[394] Indeed, in recent years, Athens was one of the main sponsors of Tirana's final 'push' to receive candidate status. Venizelos also reassured Prime Minister Rama that the Albanian candidate status would be a 'key priority' of the Greek 2014 Presidency[395], and stressed that "Greece and Albania are determined to work together to achieve this goal".[396] Sure enough, towards the end of the Hellenic Presidency on 24 June 2014, Albania was given the green light, in a move that Venizelos described as "a message of friendship and cooperation to Albania, to the Albanian government and to the Albanian political system".[397] A number of issues bind the two countries together: Albania and Greece are interdependent, although arguably in an unbalanced way, since Tirana seems to be more dependent on Athens than *vice versa*. The latest chapter in the building of close relations between the two countries is the Trans Adriatic Pipeline project, which will transfer Azeri gas to Italy via Greece and Albania.

However, there are several aspects that complicate relations between the two countries and may potentially create future obstacles in Albania's accession process. Greece and Albania have had at times clashes due to a series of bilateral disputes. The Greek side focuses especially on the question of the rights of the Greek minority in Albania, and on the regulation of the Exclusive Economic Zones of the two countries. Greece is also dissatisfied with what it sees as a growing anti-Greek sentiment in Albanian society and public discourse, expressed by the rising influence of nationalist and anti-Greek parties. For its part, Albania complains about the bureaucratic hurdles that Albanian immigrants often face in Greece, the failure of the Greek parliament to formally annul the 'law of war' with Albania, Greece's non-recognition of Kosovo, and the issue of the properties of Albanian Chams who fled Greece in the 1940s.

The two governments have opposing views on all these topics and ongoing negotiations aimed at resolving some of these problems are slow and with yet uncertain outcomes. It is also characteristic that the two societies have completely different, and often sharply opposing, attitudes about these

---

391 ANEL, *Foreign Policy and National Defense*, 2nd Party Conference, 8 December 2014, available at http://anexartitoiellines.gr/files/ΣΥΝΕΔΡΙΟ/ΕΞΩΤΕΡΙΚΗ%20ΠΟΛΙΤΙΚΗ_ΕΘΝΙΚΗ%20ΑΜΥΝΑ.pdf (last accessed on: 31 January 2015).

392 ANEL, *Press Briefing 14/12/2014,* available at: http://anexartitoiellines.gr/post.php?post_id=5389 (last accessed on: 31 January 2015).

393 *Ibid*.

394 Greek Ministry of Foreign Affairs, Deputy Prime Minister and Foreign Minister Venizelos' statements to Greek journalists in Tirana, 21 February 2014, text in Greek*, op. cit*.

395 See more in Koktsidis, Pavlos *et. al.* (2014), *op.cit*., p. 48.

396 *"*Deputy Prime Minister and FM Venizelos wraps up visit to Western Balkans Friday*", Greek EU Presidency*, available at: http://gr2014.eu/news/press-releases/deputy-prime-minister-and-fm-venizelos-wraps-visit-western-balkans (last accessed on: 20 October 2014).

397 *"*EU ministers back candidacy status for Albania*"*, *BBC Democracy Live*, 24 June 2014, available at: http://www.bbc.co.uk/democracylive/europe-28015352 (last accessed on: 29 March 2015).

issues, as well as about the perceptions of security threats emanating from each other. This was demonstrated in the findings of parallel opinion polls that were conducted in the two countries by ELIAMEP and the Albanian Institute for International Studies in 2013. The surveys showed that the two countries are inextricably linked and interdependent in a number of ways, but also that the two societies hold fundamentally different views on most issues, and frequently hostile attitudes towards each other.[398] Finally, as Albania's accession process advances, a number of other disagreements are likely to emerge, from environmental protection to free movement of persons and goods, to energy and transport.

Could these problems threaten Albania's accession process? MFA officials stress that Greece considers the disputes with Albania as part of the wider agenda of Tirana's relations with the EU. They argue that several problems in relations between Greece and Albania, including the protection of the rights of the Greek minority in Albania, should not be seen as bilateral, but rather as falling within the scope of the European *acquis* and Copenhagen conditions.[399] The Greek MFA is confident that many outstanding issues will be adequately addressed and resolved before Albania joins the EU, during the accession negotiations. At the same time, however, none of the interviewees thought that Greece could afford to threaten Albania with a veto in the accession talks if it wanted to ensure the resolution of pending difficulties. Essentially, the diplomatic capital spent by Athens on fYROM's accession process means that its capacity to negotiate other important issues is reduced.

The fact that Albania may not be a very popular candidate for accession further complicates Greek policy. It is no secret that several Western European countries remain highly sceptical about Albania's European perspective. In that context, if Greece overly stresses its own problems with Albania it may offer a perfect cover to these countries for delaying Tirana's accession process. In such a situation, Greece could potentially take the blame for any deferrals, which might heighten anti-Greek sentiment in Albania. This would be a negative scenario for Greece, and Greek officials are conscious of the risk of Athens being seen as the gatekeeper in the Albanian accession process. Therefore, the MFA is likely to continue to emphasise that issues between the two countries are not bilateral, but of concern to the EU as a whole. At the same time, Greece is expected to continue to fully support Albania's accession process in order to counter-balance reluctance from other EU capitals. Thus, another delicate balance that the Greek diplomacy has to maintain: keeping Albania's European perspective opened, while trying to resolve bilateral issues through the accession process, without being perceived as standing in Tirana's way towards the EU.

Most Greek political parties back the official position regarding Albania's EU membership bid and agree that Albania's accession will be beneficial for both countries. Most parties also understand that Albania's accession process is a unique opportunity for Greece to resolve its problems with Tirana within the framework of the accession negotiations. The exceptions include junior governmental coalition partner ANEL, which holds very negative views of Albania. The party believes that Albania 'usurps' Greek history, while Albanians actively pursue a revisionist policy towards Greece and other neighbouring countries, seeking to realise a Greater Albania. The party suggests that Albania is promoting this vision through the education of its youth, and the creation of false and inaccurate maps of the Balkans, which are circulated in international fora.[400] But the most extreme position on Albania

[398] See details in Armakolas, Ioannis (2013), *The Greek public opinion towards Albania and the Albanians – Social attitudes and* perceptions, Athens: Hellenic Foundation for European & Foreign Policy; Cela, Alba and Sashenka, Ljeshaj (2014), *Albanian Greek relations from the eyes of the Albanian public - Perceptions 2013*, Tirana: Albanian Institute of International Studies & Friedrich Ebert Stiftung.

[399] Interviews with officials in the Secretariat of European Affairs, Greek Ministry of Foreign Affairs, July 2014.

[400] ANEL, *Foreign Policy and National Defense*, 2nd Party Conference, 8 December 2014, available at: http://anexartitoiellines.gr/files/ΣΥΝΕΔΡΙΟ/ΕΞΩΤΕΡΙΚΗ%20ΠΟΛΙΤΙΚΗ_ΕΘΝΙΚΗ%20ΑΜΥΝΑ.pdf (last accessed on: 31 January 2015).

is expressed by the Golden Dawn, a fiercely anti-Albanian party, which fully opposes the idea of Albania's EU membership on grounds that the country is alien to Europe and potentially a source of great dangers due to corruption and 'Islamic terrorism'.[401]

13.2.3 Greece and Kosovo

Greece is one of the five EU member states that do not recognise the independence of Kosovo. Nevertheless, Greece is possibly the non-recogniser that engages the most – diplomatically and politically – with Pristina. Athens pursues a careful balancing act that allows for the building of a constructive relationship with Kosovo, and for the acceptance of a gradual EU accession process of the country, but still without proceeding to recognition. Greece maintains a Liaison Office in Pristina, led by a senior diplomat; the head of the Liaison Office Ambassador Athanassiadou has recently qualified the Greek position by saying that "in principle we do not exclude recognition".[402] Moreover, the former head of the Liaison Office, Ambassador Dimitris Moschopoulos, was appointed EU Facilitator for the Serbian Cultural and Religious Heritage in Kosovo and, in that capacity, he developed a working relationship with Kosovar governmental institutions unprecedented for a diplomat of a non-recognising country. Athens has also agreed in principle to the opening of Kosovo's Economic and Commercial Affairs Office in Athens, although this action has not been realised yet by Pristina. Moreover, there are considerable trade relations between Greece and Kosovo, while in March 2014 the Kosovo Chamber of Commerce signed a series of Memoranda of Cooperation with Greek counterparts, in view of strengthening further economic relations between the two countries. Furthermore, there are intense negotiations between Athens and Pristina for the relaxation of the visa regime for Kosovar passport holders entering Greece. As a show of good will, Greek authorities have started to recognise, since March 2014, all Kosovar passports with Schengen visas.[403]

Greece's official position is that Kosovo "has a clear European perspective, in line with the European perspective of the entire Western Balkan region", in the words of the Greek MFA.[404] In a 2014 meeting with Prime Minister Thaci, MFA Venizelos also emphasised that the "strengthening of EU-Kosovo relations and the promotion of the social and economic development of Kosovo are important for the wider Balkan region", as well as that the "conclusion of the Stabilisation and Association Agreement between the EU and Kosovo […] will be a milestone for the European integration of both Kosovo and the entire region".[405] Thus, Greece clearly views Kosovo as a future member of the EU. However, this position is qualified by stressing that a solution to the status question should be reached together with Serbia in a mutually accepted fashion. That sets Greece apart from the 23 EU members that have recognised Kosovo, and makes a potential future recognition before an agreement with Serbia is reached quite difficult.

Greek political parties hold various opinions on the question of Kosovo's status, which is linked to the country's European perspective, but none advocate an immediate recognition by Greece. For ND and PASOK, if certain conditions are met in the future, then Greece could recognise Kosovo and support its

---

401 Interview with representative of the Golden Dawn, July 2014.

402 Lecture of the Head of the Greek Liaison Office held in Pristina, available at: http://english.albeu.com/news/news/greece-might-recognize-kosovo/184885/ (last accessed on: 31 March 2015).

403 For more details on relations between Greece and Kosovo see, Armakolas, Ioannis and Apostolis, Karabairis (2012), "Greece-Kosovo: A complex relationship", in *Kosovo calling: International conference to launch position papers on Kosovo's relation with EU and regional non-recognising* countries, Pristina: Kosovo Foundation for Open Society & British Council.

404 *"Kosovo has a clear European perspective, says Deputy PM and FM Venizelos",* Greek EU Presidency, 19 February 2014, available at: http://gr2014.eu/news/press-releases/kosovo-has-clear-european-perspective-says-deputy-pm-and-fm-venizelos (last accessed on: 20 October 2014).

405 *Ibid*.

EU membership. More precisely, former ruling party ND believes that Kosovo's EU membership will be beneficial for the stability of the region, and highlights the need for strong political will in Serbia and Kosovo in order to resolve their dispute.[406] However, sources inside the party highlight that the unilateral declaration of Kosovo's independence was never liked by the ND, and argue that the party would never accept a solution of the Kosovo question that would not comply with international law, or one that would not be fully accepted by Serbia.[407] Similarly, PASOK remains firmly in favour of Greece's non-recognition of Kosovo, and holds that Kosovo's EU membership is dependent on the negotiation of a satisfactory status solution with Serbia.[408]

While in opposition, the newly elected SYRIZA viewed Kosovo as a product of Western imperialism, a vehicle for the promotion of American and European economic interests in the Balkans,[409] and explicitly rejected "Kosovo's illegal unilateral declaration of independence" in its 2012 party programme.[410] Shortly before the recent elections, and during a visit to Belgrade, Alexis Tsipras argued that "Greece's recognition of Kosovo would not promote stability in the region" and called for "a mutually accepted solution" to the Kosovo dispute.[411] The latter words brought SYRIZA closer to the official Greek position, which implies that, if a solution were eventually reached between Serbia and Kosovo, a Greek government would likely reconsider its stance on Kosovo's recognition. Since SYRIZA's rise to power, there have been no indications as to the specific course that the new government will follow with regards to the Kosovo question, but the new leadership is not expected to take any steps towards Kosovo's recognition in the foreseeable future.

The minor coalition partner in government, ANEL, offered during its time in opposition a twofold explanation for its refusal to recognise Kosovo's independence. Firstly, by comparing the situation of Kosovo with that of Cyprus, ANEL explained that the recognition of Kosovo would effectively legitimise "an illegal military occupation on the land of a sovereign country"[412]. Secondly, the party dismissed the possibility of recognising Kosovo due to the special bond between Greece and Serbia, based on common Christian Orthodox faith.[413]

The special relationship between Athens and Belgrade is also the main reason why the ultra-right extremist Golden Dawn argues that Kosovo was, and will always be, part of Serbia, and thus the recognition of its independence would be illegal and unacceptable.[414]

13.2.4 Greece and Serbia, Montenegro and Bosnia-Herzegovina

Greece is generally supportive of the European integration of the three remaining Balkan aspirants: Serbia, Montenegro and Bosnia-Herzegovina. Given that Athens has no disputes with these countries, the official position merely emphasises that their eventual accession should be dependent on their fully meeting the conditionality. The parties' positions are a function of limited knowledge about the situation in these countries, as well as of a lack of bilateral disputes with Greece. Political parties either have no opinion at all or accept the general principle of the accession prospects of these countries

406 Interview with representative of ND, August 2014.
407 *Ibid*.
408 Interview with representative of PASOK, July 2014.
409 Interview with representative of SYRIZA, July 2014.
410 SYRIZA, Party Programme 2012, p. 15.
411 SYRIZA, *Talk of SYRIZA's President at the Law School of the University of Belgrade*, December 2014, available at: http://www.syriza.gr/article/id/59310/Omilia-toy-Proedroy-toy-SYRIZA-Aleksh-Tsipra-sto-amfitheatro-ths-Nomikhs-Scholhs-toy-Panepisthmioy-toy-Beligradioy.html#.VRpy2bp9ekZ (last accessed on: 31 March 2015).
412 Interview with representative of ANEL, July 2014.
413 *Ibid*.
414 Interview with representative of the Golden Dawn, July 2014.

without, however, engaging with the nitty-gritty of the individual cases. There are few exceptions of party interviewees who stress, for example, Bosnia's constitutional setbacks and weak political structures[415] or Montenegro's corruption and criminality problems[416], but overall there is little awareness of and even less so interest in these countries' membership bids. The only partial exception here is the generally positive opinion about Serbia that was expressed by some interviewees and which can be traced back to the close relationship between the two countries during the 1990s.

13.3 CONCLUDING REMARKS

The January 2015 elections echoed the complex and volatile political landscape in Greece by bringing to power an unlikely left-right coalition whose main point of convergence is the anti-bailout and anti-austerity agenda. This instils unpredictability in Greece's foreign policy, a feeling that was further enhanced during the first few weeks of the new government when the Greek government reportedly distanced itself from key foreign policy positions of its European partners.[417] It is quite unlikely that SYRIZA will in the end want to challenge Greece's long-term foreign policy choices and wider geopolitical orientation. However, just like PASOK when it first came to power in the 1980s, a SYRIZA government may want to make a gradual adjustment from rhetoric to reality, possibly by strengthening its 'patriotic credentials' closer at home (for example, by adopting a tougher stance on fYROM or a stricter anti-Kosovo recognition policy). Yet, even in such a situation, SYRIZA may end up relying more on the MFA bureaucracy, which will signal a 'business as usual' approach on enlargement.

As enlargement moves closer to the Greek borders, especially with Albania's forthcoming start of accession negotiations, it should be expected that more issues of technical and low-politics nature will be added to the agenda of potential concerns for Greece. However, these are unlikely to override the importance of core bilateral high-politics issues, which will remain Greece's priority during the process of Albania's accession negotiations. In turn, Athens may be willing to be more lenient and open to compromise on those low-politics issues, provided that there is progress in the core political issues, such as the rights of the Greek minority in Albania or the delineation of the Exclusive Economic Zones of the two countries. In that context, Athens will likely attempt to follow the so-called 'Helsinki policy' of increasing leverage through EU institutional means, that is, attempting to use the accession process of individual Balkan candidates for bringing bilateral disputes closer to resolution. However, when it comes to Albania, it is unlikely that Athens will try to create any 'mega conditionality', along the lines of the informal condition on the resolution of the name issue for fYROM's accession process. Instead, a diffusion of efforts and attempts to outstanding issues at various stages in the accession process is a more probable scenario.

As a result of fYROM's accession process, Greece ceased to view favourably the role of the Commission's Directorate General for Enlargement – now the Directorate General for European Neighbourhood Policy and Enlargement Negotiations. Previously, Athens was satisfied with the Commission's central role, but in recent years it has followed with barely veiled displeasure its repeated efforts to find new ways of promoting fYROM's accession process, despite the lack of progress in bilateral relations with Greece. Athens may thus be satisfied if the Commission's role weakens, provided that the entire enlargement process is not blocked and does not become a 'game' pursued by individual member states outside the EU context.

---

415 Interviews with representative of DIMAR and a former ND MEP, July 2014.

416 Interviews with representatives of ANEL, a former PASOK MEP and a former ND MEP, July 2014.

417 Alexis Tsipras' reported disagreement in the European Council, in "Tsipras has first clash with EU - over Russia", *EuroActiv*, 28 January 2015, available at: http://www.euractiv.com/sections/europes-east/tsipras-has-first-clash-eu-over-russia-311616 (last accessed on: 29 March 2015).

Overall, with regards to enlargement, the Greek diplomacy will in the coming years face major challenges, which could be described as balancing acts. It is in Greece's national interest that the enlargement process continues and that any idea of stopping the process or offering the Balkans a sort of 'special relationship' status are discouraged and defeated. Put simply, Greece is too close to non-European zones of instability, partly geographically disconnected from the EU's core, and too interdependent on the Balkan states to afford having its neighbours 'left outside' – the negative experience of the 1990s turmoil in the Balkans is instructive for Greece in this regard. So keeping the process 'going' is a top priority for Greece. However, Athens aims to 'make the most' out of the process by resolving bilateral disputes or other problems with neighbours. Thus, Greece is the one that has to find ways to gain the most and have its Balkan aspirant neighbours make extensive changes without, risking blockages that would be welcomed by anti-enlargement EU member states. At the same time, Greece will have to find ways to influence the enlargement policy despite its weakened diplomatic capital and economic clout prompted by the near economic meltdown. Moreover, it will have to deflect charges of inconsistency between its seemingly differing positions on fYROM and Albania's accession processes.

Chapter

14

BULGARIA

BY MARIN LESSENSKI

14.1 INTRODUCTION

As a direct neighbour of three of the countries currently aspiring to membership of the European Union (EU) – Serbia, the Former Yugoslav Republic of Macedonia (fYROM) and Turkey – and itself a young EU member state in the Balkans, Bulgaria has a number of normative and pragmatic reasons to strongly support the Union's enlargement process.

Solidarity is the first explanation for the country's position in favour of EU widening, while the desire to be surrounded by fellow member states is a second underlying reason. In addition, Bulgaria sees enlargement as the main contributor to, and anchor for, regional stability and prosperity.

Yet despite Bulgaria's support for enlargement, and notwithstanding the absence of any substantial issues between Sofia and the aspiring countries in the Balkans, there are a series of nuances and difficulties that interfere with the process. Relations with fYROM remain affected by disputes related mainly to the interpretation of history, while the case of Turkey finds official backing but is generally avoided in political debates.

Whereas fYROM remains the 'most talked about' case in the enlargement process, Serbia features as the most important country from the point of view of Bulgaria. The geographical proximity and regional centrality of Serbia explains its priority status for Sofia. The most serious concerns are reserved for Bosnia and Herzegovina (BiH), and refer to the country's institutional deadlock and possible fragmentation.

The Ministry of Foreign Affairs remains the most important hub of decision making in Bulgaria when it comes to enlargement, but it also relies, whenever necessary, on other institutions, like the president, parliament, Ministry of Regional Development, Ministry of Interior, and Ministry of Defence. The Bulgarian president plays a considerable role in foreign policy as the constitution stipulates that he

"shall represent the State in its international relations". In addition, the general EU position, that of the European Commission and key partners – including important member states like Germany, France and the UK, but also the US and other neighbouring member states with interests in the Balkans – inform Bulgaria's stance on the enlargement dossier.

There is widespread political and public consensus in Bulgaria on support for the Balkans' accession. Opinions might diverge about the approach or some preconditions, but there is no significant player opposing the EU's enlargement into the Balkans. Not even the nationalistic parties, which tend to exploit differences for political ends and take issue with Turkey's membership bid, are against the region's European integration.

Public opinion in the country is also largely pro enlargement, and polls show that support for Bulgaria's Balkan neighbours stands at about 50%, and only an estimated 20% oppose the region's European aspirations.

For many, the democratisation of the Balkans, especially in support for the civil society sector and media actors, is the key ingredient for a successful enlargement policy. In the wake of the conflict in Ukraine, the importance of two other topics with regard to EU enlargement and cooperation in the Balkans has grown: energy security and the expectation that the aspirant countries should follow the EU's foreign and defence policy as a token of their commitment to joining the Union.

14.2 SUPPORT FOR AND COMMITMENT TO THE ASPIRANTS, BUT WITH A TWIST

Bulgaria is highly supportive of EU enlargement, especially into the Balkans, and this is unlikely to change for the foreseeable future. The official government position is that each of the aspiring countries should be assessed as an individual case and should be admitted as soon as they have met the membership conditions. Sofia puts a high premium on good neighbourly relations and sees this requirement as a test for the degree to which the EU aspirant countries have adopted European values.

This policy is domestically sustainable because of the consensus among mainstream political parties and the general public in favour of EU membership for Balkan neighbours. Moreover, there is the understanding that the long-term normative and pragmatic motivations for this position trump any short-term disagreements.

At the same time, however, there is awareness that the process will be neither quick nor easy. This perception is informed by a number of considerations regarding the state of affairs in the Balkan countries as well as in the EU. Bulgarian experts point to the lack of sufficient progress in EU-related reforms, problems with the quality of democracy (including what have been described as "authoritarian tendencies"[418] and the treatment of minorities), state fragility, and serious economic and social difficulties. In addition, the mood in the rest of the EU is considered unfavourable to further widening. The 'absorption capacity' of the EU is currently tested to the limit as the Union is facing a plethora of economic, institutional and growing geopolitical challenges.

The Bulgarian government's position is firmly in favour of a policy which does not discriminate between aspirants and which maintains that every country is assessed on its own merits. However, in practice, Bulgarian expert and public opinion makes a threefold differentiation among the countries of the region:

[418] The observations about "authoritarian tendencies" in the Balkans refer to the temptation of governments in the region to subdue political opposition, the media and civil society.

- Serbia and fYROM, which hold particular significance for Bulgaria and therefore enjoy special attention;
- The rest of the countries in the Balkans, for which there is support but not quite the same level of attention as for Serbia and fYROM;
- Turkey, which appears to be in a league of its own due to its geopolitical and economic weight, and which is treated as a special case.

Serbia and fYROM are Bulgaria's direct neighbours to the West. Serbia is also on the direct route to the rest of the EU, and there is a sense of shared history with fYROM. However, on political, expert and public opinion levels, there are a number of distinctions that Bulgaria makes between these two Balkan countries.

With regard to Serbia, there is a widespread conviction in Bulgaria that the country has been dealing efficiently with its bilateral issues. For Sofia, Serbia offers evidence that the enlargement process is going well insofar as the two countries have no outstanding bilateral issues – the treatment of the Bulgarian minorities included – and Belgrade in general has been diligently pursuing the dialogue with Pristina. The Serbian administration and politicians are seen as motivated and ambitious in their EU membership bid. Likewise, it is thought that the closer and more determined Serbia is on its way to membership, the easier it will be to overcome difference and engage in bilateral cooperation.

As far as fYROM is concerned, the situation is more complex: Sofia is in favour of Skopje's EU candidacy but wants to see improvements in fYROM's bilateral relations before providing its full and unconditional support.

Bulgaria also backs the membership aspirations of the other countries in the Western Balkans, but is comparatively less active towards them. In this part of the region, Bulgaria is mainly preoccupied with the stalemate and fragility of institutions (for example, in BiH) or the occasional political instability (for instance, in Albania).

Turkey remains a special case. Officially, Bulgaria supports Turkey's accession negotiations but in practice the main Bulgarian political parties avoid spelling out clearly their position, and the public is also divided with about 45% against and 34% in favour of Ankara's EU integration ambitions[419].

14.3 THE LIMITS OF UNCONDITIONAL SUPPORT: IDENTITY POLITICS AND FYROM

Bilateral relations with fYROM deserve attention as they are the most visible and debated part of Bulgaria's policy on Balkan enlargement. Bulgaria is supportive of fYROM's aspirations to join the EU but the ties between the two countries have deteriorated over time, and Bulgaria is no longer unconditionally backing Skopje's membership bid.

With regard to the so-called "disputes over history", the mainstream view in Bulgaria is that the Macedonian nation emerged in early 20th century, and was reinforced during the Kingdom of Yugoslavia and the socialist period. Therefore, Macedonia's history is seen as part of Bulgarian history, and its language as being based on the Bulgarian language. In contrast, the conventional wisdom in fYROM is that it underwent a separate linguistic and national historical development from Bulgaria, which stretches back to medieval times, or to antiquity with Alexander the Great. This clash of readings of the past affects some key figures and events of the 19th/20th centuries, as each side claims them as

[419] OSI-Sofia, 2011.

part of its own history. Bulgaria's proposal to have joint celebrations of historic events was found unacceptable by the majority of Macedonian politicians.

Yet such disputes about history and identity have often disguised concerns about irredentism, for example the possible territorial claims of fYROM over parts of Bulgaria (namely, Pirin Macedonia in Bulgaria's south-west), as well as about the mistreatment of Macedonian citizens who identify as Bulgarians and, more generally, about the negative portrayal of Bulgaria in the media, history books or films sponsored by the government in Skopje[420]. All these are seen as damaging good neighbourly relations and also tend to become the subject of the regular progress reports by the European Commission under the "regional cooperation" rubric.[421]

The bilateral political relations between Bulgaria and fYROM had seen ups and downs throughout the years. Bulgaria was the first country to recognise the newly independent Republic of Macedonia under its constitutional name on 15 January 1992. Reportedly, the then-President of Bulgaria, Zhelyu Zhelev, persuaded his counterpart, Boris Eltsin, that Russia should also recognise the new republic[422]. In 1999, contacts between the two countries peaked with the signing of a declaration on good neighbourly relations, which was supposed to solve – or at least put aside – many of their historical and identity hurdles.

But in the mid-2000s, relations between Sofia and Skopje began to deteriorate as the Bulgarian government came to the conclusion that the authorities in Skopje were antagonising Bulgaria. The statement made in 2006 by the then-Minister of Foreign Affairs, Ivaylo Kalfin, that "Bulgaria will no longer support unconditionally the EU integration of Macedonia", marked a turning point in Bulgaria's official approach towards fYROM[423].

In 2012, the Bulgarian government said that it would not support fYROM's opening of accession talks with the EU.[424] Bulgaria was convinced that the government in Skopje did not intend to work on improving relations with Sofia after it essentially rebuffed in 2011 the proposal of Bulgaria's then-Foreign Minister, Nickolay Mladenov, to sign a bilateral agreement. The proposed pact on good neighbourly relations was considered as the main solution to bilateral issues between Bulgaria and fYROM; in 2015 the proposal is still on the table.

---

420 Bulgarian MEPs and the Bulgarian government have repeatedly raised the issue of people with Bulgarian identity living in fYROM, with Bulgaria's ambassador to the EU Dimiter Tzantchev saying that his country was losing patience with Skopje's reprisals against Macedonian citizens who identified themselves as Bulgarian; information from 8 May 2013, available at: http://www.mfa.bg/en/events/6/1/770/index.html (last accessed on 10 February 2015). See also "Bulgarian FM Mladenov speaks on Macedonia's 'Third Half' film controversy", *Sofia Globe,* 14 September 2012, available at: http://sofiaglobe.com/2012/09/14/bulgarian-fm-mladenov-speaks-on-macedonias-third-half-film-controversy/ (last accessed: 2 February 2015). Three Bulgarian MEPs sent a letter to EU enlargement commissioner Stefan Füle about the film (http://www.andrey-kovatchev.eu/en/news/view/2/2139).

421 In The former Yugoslav Republic of Macedonia 2013 Progress Report, Communication from the Commission to the European Parliament and the Council, COM (2013) 700 final, Brussels, 16 October 2013.

422 See the interview with Stefan Tafrov, Deputy Foreign Minister in 1991-1992, "Стефан Тафров: Как признахме Македония и отворихме европейския път на България" ["How we recognised Macedonia and opened the European way to Bulgaria"], *Balgarska armia*, 17 January 2012, available (in Bulgarian) at: http://e-vestnik.bg/13651 (last accessed on 9 February 2015).

423 See "Думи на министър Калфин разгневиха Скопие" ["Statements of Minister Kalfin angered Skopje"], *Mediapool*, 24 July 2006, available at: http://www.mediapool.bg/dumi-na-ministar-kalfin-razgneviha-skopie-news119751.html (last accessed on: 10 February 2015).

424 See Council Conclusions on Enlargement and Stabilisation and Association Process, General Affairs Council Meeting, Brussels, 11 December 2012, available at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/genaff/134234.pdf (last accessed on: 9 February 2015).

Politicians and experts in Bulgaria consider that the government in Skopje is at best not friendly towards Bulgaria, and at worst deliberately provoking Sofia for political mobilisation along nationalistic lines. Moreover, there is the suspicion that Macedonian officials are not sincere in their EU integration efforts, and prefer to capitalise on a siege mentality – that is, reinforcing a collective feeling among the public of isolation and victimisation blamed on outside players.

While for some the situation between Bulgaria and fYROM might bring to mind the name dispute between Athens and Skopje[425], Bulgaria strives to distance itself from such associations. As one of the interviewees put it: "Bulgaria closely watches what Greece is doing, sometimes to do the same and sometimes to do exactly the opposite"[426].

Moreover, technical and cross-border cooperation (such as EU-funded cooperation among border regions and transport infrastructure projects) between Bulgaria and fYROM is thought to happen far more smoothly than bilateral spats would suggest. This also includes symbolic gestures, such as when Bulgarian organisations do not use the acronym 'fYROM' or 'the former Yugoslav Republic of Macedonia' that is required for official use in the EU and which Skopje finds offensive.

Table 14.1: Support for fYROM's EU entry in Bulgaria
Q: Would you support EU membership for the former Yugoslav Republic of Macedonia and under what conditions?

Unconditional support	17%
Support only after signing bilateral agreement	42%
Oppose Macedonia's EU membership	19%

Source: Exacta poll, 2013

Whereas Bulgarian politicians, experts and opinion leaders tend to agree on how they assess fYROM's attitude towards Sofia, they can diverge with regard to the form and substance of the response to Skopje.

The Bulgarian government's tougher stance towards fYROM adopted in 2012 was critically received by both centre-right and left[427], including two former presidents of the country. First, it was believed that this would backfire, further reinforcing anti-Bulgarian feelings in fYROM and enabling the Skopje authorities[428] to rally support against an 'external enemy'. Second, many were apprehensive of the image of Bulgaria in the EU if it were to be associated with the unrelenting opposition of Greece to fYROM. Coupled with the low level of knowledge about Bulgaria's motivation among its European partners, it was feared that this would tarnish the image of the country in the EU. Third, this was seen as a negation of Bulgaria's own top priority, to see its neighbour advance on the EU path as soon as possible.

425 Greece opposes the name "Republic of Macedonia", considering it a claim over its own Macedonia region. The latest EC progress report on fYROM says: "The failure of the parties to this dispute to reach a compromise after 19 years of UN-mediated talks is having a direct and adverse impact on the country's European aspirations." European Commission (2014), *The former Yugoslav Republic of Macedonia Progress Report*, available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-the-former-yugoslav-republic-of-macedonia-progress-report_en.pdf (last accessed on: 10 February 2015).

426 An observation made during an interview for the current article.

427 Position of Ivaylo Kalfrin, former Minister of Foreign Affairs in 2005-2009, published on his personal blog on 29 December 2012: "Къде сбърка ГЕРБ с Македония" ["Where Did GERB Go Wrong with Macedonia?]), available at: http://kalfin.eu/bg/kade-barka-gerb-s-makedoniya/ (last accessed on: 9 February 2015).

428 The position of Meglena Kuneva, former EU Commissioner and leader in Bulgaria of the Citizens Party. "Партията на Кунева атакува ГЕРБ за Македония" ["The party of Kuneva attacks GERB over Macedonia"], *Mediapool*, 27 December 2012, available (in Bulgarian) at: http://www.mediapool.bg/partiyata-na-kuneva-atakuva-gerb-za-makedoniya-news201112.html (last accessed on: 9 February 2015).

Concerning public opinion, a poll by the Exacta agency from December 2013[429] showed that 17% of Bulgarians offered unconditional support for fYROM's EU membership, while 42% would support it only after signing the bilateral agreement on cooperation and good neighbourly relations. Thus, only 19% oppose fYROM's membership versus 59% who support it (conditionally and unconditionally).

14.4 THE SHAPING OF NATIONAL POSITIONS: POLITICAL AND PUBLIC CONSENSUS

The Bulgarian Ministry of Foreign Affairs (MFA) and the presidency are the two most active institutions in the country's foreign policy decisions. The MFA is the main hub of decision-making in regard to enlargement. The different directorates – mainly on policies and institutions of the EU and Southeast Europe – work on the country's positions. There is also a strong influence of representation in Brussels, which interacts with the European institutions, including the Working Party on the Western Balkans Region (COWEB). At the same time, there is input from Bulgaria's embassies on the ground, which often interact and coordinate with other member states' embassies in the region.

In addition, there is inter-institutional cooperation with other ministries (for instance, the Ministry of the Interior, Ministry of Defence, and Ministry of Regional Development), and with working groups in different formats, before a proposal is submitted to the Directorate for Coordination of EU Affairs to the Council of Ministers, which is the formal institution in charge of adopting EU positions.

The president of the republic assumes an important role in foreign policy issues and is often a speaker and initiator of decisions and actions, although the presidency has limited constitutional prerogatives and the power lies in fact with the executive. The Parliament and its specialised committees – on foreign policy and European affairs – can also be a venue for deliberations and decision-making in this area.

Moreover, alongside the official institutions and processes, there is an array of other players who have to be taken into account. The main political parties and several smaller ones are active in the enlargement process.

There are no significant differences between ideologically left- and right-wing parties in their positions on enlargement. Parties mostly agree on the substance of Bulgaria's position on the Balkans' European integration, but may disagree about the style of conducting this policy.

Among the nationalist parties, VMRO-BND stands out because of its special interest in the Balkans. The party sees itself as the successor of the historic VMRO – or Internal Macedonian Revolutionary Organisation[430]. VMRO considers that this legacy provides a mandate and legitimacy to be more active than other parties on Balkan issues and especially towards fYROM. This translates into demands for a tougher policy line towards official Skopje with regard to "historical disputes" as defined above, or lobbying for easing the provision of Bulgarian citizenship to those in fYROM who claim Bulgarian ethnic origin.

[429] "Екзакта: 17% от българите са за безусловна подкрепа на Македония за ЕС" ["Exacta: 17 % of Bulgarians are in favour of unconditional support for Macedonia towards the EU"], *Actualno*,18 December 2014, available at: http://society.actualno.com/Ekzakta-17-ot-bylgarite-sa-za-bezuslovna-podkrepa-na-Makedonija-za-ES-news_9474.html (last accessed on: 9 February 2015).

[430] VMRO (Vatreshna Makedonska Revolyutsionna Organizatsia or Internal Macedonian Revolutionary Organisation in English) sought to liberate Bulgarian-populated lands from the Ottoman Empire, Serbia and Greece in the late 19th and early 20th centuries. The ruling party in fYROM has the same name and claims over the same legacy, but they are now completely different organisations.

There are also several associations which are particularly involved in the neighbouring countries (like the Macedonian Scientific Institute and the Union of Thracian Associations in Bulgaria[431]), and which may play a quasi-political role at times by endorsing politicians or policies that reflect their views. In addition, there are a number of very active independent think tanks, NGOs and opinion leaders, generating research, policy recommendations and participating in debates at national and international level. As a rule, they are in favour of enlargement and advocates of the process.

14.5 PUBLIC OPINION

The public opinion in the country is generally pro enlargement and has favourites among the Balkan countries. Polls show that backing of the Balkans' accession is at about 50%, while Turkey remains a special case with only about 33% of support. There is a slight preference for Serbia over fYROM, and Croatia scores the highest level of support. Likewise, opposition to membership is highest for Turkey and lowest for Croatia.

Table 14.2: Voting preferences in a potential referendum on EU membership in Bulgaria
Q: If today there was a referendum for EU membership, how would you vote?[432]
(by party affiliation)

Country		Total	GERB	BSP	MRF	BC (centre-right)	Other	Non-voters
fYROM	Yes	**50.9 %**	61.0%	51.0%	66.7%	61.7%	53.7%	40.8%
	No	**20.8 %**	18.5%	20.0%	10.3%	18.3%	29.6%	22.1%
Serbia	Yes	**52.1 %**	59.8%	53.8%	64.1%	65.0%	59.3%	42.1%
	No	**18.1 %**	15.8%	14.5%	12.8%	16.7%	21.3%	20.7%
Turkey	Yes	**32.6 %**	30.2%	29.0%	82.1%	48.3%	25.0%	30.8%
	No	**44.4 %**	50.4%	46.9%	5.1%	36.7%	60.2%	40.6%
Croatia	Yes	**54.1 %**	62.8%	51.7%	64.1%	71.7%	62.0%	43.9%
	No	**15.2 %**	13.2%	15.2%	15.4%	6.7%	17.6%	17.1%

Source: OSI-Sofia Survey, 2011

In terms of political affiliation, there is relatively small difference in enlargement attitudes between the supporters of the mainstream parties. The voters of the centre-right Citizens for the European Development of Bulgaria (GERB) and Blue Coalition, and the Turkish-minority Movement for Rights and Freedoms (MRF) are slightly more enthusiastic about enlargement than the left-wing ones such as the Bulgarian Socialist Party (BSP). The smaller centre-right parties' electorate is consistently more welcoming of the Balkans, showing support above average (see Table 14.2). Turkey is again another story, which reflects differences in society, with supporters of the Turkish-minority MRF party mostly in favour of Turkey's EU membership, followed by the smaller pro-European centre-right voters.

Different polls over the years have shown similar results, demonstrating that public attitudes have not changed drastically. A 2013 poll demonstrated that approval for Serbia's membership was at 63%, for fYROM at 57% and for Turkey at 27%.[433]

[431] The Macedonian Scientific Institute was founded in 1923 to deal with the region of Macedonia and the Macedonian Bulgarians. The Thracian Associations Union in Bulgaria traces back its origin in the liberation movements of Bulgarian-populated lands in the regions of Thrace and Macedonia in late 19th and 20th centuries.

[432] Open Society Institute – Sofia, 2011. Data available from the author.

[433] Afis poll as of 2013. In "Проучване: повечето българи гледат позитивно на влизането на Сърбия и Македония в ЕС", ["Survey: Most Bulgarians positively view the entry of Serbia and Macedonia into the EU"], *Dnevnik,* available at:

14.6 EU MEMBER STATES WITH INTEREST AND INFLUENCE ON ENLARGEMENT

In formulating its position on enlargement, Bulgaria also takes into account the stance of other EU member states on the dossier. To this end, Bulgaria distinguishes between three main groups of EU member states with interest in the Balkans: (1) the EU 'heavyweights', (2) the smaller but very active countries, and (3) close neighbours in the region.

In the first category, Germany stands out as the decisive member state and champion of enlargement. France is the other country which is seen as very influential but observers assess that it is less keen than Germany on tackling the political aspects of enlargement (including controversies). The UK was once considered critical for the success of enlargement, but now its interest and political role are seen to have shrunk, to the disappointment of Bulgaria's experts and politicians who would welcome London's comeback in this field. Likewise, Italy and Spain were previously regarded as important players, though the involvement of these two countries in Balkan affairs is also generally perceived to have diminished over the past few years.

Among the smaller but very active countries in the second group, Austria emerges as a neighbour with a historic role as a main trade partner and investor. Sweden, and its now former Minister Carl Bildt, has been one of the strongest advocates of the Balkans. The role of the Netherlands has been assessed as very important too, with its particular interest in the justice and home affairs of the aspirant countries. The strict Dutch oversight is seen as inevitably 'slowing down' the aspirants, but it is also assessed as indispensable for the genuine transformation of the Balkan societies.

Coming to the third cluster of EU member states from Central and Eastern Europe (CEE), Hungary, Poland, Slovakia, Slovenia, Romania, and the newcomer Croatia are considered important partners for Bulgaria. For example, in March 2008, Bulgaria, Croatia and Hungary coordinated their efforts and announced together their recognition of Kosovo. In general, these neighbouring member states are seen as allies in promoting enlargement. Greece would also fit into this category, but it is believed that the country will resume its engagement in the Balkans once it recovers from the crisis.

Outside the EU, the influence of Russia and Turkey on the Balkans is acknowledged – especially Moscow's close ties to Serbia and Montenegro, and Turkey's links to BiH and fYROM. However, as long as these relations do not interfere with the Balkans' EU aspirations, they are not classified as problematic.

The straining of EU-Russia relations is changing Bulgaria's thinking in this regard. Foreign Minister Daniel Mitov said in December 2014 that the candidate countries should align their foreign policies with the EU, "otherwise it would be difficult to find arguments for enlargement", referring indirectly to Serbia's reluctance to join the EU sanctions against Russia.[434] Although both Bulgaria and Serbia are often considered to have close ties to Russia (of course, this depends very much on the affinities of the government in power), including in the energy sector (such as South Stream), this factor plays a marginal role in Bulgarian-Serbian bilateral relations. For many decision-makers and experts in Bulgaria, Russia's influence in Serbia and other neighbouring countries is worrying.[435]

http://www.dnevnik.bg/evropa/razshiriavane/2013/12/06/2197520_prouchvane_povecheto_bulgari_gledat_pozitivno_na/ (last accessed on: 9 February 2015).

[434] See "Foreign Minister Daniel Mitov, interview", *Euinside,* on 17 December 2015, available (in Bulgarian) at: http://www.euinside.eu/bg/news/daniel-mitov-bosnia-and-herzegovina-is-an-exception (last accessed on: 9 February 2015).

[435] See, for example, "The Balkans are the soft underbelly of Europe", *Financial Times*, 15 January 2015, available at: http://www.ft.com/intl/cms/s/0/2287ba66-8489-11e4-bae9-00144feabdc0.html#axzz3QxJorhK2 (last accessed on: 9 February 2015).

The suspension of South Stream in 2014[436] boosted the EU's involvement in the region. On 9 February 2015, Bulgaria hosted the first meeting on matters of the European Energy Union and its implications in Southeast Europe, with a focus on energy security and gas supplies.[437] According to EU Energy Commissioner Maroš Šefčovič, the aim was to adequately integrate the Balkans into the European energy system.[438] During the meeting in Sofia, a summit group was charged with the construction of the gas connections in Central and Southeast Europe. This was in line with Bulgaria's plans to deal with uncertainty in gas supplies by building inter-connectors with neighbouring states – Greece, Romania, Serbia, and Turkey. The Southern Gas Corridor, promoted by the EU, received new momentum, with Šefčovič and representatives of Bulgaria, Turkey, Greece, Italy, Albania, and Georgia visiting Baku on 11 February 2015 for a high-level meeting.[439] In addition to gas deliveries, Bulgaria seeks to include electricity in regional and EU-driven cooperation.

Regarding the role of Turkey in the Balkans, there is concern among some experts that the country might turn away from the EU and the West. The growing partnership between Russia and Turkey in the neighbouring Black Sea region has already been viewed with apprehension, which is potentially consequential for the interests of the EU and smaller countries in the region.

14.7 NORMATIVE AND PRAGMATIC ARGUMENTS BEHIND BULGARIA'S POSITION

Bulgaria bases its widespread support for EU enlargement to the Balkans on a series of normative and pragmatic arguments.

First and foremost, there is the normative argument of solidarity, which is about Bulgaria doing its fair share to support the EU integration of its Balkan neighbours, just as it was itself supported to join the Union in 2007.

The other important reason is stability. Although the security challenges of the 1990s are far behind us, there are still lingering concerns about institutional, economic and social-political instability in the Balkans, including the fragility of BiH, the inter-ethnic tensions in fYROM, and political volatility in Albania. For Bulgaria, the prospect of EU accession can often be an important factor in building national consensus and keeping the Balkan countries on the right track.

Next to stability is modernisation – or the transformative effect that Bulgaria believes the EU integration process can have on the societies in the region, such as in terms of institution building,

[436] Bulgaria suspended work on South Stream in 2014 after European Commission criticism and upcoming infringement procedures on tenders. On 1 December 2014, the Russian President Vladimir Putin announced the end of the project and blamed Bulgaria for this; see "Russia drops South Stream gas pipeline plan", BBC, 1 December 2014, available at: http://www.bbc.com/news/world-europe-30283571 (last accessed on: 9 February 2015).

[437] "Bulgarian PM pushes gas hub idea at energy conference in Sofia", *Sofia Globe,* 9 February 2015, available at: http://sofiaglobe.com/2015/02/09/bulgarian-pm-pushes-gas-hub-idea-at-energy-conference-in-sofia/ (last accessed on: 9 February 2015).

[438] "Sofia to host meeting for development of European Energy Union", *Bulgarian Telegraph Agency*, 4 February 2015, available at: http://www.bta.bg/en/c/DF/id/1008213. See also the European Commission's press release on Energy security and interconnectivity in Bulgaria and the other countries of South East Europe – a priority for the European Commission, press release, 12 January 2015, available at: http://europa.eu/rapid/press-release_IP-15-3180_en.htm (last accessed on: 9 February 2015).

[439] The Southern Gas Corridor is planned to bring Azeri gas to Europe through Turkey and the Balkans. "Šefčovič gives his blessing to Southern Gas Corridor", *Euractiv*, 13 February 2015, available at: http://www.euractiv.com/sections/energy/sefcovic-gives-his-blessing-southern-gas-corridor-312105 (last accessed on: 14 February 2015).

democracy, political culture, and the treatment of minorities. Bulgaria believes in the beneficial effects that the quest for EU membership can have.

Among the more pragmatic arguments, an important one for Bulgaria is "linking up geographically" with the rest of Europe, given that the Balkan aspirants stand at present between Bulgaria and the 'core' EU member states. These geostrategic considerations in supporting the Balkans' EU accession are coupled with Bulgaria's plans for a better infrastructure and transport system, which could facilitate Bulgaria's seamless communication with the rest of the EU, benefiting human contacts and the economy. This argument is especially relevant for the border regions, which had been treated in the communist era as buffer zones between potential enemies, with Greece and Turkey being in NATO and Tito's Yugoslavia being viewed with suspicion after its rift with the rest of the Soviet world, and were thus deliberately isolated, and it is from this perspective that Serbia is so vital to the enlargement process.

Economists argue that EU enlargement will also greatly benefit the region and individual countries within it, as it will guarantee stability and predictability in a much larger, single zone. As such, EU membership is expected to make the Balkans more attractive for investors and to encourage trans-national interactions. For instance, exchange and travel between Bulgaria, Romania and Greece intensified markedly after the first two joined the EU in 2007. In a similar manner, Bulgaria's own companies could then take advantage of the Balkans' EU entry and become much more active in these countries, which is currently not the case.

Data on trade and tourism illustrate the close ties between Bulgaria and its Balkan neighbours. In 2014, 53% of Bulgarian citizens have travelled to EU countries, including 29% to Greece and Romania, and 43% in total have travelled to three non-EU Balkan neighbours, that is, Turkey, Serbia and fYROM.

Table 14:3: Visits of Bulgarian citizens abroad (2014)

Total	4,157,946	100%
EU	2,211,496	53%
Other European countries	1,825,204	44%
Turkey	1,106,913	27%
Macedonia	327,033	8%
Serbia	316,146	8%
Greece	866,609	21%
Romania	321,546	8%
Germany	239,310	6%
Italy	126,313	3%
Austria	110,085	3%
Spain	102,417	2%
France	95,623	2%
UK	101,737	2%

Source: National Statistical Institute (2013)

Twelve percent of Bulgarian exports and 8% of its imports are with the Balkan aspirant countries (this includes Turkey too), and the vast majority of its trade is with EU member states (that is, 50% of imports and 62% of exports). This backs the argument that embracing the Balkans in the EU will help Bulgaria's trade and economy. EU integration will greatly benefit regional trade, as well as further facilitating the access of Bulgaria to its most important trade and investment partners in the Union.

Table 14.4: Imports to Bulgaria by main trade regions (mil. EUR)

Year	2007	2008	2009	2010	2011	2012	2013	2014	2014 (%)
(mil. EUR)	21861.2	25094.2	16875.4	19244.8	23406.2	25459.1	25828.1	26189.3	100%
EU countries	11401.9	12781.5	9034.8	9881.7	11372	12154	12585.3	13199.5	50%
Balkan countries	1996.6	1903.9	1276.1	1559	1614.4	1746.4	1963.7	2042.1	8%
Other European countries	4488.6	5583.6	3210.6	4001.5	4881.8	6126.2	5513.6	4900.6	19%
America	1322.9	1338.3	982.4	1030.7	1684.3	1655	1634.7	1604.5	6%
Asia	2454.2	3240.8	2207.1	2576.9	3621.2	3529.2	3619.7	3817	15%
Other countries	196.9	246.1	164.4	195.1	232.5	248.3	511.2	625.6	2%

Source: Bulgarian National Bank (2015)

Table 14.5: Exports to Bulgaria by main trade regions (mil. EUR)

Year	2007	2008	2009	2010	2011	2012	2013	2014	2014 (%)
(mill. EUR)	**13511.9**	**15204**	**11699.2**	**15561.2**	**20264.3**	**20770.2**	**22271.4**	**22115.8**	**100%**
EU countries	8345.5	9245	7665.7	9551.1	12688.5	12237.9	13351.1	13781.8	62%
Balkan countries	2541.2	2524.2	1614.8	2341.5	2825.3	2931	2887.6	2558.1	12%
Other European countries	713.7	899	634.3	1183.4	1702.6	1828.8	1708.6	1160.8	5%
America	543.5	429.6	265.5	324.9	469.7	578.4	463.7	426.9	2%
Asia	1068.4	1450.1	910.2	1341.7	1556.4	2139.7	2592.2	2558.1	12%
Other countries	299.6	656.1	608.7	818.6	1021.8	1054.4	1268.2	1229.5	6%

Source: Bulgarian National Bank (2015)

Bulgaria's specific interests and policies in the Balkans vary according to the Balkan country in question. For example, minority issues are important in the case of fYROM and Serbia, which are home to Bulgarian communities (about 18,500 in Serbia; the number in fYROM is disputed and varies between 1,600 self-declared in the census and more than 51,000 who acquired Bulgarian citizenship by claiming Bulgarian ethnic origin in the period 2001-2013). But also, more generally, Bulgaria is concerned with the problem of corruption and organised crime – which is common to all the Balkan countries – as well as with the trade and transport infrastructure in the region, which is in serious need of upgrade. And energy security has recently grown into an equally important field of regional cooperation for Bulgaria, after the suspension of the South Stream in 2014. In contrast, illegal migration and asylum seekers are an issue which Bulgaria shares with Turkey, as the two countries are on one of the main routes for migrants from MENA countries, especially Syria, into the EU. Bilateral cooperation is key in this case and for that reason Bulgaria had high stakes in the negotiation and ratification in 2013-2014 of the EU-Turkey readmission agreement for a more effective migration and border management.

14.8 CONCLUSIONS

Bulgaria presents itself as a staunch supporter of enlargement towards the Balkans, even if according to experts[440] it does not always grasp the opportunity to lead with a more active policy. The successful transformation and integration of the Balkans in the EU is of great importance to Bulgaria. The new Foreign Minister, Daniel Mitov, who took office in November 2014, went as far as to assert that an excessive delay of enlargement would pose a risk for Bulgaria, and so his country was committed to advocating and pushing for EU widening.

[440] Interviews for this project, 2014.

Bulgaria is aware of the complex context – including economic and political crises, as well as geopolitical challenges – that diverts EU attention and resources away from enlargement. However, Sofia still believes that as long as the aspirant countries continue to progress and fulfil the membership conditionality, they should be admitted. At the same time, Bulgaria is beginning to question the capacity of the Balkan countries to meet the requirements for EU accession: insufficient political will from some elites in the region, who seem to prefer the status quo of an unfinished integration, democratic deficits and severe socio-economic problems, as well as a growing trend in nationalism and authoritarianism are all seen as incompatible with European values. Likewise, the possibility that the Balkan countries might be side-tracked from the EU path and become a field of geopolitical competition in the standoff between the West and Russia has emerged during the Ukrainian conflict, fuelling concern.[441]

Experts suggest that Bulgaria's own experience – both positive and negative – could provide useful lessons for the rest of the Balkans. This refers, for instance, to Bulgaria's decision in the early 1990s to denounce nationalism as a base for policies, meeting EU membership conditionality before accession in 2007, but also to the ongoing judiciary reform and fight against corruption carried out by Sofia in the framework of the Cooperation and Verification Mechanism[442]. Moreover, OSI-Sofia's European Catch-Up Index[443] demonstrates that, in addition to the previous East-West divide between new and old member states, a new North-South divide has been gradually emerging. And while the Central European and Baltic countries are good and dynamic performers, advancing towards desired European levels of development, the countries in Southeast Europe occupy the bottom places of the ranking. The fact that the Balkan countries show no significant progress in 'catching up' with the rest of the EU is a major source of concern and one of the main arguments in favour of the EU staying committed and actively helping the region to complete the European integration process.

[441] Interview with Bulgarian expert, February 2015.

[442] The EU decided to establish a special "Cooperation and Verification Mechanism" (CVM) for Bulgaria and Romania to help these countries address shortcomings in judicial reform, corruption and organised crime. More information available at: http://ec.europa.eu/cvm/index_en.htm; (last accessed on: 9 February 2015).

[443] Lessenski (2013), *op. cit*.

Chapter

15

ROMANIA

BY PAUL IVAN

15.1 INTRODUCTION

Situated at the meeting point between Central, Eastern and Southeastern Europe, Romania is oftentimes considered a Balkan country, being, after the breakup of Yugoslavia, the largest and most populous one in this region. As a member state on the periphery of the European Union (EU), bordering non-EU countries in the north, east and south-west, Romania is interested in the European and Euro-Atlantic integration of the Western Balkans, a process that would boost its own security. Over the years, Bucharest has invested in the security of the Balkan region, participating in most of the international peacekeeping and peacebuilding missions in Bosnia and Herzegovina, Albania, the former Yugoslav Republic of Macedonia (fYROM), and Kosovo.

Romania is one of the pro-enlargement countries within the EU, but not an unconditional supporter of the process. Given its proximity to the region, Bucharest is especially focused on the reform and Europeanisation of these countries, as well as on protecting its perceived interests, including the ones related to the status of the Romanian-speaking minorities and related communities. Several Balkan countries (for instance, Serbia, fYROM and Albania) are home either to Romanian-speaking minorities (Serbia) or related communities (Aromanian community in Albania, and Aromanian and Megleno-Romanian communities in fYROM). Even before declaring its independence in the second half of the XIX century, Romania has tried to play the role of protector of these ethnic groups, financing for example schools and churches for the Aromanian communities in the Balkans. While Romania supports the work of the European Commission, occasionally there is (mostly private) criticism regarding the Commission's perceived fast tracking of some states and its incapacity to apply sticks and carrots in the Western Balkans. At the same time, Romania is not among the member states pushing for a tougher conditionality and, at least on one occasion – related to Montenegro – it has asked for the conditions related to Chapter 15 'Energy' to be modified as they were more restrictive than the EU *acquis*.

In the past decade, Romania has tried to become a key player in the region, supporting the European and Euro-Atlantic integration of the Balkan countries, and offering its expertise. It generally plays an active role in regional organisations and initiatives such as the South-East European Cooperation

Process (SEECP), the Stability Pact for South Eastern Europe and the subsequent Regional Cooperation Council, the Central European Initiative (CEI), and the Southeast European Cooperative Initiative (SECI), and has established embassies in all the non-EU Balkans countries, as well as a liaison office in Kosovo.

Given the presence in the region of the above-mentioned Romanian-speaking minorities and related communities, Bucharest is interested in the respect of minority rights in these countries and closely follows the work regarding Chapter 23 of the EU *acquis* on Judiciary and fundamental rights. In this regard, Romania is not unlike other EU states, such as Hungary, Bulgaria or Croatia, which are also 'protective' of their ethnic kin living in the Western Balkans countries. In addition, Romania also pays attention to Chapter 24 on Justice, freedom and security, due to its proximity to the region and the risks associated with non-functional justice systems, such as the spread of corruption, organised crime and smuggling networks (human trafficking, weapons, cars smuggling, and trafficking of organs). Romanian civil society activists argue that the country could be more active in the Western Balkans, for example by offering consultancy and support in areas such as justice reform and anti-corruption by 'exporting' its successful National Integrity Agency and National Anti-corruption Directorate, but also in the field of child protection or the transparency of public expenditure. One Romanian civil society activist interviewed[444] mentioned that Serbia, a smaller and poorer country than Romania, "has higher public expenses on culture, sport and religion", which are sectors where money is more easily siphoned.

While a number of Romanian NGOs have developed projects in the Western Balkans, they are far from reaching their full potential. A number of funders such as USAID have left Romania after its entry into the EU and this has weakened several civil society organisations and their projects in the Balkans. Moreover, people-to-people relations are underdeveloped and poor transport connections do not make these relations easier. Media coverage of the Western Balkans or of EU enlargement is low, and the public opinion is generally disinterested in these topics. However, disinterest does not mean rejection. When asked in 2014, 70% of Romanians would support further enlargement of the EU, the highest percentage among the 28 members of the Union[445], and only 16% declared themselves against. This high percentage should not be associated in its entirety with the Western Balkans as in the Romanian public discourse, the European integration of the Republic of Moldova, a country currently not on the enlargement agenda, tends to receive more visibility than the Balkans.

From a security point of view, besides participating in peacekeeping and peacebuilding missions, Romania has offered assistance to several Western Balkan countries in a number of fields, including security sector reform. However, Romania, a staunch NATO member, is worried by the unreformed nature of the Serbian security apparatus and by Russia's penetration in the Balkans, especially visible in Serbia, Montenegro and Bosnia (in Republika Srpska). Several developments, such as the opening in 2011 of a joint Russian-Serbian 'regional humanitarian centre' in the Serbian city of Niš, the strong penetration of Russian business interests in these economies, especially in the energy sector (evident also during the development of the South Stream pipeline), and positions, like Serbia's refusal to join the EU sanctions regime against Russia, weaken Bucharest's enthusiasm regarding EU enlargement to some of these countries.

Romania's economic relations with the region have grown over the years but given the small size of the economies in the region, they are not among the top export destinations for Romanian goods. Only Serbia enters Romania's top 20 trading partners, being the 17th largest export destination for Romanian

444 Interview with the leader of a Romanian civil society organisation active in the Western Balkans, May 2014.
445 Standard Eurobarometer 81 (2014), p. 144, available at: http://ec.europa.eu/public_opinion/archives/eb/eb81/eb81_publ_en.pdf (last accessed on: 1 March 2015).

goods and the 19th biggest source of imports[446]. Over 40% of Romania's exports to Serbia are represented by petroleum and petroleum gas, while agricultural products (corn, wheat and other) represent almost half of Romania's imports from Serbia. However, despite the small size of the region's economies, they do represent a market for Romanian companies, and Romania is a net exporter in all the countries in the Western Balkans. Thus, Bucharest is interested in the negotiations on chapters regarding the internal market, but also on those concerning agriculture (paying attention to products under protected designation of origin), environment protection, transport, and energy.

15.2 INTERNAL CONSIDERATIONS

Romania has a semi-presidential system[447] with both the president and the government holding executive power, including in the field of foreign policy. While Romania's position towards EU enlargement is largely formulated by the executive, the Romanian parliament also plays a role, for example in the ratification process of international agreements such as the stabilisation and association agreements or the EU accession treaties, as well as on highly visible political issues like the situation of the Vlach/Romanian minorities or the independence of Kosovo. The foreign policy expertise lies mostly with the Ministry of Foreign Affairs, which is responsible for the day-to-day running of the country's foreign policy, including enlargement towards the Western Balkans, which is administered through the ministry's EU Institutional Affairs and External Relations Directorate and the Directorate for Western Balkans and Regional Cooperation. The Ministry of Foreign Affairs coordinates the positions of the country concerning EU enlargement, working with the other line ministries and executive agencies. Cooperation with the line ministries takes place both in Bucharest and in Brussels, inside the Permanent Representation to the EU, and is generally described as smooth, though the quality of their input can vary[448].

However, the main foreign policy decisions necessarily involve the president and the prime minister. While the system can work fairly well – occasional tensions aside – when the president and the government share the same political colours, Romania's experience has shown that in case of cohabitation, the executive branch can be blocked or function inadequately. The latter has been the case several times during the 10-year long presidency of Traian Băsescu, and especially during the years 2005-2008, and more acutely after Victor Ponta, the leader of the Social Democratic Party (PSD), became Prime Minister in May 2012.

In the fight between the Cotroceni Palace (the seat of the presidency) and the Victoria Palace (the seat of the government), it was the Ministry of Foreign Affairs and Romania's foreign policy, including towards the Western Balkans, which had to suffer. The conflicts between the two executive branches, the numerous changes of government and ministers of foreign affairs (nine ministers and two interim ministers in the last ten years), as well as the increase in the number of elections[449] have had negative consequences for the level of ambition, long-term planning and continuity of Romania's policy in the Balkans and at the EU level. So much so that initiatives have been rare and, at times, the country's policy was reduced to just reacting to crises.

---

446 Data from 2012. The Observatory of Economic Complexity using data from the UN Comtrade database, available at: http://atlas.media.mit.edu/profile/country/rou/ (last accessed on: 17 November 2014).

447 Sartori defines it as "a parliamentarian system reinforced by the direct popular election of the head of State, the President" in Sartori, Giovanni (2003), "Alcuni chiaramenti sul semipresidenzialismo", in *Studia Politica – Romanian Political Science Review*, Volume 3, Number 3, pp. 617-620, quotation from p. 617.

448 Interviews with Romanian diplomats, May, September and October 2014.

449 Until 2003, presidential and parliamentary elections used to take place at the same time. The mandate of the president has been increased to five years and thus presidential elections and parliamentary elections have been delinked, increasing the number of election periods.

At the same time, except for the relations with Serbia and the Kosovo file, the Western Balkans have not appeared high on Romania's list of foreign policy priorities. Until 2007, Bucharest had focused on its own European integration process, and after joining the Union, the president turned his attention to the wider Black Sea area, pushing for the launch of initiatives such as the Black Sea Synergy and favouring relations with the Republic of Moldova and that country's European integration, as well as the search for non-Russian gas sources, especially in the South Caucasus and Central Asia. This lack of a particularly strong interest is also visible in the presence of Romanian nationals in the sections of the EU institutions working on the Western Balkans, where Bucharest has not managed to obtain any of the Heads of EU Delegation in the Balkans and no *rapporteur* in the European Parliament (EP).

Even though its 2007 accession to the EU has been a major step for Romania, it has not been the end of its European integration. For decision makers in Bucharest, the two major issues still to be solved in the next years are the entry of Romania into the Schengen Area and the conclusion of the Cooperation and Verification Mechanism (CVM)[450]. Over the past years, Bucharest has grown increasingly frustrated by what it sees as a change of the rules for its Schengen admission. Angered by France and Germany's decision to postpone Romania's accession to Schengen in 2011, the Romanian Foreign Minister at that time threatened that the country could leave the CVM mechanism and added that Romania could not accept Croatia to join the EU without a CVM mechanism[451]. However, a few days later, the Minister backtracked and Romania did not officially adopt this position. Nonetheless, this feeling of being treated unfairly on the Schengen dossier persists to this day and can sometime make Bucharest a less cooperative partner, less open to give in on other dossiers, such as the recognition of Kosovo. Romania remains one of the five non-recognisers of Kosovo's independence, an issue of some importance given Romania's size and proximity to the region, and Bucharest relations with Belgrade have also complicated Serbia's negotiations with the EU at one point.

15.3 SERBIA

Romania traditionally has had good relations with Serbia, with Romanians using the mantra "Romania has two real friends, Serbia and the Black Sea" when referring to their south-western neighbour. Among Romanian analysts and policymakers, Serbia is seen as the most important country among the Western Balkan EU aspirants, both due to its size but also its connections with Republika Srpska and Kosovo. Serbia was among the first three countries where Romania decided to finance projects through its official development assistance. During 2007-2011 Bucharest sponsored several projects in Serbia in the areas of rule of law, rural development and the integration of the Roma minority.

Romanians also tend to have a positive opinion of Serbia, due to the historically good relations between the two nations, at least when compared to Romania's relations with its other neighbours, and to a still positive image and memory of Yugoslavia. In a February 2015 poll, 54.2% of participants declared to have a positive feeling towards Serbia, while 32.7% declared to have a negative feeling. These results are not that well when compared to attitudes towards Germany (87.3% positive, 7.9% negative) or the UK (84.7% positive, 8.8% negative), but are considerably better than prevailing feelings towards Russia (25.4% positive, 66.2% negative) or Hungary (38.1% positive, 51% negative)[452].

[450] The entry into the Eurozone is another one, though a longer-term objective and less relevant for Romania's position towards EU enlargement in the Western Balkans.

[451] Nahoi, Ovidiu (2011), "Riposta României la dosarul Schengen", interview with Romanian Foreign Minister Teodor Baconschi, available at: www.adevarul.ro/news/eveniment/riposta-romaniei--dosarul-schengen-1_50acca807c42d5a66389ee70/index.html (last accessed on: 24 October 2014).

[452] Barometroul INSCOP-Adevărul despre România, number 17, February 2015, available at: http://www.inscop.ro/wp-content/uploads/2015/02/INSCOP-02.2014-Simpatie-tari-si-situatia-din-Ucraina.pdf (last accessed on: 1 March 2015).

However, relations between the two countries are not lacking in difficult dossiers, the most visible one being the situation of the Vlach/Romanian minority living in Serbia. On 28 February 2012, Romania held up an agreement on awarding Serbia EU candidate status in the EU General Affairs Council for several hours, asking Belgrade to do more to improve and protect the rights of the Romanian/Vlach minority in Serbia. Romania's position came as a surprise, as the two countries have had good relations and were generally considered to be allies. Romania was criticised for its stance by several fellow EU member states and by independent experts who argued that this position leaves "the impression that accession countries can fulfil conditions, but member states will come up with their own eclectic agenda."[453] On their part, the Romanian authorities claim that they had raised this issue with the Serbian authorities a number of years prior to 2012, that Belgrade had failed to implement bilateral agreements it had signed, and that Bucharest had informed its European partners about this problem in advance. Unofficially, Romanian diplomats argue that this tense moment was reached because Romania's concerns were not properly taken into consideration. One Romanian diplomat mentioned during the interview that this public outburst of the bilateral difficulties between Bucharest and Belgrade was also caused by a lack of proper handling of the issue by the European External Action Service (EEAS), which was chairing the COWEB Working Party in the EU Council[454]. According to the same official, the rotating presidency officials chairing the Council working parties tend to be more sensitive to the concerns of the other member states than the EEAS, which often acts as a "29th player".

Moreover, in May 2012, Romania was among the last EU member states to ratify the EU-Serbia Stabilisation and Association Agreement, and this only with a declaration attached and after a negative opinion from the Romanian Senate's committee for the diaspora due to the Agreement not having a separate chapter on minorities. The declaration confirms the Parliament's firm support for the European perspective of the Western Balkans, including Serbia, but asks the Romanian government, Parliament and Romanian members of the EP to pay attention to the status of the Romanians in Serbia, to properly inform the European institutions about the difficulties encountered by this ethnic group, and to work together with the Serbian authorities to improve the situation of said minority. Thus, it is clear that the issue of the Romanian-speaking minority living in Serbia is important for the Romanian political class and that the mandate received by the executive from the Parliament is to watch over the status of this community.

According to the 2011 Serbian census, 29,332 citizens of Serbia identified themselves as Romanians, while 35,330 people declared themselves Vlachs[455]. Those identifying as Romanian are mostly concentrated in the Vojvodina (Banat) region, while the Vlachs mostly live in Eastern Serbia, in the proximity of the Romanian border. Even within the Vlach community, there are different views on whether Vlachs should be regarded as Romanians or as members of a distinctive nationality. While the Romanian minority living in Vojvodina enjoys cultural minority rights, the Vlach community of Eastern Serbia is in a distinctly less favourable position. In its Resolution 1632 (2008) on the *Situation of national minorities in Vojvodina and of the Romanian ethnic minority in Serbia*, the Parliamentary Assembly of the Council of Europe called on Serbia to "take the necessary measures in order to facilitate, for the Vlachs/Romanians living in eastern Serbia (the Timoc, Morava and Danube valleys), access to education, the media and public administration in their mother tongue, and to enable them to hold religious services in that language".

---

[453] Bieber, Florian (2012), "Serbia's candidate status delay: Romania, the Vlachs of Serbia and the EU", available at: http://fbieber.wordpress.com/2012/02/28/serbias-candidate-status-delay-romania-the-vlachs-of-serbia-and-the-eu/ (last accessed on: 28 February 2015).

[454] Interview with Romanian diplomat, October 2014.

[455] In a general manner, the term *Vlach* covers several modern Latin peoples (Romanians, Aromanians, Megleno-Romanians and Istro-Romanians) descending from the Latinised population in the present-day territory of Romania, the Republic of Moldova and the Balkan Peninsula. After the creation of the modern Romanian state, the term is mostly used to cover the Romance-speaking peoples living outside of Romania, mostly those in the Balkans.

Though Bucharest does not like this division of the Romanian-speaking community into two groups, it recognises the right of free self-identification and expects Serbia to apply its legislation in a non-discriminatory manner and to not actively promote the split among the Romanian-speaking community[456]. Given that there is no proper EU *acquis* on minorities, Bucharest uses the argument of the need to respect the Copenhagen criteria and invokes the work of other pan-European institutions, such as the Council of Europe, to defend the rights of the Romanian-speaking minority in Serbia.

Bucharest and several leaders of the Vlach community complain mostly about the education and religious rights of that community and ask Serbia to implement its education legislation in a non-discriminatory manner throughout its territory, and to change its religious legislation in order to allow the activity of the Romanian Orthodox Church in all the regions of the country. The first demand involves the support of Romanian language education in Vlach communities (providing teachers, handbooks and so on) as well as assistance for other types of cultural activities that would help the community to maintain its identity (such as support for mass-media programmes in the language of the minority).

Regarding freedom of religion, Bucharest accuses the restrictive nature of the Serbian legislation. The 2006 Law on Churches and Religious Communities of Serbia recognises seven "traditional churches and religious communities", the Serbian Orthodox Church being the only Orthodox one among them. This creates additional hurdles for other Orthodox churches, such as the Romanian, Montenegrin and Bulgarian ones, thus limiting the access of the respective minorities to worship in the language of their choice. The law has been widely criticised both by domestic and international actors, including the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities but the Serbian government has preferred not to enter into a conflict with the Serbian Orthodox Church over this issue. Bucharest argues that it does not ask Belgrade for something that itself is not offering to the smaller Serbian community living in Romania (18,076 individuals according to the 2011 Romanian census). The Romanian states pays the salaries of around 55 Orthodox Serb priests active in the Serbian communities of Romania and recognises the eparchy of the Serbian Orthodox Church active in Romania.

In 2002, the two countries created a Joint Intergovernmental Commission on national minorities that was supposed to convene annually. However, in the first eight years since its entry into force (2004), only two meetings of the full plenum of the Commission have taken place (in 2009 and 2011), following insistent *démarches* by the Romanian side. The protocol of the second session, containing specific commitments to protect the rights of persons belonging to national minorities, was only agreed on 1 March 2012, again, after repeated *démarches* by Bucharest. At another bilateral meeting on minorities, Serbia is said to have sent a state secretary for Agriculture, to the dismay of the Romanian side. The lack of progress in implementing the protocol signed in 2012 and the start of an investigation by the Serbian authorities after a Romanian/Vlach community from the Timok valley organised a religious service in Romanian raised tensions again in late 2013 and 2014.

The Romanian government is dissatisfied that cooperation with Belgrade on the issue of the Romanian-speaking minority in Serbia is often a struggle. Commenting on Serbia's perceived reasons for such an attitude, one Romanian diplomat interviewed[457] mentioned that due to the losses incurred over the last two decades, the Serbian elites have developed a siege mentality that is not very open to accommodate the rights of minorities. At the same time, there is also criticism inside Romania

[456] Romanian officials mentioned during the interview that the division of minorities also takes place in the case of the Croatians living in Serbia, with Belgrade supporting the split of the Croatian community into Croats, Bunjevci and Šokci ethnic groups.

[457] Interview with Romanian diplomat, October 2014.

concerning the country's policy towards Serbia. One of the experts interviewed[458] argued that Romania tended to have the patronising attitude of a bigger state in its relations with Serbia and had unfortunately subsumed them under the minority issue, which was perceived negatively by Serbia.

After the February 2012 incident in the Council, Romania's concerns regarding the rights of the Romanian-speaking minority in Serbia have been taken on board by the EU institutions and in July 2014, the Romanian Prime Minister, Victor Ponta, chose to distance himself rhetorically from the position of the previous governments and declared that Romania would never use the minorities question as a conditionality against Serbia[459]. That said, Bucharest continues to pay close attention to the issue of minorities[460] and to put pressure on Belgrade, both bilaterally but also through the EU mechanisms at its disposal, to improve the rights of this community. Thus, despite Bucharest's general positive attitude towards enlargement, future Romanian vetoes regarding Serbia's EU membership bid should not be excluded in case of a lack of improvements in the minorities' dossier.

15.4 KOSOVO

In the conflict between the principle of territorial integrity and the right to self-determination, Bucharest clearly supports the former over the latter. Having united most of the lands inhabited by Romanians at the end of World War I, and as a medium-sized state, Romania became a firm supporter of international law and of the principle of territorial integrity in particular. This has not changed after the country lost several Romanian-populated regions to the Soviet Union during World War II.

Kosovo's 2008 declaration of independence was rejected by the entire Romanian political class, with the exception of the Democratic Union of Hungarians in Romania (UDMR), the main political organisation representing the ethnic Hungarians of Romania, which is advocating for the territorial autonomy of the Székely Land, the ethnographic area situated in Eastern Transylvania and inhabited mainly by the Székelys, a subgroup of the Hungarian people. With the exception of the UDMR, all the parliamentary political parties defend the unitary and national character of the state, and are against giving territorial autonomy on ethnic grounds, generally supporting the idea of granting the same level of autonomy to all the regions of the country.

In this context, the Romanian government refused to recognise Kosovo's independence, a decision that was reinforced by the Romanian Parliament. Immediately after that region's declaration of independence, the Parliament adopted a declaration stating that the "conditions to recognise the new entity are not fulfilled", and that "the decision in Pristina and the potential recognition by other states of the unilaterally declared independence cannot be interpreted as a precedent for other areas"[461]. The declaration also rejected the recognition of collective rights for national minorities. The Romanian authorities maintained that the unilateral declaration of independence of Kosovo was contrary to international law and argued that it set a dangerous precedent that could be used by other separatist movements, such as the pro-Russian separatists from Transnistria. At the same time, the Romanian president rejected comparisons between the situation of the Albanians in Kosovo and that of the

[458] Interview with Romanian foreign policy analyst, May 2014.

[459] "Ponta, in Serbia: Sa invatati din greselile facute de Romania", *Ziare.com*, July 2014, available at: http://www.ziare.com/victor-ponta/premier/ponta-in-serbia-sa-invatati-din-greselile-facute-de-romania-1311587 (last accessed on: 3 March 2015).

[460] This includes the short-term and longer-term action plans that Serbia needs to prepare for Chapters 23 and 24.

[461] "Declaraţie nr. 1 din 18 februarie 2008 a Parlamentului României privind proclamarea unilaterală a independenţei provinciei Kosovo", available at: http://www.monitoruljuridic.ro/act/declaratie-nr-1-din-18-februarie-2008-parlamentului-romaniei-privind-proclamarea-unilaterala-a-independentei-provinciei-kosovo-emitent-parlamentul-publicat-n-89703.html (last accessed on: 3 March 2015).

Hungarian minority in Romania, arguing that, unlike in Kosovo, minorities enjoy political, cultural and education rights.

Though the initial rejection of Kosovo's independence seems to have been motivated mainly by legal reasons, it is clear that additional reasons for the Romanian politicians' position had to do with their opposition to separatist movements and the desire not to give the Romanian Hungarian leaders additional arguments to use in their push for regional autonomy. The historically good relations with neighbouring Serbia also play a role in maintaining this position, at least at the rhetorical level used by politicians. While there is no real enmity between Romania and Kosovo, several of the Romanian interviewees have been critical of the process through which Kosovo declared its independence, pointing out that the region was not economically self-sustainable. Moreover, Romania has not well received some of the diplomatic pressure coming from its European partners, such as the UK, to recognise Kosovo's independence or later, to admit Kosovo into global or regional organisations such as the International Monetary Fund (IMF), the World Bank, the European Bank for Reconstruction and Development (EBRD) or the Council of Europe Development Bank (CEB).

Romania has maintained this position since then, but it has shown a pragmatic attitude and has worked together with the other EU member states on practical issues related to Kosovo's development and EU integration. Romania has been one of the main contributors to the international missions, such as the United Nations Interim Administration Mission in Kosovo (UNMIK), the European Union Rule of Law Mission in Kosovo (EULEX) and Kosovo Force (KFOR), and Bucharest has maintained its contingent of gendarmes in Kosovo after the region declared independence[462]. However, in September 2011, frustrated with the refusal of some of the big EU member states to accept Romania into the Schengen Area, Bucharest decided to withdraw its policemen and gendarmes from EULEX, achieving that objective by the end of the same year. This move created practical problems for the EU mission that was unexpectedly left without an important contingent[463] and did not bring any visible advantages to Romania.

With time, following improvements in relations between Belgrade and Pristina, the Romanian president and the government eased their opposition to Kosovo's independence. While in May 2011 the Romanian president cancelled his participation to a Warsaw meeting of heads of state and government from Central Eastern Europe with US President Barack Obama because of the presence the president of Kosovo at the meeting, in the following years, Romania organised in Bucharest eight multilateral reunions[464] in which Kosovo took part, including at the highest level. Romania also allows Kosovo residents to travel to Romania, issues visas in this sense, and keeps separate records regarding trade with Kosovo. In March 2012, 17 out of the 33 Romanian MEPs voted in favour of the European Parliament resolution of 29 March 2012 on the European Integration Process of Kosovo[465], which stated that the Parliament would welcome the recognition of Kosovo's independence by the remaining five EU member states. There is also a trans-partisan minority in the Romanian parliament that supports the recognition of Kosovo's independence, though not a very visible one as the subject is neither popular nor high on the political agenda. People-to-people exchanges and visits also happen, despite the lack of diplomatic relations.

[462] In April 2010, Romania's contingent in Kosovo had 140 military personnel with KFOR, 193 gendarmes, policemen and civil society representatives with EULEX, and 2 liaison officers with UNMIK.

[463] However, at least a part of the Romanian detachment stayed on in Kosovo, as several of the officers working for EULEX suspended their contracts with the Romanian authorities and remained within the EU mission as civilian officers.

[464] For instance, those of the South-East European Cooperation Process.

[465] 2011/2885(RSP).

The conflict between former President Băsescu and Prime Minister Ponta spread to the topic of Romania's position regarding Kosovo's independence. While the president opposed the recognition of Kosovo's independence, though less strongly than in 2008, in the summer and autumn of 2013, the Prime Minister made several declarations in favour of recognising Kosovo's independence, stating that while in 2014 the situation would not change, in 2015 (that is, after the end of Băsescu's second and last mandate in December 2014) Romania "could coordinate its position with its partners in the European Union". Even then, the main reasons for the Prime Minister's change of position seemed to have had more to do with his need to score political points against the then president and to improve his political image *vis-à-vis* Romania's Western allies than with any serious internal reconsideration of Romania's position[466].

Moreover, the proliferation of separatist movements in the Black Sea area, such as the declarations of independence of Abkhazia, South Ossetia, the annexation of Crimea by Russia, as well as the war in Eastern Ukraine, have further complicated the issue of the recognition of Kosovo and have added new reasons of caution for Bucharest. These events have also led to a decrease in the external pressure on Romania to recognise Kosovo's independence. Moreover, a new push of Romania's Hungarian minority for more autonomy for Székely Land, and the public pressure of Hungary in this direction, is further driving Bucharest to maintain its position on Kosovo.

Furthermore, several of the interviewees, both from the governmental and non-governmental side, pointed out that Romania was not likely to recognise Kosovo's independence without having a good reason to change its position, not even if Victor Ponta would have won the November 2014 presidential elections, which he did not. The new Romanian President, Klaus Iohannis, is likely to maintain the country's current position and withhold the recognition for the time being. As there is no other state among the five non-recognisers to move towards recognition, a change in Romania's position would carry some weight, thus making it even less probable. As the reasons that made the other four EU member states reject Kosovo's independence have not disappeared – to the contrary, in cases such as Spain they have become more acute – it is rather unlikely to presume a coordinated move towards recognising Kosovo. A change in position would also bear costs that Romania is currently not willing to take. These are connected to the need to explain this change of position domestically and to its perception that the principle of territorial integrity of countries is being weakened. Thus, Romania is expected to continue to follow the development of relations between Belgrade and Pristina and adapt its position accordingly. A recognition of Kosovo's independence would require a more favourable international climate, one in which its change in position could also bring some political benefits.

15.5 THE OTHER WESTERN BALKAN COUNTRIES

Compared to Serbia and Kosovo, Romania's relations with the other non-EU Western Balkans countries are less problematic. Bucharest supports the European integration of all the countries in the Western Balkans and has occasionally tried to practically support this process.

Among other things, it has offered technical assistance to Montenegro on Chapter 23 (Judiciary and fundamental rights) and Chapter 24 (Justice, freedom and security), and also in other fields such as environment. While trade figures are not very high (€20-30 million annually), Romania provides an important percentage of Montenegro's energy needs, and sends an increasingly high number of tourists to this Mediterranean country. Romania follows Montenegro's EU negotiations, seeking to ensure that the EU language agreed for Podgorica does not negatively affect its interests with respect

[466] Several interviews with Romanian officials and independent analysts, May, June and October 2014.

to the EU's negotiations with Serbia regarding the minorities issue, but also other chapters. Bucharest is also worried by the backsliding visible in the case of the former Yugoslav Republic of Macedonia and the visible lack of progress in Bosnia and Herzegovina, which, according to one interviewee, "remains the powder keg of Europe"[467].

While Romania supports the work done by the European Commission, there is also criticism. One Romanian official interviewed[468] criticised the fact that the Commission was pushing too hard to fast track "weak states", a move that runs counter to the interest of the Union. He added that it was a mistake to give fYROM candidate status as it antagonised Greece and created expectations too early, while fYROM is backsliding and playing the nationalist card. He was also critical of the Commission's incapability to apply sticks and carrots in the Western Balkans, and also of its complacency, giving as an example the fact that the EU only managed to establish a *home affairs and public security section* at the EU Delegation in Bosnia less than two years ago. Several of the interviewed Romanian officials rejected the idea that the enlargement process had become more nationalised, claiming that enlargement had always been a process in which the member states made the decisions, citing examples such as the case of the French blocking of the United Kingdom in the 1960s. They argue that the slower pace with which candidate countries advance is mostly due to the countries themselves and the fact that the process has become more complex.

15.6 CONCLUSIONS

Romania is a supporter of the Union's enlargement policy, registering also one of the highest public backing of the dossier, but not unconditionally so. Given its proximity to the Western Balkans, Romania is especially interested in the stability, security and economic development of the region, and over the past decades, Bucharest has invested political, economic, security, and civilian resources in the stabilisation and Europeanisation of the Balkans. At the same time, Bucharest is concerned with the respect for EU conditionality and does not hesitate to defend its perceived interests.

While the country generally favours the mainstream EU position on the Western Balkans, it broke ranks over the issue of Kosovo's independence and has put an emphasis on the issue of Serbia's respect for the rights of its ethnic minorities. Both of these cases are seen by Bucharest as proof of a principled behaviour. Bucharest views its non-recognition of Kosovo's independence through the prism of international law and expects Serbia, and all the other countries in the Western Balkans, to fulfil the Copenhagen criteria, including respecting minority rights.

It is clear that disputes or tensions between particular EU member states and enlargement countries can affect the enlargement process and need to be tackled before they erupt. This issue has been visible in other past cases, such as the Slovenia-Croatia dispute over their maritime border and, in a milder form, in Bucharest's position on the treatment of the Vlach/Romanian minority in Serbia. This latter issue should not be ignored for the sake of expediency by Romania's EU partners or be treated just as an irritant because, beyond its intrinsic significance, in the absence of improvements, it has the potential to resurface and lead to further tensions and deadlocks.

Apart from bilateral disputes, internal disagreements between EU member states could also potentially affect political decisions linked to the enlargement process, as shown by Romania's frustrations regarding the moving target that is its yet-to-be-obtained Schengen status. Given its own situation of still needing to fulfil the conditionality linked to the Cooperation and Verification

[467] Interview with Romanian official, May 2014.
[468] Interview with Romanian official, May 2014.

Mechanism and its dissatisfaction over the politicisation of the Schengen process, Romania is a defender of a fair enlargement process that does not change the rules as it moves along.

Chapter

16

CYPRUS

BY ISABELLE IOANNIDES*

A study of the foreign policy of the Republic of Cyprus (from here on referred to as Cyprus) must start from what has underpinned its politics and policies since 1974; the Turkish invasion and the subsequent occupation of 37% of its northern territory. Even after its accession to the European Union, the island has remained preoccupied with the 'Cyprus question' – referred to in Greek as the 'national problem' – since membership did not act as a catalyst for resolving this issue.[469] This continuing stalemate creates the impression that only once a settlement to the 'national problem' is found and peace on the island is consolidated will Cyprus' foreign policy become diversified, stand apart from that of its 'motherland' Greece, and be able to consider and integrate other geostrategic interests in its policy planning. Linked to this is a strong value set attached to how Cyprus' foreign policy is conceptualised. As a result of 40 years of Turkish occupation of Cyprus territory, which the Cyprus government sees as a violation of the fundamental freedoms of all Cypriots, the country has based its foreign policy primarily on international law and the respect for human rights, the so-called 'position of principles'.

While this intractable conflict renders Cyprus in many ways a *sui generis* small island, its foreign policy has nonetheless evolved. EU accession has had wide-reaching and often unexpected effects. An EU member state since May 2004, it joined the euro in January 2008 and held the rotating Presidency of the Council of the EU for the first time from July to December 2012.[470] EU membership was seen as having given the citizens of Cyprus a strong psychological boost, tangible benefits, and created the anticipation of ultimate security.[471] In that light, the Cyprus government has adapted its foreign policy to account for the importance of the EU factor. EU membership was an opportunity for Cyprus to extend its ring of friends and to more thoroughly and more often invoke and explain the 'national problem'. In recent years, and especially in the current government of President Nikos Anastasiades,

** The author writes here strictly in a personal capacity, engaging herself and not the EU institutions.*

469 See, for example, Diez, Thomas (2010), *Last exit to paradise? The EU, the Cyprus conflict, and the problematic 'catalytic effect'*, København: Copenhagen Peace Research Institute; Tocci, Nathalie (2004), *EU accession dynamics and conflict resolution: catalysing peace or consolidating partition in Cyprus?*, Aldershot: Ashgate.

470 According to Protocol 10 of the 2003 Accession Treaty, the Republic of Cyprus has joined the EU in its entirety but because of the Turkish occupation, the *acquis communautaire* only applies to the part of Cyprus south of the dividing Green Line, which falls under the jurisdiction of the island's only internationally recognised government.

471 Melakopides, Kostas (2010), "Cyprus, small powerhood and the EU's principles and values", in Steinmetz, Robert and Wivel, Anders (eds.), *Small states in Europe: challenges and opportunities*. London: Ashgate, chapter 11.

there is a growing perception that Cyprus needs to anchor itself more firmly within western political structures if it wants to have an effect at the EU level.

Against this background, this chapter analyses the development of the position and approach of the Cyprus government to EU enlargement to the Western Balkans. It is argued that over the past decade, and despite the specificities of its political situation, a certain level of Europeanisation of Cyprus foreign policy has taken place. This evolution has influenced the way Cyprus relates to the Western Balkans, in particular to Kosovo and the former Yugoslav Republic of Macedonia (fYROM)[472] – both triggers for its national issue. Furthermore, its own experience of the EU's 'transformative power' has translated into Cyprus backing the Union's further widening rather than being affected by the 'enlargement fatigue' that characterises other EU member states. Yet, the weight of the Cyprus conundrum, and to a much lesser degree its quest to be a good pupil at EU level, hinders the government's ability to facilitate EU enlargement to the Western Balkans.

16.1 THE EUROPEANISATION OF CYPRUS FOREIGN POLICY

Cyprus is a presidential democracy, in which the government implements the policy decisions of the president and its parliamentary majority. The dominance of the 'Cyprus question' is so substantial that it is not only visible in external politics and policies, but also in the organisation of decision-making structures. It is reflected in a quintessentially Cypriot peculiarity, the National Council, whose consent is needed for the negotiations on the resolution of the 'national problem'.[473] While this body does not directly affect Cyprus foreign policymaking, it demonstrates the tremendous weight that the 'Cyprus question' has in terms of national strategising. Cyprus has historically aimed to 'protect' or externalise its national priorities (that is, the 'national problem') at EU level, as an associate and candidate country, and now as a full EU member state.

The EU accession process is still fresh enough in Cypriot memory for the government to recognise that becoming an EU member state is an especially demanding, arduous and long path. Institutionally, Cyprus has incorporated the European component at all working levels and all aspects of its foreign policy. First, the Ministerial Committee for EU Affairs and the Diplomatic Office were established in the Presidential Palace. Prior to accession, the Office of the Chief Negotiator was set up by then President Glafkos Clerides, which continued for about a year after accession as the office for harmonisation. More recently, ahead of the Cyprus EU Presidency, the temporary Office of the Undersecretary for EU affairs was set up under Ambassador Andreas Mavroyiannis, which was closed down with the completion of the presidency. Second, a European Union Affairs Directorate was created in the Ministries of Foreign Affairs and Finance and a number of small EU units were set up in other ministries. Third, reforms in the Permanent Representation in Brussels saw the number of staff increase substantially – particularly during the Cyprus Presidency of the EU Council – to liaise with the relevant services in the EU institutions, fully participate in the Council meetings and better liaise with other member state representations in Brussels. Fourth, the House of Representatives (Parliament) created a European Affairs Committee prior to accession. This has now merged with the Foreign Affairs Committee (creating the Foreign and European Affairs Committee), and a European Affairs Branch

[472] The European Policy Centre, as standard practice, follows the European Commission in the usage of fYROM to denote the former Yugoslav Republic of Macedonia.

[473] See Ker-Lindsay, James and Faustmann, Hubert (eds.) (2009), *The government and politics of Cyprus*, Bern: Peter Lang.

exists in the House civil service. Moreover, the Joint Parliamentary Committee brings together Members of the Cyprus Parliament and of the European Parliament.[474]

As with other member states, coordination of EU policy is a two-way exchange between the Cypriot Permanent Representation and the government in Nicosia. To simplify an intricate procedure, drafts of the Commission's proposals are communicated by the Permanent Representation to the EU Directorates of the Ministry of Foreign Affairs, the Planning Bureau, the Law Office of the Republic, and responsible ministries. The EU Directorate of the Foreign Affairs Ministry acts as the *de facto* central coordination authority of the state on EU affairs and consults with relevant government stakeholders to prepare the country's common position. Throughout this consultation process, EU legislation is also examined by the House of Representatives' Foreign and European Affairs Committee and other competent parliamentary committees, and the EU Directorate of the House of Representatives that shape the executive's stand, and debate and scrutinise its position.[475] The Parliament can counterbalance its weakness towards the executive through the safeguards of its autonomy and its ability to introduce legislation or persuade the government. But in practice, the Cyprus issue has been the greatest catalyst for consensus within the Parliament and the government. In that sense, the Parliament has not been a vocal actor questioning government policy on foreign affairs, especially not on issues that would 'jeopardise' national interests.[476]

EU accession inevitably brought adaptation and policy convergence of Cyprus with the EU institutions and policies, including the Common Foreign and Security Policy (CFSP)/Common Security and Defence Policy (CDSP) statements, declarations and *démarches*. The country began taking national positions that were previously inconceivable, as long as they did not compromise the 'national problem'. For example, already in September 1998 and 2000, Cyprus implemented an oil and arms embargo and financial sanctions on the former Republic of Yugoslavia, and banned flights and officials.[477] Cyprus has also joined CSDP agencies (the European Defence Agency, the EU Satellite Centre, the EU Institute for Security Studies, and the European Security and Defence College), but Turkey has vetoed its participation in a number of international arrangements where the consent of all members is required if new states want to join (namely NATO's Partnership for Peace programme[478] and the 'Berlin Plus'[479] arrangement between NATO and the EU). Cyprus has also participated in CSDP missions in the Western Balkans and has contributed to the police missions in Bosnia and Herzegovina (with four police officers) and fYROM (EUPOL Proxima and EUPAT, with two and one police officers respectively).[480] However, due to restrictions imposed by the 'Berlin Plus' arrangement, it has no staff in the EU's military mission in Bosnia and Herzegovina (EUFOR Althea).

In 2014, for the first time, the Cyprus Ministry of Foreign Affairs published a *National Strategy for EU Issues*, a policy document that aims to define the main priorities and ambitions of Cyprus in the EU, "taking into account the particularities of our country", and includes preliminary action points for its

---

474 Stavridis, Stelios and Kasimeris, Christos (2013), "Cyprus: the limits of European solidarity with a small member state" in Baun, Michael and Marek, Dan (eds.), *The new member states and the European Union: foreign policy and Europeanisation*, London: Routledge, pp. 145-146.

475 Sepos, Angelos (2008), *The Europeanisation of Cyprus: polity, policies and politics*, Basingstoke: Palgrave Macmillan, pp. 51-52.

476 Interview with official in the House of Representatives, 28 May 2014.

477 Sepos (2008), *op. cit.*, p. 122.

478 The Partnership for Peace (PfP) is a programme of practical bilateral cooperation between individual Euro-Atlantic partner countries and NATO. Cyprus sees the PfP as a possible precursor to full NATO membership.

479 The 'Berlin Plus' agreement refers to a comprehensive package of security arrangements finalised in early 2003 between the EU and the NATO that allows the EU to make use of NATO assets and capabilities for EU-led crisis management operations (including its planning capabilities and NATO's Deputy Supreme Allied Commander Europe).

480 EUPM, Personnel Office, April 2003; EUPOL Proxima, Personnel Office, May 2005; EUPAT, Personnel Office, February 2006.

implementation.[481] It is a first concrete indication that the EU is actively thought of at a strategic level and that international action is not only conceived within the UN parameters (Cyprus' natural home base) but increasingly within the framework of the EU – "on the basis of EU norms and values".[482] A close look at the key objectives mentioned in this policy paper shows how closely aligned they are with the priority areas identified in the *Strategic Agenda for the Union at Times of Change*, which the European Council agreed upon on 27 June 2014.[483] While this constitutes further evidence of the Europeanisation of Cyprus' foreign policy, it also means that EU enlargement or the Western Balkans do not figure in Cyprus' national strategy. In practice, this means that the Cyprus government will not table an initiative on EU enlargement but, if invited, will participate – as it did, for instance, in the Conference of Parliamentary Committees for Union Affairs of Parliaments (COSAC) events on the Western Balkan region, organised by the Slovenian Presidency in 2008 and the Irish Presidency in 2013.[484]

When planning its foreign policy (especially the compromises at stake), the Cyprus government also considers public opinion. European integration was, until recently, valued in Cyprus and perceived as reinforcing the country's international role and image. The Cypriot public, decision and opinion makers, businesses and organised groups considered belonging to the European family as a serious asset. A look at the 2006 Eurobarometer, for example, shows that more than half of the citizens (56%) stated that they had a positive image of the European Union. The economic crisis, however, has dampened the enthusiasm for Europe in Cyprus, as noted in the same Eurobarometer.[485] The July 2014 Eurobarometer survey on *Europeans in 2014* shows that public opinion support for Europe has markedly decreased. Cyprus is one of only two member states (the other one being the UK) where a majority of people surveyed agree (51%, versus 43% who disagree) that their country could better face the future outside of the EU.[486] In addition, Cyprus is among the three least trusting countries, with only 22% of respondents saying they trust the EU (at the same level as the UK, and just above Greece and Italy).[487]

Another important aspect of Cyprus' foreign policy is the country's small size. It poses serious limitations in terms of its output and international clout when, for example, negotiating its position at the European level (even if all member states are 'among equals'), defending its particular position on the 'national problem', and managing the different standpoints and degrees of support of other EU member states to its sensitivities. Size is a policy factor that Cyprus instrumentalises in two ways: first, as a similarity with its partners. For instance, on a recent visit to Montenegro, Foreign Minister Ioannis Kasoulides discussed the role, importance and possible cooperation of small EU member states.[488] Second, it uses its size in its legal argumentation. Former Foreign Minister Erato Kozakou-Markoulli (2011) made this link in one of her articles: "[f]or the Republic of Cyprus, a small and fairly young state, our sovereignty and sovereign rights, as these are prescribed and safeguarded by international law, are of paramount importance".[489]

---

481 Ministry of Foreign Affairs, Republic of Cyprus (2014), *Εθνική Στρατηγική για Θέματα ΕΕ [National Strategy for EU Issues],* Nicosia, p.1.

482 Ministry of Foreign Affairs (2014), *op. cit*., p. 2.

483 See European Council, European Council Conclusions 26/27 June 2014, EUCO 79/14, Brussels, p. 14-20.

484 Interview with official in the House of Representatives, 28 May 2014.

485 European Commission (autumn 2006), *National Report. Executive Summary. Cyprus (Areas under the Control of the Government of the Republic of Cyprus)*, Eurobarometer 66, Public Opinion in the European Union, Brussels: TNS opinion & social and Directorate-General Communication, European Commission, pp. 5-7.

486 Special Eurobarometer 415, Europeans in 2014, p. 46.

487 *Ibid.*, p. 49.

488 Ministry of Foreign Affairs, Republic of Cyprus, Ολοκληρώθηκε η επίσκεψη του Υπουργού Εξωτερικών στο Μαυροβούνιο. [The Foreign Ministers' visit to Montenegro has ended], press release, 26 February 2014, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/C900995ADB178DE8C2257C8B00451C90?OpenDocument&highlight=%CE%92%CE%B1%CE%BB%CE%BA%CE%AC%CE%BD%CE%B9%CE%B1 (last accessed on: 25 August 2014).

489 Kozakou-Marcoullis, Erato (2011), "The sovereign rights of small state", *Foreign Affairs* (Hellenic Edition, in Greek). Athens, available at:

The Europeanisation of Cyprus' foreign policy has also called for adjustments in the government's relations with its allies. Following EU accession, Cyprus withdrew from the non-aligned movement, which it had helped form in the early 1960s. This framework had allowed Cyprus to foster good relations with Russia (and by extension traditionally favour pro-Serbia positions) and to build links with China. These two global players have historically backed Cyprus politically in the UN Security Council (Russia has consistently supported Cyprus' wording of UNSC resolutions) and financially (Cyprus has a €2.5 billion 'stabilisation loan' from Russia and was offered a loan from China, which it declined).[490] Following the election of President Nicos Anastasiades in February 2013, Cyprus took a U-turn on NATO (hoping to join the PfP programme) and strengthened relations with the United States.[491] While the current centre-right president is less keen than his communist predecessor on following the Russian line, he also recognises that his "small homeland" is "largely dependent on the Russian Federation, whether its economy, or services, or tourism, or defence, or solidarity on the Cyprus issue".[492] Consequently, as Stavrinidis and Kassimeris explain, the special relationship of Cyprus with Russia and China may be seen as "ring fencing", that is, as drawing 'red lines' that hinder the Europeanisation of foreign policy.[493]

16.2 THE CYPRUS APPROACH TO THE WESTERN BALKANS

From the early stages of the conflict in (the former) Yugoslavia in 1991 until the ultimate breakup of the Federal Republic of Yugoslavia in 2008, the Cyprus government was a committed supporter of the Serbian cause. The majority of Greek-Cypriots empathise with Serbs because they see them as victims of foreign intervention and religious discrimination. When it comes to people-to-people relations, Greek-Cypriots relate to the region (especially to the status of Kosovo) through cultural and religious lenses (their common Christian Orthodox faith).[494] This bias, however, did not prevent Nicosia from recognising the new state of affairs in the region and pursuing friendly relations with the succeeding states. Indeed, the Cyprus government recognised all new states in the Western Balkans, except for Kosovo – a case which will be discussed later in this chapter.

Nicosia's commitment to EU enlargement in the region is also linked to socio-economic interests and needs. Besides Kosovo's status and the 'Cyprus question', Cyprus and Serbia mutually benefit from trade, tourism and the construction industry.[495] While Cyprus maintains good economic relations with all Balkan states, the bulk of its economic transactions are with Serbia (the value of imported goods from Serbia was €12 million in 2014, which accounts for 0.28% of all imports to Cyprus, and the value of exported goods was €2.8 million in the same year, which accounts for 0.23% of all of Cyprus' exports). However, trade with Albania and fYROM is limited, almost non-existent with Kosovo, and only slightly better with Bosnia and Herzegovina, with a gradual but modest increase in activities.[496] For example, the value of

http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/BBF95D9158A65A7CC22579220021FF89?OpenDocument (last accessed on: 25 September 2014).

490 Rettman, Andrew, "Cyprus praises Russia, lets in warships", *EUObserver*, 26 February 2015.

491 During his visit to Cyprus on 21-22 May 2014, the first one by a senior US official in over 50 years, US Vice-President Jo Biden emphasised "the value the United States attaches to our growing cooperation with the Republic of Cyprus. This relationship is now a genuine strategic partnership and it holds even greater promise." Christou, Jean, "'Peace is Always Possible', Cyprus Solution Long Past Due, Says Biden", *Cyprus Mail*, 21 May 2014.

492 Rettman (2015), *op. cit*.

493 Stavridis and Kassimeris (2013), *op cit.*, p. 148-149.

494 Kentas, Giorgos (2012), "Cyprus: position paper on Kosovo" in *Kosovo calling: international conference to launch position papers on Kosovo's relation with EU and regional non-recognising countries*, Pristina: Kosovo Foundation for Open Society and British Council, p. 124.

495 *Ibid*., p. 131.

496 Statistical Service, Republic of Cyprus (2014), *Intra-extra EU trade statistics (by commodity and country) January-November 2013. Foreign Trade Statistics*. Series III. Report No. 92, Nicosia: Printing Office of the Republic of Cyprus, p. 35.

imported goods from Bosnia and Herzegovina in 2013 was €4.1 million (accounting for 0.09% of Cyprus' imports) and €1.34 million in 2012 (accounting for 0.08% of Cyprus' imports).[497]

Moreover, Cyprus receives only a small number of tourists from the Western Balkan countries, although citizens from the region (with the exception of Kosovo), can visit Cyprus without a visa, provided they hold a biometric passport. In fact, the number of tourists from the Western Balkans is so insignificant that the region does not appear as a separate category in the government's published records. Only travellers whose usual residence is Serbia (the only ones significant enough to be accounted for) figure in the official statistics of Cyprus, with traveller numbers from Serbia reaching 5,212 in 2014 (compared to 2,433 in 2013 and 3,960 in 2012).[498] Given the importance of the relationship between Cyprus and Serbia in terms of trade, tourism and socio-political affinities, Belgrade is the only capital in the region where Cyprus has opened an embassy.[499]

At a political level, Cyprus has always supported the EU enlargement process, perceiving it as a means to achieve the goal of European integration while ensuring stability and peace on the European continent. The Cyprus Foreign Ministry maintains that the enlargement process does not end and should not end with the accession of Croatia. It sees Croatia's EU accession as a possible model for the rest of the countries in the region, and a potential trigger to accelerate the reform processes in these countries. Holding the Presidency of the EU Council was a key moment for Cyprus to demonstrate that its foreign policy is not mono-thematic. It is during this period, on 18 December 2012, that the second meeting of the Accession Conference with Montenegro at ministerial level was held in Brussels to open and provisionally close the first negotiating chapter on science and research. Moreover, during its Presidency of the EU Council, Cyprus also attempted to normalise relations with fYROM, as will be analysed later in this chapter.[500]

In line with the new, firmer European Commission approach to EU enlargement, the Cyprus government holds that membership can only be achieved when the necessary requirements are met. This includes full compliance of the aspiring country with the *acquis*, adherence to the European values and practices, good neighbourly relations, and regional cooperation. Strict conditionality is of vital importance and should be applicable to all candidate countries and potential candidates, which should be assessed on their own merits.[501] Nicosia considers that the continuous and systematic engagement of the Western Balkan countries in reforms gives momentum to the further advancement of the European perspective, not only for individual aspirants (particularly Montenegro and Serbia, where reforms are considered to be moving forward particularly well), but for the whole region.[502] In that respect, Foreign Minister Kasoulides expressed the readiness of Cyprus to provide Montenegro with technical assistance and expertise based on its own experience in support of reforms for EU accession.[503] However, when it comes to the practice of pushing for EU enlargement to the Western Balkans, the situation is more complicated. Since the EU enlargement process also extends to Turkey,

---

497 Statistical Service, Republic of Cyprus (2014), *Cyprus external trade statistics 2013. Volume I. Imports/Arrivals by Commodity and Country (Sections I - IX). Foreign Trade Statistics*. Series I. Report No. 10, Nicosia: Printing Office of the Republic of Cyprus, p. 37.

498 Statistical Service, Republic of Cyprus (2015), *Arrivals of tourists by country of usual residence*, Nicosia: Printing Office of the Republic of Cyprus, p. 39.

499 The Cyprus Embassy to Athens is also designated to Albania, the Cyprus Embassy in Budapest is also responsible for relations with Bosnia and Herzegovina, and the Embassy of Cyprus in Belgrade also covers Montenegro. However, Cyprus only has a small liaison office in Kosovo and no representation in fYROM.

500 Interview with official at Presidential Palace, 26 May 2014.

501 Interview with official in the Ministry of Foreign Affairs, 23 May 2014.

502 Interview with Cyprus government official, 8 May 2014.

503 Ministry of Foreign Affairs, Republic of Cyprus (26 February 2014), *op. cit*.

the negotiations that Cyprus engages in before and/or on the margins of key EU Council meetings focus on Turkey's accession process and are carried out with the 'national problem' in mind.[504]

Last but not least, initiatives launched by civil society organisations in Cyprus have, especially in the last three years, gained importance precisely because of their local roots and proven capacity to foster dialogue with the Western Balkans. Conflict resolution activities and seminars where lessons and experiences can be exchanged among divided societies, aimed at explaining the conflicts in the region (including Kosovo), have increased. For instance, local non-governmental organisations in Mostar (Bosnia and Herzegovina), Mitrovica (Kosovo) and Nicosia (Cyprus) are developing community centres that can function as meeting points and spaces for communication, which are considered a vital step towards overcoming division.[505] Similarly, NGO workers exchange material in order to increase the number of collaborative projects and organise educational trips in each other's countries – an effort that has even seen Cypriot journalists visit Kosovo and report on their experience in the media. Other positive factors are the creation of networks between the region and Cyprus and the development of alternative historical narratives. In 2014, among other activities, a discussion was hosted giving the opportunity to draw comparisons from the Kosovo experience and address issues spanning from security to gender.[506] Cooperation at the level of civil society is an opportunity to cultivate a healthy debate between the peoples of the region and Cyprus, to promote understanding and question a number of (mis)perceptions, and especially to facilitate cooperation with other Western Balkan countries besides Serbia, which is the better-known country in Cyprus. What remains questionable, however, is the potential of a spillover effect into the Cyprus government discourse, since Cypriot NGOs still struggle to have their voice heard at the political level.

16.3 BREAKING THE ICE WITH KOSOVO

The Republic of Cyprus is one of the five EU member states that do not recognise Kosovo, and the only non-recogniser that does not contribute to the EU's Rule of Law mission in Kosovo (EULEX Kosovo). Cyprus has also strongly opposed the recognition of Kosovo documents (that is, travel documents), just like it opposed the recognition of 'Turkish Republic of Northern Cyprus' (TRNC) passports, and held a hard-line position on visa-free travel to the EU. Despite Cypriot officials claiming otherwise, the legal status of Kosovo is highly significant to the Cyprus government because it closely resembles the case of the self-proclaimed independence of the 'TRNC' in 1983. Its 'national problem' has rendered Cyprus very sensitive to issues pertaining to sovereignty and territorial integrity. The pleas of the United States, the European Union and other international actors to favour recognition and the pressure they put on non-recognisers do not make these worries disappear.[507]

The Europeanisation of Cyprus' foreign policy, however, has also translated in an evolution of the way the government engages with the Western Balkan region. Thanks to its so-called European consensus policy, whereby the government aims to be a reasonable and constructive EU member state that works

[504] See, for example, Ministry of Foreign Affairs, Republic of Cyprus, *The EU General Affairs Council adopted Conclusions on Enlargement*, press release, 16 December 2014, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/925525E56054A773C2257DB1003A8BEE?OpenDocument (last accessed on: 23 December 2014).

[505] Vöckler, Kai with Can Akbil, Esra, Psaltis, Giorgos and Hoskara, Sebnem (2013), *Post-conflict development and civic imagination (divided cities),* Proceedings, Conference and workshop organised by Archis Interventions in collaboration with Friedrich Ebert Foundation Cyprus, 25 May 2013, Home for Cooperation, Nicosia Buffer Zone, Cyprus, Nicosia: Archis Interventions, p. 5.

[506] Interview with NGO worker, 21 May 2013.

[507] Stroschein, Sherrill (2013), "Discourse in Bosnia and Macedonia on the independence of Kosovo: when and what is a precedent?", *Europe-Asia Studies*, Volume 65, Number 5, p.880.

towards a consensus on EU policies and does not oppose an EU decision on its own[508], Cyprus agreed to the deployment of the EU Rule of Law (EULEX) in Kosovo in 2008. Admittedly, the limits of Cypriot negotiating power (notably because of its small size) also played a key role leading the government to give in to pressure and set up the operation. Although the question of the EU mission had been separated from Kosovo's recognition, Cyprus initially refused to approve the mission, invoking concerns regarding the implications of such a move for its 'national problem'; it feared that the EU mission would imply a tacit recognition of Kosovo's independence, and it did not want to bypass the UN under any circumstances. Yet, a few days later, when Nicosia found itself isolated from the rest of the member states – even from those that opposed independence – during the EU Council, at a time when it was eager to rebuild its relations with the EU following the failed 2004 attempt to reunify the island, the government agreed to the mission.[509]

Yet the answer to whether Kosovo could possibly constitute a precedent was given in an advisory opinion from the International Court of Justice (ICJ) on the legal status of Kosovo. Initially, the ICJ opinion created disconcert in Nicosia, which had employed similar legal mechanisms to internationalise the island's division and to seek a just and viable solution. The opinion clearly stated that the adoption of the declaration of independence of 17 February 2008 did not violate general international law because international law contains no prohibition on declarations of independence. It also affirmed that the adoption of the declaration of independence did not violate UN Security Council (UNSC) Resolution 1244, since it did not describe Kosovo's final status, nor had the Security Council reserved the decision on final status for itself.

At the same time, the opinion backed the Cyprus government's legal arguments: it pointed to the principle of territorial integrity as "an important part of the international legal order"[510], and invoked resolutions of the UN Security Council condemning particular declarations of independence, including UNSC Resolution 541(1983) on the areas north of the dividing line in Cyprus. First, the Court argued that "the illegality attached to the declarations of independence stemmed […] from the fact that they were, or would have been, connected with the unlawful use of force or other egregious violations of norms of general international law, in particular those of a peremptory character (*jus cogens*)". By specifying that the Security Council has never taken this position on Kosovo, the ICJ differentiated the Cyprus case from that of Kosovo. Second, while UNSC Resolution 1244(1999) was essentially "designed to create an interim regime for Kosovo, with a view to channelling the long-term political process to establish its final status", the Security Council had set out specific conditions on the permanent status of Cyprus.[511]

This positive result for Cyprus, which ensures the stand-alone nature of the Kosovo issue, can also be attributed to its organised and fruitful consultation with the ICJ. In its written statement to the ICJ, Cyprus had made sure "to submit its views as to the salient characteristics of the Kosovo situation".[512] Arguably, Kosovo's declaration of independence and the question of whether it constitutes a precedent for other groups becomes a *de facto* political, rather than legal, matter.[513] But from the perspective of Cyprus,

---

508 Interview with official at the Cyprus Presidential Palace in Nicosia, 26 May 2014.

509 Economides, Spyros and Ker-Lindsay, James (2014), "Forging EU foreign policy unity from diversity: the 'unique case' of the Kosovo status talks", *European Foreign Affairs Review*, Issue 15, p. 504.

510 Article 2, paragraph 4 of the UN Charter.

511 The ICJ opinion mentions UNSC Resolution 1251, reaffirming that a "Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded". International Court of Justice (2010), *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo. Advisory Opinion*, ICJ Reports 2010, The Hague, p. 50.

512 Attorney General of the Republic of Cyprus (17 April 2009), *Accordance with international law of the unilateral declaration of independence by the provisional institutions of Kosovo. (Request for an Advisory Opinion.) Written Statement* submitted to the International Court of Justice by the Republic of Cyprus, Nicosia, p. 1.

513 See Stroschein (2013), *op. cit*., pp. 874-888.

having the legal argument on its side constitutes the backbone for the negotiation of the Cyprus issue. In many ways, the ICJ opinion also acted as an unblocking mechanism: it created an opening for Cyprus to informally engage – or at the very least to begin to engage – with Kosovo.

The Brussels agreement reached between Belgrade and Pristina in April 2013 – the framework for the 'normalisation' of relations between the two, the historical significance of which Cyprus recognised – was another element giving the government a margin to soften its position. Cyprus has understood that it was dangerous to isolate itself on the question of Kosovo, a position that would likely weaken its *rapprochement* to the United States and the West, and that it was imperative to do away with the perception that Cyprus' foreign policy is mono-thematic, seeing everything through the prism of the 'national problem'. Moving towards informal relations with Kosovo has also come to be seen as a means to reinforce diplomatic relations with France, Germany, Italy, and the rest of the Eurozone countries that have supported emergency financial rescue packages. This explains why, in September 2013, Cyprus Foreign Minister Kasoulides met Kosovo Prime Minister Thaci for breakfast on the margins of the UN General Assembly in New York. A photo of their encounter was posted on Twitter by Thaci without causing the expected upheaval on the island.[514] This meeting was followed by a visit of Kasoulides to Pristina, which was facilitated by the *de facto* harmonisation of relations between Belgrade and Pristina following the deal of April 2013. This new approach to the Kosovo issue has not yet been discussed in the Cyprus Parliament.[515]

The discourse on non-recognition has also somewhat evolved. While in 2011 the Cyprus government held the position that it "would not recognise Kosovo even if Serbia does"[516], today it realises that "Cyprus cannot be more Serbian than Serbia"[517] – meaning that if Serbia recognises Kosovo, Cyprus is likely to follow suit. In 2008, then Foreign Minister Markos Kyprianou had emphasised the Cyprus 'position of principles'; while Kosovo does not create a precedent for Cyprus, it still goes against international law and principles.[518] The Cyprus position is said to be defined by the principles of international law and therefore its position on Kosovo is in line with the international position on Abkhazia and North Ossetia.[519]

What has remained constant in the discourse of Cyprus is that the final status of Kosovo must be reached within the framework of a dialogue between Pristina and Belgrade, and that any settlement must be approved by the UN Security Council.[520] In that light, it is worth reminding that in the case of Montenegro, the Foreign Ministry's position was that the creation of Montenegro was not the result of unilateral separatism but the outcome of an agreement between two parties, Montenegro and

---

514 Galiatsatos, Panagis (translated by Ermal Bubullima), "La Grèce et Chypre vont-ils reconnaître l'indépendance du Kosovo?", *Le Courier des Balkans*, 30 October 2013. [First published in *Kathimerini*, 26 October 2013].

515 Interview with official in the Cyprus House of Representatives, 28 May 2014.

516 Ker-Lindsay and Spyros (2012), *op. cit.*, p. 91.

517 Interview with official in the Ministry of Foreign Affairs, 8 May 2013.

518 Ministry of Foreign Affairs, Republic of Cyprus, *Δηλώσεις των Υπουργών Εξωτερικών Κύπρου και Σερβίας. [Statement by the Foreign Ministers of Cyprus and Serbia],* press release, 8 April 2008, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/640BBFD84977CF1FC225742600337C36?OpenDocument&highlight=%CE%9A%CF%8C%CF%83%CE%BF%CE%B2%CE%BF (last accessed on: 20 September 2014).

519 Ministry of Foreign Affairs, Republic of Cyprus, *Ο Υπουργός Εξωτερικών μίλησε στο Royal Institute of International Affairs (Chatham House), στο Λονδίνο [The Foreign Minister spoke at the Royal Institute of International Affairs (Chatham House), in London],* press release, 20 May 2009, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/22EC9691631D7018C22575BD00357195?OpenDocument&highlight=%CE%9A%CF%8C%CF%83%CE%BF%CE%B2%CE%BF (last accessed on: 20 September 2014).

520 Ministry of Foreign Affairs, Republic of Cyprus, *Kosovo UDI legally invalid*, Press release, Nicosia, 18 February 2008, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/69A4D8D7869827CBC22573F40027DB22 (last accessed on: 26 December 2014); interview with official in Ministry of Foreign Affairs, 8 May 2013.

Serbia.[521] The Cyprus government has followed the same line of reasoning with respect to its own 'national problem'. In order for a solution to the Cyprus issue to be viable, it will have to be an outcome of negotiations, and not an imposition or a unilateral act, and the solution will need to be adopted by the UN Security Council.[522] Thus, in line with its fervent support for the respect of international law, Cyprus closely observes that EU policy towards Kosovo is guided by full adherence to the international legal framework of the UN Security Council Resolution 1244/99 and the relevant Council Conclusions. Consequently, when negotiating the Council Conclusions, a recurring theme is the insistence that EU support be expressed in a status-neutral manner.

16.4 PERSISTING AMBIVALENCE WITH FYROM

On 16 December 2005, the European Council granted candidate status to fYROM. In principle, the Cyprus government supports the further advancement of the country's European perspective. However, Nicosia holds that EU accession negotiations cannot begin with fYROM before the name issue is resolved – a position that is fully aligned with that of Greece.[523] On this question, Cyprus openly supports the Greek position and that despite the decision of the ICJ, explained below. As Christophe Hillion mentions in the introduction of this publication, "enlargement could be blocked for reasons that have more to do with the domestic interests of a member state than with the applicant's failure to fulfil the basic Treaty requirements." (page: 19)

While its foreign policy has become independent from that of Greece, the Cyprus government still wants to be able to count on Greece's support for the 'national problem' (and Turkey's accession negotiations for that matter).[524] Accordingly, when commenting on the 2013 European Commission Progress Report for fYROM, Foreign Minister Kasoulides said that "he understood the need of the Commission to send positive messages to candidate countries, emphasising at the same time the need to respect the sensitivities of member states, which should be included in the relevant progress reports; the contrary would constitute a lack of flexibility of a candidate country".[525] Since other EU member states – notably Slovakia, but also France – are also strict with fYROM, but for other reasons (concerns about widespread corruption and weak rule of law institutions in the country), the Cyprus government does not feel it is working against the 'European consensus'.

---

521 Ministry of Foreign Affairs, Republic of Cyprus, *Συνάντηση της Υπουργού Εξωτερικών με Φινλανδούς δημοσιογράφους [Meeting of the Foreign Minister with Finish journalists]*, press release, 31 January 2008, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/09B3DDE1D77032A6C22573E10040E053?OpenDocument&highlight=%CE%9A%CF%8C%CF%83%CE%BF%CE%B2%CE%BF, (last accessed on: 25 September 2014).

522 Press and Information Office, Republic of Cyprus, *Press conference by Foreign Minister in Brussels – Cyprus' position on Kosovo*, 20 November 2007, available at: http://www.cyprus.gov.cy/moi/pio/pio.nsf/All/3C1EF7150B57607DC2257399002B0BFC?Opendocument (last accessed on: 25 August 2014).

523 See, for example, Ministry of Foreign Affairs, Republic of Cyprus, *Παρέμβαση του Υπουργού Εξωτερικών σε συζήτηση για τα Δυτικά Βαλκάνια στο Συμβούλιο Εξωτερικών Υποθέσεων της ΕΕ, στις Βρυξέλλες. [Intervention by the Foreign Minister in a discussion on the Western Balkans in the Foreign Affairs Council of the EU, in Brussels]*, press release, 17 December 2013, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/DD582F1291B2DDA3C2257C45002F6DEA?OpenDocument&highlight=%CE%92%CE%B1%CE%BB%CE%BA%CE%AC%CE%BD%CE%B9%CE%B1 (last accessed on: 20 September 2014).

524 Interview with Cyprus government official, 23 May 2013.

525 Ministry of Foreign Affairs , Republic of Cyprus, *Ο Υπουργός Εξωτερικών συμμετείχε στα Συμβούλια Εξωτερικών και Γενικών Υποθέσεων της ΕΕ στο Λουξεμβούργο [The Foreign Minister participated in the Foreign Affairs Council and the General Affairs Council of the Council of the EU in Luxembourg],* press release, 22 April 2013, available at: http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/0E181DC1EA8373B0C2257B56001F94F6?OpenDocument&highlight=%CE%9A%CF%8C%CF%83%CE%BF%CE%B2%CE%BF (last accessed on: 20 September 2014).

This situation is nevertheless paradoxical since in supporting Greece on its position on fYROM, the Cyprus government goes against its own 'position of principles'. In response to Greece's 2009 veto on fYROM accession to NATO, the government of fYROM (also exploiting adversity for domestic purposes) took that obstruction to the ICJ, accusing Greece of having breached the provisions of their 1995 Agreement.[526] The ICJ decision of 2011 found Greece to have failed to fulfil its obligations under the Interim Accord of 13 September 1995. It could be argued that this example illustrates the ranking of factors affecting Cyprus foreign policy on EU enlargement to the Western Balkans; arguably the implications on the Cyprus issue prevail over the application of international principles. And yet, in parallel, Cyprus holds on Kosovo:

> "[…] for us, who have based our foreign policy all these years on the UN Charter and on the whole UN structure, any action outside the UN and outside the Security Council undermines the foundations of the international organisation and it will constitute a very dangerous development and a very dangerous precedent."[527]

During the Cyprus Presidency of the Council of the EU, the Cyprus government had tried to enhance bilateral relations with fYROM. Former Foreign Minister Kozakou-Markoulli had visited the country in November 2013 to discuss, among other things, the opening of embassies in their respective capitals. But a compromise position between Cyprus and fYROM on pending obligations on its path to EU accession was not found. The feeling in Nicosia, already then, was that Skopje was closing itself to the Union.[528] In addition, Cyprus has tried to instrumentalise its close political and cultural links with Greece to convince the Greek government to soften its position on fYROM, but has not been successful.[529] Nonetheless, while on the subject of Kosovo the Cyprus government seems to have an increasingly lucid understanding of the implications of non-engagement, this is not true in the case of fYROM. Experts have repeatedly argued that the blockage of fYROM's accession to NATO by Greece and further progress on its path towards EU membership by Cyprus (and Greece) have compromised the peace dividend and made fYROM move backwards in terms of transition reforms.[530]

16.5 WHAT FUTURE?

The intractable and sensitive political situation in Cyprus has made it impossible for the government to see any foreign policy issue independently from the 'national problem'. This has also been the case for its positioning on EU enlargement to the Western Balkans. Cyprus' foreign policy remains largely 'existential': it is primarily concerned with efforts to inform the EU institutions, fellow EU member states and various other influential countries of the violation of human rights in Cyprus by Turkey, and to seek support for the restoration of freedom and justice.[531] While this approach has its strengths – it has led Cyprus to develop a highly sophisticated legal argumentation and to become a fervent defender of human rights and EU norms and values – it is also fraught with weaknesses.

---

[526] According to the 1995 Interim Accord signed between the two countries under UN auspices, fYROM agreed to remove the Vergina Sun from its flag and irredentist clauses from its constitution, while Greece agreed not to object to any application by fYROM to international/regional organisations, so long as it used the appellation set out in "paragraph 2 of the United Nations Security Council resolution 817" (i.e. "former Yugoslav Republic of Macedonia").

[527] Press and Information Office, Republic of Cyprus, *Press conference by Foreign Minister in Brussels – Cyprus' position on Kosovo*, 20 November 2007, available at: http://www.cyprus.gov.cy/moi/pio/pio.nsf/All/3C1EF7150B57607DC2257399002B0BFC?Opendocument (last accessed on: 25 August 2014).

[528] Interview with official at Presidential Palace in Nicosia, 26 May 2014.

[529] Interview with official in the Ministry of Foreign Affairs, 23 May 2014.

[530] See, for example, Wolff, Stefan and Peen Rodt, Annemarie (2013), "Self-determination after Kosovo", *Europe-Asia Studies*, Volume 65, Number 5, pp.799-822.

[531] Melakopides (2010), *op. cit.*, p. 174.

EU accession has given Cyprus the tools to diversify its approach to foreign policy – that is, to endeavour to strengthen its relations with the big member states and integrate other key elements into foreign policymaking, including crucial economic interests. To a certain degree, the Republic of Cyprus has Europeanised its policies and thinking, which concretely led to reaching out to Kosovo to try and build *de facto* relations. It has also made it possible to let its own voice be heard in the EU, which allows the country to separate itself from the Greek 'umbrella'; after all, one veto would be enough in the European Council. The fact, however, that the 'national problem' remains at the core of its foreign policy has meant that Cyprus does not jeopardise its relations with 'motherland' Greece in any way. This situation has had direct ramifications on its dealings with fYROM. When it comes to EU enlargement to the Western Balkans, this complex reality has led Cyprus to constantly play a balancing act between its national interests, the EU position, its aspiration to be a 'reliable partner' to the EU – as noted in its national strategy – and its efforts to come closer to the USA and Western allies. In that light, Cyprus' support of EU enlargement to the Western Balkans has been limited, remaining, to a certain degree, at the level of discourse rather than concrete action.

In parallel, the strategic interests of Cyprus are shifting away from the Western Balkans and moving to the Middle East, where the country has historically friendly relations with both its Arab and Israeli neighbours and, more significantly, where Cyprus has shared gas fields with Israel, making regional cooperation inevitable. The Cyprus government has increasingly aimed to 'sell itself' on the EU scene as a potential energy hub and an alternative to petrol and gas from the turbulent east. But considering Turkey's vested interests in the region, these ventures are for the future, once the Cyprus issue has been resolved. In the meantime, the consequence for the Western Balkans could be an unwillingness on the part of the Cyprus government to make important compromises in the near future that could help promote the European perspective of the region, particularly that of Kosovo and fYROM.

Chapter

17

SWEDEN

BY GUNILLA HEROLF

17.1 INTRODUCTION

Historically, the field of security and defence has had a considerable impact on Swedish policy towards Europe, creating both impetuses and obstacles to action. Such conditions have shaped Sweden's traditional international approach. After World War II, Sweden failed in its attempts to form a defence alliance with Norway and Denmark, and thus chose to remain non-aligned, like Finland. A policy of neutrality came to define Sweden's conduct and the way it was perceived by others. In geographic terms, the period of the Cold War meant that Swedish policies regarding peace and security were more focused on parts of the world such as Africa and Latin America than on Europe, where positions were locked between the East and West.

With the fall of the Berlin Wall and the demise of the Soviet Union – the only possible military threat to Sweden – the context in which Sweden formed its policies changed completely. While non-alignment was retained, the policy of neutrality was formally abolished and replaced with a pro-European policy. Within a year, Sweden had announced its intentions to join the European Community – an aspiration that would have previously been impossible to reconcile with Sweden's neutrality policy, given the EU's budding security policy. On 1 January 1995, Sweden, together with Finland and Austria, were admitted as members of the EU after an uncomplicated process of negotiations, in which Sweden sought no exceptions.

Shortly after the end of the Cold War, Sweden also initiated a closer relationship with NATO in all fields except the common defence guarantee, which is Article 5 of NATO's statutes. The development of ever-closer relations continued at the NATO Summit in Wales in September 2014, when Sweden

formally became part of a group of five partner countries, seen as making "particularly significant contributions" to NATO operations.[532]

17.1.1 Domestic political dynamics and the EU

Sweden joined the EU after a referendum in which those in favour won with a narrow majority[533]. In spite of this, there is not much disagreement on important areas of EU activity, including enlargement. However, disparities become apparent when talking about the EU as an organisation, where the Left Party, the Green Party and the Sweden Democrats differ from other political actors in that they are more critical.

To be sure, Europe as an idea has not taken firm root in Sweden, either in leading political circles or among the wider public, and outright support for federalism is uncommon. In fact, the 2014 elections to the European Parliament revealed a shared view among political parties and their electorates that the subsidiarity principle needed to be strengthened. According to this argument, the EU should leave things that would be better handled on a national level to the member states.

However, weak interest in the idea of Europe and widespread support for the principle of subsidiarity do not necessarily preclude a strong commitment to the issues with which the EU deals. During the 2014 European elections campaign, Swedish politicians spoke out in favour of the EU becoming more active in areas such as democracy and human rights, economic growth and employment, free trade, mobility within the EU, the environment, enlargement, a humane refugee policy, and sustainable development. They also advocated for the EU to do more in the fight against protectionism and international crime, as well as in the treatment of animals and women's issues. The Left Party and the Sweden Democrats, the two parties positioned on opposite sides of the political spectrum, were more critical towards the EU than the others, claiming that Sweden, like the UK, should have a referendum on EU membership.

At the same time, a growing ambition on the part of Sweden to become an active member of the EU has materialised over the years.[534] Yet the fact that Sweden is not part of the eurozone or NATO has sidelined the country in two of the most important fields of European cooperation. Both of these issues are determined by public opinion. The referendum of 2003 decided against joining the euro and a new referendum would now certainly lead to similar results. With regards to NATO, the polls have recently shown an increase in support for joining, most likely due to Russia's aggressive behaviour towards Sweden. The latest figures from the Civil Contingencies Agency's annual poll show 48% of respondents to be in favour, with 35% preferring to continue the non-alignment policy and 17% undecided about NATO membership.[535] Furthermore, Sweden has been much engaged in EU security policy, including also of its military aspects, having taken part in all the EU's Common Security and Defence Policy (CSDP) missions. The initiative of the EU to take over the military tasks of the Western European Union (WEU) was prompted by Sweden and Finland, which were eager to participate in and influence decision making in this area. Sweden takes battlegroups seriously: it now leads the third Nordic battlegroup and has also tried, albeit to no avail, to employ the battlegroups in tasks.

---

[532] The other countries are Australia, Finland, Georgia and Jordan.

[533] In the referendum on 13 November 1994, 52.3 % voted in favour of joining the EU, 46.8 % voted against it, and 0.9 % gave a blank vote.

[534] Sweden has been ranked as a leader in 10 fields and was behind in only one, thereby sharing third place with Germany in terms of activity (after France and the UK), *European Foreign Policy Scorecard 2014,* European Council on Foreign Relations, p. 18.

[535] *Opinioner 2014* [*Opinions 2014*], Myndigheten för samhällsskydd och beredskap [Swedish Civil Contingencies Agency], January 2015, p. 90.

17.2 POSITIONS ON ENLARGEMENT

17.2.1 General view on enlargement

Since it became an EU member state, Sweden has endorsed enlargement. This policy line has been consistent in spite of changes in government. Among political parties, the stance on enlargement is generally strongly favourable, with the exception of the Sweden Democrats, who argue that Turkey should not join the Union.[536]

In the run up to the 2004 enlargement, Sweden fought hard for the admission of the Baltic countries into the EU at a time when few other member states saw them as desirable members of the Union, not least due to their geographical proximity to Russia. This was a continuation from when the Commission had only included Estonia in its Agenda 2000, back in 1997. Sweden has also made the case for the so-called 'regatta approach', according to which all aspiring states should be allowed to start negotiations, and to accede if and when they are ready. This position was accompanied by an emphasis on a strict application of the criteria for accession. The approach finally passed at the Helsinki European Council.[537] Sweden's sustained work to help the then-EU-hopeful countries of Central and Eastern Europe was also mirrored in the fact that 'enlargement' was one of the three 'E's in the motto of the Swedish presidency of 2001 (the others being 'employment' and 'environment').

This positive attitude towards enlargement was maintained in Sweden even after the Social Democratic government was replaced in 2006 by a centre-right alliance with Fredrik Reinfeldt as Prime Minister and Carl Bildt as Foreign Minister. The Eastern partnership (EaP), initiated by Poland and Sweden in 2008, while not formally related to enlargement, does not—in the mind of Sweden—exclude the EaP countries from ultimately becoming EU members.

The Swedish standpoint on enlargement is illustrated in an article by Carl Bildt. After a suggestion made by Chancellor Merkel concerning the definition of the EU's future borders, Bildt wrote in 2006: "Drawing big lines on big maps of Eastern Europe risks becoming a dangerous process. We should know that such a process would have profound effects in those areas or nations that fear ending up on the other side of those lines. We could easily see forces of atavistic nationalism or the submission to other masters taking over when the light of European integration – however, vague or distant – is put out."[538]

17.2.2 EU enlargement to the Balkan countries

Sweden was involved in the efforts to put a stop to the wars in the Balkans and helped out with the humanitarian crisis on the ground. Starting in 1993, the country participated in UN-led peacekeeping operations in the Balkans, from 1995 under NATO in SFOR and IFOR in Bosnia-Herzegovina, and thereafter in the EU's Athena. Between 1995 and 1997, Carl Bildt was High Commissioner for the EU in Bosnia and Herzegovina. During the spring of 2001, while Sweden held the EU presidency, much was done in close cooperation with NATO and the EU to prevent the escalation of bloodshed in the former

[536] They claim that Turkey does not belong in the EU and that admitting this large country would have serious consequences for the Swedish welfare system, considering the freedom of mobility in the EU.

[537] *Utrikesfrågor* [*Foreign Policy Issues*]1997:76, "1997-11-28. Joint press release on the Danish-Swedish Initiative for a common start to the enlargement negotiations with all applicant states". See also *Europe* 7121, 14 December 1997; *Presidency Conclusions, Helsinki European Council, 10–11 December 1999*. See also Ojanen, Hanna together with Herolf, Gunilla & Lindahl, Rutger (2000), *Non-Alignment and European Security Policy: Ambiguity at Work*, Programme on the Northern Dimension of the CFSP, Helsinki: The Finnish Institute of International Affairs and the Institut für Europäisch Politik.

[538] "Open wide Europe's doors. Who wants to be 'absorbed' by the European Union and who can design the 'borders of Europe'?", *International Herald Tribune*, 8 November 2006.

Yugoslav Republic of Macedonia (fYROM) and to reach an agreement among the combatants. During the period of war, Sweden accepted large numbers of asylum seekers from the former Yugoslavia. More than 100,000 of them were given permanent residence in Sweden.[539]

Other efforts have included a continued support for efforts to ensure stability in the area, such as within the EULEX and NATO's KFOR in Kosovo, as well as within the UN and the OSCE, and Sweden's contribution to the EU's Instrument for Pre-accession Assistance (IPA II).

The Swedish bilateral contributions in the region have been carried out through a strategic reform programme, which is adapted to the specific challenges of the Balkan countries and which aims to: 1) increase their economic integration within the EU and their transformation into market economies; 2) strengthen democracy, respect for human rights and the development of the rule of law; and 3) improve the environment and limit negative effects on the climate. In addition, a priority is given to measures targeting gender equality. Support is therefore given to initiatives that are seen to fulfil these goals.

The importance of the Balkan accession process for Sweden is also evident from the large number of visits paid by the former Foreign Minister, Carl Bildt, to the region, during his mandate.

Among the Balkan countries, Serbia is perceived as the most significant aspirant, for historical reasons and due to its size. The EU enlargement to the Balkans would be considered by Sweden to be a failure if it excluded Serbia. However, Serbia and all the other EU-hopeful countries in the Balkans are still in need of major transformation according to Stockholm.

Sweden's engagement with the Balkans could also be seen during the 2009 presidency, when the arbitration agreement between Slovenia and Croatia was signed in Stockholm. Furthermore, a decision on visa-free travelling for Serbia, Montenegro and fYROM was taken during the presidency.

The strong support for further enlargement was also evident in Carl Bildt's more recent reaction to reports that the incumbent President of the Commission, Jean-Claude Juncker, would not include an enlargement commissioner in his team. In the end, the enlargement portfolio was preserved, even if, as declared by President Juncker, no new admissions would take place within the next five years. While Sweden agrees that much reform is still needed in the countries of the region, the announced break in enlargement was interpreted as a sign of waning interest in widening the EU, and therefore at odds with Sweden's intention to broker a meaningful negotiation process, preceded by strong efforts going into the Stabilisation and Association Process (SAP).

When commemorating the ten-year anniversary of the 'big bang' enlargement, Carl Bildt declared that Sweden's enlargement policy was rooted in the conviction that enlargement makes a decisive contribution to stability, prosperity and democracy in Europe. According to Bildt, without the clear sense of direction that the perspective of the EU has given to all countries in the region, the relative political stability of the day would not have been secured.

Bildt also mentioned the Treaty on European Union (TEU), which stipulates that all European democracies have the right to apply for membership. He went on to point out the increased GDP of the new member states, an effect of their membership, which had benefited old member states as

[539] Migrationsverket [The Migration Board], available at: http://www.migrationsverket.se/English/About-the-Migration-Board/Facts-on-migration/History.html (last accessed on: 20 March 2015).

well. In addition, he explained that, contrary to populist claims, labour migration from the new member states had benefited the receiving states.[540]

Bildt's views are widely shared among the Swedish political parties. As explained by one of the interviewed politicians, the cross-party consensus on Balkan enlargement strengthens the Swedish voice in bilateral relations with individual countries: Balkan aspirants hear the same message and the same criticisms (with a focus on corruption) from both Social Democrats and Moderates.

17.2.3 Public opinion on enlargement

According to the Eurobarometer polls, ever since Sweden joined the EU, Swedish public support for enlargement has remained high, although it has fluctuated over the years.

During the period after the Swedish accession to the EU, and until 2004, Sweden and Denmark were the most pro-enlargement countries, both favouring the Baltic States' and Poland's candidacy. In late 2002, average support for the 13 applicant countries from Central and Eastern Europe was 65% in Sweden and 60% in Denmark. Thereafter, support began to drop and the new member states became the strongest advocates of continued enlargement. By 2007, 54% of Swedes endorsed enlargement and 12 other countries (11 of them new members) had become more positive than Sweden.[541]

Yet by late 2010, Swedish public opinion once again stood out as the most or among the most supportive. Support for the accession of Bosnia-Herzegovina, Serbia, Montenegro, Kosovo, fYROM and Croatia ranged between 63% and 73%, whereas Albania's membership bid was supported by 57% of the respondents. This was far above the European average, which amounted to 47% for Croatia but for the others only reached between 29% (Albania and Kosovo) and 36% (Montenegro).[542]

Some of the answers to questions other than those relating to enlargement could shed some light on why Swedes support EU widening to such a great extent. For example, in a recent poll, fewer people in Sweden reported that they had been affected by the financial crisis than in any of the other countries surveyed.[543] Likewise, when asked how they felt about the number of immigrants in their country, Swedes were more accepting than any of the other member states (apart from Poland), and showed less concern about this issue than other EU citizens.[544]

While this positive view towards people from other countries is prevalent among a large majority of Swedes, the Sweden Democrats, who gained 12.9% of the vote in the September 2014 elections, and are generally considered xenophobic by their counterparts, argue that immigration should be restricted. The Sweden Democrats invoke the costs of receiving refugees and claim that there is a lack of integration on the part of immigrants in Swedish society, maintaining that it would be better to help people where they are.

The background to the Swedish position is that, during 2014, 81,000 persons applied for asylum in Sweden, of which 35,000 were allowed to stay. This has made Sweden one of the largest recipient

---

[540] Bildt, Carl (Ministry for Foreign Affairs), "EU Enlargement—the strongest instrument for peace and prosperity in Europe", Government Offices of Sweden, 30 April 2014.

[541] Standard Eurobarometer 58, 2003, p. 76; and Standard Eurobarometer 68, 2008, p. 125.

[542] Standard Eurobarometer 74, 2011, pp. 62–63 and 82–88.

[543] *Transatlantic Trends, Key Findings 2014*, The German Marshall Fund of the United States, 2014, p. 26. France, Germany, Greece, Italy, the Netherlands, Poland, the UK, Portugal, Turkey, Spain, Sweden and Russia were included in the 2014 survey.

[544] *Ibid*., p. 38 and 39.

countries in Europe in absolute terms.[545] On top of this, a very large number of Syrian refugees are now arriving.

Last but not least, the fact that these days Sweden is a country of immigrants (and their children) is likely to tip the balance of public opinion in favour of enlargement. Likewise, the fact that, during and after the Balkan Wars, a large number of Swedes participated in various peace missions and projects in the region might have helped Sweden to cultivate a sense of affinity and responsibility towards the fate of these countries.

17.2.4 Perceptions of other member states and EU institutions

In many cases, the attitudes of member states have differed/varied over the years with respect to different EU-aspirant countries. On the whole, however, some have been more prone to enlargement, while others have been more reticent on the subject. For Sweden, the 'enlargement-friendly' countries include the UK, the Baltic republics, Denmark, and Finland (and, among the newer member states, Poland, Hungary and the Czech Republic). Among the more reluctant member states, Swedes identifies France and Belgium.

Since the prospect of EU membership has been offered to all the Balkan countries, the differences among the aspirants from that region relate to the pace of their integration and the issues raised in that process. Particular examples include the Greek and Cypriot policies towards fYROM, which have obstructed Skopje's progress due to the name dispute. Another example is the fact that some EU countries have not yet recognised Kosovo.

Germany's position as the uncontested leader in Europe makes the country the most important one in terms of enlargement policy as well. However, its leading status notwithstanding, Germany has on occasion had to accept the candidate status of countries that it had initially not supported, as was the case prior to the 'big bang' enlargement of 2004.

Among the EU institutions, the Commission is considered the most important actor. The Parliament also has a role in shaping opinions, whereas the European External Action Service (EEAS) is not seen to have any major impact on enlargement issues (or at least, not yet).

The mandate of the Commission is naturally of importance here. The use of interim benchmarks, as suggested by the Commission itself, has meant a weakening of its power *vis-à-vis* the Council, since benchmarks give the member states the possibility to block the process until conditions are fulfilled. The Commission is seen as influential in serving as a link between the aspiring countries and the member states, and thus also determining (together with the country holding the presidency) how the EU-hopeful countries are perceived by EU capitals.

The views of Sweden are usually close to those of the Commission and, from the Swedish perspective, the Commission is seen as a good collaborator. Like the Council Secretariat, its competence in matters of communication is assessed by Sweden as being valuable to the process of enlargement.

[545] Migrationsverket [The Swedish Migration Agency], available at: http://www.migrationsverket.se/English/About-the-Migration-Agency/Facts-and-statistics-/Statistics.html (last accessed on: 11 June 2015).

17.3 HOW IS THE SWEDISH POSITION ON ENLARGEMENT FORMED?

Sweden is centrally governed and decisions relating to the EU are entirely within the powers of the Government, and ultimately the Parliament (Riksdag). The Riksdag elections take place every four years; the most recent of these was on 14 September 2014 and produced a change of government from an alliance between the Moderates, the Christian Democrats, the Liberals, and the Centre Party, to (another) minority governing coalition led by the Social Democrats, which also includes the Green Party. Stefan Löfven (Social Democrat) is Prime Minister and Margot Wallström (also Social Democrat) is Foreign Minister.[546]

The Government's foreign policy line, which includes its policy regarding the EU, is laid out in its Statement on Foreign Policy, which is presented each year in February and followed by a debate in the chamber of the Riksdag. However, the Riksdag does not take the final decision until the issues have been prepared by the Committee on Foreign Affairs.

As regards the European Union in general, all policy documents are scrutinised by the relevant committees. The crucial committee is the Parliament's Committee on European Union Affairs. Since the Government needs the support of the Riksdag before voting in the EU Council of Ministers, it will consult this Committee prior to departing for Brussels, meaning that the relevant ministers will appear before the Committee to present the Government's stance and to answer questions. However, given that all decisions are preceded by negotiations, in reality, the Committee would need to be consulted even earlier about the position that Sweden should take.

The Committee has thus been given a powerful role. While formally the Government is not obliged to act in compliance with its opinions, the Committee on the Constitution has stressed that if the Government were to choose not to act in compliance with the advice and opinions of the Committee on EU Affairs, it would need to have very good reasons for its actions. Otherwise, the Government would risk criticism and ultimately a vote of no confidence in the chamber of the Riksdag.

Work within the Committee on EU Affairs is transparent. Full discussion protocols of all meetings are posted on the website of the Riksdag and hearings are at times attended by the public and sometimes also video broadcasted.

The Foreign Minister is usually the key person on enlargement issues, although the Prime Minister also has a significant role. Furthermore, the impact of individual ministers depends on their own experiences, interest and knowledge. Anna Lindh (Foreign Minister, 1998–2003) and Carl Bildt (Foreign Minister, 2006–2014) have been the dominant actors, but Göran Persson, as Prime Minister, is also considered to have been very engaged, in particular during the period from 2001 (starting with the Swedish presidency) until the end of his mandate in 2006.

Enlargement, while primarily an EU issue, is also connected to foreign policy. In addition, since – in the minds of Swedes – there is a strong security dimension to the issue of enlargement, the dossier is also relevant in the context of discussions relating to Swedish security in a broader sense. The long history of support for enlargement, combined with a cross-party consensus in favour of further EU widening, plus the public's endorsement, has made the issue uncontroversial in Sweden.

[546] She was previously Commissioner for the Environment 1999–2004 and First Vice President of the Commission, responsible for institutional relations and communication strategy, 2004–2010.

17.4 WHY DOES SWEDEN ADOPT THIS POSITION?

The same reasons have motivated Sweden's support for enlargement over the years, albeit to different degrees. Security considerations relating to the countries around the Baltic Sea were very much behind Sweden's push in favour of the 2004 wave of enlargement, to a greater extent than they have been subsequently. Even though the EU has no common defence obligations, for a non-aligned country unable to count on NATO support, it was important for Sweden to have a safe and stable neighbourhood.

Closely linked to this view was also a belief in pursuing crisis management and stability creation policies instead of common defence policies, which other states might have preferred. Therefore, for Sweden, there has been no wariness of increased heterogeneity.

The stability argument continues to be important for Sweden in the case of Balkan enlargement. As the interviews suggest, the Swedish leadership sees enlargement as a means to achieve stability and democracy. According to this line, interdependence ultimately has the power to integrate the Balkan countries into the Western society of peace, democracy and prosperity.

Conversely, should the Balkans remain outside the EU, Sweden fears that the region would descend into instability as a result of being denied membership, and that smuggling and other forms of criminality would begin to affect also other parts of Europe. Moreover, Sweden believes that the failure to integrate the Balkans would affect the strategic credibility of the EEAS and the EU as a whole: any stated ambitions to become a global actor would sound hollow if the Union proved incapable to manage its own backyard.

The existence of Article 49 of the TEU, giving the right to all democratic European countries to apply for membership, may be a reason to turn the argument around the other way: why not enlargement? Carl Bildt, in his farewell speech as Foreign Minister, expressed the hope that the EU would not try to dodge this obligation.

Personal experiences have certainly affected the strength of convictions of those involved, and thus the country's policies as well. The Swedish presidency in the spring of 2001 made a great impression on Foreign Minister Anna Lindh and Prime Minister Göran Persson. This effect was particularly strong because of the Macedonian crisis. Due to the intense efforts of the EU, NATO, the UN and the Swedish presidency (led primarily by Anna Lindh), another Balkan war was avoided and the Ohrid agreement was signed. This gave those involved a powerful example of what could be accomplished by engaging with the region.

In a similar vein, his mandate as EU High Commissioner in Bosnia-Herzegovina between 1995 and 1997 gave Carl Bildt first-hand knowledge of the region and helped him realise the costs of non-integration. The appointment of his nearest collaborator in Bosnia, Björn Lyrvall, as Political Director between 2006 and 2014, reinforced Sweden's competence in its engagement with the Balkans at a high political level. Business interests also play a role. The Balkan countries are seen as new export markets and Sweden is keen to argue that increased prosperity in the region would benefit everyone.

Assuming the role of staunch defender of enlargement out of a genuine conviction that it would bode well for all, Sweden may have enjoyed a certain amount of prestige and benefits from some member states, but it may also have lost some credibility and come to be perceived as naïve by others. However, Sweden's position on the enlargement dossier should not be seen as surprising. The country has a

long-standing tradition of international involvement and, as some say, of trying to “punch above its weight”. Equally important, as a small and non-aligned country on the periphery of Europe, Swedish politicians may also have felt the need to prove that Sweden can handle issues pertinent not only to its own neighbourhood but to the EU as a whole.

17.5 CONCLUSIONS

Since the Swedish position on enlargement has been so consistently favourable when compared to other member states, a valid question is whether it is sustainable. In the case of the Balkans, the policy line is unlikely to change: once the countries of the region have fulfilled the membership conditions, they should be admitted into the EU. The Swedish lesson after the Balkan wars is that conflicts in southern Europe affect the whole continent.

The possibility of future EU enlargement into Eastern Europe has now been overshadowed by the conflicts in the area and by Russia’s behaviour towards the rest of Europe, not least Sweden. Considering the Russian policies towards the Eastern Partnership countries during the last year, it is hard to see a return to the conditions that prevailed when the Eastern Partnership was formulated and the level of progress that was considered feasible in peace time, yet the Swedish interest in improving these countries’ situations will in all likelihood be upheld.

What might seem strange is the fact that there is virtually no debate in Sweden on the subject of EU enlargement. Occasionally, national newspapers report on the positions of other member states, but no voices are heard that contest the views of the Swedish government(s). The problems of the Balkan countries—like corruption, the bad treatment of minorities, and so on—are brought up and analysed, but this does not lead to a questioning of their accession. Generally, as long as enlargement is perceived only to have positive effects and is seen as the only fair policy towards other countries, it is difficult to foresee a major politicisation of the dossier in the Swedish political arena. The enduring pro-enlargement tradition and the fact that Estonia, Latvia and Lithuania have made a success out of their admission are further factors that will probably ensure the durability of the policy.

In conclusion, the Swedish case study has revealed a number of country-specific factors – like a tradition of international engagement, lessons learned from earlier enlargements that reinforce this policy, export-oriented business that sees possibilities in enlargement, and high standards of living, fairly and equally distributed, which makes the mobility caused by enlargement seem less threatening – which all contribute to a favourable attitude towards enlargement. Moreover, these factors are also likely to endure in the future, buttressing Sweden’s pro-enlargement stance.

Chapter 18

DENMARK

BY HANS MARTENS

Denmark joined the European Communities (EC) in 1973 – at the same time as the UK and Ireland – after a referendum, which confirmed that a solid majority of the population was in favour of the country's accession.[547] Some 90% of the electorate participated in the referendum, and nearly two-thirds voted 'yes'. The yes-side pushed the economic argument – which won support amongst voters – and downplayed the political aspect of European integration. This approach eventually came to characterise the Danish debate on Europe: if it pays off, we are in; if it requires too much transferring of political competences, we are out!

The initially strong popular support for the European project in 1973 Denmark gradually gave way to a rather more cautious attitude in the period after the Maastricht Treaty, when the EC became 'political', and the discourse about the 'market' changed to talking about the 'union'. This was demonstrated by a series of Danish exemptions in relation to the euro and defence and justice cooperation.

Still, officially, Denmark has been rather positively engaged in EU developments, including enlargement. Clearly, the 1995 expansion to Austria, Sweden and Finland happened without any problems or much debate, as did the larger and more complex enlargement round that brought eight Eastern and Central European countries, plus Malta and Cyprus, into the EU's fold in 2004.

It helped that the 'big bang' enlargement of 2004 was connected in different ways to Denmark. The criteria for accepting new members were adopted in 1993 at the European Council meeting in Copenhagen (hence, the Copenhagen Criteria), and political agreement on the enlargement was also reached in Copenhagen, in 2002, under a Danish presidency.

In addition, the Danish government was very engaged with, and strongly supportive of, the enlargement to the countries in East and Central Europe – in particular the Baltic states – and the process was by and large backed by the Danish political establishment, that is, the political parties, the

[547] *EU-oplysningen*: 63.3% of the Danish population voted in favour and 36.7% voted against. Available at: http://www.eu-oplysningen.dk/euo_en/dkeu/ (last accessed on: 5 March 2015).

press and the main stakeholder organisations, and indeed also by public opinion. The eastward enlargement was primarily seen as a process that could unite Europe after many years of division during the Cold War. This was much more important in the debate than considerations about differences in economic development, fears of negative externalities resulting from free movement, and the like.

The following enlargement waves to Romania and Bulgaria in 2007, and to Croatia in 2013, did not get nearly the same level of attention, but did not stir negative feelings either – at the time. However, a number of interviewees consider the 2007 expansion as rather problematic and perhaps even a game changer in retrospective, not only in relation to the free movement of people, but also to the accession criteria as well as the political and administrative capacity to implement EU legislation the way it is intended.

Ending the Cold War by uniting Europe was, and continues to be, a strong argument in favour of enlargement, but it has gradually lost its lustre as some of the consequences of further EU widening began to show. Although the perceived side effects – such as 'welfare tourism' – did not reduce the overall Danish support for EU membership, it did cause a shift in the discourse on enlargement. At the same time, Denmark has – like several other EU member states – experienced the growth of a right wing, nationalistic and xenophobic party, which is now one of the three largest Danish parties in opinion polls. This party, the Dansk Folkeparti (Danish People's Party), has dedicated a lot of attention in its policies and rhetoric to what it perceives as the negative effects of EU enlargement, including welfare tourism, crime originating from free movement of people coming from eastern European countries, and so on. The argument about welfare tourism has had a strong resonance in Denmark because of the high standards and costs of the welfare society and the associated high tax rate – among the highest in Europe. The rise in unemployment as a result of the ongoing financial and economic crisis has also contributed to this debate.

Support for further enlargement and for Denmark's EU membership in general has therefore diminished, as demonstrated not only by the electoral success of the Danish People's Party, but also by a more or less conscious change in attitude among the mainstream parties[548]. This has been the most obvious among centre-right parties, which have felt the pressure from the successes of the Eurosceptics. But the popularity of some Eurosceptic parties have also had an effect on the policies and rhetoric of the Social Democratic party, which leads the current government.

The broader public debate, including in the media, has primarily been a debate at the micro-level in the sense that it focused on individual issues, was generally speaking rather short-sighted, and failed to tackle long-term concerns. This debate generally expresses a negative view about different kinds of 'foreigners', and does not really distinguish, for example, between economic immigrants and asylum seekers. It is also often negative about people from Eastern and Central Europe and includes a rather strong dose of islamophobia. A lot of anecdotal 'evidence' about welfare tourism and welfare services paid in irregular ways to migrant workers from Eastern and Central Europe (most notably Romania and Bulgaria, but also Poland) has dominated the discourse, and more factual evidence dismissing these anecdotes has not received that much attention. At any rate, the debate about migrant workers and welfare tourism has infiltrated the rhetoric about further EU enlargement, especially in the case of Turkey, but also concerning the Balkans.[549]

---

[548] The right wing Eurosceptic party Danish People's Party (Dansk Folkeparti) is the most obvious example, but like in many other countries this also has had an effect on mainstream parties, in particular the centre-right parties that have gradually become more Eurosceptic.

[549] See for example EuroTopics: "The populist debate over "welfare tourism", originally published in *Der Nordschleswiger,* 20 March 2014, available at:

A proper discussion about the future of the Balkans, how these countries might fit into the greater European scheme, and what their integration would mean on a wider political and macro-economic level is almost non-existent. At the same time, the change in attitude in Denmark is clearly linked to the increase in Euroscepticism during the financial and economic crises, but also to the perception that previous enlargements, especially to Romania and Bulgaria, have had negative consequences. In addition, the absence of a debate is due to a feeling that the enlargement dossier is less relevant for the time being.

18.1 POLITICAL PARTIES AND POLITICAL DYNAMICS

The 1972 referendum on joining the European Communities revealed a strong support in Denmark for membership[550]. Opposition to the country's accession came primarily from the left side of the political spectrum, including the left of the Social Democratic party, the largest political party at the time by far, and the one leading the country into the formalised European cooperation.

The debate on whether or not to 'join the Common Market' was mainly about economic issues at that point – or more precisely, on whether membership would bring economic benefits to Denmark. Danes like the economic argument and the broadest popular support for the EU has always existed when the economic card was played. Whenever more political issues have come to the fore – or issues concerning European economic solidarity – Euroscepticism gained strength again. The referendum on the Maastricht Treaty and the opt-outs that followed offer the most obvious example, but also the policy of shadowing the euro to get advantages without actually taking a decision about formally adopting the common currency. Therefore, the yes-side on Europe in Danish politics has primarily used the economic arguments and has downplayed the political considerations, while the no-side has, at the same time, warned against the *finalité* of the European Union – the move towards a political union.

Danish Euroscepticism has been somewhat similar to Euroscepticism in the UK, but only somewhat. On issues such as the euro and Home and Justice Affairs, both countries have sought opt-outs (or opt-ins), and the debate on welfare tourism has many similarities, although the circumstances are rather different, with Denmark having one of the most developed and costly welfare systems in Europe[551]. Yet positions have differed in other policies, including defence issues. All in all, the Danish Euroscepticism has never been as profound as the British one – or perhaps better said English one – and a discussion about possibly leaving the European Union is not at all on the agenda in Denmark. Parallels between Denmark and the UK also exist in relation to enlargement, where both countries supported EU widening on the grounds of market access and on their belief that more member states would prevent further deepening, which in turn, would of course delay or avert the unification of Europe. Likewise, the two countries have been more sceptical about enlargement and in particular about the effects of free movement across a large union.

---

http://www.eurotopics.net/en/home/presseschau/archiv/results/archiv_article/ARTICLE140397-The-populist-debate-over-welfare-tourism (last accessed on: 5 March 2015); and Eurofund: Jorgensen Carsten (2014), *Migrant workers, positive assets or 'benefit tourists'?*, available at: http://eurofound.europa.eu/observatories/eurwork/articles/other/migrant-workers-positive-assets-or-benefit-tourists (last accessed on: 5 March 2015).

[550] EU-oplysningen: 63.3% of the Danish population voted in favour and 36.7% voted against. Available at: http://www.eu-oplysningen.dk/euo_en/dkeu/ (last accessed on: 6 March 2015).

[551] OECD, *Revenue Statistics – OECD Member Countries*, OECD Stat Extracts, available at: http://stats.oecd.org/index.aspx?DataSetCode=REV (last accessed on: 6 March 2015). In 2013, Denmark's tax revenues amounted to 48.6% of GDP, compared to 32.9% in the UK.

The long story of decisive moments – including referenda – in Denmark's relationship with the EU has revealed that changing attitudes hinged on the main topics of the agenda – economic or political. More recently, in the spring of 2014, the Eurosceptics did very well in the European elections while on the same day, Danes voted overwhelmingly 'yes' in a referendum about joining patent cooperation in the EU– an issue that was presented almost exclusively as an economic opportunity. At the European elections, Danish People's Party got more than 26% of the votes, compared to 19% for the Social Democrats. At the referendum about patent cooperation, the yes camp gathered 62.5% of the Danish vote!

Among the political parties, attitudes have also shifted in recent years. Denmark's accession to the EU was secured by two centre-right parties, namely the Liberal Party (Venstre) and the Conservatives, together with a large majority of the Social Democrats. There was also some opposition from the left wing of the Social Democratic party, but clear hostility resided on the left side of the political spectrum. There was even a popular movement (The People's Movement against EC), which was also predominantly left wing. So, in Denmark, the no-side was left wing, while the yes-side came from the right. Quite different from most other EU countries!

However, this picture has also changed in Denmark. In the years after the Maastricht debate, and especially in the last 10-15 years, the negative EU attitudes have predominantly become the domain of the centre-right or right wing parties. Meanwhile, on the left, the medium-sized Socialist People's Party has changed from being outright against the EU, and leading the Danish opposition to the Maastricht Treaty, to becoming one of the most pro-European parties in the country.

The Eurocentric attitude from the right wing parties is – as in other countries – linked to anti-globalisation, nationalism, xenophobia, and anti-Muslim sentiment. These are echoed by the Danish People's Party, which was established in 1995.

The popular success of the Danish People's Party – like that of the UKIP in the UK – has put pressure on the more established parties' EU policies. The large (centre-right) Liberal Party has traditionally been driving the support for the European Union in Danish politics, and although it is still officially in favour of the EU and EU membership, it is now clearly more sceptical about European issues, as well as about migration and welfare tourism. One remarkable example is that the previous government (up until October 2011), led by the Liberal Party, was on the verge of re-establishing border controls, a demand from the People's Party for supporting other elements of the government's policies, and only an election and subsequent change in government prevented this from happening. Other restrictions to the free movement of people, including a unilateral stop for double taxation agreements with Spain and France, and a debate about the validity of international conventions and agreements on human rights, have changed the position of the centre-right in a more nationalistic direction, less supportive of international cooperation and in particular the EU.

The Social Democratic party line has for several years been overwhelmingly pro-European (although some debates about welfare tourism have taken place within the party and to a certain extent also in some trade unions that are traditionally close to it). The other party in the coalition government, the Social Liberal Party (Det Radikale Venstre) is all for Europe, and generally internationalist and anti-xenophobic. The main centre-left party – the Socialist People's Party – has changed position from being very Eurosceptic to proclaiming itself the party most supportive of EU cooperation, which leaves only a small conglomerate of former Communist and other leftist groups to keep the left-wing Euroscepticism alive, together with the still existing People's Movement against the EU.

Table 18.1: Official view on EU enlargement of Danish political parties represented in the Parliament (Folketing)[552]

Social Democrats	Radikale Venstre (Social-Liberal)	Conservatives	Venstre (Liberals)
Government	Government	Opposition	Opposition
Positive to enlargement, including with Balkans (and Turkey) provided the Copenhagen criteria are strictly respected.	No particular policy in this area but the party is generally very positive about European cooperation.	Positive to further enlargement provided it does not harm the efficiency of EU.	Positive to further enlargement provided the Copenhagen criteria are adhered to strictly, and that European values and commitments to EU are demonstrated.

Social Democrats	Danish People's Party	Liberal Alliance (Liberals)	United Left
Opposition	Opposition	Opposition	Opposition
Support EU enlargement strongly, including to Balkans and Turkey.	Generally hostile to further enlargement, and definitely against Turkish membership. No specific mentioning of Balkans.	Positive to further enlargement provided Copenhagen criteria are strictly respected.	No position

18.2 DEBATE AND DECISIONS ABOUT BALKAN ENLARGEMENT

There is very little public debate about enlargement to Iceland and the Balkan countries, but there is some discussion about Turkey – especially when Turkish membership appears on the political agenda for one reason or another. But even in the case of Turkey, the specific debate about enlargement is only rarely visible because Turkish membership is not seen as imminent and therefore not part of the political priorities of the day.

There are no expectations of further EU enlargement in the upcoming years[553], and so the issue – in particular concerning the Balkans – is not being debated much at the political level, and no opinion polls have been carried out that could give an idea of Danish popular attitudes towards enlargement to the Balkans.

From time to time, Turkey can attract some attention, partly because of its long-standing position as an applicant, but also because of issues in Turkey itself, such as the Gezi park protests in 2013 or problems with the freedom of the press. In addition, there is a rather large Turkish community of people in Denmark – amounting to slightly over 1% of the population. Despite most political parties expressing a positive attitude towards Turkish membership (provided that the Copenhagen Criteria are strictly applied) the general public is quite strongly against Turkey's accession. More than 70% of the electorate spoke out against Turkish membership in a poll published in February 2012.[554]

[552] Folketinget, *Sammenlign partiernes holdning*, available at: http://www.ft.dk/Demokrati/Partier/partiernesPolitik/detMenerPartierneOm/EU/Udvidelser.aspx?party=C&partyA=A&party0=V&party1=F&party2=O&party3=B&party4=%C3%98&party5=I (last accessed on: 7 March 2015).

[553] This has been even clearer with the statements of Commission President Juncker about enlargements during his first five years term.

[554] "Massivt nej til Tyrkiet i EU", Altinget, 23 February 2012, available at: http://www.altinget.dk/artikel/massivt-nej-til-tyrkiet-i-eu (last accessed on: 7 March 2015).

This generally limited attention given to EU enlargement makes it difficult to get a realistic picture of stances in political, governmental and electoral terms. Opinions may well be present, but they are not expressed very clearly because further enlargement is not seen as topical.

Government officials often point to the success of previous enlargements in interviews (with some reservations about Bulgaria and Romania), arguing that the enlargement process is an effective way to influence applicant countries, not least in regard to the stability and development of their societies. However, the public debate on the free movement of people in the Internal Market in the past few years indicates that further enlargement will not be well received. The tone of the debate has been mostly negative, emphasising the undesirable effects of enlargement, often built on anecdotal evidence, and ranging from "Eastern Europeans take our jobs" and "Eastern Europeans create social dumping", to fears for the sustainability of the welfare state because of the equal rights to social services for EU citizens.

For instance, the International Secretary of the Danish Trade Unions did not express negative sentiments towards the Balkan enlargement but she did make it clear that the Trade Unions would only accept further EU widening if a Social Charter was adopted in the EU, together with a tightening up of the rules governing the free movement of people.

Overall, it is obvious that there is a discrepancy between the public debate and the official position of Danish political parties. While popular emotions about the topic tend to run high, a vast majority of political parties in Denmark are positive towards enlargement, the main exception being the Danish People's Party, which is strongly against further enlargement, as well as against any new EU initiative for that matter. The other parties' positive attitude could change if tested, but presently it is without political cost to show support of enlargement, as any new accession seems far away. And a strict application of the Copenhagen criteria will always be a possible emergency brake.

18.2.1 The process of decision making on enlargement

Decisions on EU enlargement are formally taken by the Parliament, which adopts a law allowing the government to ratify the agreement on EU membership. This happens on the basis of reports and recommendations from the European Commission. So far, there has not been a referendum on enlargement issues in Denmark, and none is expected. However, almost any law can be challenged by a referendum if one third of the members of Parliament demands so, and with the present negative debate about EU, it cannot be excluded that one third of the MPs would ask for a popular vote. Such a referendum would be indicative and not decisive, but in case the result rejected the proposed law on enlargement, it is unrealistic that any government would refuse to accept the outcome of the vote.

Whether or not Denmark will hold a referendum on enlargement in the future is all speculative and to be sure, if that happens, there will be plenty of time to discuss the issue as negotiations at EU level take a long time, but also because the Committee on European Affairs in the Parliament will thoroughly discuss the topic – giving all interested parties the background information needed for a proper public debate.

The Committee on European affairs actually already started to prepare for possible membership applications in 2013, when the Committee visited the Balkans.[555] The visit took place in September 2013 and included Croatia, Bosnia and Herzegovina, Serbia, and Kosovo. The purpose was to "increase knowledge about EU's newest member state (Croatia) and potential, future member states". Little

[555] EU-oplysningen, available at: http://www.euo.dk/upload/application/pdf/40dc1c9a/12492.pdf?download=1 (last accessed on: 6 March 2015).

political and public debate came out of the visit, but at least one kind of conclusion manifested itself clearly, namely that Balkan countries will need to sort out internal problems before thinking about entering the EU – and in drawing this conclusion the committee was particularly inspired by the visits to Serbia and Kosovo.

18.3 CONTACT BETWEEN DENMARK AND THE REGION

Trade relations between Denmark and any of the Balkans countries are minimal, and in no way strategic, neither in economic importance nor in terms of particular products – be it on the export or import side. Moreover, as many remarked during the interviews, the region is quite simply too far away, so apart from the odd holiday in Croatia, not exactly on the radar of many Danes.

In addition, the region is not perceived as one that can pose a new threat. The Balkan wars ended what seems a long time ago, and although there was sympathy for the many victims of the Balkans war, it has been mostly forgotten today. However, the war did matter for Denmark, which sent significant numbers of troops and police officers.

Table 18.2: Danish military intervention in the Balkans[556]

Area	Mission	Period	No of troops
ex Yugoslavia	United Nations Protection Force	1992-95.	8.000
ex Yugoslavia	United Nations Protection Force	1993	-
fYROM[557]	Macedonia Command/United Nations Protection Force	1993-2002	666
Croatia	United Nations Confidence Restoration Operation in Croatia	1995-96	1.000
Bosnia-Herzegovina	OR/SFOR (Implementation/ Stabilisation Force)	1995-2003	7.454
Albania	Albanian Force (AFOR)	1997 and 1999	138
Serbia (Montenegro, Kosovo, fYROM)	Operation Allied Force	1998-2000	480
Kosovo	KFOR (NATO Kosovo Force)	1999-2011	11.479
fYROM	AMBER FOX	2001-2002	333
fYROM	ALLIED HARMONY (extension of AMBER FOX)	2002-2003	20

Apart from military interventions, Denmark has contributed to the region's development, in particular by sending a police mission to Bosnia and Herzegovina after the Dayton Agreement. The mission, accounting to some 380 Danish police officers over the years, ended in 2006. General development aid to the Balkans has been limited, and the Danish priorities have been to assist in bringing and maintaining peace and stability – the latter primarily by the police mission that helped to rebuild the Bosnian police force.

Despite the efforts to try and stabilise the Balkans countries, there is one thing that often sticks out in the rather limited debate about the Balkans – and indeed also in the interviews conducted – and that is the issue of bad governance, corruption and crime. Justified or not, this does not exactly benefit the

[556] For detailed data, see Danish Ministry of Defence, *Veteran rapport, Bilag 2*, available at: http://www.fmn.dk/temaer/veteraner/veteranpolitik/Documents/Bilag2veteranrapport.pdf, (last accessed on: 7 March 2015).

[557] European Policy Centre, as standard practice follows the European Commission in the usage of fYROM to denote the former Yugoslav Republic of Macedonia.

prospects of membership but rather tends to lead the Danish voters and policymakers to believe that the Balkans belong in a 'problematic group' of countries that includes Bulgaria and Romania.

Others have mentioned the case of Croatia as a possible indication that enlargement to the countries in the Balkans might not – after all – create much debate or even opposition. This, as some argued in the interviews, could be the case if enlargement happened country by country rather than all at once. It should be said, though, that Croatia possibly has been seen as the less problematic of the Balkans countries in relation to EU membership, partly because Croatia is better known than any other Balkan country and is seen as being rather close to Europe. Furthermore, Croatia has been on the waiting list for quite some time. It was left out of previous enlargements because of issues with war criminals, and it was clear that when conditions were met, Croatia would join the EU. So Croatia's history may not hold prescriptions for the rest of the Balkans.

The Balkan countries do cover a broad range of levels of development and governance, but do the Danes have a favourite or two in the region? All the interviewees have been asked that question, but no preference emerged, although Serbia was often mentioned as the most relevant country to start with in a future process of bringing the Balkans closer to the EU.

18.4 ENLARGEMENTS – NATIONAL OR EUROPEAN?

As the final decision about further enlargement can become a very national debate in many or all EU member states, and perhaps even subject to national referenda, it could be claimed that the enlargement processes has become more nationalised. In the case of Denmark there is no doubt that there has been a change over the past few years, from accepting a fully European negotiation and decision-making process, where broad European considerations decided the outcome, to a feeling that enlargement is more of a national concern and that arguments about the effects of enlargement on the country are as justified as the broader European view.

All the interviewees did accept that the process of enlargement was still in principle a European process. Negotiations with applicants can start when the Copenhagen criteria are met, and the negotiation process is and should be led by the European Commission. We are far from a situation where Denmark would be forced to vote against a negotiation process. It is more in the final decision stages that the national debate could lead to either a referendum or a vote in the Parliament that would not allow Denmark to accept a new member of the EU.

Thus the enlargement process is still considered a European process, but the final decision has become more nationalised.

18.5 CAN WE KEEP THE *STATUS QUO*, PLEASE?

Issues related to the EU's own capacity to absorb more new member states has been mentioned by a few of the interviewees, but it is probably fair to say that this is an elitist discussion and not one that concerns voters in general. Some have referred to a fear of importing instability if new countries joined before they solved internal or trans-national problems. Others see an enlargement with a few, smaller countries as unproblematic, while still others – in particular government officials with vast EU experience – find that the limit for members of the EU is at a threshold, indicating that further enlargements would either force the EU into a split between a 'core' and a 'periphery', or else force the Union into a much deeper federal structure than at present.

Neither of these extremes are in the Danish interest, and on this point Denmark differs from the UK. Clearly, deeper federalism is not a favoured solution in Denmark. It would be impossible to get broad-based support for the country's participation in a much stronger integrated union given the widespread Euroscepticism at present, but Denmark has also too much to lose by drifting into a future 'periphery', being a small country and very dependent on the rest of Europe both politically and economically. Therefore, the UK option of organising a referendum about EU membership would be considered too much of a risk for Denmark – even by the somewhat Eurosceptic Danish population, and even by most of the Danish political parties. There is no sympathy or support for the British way of looking at the EU membership.

The European Union as it is, and with some opt-outs, is what most of Denmark wants. Therefore the risk of upsetting the *status quo* with new and potentially risky enlargements weighs very heavily on the debate in Denmark.

Chapter

19

LATVIA

BY KĀRLIS BUKOVSKIS AND DIĀNA POTJOMKINA

19.1 INTRODUCTION

Latvia's political support for the European Union (EU)'s enlargement is based upon the country's own approach to European integration. Latvia has generally favoured both the deepening and widening of the EU. Although public sentiments can vary, Latvian political parties represented in the Parliament have not capitalised upon popular anti-EU enlargement attitudes. Overall, Latvia exhibits an undisputed pro-enlargement position, which reflects: 1) a general lack of interest in EU politics and the Balkan region specifically and 2) consequentialism in Latvia's pro-European foreign policy.

First, the lack of in-depth interest in EU affairs among the population, as well as very often among the political elites, and the marginalised foreign policy outlook of Latvia as a small country, explain the low resource allocation to the politically and economically less significant states of the Balkans, with whom Latvia has no clear historical ties. Second, the clear support of the country for EU enlargement documented by research and interviews[558] stems primarily from a desire to avoid being viewed as a troublemaker by its European counterparts, and consequently excluded from bargains on more important matters for Latvia's interests. However, Latvia's pro-enlargement stance is also driven by geopolitical and ideational considerations, and this position has not changed significantly during the country's EU membership, in spite of relatively frequent governmental changes.

[558] Authors performed 20 interviews and some informal consultations with current and former diplomats from the Latvian Ministry of Foreign Affairs, diplomats from the Permanent Representation of the Republic of Latvia to the European Union, Chair of the Parliament Foreign Affairs Committee Ojārs Kalniņš, Vice-Chair of the Parliament European Affairs Committee Atis Lejiņš, advisors to the Latvian Parliament, officials from the Ministry of Economics and the Ministry of Defence, as well as a Brussels-based Latvian journalist on EU affairs, and representatives of trade unions, diaspora organisations and the development cooperation sector. Most of the interviewees expressed a desire to remain anonymous. Their names are not mentioned unless permission was acquired.

19.2 IS LATVIA SPREADING PRO-EUROPEANESS?

Since the early 1990s, the Republic of Latvia has seen EU and NATO membership as part of the return to the civilised world and to the Western system of values, after almost half a century of forced incorporation into the Union of Soviet Socialist Republics. Latvia's political, economic and social transformations, as well as respect for values such as democracy, the rule of law and human rights, gradually became a self-defining aspect of the national character. The democratic and capitalist transition formed part of Latvia's narrative when development cooperation, EU enlargement and the European Neighbourhood Policy (especially regarding the Eastern Partnership dimension) were considered and argued about in foreign policy debates. In Latvia, the 'West versus the rest' worldview is still rather popular and has recently been used in 2014 to back Latvia's membership of the Eurozone, as well as sanctions against the Russian Federation. From this perspective, any country willing to share Western values is seen as part of the global democratic order and is pitted against the 'rest'. Consequently, EU membership has a geopolitical and strategic value from Latvia's point of view.

This political discourse finds resonance among the public in Latvia. People's attitudes towards further enlargement have been traditionally positive, with the majority in favour of EU enlargement. In 2005, shortly after the country's accession, 55% of the population supported enlargement[559], while in 2007 this number had increased to 63%.[560] This figure fell to 49% in 2014 (35% against, 16% undecided)[561] but remains a plurality – and well above the EU 28 average of 37% for and 49% against.

These aspects manifest in Latvia's foreign policy documents as well. Indeed Latvia's first important post-EU accession foreign policy planning document adopted the pro-enlargement position and this has remained unchanged ever since. Namely, the "Foreign Policy Guidelines of Latvia 2006-2010" identified "support for the EU enlargement process, based upon the EU's ability to absorb new member states and the readiness of each of the candidate countries"[562] as Latvia's tenth top task in the European Union. The same document stated that "progress" in talks would not be sufficient; actual EU enlargement would be the ultimate proof that the task was fulfilled.[563] This support is maintained regardless of the country in question but it is not unconditional or automatic. Certain political manoeuvring is still accepted, offering Latvia some leverage to change its position if 'enlargement fatigue' became the dominating mind-set among the member states or if the Balkan countries are seen as unprepared to join. This way, Latvia cautiously keeps the political options on EU enlargement open. By the same token, Latvia, which is mostly interested in the European integration of the Eastern neighbourhood countries, keeps Eastern enlargement on the political agenda but in its policy documents remains mostly focused on the more realistic accession of the Balkans.

In 2011, a new approach in Latvia's foreign policy documents was adopted, whereby the previous long-term planning papers were substituted with annual reports to the Parliament by the Minister of

559 "Latvijas iedzīvotāji pozitīvi vērtē tālāku ES paplašināšanos", *LETA*, 19 February 2005, available at: http://apollo.tvnet.lv/zinas/latvijas-iedzivotaji-pozitivi-verte-talaku-es-paplasinasanos/301231 (last accessed on: 17 March 2015).

560 "Baltijas valstu iedzīvotāji atbalsta turpmāku ES paplašināšanos", *LETA*, 10 January 2007, available at: http://apollo.tvnet.lv/zinas/baltijas-valstu-iedzivotaji-atbalsta-turpmaku-es-paplasinasanos/347366 (last accessed on: 17 March 2015).

561 Standard Eurobarometer 81, available at: http://ec.europa.eu/public_opinion/archives/eb/eb81/eb81_en.htm (last accessed on: 17 March 2015).

562 Latvijas ārpolitikas pamatnostādnes 2006.-2010. gadam (Informatīvā daļa), 2006, available at: http://tap.mk.gov.lv/doc/2005/AMpamn_290506_arpolitika.doc (last accessed on: 17 March 2015).

563 Latvijas ārpolitikas realizācijas rādītāji (Pielikums "Latvijas ārpolitikas pamatnostādnes 2006.-2010.gadam informatīvajai daļai), 2006, available at: http://www.mfa.gov.lv/data/file/l/p/pielikums.pdf (last accessed on: 17 March 2015).

Foreign Affairs. The 2011 Report keeps the same spirit and wording on EU enlargement as before, but describes the strategic motivation more clearly: "EU enlargement is an important soft power instrument that functions to attract neighbouring countries, promoting political and economic reforms, and consequently securing space for peace, democracy and stability in Europe."[564] The 2012 Report directly links enlargement to Latvia's own interests: "Latvia is deeply interested in the European project, (…) which includes the preservation and development of current achievements – democracy and participation rights, (…) as well as further enlargement of the Union. Any other European model of development is contrary to Latvia's vital national interests."[565] The same document also describes EU enlargement as one of Latvia's goals in the EU because of its importance for "more efficient implementation of Latvia's interests". A clearer focus on the Balkans is also evident: "(…) EU enlargement provides Latvia with additional opportunities of political and economic interests in the new Member States, therefore the Ministry of Foreign Affairs invites the Croatian Parliament to ratify the EU Accession Treaty, as well as supporting continuous efforts of other candidate countries – if they are to fulfil the necessary criteria".[566] Although support for EU enlargement is listed as the last of the nine country priorities, it is still considered important enough to have a place on the list.

In this chain of supportive declarations, the Latvian Presidency of the EU Council (1 January-30 June, 2015) brought some changes. While the 2013 Report skipped any reference to EU enlargement, the reports of 2014 and 2015 were more explicit on the topic. This can largely be attributed to Latvia approaching its Presidency and not to the enlargement issue *per se* becoming more important for the country. Latvia maintains its support for the enlargement dossier, in 2014 also expressing hope that Iceland would eventually change its position and seek EU membership.[567] The report of 2015 is the most explicit thus far regarding Latvia's stance: "Although no new EU enlargement is planned for the next few years, Latvia strongly advocates intensive political dialogue with all potential EU Member States. (…) As the Presidency, Latvia will contribute to the enlargement process (…) Latvia will work on opening new chapters of negotiation with the countries engaged in accession talks, while chairing the EU Council working group on enlargement."[568]

These positions have been repeated in governmental documents. The text of the Declaration of Laimdota Straujuma's incumbent government keeps very close to the wording of the reports: "144. We will support the European Union enlargement, integrating the countries that fit the membership criteria; (…) 144.2. To pass on the EU integration know-how to the Western Balkan countries. To facilitate cooperation with the countries engaged in the EU enlargement process."[569] At the same time, the government's action plans do not get more specific on the issue, mentioning the: "152.2. Organisation of high-level incoming and outgoing visits and political consultations; preparation and expression of Latvia's position in the working groups on enlargement and the Western Balkans."[570]

---

564 "Ziņojums par valsts ārpolitiku un Eiropas Savienības jautājumiem" ["Report on the state's foreign policy and European Union affairs", 2011, p. 12.

565 Ārlietu ministra ikgadējais ziņojums par paveikto un iecerēto darbību valsts ārpolitikā un par paveikto un iecerēto turpmāko darbību Eiropas Savienības jautājumos, 2012, p. 15, available at: http://www.mfa.gov.lv/arpolitika (last accessed on: 17 March 2015).

566 *Ibid*., p. 20.

567 Ārlietu ministra ikgadējais ziņojums par paveikto un iecerēto darbību valsts ārpolitikā un par paveikto un iecerēto turpmāko darbību Eiropas Savienības jautājumos, 2014, p. 9, available at: http://www.mfa.gov.lv/arpolitika (last accessed on: 17 March 2015).

568 Ārlietu ministra ikgadējais ziņojums par paveikto un iecerēto darbību valsts ārpolitikā un par paveikto un iecerēto turpmāko darbību Eiropas Savienības jautājumos, 2015, p. 10, available at: http://www.mfa.gov.lv/arpolitika (last accessed on: 17 March 2015).

569 *Deklarācija par Laimdotas Straujumas vadītā Ministru kabineta iecerēto darbību*, ĀM sadaļa, November 2014, available at: http://www.mfa.gov.lv/arpolitika (last accessed on: 17 March 2015).

570 "Government Action Plan", 2012.

Official documents, as well as interviews, suggest thus that the Latvian position on EU enlargement has been in line with that of the European Commission and with the progress made by individual aspiring countries on their integration path. More specifically, at present, Latvia argues that the EU accession of Montenegro, Serbia and Turkey must be facilitated.[571] Enlargement is very much linked in Latvia to the Balkan countries and this is illustrated also by the fact that the South-Eastern Europe and the EU Enlargement Division of the Ministry of Foreign Affairs of Latvia is responsible both for enlargement and bilateral relations with the Balkan countries; since 2004-2010, the division has been called 'EU Enlargement and Western Balkans'.

In sum, the Latvian position on EU enlargement can be characterised as defending and spreading 'pro-Europeanness'. As a small country, Latvia has maintained a positive attitude towards EU enlargement at all levels, and has looked at the Balkan aspirants as the next potential future member states. This policy has been maintained at national and EU levels, as well as in bilateral relations with current or possible candidates. This stance is related to Latvia's search for countries sharing the principles of democracy and open-market economics, but it is also motivated by geopolitical reasoning. The interviews show that ideational support is also one of the major factors behind Latvia's pro-enlargement attitude: Latvia must assist the new aspirants, just as it was itself supported in the 1990s.

Latvia has traditionally advocated offering a credible membership perspective to the Eastern European countries, promoted the Eastern dimension of the European Neighbourhood Policy, and stood among the main supporters of the Eastern Partnership. However, in spite of its willingness to see EU-oriented policies and reforms implemented in Georgia, Ukraine, Moldova, and the Caucasus – a high priority for the Presidency – the official Presidency programme focused exclusively on the official candidate countries: "While noting the strategic importance of enlargement policy in promoting political stability and economic prosperity in Europe, the Presidency is committed to moving forward with the ongoing accession negotiations of Montenegro, Serbia and Turkey (…) Presidency's work in advancing the European perspective of other Western Balkan countries according to the respective stages of their integration, with European Union membership as the ultimate goal."[572] Hence, this official position clearly demonstrates an understanding that while Latvia is not among the main decision makers on EU enlargement, showing political support and encouragement for potential new EU members matters.

19.3 HOW LATVIA FORMS ITS POSITION ON EU ENLARGEMNT

While Latvia sees EU enlargement and the Balkan countries in a positive light, the actual decision-making process is dominated by political disinterest in the region, and by limited economic interaction between the Balkan countries and Latvia. The Ministry of Foreign Affairs (MFA) of the Republic of Latvia – the central apparatus, the embassies and the Permanent Representation of the Republic of Latvia to the European Union (PermRep) – is by far the most important policymaker. The MFA holds the greatest amount of power and expertise, not only in the state administration but also in Latvia as a whole. Although the positions on the most important documents and foreign policy issues are adopted by the Cabinet of Ministers and approved by the European Affairs Committee of the Parliament, the Ministry of Foreign Affairs plays a key role. The MFA is responsible for drafting the national position and the government's reports on EU affairs, as well as for preparing the country's positions in the General Affairs Council. To formulate Latvia's stances on the dossier, the MFA relies on the initiatives and

[571] *Deklarācija par Laimdotas Straujumas vadītā Ministru kabineta iecerēto darbību*, ĀM sadaļa, November 2014, available at: http://www.mfa.gov.lv/arpolitika (last accessed on: 17 March 2015).

[572] The programme of the Latvian Presidency of the Council of the European Union, 1 January – 30 June 2015, available at: https://eu2015.lv/images/PRES_prog_2015_EN-final.pdf (last accessed on: 17 March 2015).

documents of the European Commission, and asks for the approval of the Cabinet of Ministers.[573] After the government adopts the position, it is also presented, approved or, if necessary, amended by the European Affairs Committee of the Parliament of the Republic of Latvia. It is subsequently used in further negotiations. Only very seldom are there debates in the European Affairs Committee on EU enlargement issues and the Balkans. As admitted by one of the committee members: "To be honest, we do not deal much with the Balkans. Occasionally we hear a government report prepared by the Ministry of Foreign Affairs, or adopt positions for the Foreign Affairs Council, if the Ministry of Foreign Affairs thinks that Serbia, for instance, is successful with implementing all the criteria. Latvia is promoting a fair attitude towards enlargement – we support enlargement out of principle, just like our membership was supported (…) but there are no essential interests at stake."[574]

The present Latvian position on EU enlargement, akin to other foreign policy positions, was devised by the Ministry of Foreign Affairs and has been, on multiple occasions, re-approved over the years by different coalitions in the Cabinet of Ministers. Different political attitudes and interests towards EU enlargement and the Balkan countries exist in the Parliament, but they are not reflected in clear party stances. Individual political parties in Latvia are not vocal about EU enlargement, as the issue is neither prominent on the domestic policy agenda nor is there wide public interest on the matter. As stated above, the support for enlargement is rather latent/un(der)debated. "The members of parliament, Saeima, have little interest in foreign policy or the Presidency, as a matter of fact. Few, more active ones do networking and participate in international forums, but the Balkans are not a priority,"[575] and "Saeima lacks expertise."[576]

Out of the 37 inter-parliamentary cooperation groups in the current (12th) Saeima, only one is with a Balkan country – Croatia. The group consists of 14 out of the 100 members of the Latvian Parliament, including representatives of five out of the seven current parliamentary parties. The 11th Saeima had established inter-parliamentary cooperation groups with Albania (seven members from three parties), Croatia (18 members representing all six parties), the former Yugoslav Republic of Macedonia (fYROM) (eight members from three parties), Montenegro (seven members from three parties), and Serbia (16 members from two political parties, all but two from a pro-Russian opposition party, Harmony Centre).[577] Previous parliaments[578] since Latvia joined the EU had from three to five cooperation groups each; the 7th Saeima, which operated outside the political and economic framework of EU membership, had modestly popular groups with Croatia and Slovenia.[579] It is interesting to note that

---

[573] For more detailed elaboration, please see "The EU Preference Formation Trends of the Republic of Latvia", in *Preference Formation in the New EU Member States. Collection of Papers from an International Workshop (3-5 December, 2009, Bratislava, Slovakia)*, Bratislava: Comenius University, Friedrich Ebert Foundation, 2010, available at: http://www.sfpa.sk/en/publikacie/international-issues/ (last accessed on: 17 March 2015).

[574] Interview with the Vice-Chairman of the European Affairs Committee Atis Lejiņš, 29 May 2014.

[575] Interview with a Counsellor to the Foreign Affairs Committee of the Latvian Parliament, 29 May 2014.

[576] Interview with the Vice-Chairman of the European Affairs Committee Atis Lejiņš, 29 May 2014.

[577] *Deputātu grupas sadarbībai ar citu valstu parlamentiem*, 11. Saeima (17 October 2011. – 4 November 2014.), available at: http://titania.saeima.lv/Personal/Deputati/Saeima11_DepWeb_Public.nsf/structureview?readform&type=7&lang=LV&count=1000 (last accessed on: 17 March 2015).

[578] The 10th Saeima had 58 groups out which for the cooperation Balkans the following: Albania (15 members from two political parties, all but two being from the Harmony Centre), Republic of Macedonia (15, two parties) and Montenegro (14, two parties). The 9th Parliament (2006-2010) from 65 groups had cooperation with Albania (nine from five political parties), FYROM (nine, five), Croatia (22, eight), Montenegro (six, three), Serbia (18, six). The 8th Parliament (2002-2006) had 61 group out which with the Balkan countries the following: Macedonia (seven, three), Croatia (nine, four), with Serbia and Montenegro (12, seven). The last Parliament (7th) that operated completely outside Latvia's EU membership political and economic framework had 44 inter-parliamentary cooperation groups, among them one with Croatia (11, three), Slovenia (10, four).

[579] Deputātu grupas sadarbībai ar citu valstu parlamentiem, *10. Saeima* (02 November 2010 – 17 October 2011), available at:

no cooperation groups with Kosovo or Bosnia and Herzegovina have ever existed, despite Latvia's prompt recognition of Kosovo's independence.

This further suggests that EU enlargement does not create divisions along party lines in Latvia, and that all political parties seek to be represented in the established cooperation groups with the Balkans. Periodical spurts of interest in cooperation with one or another Balkan country's parliament are largely due to personal interests of individual parliamentarians and to existing contacts in the region. One such example is the Chairman of the Foreign Affairs Committee, Ojārs Kalniņš, who considers the "Balkans as important as the Eastern Partnership"[580], and has made multiple visits to the region during his work in Saeima. Increased interest in inter-parliamentary cooperation with Albania and Serbia has been expressed for some time by the Latvian pro-Russia, opposition party, the Harmony Centre. This party has developed a habit out of taking antagonistic positions to the mainstream, even on issues that are not of prime concern to the public in Latvia. However, as a general rule, political parties tend to support the Balkans' EU integration ambitions. The unanimous support for EU enlargement among Latvian politicians was demonstrated with the ratification of the Croatian EU Accession Treaty on 22 March 2012, when all 79 members of the Parliament voted in favour, and none were against or abstained.[581]

Latvia's pro-European, pro-enlargement attitude has been continuously reproduced and is not affected by factors outside the regular bureaucratic procedures and political process. Non-governmental organisations and business interests can interfere in the formulation of official positions but, as the interviewees from the state sector admit, there are no remarkable interest groups in Latvia that get involved in policymaking. Meanwhile, a few willing NGOs and independent experts complain that they are not actively consulted by the Government. While public discussions about EU issues are rather frequent in Latvia, they are rather self-interested and aimed at evaluating the achievements and results of Latvia in the EU. As Aldis Austers, the Chairman of the European Latvian Association, explains: "We have not had even one serious discussion about the implications of further EU enlargement for Latvia."[582] Thus, to a large extent, Latvia relies on the expertise received from the EU: "Why should we not be able to rely on the reports by the European Commission [concerning the Balkan countries]?" is rhetorically asked by Austers and supported by a Latvian journalist in Brussels: "We [Latvia] agree to everything that the European Commission and experts following the progress in the Balkans put forward. (…) Our interest is that the countries are ready to join, that they are perfectly ready to join."[583]

Latvia's decision makers count on the information and materials prepared by the European Commission and the European External Action Service also because the country does not have embassies in the Balkans. The Latvian ambassador to Hungary is also on-residing Ambassador to Croatia, Montenegro and Slovenia, the Latvian Ambassador to Italy is non-residing Ambassador to Albania, the Latvian Ambassador to Greece is non-residing Ambassador to Serbia, and the Latvian Ambassador to the Czech Republic is non-residing Ambassador to fYROM and Kosovo. The only Balkan country that Latvia did exchange resident embassies with was Slovenia; the embassy in Ljubljana

http://titania.saeima.lv/Personal/Deputati/Saeima10_DepWeb_Public.nsf/structureview?readform&type=7&lang=LV&count=1000 (last accessed on: 17 March 2015), *Deputātu grupas*, available at: http://159.148.23.174/lv/par-saeimu/saeimas-darbs/deputatu-grupas (last accessed on: 17 March 2015).

580 Interview with the Chairman of the Foreign Affairs Committee Ojārs Ēriks Kalniņš, 10 June, 2014.

581 Balsošanas rezultāti Par Līgumu starp Beļģijas Karalisti, Bulgārijas Republiku, Čehijas Republiku, Dānijas Karalisti, Vācijas Federatīvo Republiku, Igaunijas Republiku, Īriju, Grieķijas Republiku, Spānijas Karalisti, Francijas Republiku, (200/Lp11), 2.lasījums, 22 March 2012, available at: http://titania.saeima.lv/LIVS11/SaeimaLIVS2_DK.nsf/0/087DADB3C07163D6C22579C9007E595A?OpenDocument (last accessed on: 17 March 2015).

582 Interview with the Chairman of the European Latvian Association (and former diplomat) Aldis Austers, 28 October 2014.

583 Interview with a Brussels-based journalist from Latvia, 7 August 2014.

operated from October 2007 until November 2013.[584] Moreover, even the Investment and Development Agency of Latvia, a state institution with foreign representations, responsible for the promotion of Latvian business and economic interests abroad, admitted that it did not have enough expertise on the Balkans to give an interview for this research. Consequently, the scarce institutional resources available and devoted to the region indicate that there is only a limited actual or even planned political and economic engagement of Latvia with the Balkan countries.

One of the main fields where practical interaction between Latvian state institutions and the Balkan countries takes place, and which has contributed to knowledge about the region in Latvia, is bilateral development cooperation projects. Over the years, many experts from different Latvian institutions – such as the State Police, State Border Guard, State Revenue Service, Ministry of Finance, Ministry of Economics, Central Statistical Bureau, Consumer Rights Protection Centre, Ministry of Education and Science, and the Corruption Prevention and Combating Bureau – have participated in projects financed or co-financed by the Latvian state, and have provided know-how and training on governance, tax administration, as well as EU accession issues. Bilateral relations and cooperation projects with the Balkan countries have generally been good; the traditional spheres of cooperation have included education, culture and tourism, but admittedly "Latvian and Balkan interests differ a lot. We are not the only ones [the Balkan countries] that can ask for assistance and advice (…) and they tend to look more towards bigger countries."[585] Taking this into account, Latvia emphasises the need to be "pragmatic and rational, (…) we should not be hypocritical and demand better results from the Balkan countries than we are doing ourselves."[586]

However, links and interactions with the Balkans are relatively limited as Latvia devotes more attention to cooperation with Moldova, Georgia, Ukraine, Kazakhstan, Belarus, and other Eastern Partnership or Central-Asian countries.[587] The most intensive and frequent development cooperation projects are implemented with those former Soviet Union states and not with the Balkans. For instance, the expertise of the Ministry of Justice is identified as the most reliable concerning the technical implementation of the *acquis communautaire* in spite of the lack of expertise on the Balkan countries in particular. At the same time, those are the development projects that have built knowledge about the Balkans in Latvian state institutions. As one former diplomat said: "Those are the very people who have participated in the missions, for instance, in Kosovo and then returned to public service; they have knowledge about the region and they can influence national positions to some extent (…); but one cannot call them an interest group in the classical sense, as it is a very small number of people."[588]

In a nutshell, the central player in Latvia regarding both EU enlargement and relations with the Balkan countries is the Ministry of Foreign Affairs. Most of the decisions are traditionally taken both in the central apparatus of the Latvian Ministry of Foreign Affairs and in the PermRep. However, the PermRep appears to be more active and knowledgeable given its role in preparing the Latvian Presidency of the Council of the EU and because of greater proximity and daily involvement in Balkan affairs. The Parliament plays a part in approving the national positions or interacting via inter-parliamentary cooperation groups with the region, but it is still not actively engaging in that process or changing national positions on the dossier. Individual politicians might express different points of view from the

584 "Latvijas Republikas un Slovēnijas Republikas divpusējās attiecības" ["Bilateral relations between the Republic of Latvia and Republic of Slovenia"], available at: http://www.mfa.gov.lv/arpolitika/divpusejas-attiecibas/latvijas-un-slovenijas-attiecibas#attiecibas (last accessed on 3 March 2015).

585 Interview with a representative of the Ministry of Defence, 18 June 2014.

586 Interview with a diplomat #1 from the Latvian Permanent Representation at the EU, 11 June 2014.

587 For more information, please see Attīstības sadarbības politikas pamatnostādnes laika posmam no 2011. gada līdz 2015. gadam, available at: http://www.mfa.gov.lv/arpolitika/attistibas-sadarbiba/latvijas-attistibas-sadarbibas-politika (last accessed on: 17 March 2015).

588 Interview with a former diplomat of the Ministry of Foreign Affairs of the Republic of Latvia, 11 June 2014.

national position, yet they keep voting according to their party line. EU enlargement is therefore not a polarising issue in current Latvian politics, and divergent attitudes seem more likely to be accidental than conceptual. Public opinion is rather weak on EU issues and does not impact upon policymaking. Cooperation with experts from the non-governmental sector is also very limited, mostly due to lack of initiative and efficient consultation mechanisms.

19.4 POLITICAL DISINTEREST VERSUS ECONOMIC REALITIES

The Latvian government and the majority of the country's population sees its security, cultural sustainability, political stability, economic growth, and international position as part of the larger political and economic entity that the European Union represents. This premise also defines Latvia's positions on EU affairs. Support for the Balkan countries on their path towards the EU is driven by several political and economic considerations. The political position on enlargement is tied to national interest, in particular in relation to geopolitics: by supporting enlargement, Latvia seeks to maintain a pro-European attitude in all matters that are not directly against its national interests, and hopes that one day the policy will be extended also to the post-Soviet Eastern European countries, especially, Ukraine, Moldova and Georgia. Latvia has historical and cultural ties to the post-Soviet states, while the Balkan countries have relatively insignificant political, cultural and ethnic representation in Latvia. Economic ties with the Balkan countries are underdeveloped, and the Latvian diaspora in the Balkans is small and unorganised.

Moreover, as Latvia is not a net contributor to the EU budget, it does not see EU enlargement to the Balkans as an additional immediate burden to its finances. "Seventy-five percent of the EU budget is paid by Germany and France, but if Latvian contributions are low, the country cannot expect to be a powerful player", admitted one of the interviewed councillors in the Ministry of Foreign Affairs. Latvia is a "latent Europhile" that follows the European mainstream[589]: "We are silent supporters, stability in the Balkans is important (…) and we are ready to devote time, we recognise the importance of the issue to other EU member states, but we are not among supporters, or blockers, and we do not try to manage compromises,"[590] explained the interviewed representatives of the Latvian PermRep to the EU. In other words, since EU enlargement does not pose any immediate threat to Latvia as a net recipient of EU funds, the country's position on the dossier is based on solidarity and support for reforms.

Furthermore, EU enlargement has been linked to security aspects. "Enlargement definitely is in our interest (…) For us, it is better if those are countries in the neighbourhood, not the Balkan countries, (…) but all countries have a right to be fully-fledged members if they fulfil the criteria; therefore it is in the most fundamental interest of Latvia that this principle is actively implemented, because with every deviation from the basic EU principles, we risk that some other agreements and principles could be neglected as well,"[591] stated the Latvian member of the European Economic and Social Committee, Andris Gobiņš. But Latvia's concern runs deeper than securing the reliability of EU principles. Latvia is also interested in the stabilisation of neighbouring regions, like Ukraine.

The Balkan countries are not perceived to be as essential as the "near abroad", and therefore seeking political support for the region's integration has been marginal: "We explain our interests [in the Balkan countries], for instance, by our position on the situation in Ukraine (…),"[592] but there are not many common political or economic projects to be involved with in the Balkans. An exception was

589 Interview with a councellor to the Ministry of Foreign Affairs, 9 July 2015.
590 Interview with representatives #2 and #3 of the Permanent Representation of Latvia, Brussels, 11 June 2015.
591 Interview with a Latvian member of the European Economic and Social Committee Andris Gobiņš, 12 November 2014.
592 Interview with a representative of the Ministry of Defence, 18 June 2014.

NATO enlargement where, for instance, Latvia was the second country to ratify protocols on Croatian and Albanian NATO membership. However, Latvia is rather wary about the Balkan-Russian ties, such as the visit of the President of the Russian Federation, Vladimir Putin, to Belgrade in October 2014. Serbia's welcoming of Putin as a hero[593] was met with criticism and incomprehension by the Latvian public. Moreover, the disregard of Serbia for the position taken by the EU member states on sanctions against Russia, has further alienated Latvia and Serbia politically, albeit without yet causing an anti-Serbian backlash in Riga. Latvia has also offered to the Balkan countries practical cooperation in the field of security, not so much because of Russia but rather out of a general interest to share its experience and expertise; cooperation in this field has abated since 2008-2009 with all Balkan states, except Kosovo.[594]

In addition, the Latvian Presidency of the Council of the European Union Presidency has increased the visibility of Balkan enlargement issues on Latvia's foreign policy agenda. Every Presidency is traditionally asked by journalists to stake a clear position on the widening of the European Union.[595] This resulted in more visits of the Latvian Foreign Minister to the Balkan countries as the incoming Presidency. Previously, the "intensity of cooperation and official visits has been wavelike – about three to four visits in [individual years] (…) intensifications being related to accessions or other topical issues,"[596] said one of the interviewed experts at the Ministry of Foreign Affairs of Latvia. However, the mood has been changing and the frequency of visits has increased in the months leading up to the Presidency. In a repeated interview in November, the same MFA diplomat who assessed ties with the Balkans as moderately active in the summer, was enthusiastic about the increased possibilities for dialogue – for instance, Latvia has even tried to address lower-ranking officials in Serbia despite the fact that 2014 was an election year and it was impossible to find higher-level counterparts. Consultations with the Balkans (like Albania, fYROM) touched not only upon the Latvian Presidency but also on Latvia's experience with European integration and various political issues. Even more visits were being planned.[597]

In November 2014, Latvia also reached a political agreement with Johannes Hahn, the Commissioner for European Neighbourhood Policy and Enlargement Negotiations, to facilitate the opening of the first negotiation chapters with Montenegro and possibly with Serbia, emphasizing the need to keep the enlargement process dynamic.[598] Latvia insists on the merit-based approach in dealing with candidates and "prepared a strategy on how to work with the Balkan countries during the Presidency, that includes active incoming and outgoing consultations with Balkans, (…) chairing of the Working Party on Enlargement and Countries Negotiating Accession to the EU, etc."[599] As one Latvian diplomat noted, Latvia does not see the Balkans as a high priority for the Presidency but wants "to perform its six months' duties honestly", and the visits to the region are also intended to give a clear signal of support to the Balkan countries and to inspire further reforms there.[600]

---

593 LETA, "Foto: Serbija izolēto Putinu sveic kā varoni" (Photo: Serbia Greets the Isolated Putin as a Hero), 16 October 2014, Delfi, available at: http://www.delfi.lv/news/world/other/foto-serbija-izoleto-putinu-sveic-ka-varoni.d?id=45108468 (last accessed on: 3 March 2015).

594 Interview with a representative of the Ministry of Defence, 18 June 2014.

595 Interview with a Journalist in Brussels, 11 June 2015.

596 Interview with an expert of the Ministry of Foreign Affairs, 9 July 2015.

597 A repeated interview with an MFA diplomat in November 2014; the first meeting took place in July 2014.

598 Ārlietu ministrija, *Rinkēvičs: Rīgas samitam jākļūst par labu sākumu jaunai lapaspusei ES kaimiņpolitikā*, 18 November 2014, available at: http://www.lvportals.lv/visi/preses-relises/266776-rinkevics-rigas-samitam-jaklust-par-labu-sakumu-jaunai-lapaspusei-es-kaiminpolitika/ (last accessed on: 17 March 2015).

599 Interview with representatives #2 and #3 of the Latvian Permanent Representation, 11 June 2014.

600 Interview with a Latvian diplomat, November 2014.

Finally, the economic arguments in favour of EU enlargement to the Balkans from the Latvian perspective are not strong either. Economic cooperation between Latvia and the Balkan countries is very limited, albeit with the potential to intensify. The Balkan countries are not listed among the priority countries in the *Guidelines on promotion of Latvian services and attraction of foreign direct investments*[601], and are mentioned as secondary tourism destinations in the *Tourism marketing strategy of Latvia 2010-2015*[602]. At the same time, the Ministry of Economics sees a potential for increased economic cooperation with the Balkan countries in the timber industry, machinery, construction, food industry, pharmaceuticals and cosmetics, textile industry, tourism, as well as transport and logistics.[603] "There is an interest by businesses. They go along on the official visits and consultations, but no active lobbying was undertaken,"[604] concluded the interviewed expert of the Ministry of Foreign Affairs of Latvia.

Latvia's trade and investments in the Balkan countries demonstrate a low level of engagement (see Table 19.1). The largest turnover is with Croatia that can be explained by the recent accession of Croatia to the EU, and with Serbia because of cooperation between wood processing industries. But, even in the case of Croatia (72nd place among Latvian export partners and 54th among import partner countries) and Serbia (67th in exports, 63rd in imports) they still constitute an insignificant part of Latvia's economy. In the case of the other Balkan countries, the interaction is even more underdeveloped. A total number of 44 Latvian companies and scientific institutions have been identified by an interviewed business expert as currently operating in the Balkan countries.[605]

Latvia's engagement with the Balkan countries is related to many un(der)developed aspects: security, Presidency of the Council of the European Union, and economic and political relations. Each of the elements provides arguments and instruments for increased cooperation. Increase in trade with Croatia, real estate investments in Montenegro or exports to Serbia are arguments that support Latvia's pro-enlargement position and support for the Balkan countries in particular, but it is by far not the only motivation. One could expect a greater economic interaction when the non-EU Balkan countries approach membership and become part of the Single Market. Still, it is evident that economic expansion towards the Balkans is not among the priorities of many Latvian businesses at this point. Security reasons keep playing an important role in the current geopolitical situation, but again, this argument for Latvia is more important in the case of potential "Eastern enlargement", than the Southern dimension. Thus, Latvia's interest in the Balkans has visible capacity to increase, while the country's support for EU enlargement towards the Balkans is mainly related to a lack of arguments to oppose such a thing.

601 Ministru kabineta rīkojums Nr. 413 *Par Latvijas preču un pakalpojumu eksporta veicināšanas un ārvalstu investīciju piesaistes pamatnostādnēm 2010.–2016.gadam*, 19 June 2009, available at: http://likumi.lv/doc.php?id=193947&version_date=19.06.2009 (last accessed on: 17 March 2015).

602 Latvijas tūrisma mārketinga stratēģija 2010. – 2015. gadam, available at: http://www.tava.gov.lv/sites/tava.gov.lv/files/dokumenti/strategiskie-dokumenti/Latvijas-turisma-marketinga-strategija-2010_2015_update_082011.pdf (last accessed on: 17 March 2015).

603 Interview with a representative of the External Economic relations department of the Ministry of Economics, 19 June 2014.

604 Interview with an expert of the Ministry of Foreign Affairs. 9 July 2015.

605 E-mail correspondence with one of the authors, 13 June 2014.

Table 19.1: Latvia's trade relations with the Balkan countries (2013)

Country	Exports (goods, services) in EUR	Imports (goods, services) in EUR	Main export products	Main import products
Croatia	4.2 million	6.2 million[606]	construction materials, machinery, tourism	vehicles, their parts and construction materials, tourism
Serbia	5.5 million	4.0 million[607]	mostly timber, minerals (peat) and tourism	pulp, paper, food stuffs
Albania	750 thousand	65 thousand[608]	telecommunications systems, pharmaceuticals and tourism	spices (91% of total)
Bosnia	1.4 million	510 thousand[609]	textiles, telecommunications equipment and commercial services	timber products
Montenegro	76.5 thousand	0	construction materials and communication technologies	no registered good and services, but Latvian investments in the real estate business in Montenegro could cause changes
fYROM	1 million	2.2 million[610]	food and textile industries and tourism	metal products, plants and textiles
Kosovo	254 thousand	640[611]	communications equipment, pharmaceuticals, and no services	wireless transmitters

19.5 CONCLUSIONS: ACCEPTANCE OF THE NEW

The EU enlargement process in Latvia is seen as part of the overall pro-European narrative that the country follows. Latvia's positive attitudes towards EU enlargement to the Balkans have a strategic, value-based and security rationale. Latvia supports both the deepening and widening of the European Union in its foreign policy, and this has been true for all political parties represented in the Latvian Parliament since the country joined the European Union. The political and expert decision-making elite keeps dominating the EU discourse, including its enlargement aspects. EU affairs *in praxis* tend to be shielded from active public engagement in Latvia for two main reasons: complexity (foreign policy matters are reserved for the experts), and a generally low public interest in EU issues, where EU enlargement is no exception in this regard.

In fact, the EU enlargement question can be characterised as Europeanised or de-nationalised in the case of Latvia. The prevailing tendency is to leave the expertise on the topic to the European Commission or other, more engaged, EU partners. Firstly, Latvia admits its low net contributions to the EU budget, and does not want to play a disproportional role in decision-making on EU enlargement. Secondly, the current aspirant countries are mostly in the Balkans, and Latvia has significantly little experience and accumulated know-how concerning the region, when compared, for instance, to its knowledge of the post-Soviet space. Moreover, the two regions seem to have expressed relatively modest interest so far in building closer diplomatic, economic or cultural ties. Individual politicians, businesspeople or artists tend to create a modern bridge but the actual potential for enhanced cooperation remains unexplored.

606 Ministry of Economics of the Republic of Latvia, *Horvātija – informācija par Latvijas ārējo tirdzniecību*.
607 Ministry of Economics of the Republic of Latvia, *Serbija – informācija par Latvijas ārējo tirdzniecību.*
608 "Albānija – informācija par Latvijas ārējo tirdzniecību", Latvijas preču un pakalpojumu tirdzniecība ar valsti 2013. gadā (tūkst. EUR) ["Albania – Information on Latvia's External Trade", Latvia's Trade in Goods and Services with a State in 2013 (thousands EUR)] – 12 June 2014; LR Ekonomikas ministrija; Pēc Centrālās statistikas pārvaldes un Latvijas Bankas Maksājumu bilances operatīvajiem datiem [Ministry of Economics of the Republic of Latvia, based upon the current data of the Payments balance of the Central Statistical Bureau and the Bank of Latvia].
609 Ministry of Economics of the Republic of Latvia, *Bosnija un Hercegovina – informācija par Latvijas ārējo tirdzniecību*.
610 Ministry of Economics of the Republic of Latvia, *Horvātija – informācija par Latvijas ārējo tirdzniecību*.
611 Ministry of Economics of the Republic of Latvia, data on Kosovo limited information.

The Balkan countries do not raise any special interests or objections among Latvian decision makers because of the distant relationship between the two sides. Latvia has no organised minority in the Balkans, no wide representation of interests, nor any residing ambassadors in any of these countries. Although officially Latvia preserves a possibility of changing its supportive stance if countries do not meet the accession criteria, its political support for enlargement is principled and not related to the Balkan countries specifically.

At the same time, the Latvian Presidency of the Council of the European Union creates additional Latvian political interest in the EU enlargement process, and this could extend further into the future. The intensity of visits to and political attention on the Balkans has already increased in the preparatory process. This builds expertise and political contacts, and could socialise Latvian decision makers and officials into closer cooperation with their Balkan counterparts. With the actual accession of Croatia and other Balkan countries to the Common Market, the Latvian interest in the region as a whole can only increase. Therefore, further enlargements could foster interactions with the Balkan countries, integrating them into the familiar political, economic and legal environment that the EU countries, including Latvia, operate.

This research demonstrates that Latvia – unsurprisingly – has no enlargement fatigue, especially among politicians, who remain supportive of the process. Latvia and the Baltic states in general could provide the Balkan countries with the EU accession know-how, but the experiences of the two regions over the last couple of decades have been quite different. Naturally, Latvia sees its added value more in the post-Soviet space than in the Balkan region. Latvia's attitude towards EU enlargement is quite uncontroversial and candid, while at the same time passive. Because of the psychological and political distance, and because of different immediate interests between the Balkan countries and Latvia, relatively scarce independent information on the issue is available. The Republic of Latvia sees the enlargement of the European Union as part of the strategic needs of Europe and part of the promotion of the European system of values. Any aspiring country fulfilling the *acquis communautaire,* which Latvia was also requested to fulfil during its integration process, is seen as a legitimate member and as contributing to the survival and perpetuation of the values of democracy and fundamental rights in the modern world.

Chapter

20

THE NETHERLANDS

BY STEVEN BLOCKMANS

20.1 PERCEPTIONS

One often hears the *cliché* that the Dutch are suffering from 'enlargement fatigue', that they are 'lukewarm' to future expansions of the EU or even downright 'anti-enlargement'. As in every *cliché*, there is truth in these perceptions. According to a recent Eurobarometer poll responding to the question "Are you in favour of further enlargement in the EU to include other countries in future years?", the Netherlands scored an average of 32% in favour, 62% against, 6% do not know.[612]

At the same time, as always, reality is more nuanced. After the failure of the June 2005 referendum on the draft Constitutional Treaty for Europe, the Dutch Ministry of Foreign Affairs initiated an online survey called 'Netherlands in Europe'. The survey found that:

- 48% agreed with the proposition that "the EU is big enough and that only West European countries like Norway and Switzerland should still be admitted". 39% rejected this stance.
- The Dutch attach great importance to the strict application of the admission criteria. 75% thought that "new countries should be admitted only if they meet all the criteria".
- 44% thought that new countries should be admitted only if they meet "extra criteria", possibly including an extended trial membership period, during which countries could show that they genuinely fulfil the criteria.
- 90% rejected the proposition that "new countries should be allowed to join even if they do not meet all the criteria".

The principal reason underpinning the negative attitudes among the Dutch to further EU widening has to do with the decision of the European Council on 16-17 December 2004 to open accession negotiations with Turkey in 2005. The possible accession of Turkey to the EU has been a bone of contention for years, with the increasingly successful Party for Freedom (PVV), led by Geert Wilders,

[612] See Standard Eurobarometer 81, spring 2014, 66.

particularly vocal about its opposition to Turkish EU membership, forcing all other political parties to formulate clearer standpoints regarding the possible entry of (potential) candidate countries into the Union. The government's State of the European Union of 2013 went as far as to say:

> "EU enlargement brought the Netherlands, as a trading and investor nation, substantial economic benefits, but also had adverse social consequences, partly because the influx of workers from the new member states far exceeded expectations. These migrants, from countries with a significantly lower standard of living than the Netherlands, often work under worse labour conditions than many Dutch people. They also are not infrequently the victims of rogue employment agencies and profiteering landlords. The Netherlands' capacity to absorb newcomers from other parts of Europe is not unlimited, as has been made clear by problems in some inner cities."[613]

However, public perception is not rooted in the reality of the advantages that EU enlargement has brought to the Netherlands.

20.2 TRADE

A study of the Dutch Office for Statistics (CBS) has shown that the enlargements of 2004 and 2007 led to a significant increase in trade with new member states.[614] Both imports and exports of goods more than doubled between 2004 and 2010, and trade with the EU enlargement countries became more intense: whereas in 2004 only 3.8% of total Dutch exports went to the new member states, in 2010 this figure had risen to 6.7%, while imports increased by 2.8 to 5.6% of total imports. Unlike trade in goods, trade in services with the EU enlargement countries has remained virtually unchanged. Looking at the total imports and exports of goods and services with the new member states, it should be observed that the Netherlands does most of its business with Poland, Czech Republic and Hungary (nearly 75%).

While trade in services has not significantly increased or decreased, its composition has changed. For instance, the amount that Dutch households and businesses spend on construction services from the EU enlargement countries has halved. Furthermore, exports of Dutch construction services to the EU enlargement countries have fallen. In exports, the share of other services grew more than 4% in 2006 to over 6% in 2010. When looking at the total imports and exports of services, the CBS found that the share of royalties and licence fees rose sharply to about a fifth of the total. For the new member states, this share was still well below 10% for Poland and 13% for the Czech Republic.[615]

With its open economy, the Netherlands has much to gain from peace and stability all over Europe, from free trade and the extension of the internal market. According to the Dutch government, another argument for EU enlargement is that it is good for business and exports and good for Europe, as it gives the Union more leverage in an increasingly complex and multipolar global context.[616]

---

613 "State of the European Union 2013 – Building bridges in Europe", 15 February 2013, available at: http://www.government.nl/documents-and-publications/letters/2013/02/15/state-of-the-european-union-2013-building-bridges-in-europe.html (last accessed on: 27 April 2015).

614 See CBS, *Uitbreiding van de Europese Unie 2004 en 2007 – Cijfers over Nederland – 2011*, available at: http://www.cbs.nl/NR/rdonlyres/C3D36557-C8CF-4674-A16B-B9588278AFD9/0/111021uitbreidingvandeeu.pdf (last accessed on: 27 April 2015).

615 *Ibid*.

616 See, most vocally, in the "State of the European Union 2013", *op. cit*.

20.3 TRAUMA

Popular scepticism *vis-à-vis* EU enlargement with Turkey should not be equated with the Dutch attitude towards preparing the countries of the Western Balkans for accession. Because of its own part in that region's recent violent history, the Netherlands generally adopts a more favourable stance towards those countries' prospects of integration. The trauma of the massacre at Srebrenica, which happened after the separation and deportation of thousands of Bosnian boys and men under the watchful eye of a Dutch UN peacekeeping battalion, led to massive soul-searching in political circles and society as a whole. This led to several inquiries, parliamentary and otherwise (including that of the Netherlands Institute for War Documentation – NIOD[617]), and the downfall of a government. In July 2014 the district court in The Hague ruled that the Dutch state was accountable for the deportation of 300 men – a breach of international humanitarian law.[618] As explained further below, the Dutch national self-image rests upon ideals of justice, tolerance and fairness; this is one reason why the 1995 Srebrenica massacre was such a devastating experience for the Netherlands. The Dutch feel that they owe it to Bosnia-Herzegovina, indeed to the region as a whole and to peace and stability in Europe in general, to guide the Balkans into the EU. But not at all costs.

EU enlargement is also considered to be about domestic policies: once a country joins the EU, it becomes part of our community of values. The Netherlands therefore opposes 'second-rate' enlargement, a process in which political expediency overrides the proper preparation of candidates for EU membership. There is also a general belief that in the past the EU has neglected to convey the importance of enlargement to its own citizens; that it has not given it the attention it deserves. Therefore, The Hague wants better communication on EU enlargement policy, which entails a collective responsibility of the European Commission, the Dutch government, the business community, non-governmental organisations (NGOs), and so on.

20.4 DECISION-MAKING

Deliberative democracy is fundamental to political life in the Netherlands. This dates back to the development of the country from 12 provinces despite strong social divisions between the Catholic, Protestant and liberal "pillars" of society. The Netherlands is famous for its "poldermodel" – a consensus-building process which goes back to the water management systems of the reclaimed lowlands, by which decisions are taken jointly through elaborate consultations and the search for compromises.[619]

A strong form of proportional representation in elections ensures a multiplicity of political voices. No party has ever held an absolute majority. Government is always through coalition,[620] and the Prime Minister cannot overrule his ministers. Mark Rutte is currently Prime Minister and Minister of General Affairs. He presides over cabinet meetings and attends European Council meetings accompanied by the Minister of Foreign Affairs. The Prime Minister is accountable to Parliament for his actions as a member of the European Council. He consults Parliament before and after each European Council

617 NIOD (2002), *Srebrenica: een 'veilig' gebied. Reconstructie, achtergronden, gevolgen en analyses van de val van een Safe Area*, Boom: Amsterdam, available at: http://publications.niod.knaw.nl/publications/srebrenicarapportniod_nl.pdf (last accessed on: 25 April 2015).

618 District Court of The Hague, Mothers of Srebrenica vs. the Netherlands and the United Nations, Judgment of 16 July 2014, ECLI:NL:RBDHA:2014:8562.

619 See Van der Horst, Han (2001), *The Low Sky: Understanding the Dutch*, 7th edition, Schiedam: Scriptum.

620 For the 2012 Coalition Agreement, see: http://www.government.nl/government/coalition-agreement/iv-the-netherlands-and-the-european-union (last accessed on: 27 April 2015).

meeting. The Ministry of General Affairs is responsible for co-ordinating overall government policy. The ministry also houses the Government Secretariat, which is the smallest Dutch ministry. It includes the Prime Minister's Office, the Government Information Service and the co-ordinating office of the Netherlands Scientific Council for Government Policy (WRR).[621]

The Minister of Foreign Affairs (previously Frans Timmermans, now Bert Koenders) is responsible for Dutch foreign policy.[622] He is assisted by the Minister for Foreign Trade and International Cooperation. There are now four Directorates-General. The Directorate-General for Political Affairs (DGPZ) develops policy on peace and security matters, and advises on Common Foreign and Security Policy, Common Security and Defence Policy and the political role of NATO and the UN. The Directorate-General for International Cooperation (DGIS) is responsible for development cooperation policy, its coordination, implementation, and funding. The Directorate-General for External Economic Relations (DGBEB) gives impetus to international economic activities, creates favourable conditions and encourages foreign companies to establish themselves permanently in the Netherlands. In the context of the current study, the Directorate-General for European Cooperation (DGES) is the most relevant DG, as it develops and coordinates Dutch policy on Europe and the European Union.[623] It is responsible for the Netherlands' relations with other EU member states and candidate countries. Within the DGES, the Directorate Europe (DEU) is responsible for regional policy for 54 countries, comprising all 28 EU member states and the neighbouring European countries in the Balkans and in the East (whether or not a candidate for membership) as far as the Caucasus and Central Asia. The DEU is also responsible for the implementation of the 'Social Transformation Programme – Matra' (see below). Within the DEU, Section 2 is responsible for relations with, inter alia, the countries of Southeast Europe.

The Minister of Foreign Affairs, as well as the Minister of Defence, the Minister for Foreign Trade and Development Cooperation and the Lower and Upper Houses of Parliament, can ask the Advisory Council on International Affairs (AIV) for advice. The AIV is an independent body, which advises government and Parliament on foreign policy. Requests for advice, AIV reports and government responses are all made public.[624]

The Dutch Parliament ('Staten-Generaal') is bi-cameral, comprising the 'Eerste Kamer', also called the Senate,[625] or Upper House, and the key legislative body, the 'Tweede Kamer', known also as the House of Representatives or the Second Chamber. The Second Chamber plays an important role in Dutch policymaking.[626] It has a high degree of influence on Dutch policy on the EU accession of the Western

---

621 The WRR's reports most relevant for this study are No. 69, *De Europese Unie, Turkije en de Islam* (2004), No. 65 *Slagvaardigheid in de Europabrede Unie* (2003), and No. 59 *Naar een Europabrede Unie* (2001), available at: http://www.wrr.nl/publicaties/rapporten/ (last accessed on: 25 April 2015).

622 The Netherlands Ministry of Foreign Affairs - Policy Agenda 2012, 20 September 2011, available at: http://www.government.nl/documents-and-publications/annual-plans/2011/09/21/ministry-of-foreign-affairs-policy-agenda-2012.html (last accessed on: 25 April 2015).

623 For the Netherlands and developments within the EU, see the government's website: http://www.government.nl/issues/european-union/the-netherlands-and-developments-within-the-eu (last accessed on: 25 April 2015).

624 Most relevant for this study are AIV Reports No. 71, *The EU's capacity for further enlargement* (2010); and No. 37, *Follow-up report Turkey: towards membership of the European Union* (2005), available at: http://aiv-advies.nl/63q/publications#advisory-reports (last accessed on: 27 April 2015).

625 The members of the Senate are elected by the members of the twelve Provincial Councils every four years. The Senate's main role is to monitor draft legislation. Its members do not have the right to amend bills. They can only either accept or reject them. Senate debates can contribute to the interpretation of a law. Members can put written questions to the government. The European Cooperation Committee deals with the preparation of written proposals on European cooperation, including EU treaties. The committee is responsible for examining all European Commission proposals sent to the Senate by the government.

626 See Andeweg, Rudy.B. and Irwin, Galen A (2009), *Governance and Politics of the Netherlands*, 3rd edition, Palgrave Macmillan: Netherlands Institute for Multiparty Democracy and the Institute for Political Participation (2008) *The Dutch*

Balkan states and Turkey.[627] Cabinet ministers regularly appear before it defending their policies. Much of the deliberation happens within the committee process. There are more than 20 committees and each committee is responsible for monitoring developments in the EU within its area of competence. Committees have powers to challenge ministers.

The European Affairs Committee (EAC) oversees parliamentary reviews of government responses to new legislative proposals from the European Commission and the transposition of EU legislation into Dutch law.[628] It also co-ordinates the dialogue with the government before a meeting of the Council of the EU. The entire EAC meets two or three times per month in a public meeting with the Prime Minister, the Minister for Foreign Affairs, or the State Secretary for Foreign Affairs. In the committee, the agenda of upcoming meetings of the European Council, the General Affairs Council and the Justice and Home Affairs Council are discussed.[629] Enlargement policy is one of the areas where the members of the EAC broadly agree on the government's approach to conditionality. Since the 2005 referendum on the Constitutional Treaty, the Tweede Kamer has taken an increasingly strict stance on enlargement based on the principle of 'strict and fair'.[630]

20.5 EU PRE-ACCESSION CONDITIONALITY: 'STRICT AND FAIR'

Generally, the Netherlands government believes that EU enlargement conditionality is probably the most effective instrument of foreign policy that the Union has in its toolkit for stabilisation, transformation, democratisation, promotion of human rights, and regional co-operation of the countries of Central and Eastern Europe and the Balkans. While the Dutch coalition government programme of 29 October 2012 merely states that "[t]he accession of new member states should be assessed on the basis of the Copenhagen criteria", The Hague does not consider the enlargement agenda to be static. It has been a heavy proponent of including the additional criteria formulated at the EU-Western Balkans summit in its 2003 Thessaloniki Declaration, as well as those in the EU's Stockholm programme (Justice, Security and Freedom). The Netherlands also underscores the so-called 'absorption capacity' of the Union, to which the government sees five components: (i) institutional, that is the capacity of the EU institutions to function with new member states; (ii) economic, meaning the capacity of both the goods and service markets, as well as the labour market to absorb new member states; (iii) budgetary, relating to the capacity of the EU's budget to absorb new member states; (iv) geopolitical, referring to the capacity of the EU to ensure its strategic security; and (v) public opinion, namely the capacity of society to absorb new member states.[631]

The Dutch care in particular about EU border management and pay specific attention to reform in the field of the rule of law (independence of the judiciary, combating corruption, combating crime, and tackling illegal migration) and fundamental rights (for example, the protection of sexual minorities), as well as the promotion of a culture of tolerance. The increased focus on and frontloading of rule of law in the European Commission's 'New Approach' to EU enlargement,[632] and the addition of EMU tools

Political System in a Nutshell, The Hague: NIMD, available at: http://www.nimd.org/document/211/the-dutch-political-system-in-a-nutshell (last accessed on: 27 April 2015).

627 See Van Keulen, Mendeltje (2006), *Going Europe or going Dutch: how the Dutch Government shapes European Union Policy-making*, Amsterdam: University of Amsterdam Press.

628 For more information, see: http://www.tweedekamer.nl/kamerleden/commissies/eu (last accessed on: 27 April 2015).

629 See Holzhacker, Ronald (2004), "Parliamentary Scrutiny in The Netherlands over EU Issues", *CES Working Paper* 5.

630 "State of the European Union 2014", *op. cit*.

631 See, in further detail, Emerson, Michael, Aydin, Senem, de Clerck-Sachsse Julia, and Noutcheva, Gergana (2006), "Just what is this 'absorption capacity' of the European Union?", *CEPS Policy Brief No. 113*.

632 Communication from the Commission to the European Parliament and the Council, Enlargement strategy and main challenges 2012-2013, COM(2012) 600 final, Brussels, 10 October 2012.

and mechanisms for better economic and budgetary policy coordination into the accession talks' remit,[633] have been warmly welcomed by The Hague, as the focus is not on changing the rules of the game but on raising the bar.

Enlargement policy is considered a powerful tool for political, economic and societal transformation, but only if conditions are applied scrupulously and candidates are sufficiently committed. That is what Dutch public opinion expects, according to the government – especially in the current climate, in which the EU has a big credibility problem, with incredulity about the difficulties of managing the Eurozone riding on the back of a deeper scepticism about the added value that the EU offers to net contributors to the common budget.[634] According to the Dutch government, going soft on conditionality is therefore neither in the interest of the Netherlands and its citizens, nor in the interest of the candidate countries and their citizens.

The argument that EU membership will stimulate acceding countries to catch up is not supported by the Dutch government. Having learned the lessons from what in the lowlands is generally considered to have been the premature EU entry of Bulgaria and Romania in 2007, and the failure of the fight against corruption and organised crime in these two countries through the post-accession Cooperation and Verification Mechanism (CVM), the Netherlands, alongside Germany and supported by Belgium, spearheaded the 'strict *but* fair' conditionality which was later mainstreamed in the pre-accession process by the Commission.[635] In the meantime, The Hague has pivoted to the concept of 'strict *and* fair' conditionality as the key to a successful EU enlargement policy. Arguably, 'strict *and* fair' is a better maxim as it stresses the mutually reinforcing character of the composite elements in the approach to pre-accession states.

Semantics aside, the Netherlands' government has been a firm proponent of the full adherence by aspirants to all Copenhagen 'Plus' criteria: (i) the political criteria, i.e., stability of institutions guaranteeing democracy, rule of law, human rights and respect for and protection of minorities; (ii) the economic criteria, i.e., a functioning market economy and the capacity to cope with competition and market forces; (iii) the administrative and institutional capacity to effectively implement the *acquis* and the ability to take on the obligations of membership; (iv) the Union's own 'absorption capacity'; 'plus' (v) the criterion of enhancing regional cooperation; and (vi) the criteria flowing from the peace deals in the Western Balkans, including the full and unequivocal cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), decentralisation of power, the return of refugees, and the clarification of property rights.[636]

For reasons mentioned above, The Hague attaches particular importance to full and unequivocal cooperation with the ICTY, which it hosts, as an EU entry condition for the Western Balkan states. One prominent example concerned the Netherlands' decision to postpone the opening of accession talks

---

633 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Enlargement Strategy and Main Challenges 2014-15, COM(2014) 700 final, Brussels, 8 October 2014.

634 See Blockmans, Steven, Hoevenaars, Judith, Schout, Adriaan, and Wiersma, Jan Marinus (2014), "From subsidiarity to better EU governance: a practical reform agenda for the EU', *Clingendael/CEPS Report*; Schout, Adriaan. and Wiersma, Jan Marinus (2012), "Reinventing Europe: the Dutch paradox", *ECFR Commentary*.

635 See Eerste Kamer: Algemene Europese beschouwingen, 20 April 2010, 26-1117; and Wolters, Simone (2010), "The Netherlands: 'firm but fair' towards new EU member states", EU-27 Watch No. 9, available at: http://www.eu-28watch.org/?q=system/files/EU-27%20Watch%20No.%209%20-%20Netherlands_Q2.pdf (last accessed on: 27 April 2015).

636 See Blockmans, Stevens (2007), *Tough Love: The European Union's Relations with the Western Balkans*, The Hague: Asser Press, pp. 246-7 and 252.

with Croatia in 2005 until the indicted war-time general Ante Gotovina was arrested and transferred to the ICTY in The Hague.[637]

With respect to the other Copenhagen 'plus' criterion, The Hague considers countries on their own merits but sees regional cooperation as key: "We have to urge them and convince the parties that mutual cooperation is the only option. However, already promising Bosnia that it will one day be able to join NATO or the EU could have an adverse effect."[638]

The insistence on 'strict and fair' EU pre-accession conditionality exposes a general characteristic in the (Calvinist) Protestant Netherlands: diverging from rules is bad politics; good governance is not about rubber-stamping laws but about enforcing them. It is therefore no surprise that the Netherlands is a strong supporter of the 'New Approach' to EU enlargement espoused by the Commission, which insists on tracking and recording real and tangible reform of aspirant countries before moving on to the next stages of the pre-accession process:

> "The EU can only safeguard its standards through a strict and fair enlargement policy. Candidate countries may not join the EU until they have conclusively demonstrated that the reforms they have made are lasting and irreversible. Respect for human rights and reforms involving governance and the rule of law are paramount. These policy areas are closely interwoven with the EU's core values. The necessary reforms include amending, implementing and enforcing legislation. The Netherlands will continue to assess candidate countries by examining their track record in this area. This involves more than merely ticking off the pieces of legislation they introduce."[639]

In the words of a previous Minister of Foreign Affairs: "First the red lines, then the red carpet."[640]

It thus follows that The Hague is in favour of the system of benchmarking (including interim benchmarks) introduced by the European Commission in the organisation of EU accession talks. In particular, the Dutch are great supporters of the frontloading of Chapters 23 and 24 (justice and home affairs; fundamental freedoms) so as to allow candidates to get down to work on these difficult reform issues as soon as possible and to enable the EU (institutions and member states alike) to track their performance throughout the entire process of accession negotiations.

20.6 TRACKING PERFORMACE OF INDIVIDUAL COUNTRIES

Every year at the end of October, the Dutch government presents its annual 'appreciation' of the European Commission's Regular Reports and EU enlargement strategy in a formal letter to the Tweede Kamer. The regularity and intensity of the exchange illustrate the seriousness with which both institutions approach the issues at hand. Reviewing the official documents, it also becomes clear that

---

637 "EU houdt deur voor Kroatië nog dicht", *NRC Handelsblad*, 16 March 2005, available at: http://vorige.nrc.nl/dossiers/uitbreiding_eu/kandidaten/article1861325.ece (last accessed on 27 April 2015). For other examples, see EU-27 Watch No. 6_03/2008, at 93, available at: http://www.eu-28watch.org/?q=system/files/EU-27_Watch_No_6.pdf (last accessed on: 27 April 2015).

638 Eerste Kamer: Algemene Europese beschouwingen, 20 April 2010, 26-1118.

639 "State of the European Union 2013 – Building bridges in Europe", 15 February 2013, available at: http://www.government.nl/documents-and-publications/letters/2013/02/15/state-of-the-european-union-2013-building-bridges-in-europe.html (last accessed on: 25 April 2015).

640 See Kamerbrief over kabinetsappreciatie EU-uitbreiding, 28 October 2011, available at: http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2011/10/28/kamerbrief-over-kabinetsappreciatie-eu-uitbreiding.html (last accessed on: 25 April 2015).

the Dutch government and Parliament generally trust the Commission as the guardian of enlargement strategy. The Netherlands supports a strong and competent Commission in this field.[641]

With regard to the performance by individual Western Balkan states, the government offered the following reaction to the 2014 Regular Reports to the Tweede Kamer:

"**Montenegro** is making progress, but the pace of reform falters. More focus on implementation and tangible results, especially regarding the rule of law. The progress in these areas, measured by a solid track record, determines the overall pace of the accession negotiations. (…) The government understands that small Montenegro, more than other candidate countries, is struggling with a lack of capacity. At the same time, it is also evident that this is not the only obstacle. The Commission rightly emphasises that strong political commitment is required for the necessary deep and lasting reforms to strengthen the rule of law. It is up to Montenegro to show that, through determined action and tangible results, it seriously takes up the transformation of the country. Montenegro is the first country where the new approach is applied to the rule of law chapters: open early, close late. Progress towards the rule of law will determine the pace of negotiations in general. Progress is thereby not only measured in terms of policies and laws, but rather mostly by way of concrete results and a track record. Montenegro should be aware of that. The government appreciates the warning issued by the Commission by referring to the possibilities offered by the negotiating framework to intervene if progress fails.

Serbia: Since the start of negotiations in January [2014], a number of important reforms have been put in motion, but there are also issues of concern. Sustainable implementation is needed with regard to the rule of law, in particular an independent judiciary and freedom of expression and the media, as well as full implementation of agreements in the dialogue with Kosovo. (…) The government shares the view of the Commission that Serbia has made good progress in the past period. A good number of reform laws have been passed, a new coordinating body has been established to implement the anti-corruption strategy, steps have been taken to professionalise and depoliticise the civil service and progress has also been made in the fight against organised crime. The adoption of a package of media laws is an important step, but it now comes down to implementation. The Serbian government also deserves credit for enabling the peaceful and safe Pride Parade to go on in Belgrade this year. At the same time, there are concerns upon which the Commission rightly touches. The government cites in particular the question of freedom of expression. Increasing pressure on the media leads to (self-censorship, and political ties to the media are great; furthermore, professionalism is low and there is no tradition of investigative journalism. The frequent use of emergency procedures to implement laws undermines the role of Parliament in reviewing legislation and controlling the executive power, and limits public participation and wider social debate. In the normalisation of relations with Kosovo, Serbia could, according to the government, do more to implement the existing agreements.

Macedonia still shows a high degree of alignment with the EU *acquis*, but there are continuing concerns about decline in the areas of judicial independence and freedom of expression and the press. The name issue plays a major role in the unsustainable stalemate in the accession process, but should not be an excuse for stagnation or decline in reforms. In this particular case, a decision to open negotiations ought to generate new momentum for the EU reform process. (…) The government shares the serious concerns of the Commission on the situation in Macedonia. Developments regarding the independence of the judiciary, freedom of expression and the media, corruption, LGBT rights and rising political and ethnic tensions, show a negative trend. (…) The Commission's concerns about the potential impact on the stability of the country if the impasse persists are shared by the government.

[641] See Kamerbrief over kabinetsappreciatie EU-uitbreiding, 31 October 2014, 23 987 Nr. 146, available at: https://zoek.officielebekendmakingen.nl/kst-23987-146.html (last accessed on: 25 April 2015).

(…) The recommendation to open negotiations, and Dutch support for this, hangs by a thread. Macedonia now needs to address decisively the identified deficiencies.

Albania: Obtaining candidate member status in June [2014] was in recognition of progress made, but also an encouragement to boost further reforms. (…) The government supports the analysis of the Commission. Albania has made good progress in the past year, but there is still a long way to go. The Commission's concerns about the remaining challenges with regard to corruption and organised crime, as well as pluralism and independence of the media, are shared. Reform of public administration remains a key issue. The growing political polarisation is worrying, especially because of the inhibiting effect that this confrontational attitude has on the progress of and support for priority reforms, not least with regard to the judiciary and the fight against corruption. The government agrees with the Commission's conclusion that Albania still has very much work to do before the opening of negotiations.

Bosnia-Herzegovina: Stagnation in the EU integration process continues. It is essential to form a government as soon as possible, at all state levels, and that the leaders jointly pick up the socio-economic reform agenda, including the fight against corruption. (…) The Netherlands shares the negative view of the Commission. Bosnia is lagging behind compared to neighbouring countries. The government considers the call of the population as a warning to political leaders to break the dysfunctional political culture. It is important that they set the long-term interests of the country now truly before personal, partisan and ethnic-nationalist interests. (…) The government supports the new focus of the EU in response to citizen protests, which is on strengthening economic governance and the rule of law, especially in the fight against corruption. The increased cooperation with the international financial institutions is welcomed. The government supports the call by the Commission, after the results of the elections are known, to form a government as soon as possible, at all state levels. The political leadership owes it to the Bosnian citizens to provide the country with a clear direction. The government considers it important that the EU conduct further consultations on the policy towards Bosnia-Herzegovina after the formation of a new government.

Kosovo: Further progress in reforms. Initialling the Stabilisation and Association Agreement is a milestone in relations with the EU. Kosovo must now deliver on a number of key reforms, in particular regarding the rule of law, and focus on implementation. (…) Like the Commission, the Netherlands calls upon the political leaders and parties to act responsibly and as quickly as possible to address the challenges identified by the Commission, including the implementation of outstanding issues in the framework of the dialogue with Serbia. The government hopes for a swift signing of the SAA, which will be a useful tool for further direction and guidance in the reform legislation."[642]

20.7 SUPPORT ON THE GROUND

The Netherlands has embassies in Belgrade, Pristina, Skopje, Sarajevo, Tirana, and Zagreb. The embassy in Belgrade also covers Montenegro. Dutch engagement in the Balkan countries also takes the form of trade and development aid, which is channelled through the development organisation SNV (founded in 1965 under the MFA as the *Stichting Nederlandse Vrijwilligers*, the Foundation of Netherlands Volunteers, but no longer working with volunteers or under the government) and NGOs. All countries of Southeast Europe are recipients of Dutch official development aid (in particular through its Matra, *Maatschappelijke Transformatie* – or Societal Change – programme). The Matra programme in its current shape has been underway since the beginning of 2012 and is funded for four years (2012-2015), with an overall budget of roughly €60 million (including Turkey). A number of Dutch

[642] See Kamerbrief over kabinetsappreciatie EU-uitbreiding (2014), *op. cit*.

non-ODA and semi-ODA programmes are also open to the region. It was not possible to quantify Dutch assistance fully as it includes contributions to international organisations (EU, UN, international financial institutions, Organisation for Security and Cooperation in Europe, and Council of Europe) and Dutch national organisations.

Dutch aid can be seen as a facet of the Netherlands' 'strict and fair' policy on EU accession. The Matra programme, in particular, focuses on helping target countries to meet the Copenhagen criteria and adopt the *acquis* as preconditions for EU accession. This means that currently the formal general objective of the Matra is to contribute to the development of a plural democracy, grounded in the rule of law, with room for dialogue between government and civil society. This is being pursued through capacity building and institutional support interventions aimed at government, civil society and political parties, with particular attention paid to strengthening bilateral relations between the Netherlands and the target countries. These interventions are structured according to the following four programme components: (i) Matra Cooperation with Pre-accession Countries on the Rule of Law (CoPROL); (ii) training of civil servants (PATROL) and young diplomats from Matra countries; (iii) supporting and strengthening civil society initiatives (delegated projects through the Dutch Embassies); and (iv) the Matra Political Parties Programme (MPPP).

In view of the rule of law challenges faced by the target countries in the EU accession process, the overall relevance of the Matra programme is high. Given the 'strict and fair' policy on EU accession, having a dedicated programme geared towards strengthening the rule of law in recipient countries allows the Netherlands to be perceived not just as a critical or downright difficult EU member state, but also as a constructive one. In some projects Dutch support can even be seen as an advantage, as it gives additional credibility and weight to the intervention.

While the effectiveness of the Matra programme in the Western Balkans has been notoriously difficult to determine, and the added value of the Dutch interventions is different for each programme component, the relevance of the programme overall has been evaluated positively by the Dutch Ministry of Foreign Affairs and recipients alike.[643] The added value of Matra assistance lies primarily in the pioneering and *niche* functions of the programme, complementary to the bigger financial and technical aid packages made available by the EU under the Instrument for Pre-accession Assistance. What also tends to be much appreciated is the flexible and fast funding window which the Dutch programme offers to respond to relatively small emerging and/or innovative ideas for the strengthening of the reform agenda, accessible to a wide range of organisations. Of course, a certain element of self-interest is also present, with the potential for expanding the Netherlands' links with key governmental and judicial staff, as well as with political parties in the pre-accession countries; these key constituencies develop an understanding for the Netherlands' approach to EU accession conditionality.

20.8 CONCLUSIONS

Negative Dutch attitudes to further EU enlargement emerged mostly from the prospect of membership being given to Turkey, first raised more than a decade ago. As a result of the partial responsibility of the Netherlands for the 1995 Srebrenica massacre, the Dutch actually feel that they owe it to Europe as a whole to guide the Western Balkans into the EU. But not at any cost. Spurred by a rather homogeneous approach to pre-accession conditionality by parties across the Dutch political spectrum, successive coalition governments have taken an increasingly strict stance on further EU enlargement.

[643] See, e.g., IOB, *Regionaal en geïntegreerd beleid? Evaluatie van het Nederlandse beleid met betrekking tot de Westelijke Balkan 2004-2008*, IOB Evaluatie No. 359, October 2011.

The insistence on 'strict and fair' EU pre-accession conditionality exposes general ideological characteristics of the (Calvinist) Protestant Netherlands: diverging from the rules is bad politics, and good governance is not about rubber-stamping laws but enforcing them. At the same time, EU enlargement has proven to be good for Dutch business and exports, and good for Europe because it has given the Union more leverage in an increasingly complex and multipolar global context. This double-edged approach to EU enlargement reflects the self-perception of the Dutch as a nation of merchants and vicars.

Generally, the Netherlands believes that EU enlargement conditionality is probably the most effective instrument of foreign policy that the EU has in its toolkit for the stabilisation, economic transformation, and democratisation of the countries of the Western Balkans. The Dutch care in particular about the rule of law (independence of the judiciary, combating corruption, combating crime, and tackling illegal migration) and fundamental rights (for example, the protection of sexual minorities), as well as the promotion of a culture of tolerance. The increased focus on and frontloading of the rule of law in the European Commission's 'new approach' to EU enlargement have been welcomed by The Hague. The same goes for the Commission's insistence on tracking and recording real and tangible reform of aspirant countries before moving on to the next stages of the pre-accession process, in particular because the practice of 'benchmarking' gives the Netherlands a right to delay progress in accession negotiations if reforms are lagging behind schedule. The Hague has not hesitated to use this right of veto to insist, in particular, on the full cooperation of candidate countries with the International Criminal Tribunal for the former Yugoslavia, which it hosts. The Netherlands not only preaches, it also practises. The Hague has been quite consistent in offering a helping hand towards strengthening the rule of law in recipient countries. Given its policy on EU enlargement, having a dedicated programme geared towards societal change in the countries of the Western Balkans allows the Netherlands to be perceived not just as a critical or downright difficult EU member state but also as a constructive one. This gives the Dutch additional credibility in applying its 'strict *and* fair' policy.

Chapter

21

CONCLUSIONS

BY ROSA BALFOUR AND CORINA STRATULAT

21.1 Has EU enlargement been nationalised?

The central question of this project was whether the EU's enlargement towards the Balkans has been nationalised and if so, with what implications for political and policy choices in the EU, member states and the countries of the region aspiring to membership.

The research undertaken has offered ample evidence in support of the argument that in the past years, member states have become more hands on with the enlargement dossier. However, it has also shown that this development has been intricate. *Sensu stricto*, the EU's internal procedure for handling expansion has always foreseen in its bare bones (Article 49 TEU) a considerable influence by member states over most stages of the process. Therefore, the pre-eminently intergovernmental character of enlargement challenges the notion of the nationalisation of the policy and justifies EU capitals' interference with the process as a prerogative. The German, French, Austrian, Polish, and Romanian case studies, for example, have all revealed an affinity for this interpretation of recent dynamics in the field of EU enlargement.

Yet as explained in Chapter 3, since the Union's 'big bang' expansion, a more exacting application of the treaty-based procedure and the elaboration of a sophisticated pre-accession strategy have undoubtedly reactivated the state-centric nature of enlargement, confirming the member states as gatekeepers in the process and affecting the importance of relevant European institutions. More specifically, it has strengthened the role of the Council through the multiplication – beyond the basic requirements of Article 49 TEU – of the instances of unanimous decision-making (that is, veto opportunities for member states), which can block or at least delay progress in disregard to inter-institutional principles and/or the *avis* of the European Commission/Parliament.

As a result, the role of other EU political institutions on enlargement has been *de facto* undermined. This directly concerns the Brussels executive – which had been a key driver of enlargement policy – and in particular the Commission installed in 2014, which seems now to have yielded to the member states' assertiveness and 'enlargement fatigue' by shifting the focus from expansion to a deeper engagement with the Union's eastern neighbours. The conflation of accession negotiations and neighbourhood policy in the same Directorate General in the new Commission, as well as President Junker's announcement of a break in EU widening for the next five years of his mandate, disclose beyond any pragmatic reasons[644] a political choice that stands at odds with what is constitutionally expected of the Commission as guardian of the treaties, and as such in charge of fulfilling the tasks of the Union, including enlargement.

To be sure, attempts to strengthen control over the outcomes of decisions related to EU enlargement have also been visible at the level of member states. This has been evident, for example, in the case of Germany, the Constitutional Court of which has given the Bundestag (Parliament) greater powers over the government through the ratification of the Lisbon Treaty. Denmark, Sweden and the UK are further examples of countries in which strict parliamentary scrutiny of EU affairs plays an important role in the formulation of national positions.[645] In a similar vein, France has introduced the possibility of a referendum on enlargement unless the government can rely on a large majority in favour of expansion in the Assemblée Nationale. Additionally, other countries such as the Netherlands and Austria, have been considering new constitutional requirements for ratifying future accession treaties.

Some member states have exploited this situation to manifest specific national preoccupations in European platforms dealing with enlargement. In recent years, General Affairs Council (GAC) and European Council meetings deliberating on enlargement have more than once been stalled in the name of specific national concerns and/or due to the need for assuaging domestic public opinion. As this volume has shown, neighbouring EU countries all have a long list of national and/or bilateral issues with individual Balkan states, which can problematize or obstruct their accession process, while other EU capitals have also demonstrated that they can put a spanner in the works, even if it entails going against the opinion of the Commission. Hence, fYROM has not been able to open accession negotiations, despite receiving positive recommendations from the Brussels executive for six years in a row[646], and

644 Such as the need to respond to the crisis in Ukraine and the fact that realistically speaking, none of the Balkan aspirants are in a position where they will be ready to join the EU in the next five years.

645 See also Stratulat, Corina, Emmanouilidis, Janis, Fischer, Thomas, Piedrafita, Sonia (2014), "Legitimising EU Policymaking: What role for National Parliaments?", Discussion Paper for Session 1 of the Brussels Think Tank Dialogue (BTTD) 2014, jointly organised by Bertelsmann Stiftung, the European Policy Centre (EPC) and the Centre for European Policy Studies (CEPS), available at: http://www.epc.eu/pub_details.php?cat_id=17&pub_id=4101 (last accessed on: 22 June 2015).

646 It could be argued that Greece's position has been stably nationalised, in the sense that the shift towards nationalisation is not new. To be fair, Greece has not been alone in opposing fYROM's initialisation of accession talks.

the granting of candidate status to Serbia or Albania was delayed by additional conditions for progress on behalf of the member states. Occasionally, domestic considerations have even 'squeezed' EU fundamental freedoms and principles (notably, the free movement of people or the equality of EU citizens and states), as exemplified by the EU negotiating framework for Turkey.

These developments have become ever more salient against the backdrop of a subtle transfer of competence from foreign affairs ministers to the heads of state or government,[647] with consequences for the authority of the Ministry of Foreign Affairs (MFA), which handles bilateral relations with the Balkans, as well as national-EU coordination on enlargement policy. Many of the present chapters illustrate that while the official policies pursued by the MFAs remain unchanged, positions in other ministries, political parties, parliament or the executive are increasingly influencing the behaviour of governments.

How then should these trends be interpreted? Member states' positions on enlargement remain significantly constrained by the EU's constitutional framework, which governs the way in which the Union's expansion is decided and carried out, and specifies the role of EU capitals therein. Moreover, several of the case studies included in this volume did not reveal a desire (or indeed, ability) on behalf of the member states scrutinised to affect the policy nationally, beyond what is agreed upon at European level. For countries like Latvia, Poland, Hungary, and even France or Spain, there is no perceived vital interest at stake in the Balkans. For this reason, these countries tend to maintain a firm rhetorical commitment, but passive support for the Union's enlargement in the region. While Latvia and Bulgaria fear being branded as troublemakers by their European counterparts if they were to harden their stance on the dossier, Croatia has been altogether incapable of articulating and promoting a unified and persuasive policy on enlargement, although the risk of less cooperative European strategies has increased with the rise of conservative and nationalistic elements now shaping the political discourse in Zagreb.

Finally, Poland and to a certain extent Italy and Hungary, actually seem to favour a softer line towards Balkan aspirants and even back a strong and political European Commission. As a beneficiary of EU enlargement, Poland rejects the idea that there are perils associated with the entry of new member states and would prefer a shorter and less cumbersome accession process. Additionally, based on its own experience with European integration, Hungary is reluctant to press for the application of tougher conditionality (especially in the area of rule of law) on Balkan countries than that to which previous Central and Eastern European aspirant states had been subjected. Equal treatment, however, means that conditions that proved difficult for Hungary's accession (like the liberalisation of the labour market and the purchase of land) should not be watered down. Italy, on the other hand, welcomes enhanced political conditionality as the only viable

[647] Stefan Lehne (2015), *Are Prime Ministers taking over foreign policy?*, Carnegie Europe, Brussels: February.

approach to the region, but insists that the bar should be neither raised nor lowered in order to keep the enlargement process going.

Under the 'nationalisation' rubric, one can therefore include the following evident trends: nationalisation in terms of increased national safeguards and mechanisms to steer and control the conduct of enlargement; increased 'intergovernmentalisation' in the sense that the General Affairs Council and the European Council assume a more decisive role in decision-making on enlargement, often overruling or not taking into account the Commission's opinion; and the growing influence of domestic politics at key moments of the enlargement process and over outcomes in the dossier.

21.2 What are the breaks on the enlargement process?

According to this project's findings, the mosaic of domestic debates and considerations that inform member states' positions on Balkan enlargement and that can possibly give rise to obstacles for the region's European integration can be grouped into five main clusters.

First, the wave of hostility towards immigrants from new member states and asylum seekers has made politicians in countries like the UK, Denmark, Germany, and France increasingly cautious about future accessions. Concerns regarding welfare tourism and crime as a result of enlargement have inspired calls for limitations on the free movement of citizens from EU-hopeful countries. According to the UK case study, the link drawn between immigration and enlargement has become an either-or type of politically sensitive issue: either more expansion and new immigrants, or less EU widening and fewer arrivals from outside the European Union. This perception of a trade-off between enlargement and immigration is unlikely to fade away in the currently difficult economic context. Meanwhile, the hard political line and emotional public discourse regarding the subject can paint a negative picture within the Balkans about these member states' support for enlargement.

Second, the numerous disputes between existing member states and their Balkan neighbours keep the potential for interference and bilateral vetoing high. For example, Croatia has various unsettled issues with Serbia, Bosnia-Herzegovina and Montenegro; Bulgaria, Romania and Hungary are very protective of their ethnic minorities and related communities living in the region, while relations between Greece and Cyprus, on the one hand and fYROM, on the other, remain complicated. Many of these countries have already played the membership card in an attempt to address problems and/or obtain concessions from Balkan aspirants in exchange for their endorsement. Furthermore, similar approaches and/or blockages cannot be ruled out in future, as member states are now adamant about dealing with any potential troublesome points before accession, as they have learned that this is when the EU's leverage is most robust.

Third, the unresolved statehood of Kosovo has exposed existing differences between member states and offers yet another instance in which the enlargement process is tied to domestic politics. The position of the five EU non-recognisers of Kosovo's independence – that is, Spain, Slovakia, Greece, Cyprus, and Romania – is largely based on fears that Kosovo's breakaway could set a precedent for their own internal conflicts and/or secessionist movements. Conversely, the UK and Germany have emerged as key patrons of an independent Kosovo, pushing for its wider international recognition and closer integration with the European Union. In the clash between member states advocating for territorial integrity or the right to self-determination, both Serbia's and Kosovo's progress on the EU track has suffered setbacks. Belgrade and Pristina had to demonstrate commitment to the EU-facilitated dialogue before member states would allow them to advance in their membership bids. As argued in the Romanian chapter, given that the reasons for non-recognition have not disappeared (quite the opposite, in fact – for example, in the case of Spain, they have lately been reinforced), a change in member states' positions on Kosovo's independence is unlikely. Therefore, the normalisation talks between Serbia and Kosovo are the best bet for a negotiated solution on the matter; however, these talks may yet become a long and drawn out affair.

Fourth, anxieties related to good governance practices in the Balkans have been brought to the fore by the EU's experience with previous enlargement rounds and in particular by the realisation that Bulgaria and Romania's entry in 2007 had not been preceded by adequate preparation. Most member states, but especially Germany, the Netherlands, France, and Austria now pay special attention to reforms in the area of the rule of law (related to the independence of the judiciary and the fight against corruption and organised crime), and have become more assertive, including in the pre-accession phase, which had traditionally been led by the Brussels executive (as seen in the cases of Montenegro, Albania or Serbia). These member states have also endorsed frontloading of the rule of law in the Commission's 'new approach' to enlargement and would likely welcome an even tougher line on conditionality. Persistent political snags throughout the region – flaring up more recently in fYROM – suggest that this strong focus on democratic conditionality will not be relaxed in the future.

Fifth and finally, the on-going crisis and the rise in popularity in many member states of political parties with an overall populist, Eurosceptic and anti-immigration discourse are further factors that hold up the enlargement process. Several case studies like Germany, France, Italy, Greece and Denmark have highlighted the fact that the financial and sovereign debt crisis, and the ensuing problems within the European Union, have strained resources for engagement in the Balkans and have diverted political attention away from expansion and towards internal consolidation. If anything, enlargement has become more easily politicised in the national arenas of member states in the current context, where the scaremongering of populist or extremist parties in countries such as France, Denmark and the UK regarding the potential negative consequences of further EU widening have caught on not only among voters, but also within the political mainstream. Conversely, in

countries that have been largely shielded from the adverse effects of the crisis – like Poland and Sweden – such developments have not yet taken root and pro-enlargement attitudes have endured.

In more general terms, the chapters of this volume indicate that debates about the EU and enlargement tend to run parallel to one another. The Greek study, for example, argues that the level of trust in EU institutions and the European integration process has significantly declined in recent years, something that has gone hand in hand with growing scepticism towards enlargement. While this trend has mostly been fuelled by Athens' misgivings about the way in which its EU partners have handled the Greek economic crisis, where it more specifically concerns the European Commission, Greece has ceased to view the role of the Brussels executive on enlargement favourably due to the Commission's repeated efforts to promote fYROM's accession process despite a lack of progress in bilateral relations between Skopje and Athens.

By the same token, Germany and France, for instance, also hold little faith in the Commission's reports about the Balkans, which they assess as too technical and positive, and thus prefer to rely on their own evaluations about the region, which can often frustrate progress on the dossier. Additionally, discussions about a potential UK exit from the EU have tempered Britain's interest in enlargement and has negatively affected its influence and standing in the Balkans. The odd one out is perhaps Hungary, where despite repeated conflicts between the government in Budapest and the executive in Brussels, the country has remained a fervent advocate for enlargement. However, the lack of national consensus over crucial EU issues in Hungary (like the rule of law or the euro) affect the country's standing in the EU and thus also its leverage over enlargement, despite Budapest's sustained commitment to the dossier.

21.3 What are the drivers of enlargement towards the Balkans?

Yet for all the 'if's and 'but's that seem to now infuse member states' vocabulary concerning enlargement, the promise made to the Balkans in Thessaloniki in 2003 is unlikely to be broken. All contributions to this volume referred to the sources of continued support for the European perspective of the region within the EU capitals.

Across the board, enlargement is still perceived as the best way to overcome the legacy of ethnic, social, political, and religious conflict in the Balkans, and to anchor long-term stability and peace on the EU's doorstep. It is also seen as a test for the Union's credibility and international projection, as well as a functional means for building up national foreign policy capacity and Europeanising the CFSP (especially in Poland and Latvia). Moreover, Russia's recent search for influence in the region and fears of other Trojan horses threatening Moscow's role have provided fresh incentives for pushing towards enlargement. The possibility that the Balkan countries might be distracted from their EU path and change into a field of

geopolitical competition in the standoff between the West and Russia has been on the minds of countries like Germany, Sweden, Latvia, Bulgaria, Romania, and Croatia. Serbia's refusal to join EU sanctions against Russia, for example, has raised many eyebrows in some of these countries' capitals. From this perspective, recasting enlargement and helping Balkan countries make a solid choice for Europe has begun to emerge as an imperative.

Equally important, the model of transformation through European integration is still considered the best strategy for democratic consolidation and economic development in the Balkans. This is one of the main reasons invoked by Germany, for example, to argue in favour of EU enlargement towards the region, but it is also a chief consideration for some of the new member states like Latvia, Hungary, Bulgaria, and Romania when considering supporting the aspirant countries: due to the conviction pertaining to the benefits of membership they have themselves experienced, but also out of a desire to extend the help they have received from others during their own accession process.

However, it is interesting to note that member states' views on enlargement can diverge in relation to their attitudes towards the deepening of the EU. Countries like France and Germany fret about new entrants diluting political integration and reducing the EU to little more than a free trade zone. Poland believes that the sooner the Balkan states join the Union, the sooner the EU can extend the European membership perspective to Eastern Europe and South Caucasus, which fall within Warsaw's main foreign policy interests. On the other hand, the UK and Denmark back enlargement on the assumption that it will not lead to the further transfer of political competences to the EU level. However, unlike the UK, Denmark is also against a potential enlargement-induced 'two-speed' Europe, which could see it – as a small and member state that depends both economically and politically compared to the rest of the EU – drifting into a future 'periphery'. Hence, the notion of the EU's 'absorption capacity' also informs Danish thinking on enlargement.

The bearing of public opinion on national positions concerning enlargement is not clear. In a sense, the fall in public support for expansion witnessed across the EU (see Appendix 2.5) during the past years appears to have persuaded governments in countries with largely enlargement-sceptical populations – like Germany, France and Austria – to place a strong emphasis on conditionality and the rigorous evaluation of the Balkan states' preparedness to advance on the EU track as a means for assuaging their electorates' concerns. While in France, public hostility towards further enlargement is increasingly mirrored at the party political level, not only by the far-right Front National but also by more ideologically centrist parties, Austria and even Denmark, for example, reveal strong discrepancies between their publics' critical views and their own positive official positions on the subject. In Denmark, where the Danish People's Party is presently the only party vocal against enlargement, the pro-enlargement attitude of other political actors could be changed if tested. However, for the time being, any new accession seems too far off to warrant adjustments. Finally, in member

states such as Bulgaria, Hungary and Latvia, there is widespread political and public consensus in favour of the Balkans' integration, which nevertheless does not translate into agency. If there is one constant to all of these different cases, it is the absence of a proper discussion about the pros and cons of the Balkans' EU entry and very limited media attention on the topic. The lack of proper public communication and information about enlargement in member states does little to dispel popular myths about the Balkans, or to legitimise the decisions of national political elites on enlargement.

There seems to be an overwhelming consensus within the EU on the priority status of Serbia, because of its importance for the stability of the entire region, whereas cases like Bosnia-Herzegovina and fYROM enjoy comparatively less consideration. Likewise, when it comes to member states, Germany is broadly seen as the most influential on the dossier, while the roles of France, the UK, Italy, and Spain – previously regarded as key players – are perceived to have diminished over the past years and to presently be aligned with, or at least accommodate, that of Berlin.

Indeed, except in Germany, enlargement does not truly appear to be on the radar of member states. In this sense, the patterns of nationalisation of enlargement identified in this volume have hardly translated into a different type of leadership. The problem with the potential 'Germanisation' of EU enlargement is that Berlin has thus far largely practiced selective attention to enlargement issues/cases, choosing to focus on those where significant change can be achieved, for example, the Serbia-Kosovo dialogue. However, this might change, given the recent joint UK-German initiative on Bosnia, as well as the high-level conference on the Balkans that began in Berlin in 2014 and which promises to develop into an annual event (to be held in Vienna in August 2015) that involves several member states (such as Austria, Slovenia and France) and representatives from the Balkan region. For now, however, these initiatives – if not merely reactive (for example, to the deteriorating situation in Bosnia-Herzegovina and fYROM) – are yet to prove that they can act as game changers in the quest for solutions to the outstanding challenges in the Balkans.

21.4 Consequences of the nationalisation of enlargement and policy recommendations

The state of play in enlargement can be interpreted as the result of a more or less inevitable process of policy adaptation to ever-changing realities. Institutional, political and economic pressures inside member states and inside a larger Union, as well as daunting regional and country-specific issues in the Balkans, have compelled an upgrade in the tools, methods and approaches for carrying out enlargement. This also means that the need for adjusting to a new set of circumstances and of EU-hopeful countries has altered – for better or for worse – the terms of reference for the dossier.

As indicated by all member states scrutinised here (save for Hungary and Poland), the enlargement process is now defined by the logic of 'strict but

fair'. No corners will be cut in the case of Balkan countries, which can advance towards the European Union provided that they fulfil the membership conditions. The slogan "first the red lines, then the red carpet" presented in the Dutch chapter (page 211) has become the new normal in the attitude of EU capitals *vis-à-vis* potential new entrants. To ensure rigorous application of membership conditions, countries like Germany and France champion the compartmentalisation of the accession process into small steps, each clearly benchmarked and call for a case-by-case assessment of the progress that the Balkan countries make.

Speaking of conditionality, this now includes not only difficult areas of reform, but also demands on the aspirants for solid commitment to transformation from early on in the process. The notion of 'political frontloading' is especially pertinent in this regard, as it requires Balkan countries to gain a head start on rule of law issues, develop a solid track record in the implementation of results and adopt inclusive democratic processes (accommodating parliaments, civil society and other relevant stakeholders) in order to support their national European integration effort. This approach has already been formally integrated into the EU's negotiations with Montenegro and Serbia, but is also reflected in the priorities set during the past years for Montenegro and Albania, as well as in the EU's high-level dialogues on accession with fYROM and Bosnia-Herzegovina.

The Balkans are held to high standards as part of a strategy that is seen as a win-win situation: an exacting conditionality can help to turn aspirant countries of the region into virtuous member states, but can also ensure that enlargement does not backfire internally in the same way that the 2007 expansion to Bulgaria and Romania did. Moreover, greater involvement of elected EU governments and parliaments in the process at a time when the seemingly distant and technocratic European institutions are under intense fire for their performance is expected to boost the legitimacy of enlargement.

Last but not least, member states' decisive intervention is potentially recognised as part of the solution to the region's problems – a perception that has been reinforced over time by the role that the member states played in persuading, for example, Serbia to take the normalisation of relations with Kosovo seriously, or convincing Albania to prepare better and sooner for candidacy.

Yet in order to live up to its potential, member states' involvement in the process should result in sustainable solutions – not quick fixes for the sake of stability – to enduring challenges that affect the people in the EU-hopeful countries of the region. The long-term implications of decisions should always be kept in mind.

Beware of the long-term implications of decisions

Alternatively, a carefully-managed process can easily fall hostage to specific disputes (like Belgrade-Pristina or Greece-fYROM) and to considerations that have more to do with domestic politics in the member states (such as secessionist movements, immigration or Euroscepticism) rather than with

the situation on the ground in the Balkans. This can drag out the process and thus can create the impression that conditionality is being used as an excuse to keep Balkan aspirants out. A protracted enlargement, together with a list of requirements that seems to constantly be getting longer as additional conditions are introduced through back door processes by member states insisting on specific demands, can make accession an elusive target and can dampen the commitment of Balkan countries to EU integration-related reform agenda.

For this reason, member states should pick their 'battles' carefully in order to preserve their leverage within the enlargement process. As the Greek case study suggests, the diplomatic capital already spent by Athens on the name dispute with fYROM means that Greece will now have to strike a delicate balance when it comes to Albania, while at the same time attempting to resolve its own problems with Tirana (such as the rights of Greek minorities in Albania or the delineation of the exclusive economic zones of the two countries), without being perceived as standing in the way of yet another country's EU accession.

Equally important, the EU's tough line on conditionality should be balanced with strong incentives (economic and political) that keep the benefits and perspective of accession tangible. The EU should make an effort to reignite the spark in its long-standing relationship with the Balkans by actually committing more in every sense – financial assistance, investments and training – to help the region improve its already difficult socio-economic outlook and to help it catch up with the West. The Austrian, Hungarian and Bulgarian case studies, for instance, have all shown the importance of strong economic ties with the region as it concerns these member states' continued support to enlargement.

No 'stick' without 'carrot'

While spending money might be frowned upon these days in the EU and within its member states, without sizeable investments, the region is sure to lose all remaining hope of connecting to the European dream of prosperity and instead become stuck in a very harsh reality. Business, trade and other economic links between EU capitals and Balkan countries should therefore be fostered, as this will be positive for both enlargement and the development of the region. Additionally, areas of cooperation should span all aspects of life, beyond the economy, including education, transport and infrastructure, energy security and efficiency, environmental protection and others. In this sense, the example offered by the Netherlands should be followed more widely: The Hague complements its tough line on political conditionality with a helping hand towards strengthening the rule of law in Balkan countries. This renders the Dutch 'big asks' more 'digestible' in the region and the country's strict approach towards the Balkans more credible.

In addition, the fact that the plethora of positions of political parties, government executives, MFAs and EU institutions that come to bear on the process time and again are not always aligned with each other can send incoherent and confusing messages to the region. While it is legitimate for democracies to debate positions, such as on Balkans-related matters,

Address the cacophony of voices on enlargement

independently expressed standpoints can create a sense of arbitrariness in the region regarding membership conditionality and EU capitals' commitment to enlargement. It is evident therefore that there is a need for greater internal cohesion, not only between the Union and member states, but also among the different actors involved in the formulation of enlargement policy within member states, so that they can speak with one, coherent voice.

This means that EU institutions like the European Commission and the European Parliament should communicate better and work more closely with member states in the process of assessing progress and devising strategies for assisting and responding to the Balkan countries.

In a similar vein, governments, parliaments, ministries and other specific interests within individual member states should coordinate better in order to strengthen their national position on the dossier and then rally support for it among counterparts across the EU.

Define a post-crisis enlargement narrative

The shortage of big ideas coming from member states at present does not make it easy to spell out a common and positive narrative for enlargement. With the exception of Germany, enlargement appears to breed indifference, except when and if specific interests come to the fore. Selective acts of assertiveness aside, the national analyses show little scope for member states injecting new leadership or energy into the process. Yet at a time of economic and political difficulties in the EU and within its member states, developing a realistic post-crisis and positive message for Balkan aspirants is paramount in order to preserve the traction and attraction of integration, and to dismiss the appeal of external actors promoting alternatives to the region's engagement with the EU and the accession process.[648]

Reengage on the basis of shared values and interests

The European Commission is perhaps best placed for taking the initiative to launch broad based consultation with member states and other relevant stakeholders in order to revamp the enlargement narrative. The draft could be incorporated in the Commission's annual enlargement strategy and potentially identify a new and convincing *raison d'être* for the policy, spelling out meaningful ways of reengagement with the Balkans on the basis of shared values and interests.

Rebuild trust

For now, the knock-on effect of the nationalisation of enlargement on EU institutions is not negligible. Most notably, the Commission is negatively affected, both in terms of credibility and leverage. The standing of the Brussels executive is undermined in the Balkans whenever the enlargement process diverges in functional terms from pre-defined procedures, but also in member states because of the Commission's reporting system, which is increasingly viewed as too technocratic or too politicised and overall

[648] See also Stratulat, Corina (ed.) (2014), "EU integration and party politics in the Balkans", *EPC Issue Paper*, Brussels: European Policy Centre, especially Chapter 2 by Konitzer, Andrew, "Croatia's party system – From Tuđmanism to EU membership", pp. 13-31.

inefficient. Therefore, the Brussels executive should push hard to rebuild trust with member states and with the countries of the region.

To this end, the Commission should develop more intense bilateral contacts with member states, such as by organising meetings with MFAs and national parliaments to discuss enlargement and should coordinate better with other EU-level actors (like EEAS, Council, EP, EESC, CoR, and RCC), as well as with civil society. This will allow the Commission to build bridges between Brussels and EU capitals on the topic of enlargement, as well as to expand the pool of data informing its country reports for a more reliable assessment in the eyes of the EU capitals.

Boost political cooperation & coordination

At the same time, the Commission should find ways to present its reports in a manner that is measurable and thus more clearly comparable across time and countries. Concrete yardsticks for progress should be identified in the reports and monitored annually. The benchmarking system has already been tested and proven in the new approach to conditionality, which also gives good reasons for adopting it in the progress reporting exercise. This could motivate individual countries and stimulate constructive competition among Balkan aspirants.

Revise the Progress Reports method

Moreover, the European Parliament – and more specifically, European party families with which political parties in the Balkans are affiliated – should increase their involvement with their sister parties in the region to help them develop politically, including by rising above ideological lines to denounce party conduct whenever it strays from European democratic values and norms.

More (tough) love from EU 'sister' parties

The European Parliament should furthermore encourage better cooperation with and among national parliaments inside the EU as a means for nurturing their Europeanisation. Best practices should be shared by active parliaments – such as in Sweden, Denmark and Germany – in order to boost participation and thus also the expertise and constructive input of assemblies in other member states regarding EU affairs. This can also become part of a process whereby political awareness about the implications of enlargement is raised through debate and exchanges in the domestic political and public arenas of the member states.

Better parliamentary cooperation

As for the Balkans, the EU-hopeful countries in the region need to make peace with the fact that enlargement has changed and is now more complex, more rigorous and more unpredictable than before. Balkan aspirants have their work cut out in seeking to join the 'club' and it is safe to assume that their accession will take time. Thus, instead of fixating on the end result, the countries of the region should focus on the economic and political transformation required of them, whilst trying to remain at the top of the 'class'.

Traveling is more important than arriving

In parallel, Balkan countries should acknowledge the concerns that individual member states bring forward that hinder their progress and should address these preoccupations on the part of key member states

bilaterally. Concurrently, Balkan aspirants should endeavour to cultivate friendships with different EU capitals. Direct and repeated interactions with member states is not only a practical approach for ironing out problems, but it is also important for when the accession treaties will be negotiated and can amount to an investment in relations/alliances, which can assist Balkan countries to make the most of their EU membership once inside the 'club'.

Solve problems bilaterally & forge friendships

Ultimately, the dynamics between the EU and the Balkans at present serve as a prime example of politics getting in the way of progress. Even if the accession track remains opened to the countries of the region and despite the avowed commitment of Balkan politicians to European integration, those in power and responsible for delivering success on both sides still need to renounce symbolic politics and show real engagement with the process.

Leaders should make more of an effort

The current labours of enlargement for reaping success is mutually harmful for the long-term interests of both sides; however, above all, it is driving a wedge between people and leaders, and weakening public trust in politicians and support for the European integration project. Disappointment concerning politics in the member states and the Balkan countries – and the perceived incapacity of people to exert change – can lead to disappointment with democracy and can make way for mobilisation along radical and destabilising lines. In this sense, a meaningful reengagement between EU and Balkan capitals is an integral part of the strategy to successfully brave our uncertain and complex world.

EU-Balkans unity is strength

Appendix 1

Timeline of the EU integration process in the Western Balkan candidates

Source: http://ec.europa.eu/enlargement/countries/check-current-status/index_en.htm (last accessed on: 5 June 2015).

Albania

Date	Step
1 June 2004	The European Council adopts a European Partnership with Albania.
1 May 2006	The EU-Albania Readmission Agreement enters into force.
12 June 2006	The Stabilisation and Association Agreement and the Interim Agreement are signed.
1 December 2006	The Interim Agreement enters into force.
1 January 2008	The Visa Facilitation Agreement enters into force.
1 April 2009	The Stabilisation and Association Agreement enters into force.
24 April 2009	Albania submits its application for EU membership.
9 November 2010	The European Commission delivers its Opinion on Albania's EU membership application.
15 December 2010	A visa-free regime for the EU Schengen area is introduced.
1 February 2011	An Action Plan addressing the 12 key priorities identified in the European Commission's Opinion is adopted by Albania.
10 October 2012	The European Commission recommends Albania to be granted the EU candidate status, subject to completion of key measures in certain areas.
12 November 2013	The EU and Albania hold the first meeting of the High Level Dialogue on Key Priorities.
27 June 2014	The EU candidate status for Albania is granted by the European Council.

Bosnia and Herzegovina (BiH)

Date	Step
25 November 2005	The negotiations for the Stabilisation and Association Agreement officially start.
18 September 2007	The Visa Facilitation and Readmission Agreements are signed.
4 December 2007	The EU initials the Stabilisation and Association Agreement.
1 January 2008	The Visa Facilitation and Readmission Agreements enter into force.
18 February 2008	The European Council adopts a new European Partnership with BiH.
16 June 2008	The Stabilisation and Association Agreement and the Interim Agreement on Trade and Trade-related Issues are signed.
1 July 2008	The Interim Agreement on Trade and Trade-related Issues enters into force.
12 December 2010	A visa-free regime for the EU Schengen area is introduced.
27 June 2012	The EU and BiH launch the High Level Dialogue on the Accession Process.
1 June 2015	The Stabilisation and Association Agreement enters into force.

fYROM

Date	Step
9 April 2001	The Stabilisation and Association Agreement is signed.
1 June 2001	The Agreement on Trade and Trade-related Issues enters into force
22 March 2004	FYROM submits its application for EU membership.
1 April 2004	The Stabilisation and Association Agreement enters into force.
14 February 2005	The country replies to the EU Questionnaire.
9 November 2005	The European Commission gives its favourable Opinion on the application of FYROM for EU membership.
16 December 2005	The European Council grants the candidate status.
30 January 2006	The European Council adopts the European Partnership.
1 January 2008	The Visa Facilitation and the Readmission Agreements enter into force.
18 February 2008	The European Council adopts the Accession Partnership for FYROM.
1 October 2009	The European Commission recommends the opening of accession negotiations with FYROM.
19 December 2009	A visa-free regime for the EU Schengen area is introduced.
29 March 2012	The European Commission launches a High Level Accession Dialogue with FYROM.

Kosovo

Date	Step
1 November 2000	The Stabilisation and Association Process is launched.
1 April 2005	The European Commission adopts its Communication on 'A European Future for Kosovo'.
4 February 2008	The European Council adopts a Joint Action establishing the EU Rule of Law Mission in Kosovo (EULEX).
18 February 2008	The European Council acknowledges Kosovo's declaration of independence, underlying EU's conviction that Kosovo is a *sui generis* case.
9 December 2008	EULEX becomes operational.
14 October 2009	The European Commission issues its Communication on 'Kosovo-Fulfilling its European Perspective'.
19 January 2012	The European Commission launches a Visa Liberalisation Dialogue with Kosovo.
30 May 2012	The European Commission launches a Structured Dialogue on the Rule of Law with Kosovo.
14 June 2012	The European Commission issues Kosovo's Visa Liberalisation Roadmap.
10 October 2012	The European Commission issues its Feasibility Study for a Stabilisation and Association Agreement between the EU and Kosovo.
19 October 2012	The EU-facilitated High-Level Dialogue between Kosovo and Serbia begins.
19 April 2013	The EU-brokered Brussels Agreement on the normalisation of relations between Kosovo and Serbia is signed.
25 July 2014	The EU and Kosovo chief negotiators initial the Stabilisation and Association Agreement.

Montenegro

Date	Step
22 January 2007	The European Council adopts the European Partnership for Montenegro.
15 October 2007	The Stabilisation and Association Agreement is signed.
1 January 2008	The Agreements on Trade and Trade-related Issues, Visa Facilitation and Readmission enter into force.
15 December 2008	Montenegro applies for EU membership.
19 December 2009	A visa-free regime for the EU Schengen area is introduced.
1 May 2010	The Stabilisation and Association Agreement enters into force.
17 December 2010	The European Council confirms Montenegro as an EU candidate country.
9 December 2011	The European Council launches the accession process with Montenegro.
26 June 2012	The European Council endorses the European Commission's assessment that Montenegro complies with the membership criteria.
29 June 2012	Accession negotiations with Montenegro officially start.
18 December 2012	Accession Conference and provisional closing of Chapter 25 (Science and research).
18 December 2013	Opening of the 'rule of law chapters': Chapter 23 (Judiciary and fundamental rights) and Chapter 24 (Justice, freedom and security).
31 March 2014	Negotiations are opened on Chapters 7 (Intellectual property rights) and 10 (Information society and media).
24 June 2014	Negotiations are opened on Chapters 4 (Free movement of capitals), 31 (Foreign, security and defence policy) and 32 (Financial control).
16 December 2014	Negotiations are opened on Chapters 18 (Statistics), 28 (Consumer and health protection), 29 (Customs Union) and 33 (Financial and budgetary provisions).
30 March 2015	Negotiations are opened on Chapters 16 (Taxation) and 30 (External relations).

Serbia

Date	Step
1 October 2005	Negotiations for the Stabilisation and Association Agreement are launched.
13 June 2007	Following a year-long suspension, negotiations resume after Serbia commits to cooperating fully with the International Criminal Tribunal for the former Yugoslavia (ICTY).
7 November 2007	The Stabilisation and Association Agreement is initialled.
1 January 2008	The Visa Facilitation and Readmission Agreements enter into force.
18 February 2008	The European Council adopts a revised European Partnership for Serbia.
29 April 2008	The Stabilisation and Association Agreement and the Interim Agreement on Trade and Trade-related Issues are signed.
19 December 2009	A visa-free regime for the EU Schengen area is introduced.
22 December 2009	Serbia applies for EU membership.
31 January 2011	Serbia replies to the EU Questionnaire.
14 October 2011	European Commission delivers its Opinion on Serbia's EU membership application, granting candidate status based on the key priority of improving relations with Kosovo.
19 April 2013	The EU-brokered Brussels Agreement on the normalisation of relations between Serbia and Kosovo is signed.
28 June 2013	European Council endorsed the European Commission's recommendation to open negotiations with Serbia.
1 September 2013	The Stabilisation and Association Agreement enters into force.
17 December 2013	The European Council adopts the negotiating framework with Serbia.
21 January 2014	The 1st EU-Serbia Intergovernmental Conference is held.

Appendix 2

Selected statistics and key information on EU-Balkans relations

1. Trade exchanges between Balkan candidates and the European Union in the 2001-2013 period

Albania

Year	2001	2009	2010	2011	2012	2013
Value of imports: all partners (million euro)	1,486	3,261	3,472	3,876	3,798	3,675
Value of exports: all partners (million euro)	340	780	1,169	1,400	1,532	1,756
Trade balance: all partners (million euro)	-1,145	-2,481	-2,303	-2,477	-2,266	-1,919
Share of exports to EU-28 countries in value of total exports (%)	91.3	84.8	70.2	72.9	75.6	76.7
Share of imports from EU-28 countries in value of total imports (%)	81.6	65.9	66.5	65.3	63.2	64.2

Source: European Commission (2014), *Statistical Annex*, *Albania Progress Report*, Brussels:European Commission, October 2014, p. 65 (available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-albania-progress-report_en.pdf, last accessed on: 9 June 2015).

Bosnia and Herzegovina

Year	2001	2009	2010	2011	2012	2013
Value of imports: all partners (million euro)	/	5,996	6,957	7,939	7,798	7,752
Value of exports: all partners (million euro)	/	2,835	3,623	4,203	4,018	4,282
Trade balance: all partners (million euro)	/	-3,162	-3,334	-3,736	-3,781	-3,469
Share of exports to EU-28 countries in value of total exports (%)	/	71.0	69.5	70.3	72.7	73.5
Share of imports from EU-28 countries in value of total imports (%)	/	64.1	61.0	59.7	61.4	60.0

Source: European Commission (2014), *Statistical Annex*, *Bosnia and Herzegovina Progress Report*, Brussels:European Commission, October 2014, p. 61 (available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-bosnia-and-herzegovina-progress-report_en.pdf, last accessed on: 9 June 2015).

The former Yugoslav Republic of Macedonia (fYROM)

Year	2001	2009	2010	2011	2012	2013
Value of imports: all partners (million euro)	1,884	3,616	4,130	5,034	5,068	4,969
Value of exports: all partners (million euro)	1,290	1,930	2,528	3,201	3,115	3,213
Trade balance: all partners (million euro)	-595	-1,686	-1,601	-1,833	-1,953	-1,757
Share of exports to EU-28 countries in value of total exports (%)	58.4	61.9	65.5	63.7	65.2	72.6
Share of imports from EU-28 countries in value of total imports (%)	62.2	54.5	55.3	56.2	60.2	62.6

Source: European Commission (2014), *Statistical Annex*, *The former Yugoslav Republic of Macedonia (fYROM) Progress Report*, Brussels:European Commission, October 2014, p. 63 (available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-the-former-yugoslav-republic-of-macedonia-progress-report_en.pdf, last accessed on: 9 June 2015).

Kosovo*

Year	2001	2009	2010	2011	2012	2013
Value of imports: all partners (million euro)	/	1,934	2,158	2,437	2,462	2,422
Value of exports: all partners (million euro)	/	165	296	306	267	273
Trade balance: all partners (million euro)	/	-1,768	-1,862	-2,131	-2,195	-2,149
Share of exports to EU-28 countries in value of total exports (%)	/	44.4	45.5	45.5	41.1	43.5
Share of imports from EU-28 countries in value of total imports (%)	/	42.0	41.0	41.5	42.6	44.8

Source: European Commission (2014), *Statistical Annex*, *The Kosovo* Progress Report*, Brussels:European Commission, October 2014, p. 67 (available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-kosovo-progress-report_en.pdf, last accessed on: 9 June 2015).

Montenegro

Year	2001	2009	2010	2011	2012	2013
Value of imports: all partners (million euro)	/	1,658	1,646	1,828	1,818	1,769
Value of exports: all partners (million euro)	/	278	329	451	365	372
Trade balance: all partners (million euro)	/	-1,381	-1,317	-1,377	-1,454	-1,396
Share of exports to EU-28 countries in value of total exports (%)	/	51.6	57.2	59.9	51.2	41.0
Share of imports from EU-28 countries in value of total imports (%)	/	42.4	42.6	40.6	44.5	44.1

Source: European Commission (2014), *Statistical Annex*, *The Montenegro Progress Report*, Brussels:European Commission, October 2014, p. 69 (available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-montenegro-progress-report_en.pdf, last accessed on: 9 June 2015).

Serbia

Year	2001	2009	2010	2011	2012	2013
Value of imports: all partners (million euro)	/	11,505	12,623	14,269	14,799	15,474
Value of exports: all partners (million euro)	/	5,983	7,388	8,462	8,836	11,001
Trade balance: all partners (million euro)	/	-5,522	-5,235	-5,806	-5,962	-4,473
Share of exports to EU-28 countries in value of total exports (%)	/	57.0	60.5	61.6	61.6	62.7
Share of imports from EU-28 countries in value of total imports (%)	/	59.4	58.6	58.0	61.0	61.9

Source: European Commission (2014), *Statistical Annex*, *The Serbia Progress Report*, Brussels:European Commission, October 2014, p. 67 (available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20140108-serbia-progress-report_en.pdf, last accessed on: 9 June 2015).

2. Instrument for Pre-accession Assistance (IPA) in Balkan candidates

2.1. Past allocation of IPA funds (in million euro) per Balkan candidate for the 2007-2013 period

Candidate	2007	2008	2009	2010	2011	2012	2013
Albania	61.0	70.7	81.2	94.1	94.4	94.5	95.3
Bosnia and Herzegovina	62.1	74.8	89.1	105.3	107.4	107.8	63.6
fYROM	58.5	70.2	81.8	91.6	98.0	101.8	113.2
Kosovo*	68.3	184.7	106.1	67.3	68.7	68.8	71.4
Montenegro	31.4	32.6	34.5	33.5	34.1	35.0	34.5
Serbia	189.7	190.9	194.8	197.9	201.8	202.0	208.3
Multi-Beneficiary Programme (also including non-Balkan candidates)	129.5	137.7	188.8	141.7	186.2	176.2	177.2

Source: European Commission (2015), Key figures, Overview - Instrument for Pre-accession Assistance, Brussels:European Commission (available at: http://ec.europa.eu/enlargement/instruments/overview/index_en.htm, last accessed on: 10 June 2015).

2.2. Planned allocation of IPA funds (in million euro) per Balkan candidate for the 2012-2020 period[649]

Albania

Sector	2014-2017	2018-2020	Total (2014-2020)
Democracy and governance	157.2	66.3	223.5
Rule of law and fundamental rights	69.0	28.0	97.0
Environment and climate action	34.0	34.0	68.0
Transport	18.0	38.0	56.0
Competitiveness and innovation	16.0	28.0	44.0
Education, employment and social policies	19.0	50.0	69.0
Agriculture and rural development	40.0	52.0	92.0
Total	**649.4**		

Source: European Commission (2015), Albania - Financial assistance under IPA II, Brussels: European Commission (available at: http://ec.europa.eu/enlargement/instruments/funding-by-country/albania/index_en.htm, last accessed on: 10 June 2015).

Bosnia and Herzegovina

Sector	2014	2015	2016	2017	Total (2014-2017)
a. Reforms in preparation for Union membership	11	17	18	18	64
Democracy and governance	31				
Rule of law and fundamental rights	33				
b. Socio-economic and regional development[650]	24.7	11.7	13.7	13.7	63.8
Competitiveness and innovation: local development strategies	63.8				
c. Employment, social policies, education, research and innovation, promotion of gender equality, and human resources development[651]	4	11	11	11	38
Education, employment and social policies	38				
Total	**165.8**				

Source: European Commission (2015), Bosnia and Herzegovina - Financial assistance under IPA II, Brussels: European Commission (available at: http://ec.europa.eu/enlargement/instruments/funding-by-country/bosnia-herzegovina/index_en.htm, last accessed on: 10 June 2015).

649 The figures included in the tables are indicative and the actual annual allocations might be subject to changes of the total and/or sector amounts. These figures do not include cross-border cooperation (CBC) allocations.

650 For 2014, subject to needs assessments, indicatively 15 million euro were dedicated to flood recovery and reconstruction.

651 In addition, 18 million euro for both 2015 and 2016, and 12 million euro for 2017, are indicatively allocated to the Regional Housing Programme, which is implemented within the framework of the IPA Multi-Country Programme.

fYROM

Sector	2014	2015	2016	2017	2018-2020	Total 2014-2020
a. Reforms in preparation for Union membership	39.7	17.9	35.6	26.9	85.8	205.9
Democracy and governance	66.1				56.8	122.9
Rule of law and fundamental rights	54.0				29.0	83.0
b. Socio-economic and regional development[652]	41.0	38.7	38.0	46.0	135.1	298.8
Environment and climate action	61.3				51.6	112.9
Transport	56.4				56.5	112.9
Competitiveness and innovation	46.0				27.0	73.0
c. Employment, social policies, education, research and innovation, promotion of gender equality, and human resources development	0.0	14.0	13.0	0.0	26.2	53.2
Education, employment and social policies	27.0				26.2	53.2
d. Agriculture and rural development	5.0	18.3	5.0	22.0	56.0	106.3
Agriculture and rural development	50.3				56.0	106.3
Total	**664.2**					

Source: European Commission (2015), The former Yugoslav Republic of Macedonia (fYROM) - Financial assistance under IPA II, Brussels: European Commission (available at: http://ec.europa.eu/enlargement/instruments/funding-by-country/former-yugoslav-republic-of-macedonia/index_en.htm, last accessed on: 10 June 2015).

Kosovo*

Sector	2014	2015	2016	2017	2018-2020	Total 2014-2020
a. Reforms in preparation for EU approximation	37.3	34.0	31.0	35.2	99.1	236.6
Democracy and governance	64.4				46.0	110.4
Rule of law and fundamental rights	73.1				53.1	126.2
b. Socio-economic and regional development	20.0	37.9	33.0	30.0	114.1	235.0
Energy	46				54	100.0
Competitiveness and innovation	74.9				60.1	135.0
c. Employment, social policies, education, research and innovation, promotion of gender equality, and human resources development	14.5	7.0	10.0	16.7	46.0	94.2
Education, employment and social policies	48.2				46.0	94.2
d. Agriculture and rural development	12.0	7.0	14.7	10.0	36.0	79.7
Agriculture and rural development	43.7				36.0	79.7
Total	**645.5**					

Source: European Commission (2015), *Kosovo* - Financial assistance under IPA II*, Brussels:European Commission (available at: http://ec.europa.eu/enlargement/instruments/funding-by-country/kosovo/index_en.htm, last accessed on: 10 June 2015).

Montenegro

Sector	2014	2015	2016	2017	2018-2020	Total 2014-2020
Democracy and governance	29.1				17.8	46.9
Rule of law and fundamental rights	31.6				20.7	52.3
Environment and climate action	18.8				18.7	37.5
Transport	20.2				11.8	32.1
Competitiveness and innovation	12.3				8.9	21.2
Education, employment and social policies	15.3				12.8	28.1
Agriculture and rural development	24.7				27.7	52.4
Total	**270.5**					

Source: European Commission (2015), Montenegro - Financial assistance under IPA II, Brussels: European Commission (available at: http://ec.europa.eu/enlargement/instruments/funding-by-country/montenegro/index_en.htm, last accessed on: 11 June 2015).

[652] For 2014, subject to needs assessments, indicatively 15 million euro were dedicated to flood recovery and reconstruction.

Serbia[653]

Sector	2014	2015	2016	2017	2018-2020	Total 2014-2020
a. Reforms in preparation for EU approximation	95.1	61.4	77.9	78.4	230.2	543.0
Democracy and governance	177.8				100.2	278.0
Rule of law and fundamental rights	135.0				130.0	265.0
b. Socio-economic and regional development	85.0[654]	75.0	85.0	80.0	240.0	565.0
Environment and climate change	85.0				75.0	160.0
Transport	90.0				85.0	175.0
Energy	80.0				45.0	125
Competitiveness and innovation	70.0				35.0	105.0
c. Employment, social policies, education, research and innovation, promotion of gender equality, and human resources development	15.0	40.0	20.0	27.0	88.0	190.0
Education, employment and social policies	102.0				88.0	190.0
d. Agriculture and rural development	0	25.0	25.0	30.0	130.0	210.0
Agriculture and rural development	80.0				130.0	210.0
Total	**1,508.0**					

Source: European Commission (2015), Serbia - Financial assistance under IPA II, Brussels:European Commission (available at: http://ec.europa.eu/enlargement/instruments/funding-by-country/montenegro/index_en.htm, last accessed on: 11 June 2015).

[653] Any possible differences in figures displayed in policy areas and sectors compared to the annual totals are the effect of rounding to one decimal.

[654] For 2014, subject to need assessments, indicatively 50 million euro were dedicated to floods recovery.

3. Asylum and new asylum applicants (numbers) from Balkan candidates to the European Union for the 2008-2014 period

Candidate	2008	2009	2010	2011	2012	2013	2014
a. Asylum applications							
Albania	1,135	2,065	1,925	3,080	7,500	11,065	16,825
Bosnia and Herzegovina	965	1,330	2,105	2,655	5,835	7,065	10,705
fYROM	805	930	7,550	5,555	9,625	11,035	10,330
Kosovo*	0	14,275	14,310	9,880	10,210	20,225	37,895
Montenegro	275	270	405	635	1,260	945	1,845
Serbia	13,725	5,460	17,740	14,105	19,055	22,360	30,840
b. New asylum applications							
Albania	620	1,305	1,075	2,860	6,875	10,555	16,025
Bosnia and Herzegovina	435	1,035	1,900	2,400	5,235	5,295	7,775
fYROM	315	615	6,120	4,535	6,705	7,380	6,730
Kosovo*	0	9,775	11,725	7,550	7,165	16,905	34,120
Montenegro	105	190	340	540	1,105	770	1,455
Serbia	5,360	3,205	14,615	10,650	13,635	15,060	20,095

Source: Eurostat, Asylum statistics: Tables and figures, Brussels: European Commission (available at: http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics#Main_tables, last accessed on: 10 June 2015).

4. Ongoing and completed Common Security and Defence Policy (CSDP) missions and operations in the Western Balkans

4.1. Ongoing missions and operations

EU military operation in Bosnia and Herzegovina (Operation EUFOR ALTHEA)	
Theatre	Bosnia and Herzegovina (BiH)
Main objectives	• To provide capacity-building and training support to the Armed Forces of BiH; • To support BiH efforts to maintain the safe and secure environment in BiH; • To provide support to the overall EU comprehensive strategy for BiH.
Headquarters	Sarajevo (Camp Butmir)
Starting Date	2 December 2004
Head of Mission	• EU Operation Commander: General Sir Adrian John Bradshaw (UK); • EU Force Commander (as of 17 December 2014): Major General Johann Luif (Austria).
Mission strength (manpower)	600
Mission budget	The common costs of the operation are 14 million euro/year. The costs are paid through contributions by all the EU member states (except Denmark).
Contributing states	17 EU member states and 5 partner nations (Albania, Chile, the former Yugoslav Republic of Macedonia, Switzerland and Turkey).

Source: European External Action Service (EEAS), EUFOR Fact Sheet, Brussels: EEAS (available at: http://www.euforbih.org/index.php?option=com_content&view=article&id=15:eufor-fact-sheet&catid=185:about-eufor&Itemid=134, last accessed on: 11 June 2015).

EU Rule of Law Mission in Kosovo (EULEX KOSOVO)	
Theatre	Kosovo
Main objectives	• To assist and support the Kosovo authorities in the rule of law sector, specifically in the police, judiciary and customs areas.
Headquarters	Prishtinë/Priština
Starting Date	4 February 2008
Head of Mission	• Mr Gabriele Meucci (Italy).
Authorised mission strength (manpower)	800 (international) and 800 (local).
Mission budget	Approximately 90 million euro/year.
Contributing states	Most EU member states and 5 partner nations (Canada, Norway, Switzerland, Turkey, and the United States.)

Source: European External Action Service (EEAS), EULEX Kosovo Fact Sheet, Brussels: EEAS (available at: http://www.euforbih.org/index.php?option=com_content&view=article&id=15:eufor-fact-sheet&catid=185:about-eufor&Itemid=134, last accessed on: 11 June 2015).

4.2. Completed missions and operations

	CONCORDIA/fYROM
Theatre	The former Yugoslav Republic of Macedonia (fYROM)
Period	March-December 2003
Main objectives	• To further contribute to a stable secure environment and to allow the implementation of the August 2001 Ohrid Framework Agreement.

Source: European External Action Service (EEAS), CONCORDIA/fYROM, Brussels: EEAS (available at: http://eeas.europa.eu/csdp/missions-and-operations/concordia/index_en.htm, last accessed on: 11 June 2015).

	EU Police Mission in the former Yugoslav Republic of Macedonia (EUPOL PROXIMA/fYROM)
Theatre	The former Yugoslav Republic of Macedonia (fYROM)
Period	December 2003- December 2005
Main objectives	• Monitoring, mentoring and advising fYROM's police, thus helping to fight organised crime; • Promoting European policing standards.

Source: European External Action Service (EEAS), EUPOL PROXIMA/fYROM, Brussels: EEAS (available at: http://eeas.europa.eu/csdp/missions-and-operations/proxima-fyrom/index_en.htm, last accessed on: 11 June 2015).

	The European Union Police Mission in Bosnia and Herzegovina (EUPM/BiH)
Theatre	Bosnia and Herzegovina (BiH)
Period	January 2003-June 2012
Main objectives	• To strengthen the operational capacity and joint capability of the law enforcement agencies engaged in the fight against organised crime and corruption; • To assist and support in the planning and conduct of investigations in the fight against organised crime and corruption in a systematic approach; • To assist and promote development of criminal investigative capacities of BiH; • To enhance police-prosecution cooperation; • To strengthen police-penitentiary system cooperation; • To contribute to ensuring a suitable level of accountability.

Source: European External Action Service (EEAS), EUPM/BiH Fact Sheet, Brussels: EEAS (available at: http://eeas.europa.eu/csdp/missions-and-operations/eupm-bih/pdf/25062012_factsheet_eupm-bih_en.pdf, last accessed on: 11 June 2015).

5. Public opinion in EU member states and enlargement (in general)

5.1. Estimated percentage (%) of the total population in EU member states *in favour* of further EU enlargement for the 2010-2014 period

Country	2010	2011	2012	2013	2014
Austria	26	18	23	17	26
Belgium	41	35	33	35	34
Bulgaria	66	54	58	55	51
Croatia	/	/	/	71	56
Cyprus	60	44	35	32	37
Czech Republic	57	38	39	44	42
Denmark	46	42	40	45	38
Estonia	61	46	47	51	48
Finland	37	27	29	32	33
France	35	23	26	23	26
Germany	25	17	21	23	24
Greece	49	44	42	44	43
Hungary	71	56	54	60	55
Ireland	38	24	43	42	44
Italy	44	37	34	29	30
Latvia	53	45	49	48	51
Lithuania	65	60	62	64	65
Luxembourg	40	34	27	31	25
Malta	58	50	50	60	63
Netherlands	40	31	36	33	35
Poland	70	69	69	61	64
Portugal	47	37	40	38	44
Romania	65	58	58	64	72
Slovakia	68	48	46	51	50
Slovenia	66	50	61	52	54
Spain	51	45	46	44	52
Sweden	56	47	48	56	55
United Kingdom	27	29	33	32	38
EU average	43	36	38	37	39

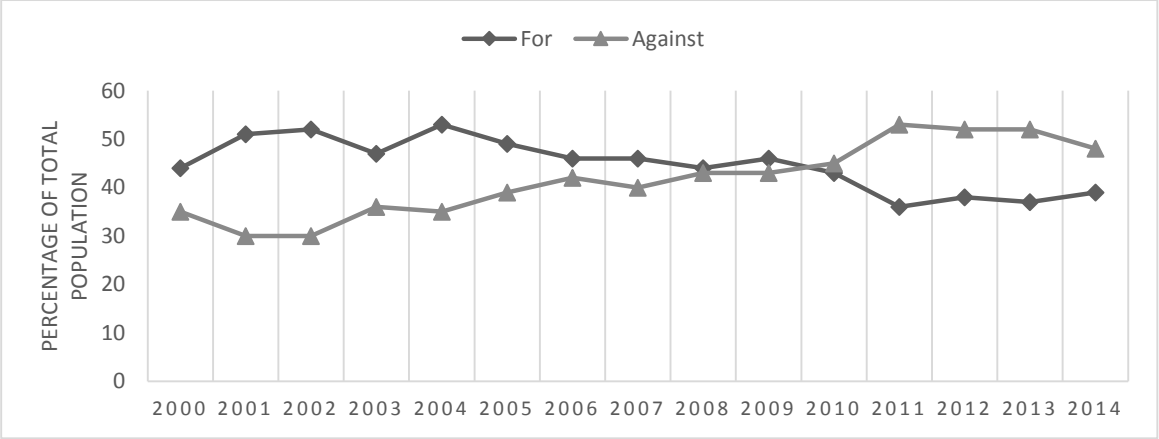
Sources: European Commission (2010-2014), Standard Eurobarometers No. 74, 76, 78, 80, 82 and Annexes, Brussels:European Commission (available at, respectively: http://ec.europa.eu/public_opinion/archives/eb/eb74/eb74_anx_full_fr.pdf (p. 80); http://ec.europa.eu/public_opinion/archives/eb/eb76/eb76_anx_en.pdf (p. 67); http://ec.europa.eu/public_opinion/archives/eb/eb78/eb78_anx_en.pdf (p. T71); http://ec.europa.eu/public_opinion/archives/eb/eb80/eb80_anx_en.pdf (p. T64); http://ec.europa.eu/public_opinion/archives/eb/eb82/eb82_anx_en.pdf (p. T94), last accessed on: 17 June 2015).

5.2. Estimated percentage (%) of the total population in EU member states *against* further EU enlargement for the 2010-2014 period

Country	2010	2011	2012	2013	2014
Austria	67	77	72	76	67
Belgium	56	63	63	62	60
Bulgaria	13	21	24	29	25
Croatia	/	/	/	22	33
Cyprus	28	45	53	56	51
Czech Republic	34	54	53	50	49
Denmark	48	52	55	51	53
Estonia	28	45	42	40	32
Finland	59	70	67	65	58
France	57	71	68	70	65
Germany	65	76	73	69	68
Greece	46	47	51	51	52
Hungary	20	35	35	32	37
Ireland	45	56	44	46	45
Italy	41	45	50	59	52
Latvia	37	45	36	38	36
Lithuania	19	26	24	20	23
Luxembourg	55	62	70	64	67
Malta	20	26	30	25	23
Netherlands	55	64	60	64	59
Poland	17	21	22	26	18
Portugal	34	44	46	49	44
Romania	13	21	21	18	14
Slovakia	27	47	46	42	40
Slovenia	29	44	34	42	35
Spain	32	36	35	37	28
Sweden	40	49	48	40	36
United Kingdom	59	59	59	55	49
EU average	45	53	52	52	48

Sources: ibidem

5.3 Estimated percentage (%) of the total population in EU member states *in favour and against* further EU enlargement for the 2000-2014 period



Sources: ibid. (authors' graphic elaboration).

MISSION STATEMENT

The European Policy Centre (EPC) is an independent, not-for-profit think tank dedicated to fostering European integration through analysis and debate, supporting and challenging European decision-makers at all levels to make informed decisions based on evidence and analysis, and providing a platform for engaging partners, stakeholders and citizens in EU policymaking and in the debate about the future of Europe.

European Policy Centre
14-16 Rue du Trône/Troonstraat
B-1000 Brussels
Belgium

Tel : +32 (0) 2 231 03 40
Fax : +32 (0) 2 231 07 04
Email : info@epc.eu
Twitter : @epc.eu
www.epc.eu